

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 120 Session of
2007

INTRODUCED BY ROEBUCK, STAIRS, CURRY, D. EVANS, BEYER, BISHOP,
CALTAGIRONE, FABRIZIO, FRANKEL, HARPER, JAMES, MANDERINO,
MANN, M. O'BRIEN, YOUNGBLOOD, PAYTON, PARKER, WHEATLEY,
CONKLIN, MURT, BRENNAN, HORNAMAN, MELIO AND KORTZ,
JANUARY 31, 2007

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 7, 2008

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

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

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

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

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

16 Section 1354.1. Interview Reports for Withdrawing and
17 Illegally Absent Students.--(a) It shall be the duty of every
18 school principal of a school district or charter school to
19 conduct or assign a designee to conduct an interview for each
20 student who withdraws or is illegally absent for ten (10) days
21 or more, without lawful excuse, from that school district or
22 charter school. During the interview the student shall be made
23 aware of alternatives to withdrawing from the school district or
24 charter school. If the student is legally withdrawing as
25 provided in section 1330, the interview must be done in
26 conjunction with the verification of any work or farm permit
27 issued. If the student is not in compliance with the compulsory
28 school attendance provisions of this act, an interview must be
29 conducted that further inquires as to why the student is
30 illegally absent. A student withdrawing to attend a charter

school, cyber charter school, home education program, nonpublic nonlicensed school, private academic school or an approved institution of higher education shall not be required to complete an interview required in this section.

(b) If a student fails to complete the interview required under subsection (a), the school principal shall conduct an interview with a parent or guardian of the student. The principal shall send a written notice to the parent or guardian by certified mail, return receipt requested, that informs the parent or guardian of the interview required by and the penalty for failure to comply with this subsection, and shall maintain a copy of the notice and the return receipt, if any, with the records of the student. 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 interview on behalf of the child of the parent or guardian within fifteen (15) school days after the last day the child attended school is a violation of this section and the school district or charter school may impose a civil penalty in accordance with section 1333.

(c) The Department of Education shall establish and distribute a standard form to be completed by a school principal or a designee during an interview. The form shall require, but is not limited to, the following information: name, address, telephone number, date of birth, most current student identification number, current grade level, school name and district, reasons for withdrawing, name, address and telephone number of a parent or guardian and any other information the department deems necessary. These forms must be filed with the Department of Education within thirty (30) days following the

1 interview. The data collected from the interviews, excluding
2 specific names and addresses and identification, will be used in
3 conjunction with the Electronic Dropout/Graduate Report (EDGR),
4 a data reporting system or a report of equivalence compiled and
5 distributed by the Division of Data Services of the Department
6 of Education. In addition, the information shall be made part of
7 the student's permanent record by the school district or charter
8 school. The report must be made public at the end of each fiscal
9 year.

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

12 Section 4. This act shall take effect ~~in 60 days~~ JULY 1,
13 2009.

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