

ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Secretary of Labor and Industry, the representative of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing for the issuance of special permits for minors engaging in the entertainment and related fields; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," transferring duties from State Board of Education to Superintendent of Public Instruction.

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

Child Labor Law.

Section 1. Section 20, act of May 13, 1915 (P. L. 286), known as the "Child Labor Law," is amended to read:

Section 20, act of May 13, 1915. P. L. 286, amended.

Section 20. Whenever the State Superintendent of Public Instruction cannot secure effective enforcement of the foregoing provisions of this act, in any school district, he is hereby authorized and required to [report that fact to the State Board of Education. In such case the State Board of Education is authorized and required to] secure such enforcement by appointing attendance officers in such districts. The salary and expenses of such attendance officers shall be a charge against said district where said attendance officers are actually employed, and shall be deducted from any State moneys apportioned to said district for school purposes.

Enforcement of act.

Attendance officers. Salary and expenses.

Section 2. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 13th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 367

AN ACT

Amending the act of May 29, 1931 (P. L. 210), entitled "An act to regulate the certification and the registration of persons qualified to teach in accredited elementary and secondary schools in this State; imposing certain duties upon the Department of Public Instruction and the State Council of Education; defining violations; providing penalties, and for appeal to the court of common pleas of Dauphin County," transferring

duties from State Council of Education to State Board of Education and Department of Public Instruction.

School teachers.

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

Title, section 1 and clauses (b), (c) and (e), section 2, act of May 29, 1931, P. L. 210, amended.

Section 1. The title, section 1 and clauses (b), (c) and (e) of section 2, act of May 29, 1931 (P. L. 210), entitled "An act to regulate the certification and the registration of persons qualified to teach in accredited elementary and secondary schools in this State; imposing certain duties upon the Department of Public Instruction and the State Council of Education; defining violations; providing penalties, and for appeal to the court of common pleas of Dauphin County," are amended to read:

AN ACT

New title.

To regulate the certification and the registration of persons qualified to teach in accredited elementary and secondary schools in this State; imposing certain duties upon the Department of Public Instruction and the State [Council] Board of Education; defining violations; providing penalties, and for appeal to the court of common pleas of Dauphin County.

Elementary and secondary schools.

Registration of teachers.

Section 1. Be it enacted, &c., That the Department of Public Instruction shall provide for the registration of persons qualified to teach in elementary and secondary schools of this Commonwealth which are accredited by the Department of Public Instruction as conforming to the official standards promulgated by the State [Council] Board of Education.

Powers and duties of Department of Public Instruction.

Section 2. The Department of Public Instruction shall have the power, and its duty shall be—

\* \* \* \* \*

(b) To certify as qualified to practice the art of teaching in such schools any applicant eighteen (18) years of age, of good moral character, not addicted to the use of intoxicating liquor or narcotic drugs, and who has graduated from a college, university or institution of learning approved as herein provided, and who has completed such professional preparation for teaching as may be prescribed by the State [Council] Board of Education, and to register such person upon such proof as the State [Council] Board of Education may require that such applicant possess such qualifications;

(c) To make permanent such certificate and/or registration upon evidence of such teaching experience and such additional preparation as the State [Council] Board of Education may by rule require in such schools;

\* \* \* \* \*

(e) To accept and endorse or approve for registration certificates to teach, or certificates of registration to teach, issued by other states, countries, and bodies, upon the payment of such fee for registration in this Commonwealth as may be fixed [by the State Council of Education]: Provided, That the standards of such other state or country as adopted by such body are approved by the State [Council] Board of Education as equal to the standards of this Commonwealth.

\* \* \* \* \*

Section 2. Section 2 of the act is amended by adding, after clause (f), four new clauses to read:

Section 2 of act amended by adding four new clauses (g), (h), (i) and (j).

Section 2. The Department of Public Instruction shall have the power, and its duty shall be—

\* \* \* \* \*

(g) *To investigate and to determine the acceptability of colleges, universities and institutions of learning of this Commonwealth, and of other states and countries, issuing credentials, diplomas or degrees to persons who may desire to be registered to teach in such schools of this Commonwealth. To approve such colleges, universities and institutions of learning as are deemed by it to be acceptable, to revoke its approval of such as shall fail to maintain the required standards, and to compile and publish, annually, a registry of such approved colleges, universities and institutions of learning;*

(h) *To prescribe the professional title or other designation which a registrant may use in connection with his or her name in the practice of the art of teaching, to regulate the use thereof and prohibit its use by non-registrants and to prosecute persons who illegally use such title or designation;*

(i) *To investigate any violation of this act or application for reinstatement of certificate or registration and to conduct hearings and to discipline or prosecute such violations; and*

(j) *To suspend and revoke the certificate and/or registration of any person found guilty upon hearings of immorality, incompetency, intemperance, habitual use of drugs or narcotics, cruelty, negligence or for violation of any provision of this act, and to suspend the certificate and/or registration of any person indicted for a crime or misdemeanor involving moral turpitude or as a drug addict whenever a certified copy of such indictment shall have been filed with the Department of Public Instruction and to revoke the same upon conviction thereof whenever a certified copy of the verdict or judgment or sentence of the court shall have been filed with the Department of Public Instruction, and to reinstate such certificate and/or registration in any case*

*where, after hearing, the Department of Public Instruction shall deem the same just and proper.*

Clauses (c), (d)  
(e) and (f),  
section 3 of act,  
repealed.

Section 3. Clauses (c), (d), (e) and (f) of section 3 of the act are repealed.

Clause (g),  
section 3 of act,  
amended.

Section 4. Clause (g) of section 3 of the act is amended to read:

Section 3. The State [Council] *Board* of Education shall have the power, and its duty shall be—

\* \* \* \* \*

(g) To submit [biennially] *annually* to the Department of Public Instruction an estimate of the financial requirements of the [council] *board* for administrative expenses.

Section 4 of act  
amended.

Section 5. Section 4 of the act is amended to read:

Section 4. Before any certificate to teach and/or registration of a certificate under this act is suspended or revoked by the [council] *department*, except as otherwise herein provided, the holder thereof shall be furnished with a written copy of the complaint made against him or her and have an opportunity to be heard personally and by counsel [before the council or its committee or examiner appointed by it for that purpose]. At least ten (10) days' written notice of the time and place of such hearing shall be given such registrant, by registered mail addressed to his or her post office address as shown on the registration docket or other record [or information in possession of the council]. Any person aggrieved by the action of the [council] *department* in suspending or revoking any certificate and/or any registration may appeal from such order of the [council] *department* to the court of common pleas of Dauphin County. Appeals from order suspending or revoking a certificate and/or registration shall be taken within thirty (30) days after entry of such order, of which action immediate notice shall be given the registrant [by the council] by registered mail. Such appeal shall not act as a supersedeas. The court shall fix a time and place at which the appeal shall be heard by the court. At the hearing of the appeal, the court shall, upon the record certified to it [by the council], determine whether or not the order appealed from is reasonable and in conformity with law. The order shall be prima facie evidence of the reasonableness thereof and the burden of proving the contrary shall be on the appellant. The court may sustain or dismiss the appeal and its action shall be final.

Sections 5 and 7  
of act, amended.

Section 6. Sections 5 and 7 of the act are amended to read:

Section 5. The records of the State [Council] *Board* of Education and of the Department of Public Instruction, authorized and maintained under this act, shall be public and open to inspection during business hours. Copies thereof, duly certified by [the Secretary of the Council and] the Superintendent of Public Instruction, shall be received in evidence in all courts and elsewhere.

Section 7. Any person now holding a provisional professional, a permanent State certificate, a State normal school certificate, a State normal school diploma, a provisional college certificate, a permanent college certificate, a temporary or permanent certificate for teachers of kindergartens, drawing, vocal music, mechanical drawing, physical training, and other special branches, issued by the Superintendent of Public Instruction of this Commonwealth, a special temporary certificate, a special permanent certificate, a standard temporary certificate, a standard permanent certificate, issued by the Department of Public Instruction as provided by law [or the rules and regulations of the State Council of Education], shall hereafter continue to possess the same rights and privileges with respect to the practice of the art of teaching as heretofore, and may register such certificate under the provisions of this act within two years from the date of the approval of this act, subject, however, to the right of the [council] *department* to suspend or revoke such registration for causes set forth in this act, and subject to the right of said [council] *department* to require such person to register limited certificates annually [with the council] as in this act provided.

Section 7. This act shall take effect immediately.

Act effective immediately.

APPROVED—The 13th day of August, A. D. 1963.

WILLIAM W. SCRANTON

No. 368

AN ACT

Amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," changing reference from State Council of Education to State Board of Education.

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

Section 1. Clause (6) of section 102, act of June 1, 1959 (P. L. 350), known as the "Public School Employes' Retirement Code of 1959," is amended to read:

Public School Employes' Retirement Code of 1959.

Clause (6), section 102, act of June 1, 1959, P. L. 350, amended.