

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 662 Session of 2019

INTRODUCED BY BROWNE, AUMENT, BARTOLOTTA, FONTANA, SCHWANK,
LEACH, BREWSTER, COSTA, MUTH, ARGALL, BLAKE, KILLION,
SANTARSIERO, K. WARD, TARTAGLIONE, HUGHES AND J. WARD,
MAY 20, 2019

REFERRED TO EDUCATION, MAY 20, 2019

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, 42 U.S.C. § 11301 et
4 seq.).

5 (vi) A teacher.

6 (vii) A school administrator.

7 (viii) Other appropriate school staff.

8 (2) The name of the person serving as a point of contact
9 shall be noted in the student's school record.

10 (3) Notice regarding the student's point of contact shall be
11 sent to the student's parent, guardian, foster parent or other
12 education decision maker.

13 (4) A point of contact shall:

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

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

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

1 secondary goals.

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

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

9 (1) has equal access, including transportation if provided,
10 to participate in school programs, sports, extracurricular
11 activities and career and technical or other special programs
12 for which the student qualifies, notwithstanding deadlines for
13 documentation or other prerequisite requirements normally
14 required; and

15 (2) receives all special education services to which the
16 student is entitled.

17 (d) A student experiencing an education disruption shall be
18 eligible to earn credits in the new school entity regardless of
19 the student's date of enrollment. A school entity shall honor
20 credits and partial credits previously earned in a prior
21 educational placement, which is licensed, certified or otherwise
22 authorized by a State or local educational agency, by a student
23 experiencing an education disruption.

24 (e) When a student experiencing an education disruption
25 transfers to a new school entity, the receiving school entity
26 shall communicate with the sending school entity within two days
27 of the student's enrollment. The sending school entity shall
28 provide the receiving school entity with any requested records
29 within two days of receipt of the receiving school entity's
30 communication.

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

3 (1) priority placement in classes that meet State graduation
4 requirements; and

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

9 (g) A school entity shall waive local requirements for
10 graduation for a student experiencing an education disruption if
11 similar or alternative coursework has been satisfactorily
12 completed in another educational placement, which is licensed,
13 certified or otherwise authorized by a State or local
14 educational agency. If the student was unable to take a similar
15 course required for graduation, the school entity shall waive
16 the local requirement or offer an alternative means for the
17 student to graduate on time, which may include awarding credit
18 based on alternative methods, such as testing or written work,
19 credit for work or internship experiences, summer school, after-
20 school or online credit recovery programs overseen by a teacher
21 or other measures. If a student has taken a higher-level course
22 and is missing credit for a lower-level prerequisite course in
23 the same subject area, the student shall be granted a waiver,
24 with credit, for the prerequisite course.

25 (h) When a student experiencing an education disruption
26 lacks credits needed to graduate on time, or if education
27 records are missing, a school entity shall offer options to
28 allow the student to make up missing credits, such as testing or
29 written work, summer school, after-school or online credit
30 recovery programs overseen by a teacher or other assessments.

1 (i) If a student experiencing an education disruption
2 transfers at the beginning of the student's junior year of high
3 school or later and is ineligible to graduate from the student's
4 current school entity, a former school entity shall award a
5 diploma if the student meets the graduation requirements of the
6 former school entity.

7 (j) After exhausting all other options under this section, a
8 student experiencing an education disruption who has completed
9 at least four (4) years of high school and meets the State
10 graduation standards under section 1613, but who cannot obtain a
11 school entity-issued diploma, shall as a last resort be eligible
12 to obtain a Statewide secondary school diploma, known as the
13 Keystone Diploma, issued by the student's current school entity.
14 In this event, notwithstanding any other provision of law, the
15 current school entity shall issue a Keystone secondary school
16 diploma to the student. The diploma shall be conferred in the
17 name of the issuing school entity and shall identify the name of
18 issuing school entity on its face. The student's current school
19 entity shall assist the student in obtaining the diploma.

20 (k) The State Board of Education, in consultation with the
21 Secretary of Education, shall establish guidance to implement
22 this section and facilitate the transition between school
23 entities.

24 (l) Each school entity shall develop policies and
25 procedures, if the school entity does not already have policies
26 and procedures in place, to ensure that a new school entity:

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

30 (2) places a student experiencing an education disruption in

1 comparable courses or educational programs at the new school
2 entity, if those courses or programs are available.

3 (m) The following words and phrases as used in this section
4 shall have the meanings given to them in this subsection unless
5 the context clearly indicates otherwise:

6 "School entity" means any of the following:

7 (1) A school district.

8 (2) A charter school.

9 (3) A cyber charter school.

10 (4) A regional charter school.

11 (5) An intermediate unit.

12 (6) An area vocational-technical school.

13 "Student experiencing an education disruption" means a
14 student in grades kindergarten through twelve who has
15 experienced or is experiencing one or more changes in school
16 entity enrollment during a single school year as a result of any
17 of the following:

18 (1) Homelessness as defined in the McKinney-Vento Homeless
19 Assistance Act (Public Law 100-77, 42 U.S.C. § 11301 et seq.)
20 and as determined by the school entity.

21 (2) An adjudication:

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

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

28 (iii) as part of court-ordered services under a voluntary
29 placement or custody agreement.

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