

the same manner, and subject to the same discounts and penalties, as the county tax.

Any per capita taxes levied upon and collected from any person shall not in any one year exceed a total of three dollars (\$3) for county and institution district purposes.

APPROVED—The 25th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 361

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:

Section 1. Subsection (b) of section 925, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," is amended by adding, at the end thereof, a new clause to read:

Section 925. Powers and Duties.—

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

* * * * *

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

Section 2. Section 1327 of the act, amended April 22, 1959 (P. L. 50), is amended to read:

Section 1327. Compulsory School Attendance.—Every child of compulsory school age having a legal residence in this Commonwealth, as provided in this article, and every migratory child of compulsory school age, is required to attend a day school in which the subjects and activities prescribed by the State Council of Education are taught in the English language. In lieu of such school attendance, any child fifteen years of age with the approval of the

Public School
Code of 1949.

Subsection (b),
section 925,
act of March 10,
1949, P. L. 30,
added March 29,
1956, P.L. 1356,
and amended
August 11, 1959,
P.L. 671, further
amended by
adding a new
clause (11).

Section 1327 of
the act, amended
April 22, 1959,
P.L. 50, further
amended.

chief public school administrator of the administrative unit where the child resides, if such is employed, otherwise the county superintendent of schools and the approval of the Superintendent of Public Instruction, and any child sixteen years of age with the approval of the chief public school administrator of the administrative unit where the child resides, if such is employed, otherwise the county superintendent of schools, may enroll as a day student in a private trade school or in a private business school licensed by the Department of Public Instruction, or in a trade or business school, or department operated by a local school district or districts or by the county board of school directors. Such modified program offered in a public school must meet the standards prescribed by the State Council of Education or the State Board of Vocational Education. Every parent, guardian, or other person having control or charge of any child or children of compulsory school age is required to send such child or children to a day school in which the subjects and activities prescribed by the State Council of Education are taught in the English language. Such parent, guardian, or other person having control or charge of any child or children, fifteen or sixteen years of age, in accordance with the provisions of this act, may send such child or children to a private trade school or private business school licensed by the State Department of Public Instruction, or to a trade or business school, or department operated by a local school district or districts or by the county board of school directors. Such modified program offered in a public school must meet the standards prescribed by the State Council of Education or the State Board of Vocational Education. Such child or children shall attend such school continuously through the entire term, during which the public schools in their respective districts shall be in session, or in cases of [migratory] children of *migrant laborers* during the time the schools are in session in the districts in which such children are temporarily domiciled. The financial responsibility for the education of such [migratory] children of *migrant laborers* shall remain with the school district in which such [migratory] children of *migrant laborers* are temporarily domiciled, *except in the case of special schools or classes conducted by the county board of school directors and approved by the Department of Public Instruction or conducted by the Department of Public Instruction.* The certificate of any principal or teacher of a private school, or of any institution for the education of children, in which the subjects and activities prescribed by the State Council of Education are taught in the English language, setting forth that the work of said school is in compliance with the provisions of this act, shall be sufficient and satisfactory evidence thereof.

Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, shall be considered as complying with the provisions of this section, if such instruction is satisfactory to the proper county or district superintendent of schools.

Section 3. The act is amended by adding, after section 2509.1, a new section to read:

The act amended by adding a new section 2509.2.

Section 2509.2. Payment on Account of Transportation Classes and Schools for Children of Migrant Laborers.—Annually, before the first day of May, 1961, and the first day of February of each year thereafter, every county board of school directors planning to conduct summer classes or schools for children of migrant laborers, and the extension of established summer classes beyond the opening of the fall term, such extensions being for not more than forty school days, shall submit for prior review and approval by the Department of Public Instruction an estimate of the cost of summer classes or schools for children of migrant laborers to be operated by the county board during the ensuing school year and for transportation, in conformity with existing law, of pupils to and from summer classes and schools for children of migrant laborers whether conducted by the county board or conducted by an institution or school district employed by the county board for such purpose: Provided, That where in the judgment of the State Superintendent of Public Instruction the provisions of this act relating to the proper education of children of migrant laborers have not been complied with, the Department of Public Instruction may provide or arrange to have provided transportation, classes or schools for the proper education of children of migrant laborers as directed by the act.

On or before the first day of July, the Commonwealth shall pay to the county board of school directors a sum equal to the approved estimated annual cost of operation of the planned summer classes or schools and transportation for children of migrant laborers. At the end of each school year, all unexpended funds shall be credited to Commonwealth payments due for the succeeding school year on account of the operation of such classes, or upon direction of the Superintendent of Public Instruction shall be returned to the Commonwealth.

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

Appropriation.

APPROVED—The 25th day of July, A. D. 1961.

DAVID L. LAWRENCE