

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1894 Session of
2021

INTRODUCED BY MOUL, GILLESPIE, JAMES, R. MACKENZIE, PEIFER,
R. BROWN, ZIMMERMAN AND JOZWIAK, SEPTEMBER 21, 2021

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 21, 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 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 any school

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

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

20 approval by the Secretary of Education, begin the school term

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