

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1037 Session of 2015

INTRODUCED BY BOYLE, FREEMAN, CALTAGIRONE, V. BROWN, BISHOP,
 CONKLIN, C. PARKER, SNYDER, YOUNGBLOOD, DAVIDSON, J. HARRIS,
 McNEILL, BROWNLEE, THOMAS, O'BRIEN, D. COSTA, HARKINS,
 KINSEY, READSHAW, DEASY, MURT, COHEN, FRANKEL, KORTZ,
 McCARTER, MAHONEY, DEAN AND KIRKLAND, APRIL 20, 2015

REFERRED TO COMMITTEE ON EDUCATION, APRIL 20, 2015

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 duties and powers of boards of
 6 school directors, further providing for kindergartens and
 7 providing for pre-kindergarten programs; and, in pupils and
 8 attendance, further providing for age limits and for
 9 definitions.

10 The General Assembly of the Commonwealth of Pennsylvania
 11 hereby enacts as follows:

12 Section 1. Section 503 of the act of March 10, 1949 (P.L.30,
 13 No.14), known as the Public School Code of 1949, amended
 14 September 21, 1959 (P.L.925, No.373) and October 21, 1965
 15 (P.L.601, No.312), is amended to read:

16 Section 503. Kindergartens.--(a) The board of school
 17 directors in [any school district may] all school districts
 18 shall establish and maintain kindergartens [for children between
 19 the ages of four and six years. When established, the].
 20 Districts may establish an age policy, but shall not deny

1 kindergarten to any child who is five years of age or older on
2 the first day of the school year. The kindergartens shall be an
3 integral part of the elementary school system of the district,
4 and be kept open for not less than two and one-half hours each
5 day for the full school term as provided in section 1501.

6 (b) The number of kindergartens in any one district shall be
7 fixed by the board of school directors, and shall be open during
8 the school year. Kindergartens shall be available to all
9 children residing in the school district who are of the age
10 fixed under subsection (a).

11 [If the average attendance in any one kindergarten in any
12 district is ten or less for the school year, the school
13 directors shall, at the close of the school year, discontinue
14 the same.]

15 (c) The board of school directors shall appoint and assign a
16 sufficient number of teachers to such kindergartens, who shall
17 be certified in accordance with the rules and regulations
18 prescribed by the [Council of Basic Education] State Board of
19 Education.

20 Section 2. The act is amended by adding a section to read:

21 Section 503.1. Pre-Kindergarten Programs.--(a) The board of
22 school directors in all school districts shall establish and
23 maintain pre-kindergarten programs. The pre-kindergarten
24 programs shall be an integral part of the elementary school
25 system of the district and be kept open for not less than two
26 and one-half hours each day for the full school term as provided
27 in section 1501.

28 (b) The number of pre-kindergarten programs in any one
29 district shall be fixed by the board of school directors and
30 shall be open during the school year.

1 (c) The board of school directors shall appoint and assign a
2 sufficient number of teachers to the pre-kindergarten programs
3 who shall be certified in accordance with the rules and
4 regulations prescribed by the State Board of Education.

5 Section 3. Section 1301 of the act, amended June 29, 2002
6 (P.L.524, No.88), is amended to read:

7 Section 1301. Age Limits; Temporary Residence.--Every child,
8 being a resident of any school district, between the ages of
9 [six (6)] five (5) and twenty-one (21) years, may attend the
10 public schools in his district, subject to the provisions of
11 this act. Notwithstanding any other provision of law to the
12 contrary, a child who attains the age of twenty-one (21) years
13 during the school term and who has not graduated from high
14 school may continue to attend the public schools in his district
15 free of charge until the end of the school term. The board of
16 school directors of any school district may admit to the schools
17 of the district, with or without the payment of tuition, any
18 non-resident child temporarily residing in the district, and may
19 require the attendance of such non-resident child in the same
20 manner and on the same conditions as it requires the attendance
21 of a resident child.

22 Section 4. Section 1326 of the act is amended to read:

23 Section 1326. Definitions.--The term "compulsory school
24 age," as hereinafter used, shall mean the period of a child's
25 life from the time the child's parents elect to have the child
26 enter school, which shall be not later than at the age of [eight
27 (8)] five (5) years, until the age of seventeen (17) years. The
28 term shall not include any child who holds a certificate of
29 graduation from a regularly accredited senior high school.

30 The term "migratory child," wherever used in this subdivision

1 of this article, shall include any child domiciled temporarily
2 in any school district for the purpose of seasonal employment,
3 but not acquiring residence therein, and any child accompanying
4 his parent or guardian who is so domiciled.

5 Section 5. The amendment or addition of sections 503, 503.1,
6 1301 and 1326 of the act shall apply to the academic year
7 following the effective date of this act and each academic year
8 thereafter.

9 Section 6. This act shall take effect in 90 days.