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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# SENATE BILL

No.

**197**

Session of

1961

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MESSRS. SEYLER, WEINER, STROUP AND BERGER,  
IN PLACE, FEBRUARY 13, 1961.

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AS AMENDED ON SECOND READING, MAY 2, 1961.

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## 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 special and summer classes for children of migrant laborers requiring the filing of certain reports and making an appropriation

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 Subsection (b) of section 925 act of March 10 1949 (P I.  
2 30) known as the "Public School Code of 1949" is amended by adding  
3 at the end thereof a new clause to read

4 Section 925 Powers and Duties \* \* \*

5 (b) The county board of school directors in respect to second third  
6 and fourth class school districts within the county or adjoining counties  
7 shall have power and its duty shall be

8 \* \* \*

9 (11) To estimate and file with the Department of Public Instruction  
10 the cost of transportation classes and schools for children of migrant  
11 laborers on or before the first day of May 1961 and the first day of  
12 February of each year thereafter

13 Section 2 Section 1327 of the act amended April 22 1959 (P I.  
14 50) is amended to read

15 Section 1327 Compulsory School Attendance Every child of com-  
16 pulsory school age having a legal residence in this Commonwealth as  
17 provided in this article and every migratory child of compulsory school  
18 age is required to attend a day school in which the subjects and activi-  
19 ties prescribed by the State Council of Education are taught in the  
20 English language In lieu of such school attendance any child fifteen

1 years of age with the approval of the chief public school administrator  
2 of the administrative unit where the child resides if such is employed  
3 otherwise the county superintendent of schools and the approval of the  
4 Superintendent of Public Instruction and any child sixteen years of  
5 age with the approval of the chief public school administrator of the  
6 administrative unit where the child resides if such is employed other-  
7 wise the county superintendent of schools may enroll as a day student  
8 in a private trade school or in a private business school licensed by  
9 the Department of Public Instruction or in a trade or business school  
10 or department operated by a local school district or districts or by the  
11 county board of school directors Such modified program offered in a  
12 public school must meet the standards prescribed by the State Council  
13 of Education or the State Board of Vocational Education Every parent  
14 guardian or other person having control or charge of any child or chil-  
15 dren of compulsory school age is required to send such child or children  
16 to a day school in which the subjects and activities prescribed by the  
17 State Council of Education are taught in the English language Such  
18 parent guardian or other person having control or charge of any child  
19 or children fifteen or sixteen years of age in accordance with the pro-  
20 visions of this act may send such child or children to a private trade

1 school or private business school licensed by the State Department of  
2 Public Instruction or to a trade or business school or department oper-  
3 ated by a local school district or districts or by the county board of  
4 school directors Such modified program offered in a public school must  
5 meet the standards prescribed by the State Council of Education or  
6 the State Board of Vocational Education Such child or children shall  
7 attend such school continuously through the entire term during which  
8 the public schools in their respective districts shall be in session or in  
9 cases of [migratory] children of migrant laborers during the time the  
10 schools are in session in the districts in which such children are tem-  
11 porarily domiciled The financial responsibility for the education of such  
12 [migratory] children of migrant laborers shall remain with the school  
13 district in which such [migratory] children of migrant laborers are  
14 temporarily domiciled except in the case of special schools or classes  
15 conducted by the county board of school directors and approved by the  
16 Department of Public Instruction or conducted by the Department of  
17 Public Instruction The certificate of any principal or teacher of a  
18 private school or of any institution for the education of children in  
19 which the subjects and activities prescribed by the State Council of

1 Education are taught in the English language setting forth that  
2 the work of said school is in compliance with the provisions of this  
3 act shall be sufficient and satisfactory evidence thereof Regular daily  
4 instruction in the English language for the time herein required by a  
5 properly qualified private tutor shall be considered as complying with  
6 the provisions of this section if such instruction is satisfactory to the  
7 proper county or district superintendent of schools

8 Section 3 The act is amended by adding after section 2509.1 a new  
9 section to read

10 Section 2509.2 Payment on Account of Transportation Classes and  
11 Schools for Children of Migrant Laborers Annually before the first  
12 day of May 1961 and the first day of February of each year thereafter  
13 every county board of school directors planning to conduct summer  
14 classes or schools for children of migrant laborers and the extension  
15 of established summer classes beyond the opening of the fall term such  
16 extensions being for not more than forty school days shall submit for  
17 prior review and approval by the Department of Public Instruction an  
18 estimate of the cost of summer classes or schools for children of migrant  
19 laborers to be operated by the county board during the ensuing school  
20 year and for transportation IN CONFORMITY WITH EXISTING

1 LAW of pupils to and from summer classes and schools for children  
2 of migrant laborers whether conducted by the county board or con-  
3 ducted by an institution or school district employed by the county  
4 board for such purpose provided that where in the judgment of the  
5 State Superintendent of Public Instruction the provisions of this act  
6 relating to the proper education of children of migrant laborers have  
7 not been complied with ~~or the needs of children of migrant laborers~~  
8 are not being adequately served the Department of Public Instruction  
9 may provide or arrange to have provided transportation classes or  
10 schools for the proper education of children of migrant laborers as  
11 directed by the act

12 On or before the first day of July the Commonwealth shall pay to  
13 the county board of school directors a sum equal to the approved esti-  
14 mated annual cost of operation of the planned summer classes or schools  
15 and transportation for children of migrant laborers. At the end of each  
16 school year all unexpended funds shall be credited to Commonwealth  
17 payments due for the succeeding school year on account of the operation  
18 of such classes or upon direction of the Superintendent of Public In-  
19 struction shall be returned to the Commonwealth

1 Section 4 The sum of fifteen thousand dollars (\$15,000) or as much  
 2 thereof as may be necessary is hereby specifically appropriated to the  
 3 Department of Public Instruction to pay expenses necessary for trans-  
 4 portation classes and schools to carry out the provisions of this act

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