

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1297 Session of  
2010

INTRODUCED BY DINNIMAN, PICCOLA, MELLOW, PILEGGI, ARGALL,  
BOSCOLA, COSTA, EICHELBERGER, ERICKSON, FARNESE, FERLO,  
FOLMER, GREENLEAF, MENSCH, HUGHES, KASUNIC, KITCHEN, LEACH,  
LOGAN, MUSTO, O'PAKE, RAFFERTY, STACK, STOUT, TARTAGLIONE,  
WAUGH, WILLIAMS, EARLL AND WASHINGTON, MARCH 29, 2010

SENATOR PICCOLA, EDUCATION, AS AMENDED, MAY 4, 2010

## 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 minimum number  
6 of days and school month.

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

9 Section 1. Sections 1501 and 2523 of the act of March 10,  
10 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
11 amended June 30, 1980 (P.L.279, No.80), are amended to read:

12 Section 1501. Minimum Number of Days; School Month.--(a)  
13 All public kindergartens, elementary and secondary schools shall  
14 be kept open each school year for at least one hundred eighty  
15 (180) days of instruction for pupils. No days on which the  
16 schools are closed shall be counted as days taught, and no time  
17 shall be counted as a pupil session for any activity to which  
18 admission is charged.

1     (b) No school district shall be required to change its  
2 graduation schedule or require graduating students to return to  
3 school after graduation to make up class days lost due to severe  
4 weather conditions or, in the school year 1979-1980 for  
5 situations beyond the control of the school district as a result  
6 of major construction and renovation to the school building. No  
7 district which makes a bona fide effort as determined by the  
8 Secretary of Education to provide one hundred eighty (180) days  
9 of instruction for graduating students shall receive less  
10 subsidy payments or reimbursements than it would otherwise be  
11 entitled to receive on account of the school year because of the  
12 provisions of this section.

13     (c) Unless otherwise provided by this act, the board of  
14 school directors in any district or joint board may keep such  
15 other schools or departments as it may establish open during  
16 such time as it may direct.

17     (d) Twenty days of actual teaching shall constitute a school  
18 month.

19     (e) Notwithstanding any other provision of law to the  
20 contrary, the Secretary of Education shall not permit a school  
21 district to reduce the number of days of instruction due to  
22 school closures resulting from severe weather conditions unless  
23 expressly authorized by an act of the General Assembly or the  
24 school district can demonstrate that the number of days where  
25 schools were closed due to severe weather conditions exceeds the  
26 number of remaining available days through June 30, including  
27 those days on which schools were previously scheduled to be  
28 closed. Except for graduating students as provided in subsection  
29 (b), school districts shall utilize all available days through  
30 June 30 of each school year, including those days on which

schools were previously scheduled to be closed in order to provide one hundred eighty (180) days of instruction.

(1) Notwithstanding the provisions of section 1502, the board of school directors shall have the option of rescheduling instructional days on Saturday, but for not more than one Saturday per month, to make up instructional days lost from the adopted school calendar because school was closed as a result of severe weather conditions. In those cases where a board of directors chooses to reschedule instructional days on Saturdays in accordance with the provisions of this subsection, schools within such board's jurisdiction shall not schedule tests or examinations on these Saturdays. Notwithstanding the provisions of section 1502(a), if the board of school directors reschedules an instructional day on Saturday, the schools may be open the following Monday.

(2) Where a school district uses a Saturday to make up instructional days lost as a result of severe weather conditions, a school district, intermediate unit or area vocational-technical school shall excuse a student to observe or participate in a religious activity or function upon the written notification of such observance or participation by the student's parent or guardian. A student's absence from school pursuant to this subsection shall be considered an instructional day and shall not be recorded as an absence on the student's attendance record or on the record of any group or class of which the student is a member. There shall be no penalty attached for any such absences pursuant to this subsection.

(f) Notwithstanding the provisions of section 2523, the Secretary of Education may not pay a school district its share of the annual State appropriation for the noncompletion of



1 instructional days ~~not~~ under this section or for the  
2 noncompletion of instructional hours as permitted under section  
3 1504.

4       Section 2523. Schools Closed on Account of Contagious  
5 Disease, etc.--[When] Except as provided in section 1501, when  
6 any board of school directors or intermediate unit with respect  
7 to area technical schools is compelled to close any school or  
8 schools on account of any contagious disease, natural disaster  
9 or other emergency or for the school year 1979-1980 on account  
10 of major construction or renovation to a school building, not  
11 including labor disputes involving school employes, and therefor  
12 is unable to keep such school or schools open for the minimum  
13 term required by this act, the Secretary of Education may pay to  
14 such school district or intermediate unit any or all of its  
15 share of the annual State appropriation as he deems proper.

16       Section 2. This act shall take effect immediately.