

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1729

 Session of
2005

INTRODUCED BY ROEBUCK, DeWEESE, MUNDY, GRUCELA, E. Z. TAYLOR,
STURLA, LEACH, CREIGHTON, BAKER, BELFANTI, BIANCUCCI,
CALTAGIRONE, CRAHALLA, FRANKEL, FREEMAN, GEIST, GOODMAN,
JAMES, JOSEPHS, LEDERER, MANN, McGEEHAN, THOMAS, TIGUE,
WATERS, WHEATLEY, YOUNGBLOOD, BENNINGHOFF AND SIPTROTH,
JUNE 14, 2005

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 5, 2006

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," requiring all public school districts~~
6 ~~in this Commonwealth to conduct exit interviews for all~~
7 ~~students who withdraw from school.~~

8 AMENDING THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), ENTITLED "AN <—
9 ACT RELATING TO THE PUBLIC SCHOOL SYSTEM, INCLUDING CERTAIN
10 PROVISIONS APPLICABLE AS WELL TO PRIVATE AND PAROCHIAL
11 SCHOOLS; AMENDING, REVISING, CONSOLIDATING AND CHANGING THE
12 LAWS RELATING THERETO," FURTHER PROVIDING FOR COMPULSORY
13 SCHOOL ATTENDANCE AND FOR EXCEPTIONS TO COMPULSORY SCHOOL
14 ATTENDANCE; AND REQUIRING ALL PUBLIC SCHOOL DISTRICTS IN THIS
15 COMMONWEALTH TO CONDUCT INTERVIEWS FOR ALL STUDENTS WHO
16 WITHDRAW OR ARE ILLEGALLY ABSENT FROM SCHOOL.

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

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

22 ~~Section 1354.1. Exit Interviews for Withdrawing Students.~~

~~(a) It shall be the duty of every superintendent to conduct or order an exit interview for each student who withdraws from that school district. If the student is between fourteen (14) and sixteen (16) years of age and legally withdrawing, the interview must be done in conjunction with the verification of any work or farm permit as provided in section 1330. If the student is not in compliance with the compulsory school attendance laws and has been absent without excuse for more than three (3) days, an interview must be conducted that further inquires as to why the student is absent or dropping out.~~

~~(b) Any parent or guardian of a student between eight (8) and seventeen (17) years of age who is absent for a period exceeding three (3) days and that absence is unexcused will complete an exit interview on behalf of the student if, and only if, the student fails to complete the interview first. The interview may be conducted in person or via the telephone at a time most accommodating for both parties. Failure of a parent or guardian to complete an exit interview on behalf of their child is a violation of this section and the school district may impose a civil penalty of fifty dollars (\$50) to be used by the school district to find the student and complete the student's records.~~

~~(c) The Department of Education shall establish and distribute a standard form to be completed by a school superintendent during an exit interview. The form shall require the following minimum information: name, address, telephone number, date of birth, most current student identification number, current grade level, school name and district, reason for withdrawing and name, address, and telephone number of a parent or guardian. These forms must be filed with the~~

~~Department of Education within fifteen (15) days following the exit interview. The data collected from the exit interviews, excluding specific names and addresses and ID's, will be used in conjunction with the Electronic Dropout/Graduate Report (EDGR), a data reporting system or a report of equivalence compiled and distributed by the Division of Data Services of the Department of Education. In addition, the information shall be made part of the student's permanent record. The report must be made public at the end of each fiscal year.~~

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

SECTION 1. SECTION 1327 OF THE ACT OF MARCH 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 1327. COMPULSORY SCHOOL ATTENDANCE.--* * *

(A.1) A STUDENT WHO IS OUT OF COMPLIANCE WITH THIS SECTION SHALL BE REQUIRED TO COMPLETE AN INTERVIEW IN ACCORDANCE WITH SECTION 1354.1.

* * *

SECTION 2. SECTION 1330 OF THE ACT, AMENDED MAY 11, 1949 (P.L.1195, NO.361), OCTOBER 21, 1965 (P.L.601, NO.312) AND JANUARY 14, 1970 (1969 P.L.468, NO.192), IS AMENDED TO READ:

SECTION 1330. EXCEPTIONS TO COMPULSORY ATTENDANCE.--(A) THE PROVISIONS OF THIS ACT REQUIRING REGULAR ATTENDANCE SHALL NOT APPLY TO ANY CHILD WHO--

(1) HAS ATTAINED THE AGE OF SIXTEEN (16) YEARS, AND WHO IS REGULARLY ENGAGED IN ANY USEFUL AND LAWFUL EMPLOYMENT OR SERVICE DURING THE TIME THE PUBLIC SCHOOLS ARE IN SESSION, AND WHO HOLDS AN EMPLOYMENT CERTIFICATE ISSUED ACCORDING TO LAW;

(2) HAS BEEN EXAMINED BY AN APPROVED MENTAL CLINIC OR BY A PERSON CERTIFIED AS A PUBLIC SCHOOL PSYCHOLOGIST OR

1 PSYCHOLOGICAL EXAMINER, AND HAS BEEN FOUND TO BE UNABLE TO
2 PROFIT FROM FURTHER PUBLIC SCHOOL ATTENDANCE, AND WHO HAS BEEN
3 REPORTED TO THE BOARD OF SCHOOL DIRECTORS AND EXCUSED, IN
4 ACCORDANCE WITH REGULATIONS PRESCRIBED BY THE STATE BOARD OF
5 EDUCATION.

6 (3) HAS ATTAINED THE AGE OF FIFTEEN (15) YEARS AND IS
7 ENGAGED IN FARM WORK OR DOMESTIC SERVICE IN A PRIVATE HOME ON A
8 PERMIT ISSUED BY THE SCHOOL BOARD OR THE DESIGNATED SCHOOL
9 OFFICIAL OF THE SCHOOL DISTRICT OF THE CHILD'S RESIDENCE, IN
10 ACCORDANCE WITH REGULATIONS WHICH THE SUPERINTENDENT OF PUBLIC
11 INSTRUCTION IS HEREBY AUTHORIZED TO PRESCRIBE;

12 (4) HAS ATTAINED THE AGE OF FOURTEEN (14) YEARS AND IS
13 ENGAGED IN FARM WORK OR DOMESTIC SERVICE IN A PRIVATE HOME ON A
14 PERMIT ISSUED AS PROVIDED IN CLAUSE (3) OF THIS SECTION, AND WHO
15 HAS SATISFACTORILY COMPLETED, EITHER IN PUBLIC OR PRIVATE
16 SCHOOLS, THE EQUIVALENT OF THE HIGHEST GRADE OF THE ELEMENTARY
17 SCHOOL ORGANIZATION PREVAILING IN THE PUBLIC SCHOOLS OF THE
18 DISTRICT IN WHICH HE RESIDES, IF THE ISSUANCE OF SUCH A PERMIT
19 HAS FIRST BEEN RECOMMENDED BY THE DISTRICT SUPERINTENDENT OF
20 SCHOOLS HAVING SUPERVISION OF THE SCHOOLS OF THE DISTRICT WHERE
21 SUCH CHILD RESIDES, OR BY THE PRINCIPAL OF THE PRIVATE SCHOOL
22 WHERE SUCH CHILD IS ENROLLED, AND THE REASON THEREFOR HAS BEEN
23 APPROVED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION;

24 (5) EXCEPT IN DISTRICTS OF THE FOURTH CLASS AND THOSE OF THE
25 THIRD CLASS LOCATED WHOLLY WITHIN THE BOUNDARY LINES OF A
26 TOWNSHIP, OR WITHIN THE BOUNDARY LINES OF A BOROUGH WHICH HAS A
27 POPULATION OF LESS THAN FIVE HUNDRED (500) INHABITANTS TO THE
28 SQUARE MILE, RESIDES TWO MILES OR MORE BY THE NEAREST PUBLIC
29 HIGHWAYS FROM ANY PUBLIC SCHOOL IN SESSION AND NO PROPER FREE
30 TRANSPORTATION IS FURNISHED TO SUCH CHILD TO AND FROM SCHOOL.

1 (B) A STUDENT WHO WITHDRAWS UNDER THIS SECTION SHALL
2 COMPLETE AN INTERVIEW IN ACCORDANCE WITH SECTION 1354.1.

3 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

4 SECTION 1354.1. INTERVIEW REPORTS FOR WITHDRAWING AND
5 ILLEGALLY ABSENT STUDENTS.--(A) IT SHALL BE THE DUTY OF EVERY
6 SCHOOL PRINCIPAL AND GUIDANCE COUNSELOR TO CONDUCT OR ORDER AN
7 INTERVIEW FOR EACH STUDENT WHO WITHDRAWS OR IS ILLEGALLY ABSENT
8 FOR TEN (10) DAYS OR MORE, WITHOUT LAWFUL EXCUSE, FROM THAT
9 SCHOOL DISTRICT. DURING THE INTERVIEW THE STUDENT SHALL BE MADE
10 AWARE OF ALTERNATIVES TO WITHDRAWING FROM THE SCHOOL DISTRICT.
11 IF THE STUDENT IS LEGALLY WITHDRAWING AS PROVIDED IN SECTION
12 1330, THE INTERVIEW MUST BE DONE IN CONJUNCTION WITH THE
13 VERIFICATION OF ANY WORK OR FARM PERMIT ISSUED. IF THE STUDENT
14 IS NOT IN COMPLIANCE WITH THE COMPULSORY SCHOOL ATTENDANCE
15 PROVISIONS OF THIS ACT, AN INTERVIEW MUST BE CONDUCTED THAT
16 FURTHER INQUIRES AS TO WHY THE STUDENT IS ILLEGALLY ABSENT. A
17 STUDENT WITHDRAWING TO ATTEND A CHARTER SCHOOL, HOME EDUCATION
18 PROGRAM, DAY SCHOOL OPERATED BY A BONA FIDE CHURCH OR OTHER
19 RELIGIOUS BODY OR AN APPROVED INSTITUTION OF HIGHER EDUCATION
20 SHALL NOT BE REQUIRED TO COMPLETE AN INTERVIEW REQUIRED IN THIS
21 SECTION.

22 (B) ANY PARENT OR GUARDIAN OF A STUDENT OF COMPULSORY SCHOOL
23 AGE WHO IS WITHDRAWING OR ILLEGALLY ABSENT SHALL COMPLETE AN
24 INTERVIEW ON BEHALF OF THE STUDENT IF, AND ONLY IF, THE STUDENT
25 FAILS TO COMPLETE THE INTERVIEW FIRST. THE INTERVIEW MAY BE
26 CONDUCTED IN PERSON OR VIA THE TELEPHONE AT A TIME MOST
27 ACCOMMODATING FOR BOTH PARTIES. FAILURE OF A PARENT OR GUARDIAN
28 TO COMPLETE AN INTERVIEW ON BEHALF OF THE CHILD OF THE PARENT OR
29 GUARDIAN WITHIN FIFTEEN (15) SCHOOL DAYS AFTER THE LAST DAY THE
30 CHILD ATTENDED SCHOOL IS A VIOLATION OF THIS SECTION AND THE

1 SCHOOL DISTRICT MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH
2 SECTION 1333.

3 (C) THE DEPARTMENT OF EDUCATION SHALL ESTABLISH AND
4 DISTRIBUTE A STANDARD FORM TO BE COMPLETED BY A SCHOOL PRINCIPAL
5 OR GUIDANCE COUNSELOR DURING AN INTERVIEW. THE FORM SHALL
6 REQUIRE, BUT IS NOT LIMITED TO, THE FOLLOWING INFORMATION: NAME,
7 ADDRESS, TELEPHONE NUMBER, DATE OF BIRTH, MOST CURRENT STUDENT
8 IDENTIFICATION NUMBER, CURRENT GRADE LEVEL, SCHOOL NAME AND
9 DISTRICT, REASONS FOR WITHDRAWING, NAME, ADDRESS AND TELEPHONE
10 NUMBER OF A PARENT OR GUARDIAN AND ANY OTHER INFORMATION THE
11 DEPARTMENT DEEMS NECESSARY. THESE FORMS MUST BE FILED WITH THE
12 DEPARTMENT OF EDUCATION WITHIN THIRTY (30) DAYS FOLLOWING THE
13 INTERVIEW. THE DATA COLLECTED FROM THE INTERVIEWS, EXCLUDING
14 SPECIFIC NAMES AND ADDRESSES AND ID'S, WILL BE USED IN
15 CONJUNCTION WITH THE ELECTRONIC DROPOUT/GRADUATE REPORT (EDGR),
16 A DATA REPORTING SYSTEM OR A REPORT OF EQUIVALENCE COMPILED AND
17 DISTRIBUTED BY THE DIVISION OF DATA SERVICES OF THE DEPARTMENT
18 OF EDUCATION. IN ADDITION, THE INFORMATION SHALL BE MADE PART OF
19 THE STUDENT'S PERMANENT RECORD. THE REPORT MUST BE MADE PUBLIC
20 AT THE END OF EACH FISCAL YEAR.

21 (D) THE PROVISIONS OF SECTIONS 1356 AND 1357 SHALL NOT APPLY
22 TO THIS SECTION.

23 SECTION 4. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.