

## **Subject: Act 66 Requirements for Student Grade Level Retainment**

On June 30, Governor Tom Wolf signed Act 66 of 2021 (Act 66) into law. Act 66 permits students that were enrolled during the 2020-21 school year to repeat their grade level in an effort to make up for any lost educational opportunities due to the COVID-19 pandemic, even if the student met the requirements to be promoted to the next grade level. Based on this Act, parents/guardians and students, at or over the age of 18, have until July 15, 2021, to elect to have their child or themselves repeat a grade level for the 2021-22 school year.

Additionally, Act 66 permits a student with a disability who was enrolled during the 2020-21 school year and turned age 21 during the 2020-21 school year, or between the end of the 2020-21 and the beginning of the 2021-22 school year, to attend a school entity during the 2021-22 school year and receive services as outlined on their most recent Individualized Education Program (IEP) with all the protections under the Individuals with Disabilities Education Act (IDEA).

As required by Act 66, the Pennsylvania Department of Education (PDE) developed and posted online a standard form ([link](#)) for parents/guardians to notify school entities of their child's plan to remain in the school and/or current grade level for the 2021-22 school year. School entities are encouraged to post the **Act 66 Student Grade Level Retainment Notification Form** on the school entity's publicly accessible website along with instructions and an email address for parents/guardians to submit the form to the school.

**Parents/guardians or students who wish to take advantage of Act 66 must complete, sign, and submit the Act 66 of 2021 Student Grade Level Retainment Notification Form to the student's district and/or school on or before July 15, 2021.**

Please note, students 18 or older who plan to repeat a grade level during the 2021-22 school year must complete and submit their own form. For a student with a disability who turned 21 during the time periods listed above, both the parent/guardian and the student must complete the form. Forms are to be submitted to the district and/or school in which the student will attend in the 2021-22 school year - they may not be submitted to PDE.

**[Guidance and answers to FAQs on Act 66 of 2021 is now available on PDE's website.](#) Please note, the form will be made available on PDE's website beginning Tuesday, July 6, 2021 - the form is attached**

Please send any questions/concerns to the following RA accounts:

- General Questions on Act 66 – [ra-edcontinuityofed@pa.gov](mailto:ra-edcontinuityofed@pa.gov)
- Special Education Specific Questions - [ra-pdespecial@pa.gov](mailto:ra-pdespecial@pa.gov)

Sincerely,  
Sherri

**Sherri Smith, Ed.D.** | Acting Deputy Secretary  
Pennsylvania Department of Education | Office of Elementary and Secondary Education  
333 Market Street | Harrisburg, PA 17126

# Act 66 of 2021 Student Grade Level Retainment Notification Form for the 2021-22 School Year

On June 30, 2021, Governor Tom Wolf signed Act 66 of 2021 into law.

This Act permits the following for the 2021-22 school year:

- A student who was enrolled during the 2020-21 school year may repeat their 2020-21 school year grade level in an effort to make up for any lost educational opportunities due to the COVID-19 pandemic, even if the student met the requirements to be promoted to the next grade; and
- A student with a disability who was enrolled during the 2020-21 school year and turned age 21 (either during the 2020-21 school year or between the end of the 2020-21 and the beginning of the 2021-22 school year) may attend a school entity during the 2021-22 school year and receive services as outlined in their most recent Individualized Education Program (IEP) with all the protections under the Individuals with Disabilities Education Act (IDEA).

To qualify to repeat a grade level, a student had to be enrolled in one of the following school entities in Pennsylvania during the 2020-21 school year: a school district, intermediate unit, career and technical education center, charter school, cyber charter school, regional charter school, or nonpublic school.

Parents/guardians interested in re-enrolling their child under the above options for the 2021-22 school year must **submit this Act 66 of 2021 Student Grade Level Retainment Notification Form to the district and/or school that the student will attend in the 2021-22 school year on or before July 15, 2021.** Do not submit the form to the Department of Education (PDE).

---

## Instructions:

- Complete the Act 66 of 2021 Student Grade Level Retainment Notification Form for the 2021-22 school year.
- Contact the district/school that the student will attend during the 2021-22 school year for an email address to submit the form.
- **Submit the completed form to the child's district and/or school on or before July 15, 2021.**
  - If a student under the age of 18 plans to repeat a grade, a parent or guardian must submit the form to the district/school.
  - If a student 18 years of age or older plans to repeat a grade, the student must submit the form on their own behalf.
  - Both the parent/guardian and the student must complete this form if a student with a disability was enrolled during the 2020-21 school year, turned 21 during the time periods listed above, and intends to return to school for the 2021-22 school year.

**Date:**

**Name of Student - First:**

**Middle:**

**Last:**

**Student Date of Birth:**

**Student School ID Number (if known):**

**Student Address:**

**Name of Parent/Guardian:**

**Parent/Guardian Address:**

**Parent/Guardian Phone Number:**

**Name of School Entity (e.g., district, charter school, intermediate unit, career and technical education center, nonpublic school entities, Approved Private Schools, and Chartered School for the Deaf and Blind) the student attended during the 2020-21 school year:**

**Name of School Building the student attended during the 2020-21 school year:**

**Grade Level in the 2020-21 school year:**

**Name of Student's Homeroom or Primary Teacher in the 2020-21 school year:**

I confirm the above-named student meets the following criteria and is eligible to enroll under Act 66 of 2020:  
(check one)

- Is a student under 18 years of age; or
- Is a student 18 years of age or older; or
- Is a student with a disability as defined in 22 Pa. Code § 14.101 (relating to definitions) who has reached 21 years of age during the 2020-21 school year or between the end of the 2020-21 school year and the beginning of the 2021-22 school year and was enrolled for the 2020-21 school year

**Signature of Parent/Guardian:**

**Printed Parent/Guardian Name:**

**Signature of Student (if 18 years of age or older):**

**Printed Name of Student:**

**The Act 66 of 2021 Student Grade Level Retainment Notification Form must be submitted to the student's district and/or school on or before July 15, 2021. Do not submit this form to the Pennsylvania Department of Education.**