

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 94 Session of 2021

INTRODUCED BY D. MILLER, JANUARY 11, 2021

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 11, 2021

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 definitions and for excuses from attending
 7 school.

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

10 Section 1. The definition of "unexcused absence" in section
 11 1326 of the act of March 10, 1949 (P.L.30, No.14), known as the
 12 Public School Code of 1949, is amended to read:

13 Section 1326. Definitions.--When used in this article, the
 14 following words and phrases shall have the following meanings:

15 * * *

16 "Unexcused absence" shall mean an absence from school which
 17 is not permitted by the provisions of section 1329 and for which
 18 an approved explanation has not been submitted within the time
 19 period and in the manner prescribed by the governing body. An
 20 out-of-school suspension or an absence related to a medical
 21 condition that is explained by a valid medical excuse from a

1 licensed practitioner of the healing arts in any state,
2 commonwealth or territory may not be considered an unexcused
3 absence.

4 Section 2. Section 1329(a) of the act is amended and the
5 section is amended by adding subsections to read:

6 Section 1329. Excuses from Attending School.--(a) The board
7 of school directors of any school district [may] shall, upon
8 certification by any licensed practitioner of the healing arts
9 or upon any other satisfactory evidence being furnished to it,
10 showing that any child or children are prevented from attending
11 school, or from application to study, on account of any mental,
12 physical, or other urgent reasons, excuse such child or children
13 from attending school as required by the provisions of this act.
14 [, but the term "urgent reasons" shall be strictly construed and
15 shall not permit of irregular attendance. In every such case,
16 such action by the board of school directors shall not be final
17 until the approval of the Department of Education has been
18 obtained. Every principal or teacher in any public, private, or
19 other school may, for reasons enumerated above, excuse any child
20 for non-attendance during temporary periods.]

21 * * *

22 (a.3) The board of school directors of a school district may
23 excuse a child or children from attending school as required by
24 the provisions of this act for urgent reasons, but the term
25 "urgent reasons" shall be strictly construed and shall not
26 permit irregular attendance. In each case, the action by the
27 board of school directors shall not be final until the approval
28 of the Department of Education has been obtained.

29 (a.4) Every principal or teacher in a public, private or
30 other school may, for reasons enumerated in subsections (a) and

1 (a.3), excuse a child for non-attendance during temporary
2 periods.

3 * * *

4 Section 3. This act shall take effect immediately.