

Basic Education Circulars
Pennsylvania Department of Education

Name	Reference & Link	Source	Key Words / Purpose
Abuse of Students by School Employees	23 PA CSA Section 6352	Purdon's Statutes	This notice to the schools is to outline those changes which affect a school's policies and procedures regarding the reporting of suspected abuse of students by school employees and background checks for employment.
Access to Secondary Students	20 USC 7908	US Code	The Pennsylvania Department of Education interprets Public Law 107-110, No Child Left Behind Act of 2001, Section 9528 (Armed Forces Recruiter Access To Students and Student Recruiting Information), 20 USC §7908, and Pennsylvania law Act 10, 1991, 51 P.S. §§20221-20225 in the following manner:
Admission to Kindergarten and Beginners	24 P.S. 5-503	Purdon's Statutes	Local school board has the right and responsibility for establishing the age at which a child can begin the kindergarten program
Alteration and/or Curtailment of Programs	24 P.S. 11-1124	Purdon's Statutes	Section 1124 of the School Code provides that: Any board of school directors may suspend the necessary number of professional employees, for any of the causes herein enumerated
Alternative Education for Disruptive Youth	24 P.S. 1901-1906 C	Purdon's Statutes	Provides guidance regarding placement of students in Alternative Education for Disruptive Youth (AEDY) Programs. It also provides guidance on AEDY program requirements to ensure that students in these programs are provided appropriate academic and behavioral support services
Assessments and Graduation Requirements	22 Pa. Code 4.51	PA Code	A certificate of Proficiency or Distinction will be developed by PDE to be awarded to graduating students who have scored in that manner on one or more of the Pennsylvania System of School Assessments (PSSA).
Charter Schools	24 P.S. 17-1701-A	Purdon's Statutes	To serve as a guide for charter schools, school districts, parents, and students. The Charter School law, known as Act 22 of 1997, is part of the Pennsylvania School Code, cited as 24 P.S. Article XVII-A
Commissions	24 P.S. 10-1078 and 9-963	Purdon's Statutes	Identifies when a commission will be issued and what is necessary to be submitted to the Department for approval
Compulsory Attendance and Truancy Elimination Plan	24 P.S. 13-1327	Purdon's Statutes	Department of Education and the schools of the Commonwealth are obligated to comply with state and federal requirements for student attendance and truancy
Copyright Laws	17 U.S.C. Section 107	US Code	The Copyright Revision Act of 1976 (P.L. 94-553) became effective on January 1, 1978. This legislation takes cognizance of technological advancements in communication and education and sets standards for "fair use" of printed, audiovisual, graphic and musical materials by teachers.
Cyber Charter Schools	24 P.S. 17-1741-A	Purdon's Statutes	Guidance for cyber charter schools, school districts, parents, and students.
Days Schools Not to be Kept Open	24 P.S. Section 15-1502	Purdon's Statutes	This BEC identifies for the board of school directors when developing their school calendar which days may be used as instructional days and specific days of the week and holidays which may not be used for instruction under any circumstances
Department Approval of School Buildings, Equipment and Premises Leased for Educational Purposes by School Districts Except School Districts of the First Class 24 P.S. §7-775	24 PS 7-775	Purdon's Statutes	All school districts have the authority to lease any part of their respective school buildings, equipment and premises, or any vacant building, for educational purposes. Except in school districts of the first class, these leases are subject to the approval of the Department of Education.
Determination of Residence of Children Living in Pennsylvania Institutions	24 PS 13-1308	Purdon's Statutes	Circular describes the procedures for determining the place of residence of school-aged persons who live in institutions in Pennsylvania, but whose parents or legal guardians reside outside Pennsylvania
Disciplinary Exclusions of Students Who Are Eligible for Special Education	22 Pa. Code Section 14.35	PA Code	Federal regulations for the Individuals with Disabilities Education Act (IDEA). This BEC provides formal written guidance regarding disciplinary exclusions (suspension).
Drug and Alcohol Education, Counseling and Support Services	24 P.S. 15-1547	Purdon's Statutes	Section 1547 of the PA School Code, enacted as Act 211 of 1990, requires school districts to implement a comprehensive tobacco, alcohol and other drugs program including instruction in the classroom

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Early Intervention and Private Schools	11 P.S. 875-304	Purdon's Statutes	This announcement provides guidance on funding policies for the evaluation and provision of EarlyIntervention services for children eligible to attend kindergarten
Early Intervention Transition: Infants and Toddlers to Preschool	11 P.S. 875-304	Purdon's Statutes	The purpose of this announcement is to provide guidance on transition procedures for: Toddlers transitioning from the Infant/Toddler Early Intervention (EI) program to the Preschool EI program or other community settings at age three Infants/Toddlers who are transitioning to other community services prior to age three
Early Intervention Transition: Preschool Programs to School-Aged Program	11 PS 875-101 to 875-502	Purdon's Statutes	The purpose of this announcement is to clarify the procedures concerning the transition of children from Preschool Early Intervention programs to the kindergarten or first grade programs of their school districts of residence or local charter school
Educating Students With Limited English Proficiency (LEP) and English Language Learners (ELL)	22 Pa. Code 4.26	PA Code	Students whose dominant language is not English is the responsibility of every school district/charter school in the Commonwealth
Education for Homeless Youth	42 U.S.C. 11431 et seq.	US Code	In 1987, Congress passed the Stewart B. McKinney Homeless Assistance Act, (subsequently renamed the McKinney-Vento Homeless Assistance Act) to aid homeless persons. Subtitle B of Title VII-of this Act entitled Education for Homeless Children and Youth, has been amended and is now part of the No Child Left Behind Act of 2001, Title X, Part C.
Education Services for Students Incarcerated	24 P.S. Section 13-1306.2	Purdon's Statutes	Authorizing the adjudication of school age individuals as adults, has increased the student population in local correction institutions
Educational Programs for Students in "Non-Educational" Placements	22 Pa. Code Section 14.102 (a)(2)(xlii)	PA Code	The joint policy of the Department of Public Welfare and the Department of Education regarding educational services for students who receive non-educational placements
Educator Misconduct Complaint Procedures and Complaint Form	24 P.S. 2070.9	Purdon's Statutes	Section 2070.9 authorizes any interested party to file a disciplinary complaint against a professional educator or charter school staff member with the Department of Education
Educator Misconduct – School Entity Mandatory Report Procedures and Form	24 P.S. 2070.9a	Purdon's Statutes	24 P.S. § 2070.9a mandates school entity reporting of educator misconduct with specific timelines. The chief school administrator (school district supt, asst supt, IU exec), chief administrator of a CTC, charter school, or their designees must report the following to PDE: the dismissal for cause of a certified employee or charter school staff member; conduct that has resulted in a criminal indictment or conviction of a certified employee or charter school staff member; information which constitutes reasonable cause to believe the certified employee or charter school staff member has caused physical injury to a student or child through negligence or malice or has committed sexual abuse or exploitation involving a student or child.
Emergency School Closings	24 P.S. 25-2523	Purdon's Statutes	Guidance and direction regarding public school emergency closing procedures
Employee Rating Form	24 P.S. Section 11-1123	Purdon's Statutes	Section 1123 of the Public School Code of 1949 requires the Department of Education to prepare a rating system for use evaluate professional employees of school districts through a system that gives due consideration to personality, preparation, technique, and pupil reaction.
Employment of Vocational Agriculture Students in Hazardous Agricultural Occupations 29 C.F.R. Part 570.70	29 CFR Part 570.70-570.72	Federal Code	Vocational agriculture training certification program for students aged 14 and 15 for employment
Enrollment of Students	24 P.S. 13-1301 – 13-1306	Purdon's Statutes	This BEC provides guidance regarding public school enrollment procedures for resident and non-resident children.
Enrollment Q&A	24 P.S. 13-1301 – 13-1306	Purdon's Statutes	The following Questions and Answers are provided to assist parents, school districts and charter schools in the student enrollment process. This information is based on applicable school law and regulation and reflects procedures outlined in the recently revised Basic Education Circular (BEC) on Student Enrollment
Extended School Year Eligibility	22 Pa. Code 14.132	PA Code	Issues related to Extended School Year (ESY) services for children with disabilities

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Extent and Duration of Early Intervention Programs for Preschoolers with Disabilities, Including Services during Breaks in Program	11 P.S. 875-304	Purdon's Statutes	Guidance to clarify Departmental policy concerning the extent and duration of the program provided to eligible young children in early intervention programs, including the provision of services to eligible young children during scheduled breaks in their education program
Farm and Domestic Service Permits	24 P.S. 13-1329 - 13-1330	Purdon's Statutes	This BEC will discuss two sections of the Public School Code of 1949, as amended. These sections address exceptions to the compulsory attendance provisions of the school code.
Federal Government Debarment and Suspensions	34 CFR Part 85	Federal Code	Federal government policy to conduct business only with responsible persons
Fire Drills and School Bus Evacuations	24 P.S. 15-1517	Purdon's Statutes	The purpose of this BEC is to set forth a process for public school reporting of fire drills and school bus evacuation drills to the Department of Education.
Foreign Students' Eligibility for Enrollment	24 P.S. 13-1302	Purdon's Statutes	Students who apply for admission to Pennsylvania public schools and possess a visa of any type should comply with the terms and conditions of that visa. Enrollment in elementary and secondary courses of study may impact a student's legal non-immigration status
Graduation of Seniors	24 P.S. Section 15-1501	Purdon's Statutes	Section 1501 of the School Code, as amended, requires the Secretary to determine whether a school district made a "bonafide" effort to provide 180 days for seniors following severe weather conditions that caused school closings.
Half-Day Sessions	24 P.S. 15-1504	Purdon's Statutes	This BEC discusses the law and procedures for approval of half-day instructional sessions for school-age students.
Health Record and Questionnaire Sports Preparticipation and Recertification Forms	24 P.S. 5-511	Purdon's Statutes	Section 5-511 of the School Code provides that the local school board "shall prescribe, adopt, and enforce such reasonable rules and regulations as it may deem proper, regarding (1) the management, supervision, control, or prohibition of exercises, athletics, or games of any kind...."
Home Education Program	24 P.S. 13-1327.1	Purdon's Statutes	This BEC provides a listing of the requirements for the supervisor to establish a home education program, a list of acceptable tests to fulfill the law's requirements, and sample affidavit form for use by the supervisor.
Implementation of Chapter 15	22 Pa. Code Chapter 15	PA Code	Regulations of the State Board of Education addresses the responsibility of school districts to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 CFR Part 104
Instruction Conducted in the Home	34 CFR 300.39 and 115	Federal Code	Reporting requirements for students with disabilities assigned to instruction conducted in the home by the IEP team and students with disabilities who may be assigned to homebound instruction
Instructional Time and Act 80 Exceptions	24 P.S. 15-1504	Purdon's Statutes	All public schools are to be open each school year for at least one hundred eighty (180) days of instruction for pupils
Intensive Interagency Coordination	20 U.S.C. 1412(a)(12)	US Code	The system of intensive interagency coordination is not intended to replace the local interagency process.
Intensive Interagency Definitions (Attachment to BEC)	20 U.S.C. 1412(a)(12)	US Code	This is an attachment to the BEC on Intensive Interagency Coordination and provides the federal definition of "active students", "at risk students", "past students", and "compensatory students."
Lapsed Certificates	Section 24 P.S. 12-1201	Purdon's Statutes	BEC explains the proper course of action when the public entity discovers that a professional employee may have an invalid certificate, and will address audits concerning such certificates.
Least Restrictive Environment (LRE) and Educational Placement for Students with Individualized Education Programs (IEPs)	22 Pa. Code 14.102 (a) (2) (xxiv)	PA Code	Primarily directed at school-age students with disabilities. Although components of this BEC apply as well to preschool-age children, PDE is developing specific guidance for preschool-age children.
Letter to Auditor General on Enrollments	24 P.S. §13-1301 – §13-1306	Purdon's Statutes	The attached letter from Secretary of Education, Gerald Zahorchak, is a response to the Auditor General regarding student enrollment issues.

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Missing Child Registration	35 P.S. 450.401-A – 450.404-A	Purdon's Statutes	It applies to any last known school which the missing child attended. Missing children include individuals under 18 years of age who are reported to a law enforcement agency as abducted, lost, missing or runaways.
Nonresident Students in Institutions	24 P.S. Section 13-1306	Purdon's Statutes	Students who are residing in a "children's institution" whose parents are not residents of the school district in which the institution is located are identified as "1306" students.
Official Public School File	24 P.S. 10-1006	Purdon's Statutes	Responsibility for maintenance of the Pennsylvania Department of Education (PDE) official public school computer file lies primarily with the Division of Data Services. This file serves all offices within PDE to provide information necessary for administration of educational programs requiring school level data. It contains the following information: name, address, and telephone of the school; name of principal or head teacher; and school category (e.g. elementary).
Placement Options for Special Education	22 Pa Code 14.102	PA Code	review a variety of special education service and placement options available to school districts and charter schools through arrangement with other public agencies or private organizations
Pregnant and Parenting Students	24 P.S. Section 13-1327	Purdon's Statutes	This Basic Education Circular is to address questions regarding the education of Pennsylvania students in public and private schools who are pregnant or parenting. Consequently, the following sections discuss such issues as attendance, homebound instruction and special education.
Private Residential Rehabilitative Institutions	24 P.S. Section 9-964.1	Purdon's Statutes	The general authority of LEAs to contract with PRRIs is governed by Section 964.1 of the Public School Code of 1949, 24 P.S. Section 9-964.1. Section 964.1 authorizes LEAs to contract with PRRIs which fall within the LEAs geographical boundary
Protection of Pupil Rights	20 USC 1232 h	US Code	The purpose of this BEC is to inform you of changes to the Protection of Pupil Rights Act as amended by Public Law 183-227, Title X, Section 1017, March 31, 1994, which revised 20 U.S.C. §1232h
Reimbursements for School Construction Bond Issues	24 P.S. 25-2574	Purdon's Statutes	The purpose of this BEC is to provide information concerning Commonwealth reimbursement on bond issues relating to school construction projects.
Safe Schools and Possession of Weapons	24 P.S. 13-1317.2	Purdon's Statutes	Act 26 of 1995 (Amended June, 1997) amends the School Code by adding a new section (24 P.S. §13-1317.2) pertaining to the possession of weapons and a new Article entitled Safe Schools (Article XIII-A of 24 P.S.) which adds an additional nine sections to the Code. Act 26 imposes responsibilities upon schools in the following areas discussed more fully below: student expulsions; reporting; cooperation with the local law enforcement officials; and maintenance of records
Sale or Lease of Unused and Unnecessary Lands and Buildings	24 P.S. 7-707	Purdon's Statutes	This BEC concerns the sale or lease of school facilities that are receiving Commonwealth reimbursement for debt service or authority rental payments. When a building is sold by a school district, reimbursement by the Commonwealth ceases. The school district must notify the Department of Education (PDE) of any sale of school facilities
Sample Annual Notice to Parents	22 Pa. Code Chapter 15	PA Code	Sample Chapter 15 Annual Notice to Parents
Sample Notice of District-Initiated Evaluation as a Protected Handicapped Student Annual Notice to Parents	22 Pa Code Chapter 15	PA Code	Sample Chapter 15 Notice of District-Initiated Evaluation as a Protected Handicapped Student Annual Notice to Parents
Sample Procedural Safeguards	22 Pa Code Chapter 15	PA Code	Sample Chapter 15 Procedural Safeguards
Sample Service Agreement	22 Pa Code Chapter 15	PA Code	Sample Chapter 15 Service Agreement
School Construction Reimbursement Criteria	24 P.S. 7-733	Purdon's Statutes	The purpose of this BEC is to clarify existing policies governing requests for school construction reimbursement
School Immunization Requirements	24 P.S. 13-1303a	Purdon's Statutes	The Pennsylvania Department of Health promulgates immunization regulations (28 Pa. Code §§23.81-87) which require parents of those students enrolled in grades K-12 to have their children immunized against various communicable diseases

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Secondary Career and Technical Education Program Approval	24 P.S. 25-2502.8	Purdon's Statutes	The procedures as outlined below are on-line and referred to as the Career and Technical Education Information System (CATS) effective beginning with the 2001-2002 school year
Services From The Office of Chief Counsel Pennsylvania Department of Education	71 P.S. Section 732-301	Purdon's Statutes	In certain circumstances, school districts and intermediate units may request an opinion from the Office of Chief Counsel
Services to Nonpublic School Students	22 Pa Code Chapter 15	PA Code	Issues concerning the provision of Chapter 15 services to "protected handicapped students" enrolled in private, nonpublic schools
Special Education Compliance	22 Pa Code 14.102(a)(4)	PA Code	Responsibility for developing and maintaining a system that ensures that each student with a disability receives a free appropriate public education and that each family has access to a system of procedural safeguards.
Special Education for Gifted Students	22 Pa. Code Chapter 16	PA Code	Responsibilities placed upon school districts with regard to the provision of gifted education
Special Education Services to Nonpublic School Students	34 CFR 300.403	Federal Code	Clarification concerning the provision of special education services to students enrolled in private, nonpublic schools
Student Records Being Retained by a Private School	22 Pa Code 12.31	PA Code	Private school temporarily retains the student's records pending resolution of an infraction of the private school's policies or a contractual dispute with a parent or guardian
Subsidy Payments on Closed School Buildings	22 Pa Code 349.28	PA Code	Upon receipt of justification, authorize the continuation of school construction reimbursement payments if the closed school building is used
Transfer of Entities	24 PS 11-1113	Purdon's Statutes	Questions about 1113 and 1418 and the Department's response to those questions.
Transfer of Records	24 P.S. 19-1926	Purdon's Statutes	Educational programs in state-operated institutions for delinquent youth operate under the authority of the Pennsylvania Department of Education and are considered to be public schools
Transportation to Approved Private Schools	24 P.S. 13-1374	Purdon's Statutes	Section 1374 of the Public School Code of 1949 governs transportation of exceptional students, including the transportation of eligible children to approved private schools
Use of Facsimile Signatures	65 P.S. 301 et seq	Purdon's Statutes	This BEC provides the procedure for the Department to recognize facsimile signature for school officials
Violations of Background Checks	24 P.S. 1-111	Purdon's Statutes	The purpose of this circular is to inform you of procedures that will be followed by the Department of Education's School Services Unit when investigating alleged violations of 24 P.S. §1-111.
Voter Registration As Part Of Implementation of Chapter 15	25 Pa. C.S.A. 1101 et seq.	Purdon's Statutes	This BEC is designed to supplement BEC 22 Pa. Code Chapter 15 (relating to implementation of Chapter 15), which addresses the responsibility of school districts to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 and its implementing regulations at 34 CFR Part 104 (relating to non-discrimination on the basis of handicap in programs and activities receiving federal financial assistance).
Voter Registration As Part Of Transition To Adult Life	25 Pa. C.S.A. 1101 et seq.	Purdon's Statutes	This BEC is designed to provide additional direction for Local Educational Agencies (LEAs) regarding their duty to address voter registration opportunities as part of an eligible student's transition to adult life