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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1446 Session of  
2019

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INTRODUCED BY LAWRENCE, BERNSTINE, GILLEN, GREINER, HILL-EVANS,  
IRVIN, JONES, KEEFER, METCALFE, B. MILLER, MOUL, OTTEN,  
OWLETT, RYAN AND ZIMMERMAN, MAY 13, 2019

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REFERRED TO COMMITTEE ON EDUCATION, MAY 13, 2019

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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," in preliminary provisions, providing  
6 for exemption from Keystone Exams.

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 121.1. Exemption from Keystone Exams.--(a) Within  
13 one hundred eighty (180) days of the effective date of this  
14 section, each governing authority of a school entity shall meet  
15 and determine whether to adopt a policy to excuse a student from  
16 Keystone Exam testing if the student's parent or guardian  
17 submits an objection based on philosophical grounds in writing  
18 to school officials.

19 (b) If a governing authority of a school entity fails to

1 make a determination as prescribed under subsection (a), the  
2 school entity shall excuse a student from Keystone Exam testing  
3 if the student's parent or guardian submits an objection based  
4 on philosophical grounds in writing to school officials.

5 (c) If the governing authority of a school entity adopts a  
6 policy allowing for excusal from Keystone Exam testing based on  
7 philosophical grounds under subsection (a), or if the school  
8 entity fails to make a determination within the prescribed one  
9 hundred eighty (180) days and the default applies under  
10 subsection (b), the following shall apply:

11 (1) A student shall not be subject to negative consequences,  
12 including, but not limited to, the denial of a high school  
13 diploma, based solely on the student's parent or guardian  
14 utilizing the provisions under subsection (a) or (b).

15 (2) A school entity, including, but not limited to, the  
16 administration, chief school officer, temporary professional  
17 employees, professional employees and other school employees, may  
18 not:

19 (i) solicit a student or student's parent or guardian to  
20 utilize the provisions under subsection (a) or (b); or

21 (ii) be penalized for a student's parent or guardian  
22 utilizing the provisions under subsection (a) or (b).

23 (3) Nothing in this section shall prohibit a school entity,  
24 including, but not limited to, the administration, chief school  
25 officer, temporary professional employees, professional employees  
26 and other school employees, from communicating with students,  
27 parents or guardians regarding the utilization of the provisions  
28 under subsection (a) or (b) which are not intended to solicit  
29 such utilization.

30 (d) As used in this section, the following words and phrases

1 shall have the meanings given to them in the subsection unless  
2 the context clearly indicates otherwise:

3 "Governing authority." A local board of school directors, or  
4 the equivalent, of a school entity.

5 "School entity." A school district, intermediate unit, joint  
6 school, area vocational-technical school, charter school,  
7 regional charter school or cyber charter school.

8 Section 2. This act shall take effect immediately.