

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p>INDEPENDENT REGULATORY REVIEW COMMISSION RECEIVED</p> <p>AUG 22 2022</p> <p>Independent Regulatory Review Commission</p> <p>IRRC Number: 3354</p>
<p>(1) Agency State Board of Education</p>		
<p>(2) Agency Number: 006 Identification Number: 352</p>		
<p>(3) PA Code Cite: 22 Pa. Code Chapter 11 & 22 Pa. Code Chapter 12</p>		
<p>(4) Short Title: Student Attendance & Students and Student Services</p>		
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Karen Molchanow, Executive Director, State Board of Education, (717) 787-3787, ra-stateboardofed@pa.gov</p> <p>Secondary Contact:</p>		
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input checked="" type="checkbox"/> Final Omitted Regulation</p>		<p><input type="checkbox"/> Emergency Certification Regulation;</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>This final-omitted rulemaking makes technical amendments to 22 Pa. Code Chapter 11 (Student Attendance) and 22 Pa. Code Chapter 12 (Students and Student Services) to conform relevant provisions within those Chapters with amendments to the definition of "compulsory school age" enacted by Act 16 of 2019. In that Act, the General Assembly lowered the age by which attendance in school is required from age 8 to age 6 and raised the age for compulsory attendance in school from 17 to 18. The rulemaking also corrects a typographical error in Chapter 12 as it is currently published.</p>		
<p>(8) State the statutory authority for the regulation. Include <u>specific</u> statutory citation.</p> <p>The State Board of Education (Board) is acting under the authority of Sections 2603-B(a) and 2604-B(b)(2)(v) of the Public School Code of 1949 (24 P.S. §§ 26-2603-B(a) and 26-2604-B(b)(2)(v)). Through that authority, the Board seeks to conform provisions of its regulations that now are in conflict with the definition of "compulsory school age" in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326).</p>		
<p>(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.</p>		

The regulation is not mandated by federal law, federal regulation, or court order. As noted above, the regulations are amended to conform with the definition of “compulsory school age” in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326) as that definition was amended by Act 16 of 2019.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

Provisions within the Board’s regulations (22 Pa. Code § 11.13 and 22 Pa. Code §§ 12.1 and 12.6) currently reference compulsory school age as beginning no later than age 8 and extending until age 17, unless a student has graduated from high school. Compulsory attendance based on entry to school by age 8 and attendance through at least age 17 ended with the academic year commencing after August 27, 2019. At that time, changes to the ages for compulsory attendance made by the General Assembly in Act 16 of 2019 took effect. Those changes lowered the age by which attendance in school is required to 6 and raised the age for compulsory attendance to 18, unless a student has graduated from high school. This regulation is needed to make provisions within Chapters 11 and 12 that reference dated requirements for compulsory school age consistent with the current definition of compulsory school age established in statute. Pennsylvania’s 1.7 million public school students and their parents or guardians, as well as the state’s 124,000 classroom teachers and 8,192 school administrators, will benefit from creating consistency across related statutes and regulations.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No, there are no provisions that are more stringent than federal standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania’s ability to compete with other states?

These amendments are necessary to conform existing regulations of the Board with amendments to the Public School Code of 1949 and will not put Pennsylvania at a competitive disadvantage with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

The regulation will not affect other regulations of either the promulgating agency or other state agencies. In final-form regulation #6-347, which was approved by the Independent Regulatory Review Commission on May 19, 2022, the Board made a parallel technical amendment to conform 22 Pa. Code

§ 4.21(a) (relating to Elementary Education: primary and intermediate levels) with the current definition of “compulsory school age” in the Public School Code of 1949.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

The sole purpose of the rulemaking is to conform Chapters 11 and 12 with the definition of “compulsory school age” in Section 1326 of the Public School Code of 1949 and to correct a typographical error in the text of Chapter 12 as it is currently published. Therefore, the Board is amending Chapters 11 and 12 as a final-omitted rulemaking without a public comment period as consideration of alternative regulatory constructs would be inconsistent with the statute to which the regulations are being conformed.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

The final-omitted regulation will affect Pennsylvania’s 1.7 million public school students and their parents or guardians, as well as the state’s 124,000 classroom teachers and 8,192 school administrators, by creating consistency between dated references to compulsory school age requirements in existing provisions of the Board’s regulations and a related current statute.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

The final-omitted regulation should have no effect on compliance by students, parents, teachers, or school administrators. Amendments to compulsory school age requirements took effect with the academic year commencing after August 27, 2019, through the General Assembly’s adoption of Act 16 of 2019. The final-omitted rulemaking contains technical amendments to make related provisions in 22 Pa. Code Chapters 11 and 12 consistent with statutory requirements that already are in effect.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

The final-omitted regulation is not expected to have any fiscal impact as it is necessary for consistency with statutory requirements that already are in effect. The regulation will benefit public school students, their parents and guardians, teachers, and school administrators, by creating consistency in the compulsory school age requirements set forth in statute and related regulations.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The regulation does not carry adverse effects as it simply conforms provision within 22 Pa. Code Chapters 11 and 12 that reference compulsory school age with the current definition of “compulsory school age” in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326).

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This final-omitted regulation is not expected to have any impact on the regulated community as the amendments simply conform the regulations to a statutory change enacted in 2019 that already is in effect.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

This final-omitted regulation is not expected to have any impact on local governments as the amendments simply conform the regulations to a statutory change enacted in 2019 that already is in effect.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

This final-omitted regulation is not expected to have any impact on state government as the amendments simply conform the regulations to a statutory change enacted in 2019 that already is in effect.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

The Board does not anticipate that this final-omitted rulemaking will affect the amount of legal, accounting, or administrative costs of the regulated community, local governments, or state government as the amendments simply conform the regulations to a statutory change enacted in 2019 that already is in effect.

(22a) Are forms required for implementation of the regulation?

No.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

Not applicable.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY Year	FY +1 Year	FY +2 Year	FY +3 Year	FY +4 Year	FY +5 Year
SAVINGS:	\$0	\$0	\$0	\$0	\$0	\$0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Savings	0	0	0	0	0	0
COSTS:	0	0	0	0	0	0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Costs	0	0	0	0	0	0
REVENUE LOSSES:	0	0	0	0	0	0
Regulated Community	0	0	0	0	0	0
Local Government	0	0	0	0	0	0
State Government	0	0	0	0	0	0
Total Revenue Losses	0	0	0	0	0	0

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 2019-20	FY -2 2020-21	FY -1 2021-22	Current FY 2022-23
Basic Education Funding	\$6,742,838,000	\$6,794,489,000	\$7,066,773,000	\$7,625,124,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

No special regulatory methods to minimize any adverse impact on small businesses were considered because the rulemaking does not impact small businesses.

(25) List any special provisions which have been developed to meet the particular needs of affected

groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been developed to meet the needs of any group. Consideration of special provisions would be inconsistent with the purpose of the final-omitted rulemaking to make technical amendments that conform sections of existing regulations to more recent amendments enacted to a related statute.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

Alternative regulatory provisions were not considered as the purpose of the final-omitted rulemaking is to make technical amendments that conform sections of existing regulations to more recent amendments enacted to a related statute.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

No special regulatory methods to minimize any adverse impact on small businesses were considered. The regulations do not impact small businesses. Further, consideration of alternative regulatory constructs would be inconsistent with the purpose of the final-omitted rulemaking to conform sections of existing regulations to more recent amendments enacted to a related statute.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

The Board did not rely on data to support this regulation.

(29) Include a schedule for review of the regulation including:

A. The length of the public comment period: _____ N/A _____

B. The date or dates on which any public meetings or hearings

will be held:

___N/A___

C. The expected date of delivery of the final-form regulation:

September 2022

D. The expected effective date of the final-form regulation:

Upon notice or publication
in the *Pennsylvania Bulletin*

E. The expected date by which compliance with the final-form
regulation will be required:

Upon notice or publication
in the *Pennsylvania Bulletin*

F. The expected date by which required permits, licenses or other
approvals must be obtained:

___N/A___

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

The State Board will review Chapters 11 and 12 on a regular basis in accordance with the Board's policy and practice respecting all its regulations. Therefore, no sunset date is necessary.

CDL-1

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU
(Pursuant to Commonwealth Documents Law)**

RECEIVED

AUG 22 2022

**Independent Regulatory
Review Commission**

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>BY: _____ (DEPUTY ATTORNEY GENERAL)</p> <p>_____ DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p><u>State Board of Education</u> (AGENCY)</p> <p>DOCUMENT/FISCAL NOTE NO. <u>006-352</u></p> <p>DATE OF ADOPTION: <u>7/13/2022</u></p> <p>BY: <u><i>Ka M. M. M.</i></u></p> <p>TITLE <u>Executive Director</u> (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)</p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p>BY: <u><i>Abdullah</i></u></p> <p><u>August 11, 2022</u> DATE OF APPROVAL</p> <p>Deputy General Counsel (Chief Counsel, Independent Agency) (Strike Inapplicable title)</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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FINAL-OMITTED RULEMAKING

STATE BOARD OF EDUCATION

[22 PA. CODE CHS. 11 & 12]

Student Attendance & Student Rights and Responsibilities

The State Board of Education (Board) amends Chapter 11 (relating to student attendance) and Chapter 12 (relating to student rights and responsibilities) to read as set forth in Annex A as a final-omitted rulemaking.

Statutory Authority

The Board is acting under the authority of sections 2603-B(a) and 2604-B(b)(2)(v) of the Public School Code of 1949 (24 P.S. §§ 26-2603-B(a) and 26-2604-B (b)(2)(v)).

Background

Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326) sets forth a definition for “compulsory school age” that establishes the ages during which attendance in school is required for children. Prior to the academic year commencing after August 27, 2019, the definition of “compulsory school age” required children to enter school no later than age 8 and to remain in school until the student reached at least age 17, unless the child had earned a certificate of graduation from high school. In Act 16 of 2019, the General Assembly amended the definition of “compulsory school age” to lower the age by which attendance in school is required from age 8 to age 6 and to raise the age for compulsory attendance in school from 17 to 18, unless the child had earned a certificate of graduation

from high school. Amendments to compulsory attendance requirements enacted by Act 16 of 2019 took effect with the academic year commencing after August 27, 2019.

Need for the rule

Provisions of the Board's regulations at 22 Pa. Code § 11.13 and 22 Pa. Code §§ 12.1(b) and 12.6(e) address requirements pertaining to compulsory school attendance. However, language in these provisions was not updated following the adoption of Act 16 of 2019 and continues to reference the ages for compulsory school attendance that were in effect prior to the General Assembly acting to amend the ages for compulsory attendance in Act 16. The final-omitted rulemaking is necessary to conform provisions in the Board's regulations that address requirements related to compulsory attendance with the current definition of "compulsory school age" in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326). At the same time, the Board also is acting to correct a typographical error in the text of 22 Pa. Code § 12.1(b)(4) as it is currently published.

Provisions of the Final-omitted Rulemaking

The final-omitted rulemaking amends the following provisions in Chapters 11 and 12:

Section 11.13. Compulsory school age.

The Board is amending Section 11.13 to reflect amendments to the definition of "compulsory school age" enacted by Act 16 of 2019 that lowered the age at which attendance in school is required from age eight (8) to age six (6) and increased the age through which compulsory attendance is required from age 17 to age 18, unless a student has graduated from high school. Technical amendments to this section update references to the ages for compulsory school attendance to be consistent with the current ages for

compulsory attendance established in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326).

Section 12.1(b). Free education and attendance.

The Board is making technical amendments to Section 12.1(b) to conform references to the ages for compulsory attendance with the current definition for “compulsory school age” established in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326).

Section 12.1(b)(4). Free education and attendance.

The Board is making a technical amendment to Section 12.1(b)(4) to correct a typographical error in the spelling of the word “eligible” in the text of the regulation as it is currently published.

Section 12.6(e). Exclusions from school.

The Board is making a technical amendment to Section 12.6(e) to conform a reference to the age for compulsory attendance with the current definition for “compulsory school age” established in Section 1326 of the Public School Code of 1949 (24 P.S. § 13-1326).

Affected Parties

The final-omitted rulemaking will affect Pennsylvania’s 1.7 million public school students and their parents or guardians, as well as the state’s 124,000 classroom teachers and 8,192 school administrators, by creating consistency between a term as defined in statute and referenced in related regulations.

Cost and Paperwork Estimates

The final-omitted regulations will not impose any costs or additional administrative requirements on students, their parents, educators, or school entities. The final-omitted rulemaking contains technical amendments that make related provisions in 22 Pa. Code Chapters 11 and 12 consistent with statutory requirements that already are in effect. Thus, the rulemaking will not alter the current practice of public school entities or current requirements for parents to have their children enter and continue in school.

Effective Date

The final-form rulemaking will take effect upon notice or publication in the *Pennsylvania Bulletin*.

Sunset Date

The Board will review the effectiveness of Chapters 11 and 12 every four years in accordance with the Board's policy and practice respecting all of its regulations. Thus, no sunset date is necessary.

Contact Person

Persons who require additional information about this final-omitted rulemaking may submit inquiries to Karen Molchanow, Executive Director, State Board of Education, 333 Market Street, 1st Floor, Harrisburg, PA 17126, ra-stateboardofed@pa.gov.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (71 P. S. § 745.5a(c)), on August 22, 2022, the Board submitted a copy of the final-omitted regulation to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House Committee on Education and the Senate Committee on Education. On the same date, the regulation was submitted to the Office of Attorney General for review and approval

pursuant to section 204 (b) of the Commonwealth Attorneys Act (71 P.S. §§ 732-101—732-506).

Under section 5.1(e) and (j.2) of the Regulatory Review Act (71 P. S. § 745.5a(e) and j.2)), the regulation was deemed approved by the House and Senate Education Committees on INSERT DATE, after IRRC's public meeting on INSERT DATE. The Office of Attorney General approved the final-omitted rulemaking on INSERT DATE.

Findings

The Board finds that:

(1) Notice of proposed rulemaking is impracticable, unnecessary and contrary to the public interest under section 204(3) of the Commonwealth Documents Law and the regulations thereunder, 1 Pa. Code § 7.4(3).

(2) The amendment of the regulations in the manner provided in this order is necessary and appropriate for administration of the Public School Code of 1949.

Order

Acting under the authority of the Public School Code of 1949, the Board orders that:

(a) The regulations of the Board, 22 Pa. Code Chapter 11 and 22 Pa. Code Chapter 12, are amended by amending § 11.13, § 12.1(b), § 12.1(b)(4), and § 12.6(e) to read as set forth in Annex A, with ellipses referring to the existing text of the regulation.

(b) The Executive Director of the Board shall submit a copy of this final-omitted regulation to the Office of General Counsel and the Office of Attorney General for review and approval as to legality and form as required by law.

- (c) The Executive Director of the Board shall submit this final-omitted regulation to IRRC and the House Education and Senate Education Committees as required by law.
- (d) The Executive Director of the Board shall certify this final-omitted regulation, as approved for legality and form, and deposit it with the Legislative Reference Bureau as required by law.
- (e) This final-omitted regulation shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

KAREN MOLCHANOW,
Executive Director

ANNEX A
TITLE 22. EDUCATION
PART I. STATE BOARD OF EDUCATION
CHAPTER 11. STUDENT ATTENDANCE

§ 11.13. Compulsory school age.

Except as otherwise provided by law, compulsory school age refers to the period of a child's life from the time the child enters school (which may be no later than at the age of [8] 6 years), until the age of [17] 18 or graduation from a high school, whichever occurs first.

CHAPTER 12. STUDENTS AND STUDENT SERVICES
STUDENT RIGHTS AND RESPONSIBILITIES

§ 12.1. Free education and attendance.

(a) All persons residing in this Commonwealth between the ages of 6 and 21 years are entitled to a free and full education in the Commonwealth's public schools.

(b) Parents or guardians of all children between the ages of [8] 6 and [17] 18 are required by the compulsory attendance law to ensure that their children attend an approved educational institution, unless legally excused. Students who have not graduated may not be asked to leave school merely because they have reached [17] 18 years of age if they are fulfilling their

As approved by the State Board of Education on 7/13/2022

responsibilities as students. A student may not be excluded from the public schools or from extracurricular activities because:

- (1) The student is married.
- (2) The student is pregnant.
- (3) The student has a disability as identified by Chapter 15 (relating to protected handicapped students).
- (4) The student is an **[eligible] eligible** student identified under Chapter 14 (relating to special education services and programs).

§ 12.6. Exclusions from school.

(e) Students who are under **[17] 18** years of age are still subject to the compulsory school attendance law even though expelled and shall be provided an education.

(1) The initial responsibility for providing the required education rests with the student's parents or guardian, through placement in another school, tutorial or correspondence study, or another educational program approved by the district's superintendent.

(2) Within 30 days of action by the governing board, the parents or guardians shall submit to the school district written evidence that the required education is being provided as described in paragraph (1) or that they are unable to do so. If the parents or guardians are unable to provide the required education, the school entity shall, within 10 days of receipt of the notification, make

As approved by the State Board of Education on 7/13/2022

provision for the student's education. A student with a disability shall be provided educational services as required by the Individuals With Disabilities Education Act (20 U.S.C.A. § § 1400—1482).

(3) If the approved educational program is not complied with, the school entity may take action in accordance with 42 Pa.C.S. Chapter 63 (relating to the Juvenile Act) to ensure that the child will receive a proper education. See § 12.1(b) (relating to free education and attendance).



pennsylvania
STATE BOARD OF EDUCATION

August 22, 2022

Mr. David Sumner
Executive Director
Independent Regulatory Review Commission
333 Market Street | 14th Floor
Harrisburg, PA 17126

Dear Mr. Sumner:

Enclosed is a copy of a final-omitted rulemaking approved by the State Board of Education, (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services, #006-352) for review by the Independent Regulatory Review Commission (IRRC) pursuant to the Regulatory Review Act. The regulation also is being delivered today to the House and Senate Committees on Education and the Office of Attorney General.

The State Board of Education will provide IRRC with any assistance it requires to facilitate a thorough review of this final-omitted rulemaking. Should you have any questions, please contact me at kamolchano@pa.gov or (717) 346-9449.

Thank you for your consideration.

Sincerely,

Karen Molchanow
Executive Director

cc: Eric Hagarty, Acting Secretary of Education
Thomas P. Howell, Esq.
Addie Abelson, Esq.

From: Elliott, Amy M.
To: Rizzi, Alicia (GC); Trotter, Carolyn
Cc: Abelson, Addie
Subject: RE: [EXTERNAL] Delivery Confirmation Requested - SBE Final-Omitted Regulation #6-352
Date: Monday, August 22, 2022 11:12:45 AM

Receipt confirmed – thanks, Amy

Amy M. Elliott
Chief Deputy Attorney General
Legal Review Section
717-783-6316 (w)
717-941-0523 (c)
aelliott@attorneygeneral.gov

RECEIVED

AUG 22 2022

**Independent Regulatory
Review Commission**

From: Rizzi, Alicia (GC) <arizzi@pa.gov>
Sent: Monday, August 22, 2022 9:11 AM
To: Elliott, Amy M. <aelliott@attorneygeneral.gov>; Trotter, Carolyn <ctrotter@attorneygeneral.gov>
Cc: Abelson, Addie <adabelson@pa.gov>
Subject: [EXTERNAL] Delivery Confirmation Requested - SBE Final-Omitted Regulation #6-352

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Attached please find the State Board of Education's final-omitted regulation #6-352.

Please confirm receipt of this regulation at your earliest convenience so that the agency may provide proof of delivery to IRR.

Thank you,

Alicia C. Rizzi | Legal Office Administrator
Governor's Office of General Counsel
Commonwealth of Pennsylvania
333 Market Street Tower, 17th Floor | Harrisburg, PA 17101
Phone: 717.787.9344 | Fax: 717.787-1788
arizzi@pa.gov | www.ogc.pa.gov

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege.

RECEIVED

AUG 22 2022

From: Dixon, Erin
To: Jones, Stephanie; Miller, Marlena M.
Cc: Longietti, Mark; Molchanow, Karen
Subject: Re: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Date: Monday, August 22, 2022 9:56:12 AM

**Independent Regulatory
Review Commission**

Thank you, Chairman Longietti's office has recieved these regulations.

From: Jones, Stephanie <stephajone@pa.gov>
Sent: Monday, August 22, 2022 9:35 AM
To: Dixon, Erin <EDixon@pahouse.net>; Miller, Marlena M. <MMiller@pahouse.net>
Cc: Longietti, Mark <MLongi@pahouse.net>; Molchanow, Karen <kamolchano@pa.gov>
Subject: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)

To: Honorable Curt Sonney, Majority Chairman, House Education Committee
Honorable Mark Longietti, Minority Chairman, House Education Committee

By way of this email, I am delivering a copy of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services) for review by the House Education Committee pursuant to the Regulatory Review Act. The State Board of Education appreciates your acceptance of this final-form regulation through electronic delivery. The regulation also is being delivered today to the Majority and Minority Chairs of the Senate Education Committee, the Independent Regulatory Review Commission and the Office of Attorney General.

Please provide written confirmation that this final-omitted rulemaking was received by responding to this email. Thank you for your consideration.

Stephanie L. Jones | Administrative Assistant
Pennsylvania State Board of Education
333 Market Street | 1st Floor
Harrisburg, PA 17126
717-787-3787
Ra-stateboardofed@pa.gov
www.stateboard.education.pa.gov

From: [Christine Crone](#)
To: [Jones, Stephanie](#); [Curt Sonney](#)
Cc: [Christine Seitz](#); [Molchanow, Karen](#)
Subject: RE: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Date: Monday, August 22, 2022 11:48:15 AM

Good Afternoon Stephanie,

The Republican Chairman's office is in receipt of the final-omit Reg# 6-352.

Thanks in advance!

Christine M. Crone
Administrative Assistant II
Representative Curt Sonney
Education Committee Chairman
214 Ryan Office Building
PO Box 202004
Harrisburg PA 17120-2004
(717) 783-9087 ph.
ccrone@pahousegop.com

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AUG 22 2022

**Independent Regulatory
Review Commission**

From: Jones, Stephanie <stephajone@pa.gov>
Sent: Monday, August 22, 2022 9:36 AM
To: Curt Sonney <Csonney@pahousegop.com>
Cc: Christine Crone <Ccrone@pahousegop.com>; Christine Seitz <Cseitz@pahousegop.com>;
Molchanow, Karen <kamolchano@pa.gov>
Subject: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Importance: High

To: Honorable Curt Sonney, Majority Chairman, House Education Committee
Honorable Mark Longietti, Minority Chairman, House Education Committee

By way of this email, I am delivering a copy of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services) for review by the House Education Committee pursuant to the Regulatory Review Act. The State Board of Education appreciates your acceptance of this final-form regulation through electronic delivery. The regulation also is being delivered today to the Majority and Minority Chairs of the Senate Education Committee, the Independent Regulatory Review Commission and the Office of Attorney General.

Please provide written confirmation that this final-omitted rulemaking was received by

responding to this email. Thank you for your consideration.

Stephanie L. Jones | Administrative Assistant
Pennsylvania State Board of Education

333 Market Street | 1st Floor

Harrisburg, PA 17126

717-787-3787

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From: [Urban, Cynthia](#)
To: [Jones, Stephanie](#); [Martin, Senator Scott](#)
Cc: [Heintzelman, Jill](#); [Molchanow, Karen](#)
Subject: RE: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Date: Monday, August 22, 2022 10:38:50 AM

Received.

Thank you,
Cindy

Cindy Urban
Executive Director
Senate Education Committee | Chairman, Senator Scott Martin
Room 351 Main Capitol
Phone: (717) 787-6535
<https://education.pasenategop.com/>

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AUG 22 2022

**Independent Regulatory
Review Commission**

From: Jones, Stephanie <stephajone@pa.gov>
Sent: Monday, August 22, 2022 9:37 AM
To: Martin, Senator Scott <smartin@pasen.gov>
Cc: Urban, Cynthia <curban@pasen.gov>; Heintzelman, Jill <jheintzelman@pasen.gov>; Molchanow, Karen <kamolchano@pa.gov>
Subject: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Importance: High

⊙ CAUTION : External Email ⊙

To: Honorable Scott Martin, Majority Chairman, Senate Education Committee
Honorable Lindsey Williams, Minority Chair, Senate Education Committee

By way of this email, I am delivering a copy of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services) for review by the Senate Education Committee pursuant to the Regulatory Review Act. The State Board of Education appreciates your acceptance of this final-form regulation through electronic delivery. The regulation also is being delivered today to the Majority and Minority Chairs of the House Education Committee, the Independent Regulatory Review Commission and the Office of Attorney General.

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Stephanie L. Jones | Administrative Assistant
Pennsylvania State Board of Education

333 Market Street | 1st Floor

Harrisburg, PA 17126

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From: [Kleiman, Cheryl](#)
To: [Jones, Stephanie](#)
Cc: [Williams, Senator Lindsey](#); [Molchanow, Karen](#)
Subject: RE: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Date: Monday, August 22, 2022 9:38:20 AM

Hi Stephanie,

On behalf of Senator Lindsey Williams, I confirm receipt of Final-Omitted Regulation #006-352.

Thanks,
Cheryl

Cheryl Kleiman (she/her)
Legislative Director
Executive Director | Senate Education Committee
Senator Lindsey M. Williams
412-392-7239
cheryl.kleiman@pasenate.com

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AUG 22 2022
Independent Regulatory
Review Commission

From: Jones, Stephanie <stephajone@pa.gov>
Sent: Monday, August 22, 2022 9:35 AM
To: Kleiman, Cheryl <Cheryl.Kleiman@pasenate.com>
Cc: Williams, Senator Lindsey <lindsey.williams@pasenate.com>; Molchanow, Karen <kamolchano@pa.gov>
Subject: Delivery of Final-Omitted Regulation #006-352 (PA Code Cite: 22 Pa. Code Chapter 11 – Student Attendance and Chapter 12 – Students and Student Services)
Importance: High

■ EXTERNAL EMAIL ■

To: Honorable Scott Martin, Majority Chairman, Senate Education Committee
Honorable Lindsey Williams, Minority Chair, Senate Education Committee

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Stephanie L. Jones | Administrative Assistant

Pennsylvania State Board of Education

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