

No. 1978-147

## AN ACT

SB 1204

Amending the act of March 10, 1949 (P.L.30, No.14), 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," providing for diagnostic and evaluative psychological services for the benefit of children attending nonpublic schools in the Commonwealth.

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

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," is amended by adding a section to read:

**Section 923.1-A. Psychological Services.—(a) Legislative Finding; Declaration of Policy.—It is today recognized that diagnostic and evaluative psychological services to children are closely related to their physical, mental and emotional health. Such services can best be rendered upon the premises of the school which the child regularly attends, and forcing children to go to other premises in order to have such needed services is found by the General Assembly to be both inadequate and harmful. The General Assembly expressly finds and declares diagnostic and evaluative psychological services for children to be health services, and it is the intention of the General Assembly now to make these available, on a general and even-handed basis, to all school children in the Commonwealth.**

**(b) Definitions.—The following terms, whenever used or referred to in this section, shall have the following meanings, except in those circumstances where the context clearly indicates otherwise:**

**"Nonpublic school" means any nonprofit school, other than a public school within the Commonwealth of Pennsylvania, wherein a resident of the Commonwealth may legally fulfill the compulsory school attendance requirements and which meets the requirements of Title VI of the Civil Rights Act of 1964 (Public Law 88-352).**

**"Psychological services" means diagnostic and evaluative psychological services for children.**

**(c) Provision of Services.—The Secretary of Education directly, or through the intermediate units out of their allocation under section 922.1-A of this act shall have the power and duty to furnish free to nonpublic school students, upon the premises of the nonpublic schools which they regularly attend, psychological services provided that such services are also afforded to public school students by the public school district in which such nonpublic school is located.**

Section 2. This act shall take effect immediately.

We certify that this bill, Senate Bill No. 1204, Printer's No. 1962, having passed both Houses, vetoed by the Governor, official notification of which was returned to the Senate where the Senate reconsidered and passed the bill by a two-thirds majority of the members elected to the Senate September 19, 1978, the objections of the Governor to the contrary notwithstanding. Upon notification by the Senate as to their action, the House of Representatives reconsidered and passed the bill on September 26, 1978, by a two-thirds majority of the members elected to the House of Representatives, the objections of the Governor to the contrary notwithstanding.

Given under our hand and seal this twenty-seventh day of September, one thousand nine hundred and seventy-eight.

ERNEST P. KLINE  
President, Senate

K. LEROY IRVIS  
Speaker, House of Representatives

MARK GRUELL, JR.  
Secretary, Senate

VINCENT F. SCARCELLI  
Chief Clerk, House of Representatives

*Note.* The date of final enactment of Act No. 1978-147 is Sept. 26, 1978.