

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2358 Session of
1986

INTRODUCED BY FOX, NAHILL, COHEN, ARTY, GANNON, JOHNSON, TIGUE,
TELEK, FREEMAN, DEAL, LANGTRY, RAYMOND, KENNEY AND HERSHEY,
APRIL 14, 1986

REFERRED TO COMMITTEE ON EDUCATION, APRIL 14, 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," requiring notification of parents or
6 legal guardians when children are absent from school.

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 1354.1. Notification When Children are Absent.--(a)
13 Beginning with the 1986 school year, if any child enrolled in a
14 public school in grades kindergarten through eight is absent
15 from school, and there is no record that such absence is for a
16 valid cause, nor notification that the absence has been
17 authorized by the parent, legal guardian or other person having
18 legal custody of such child, an employe or other agent, whether
19 a volunteer or otherwise, designated by the public school in

1 which the child is enrolled, shall, within two hours after the
2 first class in which the child is enrolled, make a reasonable
3 effort to promptly telephone and notify the parent, legal
4 guardian or other person having legal custody of the child, of
5 the child's absence from school. Such notification shall not be
6 given for an absence authorized by the parent, legal guardian or
7 other person having legal custody of the child. Prior to any
8 enrollment of a child in a public school, the school district
9 shall notify parents, legal guardians or other persons having
10 legal custody of a child, of their responsibility to authorize
11 any absence and to notify the school in advance or at the time
12 of any such absence, and that the school requires at least one
13 and not more than two telephone numbers be given for purposes of
14 this section. The school district shall require that such
15 telephone numbers be given at the time of enrollment of the
16 child in school, which numbers may be changed from time to time
17 upon notification to the school.

18 (b) The requirements of this section shall have been met by
19 the school if notification of an absence has been attempted by
20 telephoning the one or two numbers given the school by the
21 parent, legal guardian or other person having legal custody of a
22 child, whether or not there is any answer at such telephone
23 number or numbers. Further, the requirements of this section
24 shall have been met if the notification is given to a member of
25 the household of the child's parent, legal guardian or other
26 person having legal custody of the child, which member of the
27 household must be ten years of age or older.

28 (c) An employe or other agent designated by the public
29 school who in good faith makes a reasonable effort to notify the
30 parent, legal guardian or other person having legal custody of a

1 child of the child's absence from school, when required by this
2 section, shall not, as a result of his acts or omissions, except
3 wilful or wanton misconduct on the part of such employe or agent
4 in attempting to comply with the notification requirements of
5 this section, be liable for civil damages, nor shall such person
6 be subject to any of the penalties or sanctions provided for in
7 this act.

8 Section 2. This act shall take effect immediately.