

No. 323

AN ACT

To amend section 1 of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 787), entitled "An act *establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by deleting Route 676.

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

Section 1. Section 1 of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws 787), entitled "An act establishing certain public roads as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," is hereby amended by deleting Route 676, as follows:

Section 1. Be it enacted, &c., That the following various sections of public roads shall respectively be adopted by the Commonwealth as State highways, to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing main State highways, that is to say:

• • • • •

[Route number six hundred and seventy-six. Commencing at a point in State highway route number one hundred and sixty-eight in the borough of Dunmore, Lackawanna County; and running thence along the property and with the consent of the Board of Trustees of the Pennsylvania State Oral School for Deaf, partly over the property of said school, to the city line of Scranton.]

Route 676
deleted.

APPROVED—The 19th day of August, A. D. 1953.

JOHN S. FINE

No. 324

AN ACT

To further 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 placing Commonwealth reimbursements on account of instruction on the basis of resident pupils attending public schools of the district and schools operated by joint boards of which the district of residence is a member; pro-

* "establishing" in original.

portionately increasing Commonwealth reimbursements on account of tuition and payments by school districts for pupils attending in other districts; and limiting supplemental payments to districts of the third and fourth class and to other districts heretofore approved.

"Public School Code of 1949."

Section 2502 and subsection (a) of section 2503, act of March 10, 1949, P. L. 30, as last amended by act of December 27, 1951, P. L. 1783, further amended.

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

Section 1. Section 2502 and subsection (a) of section 2503 of 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," as last amended by the act, approved the twenty-seventh day of December, one thousand nine hundred fifty-one (Pamphlet Laws 1783), are hereby further amended to read as follows:

Section 2502. Payments on Account of Instruction.—
 (a) Every school district and every vocational school district shall be paid by the Commonwealth on account of the instruction of [all] pupils [in average daily membership in the district's public schools, joint elementary schools and joint high schools], an amount to be determined by multiplying the number of teaching units [, based on the number of all pupils in average daily membership in the district's public schools, joint elementary schools and joint high schools] by the district's standard reimbursement fraction; and for the school year 1950-1951 by three thousand eight hundred fifty dollars (\$3850); for the school year 1951-1952 by four thousand dollars (\$4000); for the school year 1952-1953 by four thousand three hundred dollars (\$4300); for the school year 1953-1954 by four thousand five hundred dollars (\$4500); for the school year 1954-1955 by four thousand seven hundred dollars (\$4700); for the school year 1955-1956 by four thousand nine hundred dollars (\$4900); for the school year 1956-1957 by five thousand one hundred dollars (\$5100); for the school year 1957-1958 by five thousand three hundred dollars (\$5300); for the school year 1958-1959 and for each school year thereafter by five thousand five hundred dollars (\$5500) [: Provided, That the amount of payment to be made by the Commonwealth to any school district during the school year 1951-1952 and 1952-1953 for the school years 1950-1951 and 1951-1952 on account of the instruction of pupils under the provisions of this section shall not be less than the amount paid to the district during the school year 1949-1950 on account of the instruction of pupils: Provided further, That if the number of teaching units in any school district for the school year 1950-1951 or 1951-1952 is less than the number of teaching units

for the school year 1948-1949 the payment by the Commonwealth shall be reduced proportionately]. *For the school year 1952-1953, teaching units shall be based on the number of all pupils in average daily membership in the district's public schools, joint elementary schools and joint high schools. For the school year 1953-1954, and each school year thereafter, teaching units shall be based on the number of all pupils who are residents of the school district in average daily membership in the district's public schools and in elementary schools and high schools operated by joint boards of which the district of residence is a member.*

(b) In addition to the payments hereinbefore specified, the following supplemental payments shall be made to the district of residence on account of pupils enrolled in elementary schools or high schools operated by joint boards of which the district of residence is a member and pupils enrolled in schools operated by union or merged districts:

(1) In the case of joint elementary schools, five hundred dollars (\$500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence.

(2) In the case of joint high schools, five hundred dollars (\$500) per teaching unit multiplied by the standard reimbursement fraction of the district of residence.

(3) In the case of elementary schools operated by union or merged districts, eight hundred dollars (\$800) per teaching unit multiplied by the district's standard reimbursement fraction.

(4) In the case of high schools operated by union or merged districts, eight hundred dollars (\$800) per teaching unit multiplied by the district's standard reimbursement fraction.

In all cases, the supplemental payments specified in the foregoing shall be made only for organizations approved by the Department of Public Instruction. *After the school year 1953-1954, payments required by this subsection shall be paid only to districts of the third and fourth class and to such other districts as have been approved by the Department of Public Instruction prior to the effective date of this amendment.*

(c) Notwithstanding the foregoing provisions of this section, when, because of sparsity of population, road or climatic conditions, or lack of other available high school facilities, the State Council of Education has approved the continued operation of a small high school, the district shall receive an amount based on a number of teaching units equal to the number of teachers approved by the State Council of Education as being required to provide a satisfactory educational program in such school, provided that the number of teachers employed is not less than the number approved.

For no year shall any school district or vocational school district receive less than the minimum subsidy per teaching unit.

Section 2503. Payments on Account of Tuition.—
 (a) Each school district, regardless of classification, sending pupils to another school district or vocational school district or to a joint school, approved by the Department of Public Instruction, shall be paid by the Commonwealth for every school year, on account of tuition, an amount to be determined by multiplying the sum of "overhead cost per pupil" and "instruction cost per elementary pupil" or "instruction cost per high school pupil," as the case may be, as defined in section two thousand five hundred sixty-one of this act, or in the case of district pupils attending a school not located in this Commonwealth, on the basis of a reasonable tuition charge per pupil to be determined by the Superintendent of Public Instruction (i) by the number of district pupils sent to schools of other districts or to joint schools; and (ii) by the district's standard reimbursement fraction; and (iii) for tuition up to and including the school year 1948-1949 by seventy-five-one-hundredths (.75), and thereafter by eighty-five-one-hundredths (.85); and (iv) *as to the payments made for the school year 1952-1953 only, but not thereafter*, subtracting from the amount so obtained, the per pupil State appropriation paid to the district where the pupil attends school multiplied by the number of pupils.

Clauses (2) and (3) of section 2561, said act, as last amended by act of April 12, 1951, P. L. 217, further amended.

Section 2. Clauses (2) and (3) of section 2561 of said act, as last amended by the act, approved the twelfth day of April, one thousand nine hundred fifty-one (Pamphlet Laws 217), are hereby further amended to read as follows:

Section 2561. Tuition Charges for Pupils of Other Districts.—A school district or vocational school district receiving elementary or high school pupils or vocational or other extension education pupils who are residents of another school district or another vocational school district shall compute the tuition charges as follows:

• • • • •

(2) Elementary Tuition Charge. Add the salaries of supervisors, principals, clerks, assistants and teachers employed in the receiving district's elementary schools, the district's contribution to the retirement fund on behalf of teachers, supervisors and principals employed in the district's elementary schools, the cost of textbooks, and supplies of the second class used in the district's elementary schools, and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's elementary schools. The quotient so obtained shall be designated as the "instruction cost per elementary pupil." Add to the instruction cost

per elementary pupil, the overhead cost per pupil and a rental charge of eight dollars (\$8) per pupil for the use of the receiving district's school plant. [Deduct] *For the school years 1952-1953 and 1953-1954 only, but not thereafter, deduct* from the amount so obtained the per pupil State appropriation on account of elementary school teaching units. The cost so determined shall be the "tuition charge per elementary pupil."

(3) High School Tuition Charge. Add the salaries of supervisors, principals, clerks, assistants and teachers employed in the receiving district's high schools, the district's contribution to the retirement fund on behalf of teachers, supervisors and principals employed in the district's high schools; the cost of textbooks and supplies of the second class used in the district's high schools, and divide the sum so obtained by the total number of pupils in average daily membership in the receiving district's high schools. The quotient so obtained shall be designated as the "instruction cost per high school pupil." Add to the instruction cost per high school pupil the overhead cost per pupil and a rental charge of ten dollars (\$10) per pupil for the use of the receiving district's school plant. [Deduct] *For the school years 1952-1953 and 1953-1954 only, but not thereafter, deduct* from the amount so obtained the per pupil State appropriation on account of high school teaching units. The cost so determined shall be the "tuition charge per high school pupil."

Section 3. The provisions of this act shall become effective on the first Monday of July, one thousand nine hundred fifty-three.

Act effective first
Monday of July,
1953.

APPROVED—The 19th day of August, A. D. 1953.

JOHN S. FINE

No. 325

AN ACT

To amend section 4 of the act, approved the first day of May, one thousand nine hundred fifty-three (Act No. 10), entitled "An act authorizing fiduciaries to receive compensation from trust principal before the end of their service and before the end of their trusts, and providing for allowances of compensation to fiduciaries out of trust income or trust principal or both, either during the continuance or at the end of their trusts," by excepting from the provisions of the act certain trusts created by cemetery lot owners.

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

Fiduciaries,