THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2788  Session of 2020

INTRODUCED BY TOPPER, REESE, BOROWICZ, COX, SCHLEGEL CULVER, DAVANZO, DOWLING, DRISCOLL, DUSH, ECKER, EVERETT, GABLER, GLEIM, GREGORY, GROVE, HEFFLEY, HILL-EVANS, JOZWIAK, KAUFFMAN, KEEFER, KLUNK, KNOWLES, MARSHALL, MILLARD, MIZGORSKI, OBERLANDER, PEIFER, POLINCHOCK, SANKEY, SAYLOR, SCHMITT, THOMAS, WARNER, LONGIETTI, SAINATO, MOUL, KORTZ, BURNS, KULIK, PETRARCA, LEWIS, KAIL AND GAYDOS, AUGUST 18, 2020

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, AUGUST 20, 2020

AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," IN PUPILS AND ATTENDANCE, PROVIDING FOR AGE LIMIT EXTENSION DURING COVID-19 PANDEMIC OF 2020; AND, in terms and courses of study, providing for option year of education due to COVID-19.

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

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

SECTION 1301.1. AGE LIMIT EXTENSION DURING COVID-19 PANDEMIC OF 2020.-NOTWITHSTANDING SECTION 1301, EVERY STUDENT WHO WAS TWENTY (20) OR TWENTY-ONE (21) YEARS OF AGE BEFORE THE PROCLAMATION OF DISASTER EMERGENCY ISSUED BY THE GOVERNOR ON
MARCH 6, 2020, PUBLISHED AT 50 PA.B. 1644 (MARCH 21, 2020), AND
ANY RENEWAL OF THE STATE OF DISASTER EMERGENCY, AND WHO WAS
ENROLLED IN A SCHOOL DISTRICT OF THIS COMMONWEALTH, IN
ACCORDANCE WITH SECTION 1301, DURING THE PROCLAMATION OF
DISASTER EMERGENCY, OR ANY RENEWAL OF THE STATE OF DISASTER
EMERGENCY, SHALL BE ELIGIBLE FOR A TWELVE-MONTH EXTENSION OF
ELIGIBILITY UNDER SECTION 1301 FREE OF CHARGE.

Section 1501.11 1501.10. Option Year of Education Due to COVID-19.--(a) The welfare of this Commonwealth requires that
the present generation of school age children be provided ample
opportunity to develop to their fullest intellectual
capacities. It is the intent of the General Assembly to ensure
that the present generation of school age children do not lose
educational opportunities due to the proclamation of disaster
emergency issued by the Governor on March 6, 2020, published at

(b) Notwithstanding any other provision of law, for the
2021-2022 school year, a parent may elect to have a child in a
school entity repeat a grade level to make up for any lost
educational opportunities during the 2019-2020 and 2020-2021
school years regardless of whether the child met the
requirements to be promoted to the next grade level. The
parental election under this subsection shall include
participation in all academic or extracurricular activities.

(c) A school entity shall create a process for a parent to
make the election under subsection (b) and post the process on
its publicly accessible Internet website.

(d) As used in this section, the term "school entity" shall
mean a school district, intermediate unit, area career and
technical school, charter school, cyber charter school, regional
1 charter school or nonpublic school entity.
2 Section 2. This act shall take effect immediately.