
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2174 Session of
1986

INTRODUCED BY DOMBROWSKI, BOWSER, GALLAGHER, BURNS, CAPPABIANCA,
MERRY, BOYES, SWIFT, BOWLEY, ROBBINS AND BROUJOS,
FEBRUARY 18, 1986

AMENDMENTS TO SENATE AMENDMENTS, HOUSE OF REPRESENTATIVES,
SEPTEMBER 30, 1986

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 for continuing
6 professional development plans and requirements; FURTHER <—
7 PROVIDING FOR COMPULSORY SCHOOL ATTENDANCE REQUIREMENTS;
8 PROHIBITING THE REFUSAL TO ENROLL STUDENTS BECAUSE OF RACE OR
9 COLOR; AND FURTHER SPECIFYING REQUIREMENTS FOR HIGH SCHOOL
10 CERTIFICATES.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
14 as the Public School Code of 1949, is amended by adding a
15 section to read:

16 Section 1205.1. Continuing Professional Development.--(a)
17 During the 1986-1987 school year, every school district, joint
18 school district, intermediate unit, and area vocational-
19 technical school shall submit to the Secretary of Education for

1 approval a continuing professional development plan, developed
2 pursuant to the provisions of subsection (b) and including, at a
3 minimum, the elements provided for in subsection (c). The
4 secretary shall determine approximately one-third of the school
5 districts, joint school districts, intermediate units, and area
6 vocational-technical schools which shall submit two-year plans,
7 one-third which shall submit three-year plans, and one-third
8 which shall submit four-year plans during the 1986-1987 school
9 year. Thereafter, upon the expiration of the existing
10 professional development plan, each school district, joint
11 school district, intermediate unit, and area vocational-
12 technical school shall submit to the secretary for approval a
13 two-year professional development plan.

14 (b) The professional development plan provided for in
15 subsection (a) shall be prepared by teacher representatives
16 chosen by the teachers and administrative representatives chosen
17 by the administrative personnel of the school district, joint
18 school district, intermediate unit, or area vocational-technical
19 school, and shall then be approved by the board of directors
20 prior to submission to the secretary for approval. The secretary
21 may specify the time at which and the form in which such plans
22 are to be submitted. The State Board of Education shall
23 promulgate regulations, subject to the act of June 25, 1982
24 (P.L.633, No.181), known as the "Regulatory Review Act,"
25 establishing the minimal content of such plans. The provisions
26 of section 2552 shall apply to any school district, joint school
27 district, intermediate unit or area vocational-technical school
28 failing to comply with the provisions of this section.

29 (c) The professional development plan of each school
30 district, joint school district, intermediate unit, and area

1 vocational-technical school shall be designed to meet the
2 educational needs of that school entity and its professional
3 employees. Each plan shall include options for professional
4 development and for fulfilling the professional development
5 requirements of subsection (d), including activities such as
6 professionally related graduate level coursework, obtaining a
7 professionally related master's degree, Department of Education
8 approved inservice courses, curriculum development work,
9 attendance at professional conferences, and supervised classroom
10 observations of other professional employees. In its professional
11 development plan, a school district, joint school district,
12 intermediate unit or area vocational-technical school may
13 provide for undertaking joint or cooperative professional
14 development activities with another school entity or an
15 institution of higher education.

16 (d) All professional employees of school districts, joint
17 school districts, intermediate units or area vocational-
18 technical schools receiving their initial Pennsylvania teaching
19 or administrative certification, as provided for in this
20 article, on or after June 1, 1987, shall be required at least
21 once during every five-year period, commencing upon receipt of a
22 permanent teaching certificate or an initial administrative
23 certificate, to participate in professional development activity
24 pursuant to the professional development plan of that
25 professional employee's school district, joint school district,
26 intermediate unit, or area vocational-technical school. A
27 professional employee who obtains a professionally related
28 master's degree shall be deemed to have complied permanently
29 with the provisions of this subsection. The chief school
30 administrator of every school district, joint school district,

1 intermediate unit, and area vocational-technical school shall
2 certify annually to the secretary the names of professional
3 employees who have received their initial Pennsylvania teaching
4 or administrative certification on or after June 1, 1987, and
5 the professional development activities in which these employees
6 have participated. The certification shall be made at such time
7 and in such form as the secretary may require.

8 (e) The provisions of State Board of Education regulations
9 in 22 Pa. Code § 49.17(a) and (b), promulgated September 13,
10 1984, are hereby specifically declared to be contrary to the
11 provisions of this section and therefore null and void. Nothing
12 in this section shall be deemed to affect the provisions of 22
13 Pa. Code § 49.17(c), (d) and (e).

14 SECTION 2. SECTION 1327 OF THE ACT, AMENDED JANUARY 14, 1970 <—
15 (1969 P.L.468, NO.192), IS AMENDED TO READ:

16 SECTION 1327. COMPULSORY SCHOOL ATTENDANCE.--[EVERY] (A)
17 EXCEPT AS HEREINAFTER PROVIDED, EVERY CHILD OF COMPULSORY SCHOOL
18 AGE HAVING A LEGAL RESIDENCE IN THIS COMMONWEALTH, AS PROVIDED
19 IN THIS ARTICLE, AND EVERY MIGRATORY CHILD OF COMPULSORY SCHOOL
20 AGE, IS REQUIRED TO ATTEND A DAY SCHOOL IN WHICH THE SUBJECTS
21 AND ACTIVITIES PRESCRIBED BY THE STANDARDS OF THE STATE BOARD OF
22 EDUCATION ARE TAUGHT IN THE ENGLISH LANGUAGE. IN LIEU OF SUCH
23 SCHOOL ATTENDANCE, ANY CHILD FIFTEEN YEARS OF AGE WITH THE
24 APPROVAL OF THE DISTRICT SUPERINTENDENT AND THE APPROVAL OF THE
25 [SUPERINTENDENT OF PUBLIC INSTRUCTION] SECRETARY OF EDUCATION,
26 AND ANY CHILD SIXTEEN YEARS OF AGE WITH THE APPROVAL OF THE
27 DISTRICT SUPERINTENDENT OF SCHOOLS, MAY ENROLL AS A DAY STUDENT
28 IN A PRIVATE TRADE SCHOOL OR IN A PRIVATE BUSINESS SCHOOL
29 LICENSED BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION, OR
30 IN A TRADE OR BUSINESS SCHOOL, OR DEPARTMENT OPERATED BY A LOCAL

1 SCHOOL DISTRICT OR DISTRICTS. SUCH MODIFIED PROGRAM OFFERED IN A
2 PUBLIC SCHOOL MUST MEET THE STANDARDS PRESCRIBED BY THE STATE
3 BOARD OF EDUCATION OR THE STATE BOARD FOR VOCATIONAL EDUCATION.
4 [EVERY] EXCEPT AS HEREINAFTER PROVIDED, EVERY PARENT, GUARDIAN,
5 OR OTHER PERSON HAVING CONTROL OR CHARGE OF ANY CHILD OR
6 CHILDREN OF COMPULSORY SCHOOL AGE IS REQUIRED TO SEND SUCH CHILD
7 OR CHILDREN TO A DAY SCHOOL IN WHICH THE SUBJECTS AND ACTIVITIES
8 PRESCRIBED BY THE STANDARDS OF THE STATE BOARD OF EDUCATION ARE
9 TAUGHT IN THE ENGLISH LANGUAGE. SUCH PARENT, GUARDIAN, OR OTHER
10 PERSON HAVING CONTROL OR CHARGE OF ANY CHILD OR CHILDREN,
11 FIFTEEN OR SIXTEEN YEARS OF AGE, IN ACCORDANCE WITH THE
12 PROVISIONS OF THIS ACT, MAY SEND SUCH CHILD OR CHILDREN TO A
13 PRIVATE TRADE SCHOOL OR PRIVATE BUSINESS SCHOOL LICENSED BY THE
14 DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION, OR TO A TRADE OR
15 BUSINESS SCHOOL, OR DEPARTMENT OPERATED BY A LOCAL SCHOOL
16 DISTRICT OR DISTRICTS. SUCH MODIFIED PROGRAM OFFERED IN A PUBLIC
17 SCHOOL MUST MEET THE STANDARDS PRESCRIBED BY THE STATE BOARD OF
18 EDUCATION OR THE STATE BOARD FOR VOCATIONAL EDUCATION. SUCH
19 CHILD OR CHILDREN SHALL ATTEND SUCH SCHOOL CONTINUOUSLY THROUGH
20 THE ENTIRE TERM, DURING WHICH THE PUBLIC SCHOOLS IN THEIR
21 RESPECTIVE DISTRICTS SHALL BE IN SESSION, OR IN CASES OF
22 CHILDREN OF MIGRANT LABORERS DURING THE TIME THE SCHOOLS ARE IN
23 SESSION IN THE DISTRICTS IN WHICH SUCH CHILDREN ARE TEMPORARILY
24 DOMICILED. THE FINANCIAL RESPONSIBILITY FOR THE EDUCATION OF
25 SUCH CHILDREN OF MIGRANT LABORERS SHALL REMAIN WITH THE SCHOOL
26 DISTRICT IN WHICH SUCH CHILDREN OF MIGRANT LABORERS ARE
27 TEMPORARILY DOMICILED; EXCEPT IN THE CASE OF SPECIAL SCHOOLS OR
28 CLASSES CONDUCTED BY AN INTERMEDIATE UNIT AND APPROVED BY THE
29 DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION OR CONDUCTED BY THE
30 DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION. THE CERTIFICATE OF

1 ANY PRINCIPAL OR TEACHER OF A PRIVATE SCHOOL, OR OF ANY
2 INSTITUTION FOR THE EDUCATION OF CHILDREN, IN WHICH THE SUBJECTS
3 AND ACTIVITIES PRESCRIBED BY THE STANDARDS OF THE STATE BOARD OF
4 EDUCATION ARE TAUGHT IN THE ENGLISH LANGUAGE, SETTING FORTH THAT
5 THE WORK OF SAID SCHOOL IS IN COMPLIANCE WITH THE PROVISIONS OF
6 THIS ACT, SHALL BE SUFFICIENT AND SATISFACTORY EVIDENCE THEREOF.
7 REGULAR DAILY INSTRUCTION IN THE ENGLISH LANGUAGE, FOR THE TIME
8 HEREIN REQUIRED, BY A PROPERLY QUALIFIED PRIVATE TUTOR, SHALL BE
9 CONSIDERED AS COMPLYING WITH THE PROVISIONS OF THIS SECTION, IF
10 SUCH INSTRUCTION IS SATISFACTORY TO THE PROPER DISTRICT
11 SUPERINTENDENT OF SCHOOLS.

12 (B) A CHILD ENROLLED IN A DAY SCHOOL WHICH IS OPERATED BY A
13 BONA FIDE CHURCH OR OTHER RELIGIOUS BODY, AND THE PARENT,
14 GUARDIAN OR OTHER PERSON HAVING CONTROL OR CHARGE OF ANY SUCH
15 CHILD OR CHILDREN OF COMPULSORY SCHOOL AGE SHALL BE DEEMED TO
16 HAVE MET THE REQUIREMENTS OF THIS SECTION IF THAT SCHOOL
17 PROVIDES A MINIMUM OF ONE HUNDRED EIGHTY (180) DAYS OF
18 INSTRUCTION OR NINE HUNDRED (900) HOURS OF INSTRUCTION PER YEAR
19 AT THE ELEMENTARY LEVEL, OR NINE HUNDRED NINETY (990) HOURS PER
20 YEAR OF INSTRUCTION AT THE SECONDARY LEVEL AND:

21 (1) AT THE ELEMENTARY SCHOOL LEVEL, THE FOLLOWING COURSES
22 ARE TAUGHT: ENGLISH, TO INCLUDE SPELLING, READING AND WRITING;
23 ARITHMETIC; SCIENCE; GEOGRAPHY; HISTORY OF THE UNITED STATES AND
24 PENNSYLVANIA; CIVICS; SAFETY EDUCATION, INCLUDING REGULAR AND
25 CONTINUOUS INSTRUCTION IN THE DANGERS AND PREVENTION OF FIRES;
26 HEALTH AND PHYSIOLOGY; PHYSICAL EDUCATION; MUSIC; AND ART.

27 (2) AT THE SECONDARY SCHOOL LEVEL, THE FOLLOWING COURSES ARE
28 OFFERED: ENGLISH, TO INCLUDE LANGUAGE, LITERATURE, SPEECH AND
29 COMPOSITION; SCIENCE, TO INCLUDE BIOLOGY AND CHEMISTRY;
30 GEOGRAPHY; SOCIAL STUDIES, TO INCLUDE CIVICS, ECONOMICS, WORLD

HISTORY, HISTORY OF THE UNITED STATES AND PENNSYLVANIA; A
FOREIGN LANGUAGE; MATHEMATICS, TO INCLUDE GENERAL MATHEMATICS
AND STATISTICS, ALGEBRA AND GEOMETRY; ART; MUSIC; PHYSICAL
EDUCATION; HEALTH AND PHYSIOLOGY; AND SAFETY EDUCATION,
INCLUDING REGULAR AND CONTINUOUS INSTRUCTION IN THE DANGERS AND
PREVENTION OF FIRES.

THE REQUIREMENTS CONTAINED IN SECTIONS 1511 AND 1605 OF THIS ACT
SHALL NOT APPLY TO SUCH SCHOOLS. THE NOTARIZED AFFIDAVIT OF THE
PRINCIPAL OF ANY SUCH SCHOOL, FILED WITH THE DEPARTMENT OF
EDUCATION AND SETTING FORTH THAT SUCH SUBJECTS ARE OFFERED IN
THE ENGLISH LANGUAGE IN SUCH SCHOOL, WHETHER IT IS A NONPROFIT
ORGANIZATION, AND THAT SUCH SCHOOL IS OTHERWISE IN COMPLIANCE
WITH THE PROVISIONS OF THIS ACT, SHALL BE SATISFACTORY AND
SUFFICIENT EVIDENCE THEREOF. IT IS THE POLICY OF THE
COMMONWEALTH TO PRESERVE THE PRIMARY RIGHT AND THE OBLIGATION OF
THE PARENT OR PARENTS, OR PERSON OR PERSONS IN LOCO PARENTIS TO
A CHILD, TO CHOOSE THE EDUCATION AND TRAINING FOR SUCH CHILD.
NOTHING CONTAINED IN THIS ACT SHALL EMPOWER THE COMMONWEALTH,
ANY OF ITS OFFICERS, AGENCIES OR SUBDIVISIONS TO APPROVE THE
COURSE CONTENT, FACULTY, STAFF OR DISCIPLINARY REQUIREMENTS OF
ANY RELIGIOUS SCHOOL REFERRED TO IN THIS SECTION WITHOUT THE
CONSENT OF SAID SCHOOL.

(C) A CHILD ENROLLED IN A DAY OR BOARDING SCHOOL ACCREDITED
BY AN ACCREDITING ASSOCIATION WHICH IS APPROVED BY THE STATE
BOARD OF EDUCATION, AND THE PARENT, GUARDIAN OR OTHER PERSON
HAVING DESIGNATED CONTROL OR CHARGE OF ANY CHILD OR CHILDREN OF
COMPULSORY SCHOOL AGE SHALL BE DEEMED TO HAVE MET THE
REQUIREMENTS OF SUBSECTION (A).

SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 1521. LIMITATION OF REFUSAL TO ENROLL STUDENT.--NO

1 PUBLIC OR PRIVATE SCHOOL SHALL REFUSE TO ENROLL ANY STUDENTS
2 BECAUSE OF RACE OR COLOR.

3 SECTION 4. SECTION 1613 OF THE ACT, ADDED JULY 27, 1953
4 (P.L.629, NO.184), IS AMENDED TO READ:

5 SECTION 1613. HIGH SCHOOL CERTIFICATES.--(A) THE BOARD OF
6 SCHOOL DIRECTORS, JOINT BOARD OF JOINT SCHOOL COMMITTEE
7 OPERATING ANY HIGH SCHOOL SHALL ISSUE A CERTIFICATE TO EACH
8 PUPIL SATISFACTORILY COMPLETING THE PRESCRIBED COURSE OF
9 INSTRUCTION IN THE HIGH SCHOOL.

10 (B) FOR THOSE PUPILS GRADUATING AT THE CLOSE OF THE SCHOOL
11 YEAR 1989-1990, AND EACH SCHOOL YEAR THEREAFTER, THE FOLLOWING
12 MINIMUM COURSES IN GRADES NINE THROUGH TWELVE ARE ESTABLISHED AS
13 A REQUIREMENT FOR HIGH SCHOOL GRADUATION IN SCHOOLS OPERATED BY
14 A BONA FIDE CHURCH OR OTHER RELIGIOUS BODY:

15 (1) FOUR YEARS OF ENGLISH.

16 (2) THREE YEARS OF MATHEMATICS.

17 (3) THREE YEARS OF SCIENCE.

18 (4) THREE YEARS OF SOCIAL STUDIES.

19 (5) TWO YEARS OF ARTS AND HUMANITIES.

20 (C) A CHILD ENROLLED IN A DAY OR BOARDING SCHOOL ACCREDITED
21 BY AN ACCREDITING ASSOCIATION WHICH IS APPROVED BY THE STATE
22 BOARD OF EDUCATION SHALL BE DEEMED TO HAVE MET THE REQUIREMENTS
23 OF SUBSECTION (B).

24 Section ~~2.~~ 5. SECTION 1 OF THIS act shall be <—
25 retroactive to July 1, 1986.

26 Section ~~3~~ 6. This act shall take effect immediately. <—