

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL**No. 1492** Session of
2012

INTRODUCED BY SMUCKER, PICCOLA, BAKER, RAFFERTY, FOLMER,
EICHELBERGER, ALLOWAY, ERICKSON, ARGALL, BRUBAKER, WAUGH,
WILLIAMS, MENSCH, PILEGGI, HUGHES, DINNIMAN, EARLL, WARD AND
FERLO, APRIL 12, 2012

SENATOR CORMAN, APPROPRIATIONS, RE-REPORTED AS AMENDED, MAY 21,
2012

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," providing for open campus
6 initiatives.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XV-G

13 OPEN CAMPUS INITIATIVES

14 Section 1501-G. Legislative intent.

15 It is the intent of the General Assembly to encourage
16 collaborative partnerships between school districts for the
17 purpose of providing expanded access to high-quality curricula
18 to students in a cost-effective manner through the use of

1 technology.

2 Section 1502-G. Definitions.

3 The following words and phrases when used in this article
4 shall have the meaning given to them in this section unless the
5 context clearly indicates otherwise:

6 "Department." The Department of Education of the
7 Commonwealth.

8 "Nonparticipating school entity." A school district, which
9 is not a party to a cooperative agreement between school
10 districts, a charter school, cyber charter school, nonpublic
11 school or home education program provided under section 1327.1.

12 "Open campus initiative." A program established under
13 section 1503-G.

14 "Participating school district." A school district which is
15 party to the cooperative agreement between school districts
16 establishing the open campus initiative.

17 Section 1503-G. Open campus initiatives.

18 (a) Establishment.--An open campus initiative may be
19 established between school districts through a cooperative
20 agreement.

21 (b) Courses.--Courses of an open campus initiative may be
22 delivered outside of a school building in whole or in part using
23 technology that may include the Internet, video conferencing or
24 other electronic means.

25 (c) Grades, credit, promotion and graduation.--Course
26 grades, credit, promotion and graduation policies for students
27 participating in open campus initiative courses shall be
28 determined by the school district, charter school, cyber charter
29 school, nonpublic school or evaluator of a home education
30 program in which the student is enrolled and the cooperative

1 agreement between the participating school districts.

2 (d) Student eligibility requirements.--Eligibility
3 requirements for student participation in open campus initiative
4 courses shall be determined by the school district, charter
5 school, cyber charter school, nonpublic school or supervisor of
6 a home education program in which each student is enrolled and
7 the cooperative agreement between the participating school
8 districts.

9 (e) Nonparticipating school entities.--A cooperative
10 agreement between participating school districts may provide for
11 students attending a nonparticipating school entity to
12 participate in an open campus initiative course.

13 (f) Compulsory attendance requirements.--The time during
14 which a student participates in open campus initiative courses
15 shall be considered to be compliant with the compulsory
16 attendance requirements of section 1327.

17 (g) Student participation.--The school district, charter
18 school, cyber charter school, nonpublic school or home education
19 program in which the student is enrolled shall ensure that a
20 student participating in open campus initiative courses is
21 engaged in at least 990 hours of instruction at the secondary
22 level and 900 hours of instruction at the elementary level.

23 (h) Technical assistance.--The department shall provide
24 technical assistance as needed to school districts establishing
25 and operating an open campus initiative.

26 Section 1504-G. Cooperative agreements.

27 (a) Contents.--School districts desiring to establish and
28 operate an open campus initiative shall develop and enter into a
29 cooperative agreement that shall, at a minimum, include:

30 (1) A policy for grading, credit and promotion of

1 students participating in open campus initiative courses.

2 (2) A policy for participation of students from
3 participating school districts which shall include minimum
4 academic and attendance criteria.

5 (3) A policy for participation of students from
6 nonparticipating school entities, which includes a fee
7 schedule for determining tuition charges for courses
8 delivered to those students, if the participating school
9 districts allow participation of students from
10 nonparticipating school entities.

11 (4) A policy for discipline and removal of students from
12 open campus initiative courses IN COMPLIANCE WITH STATE LAW ←
13 RELATED TO STUDENT DISCIPLINE.

14 (5) Information about the attribution of student data to
15 the school district, charter school, cyber charter school,
16 nonpublic school or home education program in which the
17 student is enrolled, including student assessment data.

18 (6) Information about the sharing of costs between the
19 participating school districts.

20 (7) Information about the use and distribution of
21 tuition revenue.

22 (8) Processes for adding and removing open campus
23 initiative courses.

24 (9) Processes for termination of the open campus
25 initiative.

26 (b) Adoption by boards of school directors.--Each open
27 campus initiative cooperative agreement shall be adopted by
28 majority vote of the board of school directors of each of the
29 participating school districts.

30 Section 1505-G. Reimbursements by the Commonwealth.

1 For the purpose of making reimbursements under Article XXV, a
2 student participating in an open campus initiative shall be
3 considered to be enrolled in the school district, charter
4 school, cyber charter school, nonpublic school or home education
5 program which determines the student's eligibility for
6 participation in the open campus initiative.

7 Section 1506-G. Parental and public information.

8 All policies related to an open campus initiative shall be
9 made accessible to parents and posted on the participating
10 school districts' publicly accessible Internet websites.

11 SECTION 1507-G. STUDENTS WITH DISABILITIES. ←

12 NOTHING IN THIS ARTICLE OR IN ANY POLICY OR COOPERATIVE
13 AGREEMENT DEVELOPED UNDER THIS ARTICLE SHALL CONFLICT WITH:

14 (1) FEDERAL OR STATE LAW REGARDING THE PROTECTIONS
15 PROVIDED TO A STUDENT WITH A DISABILITY FOR RECEIVING
16 EDUCATION IN THE LEAST RESTRICTIVE ENVIRONMENT.

17 (2) THE LEGAL AUTHORITY OF AN INDIVIDUALIZED EDUCATION
18 PROGRAM TEAM TO MAKE APPROPRIATE PROGRAM AND PLACEMENT
19 DECISIONS FOR A STUDENT WITH A DISABILITY IN ACCORDANCE WITH
20 THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM.

21 Section 2. This act shall take effect ~~in 60 days~~ ←
22 IMMEDIATELY. ←