

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1286 Session of
1981

INTRODUCED BY CUNNINGHAM, APRIL 22, 1981

REFERRED TO COMMITTEE ON EDUCATION, APRIL 22, 1981

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 requirements for
6 attendance at religious schools.

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

9 Section 1. Section 1327, act of March 10, 1949 (P.L.30,
10 No.14), known as the "Public School Code of 1949," amended
11 January 14, 1970 (1969 P.L.468, No.192), is amended to read:

12 Section 1327. Compulsory School Attendance.--[Every] Except
13 as hereinafter provided, every child of compulsory school age
14 having a legal residence in this Commonwealth, as provided in
15 this article, and every migratory child of compulsory school
16 age, is required to attend a day school in which the subjects
17 and activities prescribed by the standards of the State Board of
18 Education are taught in the English language. In lieu of such
19 school attendance, any child fifteen years of age with the

1 approval of the district superintendent and the approval of the
2 [Superintendent of Public Instruction] Secretary of Education,
3 and any child sixteen years of age with the approval of the
4 district superintendent of schools, may enroll as a day student
5 in a private trade school or in a private business school
6 licensed by the Department of [Public Instruction] Education, or
7 in a trade or business school, or department operated by a local
8 school district or districts. Such modified program offered in a
9 public school must meet the standards prescribed by the State
10 Board of Education or the State Board for Vocational Education.
11 [Every] Except as hereinafter provided, every parent, guardian,
12 or other person having control or charge of any child or
13 children of compulsory school age is required to send such child
14 or children to a day school in which the subjects and activities
15 prescribed by the standards of the State Board of Education are
16 taught in the English language. Such parent, guardian, or other
17 person having control or charge of any child or children,
18 fifteen or sixteen years of age, in accordance with the
19 provisions of this act, may send such child or children to a
20 private trade school or private business school licensed by the
21 Department of [Public Instruction] Education, or to a trade or
22 business school, or department operated by a local school
23 district or districts. Such modified program offered in a public
24 school must meet the standards prescribed by the State Board of
25 Education or the State Board for Vocational Education. Such
26 child or children shall attend such school continuously through
27 the entire term, during which the public schools in their
28 respective districts shall be in session, or in cases of
29 children of migrant laborers during the time the schools are in
30 session in the districts in which such children are temporarily

1 domiciled. The financial responsibility for the education of
2 such children of migrant laborers shall remain with the school
3 district in which such children of migrant laborers are
4 temporarily domiciled; except in the case of special schools or
5 classes conducted by an intermediate unit and approved by the
6 Department of [Public Instruction] Education or conducted by the
7 Department of [Public Instruction] Education. A child enrolled
8 in a school which is an integral part of the religious mission
9 of a church or other religious body, and the parent, guardian or
10 other person having control or charge of any such child or
11 children of compulsory age shall be deemed to have met the
12 requirements of this section if that school teaches the subjects
13 prescribed by the General Assembly. The certificate of the
14 principal of any such school, setting forth that such subjects
15 are taught in the English language in such school, and that such
16 school is otherwise in compliance with the provisions of this
17 act, shall be satisfactory and sufficient evidence thereof. The
18 certificate of any principal or teacher of [a] any other private
19 school, or of any other institution for the education of
20 children, in which the subjects and activities prescribed by the
21 standards of the State Board of Education are taught in the
22 English language, setting forth that the work of said school is
23 in compliance with the provisions of this act, shall be
24 sufficient and satisfactory evidence thereof. Regular daily
25 instruction in the English language, for the time herein
26 required, by a properly qualified private tutor, shall be
27 considered as complying with the provisions of this section, if
28 such instruction is satisfactory to the proper district
29 superintendent of schools.

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