

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 823 Session of 2023

INTRODUCED BY GIRAL, PROBST, PIELLI, SANCHEZ, HILL-EVANS,  
BURGOS, GALLAGHER AND KAZEEM, APRIL 3, 2023

REFERRED TO COMMITTEE ON EDUCATION, APRIL 3, 2023

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 dates and times of school terms and  
7 sessions and commencement.

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

10 Section 1. Section 1504(a) of the act of March 10, 1949  
11 (P.L.30, No.14), known as the Public School Code of 1949, is  
12 amended to read:

13 Section 1504. Dates and Times of School Terms and Sessions;

14 Commencement.--(a) (1) The board of school directors of each

15 school district shall fix the date of the beginning of the

16 school term[.], except that, in a school district that is not on

17 a year-round education calendar, the beginning of a school term

18 for students shall not commence any earlier than the day after

19 Labor Day. The board of school directors may, upon approval by

20 the Secretary of Education, begin the school term prior to the

1 day after Labor Day for situations beyond the control of the  
2 school district as a result of major construction and renovation  
3 to the school building or natural disaster.

4 (2) Unless otherwise determined by the board, the daily  
5 session of school shall open at nine ante-meridian and close at  
6 four post-meridian, with an intermission of one hour at noon,  
7 and an intermission of fifteen minutes in the forenoon and in  
8 the afternoon. Upon request of a board of school directors for  
9 an exception to the aforesaid daily schedule, the Secretary of  
10 Education may, when in his opinion a meritorious educational  
11 program warrants, approve a school week containing a minimum of  
12 twenty seven and one-half hours of instruction as the equivalent  
13 of five (5) school days, or a school year containing a minimum  
14 of nine hundred ninety hours of instruction at the secondary  
15 level or nine hundred (900) hours of instruction at the  
16 elementary level as the equivalent of one hundred eighty (180)  
17 school days.

18 (3) Professional and temporary professional employes shall  
19 be allowed a lunch period free of supervisory or other duties of  
20 at least thirty minutes.

21 (4) The provisions of this subsection shall not be  
22 construed:

23 (i) to repeal any rule or regulation of any board of school  
24 directors now in effect which provides for a lunch period longer  
25 than the minimum prescribed herein or to repeal any action of  
26 any board of school directors taken in compliance with section 7  
27 of the act of July 25, 1913 (P.L.1024, No.466), entitled "An act  
28 to protect the public health and welfare, by regulating the  
29 employment of females in certain establishments, with respect to  
30 their hours of labor and the conditions of their employment; by

1 establishing certain sanitary regulations in the establishments  
2 in which they work; by requiring certain abstracts and notices  
3 to be posted; by providing for the enforcement of this act by  
4 the Commissioner of Labor and Industry and others; by  
5 prescribing penalties for violations thereof; by defining the  
6 procedure in prosecutions; and by repealing all acts and parts  
7 of acts inconsistent with the provisions thereof," as  
8 amended[.]; or

9 (ii) to prevent a school district from conducting in-service  
10 sessions for teachers before Labor Day.

11 \* \* \*

12 Section 2. Any contractually agreed-upon school calendar or  
13 process that determines the school calendar in effect on the  
14 effective date of this section between a school district and its  
15 professional or nonprofessional employees and that is in  
16 conflict with the provisions of this act shall remain in effect  
17 for the duration of that contract.

18 Section 3. This act shall take effect in 60 days.