

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 786 Session of 2021

INTRODUCED BY AUMENT, MARTIN, MENSCH, DiSANTO, J. WARD, CORMAN, STEFANO AND REGAN, JUNE 21, 2021

SENATOR MARTIN, EDUCATION, AS AMENDED, SEPTEMBER 28, 2021

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 open campus initiatives, further
6 providing for legislative intent, for definitions, for open
7 campus initiatives, for cooperative agreements, for
8 reimbursements by the Commonwealth and for parental and
9 public information.

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

12 Section 1. Sections 1501-G, 1502-G, 1503-G, 1504-G, 1505-G
13 and 1506-G of the act of March 10, 1949 (P.L.30, No.14), known
14 as the Public School Code of 1949, are amended to read:

15 Section 1501-G. Legislative intent.

16 It is the intent of the General Assembly to encourage
17 collaborative partnerships between [school districts] schools
18 for the purpose of providing expanded access to high-quality
19 curricula to students in a cost-effective manner through the use
20 of technology.

21 Section 1502-G. Definitions.

1 The following words and phrases when used in this article
2 shall have the meaning given to them in this section unless the
3 context clearly indicates otherwise:

4 "Department." The Department of Education of the
5 Commonwealth.

6 "Nonparticipating school ~~entity~~." A school district, <--
7 [which is not a party to a cooperative agreement between school
8 districts, a] charter school, cyber charter school, regional
9 charter school, multiple charter school organization,
10 intermediate unit, area career and technical school, nonpublic
11 school or home education program provided under section
12 1327.1[.], which is not a party to a cooperative agreement
13 between school entities establishing an open campus initiative.

14 "Open campus initiative." A program established under
15 section 1503-G.

16 "Participating school [district] entity." A school district,
17 charter school, cyber charter school, regional charter school,
18 multiple charter school organization, intermediate unit or area
19 career and technical school, which is party to the cooperative
20 agreement between school [districts] entities establishing [the]
21 an open campus initiative.

22 "SCHOOL ENTITY." A SCHOOL DISTRICT, CHARTER SCHOOL, CYBER <--
23 CHARTER SCHOOL, REGIONAL CHARTER SCHOOL, MULTIPLE CHARTER SCHOOL
24 ORGANIZATION, INTERMEDIATE UNIT OR AREA CAREER AND TECHNICAL
25 SCHOOL.

26 Section 1503-G. Open campus initiatives.

27 (a) Establishment.--An open campus initiative may be
28 established between school [districts] entities through a
29 cooperative agreement.

30 (b) Courses.--Courses of an open campus initiative may be

1 delivered outside of a school building in whole or in part using
2 technology that may include the Internet, video conferencing or
3 other electronic means.

4 (c) Grades, credit, promotion and graduation.--Course
5 grades, credit, promotion and graduation policies for students
6 participating in open campus initiative courses shall be
7 determined by the school [district, charter school, cyber
8 charter school,] entity, nonpublic school or evaluator of a home
9 education program in which the student is enrolled and the
10 cooperative agreement between the participating school
11 [districts] entities.

12 (d) Student eligibility requirements.--Eligibility
13 requirements for student participation in open campus initiative
14 courses shall be determined by the school [district, charter
15 school, cyber charter school,] entity, nonpublic school or
16 supervisor of a home education program in which each student is
17 enrolled and the cooperative agreement between the participating
18 school [districts] entities.

19 (e) Nonparticipating school ~~entities~~.--A cooperative <--
20 agreement between participating school [districts] entities may
21 provide for students attending a nonparticipating school
22 ~~entity~~ to participate in an open campus initiative course. <--

23 (f) Compulsory attendance requirements.--The time during
24 which a student participates in open campus initiative courses
25 shall be considered to be compliant with the compulsory
26 attendance requirements of section 1327.

27 (g) Student participation.--The school [district, charter
28 school, cyber charter school,] entity, nonpublic school or home
29 education program in which the student is enrolled shall ensure
30 that a student participating in open campus initiative courses

1 is offered at least 990 hours of instruction at the secondary
2 level and 900 hours of instruction at the elementary level.

3 (h) Technical assistance.--The department shall provide
4 technical assistance as needed to school [~~districts~~] entities
5 establishing and operating an open campus initiative.

6 Section 1504-G. Cooperative agreements.

7 (a) Contents.--School [~~districts~~] entities desiring to
8 establish and operate an open campus initiative shall develop
9 and enter into a cooperative agreement that shall, at a minimum,
10 include:

11 (1) A policy for grading, credit and promotion of
12 students participating in open campus initiative courses.

13 (2) A policy for participation of students from
14 participating school [~~districts~~] entities which shall include
15 minimum academic and attendance criteria.

16 (3) A policy for participation of students from
17 nonparticipating school entities, which includes a fee
18 schedule for determining tuition charges for courses
19 delivered to those students, if the participating school
20 [~~districts~~] entities allow participation of students from
21 nonparticipating ~~school entities~~ schools. <--

22 (4) A policy for discipline and removal of students from
23 open campus initiative courses in compliance with State law
24 related to student discipline.

25 (5) Information about the attribution of student data to
26 the school [~~district, charter school, cyber charter school,~~]
27 entity, nonpublic school or home education program in which
28 the student is enrolled, including student assessment data.

29 (6) Information about the sharing of costs between the
30 participating school [~~districts~~] entities.] ENTITIES, EXCEPT <--

1 THAT A CYBER CHARTER SCHOOL, AS DEFINED IN SECTION 1703-A,
2 MAY PROVIDE DIGITAL COURSE CONTENT FREE OF CHARGE, BUT MUST
3 SHARE INFORMATION ON A NEGOTIATED FEE IF A NEGOTIABLE FEE IS
4 ESTABLISHED TO PROVIDE STAFF, TECHNOLOGY, DIGITAL COURSE
5 CONTENT, CURRICULUM MATERIALS AND OTHER SERVICES REQUESTED BY
6 A PARTICIPATING SCHOOL ENTITY FOR CYBER COURSES.

7 (7) Information about the use and distribution of
8 tuition revenue.

9 (8) Processes for adding and removing open campus
10 initiative courses.

11 (9) Processes for termination of the open campus
12 initiative.

13 (b) Adoption by [boards of school directors] governing board
14 of school entity.--Each open campus initiative cooperative
15 agreement shall be adopted by majority vote of the [board of
16 school directors] governing board of the school entity of each
17 of the participating school [districts] entities.

18 Section 1505-G. Reimbursements by the Commonwealth.

19 For the purpose of making reimbursements under Article XXV, a
20 student participating in an open campus initiative shall be
21 considered to be enrolled in the school [district, charter
22 school, cyber charter school,] entity, nonpublic school or home
23 education program which determines the student's eligibility for
24 participation in the open campus initiative.

25 Section 1506-G. Parental and public information.

26 All policies related to an open campus initiative shall be
27 made accessible to parents and posted on the participating
28 school [districts'] entities' publicly accessible Internet
29 websites.

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