

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1357 Session of
1997

INTRODUCED BY L. I. COHEN, YOUNGBLOOD, THOMAS, BELARDI, COWELL,
MASLAND, McNAUGHTON, BAKER, TRELLO, JOSEPHS, HENNESSEY,
GEIST, NICKOL, DENT, BELFANTI, WILT, MILLER, SATHER, ITKIN,
STEELMAN, ARMSTRONG, WASHINGTON, MUNDY, E. Z. TAYLOR,
PISTELLA, BENNINGHOFF, C. WILLIAMS AND JAMES, APRIL 17, 1997

REFERRED TO COMMITTEE ON EDUCATION, APRIL 17, 1997

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," providing for pupils who are unable,
6 because of observance of a religious holiday, to attend
7 classes.

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

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

13 Section 1550. Pupil Religious Observances.--(a) No pupil
14 who is unable, because of the pupil's observance of a religious
15 holiday, to attend classes or to participate in any examination,
16 study or work requirements on a particular day or days shall, by
17 reason of such absence, be refused admission as a pupil to or
18 expelled or suspended from any school.

19 (b) The superintendent of the school district shall, upon

1 the written request of a parent or other person in loco
2 parentis, excuse any student who is the child of that parent or
3 person in loco parentis from school attendance in order to
4 observe a religious holiday. This written notice must, however,
5 be received by the superintendent at least forty-eight (48)
6 hours prior to the requested absence.

7 (c) No pupil in any school who is absent because of the
8 pupil's observance of a religious holiday shall, by reason of
9 such absence, be deprived of any award or of eligibility or
10 opportunity to compete for any award.

11 (d) No pupil in any public school who is unable, because of
12 the pupil's observance of a religious holiday, to attend classes
13 on a particular day or days shall, by reason of such absence, be
14 deprived of the opportunity to take an alternative test or
15 examination or to make up any study or work requirements which
16 are missed because of such absence.

17 (e) It shall be the duty of the district superintendent of
18 each school district to make available to each pupil who is
19 absent from school because of the pupil's observance of a
20 religious holiday an equivalent opportunity to compete for any
21 award, to make up any examination, study or work requirements or
22 class which is missed because of such absence on any particular
23 day or days. No fees of any kind shall be charged by the school
24 for making available to the pupil such equivalent opportunity.

25 (f) Any absence because of a pupil's observance of a
26 religious holiday shall be recorded as an excused absence on the
27 pupil's attendance record or on the record of any group or class
28 of which the pupil is a member. Any transcript, application,
29 employment form or any similar form on which information
30 concerning a pupil's attendance record is requested shall show,

1 with respect to absences, only absences other than absences
2 excused because of observance of a religious holiday.

3 (g) In effectuating the provisions of this section, it shall
4 be the duty of the board of school directors of each school
5 district to exercise the fullest measure of good faith. No
6 adverse or prejudicial effects shall result to any pupil because
7 of the application of this section.

8 (h) Any pupil who is aggrieved by the alleged failure of any
9 school official to comply in good faith with the provisions of
10 this section shall be entitled to maintain an action or
11 proceeding in the court of common pleas of the county in which
12 such school is located for the enforcement of the pupil's rights
13 under this section.

14 (i) A copy of this section shall be published by each school
15 in the school catalog or similar publication or document which
16 contains the school's rules and regulations or lists the
17 school's available courses.

18 Section 2. This act shall take effect in 60 days.