

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 122 Session of
2001

INTRODUCED BY ORIE, LAUGHLIN, YOUNGBLOOD, GRUCELA, FLICK,
READSHAW, BELFANTI, DALEY, PRESTON, E. Z. TAYLOR, SOLOBAY,
WASHINGTON, BARD AND T. STEVENSON, JANUARY 23, 2001

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 23, 2001

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 and
6 for reimbursement for certain community colleges; and making
7 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
19 of all the children from birth to eighteen (18) years of age
20 within their district, giving the full name, date of birth, age,

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

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

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

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

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

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

23 Section 4. The act is amended by adding a section to read:

24 Section 1914-A. Prevention of Loss of Reimbursement.--
25 Notwithstanding any provisions of section 1913-A(b)(1) regarding
26 the variable State share ceiling, for 1999-2000 and each fiscal
27 year thereafter, each college shall receive an amount equal to
28 the college's equivalent full-time student reimbursement as
29 determined in section 1913-A(b)(1.4).

30 Section 5. This act shall take effect in 60 days.