

AN ACT

To further 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," by providing for health rooms; altering the provisions regulating light areas, floor space, and cubical contents of school buildings; changing the provisions for permitted and compulsory attendance; providing for enumeration of minors in certain cases; requiring enumeration of illiterate children and alien residents; providing for home and school visitors in lieu of, or in addition to, other attendance officers, and for their compensation; making further provision for transportation of pupils and State reimbursement therefor; changing provisions relating to employment of children; providing for the education of physically and mentally handicapped children, and for the care of uneducable children; authorizing school districts to provide care and treatment of defective ears of pupils; making uniform for all districts the required number of days school shall be kept open; and authorizing school districts of the fourth class to provide medical inspection at their own expense.

Section 618, act
of May 18, 1911
(P. L. 309),
amended.

Section 1. Be it enacted, &c., That section six hundred and eighteen 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," is hereby amended to read as follows:

School build-
ings.

Section 618. All *public* school buildings hereafter built or rebuilt shall [comply with the following conditions] *conform to standards established by the State Council of Education as to light area, floor space, and cubical contents.*

[In every school room the total light area must equal at least twenty per centum of the floor space, and the light should not be admitted thereto from the front of seated pupils.]

Every school room shall have not less than fifteen square feet of floor space, and not less than two hundred cubic feet of air space per pupil.]

Health room.

Every public school building of ten classrooms or more hereafter erected shall contain a room to be known as the health room, which shall be not less than twenty-

one feet in length, and which shall be furnished and equipped for use as quarters in which regular school medical inspections may be given, and as a first aid room for pupils requiring medical attention while attending classes.

Section 2. That section one thousand four hundred and three of said act, as amended by the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred forty-three), is hereby further amended to read as follows:

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] *February* of any year, shall be admitted during *the first two weeks of the annual school term*: [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 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 3. Section one thousand four hundred and thirteen of said act, as amended by section eight of the act, approved the first day of June, one thousand nine hundred and thirty-three (Pamphlet Laws, one thousand one hundred fifty-two), is hereby further amended to read as follows:

Section 1413. It shall be the duty of the secretary of the school board, teachers, school enumerators, and attendance officers, in every school district in this Commonwealth, in accordance with rules of procedure prescribed by the Superintendent of Public Instruction, to secure information and report [to the medical inspector of the school district and] to the district or county superintendent of schools, on or before the fifteenth day of October of each year, *and thereafter as cases arise*, every child within said district, between the ages of eight (8) and sixteen (16) years, who is gravely retarded in his or her school work, or any child between the ages of six (6) and sixteen (16) who, because of apparent exceptional physical or mental condition, is not being properly educated and trained, and as soon thereafter

Report of children needing special education by officers of school districts.

as possible *the child shall be examined by a mental clinic, approved by the State Council of Education, or by a person certified by the Department of Public Instruction as a public school psychologist or psychological examiner, and a report shall be made concerning his fitness for special education.* [the medical inspector shall examine such child, in accordance with rules of procedure prescribed by the Secretary of Health, and report whether such child is a fit subject for special education and training.] In school districts of the first, second, and third class, having a district superintendent of schools, said report shall be made to the superintendent of the district. In all other districts, the report shall be made to the [Secretary of Health and by him reported to the] superintendent of schools of the county.

[Pupils may also be designated as candidates for special education by mental clinics approved by the Council of Education, or by a psychologist or a psychological examiner who has been certified by the Superintendent of Public Instruction and is employed by any school district.]

Plans for
schools.

The county or district superintendent of schools shall submit to the board or boards of school directors plans for establishing and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training, and, except as herein otherwise provided, it shall be the duty of the board of directors of any district having such children to provide and maintain, or to jointly provide and maintain with neighboring districts, such special classes or schools: Provided, however, That if it is not feasible to form a special class with a minimum attendance of ten children in any district, or if for any other reason it is not feasible to provide such education for any such child in the public schools of the district, the board of school directors of that district shall, except as herein otherwise provided, unless approved provision for the education of such child is made by the parents or guardian, secure such proper education and training outside the public schools of the district, or in special institutions, or by providing for teaching the child in his home in accordance with rules and regulations prescribed by the Department of Public Instruction, on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children.

Joint schools.

Proviso.

Special training
for such
children.

[If, in any district in which ten or less feeble-minded children between the ages of eight and sixteen have their legal residences, the board of school directors shall be of the opinion that it is not feasible to establish a special class for such children, such board shall report such

feeble-minded children to the Department of Welfare for enrollment in a school for feeble-minded children.] *Any child who is reported by an approved mental clinic, or by a person who is certified as a public school psychologist or psychological examiner, as being uneducable in the public schools, may be reported by the board of school directors to the Department of Welfare, in accordance with regulations approved by the State Council of Education.* After any such board shall have thus reported any child, [ren] it shall be relieved of the obligation of providing education for such child. [ren] The Department of Welfare shall thereupon [provide adequate facilities] *arrange for the education and training of such child.* [ren]

Children reported as uneducable.

Any physically or mentally handicapped child, who is regularly enrolled in a special class that is approved by the Department of Public Instruction, may be furnished with free transportation by the school district. The Commonwealth shall reimburse any school district furnishing such transportation, in the same manner and amounts as provided for in this act for the transportation of pupils from closed schools.

Physically and mentally handicapped children.

When it is not feasible to provide such transportation, the board of school directors may, in lieu thereof, pay for suitable board and lodging for any such child: Provided, That in no case shall the State's share of the cost 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.

Proviso.

School districts maintaining special classes in the public schools or special public schools or providing special education, as hereinafter specified in this section, shall receive reimbursement, as provided by law, so long as such classes, such schools, and such special education are approved by the State Council of Education as to location, constitution and size of classes, conditions of admission and discharge of pupils, equipment, courses of study, methods of instruction, and qualifications of teachers.

Reimbursement for special classes or schools.

The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education, and shall enforce the provisions of this act.

On or before the first day of October of each year, the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports in regard to such special education maintained during the previous school year, and that for which the approval of the State Council of Education for the current year is desired, as may be required by the Department of Public Instruction. When any child between

Reports.

Blind or deaf children.

Payment of tuition and maintenance by school district.

By Commonwealth.

Payment to schools by Commonwealth.

Withholding share of districts from State appropriation.

Payment made quarterly.

the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth, who is blind or deaf, is enrolled, with the approval of the Department of Public Instruction, as a pupil in any of the schools or institutions for the blind or deaf, under the supervision of and approved by the Department of Public Instruction, the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution, as determined by the Department of Public Instruction; and for the tuition and maintenance of such children, the Commonwealth shall pay, out of funds appropriated to the department for special education, seventy-five per centum (75%) of the cost of their tuition and maintenance, as determined by the department. When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth, who is blind or deaf, is enrolled, with the approval of the Department of Public Instruction, as a pupil in any of the schools or institutions for the blind or deaf, under the supervision of and approved by the Department of Public Instruction, the Commonwealth shall pay to such school or institution, out of moneys appropriated to the department for special education, the cost of tuition and maintenance of such person, as determined by the Department of Public Instruction. To facilitate payments by the several school districts to the schools or institutions in which deaf or blind children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children, the Superintendent of Public Instruction shall withhold, from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts, the amounts due by such districts to such schools or institutions for the blind or the deaf, and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer, after requisition of the Superintendent of Public Instruction, for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction. Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf pupils enrolled in schools or institutions for the blind or for the deaf, as hereinbefore provided, shall be made quarterly, out of moneys appropriated to the Department of Public Instruction for special education, by warrant of the Auditor General upon the State Treasurer, after requisition by the Superintendent of Public Instruction. For the purpose of enabling the Department of Public Instruction to determine from time to time what amounts are due to schools for the blind or for the deaf here-

under, such schools shall forward to the department, at such times and in such form as the department shall prescribe, sworn statements setting forth the names, ages, and residences of all pupils enrolled hereunder, specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils, the per capita cost of and maintenance of pupils, and such other information as the department shall require.

Statements from institutions.

Section 4. Section one thousand four hundred and fourteen of said act, as last amended by section thirty-five of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred forty-three), is hereby further amended to read as follows:

Section 1414. *The term "compulsory school age," as hereinafter used, shall mean the period of a child's life from the time the child's parents elect to have the said child enter school, which shall be not later than at the age of eight years, until the age of seventeen years during the school year one thousand nine hundred thirty-eight—one thousand nine hundred thirty-nine (1938-1939), and thereafter until the age of eighteen years: Provided, That any child past sixteen years of age who holds a certificate of graduation from a regularly accredited senior high school, or any child who, prior to the effective date of this act, has left school and is legally employed, shall not be subject to the provisions of this section.*

"Compulsory school age," defined.

Every child of compulsory school age 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] of compulsory school age, is required to attend a day school in which the [common English branches provided for in this act] subjects and activities prescribed by the State Council of Education 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] of compulsory school age [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

Compulsory attendance.

Migratory children.

Responsibility of parents, etc.

Time of attendance.

Proviso.

Private school.

Proviso.

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.

Private tutor.

Special provision for deaf or blind children.

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.

Section 5. Section one thousand four hundred and sixteen of said act, as amended by section one of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand thirty-four), is hereby further amended to read as follows:

Exceptions to compulsory attendance.

Section 1416. The provisions of this act requiring regular attendance shall not apply to any child, between the ages of [fourteen and] sixteen *and eighteen* years, who [has completed a course of study equivalent to six yearly grades of the public school, and] is regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who holds an employment certificate issued according to law, *or who has been examined by an approved mental clinic or by a person certified as a public school psychologist or psychological examiner, and has been found to be unable to profit from further school attendance, and who has been reported to the board of school directors and excused, in accordance with regulations prescribed by the State Council of Education;* nor shall the said provisions apply to any child, between the ages of [fourteen] *fifteen* and [sixteen] *eighteen* years, engaged in farm work or domestic service in a private home on a permit issued by the school board or the designated school official of the school district of the child's residence, in accordance with regulations which the Superin-

tendent of Public Instruction is hereby authorized to prescribe.

Section 6. Section one thousand four hundred and seventeen of said act is hereby amended to read as follows:

Section 1417. Every principal or teacher in [every] *any public school, and every principal, teacher or tutor in any school* other than a public school, and in every institution for children, and every private teacher in every school district in this Commonwealth, shall, immediately after their admission to such school or institution, or at the beginning of such private teaching, furnish to the district superintendents, supervising principals, *attendance officers, home and school visitors*, or secretaries of the boards of school directors of the districts wherein the parents or guardians of such children reside, lists of the names and residences of all children between [eight and sixteen] *six and eighteen* years of age enrolled in such school or institution, or taught by such private teacher; and shall further report at once to such district superintendent, supervising principal, or secretary of the board of school directors the name and date of withdrawal of any such pupil withdrawing from any such school or institution, or from such private instruction, if such withdrawal occurs during the period of compulsory attendance in said district. And every principal or teacher in a school other than a public school, and every private teacher, shall also report at once to the superintendent, supervising principal, *attendance officer, home and school visitor*, or secretary of the board of school directors of the district, any such child who has been absent three days, or their equivalent, during the term of compulsory attendance, without lawful excuse.

Teachers and tutors to make report of children admitted to other public schools.

Report of withdrawals from private school.

Section 7. Section one thousand four hundred and eighteen of said act, as last amended by section one of the act, approved the twenty-ninth day of March, one thousand nine hundred and twenty-seven (Pamphlet Laws, seventy-five), is hereby further amended to read as follows:

Section 1418. In case there is no public school in session within two miles by the nearest public highway of the residence of any child, such child shall be exempt from the provisions of this act relating to compulsory attendance, unless proper free transportation be furnished to such child to and from school: Provided, If proper free transportation is furnished to any such child under sixteen years of age to and from school, the Commonwealth shall reimburse any school district of the fourth class furnishing such transportation in the same manner and amounts as provided for in this act for transportation of pupils from closed schools.

Child residing more than two miles from school.

Proviso.

District of fourth class to be reimbursed by Commonwealth.

Transportation
of school
children.

After the first day of July, one thousand nine hundred and thirty-nine, in case there is no public school in session within two miles by the nearest public highway of the residence of any child in a school district of the fourth class, or in a school district of the third class which is located wholly within the boundary lines of a township, such child shall be furnished free transportation to and from school from and to a point on a public highway not more than two miles distant from the residence of such child. All vehicles used for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the State Council of Education. For such proper free transportation furnished to any child to and from school, the Commonwealth shall reimburse any school district of the fourth class, or any school district of the third class which is located wholly within the boundary lines of a township, furnishing such transportation, in the same manner and amounts as provided for in this act for transportation of pupils from closed schools.

Board and
lodging.

Proviso.

When it is not feasible to provide such transportation, the board of school directors may, in lieu thereof, pay for suitable board and lodging for any such child: Provided, That in no case shall the State's share of the cost 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.

Section 8. Sections one thousand four hundred and nineteen and one thousand four hundred and twenty of said act are hereby amended to read as follows:

Employers of
children shall
furnish infor-
mation.

Section 1419. Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and [sixteen years, during the hours when the public schools are in session, shall, on or before the first day of September in each year, and quarterly thereafter, during the period of compulsory attendance] *eighteen years, shall, semi-annually, on the first day of January and on the first day of July in each year, furnish to the superintendent of schools, supervising principal, or secretary of the board of school directors of the district in which such child or children reside, the name, age, place of residence, and name of parent or guardian, of every such child in his or its employ or service. Such report shall be made upon blanks to be furnished by the Superintendent of Public Instruction at the expense of the Commonwealth.*

Employers to
furnish list,
etc., of chil-
dren.

Section 1420. Every person, firm, association, or corporation in this Commonwealth accepting service from, or employing, a child or children, between the ages of fourteen and [sixteen] *eighteen* years, during the hours when the public schools are in session, and during

the period of compulsory attendance in any school district, shall make a true and correct list of all such children, giving their names, ages, places of residence, names of parents or guardians, the dates of and names of the persons issuing the employment certificates, and the time of beginning and ending of service with him or it, which list shall be clearly written or printed and kept publicly posted at the place of employment of such child, where the same may be inspected by any member of the board of school directors or the secretary thereof, by the district superintendent, the supervising principal, or the attendance officer of any school district, at any time during the business hours.

Section 9. Section one thousand four hundred and twenty-one of said act, as amended by section one of 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 1421. No person in this Commonwealth, either for himself or for any firm, association, or corporation, shall, [during the term of compulsory attendance as fixed by the board of school directors in any school district, and] during the hours the public schools are in session, accept service from, engage, or employ any child [or children between eight and fourteen] *under eighteen* years of age, [nor shall he accept service from, engage, or employ any child or children between the ages of fourteen and sixteen years,] unless [such child shall first furnish and deliver to] such employer *shall have on file* an employment certificate, *or farm or domestic service permit*, issued according to law: *Provided, however, That any male minor over sixteen years of age employed in the distribution, sale, exposing or offering for sale of any newspaper, magazine, periodical or other publication, shall not be required to procure an employment certificate under this act.*

Children under 18 shall not be employed.

Proviso.

If the child leaves such employment, or is absent from such employment five days, the employer shall immediately, in writing, notify accordingly the school official who issued the certificate.

Notice of leaving employment, etc.

Section 10. Section one thousand four hundred and twenty-two of said act, as last amended by section thirty-six of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws, two hundred forty-three), 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] *eighteen* years of age [during the term of compulsory attendance, and] while the public schools are in session, [or accepting service from, engag-

Illegal employment of children.

ing or employing, any child during the same period of time, between the ages of fourteen and sixteen years] without [being first furnished by] *having on file* for 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.

Failure to notify.

Penalty.

Section 11. The first paragraph of section one thousand four hundred and twenty-three of said act is hereby amended to read as follows:

Failure by parents regarding compulsory attendance.

Section 1423. Every parent, guardian, or person in parental relation in this Commonwealth, having control or charge of any child or children [between the ages of eight and sixteen years] *of compulsory school age*, who shall fail to comply with the provisions of this act regarding compulsory attendance, shall be guilty of a misdemeanor, and on conviction thereof before any alderman, magistrate, or justice of the peace, shall be sentenced to pay a fine, for the benefit of the school district in which such offending person resides, not exceeding two dollars (\$2.00) for the first offense, and not exceeding five dollars (\$5.00) for each succeeding offense, together with costs, and, in default of the payment of such fine and costs by the person so offending, shall be sentenced to the county jail for a period not exceeding five days: Provided, That any person sentenced to pay any such fine may, at any time within five days thereafter, appeal to the court of quarter sessions of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of penalty and costs: And provided, That before any proceedings are instituted against any parent, guardian, or person in parental relation, for failure to comply with the provisions of this act, such offending person shall have three days' written notice given him by the super-

Penalty.

Proviso.

Proviso.

intendent of public schools, supervising principal, attendance officer, or secretary of the board of school directors of such violation, and if, after such notice has been given, the provisions of this act regarding compulsory attendance are again violated by the persons so notified, at any time during the term of compulsory attendance, such person, so again offending, shall be liable under the provisions of this act without further notice.

Section 12. Section one thousand four hundred and twenty-four of said act is hereby amended to read as follows:

Section 1424. Whenever the board of school directors, or the attendance officer, *home and school visitor*, superintendent, supervising principal, or secretary of any board of school directors, in this Commonwealth, ascertains that any child between eight and sixteen years of age, who is by the provisions of this act required to attend the public schools in the district over which such board of school directors has control, is unable to do so, on account of lack of necessary clothing or food, such case shall be promptly reported to any suitable relief agency operating in the school district, or, if there be no such suitable relief agency to which the case can be referred, it shall be reported to the proper directors or overseers of the poor for investigation and relief.

Duties of school officers.

When child lacks food or clothing.

Section 13. Section one thousand four hundred and twenty-five of said act, as amended by section one of the act, approved the third day of May, one thousand nine hundred and fifteen (Pamphlet Laws, two hundred thirty-eight), is hereby further amended to read as follows:

Section 1425. The board of school directors in every school district in this Commonwealth shall, between [April] *March* first and September first of each year, cause to be made by the attendance officers, teachers, or other persons employed for this purpose, a careful, correct, and accurate enumeration, *on census cards provided by the district, at the expense of the district, or in a substantial book or books provided by the Superintendent of Public Instruction, at the expense of the State, for that purpose, of all the children between the ages of six and [sixteen] eighteen years within their district, giving the full name, date of birth, age, sex, nationality, place of residence in such school district, name and address of parent or persons in parental relation, the name and location of the school where the child is enrolled or belongs, and the name and address of the employer of any child under [sixteen] eighteen years of age who is engaged in any regular employment or service. Such enumeration shall be made by careful inquiry at the residence of each family in the district, and the person making the same, upon completion thereof, shall make a proper oath or affirmation as to its correctness.*

Enumeration of children between 6 and 18 years.

Such enumeration shall also include the names and addresses of all person, firms, or corporations employing or accepting service from children under [sixteen (16)] eighteen years of age. *The board of school directors in any school district in the Commonwealth shall have authority to cause to be made an enumeration of all minors residing within the district, and the Superintendent of Public Instruction may, at his discretion, require such enumeration.*

Enumeration of people unable to read or write English.

Beginning in the year one thousand nine hundred and thirty-eight, and thereafter in the year one thousand nine hundred forty, the year one thousand nine hundred forty-five, and each fifth year following, said board of school directors shall, and at more frequent intervals may, also cause to be recorded in the same or separate books, or on the same or separate census cards, in like manner to, and in conjunction with, said enumeration of children, an enumeration of all persons ten years of age or over resident within their district who are unable to write the English language according to standards hereinafter provided, giving the full name, age, sex, race, nationality, place of residence in such school district, whether able to write English, whether able to read English, and whether able to speak English, and of all persons twenty-one or more years of age resident within their district who are not citizens of the United States of America, giving their full name, age, sex, nationality, place of residence in school district, whether declarants, and whether petitioners for naturalization.

The standards used in determining whether residents are able to speak English, able to read English, and able to write English, shall be formulated by the State Council of Education for the purpose of recording the facts of said enumeration.

Such enumeration shall be made by careful inquiry at the residence of each family in the district, and the persons making the same, upon completion thereof, shall make a proper oath or affirmation as to its correctness. If any person shall hinder or prevent, or attempt to hinder or prevent, any attendance officer or teacher, or other person, from performing any duty provided for in this section, he shall, on conviction thereof before any alderman or justice of the peace of the county, be sentenced to pay a fine not exceeding five dollars, or to undergo an imprisonment not exceeding five days.

Hindrance of officer, teacher, etc.

Penalty.

Section 14. Section one thousand four hundred and twenty-six of said act is hereby amended to read as follows:

Secretary to furnish list of aliens, residents unable to read or write English, or children assigned to such school.

Section 1426. The secretary of each board of school directors, or such other person as is directed by the board, shall, at or before the opening of the school term, furnish to the principal or teacher of each school a cor-

rect list of the names and residences of all *aliens*, of all residents over ten years of age unable to read or write the English language and of children, assigned to such school, who are subject to the provisions of this act. The said secretary or other person shall also forward, on or before the first day of October of each year, to the county or district superintendent, to be by him forwarded, on or before the first day of November of each year, to the Superintendent of Public Instruction, a summary of such statistics regarding the children in each district, as is required by the Superintendent of Public Instruction, on blanks provided by him for that purpose.

Section 15. Section one thousand four hundred and twenty-seven of said act is hereby amended to read as follows:

Section 1427. The cost and expense of making a proper enumeration of the children *and of aliens and of persons unable to write English* of each school district, as herein provided, shall be paid per diem, or by the name, or in such other manner as the board of school directors may [see] deem proper, out of the funds of the district: Provided, That the attendance officer, the superintendent of schools, supervising principal, or the secretary of the board of school directors, shall have the power to add to this enumeration the names of any children *and of any aliens and of persons unable to write English* whose names do not appear thereon, together with other information required by this act.

Cost of enumeration.

Proviso.

Section 16. Section one thousand four hundred and twenty-eight of the said act is hereby amended to read as follows:

Section 1428. It shall be the duty of every principal or teacher of a public school to report immediately to the attendance officer, superintendent of schools, supervising principal, or secretary of the board of school directors, the names of all children in the list furnished to him who have not appeared for enrollment, and he shall also properly report, from time to time, to the attendance officer, superintendent of schools, supervising principal, or secretary of the board of school directors, the names of all children *who having enrolled have subsequently withdrawn from school*, or who have been absent three days, or their equivalent, [during the term of compulsory attendance] without lawful excuse. Such person shall thereupon serve upon the parent, guardian, or other person in parental relation to such children *unlawfully absent from school*, the written notice hereinbefore provided, and if it shall appear that, within three days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, the superintendent

Children listed failing to appear or who have withdrawn.

Absentees.

Notice to parent.

supervising principal, attendance officer, or secretary of the board of school directors, in the name of the school district, shall proceed against the person so offending, in accordance with the provisions of this act.

Section 17. Section one thousand four hundred and thirty-two of said act, as amended by section six 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:

Attendance officers.

Section 1432. The board of school directors of every school district in this Commonwealth of the first, second, or third class, shall, and in any school district of the fourth class may, employ one or more persons to be known as attendance officers, or home and school visitors, whose duties shall be to enforce the provisions of this act regarding compulsory attendance. Such attendance officers, or home and school visitors, shall, in addition to the duties imposed upon them by the provisions of this act, have full police power without warrant, and may arrest or apprehend any child who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or from school: Provided, That all home and school visitors shall be legally [certificated] *certified* as such by the Department of Public Instruction, upon meeting such requirements as shall be prescribed by the State Council of Education, and when so certified, any district employing such home and school visitors shall be reimbursed for their salaries on the same basis as they are now reimbursed for elementary school teachers.

Proviso.
To be certified.

Section 18. Section one thousand four hundred and thirty-five of said act is hereby amended to read as follows:

Employer interfering with attendance officer.

*Section 1435. Any officer, director, superintendent, manager, employe, or other person, at any place where any child between fourteen and sixteen years of age is engaged, who refuses to permit, or in any way interferes with, the entrance therein of the attendance officer, any member of the board of school directors, the secretary thereof, the district superintendent, or supervising principal of any school district, as provided for in this act, shall be guilty of a misdemeanor, and, on conviction thereof before any magistrate, alderman, or justice of the peace, shall be sentenced to pay a fine of not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00), in default of which he may be sentenced to imprisonment not exceeding thirty days: Provided, That any person sentenced to pay any such fine may, upon giving proper surety in double the amount of penalty and costs, at any time within five days thereafter, ap-

Penalty.

* Amendment eliminated during passage but section not eliminated.

peal to the court of quarter sessions of the proper county.

Section 19. Section one thousand four hundred and thirty-six of said act, as last amended by section one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, one thousand eighty-seven), is hereby further amended to read as follows:

Section 1436. Such attendance officers *or home and school visitors* may be employed for the full calendar year, and shall be paid such amounts and in such manner as the board of school directors appointing them may decide, and they shall at all times perform the duties of their appointment under the direction of the board of school directors appointing them: Provided, That in districts of the first class the compensation [shall not be less than twelve hundred dollars (\$1,200) per annum] *of attendance officers shall be according to the same salary schedule as for elementary teachers of such district.* Every school district shall report to the Superintendent of Public Instruction upon the enforcement of the provisions for compulsory attendance and the cost thereof, in such details as said Superintendent of Public Instruction shall request.

Term of service and compensation.

Proviso.
First class districts.

Report of districts.

Section 20. Section one thousand five hundred and three of said act, as amended by section two of the act, approved the twenty-third day of June, one thousand nine hundred and nineteen (Pamphlet Laws, five hundred seventy-two), and section three of the act, approved the seventeenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws, nine hundred ninety-seven), is hereby further amended to read as follows:

Section 1503. In every school district of the fourth class in this Commonwealth, the State Department of Health, shall provide, in such manner as it may determine, medical inspection for all the pupils in the public schools by proper medical inspectors, to be appointed by the State Commissioner of Health, at the expense of said department. *In the event that such department, because of lack of funds, is unable to provide adequate medical inspection at its expense, the school district may, at its own expense, provide such medical inspection or additional medical inspection.* All such medical inspectors shall be legally qualified physicians, who have had not less than two years' experience in the practice of their profession. Such medical inspection shall be made in the presence of the parent or guardian of the pupil, when so requested by parent or guardian.

Districts of fourth class.

Inspectors.

Presence of parents or guardian.

Section 21. Section one thousand five hundred and eleven of said act, as added by section one of the act, approved the seventeenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, one thousand thirty-two), is hereby amended to read as follows:

Hygiene.

Defective eyes,
ears, and
teeth.

Section 1511. Any school district may provide for the care and treatment of defective eyes, ears, and teeth of all pupils of its public schools.

Section 22. Section one thousand six hundred and one of said act, as amended by section one of the act, approved the twentieth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws, nine hundred eighty-three), is hereby further amended to read as follows:

Section 1601. [All the public elementary and high schools in the school districts of the first, second, and third class in this Commonwealth shall be kept open each year as follows: For the school year beginning the first Monday of July, one thousand nine hundred and twenty-one, and each school year thereafter, one hundred eighty (180) days. All the public elementary and high schools of school districts of the fourth class in this Commonwealth shall be kept open each year as follows: For the school year beginning the first Monday of July, one thousand nine hundred twenty-one, not less than one hundred fifty (150) days; for the school year beginning the first Monday of July, one thousand nine hundred and twenty-two, and each school year thereafter, not less than one hundred sixty (160) days.] *During the school year beginning the first Monday of July, one thousand nine hundred and thirty-nine, and each school year thereafter, each public elementary and high school in all of the school districts of this Commonwealth shall be kept open at least one hundred and eighty (180) days each year.* Unless otherwise provided by this act, the board of school directors in any district may keep such other schools or departments as it may establish open during such time as it may direct.

School terms.

Special schools.

Constitutional provision.

Section 23. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

When effective.

Section 24. Except as hereinbefore otherwise specifically provided, the provisions of this act shall become effective on the first day of July, one thousand nine hundred and thirty-seven.

APPROVED—The 1st day of July, A. D. 1937.

GEORGE H. EARLE