

No. 130
AN ACT

To amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" providing for the continuance in office of officers in certain districts; authorizing the establishment and operation of cafeterias, kindergartens and school safety patrols, the payment of the expenses for attending educational meetings, and transporting children, special tax levies, the increasing of indebtedness, and the salaries and increments of certain teachers; regulating the procedure in purchases of school supplies and equipment; empowering the Superintendent of Public Instruction to investigate and audit school district records, and to control and organize schools in State and State-aid institutions; including associate superintendents among the officers of districts, and raising the educational requirements of such officers; further regulating State-aid to districts, and college certificates of teachers; annulling the right of certain districts to reduce the period of compulsory attendance; clarifying the provisions with respect to the employment of children of school age, and school district elections; providing for the attendance of migratory and nonresident children, the payment by the Commonwealth of certain high school tuition, teacher training in fourth class districts, the election of a secretary to the Board of Presidents of State Teachers' Colleges, and a corporate treasurer for school districts; altering the requirements for tuition free students to State Teachers' Colleges; requiring the auditors of certain districts to mail a copy of such audit to the Superintendent of Public Instruction, extending the time of appeal by the Commonwealth from such audits, and limiting the power of auditors to surcharge directors and officers; requiring bonds to protect labor and material men; providing a uniform system of the publication of notices and advertisements; and repealing certain sections of said act.

Section 1. Be it enacted, &c., That section one hundred and sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," which was last amended by section two of the act, approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, six hundred forty-two), is hereby further amended to read as follows:

Section 116. Whenever a new school district may be

Public School System.

Amendments.

Section 116, act of May 18, 1911 (P. L. 309), as last amended by act of April 24, 1929 (P. L. 642), further amended.

Creation of new districts.

created by the creation of a new city, borough, township, or independent school district, or an existing school district of the fourth class is affected by the annexation to a city or borough or township of territory included within a school district of the fourth class, or by the consolidation of two or more districts as a union district, the clerk of the courts, or other proper officer, shall, within ten days thereafter, make a certified copy of the petition therefor, agreement or ordinance, and the decree or order creating such new city, borough, township, or independent school district, or union school district, or of the decree of the court or vote of the electors effecting such annexation, and mail the same to the Superintendent of Public Instruction, Department of Public Instruction, Harrisburg, Pennsylvania. Upon receipt of said certified copy which shall be deemed an application for the creation of a new school district of the fourth class, or change in the boundaries of an existing school district of the fourth class, the Superintendent of Public Instruction shall, within sixty days thereafter, cause the State Council of Education to be convened, and said council shall thereupon determine and consider such application. If the newly created city, incorporated town, borough, or township, or independent school district, or union school district, or the part of a school district remaining after the separation, would, if the application is approved, constitute a school district of the fourth class, the State Council of Education shall determine whether such new school district, or independent school district, or union school district, or change in the boundaries of an existing school district of the fourth class, is necessary, and whether the welfare of the pupils within the territory affected thereby will be promoted by the creation of such district or change in the boundaries of such existing district. If the council shall approve such application, it shall certify its findings and its approval of such new district or change in such existing district thereon, and transmit a certified copy thereof to the clerk of the courts or other proper officer from whom the application was received, who shall file the same in such original proceedings. If, in the judgment of the council, the said application should not be granted, it shall endorse thereon "not approved," and transmit a certified copy thereof to the clerk of the courts, or other proper officer, from whom the application was received, who shall file the same in the original proceedings. [and thereafter such district, from whose territory the newly created city, borough, or township, or annexed territory was taken, and which is no longer coterminous with an existing city, borough, incorporated town, or township, or two or more of said municipal divisions, shall constitute an independent school district:] *In such event the*

Approval of
council required.

boundaries of the existing school districts shall remain unchanged: Provided, The State Council of Education may, for cause shown, upon subsequent application by ten taxables of a school district of the fourth class not coterminous with a city, borough, incorporated town, or township, vacate such refusal, and may approve the creation of such new district of the fourth class, or change in boundaries of an existing district of the fourth class, and thereupon the same proceedings shall be had as herein provided upon the original application. If such refusal is vacated, and the application is approved, the new city, borough, incorporated town, or township will thereupon become a new school district of the fourth class; or the school district of the fourth class remaining after such annexation shall constitute a separate school district as so changed.

Proviso.

Section 2. That section two hundred and five of said act, which was last amended by section one of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

Section 205,
as amended
by act of
April 11, 1929
(P. L. 497),
further amended.

Section 205. In each school district of the fourth class, there shall be five (5) school directors elected at large, at the municipal election held in November, one thousand nine hundred and eleven (1911), two for two years, two for four years, and one for six years; and thereafter they shall be elected as follows: At each of the first two municipal elections, two school directors shall be elected; at the third municipal election, one shall be elected; and thereafter two school directors shall be elected at each of the two succeeding municipal elections, and one at each third municipal election; all shall be elected at large, for terms of six (6) years. Their terms of office shall begin on the first Monday of December following their election: Provided, That whenever any school district is not coextensive with [the] a city, borough, or township, the county commissioners shall furnish the proper election officials with a certified list of the qualified electors of such school district, and with the necessary ballots to enable such electors to vote on matters pertaining solely to such school district: *Provided further, That when such school district lies in two or more municipalities, the judge, inspectors and clerks of each election district within such school district which lies in two or more municipalities shall make out a complete return of all the votes given at any election for officers in the school district, or for the submission of any question to the electors of such district, designating the number of votes cast for each person and for and against each question so submitted to the electors. Whereupon, the judge and inspectors shall appoint one of their number for return judge, to*

Directors in
districts of
fourth class.

Proviso.

School districts
within two
or more
municipalities.

Election officers.

Return judge.

Computation of vote.

Delivery of return.

Certificates of election.

Section 210,
as last amended
by act of
April 24, 1929
(P. L. 642),
further amended.

Directors in new districts.

Independent districts.

meet the other return judge or judges of the said school district, on the second day after any such election, at the oldest election place within the district, or at such place within the district as shall have been appointed by the court of common pleas. The judges shall then and there add together the number of votes cast for each person voted for and for and against any question submitted to the electors, and shall make out the returns as the nature of the election may require, complying in all respects with the provisions of existing election laws. After the performance of such duties, the return judges shall appoint one of their number, by consent or lot, to deliver, within two days thereafter, the full returns of the vote for officers to the prothonotary of the court of common pleas and of the vote on questions submitted to electors to the clerk of the court of quarter sessions of the proper county, in the manner now provided by law for making township or borough returns. Such judges shall ascertain and declare the result of such election, and shall issue certificates to persons elected to fill such offices within five (5) days after making such returns.

Section 3. That section two hundred and ten of said act, which was last amended by section three of the act, approved the twenty-fourth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, six hundred forty-two), is hereby further amended to read as follows:

Section 210. When a new school district may hereafter be formed by the creation of a new city, borough, or township, the court of common pleas having jurisdiction shall determine and enter in its decree the class of school districts to which such new district, if formed, shall belong, and if of the first, second, or third class, it shall thereupon become a new school district of such class and the court shall appoint a board of school directors for such new school district, which shall serve until the first Monday of December next following the first municipal election occurring more than thirty (30) days after the formation of such new school district. If the newly created city, borough, incorporated town, or township would constitute a school district of the fourth class, the court of common pleas having jurisdiction shall so certify, and, if and when the new school district is approved by the State Council of Education, appoint a board of school directors, which shall serve until the first Monday of December next following the first municipal election occurring more than thirty (30) days after the formation of such new school district. If a new school district in said newly created city, borough, incorporated town, or township, or change in boundaries in an existing district of the fourth class, is not approved by the State Council of Education [and

thereby the school district or districts affected by such proceedings no longer comprises the same territory, or ceases to be coterminous with a city, borough, incorporated town, or township, or two or more of said municipal divisions, the district or districts so affected shall thereupon become independent school districts, and the court shall enter its decree constituting the territory therein an independent school district, and the school directors therein shall thereafter be chosen in the same manner as school directors for other independent school districts.] *the boundaries of the existing school districts shall remain unchanged.*

Section 4. That section two hundred and twelve of said act, which was last amended by the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws, six hundred eighty), is hereby further amended to read as follows:

Section 212,
as last
amended by
act of
May 4, 1927
(P. L. 680),
further amended.

Section 212. When any school district in this Commonwealth hereafter, for any cause, becomes a school district of another class, as herein provided, a new board of school directors shall be appointed therein, if it becomes a district of the first class, in the same manner as school directors in districts of the first class are now appointed. If it becomes a district of any of the other classes, and the number of directors therein [are] is increased, the additional directors shall be appointed or elected as vacancies in the board of directors are now filled.. When the change reduces the number of directors in such district, the school directors then in office shall hold office during the respective terms for which they were elected; and as vacancies are about to happen by the expiration of the terms of any directors, a sufficient number of directors shall be elected at the municipal election preceding such vacancies to provide such district with the number of directors to which it is entitled under the class of districts to which it belongs.

Directors when
district enters
a new class.

When territory comprising a separate school district is annexed to a city or borough or township, the terms of office of all the school directors of such annexed territory shall expire at the beginning of the first school year after such annexation is effected, except the terms of the president and vice president, who shall hold office during the respective terms for which they were elected, or when two or more school districts are consolidated as a union school district, *or when two or more school districts are consolidated as a result of the consolidation of boroughs, as provided in the General Borough Act*, the school directors then in office in both or all of the districts shall hold office during the respective terms for which they were elected. No election for school director in the district shall be held unless, on the first Monday of January next following a municipal elec-

Directors in
annexed and
union districts.

Districts con-
solidated as
result of con-
solidation of
boroughs.

tion, there would be a less number of directors than is provided by law for the district of the same class.

Subsequent elections.

At each subsequent municipal election, only so many school directors shall be elected as will, on the first Monday of January then next following, bring the number of school directors to the proper number for the district.

Section 301, as last amended by act of May 20, 1929 (P. L. 1023), further amended.

Section 5. That section three hundred and one of said act, which was last amended by section six of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand twenty-three), is hereby further amended to read as follows:

Beginning of school year.

Section 301. In all school districts of the first class, the school year shall begin on the first day of January each year; and in all other school districts in this Commonwealth, the school year shall begin on the first Monday of July each year. In school districts of the first class, the school directors appointed as herein provided shall meet and organize annually on the second Monday of November; and in school districts of the second, third, and fourth class, the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year. When a new school district is created or when the offices of all the school directors of a district become vacant, the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment.

Organization of directors.

Consolidated districts.

When two or more school districts are consolidated, or because of the consolidation of boroughs, as provided by the General Borough Act, the school directors of such consolidated districts shall organize, on the first Monday of July following such consolidation, by electing a president and vice president, who shall hold their respective offices until the first Monday of December following their election; and by the election of a secretary for the consolidated district, who shall serve for the remainder of the term for which secretaries are elected; and by the election of a treasurer for the consolidated district, who shall hold office for the school year.

Officers, election and terms.

Section 302, as last amended by act of April 7, 1927, (P. L. 170), further amended.

Section 6. That section three hundred and three of said act, which was last amended by the act, approved the seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, one hundred seventy), is hereby further amended to read as follows:

Permanent organization.

Section 303. A permanent organization shall then be effected for the ensuing year, as follows:

First class districts.

In all school districts of the first class, the school directors shall elect a president and vice president from their members, and a secretary who is not a member. They shall elect the treasurer of the city constituting

such school district of the first class as the school treasurer for such school district for the ensuing fiscal year.

In each school district of the second, third, and fourth class, the school directors shall elect, on the first Monday of December, from their members, a president and vice president, each to serve for one year; and shall annually, during the month of May, elect a treasurer to serve for one year beginning the first Monday in July following such election; and shall, during the month of May, one thousand nine hundred and twenty-nine, and, every four years thereafter, elect a secretary, who is, and who shall remain during his term of office, a resident of the district, for a term of four years, beginning the first Monday of July following such election. *Said treasurer may be any corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth of Pennsylvania.* Vacancies in the office of secretary shall be filled for the unexpired term. In school districts of the second class, the secretary and treasurer shall not be members of the board. In districts of the third and fourth class, they may be members of the board. The same person shall not be secretary and treasurer of any board of school directors.

No superintendent, assistant superintendent, supervising principal, or teacher, shall serve, either temporarily or permanently, as an officer of the school board by which he is employed.

Section 7. That section three hundred and nineteen of said act is hereby amended to read as follows:

Section 319. He shall be the custodian of all the records, papers, office property, and official seal of the school district, and at the expiration of his term shall turn the same over to his successor.

The accounts, records of proceedings of the board of every school district of the third and fourth class, and of their officers, shall be open to the inspection of any taxpayer thereof, his, her, or its agent or representative, upon request therefor in writing to the board of school directors at a regular meeting.

Section 8. That section four hundred and one of said act, which was amended by the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand sixty-six), is hereby further amended to read as follows:

Section 401. The board of school directors in every school district in this Commonwealth shall establish, equip, furnish, and maintain a sufficient number of elementary public schools, in compliance with the provisions of this act, to educate every person, residing in such district between the ages of six and twenty-one years, who may attend; and may establish, equip, furnish, and maintain the following additional schools or departments for the education and recreation of per-

Second, third and fourth class districts.

Secretary to be resident of district.

Treasurer may be corporation with fiduciary powers.

Same person not to be secretary and treasurer.

Superintendent, principal or teacher not to be an officer.

Section 319 amended.

Secretary to be custodian of records.

Records to be open to inspection.

Section 401, as amended by act of May 24, 1921 (P. L. 1066), further amended.

School which shall or may be established.

sons residing in said district *and for the proper operation of its schools*, which said additional schools or departments, when established, shall be an integral part of the public school system in such school district, and shall be so administered, namely:

High schools.
 Manual training schools.
 Vocational schools.
 Domestic science schools.
Cafeterias.
 Agricultural schools.
 Evening schools.
 Kindergartens.
 Libraries.
 Museums.
 Reading-rooms.
 Gymnasiums.
 Playgrounds.
 Schools for blind, deaf, and mentally deficient.
 Truant schools.
 Parental schools.
 Schools for adults.

Public lectures,—together with such other schools or educational departments as they, in their wisdom, may see proper to establish:

Provided, That no pupil shall be refused admission to the courses in these additional schools or departments by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school.

Kindergartens. The board of school directors of each school district of the first, second, third, and fourth class may [upon the petition of the parents or guardians of at least twenty-five children between the ages of four and six years, residing within the district and within one mile of any elementary school building situate in such district, establish and maintain a kindergarten.] *establish and maintain kindergartens for children between the ages of four and six years. When established the kindergartens shall be an integral part of the elementary school system of the district.*

Number. The number of kindergartens in any one district shall be fixed by the board of school directors, and shall be open during the school year.

Discontinuance. If the average attendance in any one kindergarten in any district is ten or less for the school year, the school directors shall, at the close of the school year, discontinue the same.

Teachers. The board of school directors shall appoint and assign a sufficient number of teachers [or kindergartners] to such kindergartens, [who shall be graduates of a high school in good standing, and shall have had a course of two years in kindergarten work in some normal school

or in some private school which has a course equal to a normal school. Any teacher who shall possess qualifications at least equal to those herein prescribed shall be eligible to appointment.] *who shall be certificated in accordance with the rules and regulations prescribed by the State Council of Education.*

The board of school directors in any school district shall have power to establish, equip and maintain, and operate cafeterias in any of the schools under its jurisdiction whenever, in its judgment, it is deemed advisable to do so; and shall have power to appoint such directors, supervisors, or other employes as are necessary, and fix their salaries.

The cost of housing and equipping such cafeterias shall be charged against the funds of the school district.

The food served shall be sold to the pupils, teachers, and school employes of the cafeterias at such price as will not materially exceed the cost of operation and will pay the cost of maintaining the cafeterias.

It shall be legal for boards of school directors to authorize the proper school employe to purchase perishable food supplies for cafeterias without advertisements for bids.

There shall be a separate cafeteria fund, and all payments from said fund shall be made upon a special order drawn by the school employe authorized to purchase food supplies; and said employe shall present each month to the board of directors, for approval, a statement of receipts and expenditures.

The accounts shall be subject to audit by the auditors of the school district in like manner as other accounts of the school district are audited.

[The board of school directors of each school district, in addition to all other taxes authorized to be levied by the act to which this is an amendment, may levy an annual tax for the establishment and maintenance of kindergartens, not to exceed two mills on the dollar of the assessed valuation of taxable property in the district. Such taxes, when levied, shall be kept in a separate fund and shall be used only for the purpose for which they were levied. If, at the end of any school year, all kindergartens in any district shall be discontinued, the board of school directors may transfer any moneys in such fund to the general fund for the support of public schools in the district.]

Section 9. That section four hundred and four of said act is hereby amended to read as follows:

Section 404. The board of school directors in every school district in this Commonwealth may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper, regarding the management of its school affairs and the conduct and deportment of all superintendents, teachers, and other appointees or

Cafeterias.

Employes.

Salaries.

Cost of housing.

Price of food.

Food supplies may be purchased without advertisement.

Cafeteria fund.

Monthly statement.

Audit of accounts.

Section 404 amended.

Directors may adopt rules and regulations.

employes during the time they are engaged in their duties to the district, as well as regarding the conduct and deportment of all pupils attending the public schools in the district, during such time as they are under the supervision of the board of school directors and teachers, including the time necessarily spent in coming to and returning from school.

Safety patrols.

In the exercise of this authority, the board of school directors is empowered to organize school safety patrols, and, with the permission of the parents, to appoint pupils as members thereof, for the purpose of influencing and encouraging the other pupils to refrain from crossing public highways at points other than at regular crossings, and for the purpose of directing pupils not to cross highways at times when the presence of traffic would render such crossing unsafe. Nothing herein contained shall be construed to authorize or permit the use of any safety patrol member for the purpose of directing vehicular traffic, nor shall any safety patrol member be stationed in that portion of the highway intended for the use of vehicular traffic. No liability shall attach either to the school district or any individual director, superintendent, teacher, or other school authority by virtue of the organization, maintenance, or operation of a school safety patrol, organized, maintained, and operated under authority of this section.

No liability to attach.

Section 411 added.

Section 10. That article four of said act is hereby amended, by adding thereto section four hundred and eleven, to read as follows:

Attendance at educational conferences.

Section 411. The board of school directors of each district may authorize the attendance of the superintendent and such other members of the teaching and supervisory staff of such districts as they may specify at any educational conference or conferences, when, in the opinion of the board, such attendance will be conducive to the best interests of the district. Each person so authorized to attend and attending shall be reimbursed for all necessary traveling and hotel expenses actually incurred. Such expenses shall be paid by the treasurer of the school district, in the usual manner, out of the school funds of the district, upon the presentation of an itemized, verified statement of such expenses.

Payment of expenses.

Section 506, as amended by act of April 11, 1929 (P. L. 497), further amended.

Section 11. That section five hundred and six of said act, which was amended by section two of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

May create indebtedness and issue bonds.

Section 506. The board of school directors in any school district of this Commonwealth, in any year, in order to purchase or acquire proper sites or grounds for school buildings, or any lands additional to any pres-

ent school sites or grounds, or to erect, enlarge, equip or furnish any school building, or to repair or rebuild any new or old building, or in order to pay or refund any existing indebtedness of any school district, or to pay any indebtedness incurred by any municipality for or on account of any school district or for school purposes, as is herein required to be assumed by any school district hereby established, or to refund as herein authorized to any municipality the amount of any such indebtedness, or to pay or refund obligations or certificates of indebtedness issued under the provisions of section five hundred and eight of this act outstanding on the thirty-first day of December, one thousand nine hundred and [twenty-eight] *thirty*, may create and incur an indebtedness against such school district, and issue bonds to secure the same, for any and all such purposes, or may create and incur an increase of any existing indebtedness against any such school district, for any and all such purposes, to any amount that the total indebtedness of such school district, including the indebtedness of any school or ward school district therein, if any, shall never exceed seven per centum upon the assessed value of the taxable property for school purposes therein.

Section 12. That section five hundred and eight of said act, which was last amended by section three of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

Section 508. Any school district having no indebtedness, or whose indebtedness, incurred or created without the assent of the electors thereof, is less than two (2) per centum of the total valuation of the taxable property for school purposes therein, may, at any time, by or through its board of school directors, incur, in addition to any bonds herein authorized, a temporary debt, or borrow money, which, in school districts of the first and second class, shall not exceed four-tenths of one (1) per centum, and in school districts of the third and fourth class shall not exceed one (1) per centum, of the total amount of taxable property in such school district, and issue an obligation or obligations therefor, under the seal of the district, if any, properly attested by the president and secretary thereof, payable within two years from the date thereof, and bearing interest not exceeding the legal rate, but no such obligation shall be sold for less than par: Provided, That the incurring of any such temporary debt, or borrowing money upon such obligation, shall receive the affirmative vote of not less than two-thirds of the members of the board of school directors therein: Provided further; That the total amount of all indebtedness incurred or created

Section 508, as
last amended
by act of
April 11, 1929
(P. L. 497),
further amended.

Temporary debt.

Limits as to
amount.

Obligations to be
issued therefor.

Proviso.

Proviso.

without the assent of the electors in any school district issuing such obligations shall not, at any time, including all such obligations, exceed two per centum of the total valuation of the taxable property therein: *Provided* further, That any school district incurring any temporary debt, and issuing such obligations, in the manner herein provided, shall provide from its current revenue for the payment of the same, except such temporary debt as may be outstanding on the thirty-first day of December, one thousand nine hundred and [twenty-eight] *thirty*, and which, by the provisions of section five hundred and six, may be refunded by an issue of bonds.

Section 517 amended.

Directors liable for illegal payments.

Provido.

Surcharges within discretion of court.

Section 567 amended.

Special tax levies may be directed by court.

Writ of mandamus.

Annual instalments.

Collection and penalties.

Section 13. That section five hundred and seventeen of said act is hereby amended to read as follows:

Section 517. Any school director voting for, or any officer' approving, a school order for the payment of school funds for any other purpose, or drawn in any other manner, than that provided in this act, shall, together with the surety or sureties on his bond, in addition to the penalty herein provided, be individually liable to the district for the amount thereof: *Provided, however, That on appeal from an auditor's report, it shall be within the discretion of the court having jurisdiction of the matter to sustain or not to sustain a surcharge where it appears that the appellant or appellants acted honestly and in good faith for the best interests of the school district, and where no loss or damage to the school district resulted from the action of such appellant or appellants.*

Section 14. That article five of said act is hereby amended, by adding thereto section five hundred and sixty-seven, to read as follows:

Section 567. In addition to the levies provided for in the preceding sections, when it is shown to the court of quarter sessions that, by reason of the partition of any school district and the apportionment of the debts of the original district, the debts of such school district exceed the amount which the board of directors may collect in any year by taxation, the court, after ascertaining the amount of indebtedness of any such school district, may, by a writ of mandamus, direct the board of school directors by special taxation to collect an amount sufficient to pay the same. If the amount of such indebtedness is so large as to render it inadvisable to collect the same in any one year, taking into consideration other necessary taxation, the court may direct the same to be levied and collected by annual instalments, and may order such special taxes to be levied and collected during such successive years as may be required for the payment of the same. The special tax shall be subject to the same penalties for non-payment and shall

be computed and collected in the same manner as the taxes provided for in the preceding sections.

Section 15. That section six hundred and sixteen of said act is hereby amended to read as follows:

Section 616. The State Board of Education shall cause to be prepared and shall, at the expense of the Commonwealth, publish and, upon application, furnish, without charge, to boards of school directors, plans and specifications of different kinds of school buildings, containing not more than four class rooms, suited to the needs of the public schools: Provided, That school buildings may be built according to plans and specifications thus furnished, without submitting the same to the State Board of Education.

Section 616 amended.

Plans to be furnished free by State board.

Proviso.

Section 16. That section six hundred and seventeen of said act, which was amended by the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred twenty-five), is hereby further amended to read as follows:

Section 617, as amended by act of May 7, 1929 (P. L. 1625), further amended.

Section 617 (a) All construction, reconstruction, repairs, or work of any nature, including the introduction of heating, ventilating, or lighting systems, upon any school building or upon any school property, made by any school district in this Commonwealth, where the entire cost, value, or amount of such construction, reconstruction, repairs, or work, including labor and material, shall exceed three hundred dollars (\$300.00) in school districts other than school districts of the first class, and in school districts of the first class, where such entire cost value shall exceed six hundred dollars (\$600.00), shall be done under contract or contracts to be entered into by such school district with the lowest responsible bidder, upon proper terms, after due public notice has been given asking for competitive bids: Provided, That if due to an emergency, a school plant or any part of the same becomes unusable during the school term, competitive bids for repairs or replacement may be solicited from at least three responsible bidders, and, upon the approval of any of these bids by the State Superintendent of Public Instruction, the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approved bid or bids.

Construction and repairs to be by contract when over \$300.

When over \$600 in cities of first class.

Proviso.

(b) It shall be the duty of every school district to require any person, copartnership, association, or corporation, entering into a contract with such district for the construction, erection, installation, completion, alteration, repair of or addition to any public work or improvement of any kind whatsoever, where the amount of such contract is in excess of five hundred dollars (\$500.00), before commencing work under such contract, to execute and deliver to such school district, in addition to any

Bond for use of material-men and labor.

Where contract exceeds \$500.

- other bond which may now or hereafter be required by law to be given in connection with such contract, an additional bond for the use of any and every person, copartnership, association, or corporation interested, in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price, as such school district may prescribe, having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth, conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the school district for the use of any party interested therein. Every such additional bond shall provide that every person, copartnership, association, or corporation, who, whether as sub-contractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided, and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the school district for his, their, or its use, and prosecute the same to final judgment for such sum or sums as may be justly due him, them, or it, and have execution thereon: Provided, however, That the school district shall not be liable for the payment of any costs or expenses of any suit.*
- Surety.**
- Condition.**
- Proviso.**
- Section 621 amended.
- Section 17. That section six hundred twenty-one of said act is hereby amended to read as follows:
- Section 621. [Every school building hereafter erected or reconstructed, whose cost shall exceed four thousand dollars (\$4,000.00), or which is more than one story high, shall be so heated and ventilated that each school room and recitation room shall be supplied with fresh air at the rate of not less than thirty cubic feet per minute for each pupil, and which air may be heated to an average temperature of seventy degrees Fahrenheit during zero weather.] *The State Council of Education shall establish proper standards for heating and ventilating every school building hereafter erected or reconstructed, and shall prescribe such rules and regulations as shall be necessary to make such standards effective.*
- Heating and ventilation.**
- Section 707 amended.
- Purchase of first class supplies.
- Section 18. That section seven hundred and seven of said act is hereby amended to read as follows:
- Section 707. (a) When it is deemed necessary to purchase desks or other supplies of the first class, costing one hundred dollars (\$100) or more, the board of school directors shall solicit sealed quotations from two or more firms, manufacturers, or dealers in such supplies, [and at a regular meeting shall open such bids and quotations, and shall accept the lowest bid, when the kinds of supplies offered, and their kind, quality,
- Quotations.**

and character of material, are the same, or are equal or satisfactory: Provided, That any school district may purchase school furniture and other equipment from another district, without asking for competitive bids.] *Such quotations shall be opened at a regular or special meeting of the board of school directors; and said board shall accept the bid of the lowest responsible bidder when the kinds and quality of supplies and equipment offered are the same or are equal, but shall have the right to reject any and all bids or select a single item from any bid: Provided, That any school district may purchase school furniture and other equipment from another school district without asking for competitive bids.*

Acceptance or rejection of bids.

Proviso.

(b) *Whenever under the provisions of this act notice is required to be published in one newspaper, such publication shall be made in a newspaper of general circulation as defined by the Newspaper Advertising Act of May sixteen, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-four), printed in the county, unless the matter in connection with which the advertising is being done affects only a school district, in which case such advertisement shall be published in a newspaper printed in such school district, if there is such a newspaper, and if not, then in a newspaper circulating generally in such school district. If such notice is required to be published in more than one newspaper, it shall be published in at least one newspaper of general circulation, defined as aforesaid, printed, if there be such a newspaper, or circulating generally as above provided in the school district.*

Publication of notices.

Newspapers of general circulation.

(c) *When such notice relates to any proceeding or matter in any court, or the holding of an election for the increase of indebtedness or the issue and sale of bonds to be paid by taxation, such notice in each school district also shall be published in the legal newspapers, if any, designated by the rules of court of the proper county for the publication of legal notices and advertisements: Provided, however, That auditors' statements, summaries of auditors' statements, advertisements inviting proposals for public contracts and for bids for materials and supplies, or lists of delinquent taxpayers, shall be published only in newspapers of general circulation, defined as aforesaid.*

Legal newspapers.

Proviso.

(d) *Proof of publication of any notice required to be given by the posting of handbills or statements shall be made by attaching an original copy of such handbill or statement, as actually printed and posted, to an affidavit made by the person posting such notice. Such affiant shall not be an interested party or an employee of any person or persons interested in the subject matter of said notice. His affidavit shall state where and*

Proof of publication.

Affidavit.

when the notices were posted, and where the notice was published in newspapers as aforesaid, a printed copy exactly as published in said newspaper shall be securely attached to a similar affidavit of the publisher or his designated agent.

Article X
amended by
adding sections
1019 and 1020.

Superintendent of
Public Instruction
may investigate
financial records.

Duties of
school boards.

Powers of
superintendent.

Section 1101
amended.

Superintendents
and associate
superintendents.

Section 1102
amended.

Character.

Section 1103,
as amended
by act of
April 28, 1921
(P. L. 328),
further amended.

Qualifications of
county, district or
associate super-
intendents.

Proviso.

Section 19. That article ten of said act is hereby amended by adding thereto, at the end thereof, the following sections:

Section 1019. He may investigate the financial records of any school district in person or by his authorized representative.

Section 1020. For the purpose of such investigation, the same duties are imposed upon all school boards, their members, their officers, agents and employes, as are now imposed by law with respect to the audit of the accounts of school districts and the officers thereof, and the same powers are conferred upon the Superintendent of Public Instruction or his authorized representative as are now conferred by law upon school auditors in auditing the finances of school districts.

Section 20. That section one thousand one hundred and one of said act is hereby amended to read as follows:

Section 1101. For the superintendence and supervision of the public schools of this Commonwealth, there shall be elected or appointed, in the manner herein provided, county superintendents, district superintendents, [and] assistant county and district superintendents, and associate superintendents.

Section 21. That section one thousand one hundred and two of said act is hereby amended to read as follows:

Section 1102. Every person elected or appointed as county, district, or assistant county or district superintendent, or associate superintendent must be a person of good moral character.

Section 22. That section one thousand one hundred and three of said act, which was amended by section two of the act, approved the twenty-eighth day of April, one thousand nine hundred and twenty-one (Pamphlet Laws, three hundred twenty-eight), is hereby further amended to read as follows:

Section 1103. No person shall be eligible for election or appointment as a county, district, or assistant county or district superintendent, or associate superintendent, unless he holds [one of the following: A] a diploma from a college or other institution approved by the [College and University Council] *State Council of Education* of this Commonwealth: [A diploma issued by a State normal school of this Commonwealth:]

Provided, That no person shall be elected or appointed a county, district, or assistant county or district superintendent, or associate superintendent, who has not had six years successful teaching experience, not less than

three of which shall have been in a supervisory or administrative capacity: And provided further, That [completing, in a college or university, a graduate course in education which is approved by the College and University Council shall be accepted in lieu of the three years of service in a supervisory or administrative capacity hereinbefore set forth:] *he has completed in a college or university a graduate course in education approved by the State Council of Education:* And provided further, That serving either as county, district, or assistant county or district superintendent, or *associate superintendent*, in this Commonwealth, at the time this act becomes effective, shall be considered sufficient qualification for any of the aforesaid offices.

Graduate course
in education.

Section 23. That section one thousand one hundred and thirty-four of said act, which was amended by section two of the act, approved the twenty-third day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, three hundred forty-nine), is hereby further amended to read as follows:

Section 1134. The boards of school directors of each district of the second or third class, electing a district superintendent, shall meet in convention at its regular place of meeting, on the second Tuesday of April, one thousand nine hundred and eighteen (1918), and every four years thereafter, at an hour previously fixed by said board; and the secretary shall mail to each member thereof, at least five days beforehand, a notice of the time, place, and purpose of such convention. Such convention shall, in the same manner as a county superintendent is elected and certified, elect and certify a properly qualified district superintendent, to serve for four years from the first Monday of July next following his election: Provided, That on the second Tuesday of April, one thousand nine hundred and twenty-six (1926), such district superintendents shall be elected as herein provided, to serve from the first Monday of May, one thousand nine hundred and twenty-six, until the first Monday of July, one thousand nine hundred and thirty (1930).

Method of
electing district
superintendent.

The term of office or commission of a district superintendent or assistant district superintendent shall not be shortened by reason of the fact that the district in which he serves shall, because of loss of population, enter a class of districts for which there is no provision for a district superintendent or assistant district superintendent, and such superintendent or assistant superintendent shall continue to serve such district for the term of his office or commission.

Term of office
not to be
shortened.

Section 24. That section one thousand one hundred and forty-one of said act is hereby amended to read as follows:

Section 1141
amended.

Section 1141. District superintendents, *associate su-*

Superintendents to
be commissioned.

Objections
to election.

perintendents, and assistant district superintendents shall be commissioned by the Superintendent of Public Instruction, in the same manner and under the same conditions as in the case of county superintendents, and objections to the election of district superintendents, *associate superintendents*, or assistant district superintendents may be made in writing to the Superintendent of Public Instruction, signed, among others, by at least one-third of the members of the board of school directors of said district, verified by the oath or affirmation of at least three objectors, and such case shall be disposed of as in the case of county superintendents.

Section 1144
amended.

Section 25. That section one thousand one hundred and forty-four of said act is hereby amended to read as follows:

District super-
intendent upon
consolidation
of districts.

Section 1144. When any school district, having a district superintendent, is, after this act goes into effect, annexed to and becomes a part of another school district, the district superintendent therein shall become an assistant district superintendent in the district to which such school district is annexed, for the remainder of his term; *except when two school districts are consolidated as a result of the consolidation of two boroughs, then the district superintendent of the district having the largest public school enrollment shall become the district superintendent of the consolidated district. The superintendent representing the smaller school enrollment shall become assistant superintendent in the consolidated district.*

Upon-consolidation
of boroughs.

Section 1205,
as last amended
by act of
May 7, 1923
(P. L. 1576),
further amended.

Section 26. That section one thousand two hundred and five of said act, which was last amended by section one of the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand five hundred seventy-six), is hereby further amended to read as follows:

Contracts with
teachers.

Section 1205. In school districts of the second, third, and fourth class, all contracts with teachers shall be in writing, in duplicate, and shall be executed on behalf of the board of school directors by the president and secretary and signed by the teacher.

After the thirtieth day of June, one thousand nine hundred and twenty-nine, each board of school directors or board of public education in school districts of the second, third, and fourth class in this Commonwealth shall enter into contract, in writing, with all teachers, supervisors, supervising principals, and principals employed by them, and said contract shall contain the following:

Form of
contract.

"IT IS AGREED BY and between, Teacher, and the Board of Directors of the school district of, Pennsylvania, that said teacher shall, under the authority of the said board and its successors, and subject to the supervision and authority

of the properly authorized superintendent of schools, teach in the said school district for a term months, for an annual compensation of \$....., payable monthly or semimonthly during the school term, less the contribution required by law to be paid to the Teachers' Retirement Fund.

This contract is subject to the provisions of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' and the amendments thereto, and to such regulations as the Board of School Directors of this district may impose consistent with the said act.

AND IT IS FURTHER AGREED by the parties hereto that this contract shall continue in force year after year, with the right of the Board of Education, or the Board of School Directors to increase the compensation over the compensation herein stated, from time to time, as may be provided under the provisions and proper operation of the established salary schedule, if any, for the school district, or to change said salary subject to the provisions of law without invalidating any other provision of this contract, unless terminated by the teacher at the close of the school term by written resignation presented [on or] *sixty days* before the close of said school term, or by the Board of School Directors by official written notice presented to the teacher [on or] *sixty days* before the close of the school term."

Section 27. That section one thousand two hundred and ten of said act is hereby amended by inserting therein, after paragraph seven, the following new paragraph, to read as follows:

Seven A. Continuation school teachers in the second, third, and fourth class districts, who are required to have qualifications equivalent to high school teachers, shall be entitled to the salary and increments prescribed in the schedule for high school teachers, or, if qualifications are equivalent to elementary school teachers, they shall be entitled to the salary and increments prescribed in the schedule for elementary school teachers. All approved vocational agricultural, vocational home economics, or vocational industrial schools, when organized as separate schools or departments in the second, third, and fourth class districts, shall be classified as secondary schools and the teachers of these schools

Section 1210 amended by adding paragraph 7.

Salaries of continuation school teachers.

Vocational school teachers.

are to be entitled to the salaries and increments prescribed in the schedule for high school teachers.

Paragraph 19,
Section 1210, as
last amended
by act of
May 7, 1929
(P. L. 1622)
and act of
May 7, 1929
(P. L. 1627),
further amended.

Section 28. That paragraph nineteen of section one thousand two hundred and ten of said act, which was last amended by the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred twenty-two), and the act, approved the seventh day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, one thousand six hundred twenty-seven), is hereby further amended to read as follows:

Share of
full-time teacher's
salaries to be
paid by
Commonwealth.

Nineteen. Of the salaries herein provided for *full-time* teachers, supervisors, principals and all other *full-time* members of the teaching and supervisory staff in the public schools of the Commonwealth, [except part time and night school teachers,] the Commonwealth shall pay for the biennium year beginning June first, one thousand nine hundred and twenty-three, and each biennium year thereafter, to such school districts as comply with the laws governing the public schools of the Commonwealth, for the payment of the salaries of each of said persons employed therein, as shown by the certificate herein required to be filed with the Superintendent of Public Instruction in the November immediately preceding any such biennium year, as follows: In school districts of the first class, for each member of the teaching and supervisory staff, twenty-five per centum (25%) of the annual minimum salary prescribed herein for elementary teachers in such districts; in school districts of the second and third class, for each member of the teaching and supervisory staff, thirty-five per centum (35%) of the annual minimum salary prescribed herein for elementary teachers in such districts, *except that, where such districts are organized upon a quarterly basis and the schools thereof are being operated and kept open throughout the entire twelve months of the school year, the Commonwealth shall pay for each member of the teaching and supervisory staff so employed in such districts, forty-six and two-thirds per centum (46 2/3%) of the annual minimum salary prescribed herein for elementary teachers in such districts*; in school districts of the fourth class, for each member of the teaching and supervisory staff, fifty per centum (50%) of the annual minimum salary prescribed herein for teachers in such districts: Provided, That the amount paid by the Commonwealth to a school district of the first, second, and third class, which has a true valuation per teacher of assessable property of fifty thousand dollars (\$50,000), or less, shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for elementary teachers in such districts; and that the amount paid to a school district of the first, second, and third class, which has a true valuation

Districts of
first class.

Districts of
second and
third class.

Where districts
are organized
on quarterly basis.

Districts of
fourth class.

Proviso.

per teacher of assessable property of more than fifty thousand dollars (\$50,000) and not more than one hundred thousand dollars (\$100,000), shall be sixty per centum (60%) of the annual minimum salary prescribed herein for elementary teachers in such districts: Provided, That the amount paid by the Commonwealth to a school district of the fourth class, which has a true valuation per teacher of assessable property of fifty thousand dollars (\$50,000), or less, shall be seventy-five per centum (75%) of the annual minimum salary prescribed herein for teachers in such districts; and that the amount paid to a school district of the fourth class, which has a true valuation per teacher of assessable property of more than fifty thousand dollars (\$50,000) and not more than one hundred thousand dollars (\$100,000), shall be sixty per centum (60%) of the annual minimum salary prescribed herein for teachers in such districts: Provided, That where any member of the teaching or supervisory staff receives less salary than the minimum salary prescribed by the foregoing salary schedule for the class of district in which he is teaching, there shall be paid to the district a corresponding per centum of the salary paid to such person: Provided further, That in districts of the first, second, third, and fourth classes the minimum salary of *part-time* teachers, supervisors, and principals employed in the extension schools and classes of the Commonwealth, established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes, shall be one dollar (\$1.00) per hour; the minimum annual increment in salary in such extension schools and classes shall be twenty-five cents (\$.25) per hour; the minimum number of such annual increments shall be two (2): And provided further, That for each *part-time* member of the teaching and supervisory staff employed by any school district in extension schools and classes approved by the Department of Public Instruction, established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or classes, the Commonwealth shall pay to the several districts the same per centum of the minimum salary herein required to be paid to *part-time* teachers in such extension schools and classes as is paid to such districts of the minimum salary of the full-time teachers: And provided further, That for each full-time teacher of a special class, and for each full-time supervisor or principal of special schools or classes organized by any school district and approved under legislation providing for the special education of physically or mentally handicapped pupils, there shall be paid to the district, in addition to other payments herein provided, sums as follows: To districts of the first class, twenty-five per centum (25%), and

Proviso.

Proviso.

Minimum salaries
in extension
schools.

Minimum annual
increments in
extension schools.

Payment for
teachers in
extension schools.

Teachers of
special class.

to other districts, thirty per centum (30%) of the minimum salary, respectively, prescribed herein for elementary teachers in such respective districts; and for each part-time teacher, supervisor, or principal employed in approved special education, a fraction of such amounts proportional to the time for which such person is employed: And provided further, That the total amount paid to any school district on account of any such teacher, supervisor, or principal employed in special education shall not exceed eighty per centum (80%) of the salary actually paid to such person: Provided further, That the Superintendent of Public Instruction shall annually apportion to each fourth class district the sum of two hundred dollars (\$200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued, or which was heretofore permanently closed or discontinued under the provisions of the act of April twenty-fifth, one thousand nine hundred and one (Pamphlet Laws, one hundred five), entitled "An act to provide for the centralization of township schools, and to provide high schools for townships," and all payments heretofore made by the Commonwealth, and all requisitions and warrants heretofore drawn for payments for schools permanently closed or discontinued under the provisions of said act are hereby ratified, validated, and declared legal: And provided further, That in addition to the payments herein provided on account of members of the teaching and supervisory staff employed in any school district, and on account of schools permanently closed or discontinued in any district, each district shall receive its proportionate share of the minimum salaries required to be paid to such additional members of the teaching and supervisory staff as may have been employed subsequent to the certificate to the Superintendent of Public Instruction in the November previous to the biennium year, and its apportionment as herein provided for additional schools permanently closed or discontinued subsequent to such certificate. Payments required by this proviso shall be made, after certificate to the Superintendent of Public Instruction, in the November of the biennium year [in connection with and] in addition to the [first] *last* quarterly payment of the [following] biennium, as hereinafter provided.

The true valuation per teacher for each district shall be determined by the State Council of Education, on data and material submitted by the officers of such district in the annual report to the Superintendent of Public Instruction, if such data and material shall, after investigation by the State Council of Education, be found correct; otherwise, upon such data and material as modified, corrected and approved by said Council of

Proviso.

Schools closed in districts of fourth class.

Payments for teachers added and for schools discontinued.

Time of payment.

Determination of value per teacher.

Education. The true valuation per teacher shall be found by dividing the true valuation of the district by the number of full-time teachers, which number shall include all teachers, principals, supervisors and superintendents employed in the vocational and non-vocational schools of the district for the year covered by such report; which number in districts of the fourth class shall also include one teacher for each teacher who at the time of the closing of any school in such district subsequent to June first, one thousand nine hundred and twenty-three, not since reopened, was employed in such school. The true valuation of the taxable property of each school district shall be obtained by dividing the amount of the assessed valuation certified in the annual report of the district for the school year ending June thirtieth, one thousand nine hundred and twenty-two, and every second year thereafter, as corrected and approved by the State Council of Education after investigation, by the average rate of assessment certified in such annual reports for the three years immediately preceding the date on which such true valuation is determined as corrected and approved by the State Council of Education after investigation. The true valuation of each school district for the two fiscal years beginning on June first, one thousand nine hundred and twenty-five, and ending May thirty-first, one thousand nine hundred and twenty-seven, and for each biennium thereafter, shall be determined during the month of October, one thousand nine hundred and twenty-four, and in the month of October of every second year thereafter. The State Council of Education is hereby given full power and authority to make such investigations, to take such action, and to institute such proceedings, as may be necessary to determine any of the questions that may be raised in the determination and adjustment of the aforesaid true valuations, and the decisions which such council reaches in such questions shall be final and conclusive.

Section 29. That clause twenty of section one thousand two hundred and ten of said act, which was amended by section two of the act, approved the sixth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, five hundred forty-seven), is hereby further amended to read as follows:

Twenty. On or before the first day of November of each year, each school district of the first and second class, and each school district of the third class having a district superintendent, shall file a certificate with the Superintendent of Public Instruction, in such form as he may prescribe and on blanks to be furnished by him, showing the number of full-time teachers, supervisors, principals and other full-time members of the teaching and supervisory staffs, the certificates held by each, and

Determination of value of taxable property.

When determination to be made.

Power to investigate, etc.

Decisions final.

Clause 20, section 1210 as amended by act of May 6, 1925 (P. L. 547), further amended.

Certificates to be sent by districts to Superintendent of Public Instruction.

the compensation paid each for the current school year, and showing further the number of *part-time* teachers, supervisors, and principals employed in extension schools and classes established as herein provided, the certificates held by each, and the compensation paid each during the preceding school year. On or before the first day of October of each year, each school district of the third class not having a district superintendent, and each school district of the fourth class, shall forward such a certificate to the county superintendent, and, if approved by him, the county superintendent shall forward the same to the Superintendent of Public Instruction on or before the first day of November of each year.

Section 1214 amended.

Section 30. That section one thousand two hundred and fourteen of said act is hereby amended to read as follows:

Supervising principal.

Section 1214. The board of school directors of any school district of the third or fourth class which has no district superintendent may employ, for a term not exceeding three years, a supervising principal of a part or all of the public schools of said school district. Every supervising principal shall [have the same qualifications as are herein required for a superintendent of schools.] *be properly certificated by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish.*

Certification.

Section 1317, as amended by act of May 20, 1921 (P. L. 1941), further amended.

Section 31. That section one thousand three hundred and seventeen of said act, which was amended by section two of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand forty-one), is hereby further amended to read as follows:

Permanent college certificates.

Section 1317. The Superintendent of Public Instruction shall issue a permanent college certificate to every graduate of a college or university approved by the [College and University Council of Pennsylvania] *State Council of Education of the Commonwealth of Pennsylvania*, and of such departments therein as are approved by him, when such graduate furnishes satisfactory evidence of good moral character and successful experience of three years' teaching in the public schools of this Commonwealth *on a provisional college certificate*, and has completed such work in education as may be approved by the State Council of Education, which certificate shall entitle its holder to teach without further examination.

Qualification.

Work in education.

Section 1401 amended.

Section 32. That section one thousand four hundred and one of said act is hereby amended to read as follows:

School attendance.

Section 1401. Every child, being a resident of any school district in this Commonwealth, between the ages of six and twenty-one years, may attend the public schools in his district, subject to the provisions of this act. *The board of school directors of any school dis-*

trict may admit to the schools of the district, with or without the payment of tuition, any nonresident child temporarily residing in the district, and may require the attendance of such nonresident child in the same manner and on the same conditions as it requires the attendance of a resident child.

Nonresident children.

Section 33. That section one thousand four hundred and three of said act is hereby amended to read as follows:

Section 1403 amended.

Section 1403. Unless otherwise directed by the board of school directors, the admission of beginners to the public schools shall be confined to two periods, namely, during the first two weeks of the annual school term, and during the first two weeks of school following the first day of January in any school year: Provided, That beginners becoming six years of age after the beginning of the school term, and before the first day of January of any year, shall be admitted during the period at the beginning of the school term, and beginners becoming six years of age between the first day of January and the close of the term shall be admitted during the period following the first day of January: Provided further, That the board of school directors in any school district may fix such [other] *additional* periods for the admission of such beginners as it may determine.

Admission of beginners.

Proviso.

Proviso.

The term beginners, as used in this section, shall mean any child that should enter the lowest grade of the primary school or the lowest primary class.

Beginners defined.

Section 34. That section one thousand four hundred and six of said act, which was last amended by section five of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

Section 1406. The board of school directors of any school district in this Commonwealth may, on account of the small number of pupils in attendance, or the condition of the then existing school building, or for the purpose of better gradation and classification, or other reasons, close any one or more of the public schools in its district, and, upon such school or schools being so closed, the pupils who belong to the same shall be assigned to other schools or, upon cause shown, be permitted to attend schools in other districts:

School may be closed.

Provided, That whenever the average term attendance of pupils regularly enrolled at any one-room school in any school district of the fourth class or township which is a district of the third class is ten, or less than ten, the board of school directors shall close such school.

Proviso.

If the board of school directors does not deem it feasible to close such school, it may present its petition to the State Council of Education, showing the reasons why such school should not be closed; thereupon the

Board may petition State Council of Education.

- State Council of Education shall consider such petition, and shall make such order as may seem just in the premises: Provided, however, If any school as aforesaid has been closed because the average term attendance of pupils enrolled was ten, or less than ten, and has been reopened upon an order of the State Council of Education, and the average term attendance is twelve, or more, after such reopening, such school shall be considered re-established: Provided further, That in any district of the fourth class or township which is a district of the third class, elementary school pupils who reside within that part of the school district last served by any elementary school closed since the [eighteenth day of May, one thousand nine hundred and eleven,] *first Monday of July, one thousand nine hundred and seven*, or within a district all of whose schools have been closed, or who are assigned to a training school of a State Normal School, and reside one and one-half miles or more from the school to which they are assigned, shall be furnished proper transportation, at the expense of the district, to and from the elementary school to which they are assigned:
- And provided further, That whenever the board of school directors in any fourth class district or township which is a district of the third class agrees to or is required to provide transportation for any pupils, such board of school directors may, upon petition of the parent, guardian, or person in parental relation to any of said pupils, in lieu of providing such transportation, pay for suitable board and lodging for such pupils, if such board and lodging is secured in the home of a near relative of the pupil or in a proper school or home approved by the person making the petition: Provided, That in no case shall the State's share exceed one dollar (\$1.00) per day per pupil for the actual number of days such pupil is in attendance at school, not exceeding five days in any one week:
- Provided, That if the Department of Public Instruction approves the transportation as to methods and means and the contracts provided therefor, the Commonwealth will pay annually to the school district furnishing such transportation an amount determined by (a) the true valuation per teacher per district as provided by section one thousand two hundred and ten of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof,
- Proviso.
- Proviso.
- Proviso.
- Board and lodging.
- Proviso.
- Proviso.
- Transportation.
- State's share.

that are or may be inconsistent therewith," as amended; and by (b) a given per centum of the sum which has been expended during the previous school year by such a school district for transporting pupils of said schools to and from said schools, as follows: The amount paid by the Commonwealth to a school district which has a true valuation per teacher of assessable property of fifty thousand dollars (\$50,000), or less, shall be seventy-five (75) per centum; more than fifty thousand dollars (\$50,000) to one hundred thousand dollars (\$100,000), sixty (60) per centum; and more than one hundred thousand dollars (\$100,000), fifty (50) per centum: Provided, That in case said school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes, said sum may include a reasonable charge for depreciation and repairs, not to exceed fifteen (15) per centum of the cost of said approved school conveyance: Provided, That the State's share of depreciation and repairs shall not exceed one hundred dollars (\$100) per vehicle per year: Provided further, That the State's share for transportation shall not exceed one dollar (\$1.00) per day per pupil for the actual number of days such pupil is transported to and from school: Provided further, That districts receiving reimbursement on the basis of seventy-five (75) per centum and sixty (60) per centum shall not receive more than four thousand dollars (\$4,000) in any one school year from the State for transportation: Provided further, That districts receiving reimbursement on the basis of fifty (50) per centum shall not receive more than three thousand dollars (\$3,000) in any one year from the State for transportation.

Proviso.

School conveyance.

Proviso.

Proviso.

Proviso.

Proviso.

On or before the first day of July of each year, each school district of the third and fourth class, transporting pupils as herein provided, shall present to the Superintendent of Public Instruction in such form as he may prescribe and on blanks to be furnished by him a sworn statement of the amount expended during the previous school year for transporting pupils to and from school as herein provided. On the basis of such a statement, the Superintendent of Public Instruction shall, by requisition upon the State Treasurer, pay during the month of September to such school district such reimbursement for the previous school year as is provided for in this act.

Districts of third and fourth class to present statement of amount expended for transporting pupils.

Section 35. That section one thousand four hundred and fourteen of said act, as last amended by the act, approved the twenty-fifth day of March, one thousand nine hundred and twenty-five (Pamphlet Laws, seventy-six), and the act approved the fourth day of April, one thousand nine hundred and twenty-five (Pamphlet

Section 1414, as last amended by act of March 25, 1925 (P. L. 76) and act of April 4, 1925 (P. L. 131), further amended.

Laws, one hundred thirty-one), is hereby further amended to read as follows:

Compulsory attendance.

Migratory children

Responsibility of parents, etc.

Time of attendance.

Proviso.

Private school.

"Migratory child," defined.

Private tutor.

Special provision for deaf or blind children.

Section 1414. Every child having a legal residence in this Commonwealth, as herein provided, between the ages of eight and sixteen years, *and every migratory child between such ages*, is required to attend a day school in which the common English branches provided for in this act are taught in the English language; and every parent, guardian, or other person, in this Commonwealth, having control or charge of any child or children between the ages of eight and sixteen years, is required to send such child or children to a day school in which the common English branches are taught in the English language; and such child or children shall attend such school continuously through the entire term, during which the public elementary schools in their respective districts shall be in session, *or in cases of migratory children during the time the schools are in session in the districts in which such children are temporarily domiciled*: Provided, That the certificate of any principal or teacher of a private school, or of any institution for the education of children, in which the common English branches 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: *And provided further, That the term "migratory child," wherever used in this act, shall include any child domiciled temporarily in any school district for the purpose of seasonal employment but not acquiring residence therein, and any child accompanying his parent or guardian who is so domiciled.* 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.

Every parent, guardian, or other person, in this Commonwealth, having control or charge of any child between the ages of six and sixteen years who is deaf or blind, or is so crippled, or whose hearing or vision is so defective as to make it impracticable to have such child educated in the public schools of the district in which he is a resident, shall allow such child to be sent to some school where proper provision is made for the education of the deaf, or of the blind, or of crippled children, or shall provide for the tuition of such child by a legally certified private tutor.

[Provided further, That the board of school directors in any district of the fourth class may, at a meeting held at any time before the opening of the school term, reduce the period of compulsory attendance for pupils fourteen years of age or more to not less than seventy

per centum of the school term as fixed in such district, in which case, however, the board of school directors must, at the same time, fix the period for the compulsory attendance to begin.]

Section 36. That section one thousand four hundred and twenty-two of said act, which was amended by the act, approved the twenty-third day of April, one thousand nine hundred and fifteen (Pamphlet Laws, one hundred seventy-four), is hereby further amended to read as follows:

Section 1422. Any person or persons accepting service from, or engaging or employing, any child between eight and fourteen years of age during the term of compulsory attendance, and while the public schools are in session, or accepting service from, engaging or employing, any child during the same period of time, between the ages of fourteen and sixteen years, without being first furnished by such child with an employment certificate, or farm or domestic service permit, or failing to furnish to the district superintendent of schools, supervising principal, attendance officer, or secretary of the board of school directors, the information required by this act concerning the children employed by him or them, or shall fail to post for inspection, at the place of employment of such children, the list of children engaged by him or them, as required by the provisions of this act, who shall fail to notify the proper school official as required by the last preceding section of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished for a first offense by a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00), or ten days' imprisonment in the county jail, or either or both, at the discretion of the court, and for a subsequent offense shall be punished by a fine of not less than twenty dollars (\$20.00) or more than fifty dollars (\$50.00), or ninety days' imprisonment in the county jail, or either or both, at the discretion of the court.

Section 37. That section one thousand six hundred and seven of said act, which was amended by the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred eighty), is hereby further amended to read as follows:

Section 1607. In every elementary public and private [schools] *school*, established and maintained in this Commonwealth, the following subjects shall be taught, in the English language and from English texts: English, including spelling, reading, and writing, arithmetic, geography, the history of the United States and of Pennsylvania, civics, including loyalty to the State and National Government, [training in safety first methods] *safety education*, and the humane treatment of birds and

Section 1422, as amended by act of April 23, 1915 (P. L. 174), further amended.

Illegal employment of children.

Failure to notify.

Penalty.

Section 1607, as amended by act of May 20, 1921 (P. L. 980), further amended.

Courses of study.

Safety education.

animals, health, including physical training and physiology, music, and art. Other subjects shall be taught in the public elementary schools and also in the public high schools as may be designated or approved by the State Board of Education. All such subjects, except foreign languages, shall be taught in the English language and from English texts.

Section 38. That article seventeen of said act is hereby amended by inserting therein, after section one thousand seven hundred and eleven, section one thousand seven hundred and eleven A, to read as follows:

Section 1711A. The Commonwealth shall reimburse a school district, with a true valuation of assessable property per teacher of less than one hundred thousand dollars, for high school tuition, when such district is required to pay tuition for pupils attending high school in another district: Provided, That the percentage of the minimum salaries of teachers paid by the Commonwealth is higher in the school district where the pupils reside than in the district where they attend high school. The amount of State reimbursement for high school tuition shall be the percentage of such tuition as is equal to the excess in the percentage of teachers salaries paid by the Commonwealth in the district where the pupils reside over the percentage of teachers salaries paid by the Commonwealth in the district where the pupils attend: Provided, That the amount paid by the Commonwealth to a school district for the tuition of any high school pupil shall not exceed twenty dollars (\$20.00) a year.

Section 39. That article nineteen of said act is hereby amended by adding thereto, at the end thereof, the following section:

Section 1907. It shall be within the jurisdiction of the Department of Public Instruction to organize and to supervise schools and classes, according to the regulations and standards established for the conduct of schools and classes of the public school system in the Commonwealth, in all institutions wholly or partly supported by the Commonwealth, which are not supervised by public school authorities. Schools and classes so established in wholly State-owned institutions shall be financed by the department of the State government having jurisdiction and control of such institutions. A teacher in a school or of a class organized and supervised by the Department of Public Instruction in an institution wholly or partly supported by the Commonwealth shall enjoy the same privileges, and be subject to the same laws as a teacher in the public schools of the Commonwealth.

Section 40. That section two thousand and five of said act as added by the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-

Article XVII
amended by
adding section
1711A.

Reimbursement of
certain districts
for high school
tuition.

Proviso.

Proviso.

Article XIX
amended by adding
section 1907.

Organization and
supervision of
schools and
classes in insti-
tutions.

Rights and
privileges of
teachers.

Section 2005
as added by act of
April 25, 1929
(P. L. 712),
amended.

nine (Pamphlet Laws, seven hundred twelve), is hereby amended to read as follows:

Section 2005. The Board of Presidents of the State Teachers' Colleges shall consist of the presidents of the several colleges and [The] the Superintendent of Public Instruction, *who shall be the chairman, and the [Secretary of the State Council of Education shall be the secretary ex officio thereof] board shall elect a secretary.* The board shall formulate the educational policies of the colleges. It shall meet annually in the city of Harrisburg, and may meet more frequently and at other places by resolution of the board, or on the call of the Superintendent of Public Instruction. A majority of all members of the board shall constitute a quorum, and any action favored by a majority of the members shall, when approved by the Superintendent of Public Instruction, be binding upon all of the colleges.

Board of Presidents of State Teachers Colleges.

Policies.

Place of meeting.

Quorum.

Section 41. That section two thousand and nine of said act, which was amended by the act, approved the twenty-fifth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, seven hundred twelve), is hereby further amended to read as follows:

Section 2009, as amended by act of April 25, 1929 (P. L. 712), further amended.

Section 2009. The tuition of all students at the State Teachers' Colleges, who are residents of Pennsylvania, [and who are not less than seventeen years of age] *and who meet such requirements as the board of presidents of the State Teachers' Colleges may prescribe*, and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years, and who are pursuing therein regular courses for the preparation of teachers, shall be paid by the Commonwealth, and sufficient appropriations shall be made for this purpose. The trustees of any State Teachers' College, when it does not interfere with its purpose to educate and prepare teachers, may, with the approval of the Superintendent of Public Instruction, admit other students than those preparing to teach: Provided, That all such students, except those in the practice school, shall pay regular tuition: And provided, That when there is insufficient room for all who apply, preference shall be given to residents of Pennsylvania and those preparing to teach.

Payment of tuition of students in Teachers Colleges.

Proviso.

Proviso.

Section 42. That section two thousand one hundred five of said act, which was amended by section one of the act, approved the seventh day of May, one thousand nine hundred and twenty-three (Pamphlet Laws, one hundred fifty-seven), is hereby amended to read as follows:

Section 2105, as amended by act of May 7, 1923 (P. L. 157), further amended.

Section 2105. It shall be lawful for the board of school directors of any school district which has selected a superintendent, and employs not less than forty teachers, by resolution at any regular meeting, duly recorded, to authorize the holding of an annual teachers'

Teachers' institute.

Payments.

institute for said district, and in such case, in all matters pertaining to the holding of institutes, it shall be in no wise subject to the authority and jurisdiction of the superintendent of schools of the county in which said district is located, and when the holding of the said separate annual institute shall have been authorized, as aforesaid, the superintendent of schools of said district shall have power to call and conduct a teachers institute, and to draw from the county treasury moneys for the support of the same, in like manner and to the same extent as the county superintendents of this Commonwealth are empowered to do, and the board of school directors of such district may, by a majority vote, appropriate such additional funds as it may deem necessary to maintain said institute.

Directors or superintendents in fourth class districts may substitute other forms of training.

The board of directors of any school district of the first, second, or third class, or *the county superintendent of school districts of the fourth class*, may substitute other equivalent forms of teacher training or teacher improvement for the teachers of such district as may be approved by the Department of Public Instruction, in lieu of the teachers' institute hereby provided for, and may expend for such purposes the funds available for teachers' institutes, or such part thereof as may be necessary for such purpose.

Section 2620, as amended by act of April 5, 1927 (P. L. 111), further amended.

Section 43. That section two thousand six hundred and twenty of said act, which was last amended by section three of the act, approved the fifth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, one hundred eleven), is hereby further amended to read as follows:

Audits in districts of second and third class.

Section 2620. In every school district of the second and third classes, the proper auditors herein provided to audit the finances of the school district shall begin their duties on the first Monday in July each year, and promptly, within thirty days, audit the accounts of the school district for which they were appointed, including the accounts of the treasurer, the school depositories, and other school funds, for the preceding fiscal year, in the manner herein provided. On the completion of the audit they shall make a correct duplicate report thereof, which shall contain an itemized statement of all receipts, expenditures, and credits, whatsoever, of school officials, and the assets and liabilities of the district; one copy to be filed with the board of school directors of the district, and the other copy in the court of common pleas to the number and term in which their appointment was made, *and one copy in the Department of Public Instruction, by mailing the same sealed, stamped, and addressed to the Superintendent of Public Instruction, Harrisburg, Pennsylvania, by registered mail with return registry receipt requested.*

Duplicate report.

Filing copies.

Section 44. That section two thousand six hundred and twenty-two of said act, which was last amended by section nine of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

Section 2622. The Commonwealth, any school district of the second or third class, or any taxpayer thereof, on behalf of said Commonwealth, district, or any person or persons against whom any sum has been charged in any report filed by the auditors of any such school district, may appeal from any auditors' report. [within thirty days after said report has been filed, to the court of common pleas of the proper county.] *Such appeal shall be taken to the court of common pleas of the proper county by the Commonwealth within ninety (90) days after said report has been filed in the Department of Public Instruction, and by all other appellants within thirty (30) days after said report has been filed in the court of common pleas.* Any taxpayer taking an appeal shall file in said court of common pleas a bond, with one or more sufficient sureties, conditioned that the party appealing will prosecute said appeal with effect, and that said party will indemnify and save harmless said district from all costs that may accrue upon said appeal. When any person or persons charged with any sum of money in any such report of auditors shall appeal therefrom, such person or persons shall file in said court a bond, with one or more sufficient sureties, conditioned to prosecute the appeal with effect, and to pay all costs accruing thereupon if the final decision obtained shall not be more favorable to him than the report appealed from. When any such appeal shall be taken by the Commonwealth, any school district, or any person charged in such report with any sum of money, any taxpayer of said district may come into court and intervene in said appeal, and prosecute the appeal to final judgment; and if any sum shall be found by the court to be chargeable to any person whose accounts are involved in said appeal, the prothonotary shall enter judgment for said sum in favor of said district, and against the person charged as aforesaid; and the Commonwealth, school district, or such taxpayer may cause said judgment to be collected from the person charged or his sureties, for the benefit of said district, by any appropriate method, executionary or otherwise; or said taxpayer may defend the said district, in any appeal taken by any person charged by the report of auditors, as fully and effectively in both instances as the officers of said district might do: Provided, That such taxpayer shall, at the time of intervening, file in said court a bond, with one or more sufficient sureties, conditioned to indemnify said district from all costs

Section 2622, as amended by act of April 11, 1929 (F. L. 497), further amended.

Appeals from auditors' report in districts of second and third class.

Time of taking appeal.

By taxpayer.

Bond.

Persons surcharged.

Bond.

Intervention by taxpayer.

Entry of judgment.

Proviso.

Bond.

that may accrue by reason of such intervention subsequently thereto. When any taxpayer has intervened in any instance, as above provided, or when an appeal has been taken by any taxpayer as aforesaid, the officers of said school district shall not make settlement with any person or persons charged with any sum or sums, or whose accounts shall be involved in any appeal, without the consent of such taxpayer. When any appeal as aforesaid shall be taken by any of the parties above mentioned, the appeal may be placed upon the argument list of the proper court of common pleas, by direction of any party interested by intervention or otherwise; and depositions of witnesses, and other evidence to be used at the argument, may be taken on behalf of any said parties, before any person competent to administer an oath, upon rule for that purpose served upon the opposite party or such party's counsel. After hearing argument, the court shall file its finding of fact and law, and enter judgment in accordance therewith: Provided, That if, after argument, the court shall deem any question or questions of fact so doubtful, under the evidence submitted, as to render it desirable that an issue should be directed as to such question or questions, to be tried by a jury, the court may direct such an issue. Appeals may be taken by any person interested to the Superior or Supreme Court, from any such judgment of the court of common pleas, in the same way that appeals are now authorized by law to be taken from rulings or decisions of the court of common pleas made in appeals from settlements or reports of county, borough, or township auditors.

Section 2626, as amended by act of April 11, 1929 (P. L. 497), further amended.

Section 45. That section two thousand six hundred and twenty-six of said act, as last amended by section ten of the act, approved the eleventh day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred ninety-seven), is hereby further amended to read as follows:

Section 2626. The Commonwealth, any school district of the fourth class, or any independent school district, or any taxpayer thereof on behalf of said Commonwealth, district, or any person or persons against whom any sum has been charged in any report filed by the auditors of any such school district, may appeal from any auditors' report, [within thirty days after said report has been filed, to the court of common pleas of the county in which said school district of the fourth class is situated, or in which the school buildings of any such independent school district are situated.] *Such appeal shall be taken to the court of common pleas of the proper county by the Commonwealth within ninety (90) days after said report has been filed in the Department of Public Instruction, and by all other appellants within thirty (30) days after said report has been*

Argument list.

Evidence.

Findings.

Proviso.

Issue to be framed.

Appeals.

Appeals in districts of fourth class or independent districts.

Time of taking appeal.

Taxpayer.

filed in the court of common pleas. Any taxpayer taking an appeal shall file in said court of common pleas a bond, with one or more sufficient sureties, conditioned that the party appealing will prosecute said appeal with effect, and that said party will indemnify and save harmless said district from all costs that may accrue upon said appeal. When any person or persons charged with any sum of money in any such report of auditors shall appeal therefrom, such person or persons shall file in said court a bond with one or more sufficient sureties conditioned to prosecute the appeal with effect, and to pay all costs accruing thereupon if the final decision obtained shall not be more favorable to him than the report appealed from. When any such appeal shall be taken by the Commonwealth, any such school district, or any person charged in such report with any sum of money, any taxpayer of said district may come into court and intervene in said appeal, and prosecute the appeal to final judgment; and if any sum shall be found by the court to be chargeable to any person whose accounts are involved in said appeal, the prothonotary shall enter judgment for said sum in favor of said district, and against the person charged as aforesaid; and the Commonwealth, school district, or such taxpayer, may cause said judgment to be collected from the person charged or his sureties, for the benefit of said district, by any appropriate method, executionary or otherwise; or said taxpayer may defend the said district, in any appeal taken by any person charged by the report of auditors, as fully and effectively in both instances as the officers of said district might do: Provided, That such taxpayer shall, at the time of intervening, file in said court a bond, with one or more sufficient sureties, conditioned to indemnify said district from all costs that may accrue by reason of such intervention subsequently thereto. When any taxpayer has intervened in any instance as above provided, or when an appeal has been taken by any taxpayer as aforesaid, the officers of said school district shall not make settlement with any person or persons charged with any sum or sums, or whose accounts shall be involved in any appeal, without the consent of such taxpayer. When any appeal as aforesaid shall be taken by any of the parties above mentioned, the appeal may be placed upon the argument list by direction of any party interested by intervention or otherwise; and depositions of witnesses, and other evidence to be used at the argument, may be taken on behalf of any of said parties, before any person competent to administer an oath, upon rule for that purpose, served upon the opposite party or such party's counsel, to be used at the argument. After hearing argument the court shall file its finding of fact and law, and enter judgment in accordance therewith: Pro-

Bond.

Persons surcharged.

Bond.

Intervention by taxpayer.

Judgment.

Collection.

Proviso.

Bond.

No settlement to be made without consent of intervening taxpayer.

Argument list.

Evidence.

Findings.

Proviso.

Issue.

Appeals.

vided, That if, after argument, the court shall deem any question or questions of fact so doubtful, under the evidence submitted, as to render it desirable that an issue should be directed as to such question or questions to be tried by a jury, the court may direct such an issue. Appeals may be taken by any person interested to the Superior or Supreme Court from any such judgment of the court of common pleas, in the same way that appeals are now authorized by law to be taken from rulings or decisions of the court of common pleas made in appeals from settlements or reports of county, borough, or township auditors.

Section 46. That sections one thousand nine hundred and four, two thousand two hundred and three, two thousand two hundred and four, two thousand two hundred and five, two thousand two hundred and six, two thousand two hundred and seven, and two thousand two hundred and eight of said act, be, and the same are, hereby repealed.

Section 47. This act shall become effective upon its passage, and approval by the Governor.

APPROVED—The 29th day of May, A. D. 1931.

GIFFORD PINCHOT

No. 131

AN ACT

Creating a "Greater Pennsylvania Council" for the promotion of the economic, social, industrial, agricultural, educational, civic and recreational welfare of the Commonwealth of Pennsylvania and its citizens; prescribing the organization, powers and duties of said council; and making an appropriation.

"Greater Pennsylvania Council."

Number of members.

Appointment.

Expenses.

Executive committee.

General chairman.

Quorum.

Director.

Section 1. Be it enacted, &c., That there is hereby created and established directly under the Governor a State advisory and planning body, to be known as the "Greater Pennsylvania Council," hereinafter termed "council," which shall consist of one hundred and fifty members, to be appointed by the Governor. They shall serve without compensation but may receive their traveling and other expenses incurred in the performance of the work of the council.

Section 2. The Governor shall appoint from among the members of the council an executive committee of fifteen members, one of whom the Governor shall designate as general chairman, who shall be the chief executive officer of the council. Six members of the executive committee shall constitute a quorum. The Governor shall also appoint a director, who shall be an ex-officio member of the executive committee. The di-