

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1041 Session of 2021

INTRODUCED BY TOPPER, R. BROWN, COX, GILLEN, HAMM, HILL-EVANS, KAUFFMAN, KEEFER, KULIK, MOUL, PICKETT, ROWE, RYAN, STAATS, THOMAS, WARNER, WHEELAND, ZIMMERMAN, SCHROEDER AND GLEIM, MARCH 29, 2021

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 19, 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 home education program.

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

9 Section 1. Section 1327.1 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, is
11 amended by adding subsections to read:

12 Section 1327.1. Home Education Program.--* * *

13 (f.2) (1) Beginning January 1, 2022, AND EACH SCHOOL YEAR <--
14 THEREAFTER, the school district of residence shall DEVELOP <--
15 POLICIES AND PROCEDURES TO permit a child who is enrolled in a
16 home education program to participate, ON THE SAME BASIS AS <--
17 OTHER STUDENTS ENROLLED IN THE SCHOOL DISTRICT, in any
18 cocurricular activity that merges extra-curricular activities

1 with a required academic class, including, but not limited to,
2 band or orchestra, and must permit a child who is enrolled in a
3 home education program to take up to four academic courses at a
4 time, provided that the child:

5 (i) meets the eligibility criteria or their equivalent for
6 participation in the cocurricular or academic course that apply
7 to students enrolled full time in the school district;

8 (ii) meets the prerequisite criteria or their equivalent for
9 participation in the cocurricular or academic course that apply
10 to students enrolled full time in the school district; and

11 (iii) complies with all policies, rules and regulations or
12 their equivalent of the cocurricular or academic course.

13 (2) For the purposes of this subsection, the school district
14 of residence shall provide the grade for each cocurricular or
15 academic course to the home education program supervisor, who
16 shall be responsible for maintaining the material in the
17 portfolio of records.

18 (3) The parent/guardian of the child shall be responsible
19 for transportation of the child to and from school for the
20 selected courses, except that a home school student may utilize
21 district transportation to or from school during the times a bus
22 is otherwise already operating.

23 (4) A board of school directors may adopt a policy to
24 implement the requirements of this subsection. The policy shall
25 only apply to participation in cocurricular or academic courses
26 and shall not conflict with any provisions of this section.

27 (f.3) (1) Beginning January 1, 2022, AND EACH SCHOOL YEAR <--
28 THEREAFTER, the school district of residence shall DEVELOP <--
29 POLICIES AND PROCEDURES CONSISTENT WITH THE ENROLLMENT
30 PROVISIONS OF THE WRITTEN AGREEMENT AMONG THE PARTICIPATING

1 SCHOOL DISTRICTS WHICH ESTABLISHED THE CAREER AND TECHNICAL
2 EDUCATION PROGRAM TO permit a home schooled student to
3 participate in a career and technical education program on the
4 same basis as other students enrolled in the school district,
5 provided that the child:

6 (i) meets the eligibility criteria or their equivalent for
7 participation in the career and technical education program that
8 apply to students enrolled full time in the school district;

9 (ii) meets the prerequisite criteria or their equivalent for
10 participation in the career and technical education program that
11 apply to students enrolled full time in the school district; and

12 (iii) complies with all policies, rules and regulations or
13 their equivalent of the career and technical education program.

14 (2) For the purposes of this subsection, the career and
15 technical education program shall provide the grades to the home
16 education program supervisor, who shall be responsible for
17 maintaining the material in the portfolio of records.

18 (3) The home school students may utilize district
19 transportation to or from the career and technical education
20 program during the times buses are otherwise already operating.

21 (4) A board of school directors may adopt a policy to
22 implement the requirements of this subsection. Such policy shall
23 only apply to participation in career and technical education
24 programs and shall not conflict with any provisions of this
25 section.

26 * * *

27 Section 2. This act shall take effect immediately.