

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1788 Session of 2013

INTRODUCED BY CALTAGIRONE, GODSHALL, DAVIDSON, ROZZI, MCNEILL,
 CARROLL, SCHLOSSBERG, PAINTER, COHEN, DeLUCA, V. BROWN,
 WATSON AND DENLINGER, OCTOBER 21, 2013

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 21, 2013

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 penalties for violation of compulsory
 7 attendance requirements.

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

10 Section 1. Section 1333(a) (2), (3) and (4) and (b) (5) of the
 11 act of March 10, 1949 (P.L.30, No.14), known as the Public
 12 School Code of 1949, amended November 17, 1995 (1st Sp.Sess.,
 13 P.L.1110, No.29), are amended to read:

14 Section 1333. Penalties for Violation of Compulsory
 15 Attendance Requirements.--(a) * * *

16 (2) The child and every parent, guardian or person in
 17 parental relation must appear at a hearing established by the
 18 [district justice] juvenile division of the court of common
 19 pleas. If the parent, guardian or person in parental relation
 20 charged with a summary offense under this subsection shows that

1 he or she took every reasonable step to insure attendance of the
2 child at school, he or she shall not be convicted of the summary
3 offense.

4 (3) Upon a summary conviction, the [district justice] common
5 pleas judge may suspend, in whole or in part, a sentence in
6 which a parent, guardian or person in parental relation is
7 summoned to pay as required under this section: Provided, That
8 the child no longer is habitually truant from school without
9 justification.

10 (4) In lieu of or in addition to any other sentence imposed
11 under this section, the [district justice] common pleas judge
12 may order the parent, guardian or person in parental relation to
13 perform community service in the school district in which the
14 offending child resides for a period not to exceed six (6)
15 months.

16 (b) * * *

17 (5) The following words, when used in this subsection, shall
18 have the following meaning, except where the context clearly
19 indicates or requires a different meaning:

20 "Community resources" shall mean those agencies and services
21 for children and youth provided by the juvenile court, the
22 county, the Department of Health, the Department of Public
23 Welfare and other public or private institutions.

24 ["District justice" shall mean such court as the court of
25 common pleas shall direct in counties not having district
26 justices.]

27 "Habitually truant" shall mean absence for more than three

28 (3) school days or their equivalent following the first notice
29 of truancy given under section 1354. A person may be habitually
30 truant after such notice.

1 "Offense" shall mean each citation which goes before a
2 district justice or court of common pleas.

3 "Person in parental relation" shall not include any county
4 agency or person acting as an agent of the county agency in the
5 jurisdiction of a dependent child defined under 42 Pa.C.S. §
6 6302 (relating to definitions).

7 * * *

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