

trict or credited to its account: And provided further, That such certificates of indebtedness or obligations were signed by at least two officers of such board of school directors, and that the indebtedness of such school district, including such debt or money borrowed, did not constitute two per centum of the total valuation of the taxable property of such school district for school purposes therein: And provided further, That in all other respects the provisions of section five hundred and eight of the said act of May eighteenth, one thousand nine hundred and eleven, and of the amendments thereto, were complied with.

Proviso.

Proviso.

Section 2. This act shall become effective immediately upon its final enactment.

When effective.

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

GEORGE H. EARLE

No. 483

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 changing the requirements for free transportation of pupils; removing certain exemptions from the compulsory attendance act; providing for standards for vehicles used requiring public liability insurance coverage; and authorizing the withholding of reimbursement in certain cases.

Section 1. Be it enacted, &c., That the second paragraph of section one thousand four hundred and four 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," as amended by section seven 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:

The second paragraph of section 1404, act of May 18, 1911 (P. L. 309), as amended by section 7, act of June 1, 1933 (P. L. 1152), further amended.

Section 1404.

Free transportation of pupils.

The board of school directors in any school district in this Commonwealth may, out of the funds of the district, provide for the free transportation of any pupil to and from the public schools. *All vehicles hereafter purchased or placed in use for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the State Council of Education. Such standards, when promulgated by the State Council of Education, may be revised not oftener than once each year, and whenever new requirements are made, they shall be published at least six months before they shall become effective, and shall apply only to vehicles thereafter purchased or put in use.*

Section 1406, as amended by section 34, act of May 29, 1931 (P. L. 243), further amended.

Section 2. Section one thousand four hundred and six of said act, as amended by section thirty-four 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 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.

[Provided, That whenever] *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.

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 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]

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 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. *All vehicles hereafter purchased or placed in use for the transportation of pupils, whether owned or hired by the school district, shall conform to standards prescribed by the State Council of Education. Such standards, when promulgated by the State Council of Education, may be revised not oftener than once each year, and whenever new requirements are made, they shall be published at least six months before they shall become effective, and shall apply only to vehicles thereafter purchased or put in use.*

[And provided further, That whenever] *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] *In no such* 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] *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, that are or may be inconsistent there-

with," 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] *payment by the Commonwealth for such transportation* may include a reasonable charge for depreciation and repairs, not to exceed *in any year* 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.

After the first day of July, one thousand nine hundred and thirty-nine, if the Department of Public Instruction approves the transportation and means, and the contracts provided therefor, the Commonwealth will pay annually to the school district furnishing such transportation an amount determined, according to the following schedule of reimbursement: To a school district which has a true valuation per teacher of assessable property of twenty-five thousand dollars (\$25,000) or less, ninety per centum (90%); more than twenty-five thousand dollars (\$25,000), but not more than fifty thousand dollars (\$50,000), eighty per centum (80%); more than fifty thousand dollars (\$50,000), but not more than seventy-five thousand dollars (\$75,000), seventy-five per centum (75%); more than seventy-five thousand dollars (\$75,000), but not more than one hundred thousand dollars (\$100,000), seventy per centum (70%); more than one hundred thousand dollars (\$100,000), but not more than one hundred fifty thousand dollars (\$150,-

000), sixty-five per centum (65%); more than one hundred fifty thousand dollars (\$150,000), but not more than two hundred thousand dollars (\$200,000), sixty per centum (60%); more than two hundred thousand dollars (\$200,000), but not more than two hundred fifty thousand dollars (\$250,000), fifty-five per centum (55%); more than two hundred fifty thousand dollars (\$250,000) fifty per centum (50%). After the first day of July, one thousand nine hundred and thirty-nine, in any case where any such school district has purchased or shall hereafter purchase an approved school conveyance which is used exclusively for approved school purposes, said payment by the Commonwealth for such transportation may include a reasonable charge for depreciation and repairs, not to exceed in any year fifteen per centum (15%) of the cost of said approved school conveyance. The State's share of such depreciation and repairs shall not exceed two hundred dollars (\$200.00) per vehicle per year: Provided, 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, That no district shall receive from the Commonwealth in any one year more than eight thousand dollars (\$8,000) as reimbursement for transportation.

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. *The State Council of Education may, for cause specified by it, direct the withholding of such reimbursement in any given case permanently or until the school district has complied with the law or regulations of the State Council of Education.*

Section 3. Section one thousand four hundred and eight of said act, as last amended by section four of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (Pamphlet Laws, six hundred twenty-eight), is hereby further amended to read as follows:

Section 1408. Where, by the terms of this act, or any other act, any distance is specified between the residence of any pupil and any public school to be attended by him, or any transportation is provided for within or be-

Section 1408, as last amended by act of May 13, 1925 (P. L. 628), further amended.

yond any particular distance, in computing such distance no allowance shall be made for the distance that the dwelling house of the pupil is situated off the public highway. All such distances shall be computed by the public highway from the nearest point where a private way or private road connects the dwelling house of the pupil with the said highway to the nearest point where said highway touches the school grounds of the school to which the pupil has been assigned. [Provided, That the] *The free transportation of pupils, as required or authorized by this act, or any other act, may be furnished by using either school conveyances, private conveyances, or electric railways, or other common carriers, when the total distance which any pupil must travel by the public highway to or from school, in addition to such transportation, does not exceed one and one-half miles, and when stations or other proper shelters are provided for the use of such pupils where needed. All private motor vehicles employed in transporting pupils for hire shall be adequately covered by public liability insurance in such amount as the board of school directors shall require.*

Section 1418, as last amended by act of March 29, 1927 (P. L. 75), further amended.

Section 4. 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 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.

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. 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 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. It shall be unlawful for any driver or owner of a vehicle transporting pupils under a contract with a school district, or for any member of or board of school directors, to demand, request, or accept any compensation for transporting pupils, other than the compensation stipulated in the contract filed with and approved by the Department of Public Instruction.

Section 5. 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.

Constitutional provision

Section 6. The provisions of this act shall become effective on the first day of July, one thousand nine hundred and thirty-seven.

When effective.

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

GEORGE H. EARLE .

No. 484

AN ACT

To further amend section four of the act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred ninety-eight), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," by making certain changes in the provisions for reimbursements by the Commonwealth.

The second and third paragraphs of section 4, act of June 18, 1919 (P. L. 498), as amended by section 4, act of May 13, 1925 (P. L. 634), further amended.

Section 1. Be it enacted, &c., That the second and third paragraphs of section four of the act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws, four hundred ninety-eight),