

No. 2005-67

AN ACT

SB 361

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for home education programs.

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

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

Section 1327.1. Home Education Program.—* * *

(f.1) (1) Beginning January 1, 2006, the school district of residence shall permit a child who is enrolled in a home education program to participate in any activity that is subject to the provisions of section 511, including, but not limited to, clubs, musical ensembles, athletics and theatrical productions, provided that the child:

(i) Meets the eligibility criteria or their equivalent for participation in the activity that apply to students enrolled in the school district;

(ii) Meets the tryout criteria or their equivalent for participation in the activity that apply to students enrolled in the school district; and

(iii) Complies with all policies, rules and regulations or their equivalent of the governing organization of the activity.

(2) For the purposes of this subsection, the school district of residence's program of interscholastic athletics, including varsity sports, shall be considered an activity and shall include all activities related to competitive sports contests, games, events or exhibitions involving individual students or teams of students whenever such activities occur between schools within the school district or between schools outside of the school district.

(3) Where the activity requires completion of a physical examination or medical test as a condition of participation and the school district of residence offers such physical examination or medical test to students enrolled in the school district, the school district shall permit a child who is enrolled in a home education program to access such physical examination or medical test. The school district shall publish the dates and times of such physical examination or medical test in a publication of general circulation in the school district and on its publicly accessible Internet website.

(4) A board of school directors may adopt a policy to implement the requirements of this subsection. Such policy shall only apply to

participation in activities and shall not conflict with any provisions of this section.

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Section 2. This act shall take effect immediately.

APPROVED—The 10th day of November, A.D. 2005.

EDWARD G. RENDELL