

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1478 Session of
1985

INTRODUCED BY PITTS, FREIND, TRELLO, BIRMELIN, HERSHEY, BARLEY,
JOHNSON, CLYMER, VROON, FLICK, PHILLIPS, NOYE, BUNT, GANNON,
DISTLER, SIRIANNI, KENNEY, BURD, OLASZ, BLACK, MICOZZIE,
LANGTRY, ITKIN, WESTON AND GAMBLE, JUNE 24, 1985

REFERRED TO COMMITTEE ON EDUCATION, JUNE 24, 1985

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing requirements for
6 home education programs; and making editorial changes.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1327 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended January 14, 1970 (1969 P.L.468, No.192), is amended to
12 read:

13 Section 1327. Compulsory School Attendance.--[Every] Except
14 as hereinafter provided, every child of compulsory school age
15 having a legal residence in this Commonwealth, as provided in
16 this article, and every migratory child of compulsory school
17 age, is required to attend a day school in which the subjects
18 and activities prescribed by the standards of the State Board of
19 Education are taught in the English language. In lieu of such

1 school attendance, any child fifteen years of age with the
2 approval of the district superintendent and the approval of the
3 [Superintendent of Public Instruction] Secretary of Education,
4 and any child sixteen years of age with the approval of the
5 district superintendent of schools, may enroll as a day student
6 in a private trade school or in a private business school
7 licensed by the Department of [Public Instruction] Education, or
8 in a trade or business school, or department operated by a local
9 school district or districts. Such modified program offered in a
10 public school must meet the standards prescribed by the State
11 Board of Education or the State Board for Vocational Education.
12 [Every] Except as hereinafter provided, every parent, guardian,
13 or other person having control or charge of any child or
14 children of compulsory school age is required to send such child
15 or children to a day school in which the subjects and activities
16 prescribed by the standards of the State Board of Education are
17 taught in the English language. Such parent, guardian, or other
18 person having control or charge of any child or children,
19 fifteen or sixteen years of age, in accordance with the
20 provisions of this act, may send such child or children to a
21 private trade school or private business school licensed by the
22 Department of [Public Instruction] Education, or to a trade or
23 business school, or department operated by a local school
24 district or districts. Such modified program offered in a public
25 school must meet the standards prescribed by the State Board of
26 Education or the State Board for Vocational Education. Such
27 child or children shall attend such school continuously through
28 the entire term, during which the public schools in their
29 respective districts shall be in session, or in cases of
30 children of migrant laborers during the time the schools are in

1 session in the districts in which such children are temporarily
2 domiciled. The financial responsibility for the education of
3 such children of migrant laborers shall remain with the school
4 district in which such children of migrant laborers are
5 temporarily domiciled; except in the case of special schools or
6 classes conducted by an intermediate unit and approved by the
7 Department of [Public Instruction] Education or conducted by the
8 Department of [Public Instruction.] Education. A child who is
9 enrolled in a home education program and whose education is
10 therefore under the supervision of his parent, guardian or other
11 person having control or charge of such child or children of
12 compulsory school age and the parent, guardian or other person
13 having control or charge of any such child or children of
14 compulsory school age shall be deemed to have met the
15 requirements of this section if that home education program
16 provides a minimum of one hundred eighty (180) days of
17 instruction or nine hundred (900) hours of instruction per year
18 at the elementary level, or nine hundred ninety (990) hours per
19 year at the secondary level:

20 (1) At the elementary school level, the following courses
21 shall be taught: English, to include spelling, reading and
22 writing; arithmetic; science; geography; history of the United
23 States and Pennsylvania; civics; safety education, including
24 regular and continuous instruction in the dangers and prevention
25 of fires; health and physiology; physical education; music; and
26 art.

27 (2) At the secondary school level, the following courses
28 shall be offered: English, to include language, literature,
29 speech and composition; science, to include biology and
30 chemistry; geography; social studies, to include civics,

1 economics, world history, history of the United States and
2 Pennsylvania; a foreign language; mathematics, to include
3 general mathematics and statistics, algebra and geometry; art;
4 music; physical education; health and physiology; and safety
5 education, including regular and continuous instruction in the
6 dangers and prevention of fires.

7 The requirements contained in sections 1511 and 1605 of this act
8 shall not apply to home education programs. The notarized
9 affidavit of the parent or guardian or other person serving as
10 the supervisor in the home education program, filed with the
11 Department of Education and setting forth that such subjects are
12 offered in the English language in such home education program
13 and that the program is otherwise in compliance with the
14 provisions of this act, shall be satisfactory and sufficient
15 evidence thereof. The certificate of any principal or teacher of
16 a private school, or of any institution for the education of
17 children, in which the subjects and activities prescribed by the
18 standards of the State Board of Education are taught in the
19 English language, setting forth that the work of said school is
20 in compliance with the provisions of this act, shall be
21 sufficient and satisfactory evidence thereof. [Regular daily
22 instruction in the English language, for the time herein
23 required, by a properly qualified private tutor, shall be
24 considered as complying with the provisions of this section, if
25 such instruction is satisfactory to the proper district
26 superintendent of schools.] It is the policy of the Commonwealth
27 to preserve the primary right and the obligation of the parent
28 or parents, or person or persons in loco parentis to a child, to
29 choose the education and training for such child. Nothing
30 contained in this act shall empower the Commonwealth, or any of

1 its officers, agencies or subdivisions, to approve the course
2 content, faculty, staff or disciplinary requirements of any home
3 education program referred to in this section without the
4 consent of the parent, guardian or other person having control
5 or charge of the child enrolled in the program.

6 (3) The following minimum courses in grades nine through
7 twelve are established as a requirement for high school
8 graduation in home education programs:

9 (i) Four years of English.

10 (ii) Three years of mathematics.

11 (iii) Three years of science.

12 (iv) Three years of social studies.

13 (v) Two years of arts and humanities.

14 (4) The provisions pertaining to a home education program
15 shall not apply to a tutorial program. Instruction by a properly
16 qualified tutor, in the English language, in a tutorial program
17 approved by the superintendent of the school district of
18 residence shall be deemed to have met the compulsory attendance
19 requirements of this section.

20 Section 2. This act shall take effect July 1, 1985, or
21 immediately, whichever is later.