

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 824

Session of
1975

INTRODUCED BY HALVERSON, MARCH 18, 1975

REFERRED TO COMMITTEE ON EDUCATION, MARCH 19, 1975

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," providing for the dissolution of
6 voluntarily consolidated school districts and requiring a
7 referendum.

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

10 Section 1. Section 224, act of March 10, 1949 (P.L.30,
11 No.14), known as the "Public School Code of 1949," added
12 December 7, 1965 (P.L.1034, No.385), is amended to read:

13 Section 224. Combination of or Dissolution of Voluntarily
14 Merged School Districts.--Any two or more school districts or
15 administrative units may combine to create a larger school
16 district or a voluntarily combined district dissolve a merged
17 district. The board of school directors of each school district
18 desiring to form such a combination or dissolution shall, by a
19 majority vote, adopt a resolution outlining the areas to be
20 combined or dissolved and file an application for approval with
21 the [Superintendent of Public Instruction] Secretary of

1 Education. The [Superintendent of Public Instruction] Secretary
2 of Education shall place on the agenda of the State Board of
3 Education each such application for its consideration.

4 The State Board of Education shall review each application
5 upon its agenda and approve such applications as it deems wise
6 in the best interest of the educational system of the
7 Commonwealth.

8 The State Board may continue the application on its agenda
9 and may permit any school district or interested party,
10 aggrieved by the petition, to file its objection. Such objection
11 shall set forth the basis for and facts of aggrievement.

12 If an application is not approved it shall be returned to the
13 applying district or districts for resubmission in accordance
14 with such recommendations as may be attached thereto.

15 When an application receives approval, but before the State
16 Board of Education shall direct the [Superintendent of Public
17 Instruction] Secretary of Education to issue a certificate
18 creating the new school district or districts, listing the name
19 or names, constituting component or components, classification
20 or classifications and effective date of operation, there shall
21 be, in the case of a dissolution, an election held on the
22 question of the dissolution of such school district, which shall
23 be held on the day of the next primary, general or municipal
24 election occurring at least sixty (60) days after such approval
25 of the State board. Such election shall be held at the regular
26 polling places in the school district affected. At any such
27 election all of the registered electors of the school district
28 affected by such dissolution shall have the right to vote. The
29 ballot at any such election, or ballot labels in the event
30 voting is by machine, shall be furnished by the county board or

1 boards of elections, and the question to be placed thereon shall
2 be framed, printed and advertised as provided by the election
3 laws of the Commonwealth.

4 The election officers, after the polls have been closed,
5 shall count the ballots and certify the number of votes cast for
6 and against such dissolution to the county board of elections,
7 who shall tabulate and compute the same and lay the result
8 before the State Board of Education. If it shall appear that a
9 majority of the votes cast in the school district affected are
10 in favor of the dissolution of such school district, the State
11 board shall order the issuing of the certificates. If a majority
12 of the votes cast in the school district affected, are against
13 the dissolution of such school district, no further action shall
14 be had upon said application. No new application shall be
15 considered for a period of five (5) years.

16 Section 2. This act shall take effect immediately.