

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

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 28, 1998

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 FOR REIMBURSEMENT FOR CERTAIN COMMUNITY COLLEGES AND FOR
7 AGRICULTURAL EDUCATION; and making an editorial change.

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

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

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

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

27 If any person shall hinder or prevent, or attempt to hinder
28 or prevent, any attendance officer or teacher, or other person,
29 from performing any duty provided for in this section, he shall,
30 on summary conviction thereof, be sentenced to pay a fine not

1 exceeding five dollars (\$5), or to undergo an imprisonment not
2 exceeding five (5) days.

3 Section 2. Section 1353 of the act, amended January 14, 1970
4 (1969 P.L.468, No.192), is amended to read:

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

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

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

25 SECTION 4. SECTION 1549(B) AND (C) OF THE ACT, ADDED JUNE
26 30, 1995 (P.L.220, NO.26), ARE AMENDED TO READ:

27 SECTION 1549. AGRICULTURAL EDUCATION.--* * *

28 (B) THE DEPARTMENT SHALL HAVE THE POWER AND ITS DUTY SHALL
29 BE TO:

30 (1) PROVIDE, IN CONJUNCTION WITH THE DEPARTMENT OF

1 AGRICULTURE, RESOURCE INFORMATION TO EDUCATORS AND PUBLIC AND
2 PRIVATE SCHOOLS AND ORGANIZATIONS ON AGRICULTURAL EDUCATION.

3 (2) PROVIDE [FOR], IN CONJUNCTION WITH THE DEPARTMENT OF
4 AGRICULTURE, FOR THE DEVELOPMENT AND DISTRIBUTION TO SCHOOL
5 ENTITIES OR PRIVATE OR NONPUBLIC KINDERGARTENS, ELEMENTARY OR
6 SECONDARY SCHOOLS IN THIS COMMONWEALTH MATERIALS ON AGRICULTURAL
7 EDUCATION. SUCH MATERIALS MAY INCLUDE INSTRUCTION ON ISSUES
8 RELATED TO AGRICULTURE, INCLUDING, BUT NOT LIMITED TO, FOOD
9 SAFETY, PESTICIDES, FARMLAND PRESERVATION, WASTE MANAGEMENT,
10 WETLANDS, NUTRIENT MANAGEMENT, FOOD PRODUCTION AND FOOD
11 PROCESSING, ANIMAL HEALTH AND STATUTORY AND REGULATORY
12 PROTECTIONS OF THE RIGHT TO FARM.

13 (3) IDENTIFY, RECOGNIZE AND ESTABLISH, IN CONJUNCTION WITH
14 THE DEPARTMENT OF AGRICULTURE, AWARDS FOR EXEMPLARY AGRICULTURAL
15 EDUCATION CURRICULA DEVELOPED IN COMMONWEALTH SCHOOLS.

16 (4) USE LOCAL SCHOOL DISTRICT OCCUPATIONAL ADVISORY
17 COMMITTEES, AS WELL AS THE FACILITIES AND EQUIPMENT OF THE
18 DEPARTMENT OF AGRICULTURE, TO SERVE AS THE CONDUIT TO BRING
19 YOUTH AND ADULT EDUCATION PROGRAMS INTO COMMUNITIES AND SCHOOLS,
20 FOCUSING ON AGRICULTURAL INDUSTRY ISSUES OF IMPORTANCE TO THIS
21 COMMONWEALTH.

22 (5) MAINTAIN, IN CONJUNCTION WITH THE DEPARTMENT OF
23 AGRICULTURE, AN INVENTORY OF AGRICULTURAL EDUCATION MATERIALS,
24 PROGRAMS AND RESOURCES AVAILABLE IN COMMONWEALTH AGENCIES.

25 (C) THE SECRETARY SHALL PREPARE AND SUBMIT, IN CONJUNCTION
26 WITH THE DEPARTMENT OF AGRICULTURE, AN ANNUAL REPORT TO THE
27 GOVERNOR AND THE GENERAL ASSEMBLY [OUTLINING] ON THE STATUS OF
28 AGRICULTURAL EDUCATION IN THIS COMMONWEALTH. THE REPORT SHALL
29 OUTLINE AGRICULTURAL EDUCATION PROGRAMS AND ACHIEVEMENTS,
30 [HIGHLIGHTING] HIGHLIGHT NEW INITIATIVES AND [RECOMMENDING]

1 RECOMMEND FUTURE PROGRAM NEEDS.

2 * * *

3 SECTION 5. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

4 SECTION 1914-A. PREVENTION OF LOSS OF REIMBURSEMENT.--

5 NOTWITHSTANDING ANY PROVISIONS OF SECTION 1913-A(B)(1) REGARDING

6 THE VARIABLE STATE SHARE CEILING, FOR 1998-1999 AND EACH FISCAL

7 YEAR THEREAFTER, EACH COLLEGE SHALL RECEIVE AN AMOUNT EQUAL TO

8 THE COLLEGE'S EQUIVALENT FULL-TIME STUDENT REIMBURSEMENT AS

9 DETERMINED IN SECTION 1913-A(B)(1.4).

10 Section 4 6. This act shall take effect in 60 days.

<—