

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 1170** Session of  
2007

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INTRODUCED BY DALEY, DeWEESE, BELFANTI, BEYER, CALTAGIRONE, COX,  
CREIGHTON, DENLINGER, FABRIZIO, GEIST, HARHART, HERSHEY,  
KORTZ, KOTIK, KULA, MYERS, PRESTON, SCAVELLO, WANSACZ AND  
YOUNGBLOOD, APRIL 25, 2007

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AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 13, 2007

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## 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 attendance in  
6 other school districts and for attendance of nonresident  
7 pupils.

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

10 Section 1. Sections 1313 and 1316 of the act of March 10,  
11 1949 (P.L.30, No.14), known as the Public School Code of 1949,  
12 are amended to read:

13 Section 1313. Attendance in Other Districts.--(a) Except as  
14 set forth in subsection (b), the following apply:

15 (1) Where any pupil in any school district resides one and  
16 one-half miles, or more, by the public road, from the nearest  
17 public elementary school in the district, such pupil, unless  
18 proper free transportation is furnished to a suitable school in  
19 the district, may attend any public elementary school in another

1 school district more convenient of access, on obtaining the  
2 consent of the board of school directors of such other school  
3 district, and without the consent of the board of school  
4 directors of the district where such pupil resides.

5 (2) The district where such pupil resides shall promptly  
6 pay, to the district where such pupil attends, the tuition  
7 charge provided for by this act.

8 (3) The board of school directors of any district may, on  
9 account of convenience of access, or other reasons, permit any  
10 pupils to attend the schools of another district.

11 (b) If the real property on which a pupil is a resident is  
12 located in more than one school district, the pupil shall attend  
13 school in the closest school district TO THE PUPIL'S HOME <—  
14 regardless of school district boundaries; and there shall be no  
15 tuition charges paid or charged by any district. THE SCHOOL <—  
16 DISTRICT CLOSEST TO THE PUPIL'S RESIDENCE SHALL, UPON NOTICE OF  
17 REGISTRATION, PROVIDE TRANSPORTATION TO THE PUPIL AT NO CHARGE.  
18 NOTWITHSTANDING THE LOCATION OF THE PUPIL'S RESIDENCE,  
19 TRANSPORTATION SERVICE UNDER THIS SUBSECTION IS REQUIRED ONLY  
20 FROM A POINT ON THE PUPIL'S PROPERTY LYING WITHIN THE PROVIDING  
21 SCHOOL DISTRICT.

22 Section 1316. Permitting Attendance of Non-resident  
23 Pupils.--The board of school directors of any school district:

24 (1) under section 1313(b), shall permit non-resident pupils  
25 to attend the public schools in its district without imposing  
26 any terms; and

27 (2) in any other case, may permit any non-resident pupils to  
28 attend the public schools in its district upon such terms as it  
29 may determine, subject to the provisions of this act.

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