

hundred forty-nine and ending May thirty-first, one thousand nine hundred fifty-one, and each biennium thereafter, and to apportion and allot the same to and among the respective school districts.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 761

AN ACT

Amending the act of June 1, 1959 (P. L. 350), entitled "An act relating to the retirement of public school employes; amending, revising, consolidating and changing the laws relating thereto," making technical changes and clarifying language.

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

Public School  
Employes'  
Retirement  
Code of 1959.

Section 1. Subsection (7) of section 302, act of June 1, 1959 (P. L. 350), known as the "Public School Employes' Retirement Code of 1959," is amended to read:

Subsection (7),  
section 302, act  
of June 1, 1959,  
P. L. 350,  
amended.

Section 302. Members' Contributions on Account of Past Service.—

\* \* \* \* \*

(7) Any school employe entitled to credit under the provisions of article II, section 210 shall pay into the fund his accumulated deductions as they were at the time of separation from service [within three (3) years after his return to service], such payment to be made in a lump sum or any actuarial equivalent approved by the retirement board.

Section 2. Subsection (2) of section 406 of the act, amended August 4, 1959 (P. L. 599), is amended to read:

Subsection (2),  
section 406 of  
the act, amended  
August 4, 1959,  
P. L. 599,  
further amended.

Section 406. Death Benefits.—

\* \* \* \* \*

(2) Any contributor who is entitled to a superannuation retirement allowance by reason of having reached superannuation retirement age or any member of Class T-A who has to his credit twenty-five (25) years of service as a member of such class or any contributor with credit for multiple service who has accumulated one hundred (100) voluntary withdrawal credits and who shall die while in school service before filing with the retirement board a written application for retirement as heretofore provided, or who, within ninety (90) days after the termination of his school service and prior to the date of his death, had not entered upon withdrawal

or superannuation retirement allowance or withdrawn his accumulated deductions, shall be considered as having elected to receive the actuarial equivalent of his full *withdrawal allowance* or superannuation allowance under Option 1, *as the case may be*, as provided in section 404 of this article, as of the date of his death. In such event, payment under Option 1 shall be made to the beneficiary designated in the nomination of beneficiary form by the member and filed with the retirement board. If said beneficiary has pre-deceased the contributor, payment under Option 1 shall be made to the legal representative of such contributor.

\* \* \* \* \*

Act effective immediately.

Section 3. This act shall become effective immediately.

APPROVED—The 30th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 762

### AN ACT

Amending the act of March 10, 1949 (P. L. 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," providing homebound instruction for children confined in detention homes.

Public School Code of 1949.

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

Subsection (3), section 1372, act of March 10, 1949, P. L. 30, amended March 29, 1956, P. L. 1356, further amended.

Section 1. Subsection (3) of section 1372, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended March 29, 1956 (P. L. 1356), is amended to read:

Section 1372.

\* \* \* \* \*

(3) Special Classes or Schools Established and Maintained by School Districts. The county or district superintendent of schools shall submit, to the board or boards of school directors, plans for establishing and maintaining by the district or districts under his supervision, special classes in the public schools or special public schools in the manner provided in the approved plan. Except as herein otherwise provided, it shall be the duty of the board of school directors of any district to provide and maintain, or to jointly provide and maintain with neighboring districts, special classes or schools in accordance with the approved plan. The State Superintendent of