

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 1446 Session of  
2021

---

INTRODUCED BY SONNEY, BOBACK, BROOKS, R. BROWN, CIRESI,  
T. DAVIS, DEASY, GUENST, HARKINS, LONGIETTI, MOUL, N. NELSON,  
PICKETT AND STAATS, MAY 20, 2021

---

REFERRED TO COMMITTEE ON EDUCATION, MAY 20, 2021

---

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," in pupils and attendance, providing  
6 for extended special education enrollment due to COVID-19.

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 a  
11 section to read:

12 Section 1383. Extended Special Education Enrollment Due to  
13 COVID-19.--(a) A student with a disability as defined in 22 Pa.  
14 Code § 14.101 (relating to definitions) who has reached 21 years  
15 of age and is enrolled for the 2020-2021 school year is entitled  
16 to attend a school entity for the 2021-2022 school year and the  
17 school entity shall enroll the student if a parent or guardian  
18 and the student elects to enroll.

19 (b) Notwithstanding any other provision of law to the

1 contrary, the following shall apply to a student enrolled in a  
2 school entity under subsection (a):

3 (1) The school entity shall implement the student's current  
4 IEP.

5 (2) The student may enroll in the school entity for the  
6 2021-2022 school year free of charge until the end of the school  
7 year.

8 (3) The student's attendance shall be included in the school  
9 entity's average daily membership for purposes of calculating  
10 the special education subsidy under Article XXV.

11 (4) The school entity shall provide extended school year  
12 services during the summer after the 2020-2021 school year in  
13 accordance with the student's current IEP.

14 (c) As used in this section, the following words and phrases  
15 shall have the meanings given to them in this subsection unless  
16 the context clearly indicates otherwise:

17 "IEP." An individualized education program established under  
18 22 Pa. Code Ch. 14 (relating to special education services and  
19 programs).

20 "School entity." A school district, intermediate unit, joint  
21 school, area career and technical school, charter school,  
22 regional charter school or cyber charter school.

23 Section 2. This act shall take effect immediately.