

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2180 Session of 2022

INTRODUCED BY D. MILLER, SHUSTERMAN, HILL-EVANS, SCHLOSSBERG, HOHENSTEIN, KINSEY, DELLOSO, SANCHEZ, N. NELSON, MADDEN AND DEASY, JANUARY 27, 2022

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 27, 2022

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, further
6 providing for definition of children with exceptionalities,
7 reports and examination.

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

10 Section 1. Section 1371 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended to read:

13 Section 1371. Definition of Children with Exceptionalities;
14 Reports; Examination.--[(1) The term "children with
15 exceptionalities" shall mean children of school age who have a
16 disability or who are gifted and who, by reason thereof, need
17 specially designed instruction.

18 (2) It shall be the duty of the district superintendent, in
19 every school district in accordance with rules of procedure
20 prescribed by the Secretary of Education, to secure information

1 and report to the Department of Education, on or before the
2 fifteenth day of October of each year, and thereafter as cases
3 arise, every child with exceptionalities within said district. A
4 report shall be made to the Department of Education of all
5 children determined to need special education services or
6 programs consistent with chapter 14 of State Board of Education
7 Regulations, as well as chapter 342 of Department Standards.]

8 (a) Each district superintendent of a school district, in
9 accordance with rules of procedure prescribed by the Secretary
10 of Education, shall:

11 (1) On or before the fifteenth day of October of each year,
12 and thereafter as cases arise, secure information and report to
13 the Department of Education on children with exceptionalities
14 within the school district who are determined to be in need of
15 special education services or programs consistent with 22 Pa.
16 Code Ch. 14 (relating to special education services and
17 programs).

18 (2) On or before the fifteenth day of May of each year,
19 secure information and report to the Department of Education on
20 all extracurricular activities in grades six through twelve
21 within the school district and the participation rate of
22 children with exceptionalities in each extracurricular activity.
23 In fulfilling the requirement under this paragraph, the district
24 superintendent may not report any personal or otherwise
25 identifying information regarding any student who participates
26 in an extracurricular activity.

27 (b) As used in this section, the following words and phrases
28 shall have the meanings given to them in this subsection unless
29 the context clearly indicates otherwise:

30 "Children with exceptionalities" shall mean children of

1 school age who have a disability or who are gifted and who, by
2 reason thereof, need specially designed instruction.

3 "Extracurricular activity" shall mean an activity for
4 students within a school district that:

5 (1) is sponsored or approved by the school district or
6 generally held at a building that is owned by or under the
7 control of the school district and where classes are taught or
8 student activities are conducted on a regular basis;

9 (2) occurs typically outside of regular school day hours;

10 (3) is not part of the standard academic curriculum of the
11 school district;

12 (4) is not graded; and

13 (5) does not earn credits toward graduation.

14 Section 2. This act shall take effect immediately.