

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 AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JUNE 29, 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," further providing for compulsory
6 school attendance and for exceptions to compulsory school
7 attendance; and requiring all public school districts in this
8 Commonwealth to conduct interviews for all students who
9 withdraw or are illegally absent from school.

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

12 Section 1. Section 1327 of the act of March 10, 1949
13 (P.L.30, No.14), known as the Public School Code of 1949, is
14 amended by adding a subsection to read:

15 Section 1327. Compulsory School Attendance.--* * *

16 (a.1) A student who is out of compliance with this section
17 shall be required to complete an interview in accordance with
18 section 1354.1.

19 * * *

1 Section 2. Section 1330 of the act, amended May 11, 1949
2 (P.L.1195, No.361), October 21, 1965 (P.L.601, No.312) and
3 January 14, 1970 (1969 P.L.468, No.192), is amended to read:

4 Section 1330. Exceptions to Compulsory Attendance.--(a) The
5 provisions of this act requiring regular attendance shall not
6 apply to any child who--

7 (1) Has attained the age of sixteen (16) years, and who is
8 regularly engaged in any useful and lawful employment or service
9 during the time the public schools are in session, and who holds
10 an employment certificate issued according to law;

11 (2) Has been examined by an approved mental clinic or by a
12 person certified as a public school psychologist or
13 psychological examiner, and has been found to be unable to
14 profit from further public school attendance, and who has been
15 reported to the board of school directors and excused, in
16 accordance with regulations prescribed by the State Board of
17 Education.

18 (3) Has attained the age of fifteen (15) years and is
19 engaged in farm work or domestic service in a private home on a
20 permit issued by the school board or the designated school
21 official of the school district of the child's residence, in
22 accordance with regulations which the Superintendent of Public
23 Instruction is hereby authorized to prescribe;

24 (4) Has attained the age of fourteen (14) years and is
25 engaged in farm work or domestic service in a private home on a
26 permit issued as provided in clause (3) of this section, and who
27 has satisfactorily completed, either in public or private
28 schools, the equivalent of the highest grade of the elementary
29 school organization prevailing in the public schools of the
30 district in which he resides, if the issuance of such a permit

has first been recommended by the district superintendent of schools having supervision of the schools of the district where such child resides, or by the principal of the private school where such child is enrolled, and the reason therefor has been approved by the Superintendent of Public Instruction;

(5) Except in districts of the fourth class and those of the third class located wholly within the boundary lines of a township, or within the boundary lines of a borough which has a population of less than five hundred (500) inhabitants to the square mile, resides two miles or more by the nearest public highways from any public school in session and no proper free transportation is furnished to such child to and from school.

(b) A student who withdraws under this section shall complete an interview in accordance with section 1354.1.

Section 3. The act is amended by adding a section to read:

Section 1354.1. Interview Reports for Withdrawing and Illegally Absent Students.--(a) It shall be the duty of every school principal and guidance counselor to conduct or order an interview for each student who withdraws or is illegally absent for ten (10) days or more, without lawful excuse, from that school district. During the interview the student shall be made aware of alternatives to withdrawing from the school district. If the student is legally withdrawing as provided in section 1330, the interview must be done in conjunction with the verification of any work or farm permit issued. If the student is not in compliance with the compulsory school attendance provisions of this act, an interview must be conducted that further inquires as to why the student is illegally absent. A student withdrawing to attend a charter school, CYBER CHARTER SCHOOL, home education program, day school operated by a bona

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1 ~~fide church or other religious body~~ NONPUBLIC NONLICENSED
2 SCHOOL, PRIVATE ACADEMIC SCHOOL or an approved institution of
3 higher education shall not be required to complete an interview
4 required in this section.

5 (b) Any parent or guardian of a student of compulsory school
6 age who is withdrawing or illegally absent shall complete an
7 interview on behalf of the student if, and only if, the student
8 fails to complete the interview first. The interview may be
9 conducted in person or via the telephone at a time most
10 accommodating for both parties. Failure of a parent or guardian
11 to complete an interview on behalf of the child of the parent or
12 guardian within fifteen (15) school days after the last day the
13 child attended school is a violation of this section and the
14 school district may impose a civil penalty in accordance with
15 section 1333.

16 (c) The Department of Education shall establish and
17 distribute a standard form to be completed by a school principal
18 or guidance counselor during an interview. The form shall
19 require, but is not limited to, the following information: name,
20 address, telephone number, date of birth, most current student
21 identification number, current grade level, school name and
22 district, reasons for withdrawing, name, address and telephone
23 number of a parent or guardian and any other information the
24 department deems necessary. These forms must be filed with the
25 Department of Education within thirty (30) days following the
26 interview. The data collected from the interviews, excluding
27 specific names and addresses and ID's, will be used in
28 conjunction with the Electronic Dropout/Graduate Report (EDGR),
29 a data reporting system or a report of equivalence compiled and
30 distributed by the Division of Data Services of the Department

1 of Education. In addition, the information shall be made part of
2 the student's permanent record. The report must be made public
3 at the end of each fiscal year.

4 (d) The provisions of sections 1356 and 1357 shall not apply
5 to this section.

6 Section 4. This act shall take effect in 60 days.