
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1045 Session of
2021

INTRODUCED BY ROZZI, BULLOCK, SCHLOSSBERG, HOWARD, SANCHEZ,
DELLOSO, FREEMAN, HILL-EVANS, LEE, MADDEN, GALLOWAY, SCHWEYER
AND HOHENSTEIN, MARCH 31, 2021

REFERRED TO COMMITTEE ON EDUCATION, MARCH 31, 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, 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.

19 (iii) A social worker.

1 (iv) A foster care point of contact.

2 (v) A local education liaison under the McKinney-Vento
3 Homeless Assistance Act (Public Law 100-77, 101 Stat. 482).

4 (vi) A teacher.

5 (vii) A school administrator.

6 (viii) Other appropriate school staff.

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

11 (3) A point of contact shall:

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

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

30 (iii) Assist the student in identifying and pursuing post-

1 secondary goals, including sources of funding.

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

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

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

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

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

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

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

1 educational placement, which is licensed, certified or otherwise
2 authorized by a State or local educational agency, by a student
3 experiencing an education disruption.

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

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

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

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

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

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

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

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

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

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

1 school entity on the diploma's face. The student's current
2 school entity shall assist the student in obtaining the diploma.

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

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

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

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

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

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

25 "School entity" means any of the following:

26 (1) A school district.

27 (2) A charter school.

28 (3) A cyber charter school.

29 (4) A regional charter school.

30 (5) An intermediate unit.

1 (6) An area career and technical school.

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

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

7 (2) Is in foster care.

8 (3) Has an adjudication:

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

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

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

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