

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1618 Session of
2005

INTRODUCED BY FAIRCHILD, PALLONE, FLEAGLE, PHILLIPS, BELFANTI,
BENNINGHOFF, BOYD, CALTAGIRONE, CAPPELLI, CORNELL, CREIGHTON,
DALLY, J. EVANS, FABRIZIO, FRANKEL, GEIST, GEORGE, GERGELY,
HARHAI, HARRIS, HENNESSEY, HERSHEY, KILLION, LEACH, MANN,
MARKOSEK, O'NEILL, PICKETT, PRESTON, QUIGLEY, ROEBUCK,
STABACK, T. STEVENSON, STURLA, TANGRETTI, E. Z. TAYLOR,
THOMAS, TIGUE, TRUE, WOJNAROSKI, YOUNGBLOOD, YUDICHAK AND
KAUFFMAN, JUNE 3, 2005

REFERRED TO COMMITTEE ON EDUCATION, JUNE 3, 2005

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 participation in
6 graduation ceremony.

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 1504.1. Participation in Graduation Ceremony.--(a)

13 The General Assembly finds the following:

14 (1) Each year, school districts across this Commonwealth
15 celebrate their students' accomplishments through graduation
16 ceremonies at which high school diplomas are bestowed upon
17 students who have completed their high school requirements.

1 (2) There are children with disabilities in this
2 Commonwealth who have finished four (4) years of high school,
3 but whose individualized education programs prescribe the
4 continuation of special education, transition planning,
5 transition services or related services beyond the completion of
6 four (4) years of high school.

7 (3) It is well established that the awarding of a high
8 school diploma to and the high school graduation of a child with
9 a disability is tantamount to the termination of eligibility for
10 special education and related services for the student under
11 applicable Federal law.

12 (4) Many children with disabilities who will continue their
13 public education in accordance with their individualized
14 education programs after finishing four (4) years of high school
15 wish to celebrate their accomplishments by participating in a
16 graduation ceremony with their classmates.

17 (5) The opportunity for classmates with disabilities and
18 those without disabilities to celebrate their accomplishments
19 together only occurs once, and the opportunity to celebrate the
20 receipt of a diploma several years after one's classmates have
21 graduated diminishes the experience for students whose age peers
22 have left high school several years earlier.

23 (b) Beginning March 1, 2006, each school district that
24 operates a high school must have a policy and procedures that
25 allow a child with a disability who will have completed four (4)
26 years of high school at the end of a school year to participate
27 in the graduation ceremony of the student's high school
28 graduating class and receive a certificate of completion if the
29 student's individualized education program prescribes only
30 special education, transition planning, transition services or

1 related services beyond the student's four (4) years of high
2 school. The policy and procedures must require timely and
3 meaningful written notice to children with disabilities and
4 their parents or guardians about the school district's policy
5 and procedures adopted in accordance with this section.

6 (c) The Department of Education shall monitor and enforce
7 compliance with the provisions of this section and is authorized
8 to adopt rules for that purpose.

9 Section 2. This act shall take effect immediately.