

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1813 Session of
1997

INTRODUCED BY ORIE, ARGALL, NICKOL, D. W. SNYDER, HENNESSEY,
LYNCH, PLATTS, SAYLOR, NAILOR, CLARK, FLICK, ROSS, KAISER,
CALTAGIRONE, GIGLIOTTI, HORSEY, TIGUE, YOUNGBLOOD,
E. Z. TAYLOR, RAMOS, BARRAR, BENNINGHOFF, SEYFERT, BARD,
BELFANTI, BOSCOLA, STEELMAN, TRELLO, JAMES AND RUBLEY,
SEPTEMBER 30, 1997

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 30, 1997

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," further providing for census data;
6 and making an editorial change.

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

9 Section 1. Section 1351 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended July 22, 1970 (P.L.557, No.192), is amended to read:

12 Section 1351. Duty to Make; Penalty for Interfering.--The
13 board of school directors of each school district shall maintain
14 a continuing school census or in lieu thereof shall, between
15 March first and September first of each year, cause to be made
16 by the attendance officers, teachers, or other persons employed
17 for this purpose, a careful, correct, and accurate enumeration
18 of all the children from birth to eighteen (18) years of age

1 within their district, giving the full name, date of birth, age,
2 sex, nationality, place of residence in such school district,
3 name and address of parent or persons in parental relation, the
4 name and location of the school where the child is enrolled or
5 belongs, and the name and address of the employer of any child
6 under eighteen (18) years of age who is engaged in any regular
7 employment or service. In school districts of the first class,
8 where the bureau of vital statistics of the city comprising the
9 school district can supply the district with the number of live
10 births during each year, the school district may limit its
11 enumeration to children between the ages of five (5) and
12 eighteen (18) years of age. Such enumeration shall be made by
13 careful inquiry at the residence of each family in the district,
14 or by such other reliable means [as will] as the board of school
15 directors deem appropriate to accomplish a complete and correct
16 collection of information as specified herein concerning each
17 child. The person making such enumeration, upon completion
18 thereof, shall make a proper oath or affirmation as to its
19 correctness. Such enumeration shall also include the names and
20 addresses of all persons, firms, or corporations, employing or
21 accepting service from children under eighteen (18) years of
22 age. The board of school directors in any school district shall
23 have authority to cause to be made an enumeration of all minors
24 residing within the district, and the Secretary of Education
25 may, at his discretion, require such enumeration.

26 If any person shall hinder or prevent, or attempt to hinder
27 or prevent, any attendance officer or teacher, or other person,
28 from performing any duty provided for in this section, he shall,
29 on summary conviction thereof, be sentenced to pay a fine not
30 exceeding five dollars (\$5), or to undergo an imprisonment not

1 exceeding five (5) days.

2 Section 2. Section 1353 of the act, amended January 14, 1970
3 (1969 P.L.468, No.192), is amended to read:

4 Section 1353. Cost of Enumeration; Additional Names and
5 Information.--The cost and expense of making a proper
6 enumeration of the children of each school district or of
7 obtaining other census data, as herein provided, shall be paid
8 per diem, or by the name, or in such other manner as the board
9 of school directors may deem proper, out of the funds of the
10 district. The attendance officer, the district superintendent,
11 or the secretary of the board of school directors, shall have
12 the power to add to this enumeration the names of any children
13 whose names do not appear thereon, together with other
14 information required by this act.

15 Section 3. Section 1357 of the act is amended to read:

16 Section 1357. Withholding State Appropriation.--The
17 [Superintendent of Public Instruction] Secretary of Education
18 upon due hearing, after two (2) weeks' written notice to the
19 board of school directors affected, may withhold and declare
20 forfeited any part, or all, of the State appropriation of any
21 school district which refuses or neglects to comply with and to
22 enforce the provisions of this article [in the manner
23 satisfactory to him].

24 Section 4. This act shall take effect in 60 days.