

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2895 Session of
2006

INTRODUCED BY McCALL, CALTAGIRONE, DALEY, GEIST, GRUCELA, LEH,
PALLONE, PARKER, SHANER, SIPTROTH, STABACK, E. Z. TAYLOR,
J. TAYLOR, YOUNGBLOOD AND ARGALL, AUGUST 21, 2006

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 21, 2006

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 compulsory
6 school attendance.

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

9 Section 1. Section 1327(d) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, added
11 December 21, 1988 (P.L.1321, No.169), is amended to read:

12 Section 1327. Compulsory School Attendance.--* * *

13 (d) Instruction to children of compulsory school age
14 provided in a home education program, as provided for in section
15 1327.1 of this act, shall be considered as complying with the
16 provisions of this section, except that any student who has been
17 identified pursuant to the provisions of the Education of the
18 Handicapped Act (Public Law 91-230, 20 U.S.C. § 1401 et seq.) as
19 needing special education services, [excluding] including those

1 students identified as gifted and/or talented, shall be in
2 compliance with the requirements of compulsory attendance by
3 participating in a home education program, as defined in section
4 1327.1, when the program addresses the specific needs of the
5 exceptional student and is approved by a teacher with a valid
6 certificate from the Commonwealth to teach special education or
7 a licensed clinical or certified school psychologist, and
8 written notification of such approval is submitted with the
9 notarized affidavit required under section 1327.1(b). The
10 supervisor of a home education program may request that the
11 school district or intermediate unit of residence provide
12 services that address the specific needs of the exceptional
13 student in the home education program. When the provision of
14 services is agreed to by both the supervisor and the school
15 district or intermediate unit, all services shall be provided in
16 the public schools or in a private school licensed to provide
17 such programs and services.

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