



Start·a·School

AN EDUCATION FREEDOM FOUNDATION INITIATIVE

Pennsylvania

Private Academies and Nonpublic/Private Schools

There are three types of private schools in Pennsylvania:

1. LICENSED PRIVATE ACADEMIC SCHOOLS are licensed and regulated by the State Board of Private Academic Schools, whose rules, regulations, and standards are concerned with quality education, teacher certification, attendance and courses of study, which closely parallel public school requirements. These schools are primarily nonsectarian.
2. NONPUBLIC NONLICENSED SCHOOLS are schools owned and operated by bona fide religious institutions. Registration is required of these schools by the Pennsylvania School Code; however, they can choose to be licensed.
3. ACCREDITED SCHOOLS are schools that are accredited by accrediting associations approved by the State Board of Education. The purpose of these organizations is to provide schools a measured, recognized means of improving their academic and operational performance. Schools that desire to become accredited must meet prescribed quality standards established by the accrediting organization. The accredited schools are able to participate in the student services provided to the Licensed and Nonpublic Nonlicensed schools.

Steps to Start a Private Academic School

The following steps are required to create a private academic school:

1. Research how to register with the Bureau of Corporations and Charitable Organizations of the Pennsylvania Department of State
2. Review this [Guide](#)
3. Review the [PA Business One-Stop-Shop](#)
4. [Register your business](#)
5. Apply for a License for a Private Academic School
 - 5.1.1. To apply for a license to conduct a private academic school, a school owner shall review and comply with the [Regulations Governing the State Board of Private Academic Schools](#).
 - 5.1.2. Upon review of the regulations, the Pennsylvania Department of Education's School Services Office requires that the education director and owner attend an

in-service seminar held usually the first Tuesday of the month at 1 PM by the office staff. The in-service is only held at the Department of Education in Harrisburg, PA and you must have a confirmation letter/email to attend this in-service. Please email ra-nppss@pa.gov to sign up. At the time of your attendance, you will receive the licensure application.

- 5.1.3. After reviewing the fully completed application packet, a member of the School Services Office will contact the owner or education director to schedule an onsite visit of the school, at which time staff will take measurements and pictures of the rooms.
 - 5.1.4. Once the application is deemed complete, the licensure application will be presented at a meeting of the State Board of Private Academic Schools, at which time the State Board of Private Academic Schools will approve or deny the application. The education director and teacher familiar with the proposed school will be requested to attend this meeting. If the Board approves the application, the school shall receive an approval letter, and then the license to display in the school.
6. Things to consider
- 6.1. Accreditation: is optional. OptimaEd has been accredited by Cognia.
 - 6.2. Teacher Certification: Is required.
 - 6.3. Registration: is required.
 - 6.4. Licensing: is required.
 - 6.5. Approval: Is not required.
 - 6.6. Length of School Year and Days: Licensed K–12 private academic schools must be in session a minimum of 180 days of instruction or the equivalent clock hour requirement with prior approval of the state board of private academic schools.
 - 6.7. Curriculum: See statutes.
 - 6.8. State Testing: There is no state policy in Pennsylvania that requires or provides testing for nonpublic schools students. Nonpublic and private school may elect to participate in the use of the state testing used in public schools.
 - 6.9. Health and Safety: Immunization is required. Other requirements exist. See statutes below.
 - 6.10. Nursing and Health: Private school students are entitled to auxiliary services through the intermediate unit on an equal basis with public school students of the school district within which the nonpublic school is located.

Steps to Start a Nonpublic/Non-Licensed School

The Pennsylvania School Code, Section 13-Pupils & Attendance [24 P.S. 13-1327](#) requires a school (kindergarten to 12th grade) that is owned and/or operated by or under the authority of a bona fide religious institution to be registered with the Department of Education.

Questions and registration packets for a bona fide religious entity or a sole proprietorship for religious academics who want to operate a non-public/non-licensed religious school under the Pennsylvania Department of Education can be obtained by contacting the Non-Public /Non-Licensed school area at ra-nppss@pa.gov.

Note that to participate in the state ESA programs, a school must be non-profit.

Private School Statutes & Rules

The Education Freedom Foundation has relied on the [U.S. Department of Education's State Regulation of Private and Home Schools Map](#) for relevant statutes. Over time, the state pages on this map have been updated since their initial creation. In some cases, states have changed their laws without these updates being reflected on the map. Given the various methods each state uses to publicize changes to its laws, the most recent information for the Start-A-School project was often obtained directly from the U.S. Department of Education website. Users are encouraged to verify any information before making decisions based on it.

Consolidated Statutes

The Laws of Pennsylvania contain laws enacted as amendments to the Pennsylvania Consolidated Statutes, the official statutory codification established by the General Assembly under [the act of November 25, 1970 \(P.L.707, No.230\)](#). These laws have been incorporated into a separate official publication since 1975.

[Click here to view the consolidated statutes.](#)

[Click here to view the unconsolidated statutes](#)

The Laws of Pennsylvania, also referred to as the Pamphlet Laws, have been recognized as official law since December 1, 1801. Acts are numbered by the Department of State and published by the Legislative Reference Bureau as separate official documents known as slip laws before publication in bound editions as the Laws of Pennsylvania. NOTE: Amendatory acts prior to 1990 are not available.

Accreditation, Registration, Licensing, and Approval

- Accreditation is optional.
 - Private academic schools may choose to become accredited rather than licensed. Schools accredited by accrediting associations approved by the state board of education do not need to be licensed. [24 P.S. §6705.](#)
 - Only an accrediting organization approved by the Pennsylvania State Board of Education will be approved to grant accreditation to private academic schools. Approved accrediting organizations report annually to the Department with a summary of their accreditation activity, including a listing of schools that have been accredited, the fees collected, visitation schedule, and other information as the Department deems appropriate. Accrediting organizations make an immediate, one-time report to the Department regarding any educational institution that has gained or lost its accreditation.
- Registration is mandatory.
 - Registration only applies to religious schools.
 - Pennsylvania's compulsory school attendance law requires K–12 schools that are owned or operated by, or under the authority of, bona fide religious institutions to register with the Department of Education by filing a principal's notarized

certification or affidavit. The notarized document states that subjects prescribed by the PA Public School code will be taught or offered in the English language for the amount of time specified, that the governing religious body is a nonprofit organization, and that the school is otherwise in compliance with the provisions of the PA Public School Code. [24 P.S. §13-1327\(b\)](#).

- There is no accreditation or licensing requirement for religious schools; for these schools accreditation or licensing is optional. Non-religious, private schools (K–12) must be either licensed or accredited.
- Licensing is mandatory (depending on ownership—see below).
 - Pennsylvania mandates licensing for K–12 private academic schools, except schools owned or operated by or under the authority of bona fide religious institutions, schools that are owned by colleges or universities, schools for the blind or deaf receiving Commonwealth appropriations, or schools accredited by accrediting associations approved by the state board of education.
 - All exempted private schools may voluntarily choose to be licensed.
 - The licensing requirements, enforced by the state board of private academic schools, govern health and safety, teaching and administrative staff, courses of study and instructional equipment, student attendance, records, fees, transportation, advertising, conditions of the premises, procedures for school closings, and financial responsibility. [24 P.S. §6701 et seq](#); [22 Pa. Code Chapter 51.4](#).
 - Private schools are prohibited from discriminating in enrollment based on race or color. [24 P. S. §15-1521](#).
- Approval has no requirements.

Curriculum

- Courses at an elementary day school operated by a religious body must be taught in: English, including spelling, reading, and writing; arithmetic; science; geography; history of the United States and Pennsylvania; civics; safety education, including regular and continuous instruction in the dangers and prevention of fires; health and physiology; physical education; music; and art. A principal’s notarized affidavit filed with the state department of education stating these subjects are offered in the English language, by a nonprofit school, and in compliance with the law, is sufficient evidence of compliance with this provision. Nothing in this provision empowers the Commonwealth and its officers to approve the course content, faculty, staff or disciplinary requirements of any nonpublic religious school without its consent. [24 P.S. §13-1327\(b\)](#).
- Courses at a secondary day school operated by a religious body must be offered in: English, including language, literature, speech and composition; science, including biology and chemistry; geography; social studies, including civics, economics, world history, history of the United States and Pennsylvania; a foreign language; mathematics, including general mathematics and statistics, algebra and geometry; art; music; physical education; health and physiology; and safety education, including regular and continuous instruction in the dangers and prevention of fires. A principal’s notarized affidavit filed with the state department of education stating these subjects are offered in the English language, by a nonprofit school, and in compliance with the law, is

sufficient evidence of compliance with this provision. Nothing in this provision empowers the Commonwealth and its officers to approve the course content, faculty, staff or disciplinary requirements of any nonpublic religious school without its consent. [24 P.S. §13-1327\(b\)](#).

- Private elementary schools are required to teach the following subjects: English, including spelling, reading and writing; arithmetic; geography; the history of the United States and of Pennsylvania; science; civics, including loyalty to the State and National Government; safety education, and the humane treatment of birds and animals; health, including physical education and physiology; music and art. [24 P.S. §15-1511](#).
- Private high schools must provide during grades 7–12 four semesters in the history and government of the United States and Pennsylvania to develop an appreciation for the American republican representative form of government, the benefits of the American way of life, and the individual’s duty to exercise the right to vote. [24 P.S. §16-1605](#).
- A child enrolled in a day or boarding school accredited by an accrediting association approved by the state board of education is considered to have met the compulsory attendance requirement. [24 P.S. §13-1327\(c\)](#).
- K–12 nonpublic and private school students have a right to refuse to dissect, vivisect, incubate, capture or otherwise harm or destroy animals. School administrators have a duty to notify parents and pupils of their rights three weeks prior to a scheduled exercise. Students who choose to opt out of the exercise must be offered an alternative education project. [24 P.S. §15-1523](#).
- Instruction in the private schools must be in English and from English texts unless a foreign language is permitted by the Secretary of Education as a part of a foreign language study or bilingual education program. [24 P.S. §15-1511](#).
- Nonpublic schools may access educational materials on the nature and effects of drugs, alcohol, tobacco and dangerous controlled substances through the intermediate units. Nonpublic school employees may also attend the in-service training programs made available by the state department of education on these topics and provided by the intermediate units. [24 P.S. §15-1547](#).
- The Pennsylvania legislature intended that nonpublic school students benefit from drug and alcohol abuse programs piloted by the state. [24 P.S. §5311 et seq.](#)
- Private schools must display the United States flag, not less than three feet in length, in all school buildings during each day that school is in session. In addition, the schools must provide instruction to develop allegiance to the flag and to promote a clear understanding of the American way of life. [24 P.S. §7-771](#).
- Private schools may join the Pennsylvania Interscholastic Athletic Association for athletic competition. [24 P.S. §5-511\(b.1\)](#).
- Private and parochial school organizations that promote extracurricular activities may sponsor small games of chance for the purpose of raising funds for public interest purposes. The organizations must be recognized by the governing body of the private or parochial school. The games are strictly regulated by the state. [10 P.S. §328-102 et seq.](#)
- Parochial, private, and nonpublic schools have the option of providing armed forces recruiters a list of prospective graduating seniors for recruitment purposes. Costs incurred by a nonpublic school are reimbursed by the armed forces recruiters. [51 P.S. §20221 et seq.](#)

Health and Safety Requirements

- As directed by the secretary of health, private and parochial school administrators have a duty to ensure that every student, prior to admission to school, is immunized against diseases or parents have filed a request for exemption for religious or medical reasons. Certificates of immunization or exemption must be issued in accordance with regulations promulgated by the secretary of health. [24 P. S. §13-1303d.](#)
- The state advisory health board regulates the prevention and control of disease in private schools. [35 P.S. §521.2.](#)
- Nonpublic school employees acting in good faith in the scope of their official duty are immune from civil liability for negligent statements, acts or omissions made relating to student drug or alcohol abuse. [42 P.S. §8337.](#)
- Administrators of private schools have a duty to provide instruction and training in the proper procedures to exit school buildings in an emergency without confusion or panic. Drills must be conducted at least once a month when the schools are in session. All schools are required to provide some regular instruction in the dangers of fire and the prevention of fire waste during the school year. [24 P.S. §15-1518.](#)
- Private school administrators must require applicants for positions with direct contact with children to produce with their applications a criminal history report from the Pennsylvania State Police and a clearance statement resulting from a background check for employment conducted by the department of public welfare within the immediately preceding year. Persons not receiving a clearance statement are ineligible for employment. [23 Pa. Cons. Stat. §6355.](#)
- Persons convicted within five years of certain crimes specified by statute are ineligible for employment with some exceptions. [24 P.S. §1-111.](#)
- A school employee who has reasonable cause to suspect, on the basis of professional or other training and experience, that a student coming before the employee in the employee's professional or official capacity is a victim of serious bodily injury or sexual abuse or sexual exploitation by a school employee shall make a report to law enforcement officials and the district attorney. [23 P.S. §6352.](#)
- School administrators may use the resources of the Office for Safe Schools established by the state department of education through legislation designed to combat school violence. [24 P.S. §1302A.](#)
- School administrators shall maintain updated records of all incidents of violence, incidents involving possession of a weapon and convictions or adjudications of delinquency for acts committed on school property by students enrolled therein. A statistical summary of these records shall be made accessible to the public for examination by the public during regular business hours. [24 P.S. §1307A.](#)
- Upon adjudication, a delinquent child's building principal and teacher is notified of specific circumstances for the limited purposes of protecting school personnel and students from danger from the child and of arranging appropriate counseling and education for the child. Information provided to and maintained by the principal is maintained separately from the official school record. [42 P.S. §6341.](#)
- It is a misdemeanor to carry a weapon, i.e., an instrument capable of inflicting serious bodily injury, e.g., a knife, cutting instrument, cutting tool, nun chuck stick, firearm,

shotgun, or rifle, on the grounds or in transport to a licensed elementary or secondary private school or parochial school. [18 P.S. §912](#).

- An attempt to intentionally cause bodily injury to a teaching staff member, school board member, employee or student of any licensed elementary or secondary private school or parochial school while the person is acting within the scope of her employment is an aggravated assault and a felony of the second degree. [18 P.S. §2702](#).
- The sale of a controlled substance to a minor within 1000 feet of a private or parochial school brings an additional minimum sentence of at least two years confinement. [18 P.S. §6314](#).
- Fire extinguishers containing carbon tetrachloride are illegal when used in private or parochial school buildings or buses used to transport school children. School administrators permitting their use are guilty of a summary offense. [18 P.S. §7304](#).
- Industrial quality eye protective devices are required for teachers, students, and visitors at private schools when engaged in dangerous activities, e.g., the use of hot liquids, solids or gases; milling, sawing, turning, or grinding of solid materials; and repairing or servicing vehicles. [24 P.S. §5301](#).
- Permits for new municipal waste landfills, commercial residual waste treatment facilities or resource recovery facilities will not be issued for property located within 300 yards of a building owned by a parochial school and used for instructional purposes. [53 P.S. §4000.511](#).
- No street may be laid out and opened through any grounds occupied by a building used as a parochial school or educational institution unless the owner consents. [53 P.S. §57006](#).
- No property used for a parochial school or educational institution can be taken by a township for the purpose of extending the system of water distribution or to erect public buildings. [53 P.S. §§57703; 57803](#).

Length of School Year and Days

- Instructional time for a child enrolled in a day school operated by a religious body must be a minimum of 180 days or 900 hours at the elementary level, or 990 hours at the secondary level. [24 P.S. §13-1327\(b\)](#).
- Licensed K–12 private academic schools must be in session a minimum of 180 days of instruction or the equivalent clock hour requirement with prior approval of the state board of private academic schools. Upon request, the Board may approve a school year containing a minimum of 990 secondary or 900 elementary and 450 kindergarten hours of instruction as the equivalent of 180 days, when a meritorious educational program warrants. [22 Pa. Code §51.61](#).

Nursing and Health

- Private school students are entitled to auxiliary services through the intermediate unit on an equal basis with public school students of the school district within which the nonpublic school is located. Auxiliary services include but are not limited to: guidance counseling and testing services, psychological services, visual services, services for

exceptional children, remedial services, speech and hearing services, and services for the improvement of the educationally disadvantaged. [24 P.S. §9-922.1](#).

- The Pennsylvania General Assembly has determined that speech and hearing correctional services are health services. The Secretary of Education has a duty to furnish these services free to nonpublic school students on the grounds of the school, provided that the services are also afforded to public school students of the school district wherein the private school is located. [24 P.S. §9-971A](#).
- The General Assembly has determined diagnostic and evaluative psychological services and visual services are health services that must be afforded to nonpublic school students on the premises of the nonpublic school, provided that the services are also afforded to public school students of the school district wherein the private school is located. [24 P.S. §9-923.1, 2](#).

Professional Development

- Many private/nonpublic schools employ teachers with public school teaching certification. In order to stay in active status, Pennsylvania's public school teaching certificate holders must obtain 180 hours of continuing professional education, or its equivalent in collegiate courses, every five years. Private/nonpublic schools may apply to the state department of education for approval of a professional education plan, which, if approved, enables the private/nonpublic school to provide in-service programs and activities that are creditable toward the five-year 180-hour requirement.

Public Aid for Private Education

- Constitutional Provisions: The Pennsylvania Constitution prohibits any appropriation of money raised for the public schools to a sectarian school. Pennsylvania Constitution Art. 3, Sec. 15. Appropriations to educational institutions not under the absolute control of the Commonwealth, other than teacher training schools, are prohibited unless passed by two-thirds of all the members elected to each House. Pennsylvania Constitution Art. 3, Sec. 30.
- Programs for Financial Assistance for Attendance at Private Schools: The Educational Improvement Tax Credit (EITC) was implemented in 2001 and allows corporations to receive Pennsylvania tax credits for charitable contributions to scholarship organizations (SOs) or to educational improvement organizations (EIOs) and/or Pre-K Scholarship Organizations (PKSO). SOs provide scholarships to eligible students for attendance at a private school located within the Commonwealth or at a public school outside a student's district of residence; EIOs provide grants to public schools for innovative educational programs for public school students; and PKSOs provide scholarships to eligible students for attendance at a Pre-K program located within the Commonwealth. SOs and PKSOs award scholarships according to a household income limit of \$60,000 (\$75,000 on or after July 1, 2013) plus an allowance of \$12,000 (\$15,000 on or after July 1, 2013) for each dependent member as defined by the U.S. Internal Revenue Service. The amount of tax credit for corporations is equal to 75 percent of the amount contributed and can be increased to 90 percent of the amount contributed if the business makes a two-year commitment. Tax credits may not exceed \$750,000

combined for the SO and EIO programs in any year. Tax credits may not exceed \$200,000 for the Pre-K program in any year. Tax credits are awarded to corporations on a first-come, first-served basis by the date received. The EITC opens for corporations that participated in prior years on May 15. Corporations that are new to EITC may begin participating at the start of the state's fiscal year, July 1.

- The Opportunity Scholarship Tax Credit (OSTC) became law in 2012 and was first implemented in the 2012–13 school year. OSTC provides scholarships to eligible students who wish to attend a participating public or nonpublic school of their choice. Eligible students must reside within the attendance boundaries of a low-achieving school that is defined as a public elementary or secondary Pennsylvania school ranking in the bottom 15 percent of its designation as an elementary or secondary school. This ranking is based on combined math and reading scores on the most recent Pennsylvania System of School Assessment. The program establishes household income caps. For the 2012-13 school year, the maximum scholarship award available to non-special education students is \$8,500 and the maximum for a special education student is \$15,000. And, starting July 1, 2014, those amounts will increase to account for inflation.
- Student scholarships may be used for tuition costs and school-related fees at the participating nonpublic school. Students who use an opportunity scholarship to attend a participating nonpublic school located within 10 miles of the resident school district's boundaries may receive transportation to the nonpublic school if the student's resident school district provides transportation to its own students.

Recordkeeping and Reports

- Private schools have an obligation to furnish district superintendents a list of the names and residences of all resident children between six and 18 enrolled in the school, to report the name and date of any pupil withdrawing, and the name of any child absent three days or the equivalent without lawful excuse. [24 P.S. §13-1332](#).
- School administrators failing to comply with the reporting requirements may be fined. [24 P.S. §13-1355](#).
- Student health records maintained by private schools are confidential and may be released only when necessary for the health of the child or at the request of the parent/guardian. Records must be transferred upon request when a student relocates to another school. Private schools must not destroy a student's health record for two years after the child's withdrawal, but may give them to the child's parent or guardian if the child does not re-enroll in another Pennsylvania school. [24 P.S. §14-1409](#).
- Private school guidance counselors, nurses, psychologists or clerical workers working for a guidance counselor, will not be compelled to disclose information during any legal proceeding or investigation that was obtained from a student without the student's consent if over 18 or without the parent's consent if the student is under 18. However, no such person shall be excused or prevented from complying with the Child Protective Services Law. [42 P.S. §5945](#).

Reimbursement for Performing State and Local Functions

- There is no state policy at this time pertaining to reimbursement for performing state and local functions for private schools.

Special Education

- Pennsylvania enrolls exceptional children in approved private schools when there is no public school special education program that meets the student's needs. An exceptional child is defined as "blind or deaf, or has cerebral palsy and/or neurological impairment and/or muscular dystrophy and/or is mentally retarded and/or has a serious emotional disturbance and/or has autism/pervasive developmental disorder." Costs are shared between the local school district and the state department of education. [24 P.S. §13-1376](#). When requested, these schools must provide for administrative purposes, the names, ages, and residences of all pupils enrolled, specifying the school districts liable for part of the tuition and maintenance and the per capita cost of and maintenance of pupils to the state department of education. [24 P.S. §13-1377](#).
- All Pennsylvania private and nonpublic schools may offer special education programs. Such programs do not come under federal or state special education due process procedures.

Tax Exemption

- No information available on the topic of tax exemption.

Teacher Certification

- Only teachers holding a valid Pennsylvania professional certificate issued under Chapter 49 (relating to certification of professional personnel) of the State Board of Education Regulation, a private academic teaching certificate or a private academic temporary approval certificate may teach in a licensed private academic school. The Commonwealth is not empowered to approve the faculty or staff of any registered, nonlicensed religious school. [22 Pa. Code §51.34](#); [24 P.S. §13-1327\(b\)](#).

Technology

- Legislation authorizes the state department of education, through the intermediate units, to purchase technology items including computer hardware, software, connectivity and related materials to loan to Pennsylvania nonpublic students enrolled in grades K-12. [24 P.S. §1505-A](#).
- Professional development opportunities for teachers can also be provided through the intermediate units to ensure teachers can use the technology within the curriculum. [24 P.S. §1505-A](#).

Testing

- There is no state policy in Pennsylvania that requires or provides testing for nonpublic schools students. Nonpublic and private school may elect to participate in the use of the state testing used in public schools.

Textbooks

- Under Pennsylvania law, the Secretary of Education has a duty to loan textbooks and instructional materials at no cost to children enrolled in K–12 nonpublic schools. The Secretary is not required to spend an amount in excess of \$20 for textbooks and \$10 for instructional materials per student. [24 P.S. §9-973](#).

Transportation

- Local school boards that provide transportation for public school students to school must provide identical transportation services for nonpublic school students enrolled in nonprofit schools within the district boundaries or outside the district boundaries at a distance not exceeding 10 miles by the nearest public highway. Transportation must be provided when the nonpublic school is in session as determined by the directors of the nonpublic school. Local school districts transporting nonpublic students receive per capita subsidy from the Commonwealth. [24 P.S. §§13-1361](#), [21-2114](#), [25-2509.3](#).
- School vehicles owned by or under contract with a parochial or private school that are used for the transportation of students must conform to Department of Transportation standards governing design, construction, equipment and operation. [75 P.S. §4551](#).
- School bus drivers must complete basic and refresher training courses with the costs borne by the school district or private or parochial school for which the drivers operate. [75 P.S. §1509\(C\)](#).
- Private schools must ensure that every student is familiar with school bus emergency procedures and equipment and safe loading and unloading operations. The school must conduct a minimum of two emergency evacuation drills each year. [75 P.S. §4552](#).
- Motor vehicles bearing school bus or school vehicle registration plates must be used exclusively for the transportation of children and their chaperons to the private, parochial, Sunday school, or related activity. The school adopts regulations governing the number of chaperons necessary. When the school bus is being used for other purposes, the words “school bus” on the front and rear should be concealed and the red and amber visual signals not operated. [75 P.S. §1343](#).

Resources

Contact Information – State and Federal Departments of Education

Pennsylvania Department of Education
333 Market Street
Harrisburg, PA 17126-0333
Phone: (717) 787-5820

Nonpublic and Private Schools: (717) 783-5146
Home Schooling: (717) 787-4860 or (717) 214-8212
Fax: (717) 787-7222
Website: <http://www.pde.state.pa.us/>
U.S. Department of Education, [Pennsylvania](#)

Information and Legislative

- [Pennsylvania Department of Education \(PDE\): Division of Nonpublic School and Private School Services](#)
- [PDE: Opportunity Scholarship Tax Credit Program \(OSTC\)](#)
- [Pennsylvania Department of Community and Economic Development: Educational Improvement Tax Credit Program \(EITC\)](#)
- [Pennsylvania Code](#)
- [Pennsylvania General Assembly](#) Link under Law Information directs users to the Pennsylvania Statutes
- <https://oese.ed.gov/pennsylvania-state-regulations/>
- <https://www.education.pa.gov/Educators/Certification/PAEducators/Pages/Private-Academic.aspx>
- [Regulations Governing Private Academic Schools](#)
- [Private Academic School Law 1988 Act 11](#)
- [Purdon's Statutes: Title 24 P.S. Education, Public School Code of 1949](#)
- [Department of Education Laws and Regulations](#)
- [Basic Education Circulars \(BEC\)](#)

Regulations (Pennsylvania Code)

(Format: Title Number Pa. Code Section, e.g. 22 Pa. Code § 11.31 or § 11.31 or Sec. 11.31)

Safe Schools Regulations

- [24 PS §7-778 - School Police Officers](#)
- [24 PS §13-1317.2 - Weapons](#)
- [24 PS §13-1327 - Compulsory School Attendance](#)
- [24 PS §13-1333 - Penalties for Violation of Compulsory Attendance Requirements](#)
- [24 PS §13-1338.2 - Anti-truancy Programs](#)

- [24 PS §13-1341 - Duty to Employ; Power of Arrest; Certification](#)
- [24 PS §13-1343 - Arrest of Children Failing to Attend School](#)
- [24 PS §13-1318 - Suspension and Expulsion of Pupils](#)
- [24 PS §15-1517 - Fire and Emergency Evacuation Drills](#)
- [24 PS §15-1547 - Alcohol, Chemical and Tobacco Abuse Program](#)
- [24 PS §15-1553 - Dating Violence](#)
- [35 Pa. C.S. §§77401 - Emergency Management Services](#)
- [Compulsory School Attendance, Unlawful Absences, and School Attendance Improvement Conferences](#)
- [Professional Educator Discipline Act](#)
- [24 PS §510 - Rules and Regulations; Safety Patrols](#)
- [24 PS §510.1 - Special School Watchmen](#)
- [24 PS §777 - Defacing, Injuring or Destroying Property Used for School Purposes](#)
- [Sudden Cardiac Arrest Prevention Act](#)
- [18 Pa C.S. §912 - Possession of Weapon on School Property](#)

Title 22 Education (Table of Contents for all chapters)

- [Chapter 4 \(4.1 – 4.83\): Academic Standards and Assessment](#)
- [Chapter 11: Student Attendance](#)
- [Chapter 12: Students and Student Services](#)
- [Chapter 121: Student Financial Aid](#)

Title 23 Domestic Relations (Table of Contents for all chapters)

- [23 Pa. C.S. § 6344.4 Recertification](#)

Title 28 Health and Safety (Table of Contents for all chapters)

- [Chapter 23 School Health \(28 Pa. Code 23.1 – 23.45\)](#)
[The State Board of Education obtains its authority to make regulation by ARTICLE XXVI-B THE STATE BOARD OF EDUCATION.](#)

Public School Code of 1949 (State Law)

Article I. Preliminary Provisions.

- [24 P.S. § 1-102 Definitions \[school year\]](#)
- [24 P.S. § 1-111 Criminal History of Employees and Prospective employees; Conviction of Certain Offenses](#)

Article V. Duties and Powers of Boards of School Directors.

- [24 P.S. § 5-511 School athletics, publications, and organizations](#)

Article XII. Certification of Teachers.

- [24 P.S. § 12-1205.1 Continuing Professional Development](#)

Article XIII. Pupils and Attendance.

- [24 P.S. § 13-1302 Residence and right to free school privileges](#)
- [24 P.S. § 13-1303 Immunization required; penalty](#)
- [24 P.S. § 13-1304 Admission of Beginners](#)
- [24 P.S. § 13-1326 Definitions](#)
- [24 P.S. § 13-1327 Compulsory School Attendance](#)
- [24 P.S. § 13-1327.1 Home Education Program](#)
- [24 P.S. § 13-1330 Exceptions to compulsory attendance](#)
- [24 P.S. § 13-1332 Reports of enrollments; attendance and withdraws; public and private schools](#)
- [24 P.S. § 13-1333 Penalties for violation of compulsory attendance requirements](#)
- [24 P.S. § 13-1351 Duty to make; penalty for interfering](#)

Article XIV. School Health Services.

- [24 P.S. § 14-1401 Definitions](#)
- [24 P.S. § 14-1402 Health services](#)
- [24 P.S. § 14-1403 Dental examinations and dental hygiene services](#)
- [24 P.S. § 14-1404 Place of examination, use of hospital facilities](#)
- [24 P.S. § 14-1405 Assistance; presence of parents](#)

- [24 P.S. § 14-1406 Recommendations](#)
- [24 P.S. § 14-1407 Examinations by examiners of own choice](#)
- [24 P.S. § 14-1408 Reports](#)
- [24 P.S. § 14-1409 Confidentiality, transference and removal of health records](#)
- [24 P.S. § 14-1410 Employment of school health personnel](#)
- [24 P.S. § 14-1411 Cooperation with political subdivisions](#)
- [24 P.S. § 14-1412 Municipal civil service status protected](#)
- [24 P.S. § 14-1413 Supplemental duties of school physicians](#)
- [24 P.S. § 14-1414.1 Possession and use of asthma inhalers](#)
- [24 P.S. § 14-1414.2 School access to emergency epinephrine](#)
- [24 P.S. § 14-1415 Public assistance for medical, dental or surgical care](#)
- [24 P.S. § 14-1416 Precautions against spread of tuberculosis](#)
- [24 P.S. § 14-1417 Pupils relieved from compulsory attendance](#)
- [24 P.S. § 14-1418 Medical examinations of teachers and other persons](#)
- [24 P.S. § 14-1419 Objections to examination or treatment on religious grounds](#)
- [24 P.S. § 14-1420 Examinations of school buildings and grounds](#)
- [24 P.S. § 14-1421 Powers and duties of the Secretary of Health and of the Superintendent of Public Instruction; rules and regulations](#)
- [24 P.S. § 14-1422 Advisory health councils](#)
- [24 P.S. § 14-1422.2 Interagency Coordinating Council for Child Health, Nutrition and Physical Education](#)
- [24 P.S. § 14-1422.3 Duties of Department of Education](#)
- [24 P.S. § 14-1423 Automatic external defibrillators](#)
- [24 P.S. § 14-1424 Cardiopulmonary resuscitation](#)

Article XV. Terms and Courses of Study.

- [24 P.S. § 15-1525 Agreements with institutions of higher education](#)

Article XVI-B. Opportunities for Educational Excellence.

- [24 P.S. § 16-1601-B Scope of article](#)
- [24 P.S. § 16-1602-B Definitions \[concurrent enrollment/student\]](#)

Article XXI. School Districts of the First Class.

- [24 P.S. § 21-2103 Board of Public Education; additional duties](#)

Article XXVI. The State Board of Education.

- [24 P.S. §§ 2601-B – 24 P.S. 2606-B](#)

Title 22 Education (State Regulations)

Chapter 4. Academic Standards and Assessment

- [22 Pa. Code § 4.72 Credentials other than the high school diploma](#)

Chapter 11. Student Attendance

- [22 Pa. Code § 11.4 Early withdrawal for postsecondary institution attendance](#)
- [22 Pa. Code § 11.5 Part-time attendance for potential graduates](#)
- [22 Pa. Code § 11.12 School age](#)
- [22 Pa. Code § 11.13 Compulsory school age](#)
- [22 Pa. Code § 11.31 Students not enrolled in public schools due to private tutoring](#)
- [22 Pa. Code § 11.31a Students not enrolled in public schools due to participation in a home education program](#)
- [22 Pa. Code § 11.33 Dual enrollment students enrolled part-time in the public schools](#)
- [22 Pa. Code § 11.41 School district policies and rules](#)

Chapter 121. Student Financial Aid

- [22 Pa. Code § 121.1 Definitions](#)
- [22 Pa. Code § 121.21 Requirement for higher education grant applicants](#)

Title 23 Domestic Relations

- [23Pa. § 6344.4 Recertification.](#)

Title 28 Health and Safety

Chapter 23. School Health

- [28 Pa. Code § 23.1. Required health services](#)
- [28 Pa. Code § 23.2. Medical examinations](#)
- [28 Pa. Code § 23.3. Dental examinations](#)
- [28 Pa. Code § 23.4. Vision screening tests](#)
- [28 Pa. Code § 23.5. Hearing screening tests](#)
- [28 Pa. Code § 23.6. Threshold hearing tests](#)
- [28 Pa. Code § 23.7. Height and weight measurements](#)
- [28 Pa. Code § 23.8. Maintenance of medical and dental records](#)
- [28 Pa. Code § 23.9. Tuberculosis tests](#)
- [28 Pa. Code § 23.10. Scoliosis screening](#)
- [28 Pa. Code § 23.11. Special examinations](#)

School Choice Programs

Opportunity Scholarship Tax Credit Program (OSTCP)

The [Opportunity Scholarship Tax Credit Program \(OSTCP\)](#) was created pursuant to Act 85 of 2012, which enables eligible students residing within the boundaries of a low-achieving school to apply for a scholarship to attend another public or nonpublic school.

In Pennsylvania, a low-achieving school is defined as a public elementary or secondary school that ranked in the lowest 15% of its designation as elementary or secondary for the school years shown below based on the combined Mathematics/Algebra I and Reading/Literature scores from the annual assessments administered (PASA, PSSA, and/or Keystone).

Pursuant to Section 2010-B of the School Code, 24 P.S. §20-2010-B, the Pennsylvania Department of Education (PDE) is required to publish a list of low achieving schools, which is available below.

OSTCP Application Process

[Current Low Achieving Schools](#)

Become A School That Accepts OSTCP Students

PDE collects information as well as websites to the tuition page from schools that wish to accept students that receive scholarships via SurveyMonkey. A school's information will always be as current as shown on its website and there will be no need to send updates to PDE when there is a change or update in tuition rates.

Please note: PDE's role in this program is to identify low-achieving schools and, as a courtesy, provide a list of schools that accept students from this program. PDE does not accept applications, approve scholarship organizations or make any decisions on the amount of funds granted to a student. These decisions are handled through scholarship organizations under the [Department of Community and Economic Development](#).

Steps:

1. Contact the OSTCP team at RA-OSTCP@pa.gov if you are a new school who would like to be added to the listing. Note that the school must be present in Pennsylvania.
2. Complete a participation form by no later than February 15th.
3. The Pennsylvania Department of Education publicly posts a list of approved schools on or before June 6th of each year.

Educational Improvement Tax Credit Program (EITC)

Tax credits to eligible businesses contributing to a Scholarship Organization, an Educational Improvement Organization, and/or a Pre-Kindergarten Scholarship Organization.

EITC Application Process

Review the Guidelines

If an organization desires to be placed on the list of Scholarship Organizations published by the Department, the organization must submit the following to the Department:

1. A completed organization profile, in the format set forth in the Appendix II to these guidelines.
2. A copy of the organization's exemption under section 501(c)(3) of the Internal Revenue Code, or documentation showing that the organization is included within a group ruling for exemption under section 501(c)(3).
3. A description of the scholarship program operated by the organization. The description must address all of the criteria for a scholarship program as set forth in these guidelines, including the application and review process and income verification procedures utilized by the organization.
4. Completed applications will be reviewed by the Department and the applicant will be notified within 60 days from date of receipt whether or not the application has met the requirements of the Act and these guidelines. If the Department determines that the application meets the requirements, the applicant's name will be included on the Department's list of Scholarship Organizations for the fiscal year in which the application was received.