

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1281 Session of
2008

INTRODUCED BY PIPPY, RHOADES, ERICKSON, ORIE, BROWNE, DINNIMAN,
WONDERLING, GREENLEAF, PICCOLA, RAFFERTY, KITCHEN, WAUGH AND
REGOLA, FEBRUARY 26, 2008

REFERRED TO EDUCATION, FEBRUARY 26, 2008

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," in pupils and attendance, further
6 providing for residence and right to free school privileges.

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

9 Section 1. Section 1302(a) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended December 23, 2003 (P.L.304, No.48), is amended to read:

12 Section 1302. Residence and Right to Free School
13 Privileges.--(a) [A] (1) Subject to the provisions of
14 paragraph (2), a child shall be considered a resident of the
15 school district in which his parents or the guardian of his
16 person resides. Federal installations are considered a part of
17 the school district or districts in which they are situate and
18 the children residing on such installations shall be counted as
19 resident pupils of the school district.

1 (2) A child whose parents have been called or ordered to
2 active military duty, other than training, and whose parents own
3 a residence in the school district shall be considered a
4 resident of the school district where the residence is located.

5 (a.1) When a resident of any school district keeps in his
6 home a child of school age, not his own, supporting the child
7 gratis as if it were his own, such child shall be entitled to
8 all free school privileges accorded to resident school children
9 of the district, including the right to attend the public high
10 school maintained in such district or in other districts in the
11 same manner as though such child were in fact a resident school
12 child of the district, and shall be subject to all the
13 requirements placed upon resident school children of the
14 district. Before such child may be accepted as a pupil, such
15 resident shall file with the secretary of the board:

16 (1) appropriate legal documentation to show dependency or
17 guardianship; or

18 (2) a sworn statement that he is a resident of the district,
19 that he is supporting the child gratis, that he will assume all
20 personal obligations for the child relative to school
21 requirements, and that he intends to so keep and support the
22 child continuously and not merely through the school term. The
23 school board, pursuant to guidelines issued by the Department of
24 Education, may require other reasonable information to be
25 submitted by the resident to substantiate the sworn statement.
26 The form containing the sworn statement shall include notice in
27 large print of the penalty for providing false information in
28 the sworn statement.

29 * * *

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