

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2947 Session of
2020

INTRODUCED BY SCHWEYER AND SCHLOSSBERG, OCTOBER 19, 2020

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 19, 2020

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 terms and courses of study,
6 further providing for pandemic of 2020.

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

9 Section 1. Section 1501.8(a) and (n) of the act of March 10,
10 1949 (P.L.30, No.14), known as the Public School Code of 1949,
11 added March 27, 2020 (P.L.62, No.13), is amended and the section
12 is amended by adding a subsection to read:

13 Section 1501.8. Pandemic of 2020.--(a) [This section
14 applies only] Except as otherwise provided in subsection (m.1),
15 this section shall apply to the 2019-2020 school year as a
16 result of the [global pandemic declared by the World Health
17 Organization on March 11, 2020] pandemic of 2020.

18 * * *

19 (m.1) Notwithstanding the provisions of this section or any
20 other law to the contrary, for the 2020-2021 school year, all

1 students, employes, contractors and visitors in a school entity
2 shall wear a face covering over the mouth and nose or a clear
3 face shield at all times while inside a school building as a
4 result of the pandemic of 2020. This subsection shall not apply
5 to:

6 (1) An adult who cannot wear a mask due to a medical
7 condition, including a respiratory issue that impedes breathing,
8 a mental health condition or disability.

9 (2) An individual for whom wearing a mask while working
10 would create an unsafe condition in which to operate equipment
11 or execute a task as determined by Federal, State or local
12 regulations or workplace safety guidelines.

13 (3) An individual who would be unable to remove a mask
14 without assistance.

15 (4) An individual who is under two years of age.

16 (5) An individual who is communicating or seeking to
17 communicate with someone who is hearing-impaired or has another
18 disability, where the ability to see the mouth is essential for
19 communication.

20 (6) A student who is eating or drinking when spaced at least
21 six feet apart.

22 (7) A student who is at least six feet apart from other
23 students during face-covering breaks that last no longer than
24 ten minutes.

25 (8) A student who has a medical or mental health condition
26 or disability, documented in accordance with section 504 of the
27 Rehabilitation Act of 1973 (Public Law 93-112, 29 U.S.C. § 701
28 et seq.) or the Individuals with Disabilities Education Act
29 (Public Law 91-230, 20 U.S.C. § 1400 et seq.), that precludes
30 the wearing of a face covering in school entity.

1 * * *

2 (n) As used in this section, the following words and phrases
3 shall have the meanings given to them in this subsection unless
4 the context clearly indicates otherwise:

5 "NIMS assessment." An assessment based on the National
6 Institute for Metalworking Skills standards.

7 "NOCTI exam." A National Occupational Competency Testing
8 Institute exam.

9 "Pandemic of 2020." The global pandemic declared by the
10 World Health Organization on March 11, 2020.

11 "School entity." Any school district, intermediate unit,
12 area career and technical school, charter school, cyber charter
13 school or regional charter school a child attends in order to
14 fulfill the compulsory attendance requirements of this act.

15 Section 2. This act shall take effect immediately.