

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2674 Session of  
2022

INTRODUCED BY ORTITAY, HENNESSEY AND SHUSTERMAN, JUNE 14, 2022

REFERRED TO COMMITTEE ON EDUCATION, JUNE 14, 2022

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 extended special education enrollment due to  
7 COVID-19.

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

10 Section 1. Section 1383 of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, is  
12 amended by adding subsections to read:

13 Section 1383. Extended Special Education Enrollment Due to  
14 COVID-19.--\* \* \*

15 (b.1) A student with a disability as defined in 22 Pa. Code  
16 § 14.101 who has reached twenty-one (21) years of age during the  
17 2021-2022 school year or between the end of the 2021-2022 school  
18 year and the beginning of the 2022-2023 school year and is  
19 enrolled for the 2021-2022 school year is entitled to attend a  
20 school entity for the 2022-2023 school year and the school  
21 entity shall enroll the student if a parent or guardian and the

1 student elects to enroll no later than July 15, 2022. The  
2 Department of Education shall develop a standard election form  
3 for a parent or guardian to elect to enroll the student and the  
4 form shall be made available on the department's publicly  
5 accessible Internet website.

6 \* \* \*

7 (c.1) Notwithstanding any other provision of law to the  
8 contrary, the following shall apply to a student enrolled in a  
9 school entity under subsection (b.1):

10 (1) The school entity shall implement the student's most  
11 recent IEP.

12 (2) The student's attendance shall be included in the school  
13 entity's average daily membership.

14 (3) The school entity shall provide extended school year  
15 services during the summer after the 2021-2022 school year in  
16 accordance with the student's most recent IEP.

17 (4) The school entity shall take all steps necessary to  
18 comply with the Individuals with Disabilities Education Act  
19 (Public Law 91-230, 20 U.S.C. § 1400 et seq.) and 22 Pa. Code  
20 Ch. 14 (relating to special education services and programs).

21 (5) A student older than twenty-one (21) years of age with  
22 an active IEP who is enrolled in a school entity during the  
23 2022-2023 school year shall not become ineligible for continued  
24 service under the Individuals with Disabilities Education Act  
25 during the entire 2022-2023 school year.

26 \* \* \*

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