

Act I of 2022

Act I covers Grades K-12, however the emphasis (and specific requirements) fall in grades 9-12, where LEA's have applied credit requirements toward graduation.

Act I was issued in January of 2022, gave PDE 180 days to issue guidance to LEAs. In August of 2022 a "Dear Colleague" letter was issued.

"In January, the General Assembly enacted Act 1 of 2022 (Act 1) (24 P.S. § 13-1331.1) to remove educational and graduation barriers for students who move between school entities due to homelessness, adjudication, foster care, and juvenile justice or court-ordered placements. Act 1 requires school entities assign a point of contact, adopt clear policies and practices to apply credit for satisfactorily completed coursework, and develop a graduation plan for students experiencing education instability. Act 1 also includes protections to facilitate equal access to school, including participation in extracurricular opportunities."

Act 1 is effective for the 2021-22 school year with the Keystone Diploma being available to students graduating in 2023.

The Pennsylvania Department of Education (PDE) in consultation with Department of Human Services issued more comprehensive guidance and best practices in August, 2022.

Act 55--- was later enacted to amend Act I

Required that school entities must identify students who were eligible in 2021-2022, but did not receive benefits to fulfill Act I obligations.

Obligations to eligible students include:

1. Access to a diploma at the current school entity.
2. Securing a diploma from a prior school entity, or
3. Obtain a Keystone Diploma

School Entity Requirements

Under Act 1, school entities have the following responsibilities:

- Identify students who have experienced "education instability;"
- Establish a point of contact for each identified student;
- Facilitate record transfer, credit assessment, and credit recovery;
- Support student integration into school-based activities, including by waiving activity and late fees and allowing participation in extracurricular activities mid-year;
- Develop a graduation plan for students experiencing educational instability in grades 9-12; and
- Work with the student's prior school entity (or PDE if necessary) to secure a diploma for a student who meets graduation requirements.
- Act 1 applies to students who experience **one or more school changes during a single school year** as a result of any of the following: homelessness; an adjudication of dependency, delinquency, or court-ordered services under a voluntary placement or

custody agreement. Act 1 applies to students who are returning to their former school, starting at a new school, or re- engaging in school after an extended absence.

Notably, the law is in addition to and does not replace other obligations such as those relating to school stability and immediate enrollment under the federal *Every Student Succeeds Act* and *McKinney-Vento Act*.

Key Points for LEAs to use to develop Act 1 policy

LEA must ensure accurate record keeping for dropped students. (ie: attendance, grades at time of withdrawal, record of partial credit)

Identification at time of enrollment or return to school

Well informed point of contact

Development of LEA policies and procedures to:

1. Award credit (full and partial) from prior schools and/or placements
2. Waiving certain required courses
3. Providing “alternative or modified” courses for required courses not waived

A Graduation Plan must exist for each identified student. Plan must exist in student’s records.

The Graduation Plan:

- Lists all courses and credits successfully completed for each grade.
- Should list courses that were successfully completed that can substitute for a required course.
- Lists areas where student can demonstrate competence in required course through any means acceptable to school entity.
- School can waive requirements.

If none of the above satisfy the LEA requirements, the school must provide an alternative or modified course that will assist a student in proving competency by the students “on time” graduation date.

Alternatives

1. 5% waiver
2. IEP Goals
3. Diploma from prior LEA attended
4. After all other options are exhausted, Keystone Diploma

Child Accounting Notes: in all cases student is coded 806 in PIMS except for Keystone Diploma, which is 826. Remember 826 negatively affects school graduation rate.