

employed after the passage of this act, and who shall have been employed by the said cities prior to the passage of this act. No pensions shall be paid under the provisions of this act, however, until after January first, one thousand nine hundred and seventeen.

[The time of service shall include service with a school district of the first class coterminous with the city or county of the first class if the person claiming such credit shall, within one year after joining the pension fund, pay into the fund the contributions he or she would have paid had he or she been employed during the same years by the city or county at the same salary received from the school district.]

Credit for service with a school district of the first class further regulated.

The time of service shall include twenty thirty-fifths of service with a school district of the first class coterminous with the city or county of the first class if the person claiming such credit shall, within one year after the effective date of this amendment, or within one year after joining the pension fund in the case of any person who may hereafter join the pension fund, pay into the fund the contributions he or she would have paid had he or she been employed during the period of credited service by the city or county at the same salary received from the school district. In no case shall credited service with a school district exceed ten years.

"Month of service" defined.

For the purpose of determining the total number of years or months of service or contribution under this act, any period of fifteen days or more but less than a month beyond the total number of full months shall be considered a "month of service."

Construction of act.

Section 2. Nothing contained in this amending act shall be construed to affect the power of a city of the first class, or the powers or duties of a board, department, or the council thereof, to provide and administer pension and retirement systems covering officers and employes of the city, as provided by and authorized and directed under the Home Rule Charter of such city.

APPROVED—The 24th day of August, A. D. 1953.

JOHN S. FINE

No. 392

AN ACT

To further amend the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), 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," by changing the conditions under which

education and training of handicapped children may be secured outside the public schools of the district and the basis for Commonwealth reimbursements on account of courses for such children.

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

“Public School Code of 1949.”

Section 1. Section 1372 of the act, approved the tenth day of March, one thousand nine hundred forty-nine (Pamphlet Laws 30), 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,” is hereby amended to read as follows:

Section 1372, act of March 10, 1949, P. L. 30, amended.

Section 1372. Special Classes or Schools or Other Provision for Education.—The county or district superintendent of schools shall submit to the board or boards of school directors plans for establishing and maintaining special classes in the public schools or special public schools for the proper education and training of all such children reported to him as fit subjects for special education and training. Except as herein otherwise provided, it shall be the duty of the board of directors of any district having such children to provide and maintain, or to jointly provide and maintain with neighboring districts, such special classes or schools. The State Superintendent of Public Instruction shall superintend the organization of such special classes and such other arrangements for special education, and shall enforce the provisions of this act relating thereto. If it is not feasible to form a special class [with a minimum attendance of ten (10) children] in any district, or [if, for any other reason it is not feasible] to provide such education for any such child in the public schools of the district, the board of school directors of the district shall [, except as herein otherwise provided, unless approved provision for the education of such child is made by the parents or guardian,] secure such proper education and training outside the public schools of the district, or in special institutions, or by providing for teaching the child in his home in accordance with rules and regulations prescribed by the Department of Public Instruction, on terms and conditions not inconsistent with the terms of this act or of any other act then in force applicable to such children.

Section 2. Section 2509 of said act, as amended by the act, approved the fourteenth day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1925), is hereby further amended to read as follows:

Section 2509, said act, as amended by act of January 14, 1952, P. L. 1925, further amended.

Section 2509. Payments on Account of Courses for Handicapped Children.—Every school district, regardless of classification, shall be paid by the Commonwealth

for [every] the school term 1953-1954, the sum of twenty dollars (\$20) per pupil in average daily membership in a course or courses for mentally handicapped children, and the sum of thirty dollars (\$30) per pupil in average daily membership in a course or courses for physically handicapped children, approved by the Superintendent of Public Instruction. *Beginning with the school term of 1954-1955 and for every school term thereafter, every school district, regardless of classification, shall be paid by the Commonwealth an amount to be determined by multiplying the average daily membership in a course or courses for mentally or physically handicapped children, (1) at the elementary level, by an amount determined by subtracting the "instruction cost per elementary pupil," as defined in section 2561 of this act, from the "instruction cost per special class pupil," as hereinafter defined, for the preceding school term, (2) at the secondary level, by an amount determined by subtracting the "instruction cost per high school pupil," as defined in section 2561 of this act, from the "instruction cost per special class pupil," as hereinafter defined, for the preceding school term.*

To find the "instruction cost per special class pupil," add (1) salaries of directors and supervisors of special education, public school psychologists, principals of special schools and assistants, teachers of approved special classes for physically and mentally handicapped children, clerks and assistants employed in the district's program for special education, (2) the district's contribution to the retirement fund on behalf of directors and supervisors of special education, public school psychologists, principals of special schools and assistants, teachers of approved special classes for physically and mentally handicapped children, clerks and assistants employed in the district's program for special education, (3) the cost of textbooks and supplies of the second class used in the district's special education classes or schools. Divide the sum of (1), (2) and (3) by the total number of pupils in average daily membership in the district's approved special classes for physically and mentally handicapped children. The quotient so obtained shall be the "instruction cost per special class pupil."

The average daily membership of speech correction classes shall be calculated by multiplying (1) the average number of pupils in speech correction classes per week by (2) the number of periods per week that speech correction is provided for the individual pupil by (3) the number of minutes per period in speech correction class. Divide the product of (1), (2) and (3) by the total number of minutes spent in all classes weekly by

the average pupil. The quotient thus obtained will be the "average daily membership for pupils in speech correction classes."

APPROVED—The 21st day of August, A. D. 1953.

JOHN S. FINE

No. 393

AN ACT

To further amend the act, approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," by making editorial corrections; increasing compensation payable to minors in certain cases; and making an appropriation to pay physicians and surgeons appointed by board or referee to make examinations.

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

Section 1. Clause (a) of section 306 of the act, approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws 736), entitled, as amended, "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as last reenacted and amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (Pamphlet Laws 520), and as last amended by the act, approved the second day of January, one thousand nine hundred fifty-two (Pamphlet Laws 1803), is hereby further amended to read as follows:

Section 306. The following schedule of compensation is hereby established for injuries resulting in total disability:

(a) For the first seven hundred weeks after the seventh day of total disability, sixty-six and two-thirds per centum of the wages of the injured employe as defined in section three hundred and nine; but the compensation shall not be more than thirty dollars per week nor less than twenty dollars per week, and shall not exceed in the aggregate the sum of twenty thousand dollars: Provided, That, if at the time of the injury the employe receives wages of less than twenty dollars per week, then

The Pennsylvania Workmen's Compensation Act.

Clause (a) of section 306, act of June 2, 1915, P. L. 736, as last reenacted and amended by act of June 21, 1939, P. L. 520, and as last amended by act of January 2, 1952, P. L. 1803, further amended.

Schedule of compensation.

Total disability.