

AMENDMENTS TO SENATE BILL NO. 359

Sponsor: SENATOR GREENLEAF

Printer's No. 1642

1 Amend Bill, page 1, line 20, by striking out "and"

2 Amend Bill, page 1, line 21, by striking out the period after
3 "privilege" and inserting

4 ; in charter schools, further providing for provisions
5 applicable to charter schools and for applicability of other
6 provisions of this act and of other acts and regulations;
7 and, in disruptive student programs, further providing for
8 definitions.

9 Amend Bill, page 7, line 21, by inserting after "COURT"

10 , a municipal court of Philadelphia

11 Amend Bill, page 7, by inserting between lines 22 and 23

12 The term "educational entity" shall mean a public school
13 district, charter school, regional charter school, cyber charter
14 school, nonpublic school or area vocational-technical school.

15 Amend Bill, page 7, line 28, by inserting after "JUDGE"

16 , a municipal court judge

17 Amend Bill, page 10, line 13, by inserting after "PERSON"

18 , via phone conferencing

19 Amend Bill, page 10, line 27, by striking out the bracket

20 before "SIX"

21 Amend Bill, page 10, line 27, by striking out "] EIGHT (8)"

22 Amend Bill, page 15, lines 21 and 22, by striking out "A FORM

23 AND USE LANGUAGE THAT WOULD BE CONSIDERED REASONABLY

24 UNDERSTANDABLE" and inserting

25 the mode and language of communication preferred

1 Amend Bill, page 16, line 9, by striking out "MAY" and
2 inserting
3 shall
4 Amend Bill, page 16, line 10, by inserting after
5 "PARTICIPATE"
6 or fails to attend the scheduled conference after advance
7 written notice and attempts to communicate via telephone
8 Amend Bill, page 16, by inserting between lines 19 and 20
9 (c) Schools shall not expel or impose out-of-school
10 suspension, disciplinary reassignment or transfer for truant
11 behavior.
12 Amend Bill, page 17, line 1, by striking out "MAGISTERIAL
13 DISTRICT"
14 Amend Bill, page 17, line 10, by striking out "MAGISTERIAL
15 DISTRICT"
16 Amend Bill, page 17, line 24, by striking out "MAGISTERIAL
17 DISTRICT COURT" and inserting
18 office of the appropriate judge
19 Amend Bill, page 17, line 26, by striking out "OFFERED" and
20 inserting
21 held
22 Amend Bill, page 18, lines 3 and 4, by striking out
23 "MAGISTERIAL DISTRICT"
24 Amend Bill, page 18, lines 14 through 16, by striking out
25 "THE CHILD WAS HABITUALLY TRUANT" in line 14, all of line 15 and
26 "REQUIREMENTS" in line 16 and inserting
27 , while subject to compulsory school attendance, the child
28 was habitually and without justification truant from school
29 Amend Bill, page 18, by inserting between lines 25 and 26
30 (e) The court shall determine whether the evidence has
31 established that a child or person in parental relation has
32 violated the compulsory school attendance requirements of this

1 article and shall enter that verdict on the record.

2 Amend Bill, page 18, line 26, by striking out "(E)" and
3 inserting

4 (f)

5 Amend Bill, page 22, lines 4 and 5, by striking out "CHILD:

6 (I) HAS" and inserting

7 child has

8 Amend Bill, page 22, lines 9 through 12, by striking out all
9 of said lines

10 Amend Bill, page 22, by inserting between lines 16 and 17

11 (h) Nothing in this section shall be construed to apply to a
12 parent, guardian or person in parental relation whose child or
13 children are in a home education program under section 1327.1.

14 Amend Bill, page 23, by inserting between lines 10 and 11

15 Section 7. Sections 1732-A(a) and 1749-A(a)(1) of the act,
16 amended or added June 29, 2002 (P.L.524, No.88), are amended to
17 read:

18 Section 1732-A. Provisions Applicable to Charter Schools.--

19 (a) Charter schools shall be subject to the following:

20 Sections 108, 110, 111, 321, 325, 326, 327, 431, 436, 443,
21 510, 518, 527, 708, 736, 737, 738, 739, 740, 741, 752, 753, 755,
22 771, 776, 777, 808, 809, 810, 1109, 1111, 1112(a), 1301, 1310,
23 1317, 1317.1, 1317.2, 1318, 1326, 1327, 1327.2, 1330, 1332,
24 1333, 1333.1, 1333.2, 1333.3, 1303-A, 1513, 1517, 1518, 1521,
25 1523, 1531, 1547, 2014-A, Article XIII-A and Article XIV.

26 Act of July 17, 1961 (P.L.776, No.341), known as the
27 "Pennsylvania Fair Educational Opportunities Act."

28 Act of July 19, 1965 (P.L.215, No.116), entitled "An act
29 providing for the use of eye protective devices by persons
30 engaged in hazardous activities or exposed to known dangers in
31 schools, colleges and universities."

32 Section 4 of the act of January 25, 1966 (1965 P.L.1546,
33 No.541), entitled "An act providing scholarships and providing
34 funds to secure Federal funds for qualified students of the
35 Commonwealth of Pennsylvania who need financial assistance to
36 attend postsecondary institutions of higher learning, making an
37 appropriation, and providing for the administration of this
38 act."

39 Act of July 12, 1972 (P.L.765, No.181), entitled "An act
40 relating to drugs and alcohol and their abuse, providing for
41 projects and programs and grants to educational agencies, other
42 public or private agencies, institutions or organizations."

1 Act of December 15, 1986 (P.L.1595, No.175), known as the
2 "Antihazing Law."

3 * * *

4 Section 1749-A. Applicability of other provisions of this act
5 and of other acts and regulations.

6 (a) General requirements.--Cyber charter schools shall be
7 subject to the following:

8 (1) Sections 108, 110, 111, 321, 325, 326, 327, 431,
9 436, 443, 510, 518, 527, 708, 752, 753, 755, 771, 776, 777,
10 808, 809, 810, 1109, 1111, 1112(a), 1205.1, 1205.2, 1301,
11 1302, 1310, 1317.2, 1318, 1326, 1327, 1327.2, 1330, 1332,
12 1333, 1333.1, 1333.2, 1333.3, 1303-A, 1518, 1521, 1523, 1531,
13 1547, 1702-A, 1703-A, 1714-A, 1715-A, 1716-A, 1719-A, 1721-A,
14 1722-A, 1723-A(a) and (b), 1724-A, 1725-A, 1727-A, 1729-A,
15 1730-A, 1731-A(a) (1) and (b) and 2014-A and Articles XII-A,
16 XIII-A and XIV.

17 * * *

18 Section 8. The definition of "disruptive student" in section
19 1901-C of the act, added June 25, 1997 (P.L.297, No.30), is
20 amended to read:

21 Section 1901-C. Definitions.--For purposes of this article,
22 the following terms shall have the following meanings:

23 * * *

24 (5) "Disruptive student." A student who poses a clear
25 threat to the safety and welfare of other students or the school
26 staff, who creates an unsafe school environment or whose
27 behavior materially interferes with the learning of other
28 students or disrupts the overall educational process. The
29 disruptive student exhibits to a marked degree any or all of the
30 following conditions:

31 (i) Disregard for school authority, including persistent
32 violation of school policy and rules.

33 (ii) Display or use of controlled substances on school
34 property or during school-affiliated activities.

35 (iii) Violent or threatening behavior on school property or
36 during school-affiliated activities.

37 (iv) Possession of a weapon on school property, as defined
38 under 18 Pa.C.S. § 912 (relating to possession of weapon on
39 school property).

40 (v) Commission of a criminal act on school property or
41 during school-affiliated activities.

42 (vi) Misconduct that would merit suspension or expulsion
43 under school policy.

44 [(vii) Habitual truancy.]

45 No student who is eligible for special education services
46 pursuant to the Individuals with Disabilities Education Act
47 (Public Law 91-230, 20 U.S.C. § 1400 et seq.) shall be deemed a
48 disruptive student for the purposes of this act, except as
49 provided for in 22 Pa. Code § 14.35 (relating to discipline).

50 * * *

1 Amend Bill, page 23, line 11, by striking out "7" and
2 inserting
3 9
4 Amend Bill, page 23, line 21, by striking out "8" and
5 inserting
6 10