

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2307 Session of 2020

INTRODUCED BY ROZZI, BULLOCK, DONATUCCI, McNEILL, MURT, HOWARD, ULLMAN, KENYATTA, HARKINS, SCHLOSSBERG, KINSEY, HILL-EVANS, HOHENSTEIN, GALLOWAY, GAINNEY, BURGOS, SANCHEZ, T. DAVIS, READSHAW, KOSIEROWSKI, FREEMAN, LEE, SHUSTERMAN, SCHWEYER, KULIK, KIM, GILLEN AND ROEBUCK, FEBRUARY 24, 2020

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 24, 2020

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, providing  
 6 for ensuring equal access and timely graduation.

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 1331.1. Ensuring Equal Access and Timely  
 13 Graduation.--(a) Each student experiencing an education  
 14 disruption shall be assigned a point of contact at the school  
 15 entity which the student attends. The following shall apply:

16 (1) The following may serve as a point of contact:

17 (i) A certified school counselor.

18 (ii) A certified home and school visitor.

- 1     (iii) A social worker.
- 2     (iv) A foster care point of contact.
- 3     (v) A local education liaison under the McKinney-Vento  
4 Homeless Assistance Act (Public Law 100-77, 101 Stat. 482).
- 5     (vi) A teacher.
- 6     (vii) A school administrator.
- 7     (viii) Other appropriate school staff.

8     (2) Notice regarding the student's point of contact may be  
9 sent to the student's parent, guardian, foster parent or other  
10 education decision maker if one of those individuals is involved  
11 in the student's educational decision making.

12     (3) A point of contact shall:

13     (i) Assist with the student's transition to the new school  
14 entity by determining appropriate class placement and connecting  
15 the student with appropriate services and opportunities,  
16 including participating in extracurricular activities,  
17 remediation or tutoring services for the student if needed,  
18 career and technical training and other programs.

19     (ii) Work with the student in grades nine through twelve or  
20 the student's parent, guardian, foster parent or other education  
21 decision maker, or both, if one of those individuals is involved  
22 in the student's educational decision making and the county  
23 children and youth agency to create a graduation plan for the  
24 student that documents partial and full credits which the  
25 student has earned, and the credits that are needed to graduate,  
26 and details a plan to support the student in graduating,  
27 including remediation or tutoring services for the student if  
28 needed, credit waivers and credit recovery options. The  
29 documentation shall be maintained in the student's education  
30 file.

1 (iii) Assist the student in identifying and pursuing post-  
2 secondary goals, including sources of funding.

3 (iv) Ensure that a student experiencing an education  
4 disruption is provided information regarding tuition and fee  
5 exemptions for dual-credit or other courses provided by an  
6 institution of higher education for which the student may earn  
7 joint high school and college credit.

8 (v) Provide notice to the student's parent, guardian, foster  
9 parent or other educational decision maker of a student, if one  
10 of those individuals is involved with the student's educational  
11 decision making, regarding events that may significantly impact  
12 the education of the student.

13 (b) A student experiencing an education disruption shall not  
14 be penalized for a school uniform or dress code violation  
15 related to a delay in obtaining a uniform due to the student's  
16 mobility.

17 (c) For a student experiencing an education disruption at  
18 any time, the student's current school entity shall ensure that  
19 the student:

20 (1) has equal access, including transportation if provided,  
21 to participate in school programs, sports, extracurricular  
22 activities and career and technical or other special programs  
23 for which the student qualifies, notwithstanding deadlines for  
24 documentation or other prerequisite requirements normally  
25 required; and

26 (2) receives all special education services to which the  
27 student is entitled.

28 (d) A student experiencing an education disruption shall be  
29 eligible to earn credits in the new school entity regardless of  
30 the student's date of enrollment. A school entity shall honor

1 credits and partial credits previously earned in a prior  
2 educational placement, which is licensed, certified or otherwise  
3 authorized by a State or local educational agency, by a student  
4 experiencing an education disruption.

5 (e) When a student experiencing an education disruption  
6 transfers to a new school entity, the receiving school entity  
7 shall communicate with the sending school entity within two days  
8 of the student's enrollment. The sending school entity shall  
9 provide the receiving school entity with any requested records  
10 within two days of receipt of the receiving school entity's  
11 communication.

12 (f) A student experiencing an education disruption who  
13 transfers to a new school entity shall have:

14 (1) priority placement in classes that meet State graduation  
15 requirements; and

16 (2) timely placement in elective classes that are comparable  
17 to those in which the student was enrolled at the student's  
18 previous school entity as soon as the new school entity receives  
19 verification from the student's records.

20 (g) A new school entity shall accept a referral for special  
21 education services made for a student experiencing an education  
22 disruption by the sending school entity.

23 (h) A school entity shall waive local requirements for  
24 graduation for a student experiencing an education disruption if  
25 similar or alternative coursework has been satisfactorily  
26 completed in another educational placement, which is licensed,  
27 certified or otherwise authorized by a State or local  
28 educational agency. If the student was unable to take a similar  
29 course required for graduation, the school entity shall waive  
30 the local requirement or offer an alternative means for the

1 student to graduate on time, which may include awarding credit  
2 based on alternative methods, such as testing or written work,  
3 credit for work or internship experiences, summer school, after-  
4 school or online credit recovery programs overseen by a teacher  
5 or other measures. If a student has taken a higher-level course  
6 and is missing credit for a lower-level prerequisite course in  
7 the same subject area, the student shall be granted a waiver,  
8 with credit, for the prerequisite course.

9 (i) When a student experiencing an education disruption  
10 lacks credits needed to graduate on time, or if education  
11 records are missing, a school entity shall offer options to  
12 allow the student to make up missing credits, such as testing or  
13 written work, summer school, after-school or online credit  
14 recovery programs overseen by a teacher or other assessments.

15 (j) If a student experiencing an education disruption  
16 transfers at the beginning of the student's junior year of high  
17 school or later and is ineligible to graduate from the student's  
18 current school entity, a former school entity shall award a  
19 diploma if the student meets the graduation requirements of the  
20 former school entity.

21 (k) After exhausting all other options under this section, a  
22 student experiencing an education disruption who has completed  
23 at least four (4) years of high school and meets the State  
24 graduation standards under section 1613, but who cannot obtain a  
25 school entity-issued diploma, shall as a last resort be eligible  
26 to obtain a Statewide secondary school diploma, known as the  
27 Keystone Diploma, issued by the student's current school entity.  
28 In this event, notwithstanding any other provision of law, the  
29 current school entity shall issue a Keystone Diploma to the  
30 student. The diploma shall be conferred in the name of the

1 issuing school entity and shall identify the name of the issuing  
2 school entity on the diploma's face. The student's current  
3 school entity shall assist the student in obtaining the diploma.

4 (l) The State Board of Education, in consultation with the  
5 Secretary of Education, shall establish guidance to implement  
6 this section and facilitate the transition between school  
7 entities.

8 (m) Each school entity shall develop policies and  
9 procedures, if the school entity does not already have policies  
10 and procedures in place, to ensure that a new school entity:

11 (1) relies on decisions made by the previous school entity  
12 regarding the placement in courses or educational programs of a  
13 student experiencing an education disruption; and

14 (2) places a student experiencing an education disruption in  
15 comparable courses or educational programs at the new school  
16 entity, if those courses or programs are available.

17 (n) A school entity shall specify in its student code of  
18 conduct that consideration will be given as a factor in a  
19 decision concerning disciplinary action regardless of whether  
20 the decision concerns a mandatory or discretionary action to a  
21 student's status as a student experiencing an education  
22 disruption.

23 (o) The following words and phrases as used in this section  
24 shall have the meanings given to them in this subsection unless  
25 the context clearly indicates otherwise:

26 "School entity" means any of the following:

27 (1) A school district.

28 (2) A charter school.

29 (3) A cyber charter school.

30 (4) A regional charter school.

1     (5) An intermediate unit.

2     (6) An area career and technical school.

3     "Student experiencing an education disruption" means a  
4 student in grades kindergarten through twelve who:

5     (1) Is an unaccompanied youth as defined in the McKinney-  
6 Vento Homeless Assistance Act and as determined by the school  
7 entity and the Department of Education.

8     (2) Is in foster care.

9     (3) Has an adjudication:

10    (i) of dependency under 23 Pa.C.S. Ch. 63 (relating to child  
11 protective services) and 42 Pa.C.S. Ch. 63 (relating to juvenile  
12 matters);

13    (ii) of delinquency under 23 Pa.C.S. Ch. 63 and 42 Pa.C.S.  
14 Ch. 63, if the parent or guardian of the student wishes to  
15 disclose the adjudication of delinquency; or

16    (iii) as part of court-ordered services under a voluntary  
17 placement or child custody agreement.

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