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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 122**      Session of  
2001

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

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REFERRED TO COMMITTEE ON EDUCATION, JANUARY 23, 2001

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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.