

## No. 531

## AN ACT

To amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," by providing for the training of uneducable mentally handicapped children at day care training centers provided by the Department of Public Instruction, and the care, training and supervision by the Department of Welfare of children uneducable and untrainable in the public schools; increasing State reimbursements for courses of handicapped children; and making an appropriation.

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

"Public School Code of 1949."

Section 1. The act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," is hereby amended by adding, after section 1372 thereof, a new section to read as follows:

Act of March 10, 1949, P. L. 30, amended by adding, after section 1372 thereof, a new section 1372.1.

*Section 1372.1. Day Care Training Centers for the Proper Training of Mentally Handicapped Children.—The Department of Public Instruction is hereby authorized to provide, maintain, administer, supervise and operate day care training centers for the proper training of mentally handicapped children who have been declared to be uneducable in the public schools but who are considered to be trainable. Pupil eligibility for day care training centers shall be determined according to standards and regulations promulgated by the State Council of Education. The school district in which a child who is enrolled in any day care training center is resident shall pay to the Commonwealth a sum equal to the district's "tuition charge per elementary pupil" for the preceding school term, as provided for in section two thousand five hundred sixty-one of the act to which this is an amendment. In order to facilitate such payments by the several school districts, the Superintendent of Public Instruction shall withhold from any moneys due to such district out of any State appropriation the amounts due by such school districts to the Commonwealth. All amounts so withheld are hereby specifically appropriated to the Department of Public Instruction for the maintenance and administration of day care training centers for mentally handicapped children.*

Section 2. Sections 1375 and 2509 of said act are hereby amended to read as follows:

Sections 1375 and 2509, said act, amended.

Section 1375. Uneducable Children Provided for by Department of Welfare.—*The State Council of Education shall establish regulations for temporary or permanent exclusion from the public school of children who are found to be uneducable and untrainable in the public schools. 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 and untrainable in the public schools, may be reported by the board of school directors to the Superintendent of Public Instruction and when approved by him, in accordance with the regulations of the State Council of Education, shall be certified 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, it] as a child who is uneducable and untrainable in the public schools. When a child is thus certified, the public schools shall be relieved of the obligation of providing education or training for such child. The Department of Welfare shall thereupon arrange for the [admission] care, training and supervision of such child [at an appropriate institution for the training of] in a manner not inconsistent with the laws governing mentally defective [children, due consideration being given to the availability of space in such institution] individuals.*

Section 2509. Payments on Account of Courses for Handicapped Children.—Every school district, regardless of classification, shall be paid by the Commonwealth for every school term, the sum of twenty dollars (\$20) per pupil in average daily membership in a course or courses for mentally handicapped children, and the sum of thirty dollars (\$30) per pupil in average daily membership in a course or courses for physically handicapped children, approved by the Superintendent of Public Instruction.

Appropriation.

Section 3. The sum of fifty thousand dollars (\$50,000), or as much thereof as may be necessary, is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June, one thousand nine hundred fifty-one, for the purpose of maintaining, administering, supervising and operating day care training centers for mentally handicapped children.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE