

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL****No. 141**      Session of  
2015

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INTRODUCED BY GILLEN, BIZZARRO, V. BROWN, CALTAGIRONE, COHEN,  
D. COSTA, COX, DAVIDSON, KAUFFMAN, KORTZ, MARSICO, O'NEILL,  
RAPP, SANTORA, SCHLOSSBERG, WATSON AND GIBBONS,  
JANUARY 21, 2015

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AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JANUARY 28, 2015

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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 pupils and attendance, further  
6 providing for penalties for violations of compulsory  
7 attendance requirements.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 ~~Section 1. Section 1333(a) (1) of the act of March 10, 1949 <--~~  
11 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~  
12 ~~amended November 17, 1995 (1st Sp.Sess., P.L.1110, No.29), is~~  
13 ~~amended to read:~~

14 SECTION 1. SECTION 1333(A) (1) AND (B) (5) OF THE ACT OF MARCH <--  
15 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF  
16 1949, AMENDED NOVEMBER 17, 1995 (1ST SP.SESS., P.L.1110, NO.29),  
17 ARE AMENDED TO READ:

18 Section 1333. Penalties for Violation of Compulsory  
19 Attendance Requirements.--(a) (1) Every parent, guardian, or

1 person in parental relation, having control or charge of any  
2 child or children of compulsory school age, who shall  
3 intentionally fail to comply with the provisions of this act  
4 regarding compulsory attendance, shall on summary conviction  
5 thereof, be sentenced to pay a fine, for the benefit of the  
6 school district in which such offending person resides, not  
7 exceeding three hundred dollars (\$300) and to pay court costs or  
8 be sentenced to complete a parenting education program offered  
9 and operated by a local school district, medical institution or  
10 other community resources, or perform community service, and, in  
11 default of the payment of such fine and costs or completion of  
12 the parenting program OR FAILURE TO COMPLETE COMMUNITY SERVICE <--  
13 by the person so offending, [shall] may be sentenced to the  
14 county jail for a period not exceeding five (5) days. Any person  
15 sentenced to pay any such fine may appeal to the court of common  
16 pleas of the proper county, upon entering into a recognizance,  
17 with one or more proper sureties, in double the amount of  
18 penalty and costs. Before any proceedings are instituted against  
19 any parent, guardian, or person in parental relation, for  
20 failure to comply with the provisions of this act, the district  
21 superintendent, attendance officer, or secretary of the board of  
22 school directors, shall give the offending person three (3)  
23 days' written notice of such violation. If, after such notice  
24 has been given, the provisions of this act regarding compulsory  
25 attendance are again violated by the persons so notified, at any  
26 time during the term of compulsory attendance, such person, so  
27 again offending, shall be liable under the provisions of this  
28 section without further notice.

29 \* \* \*

30 (B) \* \* \*

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1 (5) THE FOLLOWING WORDS, WHEN USED IN THIS SUBSECTION, SHALL  
2 HAVE THE FOLLOWING MEANING, EXCEPT WHERE THE CONTEXT CLEARLY  
3 INDICATES OR REQUIRES A DIFFERENT MEANING:

4 "COMMUNITY RESOURCES" SHALL MEAN THOSE AGENCIES AND SERVICES  
5 FOR CHILDREN AND YOUTH PROVIDED BY THE JUVENILE COURT, THE  
6 COUNTY, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF PUBLIC  
7 WELFARE AND OTHER PUBLIC OR PRIVATE INSTITUTIONS.

8 "DISTRICT JUSTICE" SHALL MEAN SUCH COURT AS THE COURT OF  
9 COMMON PLEAS SHALL DIRECT IN COUNTIES NOT HAVING DISTRICT  
10 JUSTICES.

11 "HABITUALLY TRUANT" SHALL MEAN ABSENCE FOR MORE THAN THREE  
12 (3) SCHOOL DAYS OR THEIR EQUIVALENT FOLLOWING THE FIRST NOTICE  
13 OF TRUANCY GIVEN UNDER SECTION 1354 AND WITHIN A TWELVE-MONTH  
14 PERIOD. A PERSON MAY BE HABITUALLY TRUANT AFTER SUCH NOTICE.

15 "OFFENSE" SHALL MEAN EACH CITATION WHICH GOES BEFORE A  
16 DISTRICT JUSTICE OR COURT OF COMMON PLEAS.

17 "PERSON IN PARENTAL RELATION" SHALL NOT INCLUDE ANY COUNTY  
18 AGENCY OR PERSON ACTING AS AN AGENT OF THE COUNTY AGENCY IN THE  
19 JURISDICTION OF A DEPENDENT CHILD DEFINED UNDER 42 PA.C.S. §  
20 6302 (RELATING TO DEFINITIONS).

21 \* \* \*

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