
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1276 Session of
2022

INTRODUCED BY AUMENT, MARTIN, MENSCH, CORMAN, SCAVELLO AND
BAKER, JUNE 17, 2022

REFERRED TO EDUCATION, JUNE 17, 2022

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 extended special education enrollment due to
7 COVID-19.

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

10 Section 1. Section 1383 of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 amended by adding subsections to read:

13 Section 1383. Extended Special Education Enrollment Due to
14 COVID-19.--* * *

15 (b.1) (1) A student with a disability as defined in 22 Pa.
16 Code § 14.101 who has reached twenty-one (21) years of age
17 during the 2021-2022 school year or between the end of the 2021-
18 2022 school year and the beginning of the 2022-2023 school year
19 and is enrolled for the 2021-2022 school year is entitled to
20 attend a school entity for the 2022-2023 school year and the

1 school entity shall enroll the student if a parent or guardian
2 and the student elects to enroll no later than July 15, 2022.

3 (2) A student with a disability as defined in 22 Pa. Code §
4 14.101 who has reached eighteen (18), nineteen (19) or twenty
5 (20) years of age during the 2021-2022 school year or between
6 the end of the 2021-2022 school year and the beginning of the
7 2022-2023 school year and is enrolled for the 2021-2022 school
8 year is entitled to attend a school entity for an additional
9 school year upon reaching twenty-one (21) years of age and the
10 school entity shall enroll the student if a parent or guardian
11 and the student elects to enroll no later than July 15, 2022.

12 (3) The Department of Education shall develop a standard
13 election form for a parent or guardian to elect to enroll the
14 student and the form shall be made available on the department's
15 publicly accessible Internet website.

16 * * *

17 (c.1) Notwithstanding any other provision of law to the
18 contrary, the following shall apply to a student enrolled in a
19 school entity under subsection (b.1):

20 (1) The school entity shall implement the student's most
21 recent IEP.

22 (2) The student's attendance shall be included in the school
23 entity's average daily membership.

24 (3) The school entity shall provide extended school year
25 services during the summer after the 2021-2022 school year in
26 accordance with the student's most recent IEP.

27 (4) The school entity shall take all steps necessary to
28 comply with the Individuals with Disabilities Education Act
29 (Public Law 91-230, 20 U.S.C. § 1400 et seq.) and 22 Pa. Code
30 Ch. 14 (relating to special education services and programs).

1 (5) A student older than twenty-one (21) years of age with
2 an active IEP who is enrolled in a school entity during the
3 2022-2023 school year shall not become ineligible for continued
4 service under the Individuals with Disabilities Education Act
5 during the entire 2022-2023 school year.

6 * * *

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