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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1041 Session of  
2021

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INTRODUCED BY TOPPER, R. BROWN, COX, GILLEN, HAMM, HILL-EVANS,  
KAUFFMAN, KEEFER, KULIK, MOUL, PICKETT, ROWE, RYAN, STAATS,  
THOMAS, WARNER, WHEELAND AND ZIMMERMAN, MARCH 29, 2021

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REFERRED TO COMMITTEE ON EDUCATION, MARCH 29, 2021

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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 home education program.

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

9 Section 1. Section 1327.1 of the act of March 10, 1949  
10 (P.L.30, No.14), known as the Public School Code of 1949, is  
11 amended by adding subsections to read:

12 Section 1327.1. Home Education Program.--\* \* \*

13 (f.2) (1) Beginning January 1, 2022, the school district of  
14 residence shall permit a child who is enrolled in a home  
15 education program to participate in any cocurricular activity  
16 that merges extra-curricular activities with a required academic  
17 class, including, but not limited to, band or orchestra, and  
18 must permit a child who is enrolled in a home education program  
19 to take up to four academic courses at a time, provided that the

1 child:

2 (i) meets the eligibility criteria or their equivalent for  
3 participation in the cocurricular or academic course that apply  
4 to students enrolled full time in the school district;

5 (ii) meets the prerequisite criteria or their equivalent for  
6 participation in the cocurricular or academic course that apply  
7 to students enrolled full time in the school district; and

8 (iii) complies with all policies, rules and regulations or  
9 their equivalent of the cocurricular or academic course.

10 (2) For the purposes of this subsection, the school district  
11 of residence shall provide the grade for each cocurricular or  
12 academic course to the home education program supervisor, who  
13 shall be responsible for maintaining the material in the  
14 portfolio of records.

15 (3) The parent/guardian of the child shall be responsible  
16 for transportation of the child to and from school for the  
17 selected courses, except that a home school student may utilize  
18 district transportation to or from school during the times a bus  
19 is otherwise already operating.

20 (4) A board of school directors may adopt a policy to  
21 implement the requirements of this subsection. The policy shall  
22 only apply to participation in cocurricular or academic courses  
23 and shall not conflict with any provisions of this section.

24 (f.3) (1) Beginning January 1, 2022, the school district of  
25 residence shall permit a home schooled student to participate in  
26 a career and technical education program on the same basis as  
27 other students enrolled in the school district, provided that  
28 the child:

29 (i) meets the eligibility criteria or their equivalent for  
30 participation in the career and technical education program that

1 apply to students enrolled full time in the school district;  
2 (ii) meets the prerequisite criteria or their equivalent for  
3 participation in the career and technical education program that  
4 apply to students enrolled full time in the school district; and  
5 (iii) complies with all policies, rules and regulations or  
6 their equivalent of the career and technical education program.

7 (2) For the purposes of this subsection, the career and  
8 technical education program shall provide the grades to the home  
9 education program supervisor, who shall be responsible for  
10 maintaining the material in the portfolio of records.

11 (3) The home school students may utilize district  
12 transportation to or from the career and technical education  
13 program during the times buses are otherwise already operating.

14 (4) A board of school directors may adopt a policy to  
15 implement the requirements of this subsection. Such policy shall  
16 only apply to participation in career and technical education  
17 programs and shall not conflict with any provisions of this  
18 section.

19 \* \* \*

20 Section 2. This act shall take effect immediately.