
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **449** Session of
1961

INTRODUCED BY MESSRS. FLEMING AND SARRAF,
APRIL 4, 1961.

REFERRED TO COMMITTEE ON EDUCATION, APRIL 4, 1961.

AN ACT

Amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" providing for summer schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill. Underscoring indicates new matter added to existing law. [Brackets] indicate matter stricken from existing law.

1 Section 1 Section 502 act of March 10 1949 (P L 30) known as
2 the "Public School Code of 1949" amended May 9 1949 (P L 939)
3 is amended to read

4 Section 502 Additional Schools and Departments In addition to
5 the elementary public schools the board of school directors in any
6 school district may establish equip furnish and maintain the following
7 additional schools or departments for the education and recreation of
8 persons residing in said district and for the proper operation of its
9 schools namely

- 10 High schools
- 11 Trade schools
- 12 Vocational schools
- 13 Technical schools
- 14 Cafeterias
- 15 Agricultural schools
- 16 Evening schools
- 17 Kindergartens
- 18 Libraries
- 19 Museums
- 20 Reading-rooms

- 1 Gymnasiums
- 2 Playgrounds
- 3 Schools for physically and mentally handicapped
- 4 Truant schools
- 5 Parental schools
- 6 Schools for adults
- 7 Public lectures
- 8 Such other schools or educational departments as the directors in
- 9 their wisdom may see proper to establish

10 Said additional schools or departments when established shall be
11 an integral part of the public school system in such schools district
12 and shall be so administered

13 The board of public education in districts of the first class and
14 first class A with the approval of the Department of Public Instruc-
15 tion the board of school directors of second and third class districts
16 and of jointures having more than five thousand (5000) population
17 with the approval of the county board and the Department of Public
18 Instruction and county boards of school directors on authorization
19 of the school directors of districts of second third or fourth class to

1 be served and with the approval of the Department of Public Instruc-
2 tion shall organize and operate summer high schools All summer high
3 schools must conform to standards hereinafter defined and to such
4 additional requirements as the Department of Public Instruction may
5 establish

6 No pupil shall be refused admission to the courses in these addi-
7 tional schools or departments by reason of the fact that his elementary
8 or academic education is being or has been received in a school other
9 than a public school

10 Section 2 Section 925 of the act is amended by adding at the end
11 thereof a new subsection to read

12 Section 925 Powers and Duties * * *

13 (e) The county board of school directors in respect to second
14 third and fourth class school districts within the county shall have
15 power and its duty shall be

16 (1) To prepare countywide plans for the establishment and opera-
17 tion of summer junior high schools summer senior high schools summer
18 junior-senior high schools and summer area technical schools hereafter
19 designated summer high schools

1 (2) To provide maintain administer supervise and operate summer
2 junior senior and junior-senior high schools and area technical sum-
3 mer schools including trade extension programs following authoriza-
4 tion of a convention of school directors from districts desiring summer
5 school programs by a majority vote of school directors present and
6 voting or on request of the Department of Public Instruction

7 (3) To estimate and file with the Department of Public Instruc-
8 tion the cost of summer schools on or before April 1 of the calendar
9 year in which a summer high school is to be operated

10 (4) To employ temporary professional and professional employes
11 supervisors and teachers and to employ all other persons necessary
12 to operate summer high schools and to determine the salaries to be
13 paid All employes so employed shall have the same rights of member-
14 ship in the Public School Employes' Retirement Association as employes
15 of school districts

16 Section 3 Section 1601 of the act is amended by adding at the end
17 thereof two new subsections to read

18 Section 1601 Types of High Schools Regulations * * *

19 (g) Any school giving work for seventh eighth and ninth years
20 tenth eleventh and twelfth years or seventh eighth ninth tenth eleventh

1 and twelfth years operated by districts of the first class and first class
2 A district of the second and third class jointures having more than five
3 thousand (5000) population approved by county boards and county
4 boards during the summer months in addition to the regular school
5 term conforming to standards hereinafter defined and to any further
6 requirements established by the Department of Public Instruction shall
7 be designated a junior a senior or a junior-senior summer school

8 (h) Any area technical school or vocational school operated during
9 the summer and approved by the Department of Public Instruction
10 shall be designated an area technical or vocational summer high school

11 Section 4 The act is amended by adding after section 1602 a new
12 section to read

13 Section 1602.1 Standards for Summer High Schools Summer
14 junior senior and junior-senior high school programs may be provided
15 for (1) pupils who have mental emotional and social maturity to ac-
16 celerate (2) pupils who desire to take courses in addition to those which
17 may be taken during the regular school term and (3) pupils who have
18 failed during the previous year or who may otherwise desire to repeat
19 a course Summer area technical and vocational programs may be pro-

1 vided for (1) pupils enrolled in area technical schools (2) pupils desiring
2 to begin or continue trade and industrial programs and (3) persons
3 desiring to enroll in trade extension courses

4 Summer schools shall be in operation for at least six (6) weeks
5 No summer school having an enrollment less than five hundred (500)
6 pupils shall be approved in any metropolitan area of the Common-
7 wealth The State Council of Education may approve county board
8 operated summer high schools outside of metropolitan areas having
9 less than five hundred (500) pupils enrolled but in no case less than
10 two hundred fifty (250) pupils on presentation of evidence of sparsity
11 of population distance to be traveled to reach a summer high school
12 and such other circumstances as might be pertinent Junior-senior sum-
13 mer high schools may not be approved in any area of the Common-
14 wealth in which the combined action of two (2) or more school systems
15 or districts directly or through the county board permits the establish-
16 ment of separate junior and senior summer high schools

17 Summer high schools shall require at least sixty (60) hours of
18 class attendance for each one-half Carnegie unit of credit for non-
19 laboratory subjects eighty-four (84) hours for each one-half Carnegie
20 unit for laboratory subjects and one hundred twenty (120) hours for

1 each one-half Carnegie unit for trade and industrial subjects

2 Pupils attending summer high school classes shall be grouped
3 according to general ability achievement interest and purpose for
4 attending

5 Section 5 Sections 1603 1609 and 1610 of the act are amended
6 to read

7 Section 1603 Admission of Pupils In all school districts there
8 shall be admitted to the public high schools therein all children under
9 the age of twenty-one years residing within the school districts who
10 shall be found qualified for admission thereto after having undergone
11 such an examination as shall be prescribed by the board of school direc-
12 tors subject to such rules and regulations as the Superintendent of
13 Public Instruction shall prescribe together with such additional pupils
14 from other districts as are herein provided for

15 All school districts jointures having more than five thousand (5000)
16 population or two (2) or more districts or jointures operating summer
17 high schools shall admit to the summer high schools and summer voca-
18 tional schools any resident pupil under twenty-one (21) years of age
19 meeting standards hereinbefore defined and any nonresident child re-

1 siding in any district not providing such summer high school programs
2 directly or indirectly through the county board
3 County boards shall admit to any county board operated summer
4 high schools any child under twenty-one (21) years of age residing in
5 any second third or fourth class school district within the county or
6 from adjoining counties in which summer high schools are not available
7 any nonresident child denied admission to a summer high school operated
8 by a school district school districts jointly or a county board may appeal
9 to the Department of Public Instruction The Department of Public
10 Instruction may after review of the facts require the admission of
11 the child

12 Section 1609 Attendance in Other District when Free Transporta-
13 tion Not Furnished If any child has completed the elementary course
14 of study in the public schools of the district in which he resides and
15 resides three miles or more by public road from the nearest high school
16 in the district unless proper free transportation is furnished he may
17 attend any more convenient high school in another district without the
18 consent of the board of school directors of the district in which he
19 resides and the district in which he resides shall be liable to the district

1 whose high school he attends for the tuition charge provided for in
2 this act

3 Any child residing in a district which does not operate a summer
4 high school directly or indirectly through the county board offering
5 the subjects for which he is qualified may without the consent of the
6 board of school directors of the district in which he resides attend the
7 nearest approved summer high school offering the subjects for which
8 he is qualified The district in which such pupils reside shall pay to the
9 district or districts jointly operating a summer high school for a pro-
10 portionate share of the cost of such summer high school as approved
11 by the Department of Public Instruction

12 Section 16i0 Fitness of Pupils All pupils desiring to attend any
13 high school outside the district in which they reside shall first satisfy
14 the superintendent having supervision of the district in which they
15 reside as well as the superintendent or principal of said high school of
16 their fitness to enter the same

17 The high school principal in any high school at the request of any
18 pupil desiring to attend a summer high school shall forward to the
19 principal of a summer high school such information as may be necessary
20 to determine (1) whether the pupil qualifies for admission and (2)

1 whether the child is requesting the proper grade and subject Any child
2 attending a private or parochial high school and desiring to enroll in a
3 summer high school shall present report cards from previous years a
4 transcript of credits or other information provided by the principal of
5 a private or parochial school Lacking satisfactory evidence or informa-
6 tion the principal of a summer high school shall require such student to
7 take an examination to aid in determining his eligibility for admission
8 and his grade and subject placement No school district may refuse to
9 accept for graduation or promotion or advancement requirements credits
10 earned in an approved summer high school

11 Section 6 Section 2502 of the act is amended by adding at the
12 end thereof a new subsection to read

13 Section 2502 Payments on Account of Instruction * * *

14 (d) Every school district and every vocational school district shall
15 be reimbursed by the Commonwealth on account of instruction of resi-
16 dent pupils in approved summer high schools junior senior junior-senior
17 area technical and vocational Reimbursement shall be computed by using
18 maximum subsidy and basic account reimbursement fraction for the
19 fiscal year beginning the first Monday in July of the summer during
20 which the summer school operates The average daily membership of

1 each child attending an approved summer high school shall be determined
2 by a fraction the numerator of which is the number of scheduled hours
3 of membership and the denominator is one thousand eighty (1080)

4 Section 7 The act is amended by adding after section 2508.3 a
5 new section to read

6 Section 2508.4 Payments on Account of Summer High Schools
7 Every county board shall be paid during the month of May of each
8 calendar year in which the board is authorized to operate one (1) or
9 more summer junior high school summer senior high school summer
10 junior-senior high school and summer area technical school the amount
11 of estimated cost for the operation thereof including approved trade
12 extension courses Deductions equal to the above payment to county
13 boards shall be made from reimbursements due the resident districts of
14 children attending summer high schools These deductions shall be made
15 as follows (1) Determine the cost per pupil in average daily member-
16 ship One average daily membership is one thousand eighty (1080) hours
17 (2) Multiply cost per average daily membership by a fraction the numer-
18 ator of which is the total number of scheduled hours membership for
19 children from each district and the denominator of which is one thou-
20 sand eighty (1080)

1 Section 8 Sections 2562 and 2564 of the act amended May 29 1951

2 (P L 438) are amended to read

3 Section 2562 Payments by Districts for Pupils Attending in Other

4 Districts For each elementary or high school pupil attending a public

5 school of another district the receiving district shall bill the sending

6 district and the sending district shall pay the amount of the tuition

7 charge per elementary pupil or the tuition charge per high school pupil

8 as the case may be In the case of pupils attending the receiving district's

9 public schools for less than a full school term the tuition charge per

10 elementary or high school pupil shall be prorated by reference to the

11 period of time over which such pupils actually attended the receiving

12 district's schools

13 For each vocational or other extension education pupil attending

14 an extension class of another district the receiving district shall bill the

15 sending district if the attendance is previously approved by the sending

16 district and the sending district shall pay the vocational or other ex-

17 tension tuition charge per pupil hour of instruction for each hour of

18 attendance of each such pupil

19 Nothing herein shall prohibit the payment of a tuition for voca-

1 tional or other extension pupils by a non-resident adult pupil sponsoring
2 agency or employer

3 For each high school pupil attending a summer high school or sum-
4 mer vocational school in another district or joint school system the re-
5 ceiving district or joint school system shall bill the sending district and
6 the sending district shall pay the amount of the tuition charge for sum-
7 mer high school or summer vocational pupils In the case of pupils at-
8 tending the receiving district's summer high schools or summer voca-
9 tional schools for less than a full school term or for less than the total
10 scheduled time permissible the tuition charge per summer high school
11 or vocational high school pupil shall be prorated by reference to the
12 period of time over which such pupils actually attended the receiving
13 district's summer high school or vocational school

14 Section 2564 Deductions from State Appropriations If any school
15 district wherein a pupil resides who is entitled by law to attend an
16 elementary school or a high school or an extension class for which
17 extension class tuition has been approved by the sending district in
18 another district neglects or refuses to pay any such tuition charge or
19 sewer charge or sewer rental the Superintendent of Public Instruction
20 is authorized to deduct from any moneys due any such district out of

- 1 any State appropriation the amount due from such district to the district
2 where the pupil attends and pay over said sum to the district entitled
3 thereto
- 4 If any school district not providing summer high schools or summer
5 vocational high schools wherein a pupil resides who is entitled by law
6 and who desires to attend a summer high school or summer vocational
7 high school neglects or refuses to pay the tuition charge the Superiu-
8 tendent of Public Instruction is authorized to deduct from any moneys
9 due any such district out of any State appropriations the amount due
10 from such district to the district or joint school system wherein the
11 pupil attends summer high school or summer vocational high school
12 and pay over said sum to the district or joint school system entitled
13 thereto

We certify that this bill has passed the Senate and the House of Representatives.

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Chief Clerk, Senate

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President pro tempore, Senate

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Speaker, House of Representatives

Approved The day of A. D. 1961.

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Governor