

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1404 Session of  
2017

INTRODUCED BY RAPP, D. MILLER, COX, IRVIN, BERNSTINE, WARD,  
WHEELAND AND ORTITAY, MAY 19, 2017

REFERRED TO COMMITTEE ON EDUCATION, MAY 19, 2017

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 preliminary provisions, providing  
6 for excusal from State assessments.

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 121.1. Excusal from State Assessments.--(a) A  
13 parent or guardian may submit to the school a written request to  
14 excuse the parent's or guardian's child from any or all parts of  
15 an assessment based on a parent's or guardian's objection on  
16 religious or philosophical grounds or due to health concerns for  
17 the child. The health concerns may include stress and anxiety in  
18 preparation for the assessment. A parent's or guardian's  
19 objection on religious grounds shall follow the process under 22  
20 Pa. Code § 4.4(d) (relating to general policies).

1 Notwithstanding any provision of law, a parent's or guardian's  
2 written request to school officials to excuse the parent's or  
3 guardian's child from any or all parts of the assessments  
4 administered under 22 Pa. Code Ch. 4 (relating to standards and  
5 assessment) shall be granted. A public school entity shall not  
6 be penalized because of a parent's or guardian's exercise of  
7 this section.

8 (b) As used in this section, the following words and phrases  
9 shall have the meanings given to them in this subsection unless  
10 the context clearly indicates otherwise:

11 "Assessment." The Pennsylvania System of School Assessment  
12 test, the Keystone Exam, an equivalent local assessment or  
13 another test established or approved by the State Board of  
14 Education or the General Assembly to meet the requirements of  
15 section 2603-B(d)(10)(i) and which is required under the Every  
16 Student Succeeds Act (Public Law 114-95, 129 Stat. 1802) or its  
17 successor statute.

18 "Public school entity." A school district, intermediate  
19 unit, joint school, area vocational-technical school, charter  
20 school or cyber charter school.

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