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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 786 Session of  
2021

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INTRODUCED BY AUMENT, MARTIN, MENSCH, DiSANTO, J. WARD, CORMAN  
AND STEFANO, JUNE 21, 2021

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REFERRED TO EDUCATION, JUNE 21, 2021

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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 open campus initiatives, further  
6 providing for legislative intent, for definitions, for open  
7 campus initiatives, for cooperative agreements, for  
8 reimbursements by the Commonwealth and for parental and  
9 public information.

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

12 Section 1. Sections 1501-G, 1502-G, 1503-G, 1504-G, 1505-G  
13 and 1506-G of the act of March 10, 1949 (P.L.30, No.14), known  
14 as the Public School Code of 1949, are amended to read:

15 Section 1501-G. Legislative intent.

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

21 Section 1502-G. Definitions.

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

4 "Department." The Department of Education of the  
5 Commonwealth.

6 "Nonparticipating school [entity]." A school district,  
7 [which is not a party to a cooperative agreement between school  
8 districts, a] charter school, cyber charter school, regional  
9 charter school, multiple charter school organization,  
10 intermediate unit, area career and technical school, nonpublic  
11 school or home education program provided under section  
12 1327.1[.], which is not a party to a cooperative agreement  
13 between school entities establishing an open campus initiative.

14 "Open campus initiative." A program established under  
15 section 1503-G.

16 "Participating school [district] entity." A school district,  
17 charter school, cyber charter school, regional charter school,  
18 multiple charter school organization, intermediate unit or area  
19 career and technical school, which is party to the cooperative  
20 agreement between school [districts] entities establishing [the]  
21 an open campus initiative.

22 Section 1503-G. Open campus initiatives.

23 (a) Establishment.--An open campus initiative may be  
24 established between school [districts] entities through a  
25 cooperative agreement.

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

30 (c) Grades, credit, promotion and graduation.--Course

1 grades, credit, promotion and graduation policies for students  
2 participating in open campus initiative courses shall be  
3 determined by the school [~~district, charter school, cyber~~  
4 ~~charter school,~~] entity, nonpublic school or evaluator of a home  
5 education program in which the student is enrolled and the  
6 cooperative agreement between the participating school  
7 [~~districts~~] entities.

8 (d) Student eligibility requirements.--Eligibility  
9 requirements for student participation in open campus initiative  
10 courses shall be determined by the school [~~district, charter~~  
11 ~~school, cyber charter school,~~] entity, nonpublic school or  
12 supervisor of a home education program in which each student is  
13 enrolled and the cooperative agreement between the participating  
14 school [~~districts~~] entities.

15 (e) Nonparticipating school [~~entities~~].--A cooperative  
16 agreement between participating school [~~districts~~] entities may  
17 provide for students attending a nonparticipating school  
18 [~~entity~~] to participate in an open campus initiative course.

19 (f) Compulsory attendance requirements.--The time during  
20 which a student participates in open campus initiative courses  
21 shall be considered to be compliant with the compulsory  
22 attendance requirements of section 1327.

23 (g) Student participation.--The school [~~district, charter~~  
24 ~~school, cyber charter school,~~] entity, nonpublic school or home  
25 education program in which the student is enrolled shall ensure  
26 that a student participating in open campus initiative courses  
27 is offered at least 990 hours of instruction at the secondary  
28 level and 900 hours of instruction at the elementary level.

29 (h) Technical assistance.--The department shall provide  
30 technical assistance as needed to school [~~districts~~] entities

1 establishing and operating an open campus initiative.

2 Section 1504-G. Cooperative agreements.

3 (a) Contents.--School [districts] entities desiring to  
4 establish and operate an open campus initiative shall develop  
5 and enter into a cooperative agreement that shall, at a minimum,  
6 include:

7 (1) A policy for grading, credit and promotion of  
8 students participating in open campus initiative courses.

9 (2) A policy for participation of students from  
10 participating school [districts] entities which shall include  
11 minimum academic and attendance criteria.

12 (3) A policy for participation of students from  
13 nonparticipating school entities, which includes a fee  
14 schedule for determining tuition charges for courses  
15 delivered to those students, if the participating school  
16 [districts] entities allow participation of students from  
17 nonparticipating [school entities] schools.

18 (4) A policy for discipline and removal of students from  
19 open campus initiative courses in compliance with State law  
20 related to student discipline.

21 (5) Information about the attribution of student data to  
22 the school [district, charter school, cyber charter school,]  
23 entity, nonpublic school or home education program in which  
24 the student is enrolled, including student assessment data.

25 (6) Information about the sharing of costs between the  
26 participating school [districts] entities.

27 (7) Information about the use and distribution of  
28 tuition revenue.

29 (8) Processes for adding and removing open campus  
30 initiative courses.

1           (9) Processes for termination of the open campus  
2 initiative.

3           (b) Adoption by [boards of school directors] governing board  
4 of school entity.--Each open campus initiative cooperative  
5 agreement shall be adopted by majority vote of the [board of  
6 school directors] governing board of the school entity of each  
7 of the participating school [districts] entities.

8 Section 1505-G. Reimbursements by the Commonwealth.

9           For the purpose of making reimbursements under Article XXV, a  
10 student participating in an open campus initiative shall be  
11 considered to be enrolled in the school [district, charter  
12 school, cyber charter school,] entity, nonpublic school or home  
13 education program which determines the student's eligibility for  
14 participation in the open campus initiative.

15 Section 1506-G. Parental and public information.

16           All policies related to an open campus initiative shall be  
17 made accessible to parents and posted on the participating  
18 school [districts'] entities' publicly accessible Internet  
19 websites.

20           Section 2. This act shall take effect in 60 days.