

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1504

Session of
1985

INTRODUCED BY LEVIN, FOX, PIEVSKY, D. R. WRIGHT, ITKIN, COHEN,
MILLER, HAGARTY, NAHILL, FREEMAN, JOSEPHS AND JAROLIN,
JUNE 25, 1985

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, MARCH 10, 1986

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," providing for pupils who are unable,
6 because of religious beliefs, to attend classes.

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 1547. Pupils Unable, Because of Religious Beliefs,
13 to Attend Classes on Certain Days.--(a) No pupil who is unable,
14 because of his religious beliefs, to attend classes or to
15 participate in any examination, study or work requirements on a
16 particular day or days shall, by reason of such absence, be
17 refused admission as a pupil to or expelled or suspended from
18 any school.

19 (b) No pupil in any school who is absent because of his

1 religious beliefs shall, by reason of such absence, be deprived
2 of any award or of eligibility or opportunity to compete for any
3 award.

4 (c) No pupil in any PUBLIC school who is unable, because of <—
5 his religious beliefs, to attend classes on a particular day or
6 days shall, by reason of such absence, be deprived of the
7 opportunity to take an alternative test or examination or to
8 make up any study or work requirements, which he missed because
9 of such absence.

10 (d) It shall be the duty of the district superintendent of
11 each school district to make available to each pupil who is
12 absent from school because of his religious beliefs an
13 equivalent opportunity to compete for any award, to make up any
14 examination, study or work requirements or class which he may
15 have missed because of such absence on any particular day or
16 days. No fees of any kind shall be charged by the school for
17 making available to the pupil such equivalent opportunity.

18 (e) Any absence because of a pupil's religious beliefs shall
19 be recorded as an excused absence on the pupil's attendance
20 record or on the record of any group or class of which he is a
21 member. Any transcript, application, employment form or any
22 similar form on which information concerning a pupil's
23 attendance record is requested shall show, with respect to
24 absences, only absences other than absences excused because of
25 religious beliefs.

26 (f) In effectuating the provisions of this section, it shall
27 be the duty of the board of school directors of each school
28 district to exercise the fullest measure of good faith. No
29 adverse or prejudicial effects shall result to any pupil because
30 of his availing himself of the provisions of this section.

1 (g) Any pupil who is aggrieved by the alleged failure of any
2 school official to comply in good faith with the provisions of
3 this section shall be entitled to maintain an action or
4 proceeding in the court of common pleas of the county in which
5 such school is located for the enforcement of his rights under
6 this section.

7 (h) A copy of this section shall be published by each school
8 in the school catalog which contains the school's rules and
9 regulations or lists the school's available courses.

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