

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1048 Session of  
1979

INTRODUCED BY MESSRS. SIEMINSKI, NOYE, McCLATCHY, MRS. ARTY,  
MESSRS. ALDEN, GRUPPO, MRS. KERNICK, MESSRS. LAUGHLIN,  
McCALL, GOEBEL, HELFRICK AND PRATT, APRIL 25, 1979

AS AMENDED ON SECOND CONSIDERATION, IN SENATE,  
SEPTEMBER 29, 1980

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 THE  
6 CLASSIFICATION OF SCHOOL DISTRICTS; FURTHER PROVIDING FOR  
7 INTERMEDIATE DIRECTORS AND authorizing school boards to  
8 publish notices on the availability of audit reports. <—

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

11 ~~SECTION 1. SECTION 2131, ACT OF MARCH 10, 1949 (P.L.30,~~ <—  
12 ~~NO.14), KNOWN AS THE "PUBLIC SCHOOL CODE OF 1949," AMENDED~~

13 SECTION 1. SECTION 202, ACT OF MARCH 10, 1949 (P.L.30,  
14 NO.14), KNOWN AS THE "PUBLIC SCHOOL CODE OF 1949," AMENDED  
15 AUGUST 8, 1963 (P.L.654, NO.299), IS AMENDED TO READ:

16 SECTION 202. CLASSIFICATION.--THE SEVERAL SCHOOL DISTRICTS  
17 OF THE COMMONWEALTH ARE HEREBY DIVIDED INTO FIVE CLASSES, AS  
18 FOLLOWS:

19 EACH SCHOOL DISTRICT HAVING A POPULATION OF ONE MILLION FIVE

1 HUNDRED THOUSAND (1,500,000), OR MORE, SHALL BE A SCHOOL  
2 DISTRICT OF THE FIRST CLASS;

3 EACH SCHOOL DISTRICT HAVING A POPULATION OF [FIVE HUNDRED  
4 THOUSAND (500,000)] THREE HUNDRED FIFTY THOUSAND (350,000), OR  
5 MORE, BUT OF LESS THAN ONE MILLION FIVE HUNDRED THOUSAND  
6 (1,500,000), SHALL BE A SCHOOL DISTRICT OF THE FIRST CLASS A;

7 EACH SCHOOL DISTRICT HAVING A POPULATION OF THIRTY THOUSAND  
8 (30,000), OR MORE, BUT OF LESS THAN [FIVE HUNDRED THOUSAND  
9 (500,000)] THREE HUNDRED FIFTY THOUSAND (350,000), SHALL BE A  
10 SCHOOL DISTRICT OF THE SECOND CLASS;

11 EACH SCHOOL DISTRICT HAVING A POPULATION OF FIVE THOUSAND  
12 (5,000), OR MORE, BUT OF LESS THAN THIRTY THOUSAND (30,000),  
13 SHALL BE A SCHOOL DISTRICT OF THE THIRD CLASS.

14 EACH SCHOOL DISTRICT HAVING A POPULATION OF LESS THAN FIVE  
15 THOUSAND (5,000) SHALL BE A SCHOOL DISTRICT OF THE FOURTH CLASS.

16 SECTION 2. SUBSECTION (A) OF SECTION 910-A OF THE ACT,  
17 AMENDED APRIL 6, 1980 (NO.30), IS AMENDED TO READ:

18 SECTION 910-A. INTERMEDIATE UNIT BOARD OF DIRECTORS.--(A)  
19 THE INTERMEDIATE UNIT BOARD OF DIRECTORS SHALL BE COMPOSED OF  
20 THIRTEEN MEMBERS EXCEPT AS OTHERWISE PROVIDED FOR IN THIS  
21 SUBSECTION, CHOSEN FOR TERMS OF THREE YEARS FROM AMONG MEMBERS  
22 OF THE BOARDS OF SCHOOL DIRECTORS OF SCHOOL DISTRICTS COMPRISING  
23 THE INTERMEDIATE UNIT. AN INTERMEDIATE UNIT DIRECTOR MAY SUCCEED  
24 HIMSELF WITHOUT LIMITATION AS TO THE NUMBER OF TERMS. [AT NO  
25 TIME SHALL MORE THAN ONE DIRECTOR FROM ANY SCHOOL DISTRICT BE  
26 ELECTED TO AN INTERMEDIATE UNIT BOARD OF DIRECTORS.] WHERE THERE  
27 ARE FEWER THAN THIRTEEN SCHOOL DISTRICTS WITHIN AN INTERMEDIATE  
28 UNIT, THERE SHALL BE ONE SCHOOL DIRECTOR FROM EACH SCHOOL  
29 DISTRICT ELECTED TO THE INTERMEDIATE UNIT BOARD OF DIRECTORS,  
30 BUT ANY SUCH INTERMEDIATE UNIT BOARD OF DIRECTORS MAY ELECT ONE

1 ADDITIONAL AT-LARGE MEMBER. WHEN THERE ARE MORE THAN THIRTEEN  
2 DISTRICTS IN AN INTERMEDIATE UNIT EACH DISTRICT, AS FAR AS  
3 PRACTICABLE, MAY HAVE ONE MEMBER ON THE UNIT BOARD, UP TO A  
4 MAXIMUM OF TWENTY MEMBERS. THE ELECTION OF INTERMEDIATE UNIT  
5 BOARDS OF DIRECTORS SHALL BE BY PROPORTIONATE BALLOT, AND EACH  
6 SCHOOL DIRECTOR OF EACH SCHOOL DISTRICT WITHIN AN INTERMEDIATE  
7 UNIT SHALL BE ENTITLED TO CAST VOTES DETERMINED BY DIVIDING THE  
8 WEIGHTED AVERAGE DAILY MEMBERSHIP OF THE SCHOOL DISTRICT BY THE  
9 TOTAL WEIGHTED AVERAGE DAILY MEMBERSHIP WITHIN THE INTERMEDIATE  
10 UNIT, MULTIPLYING THE QUOTIENT SO OBTAINED BY ONE THOUSAND,  
11 DIVIDING THE PRODUCT SO OBTAINED BY THE NUMBER OF DIRECTORS AS  
12 PROVIDED FOR ABOVE, AND ROUNDING SUCH DIVIDEND TO THE NEAREST  
13 WHOLE NUMBER: PROVIDED, HOWEVER, THAT EACH SCHOOL DIRECTOR SHALL  
14 HAVE AT LEAST ONE VOTE. THE SECRETARY OF EDUCATION SHALL  
15 ANNUALLY, NOT LATER THAN THE FIRST DAY OF FEBRUARY, CERTIFY THE  
16 WEIGHTED AVERAGE DAILY MEMBERSHIP FOR THE PREVIOUS SCHOOL YEAR  
17 FOR EACH SCHOOL DISTRICT AND FOR EACH INTERMEDIATE UNIT, AND  
18 SHALL COMPUTE THE NUMBER OF VOTES TO WHICH EACH SCHOOL DIRECTOR  
19 OF EACH SCHOOL DISTRICT WITHIN AN INTERMEDIATE UNIT SHALL BE  
20 ENTITLED.

21 \* \* \*

22 SECTION 3. SECTION 2131 OF THE ACT, AMENDED SEPTEMBER 28,  
23 1951 (P.L.1551, NO.395), IS AMENDED TO READ:

24 SECTION 2131. PUBLICATION OF ANNUAL FINANCIAL STATEMENTS.--  
25 [THE ANNUAL FINANCIAL STATEMENT, OR ANY PART THEREOF, FURNISHED  
26 BY THE SCHOOL CONTROLLER IN ANY DISTRICT OF THE FIRST CLASS TO  
27 THE BOARD OF PUBLIC EDUCATION,] NOTICE THAT THE ANNUAL FINANCIAL  
28 STATEMENT FURNISHED BY THE SCHOOL CONTROLLER IN ANY DISTRICT OF  
29 THE FIRST CLASS OR FIRST CLASS A TO THE BOARD OF EDUCATION, HAS  
30 BEEN FILED AND IS AVAILABLE FOR PUBLIC INSPECTION AT THE

1 BUSINESS OFFICE OF THE DISTRICT SHALL BE PUBLISHED BY THE BOARD  
2 OF PUBLIC EDUCATION IN TWO NEWSPAPERS, DESIGNATED BY THE BOARD,  
3 ONCE A WEEK FOR THREE SUCCESSIVE WEEKS, BEGINNING THE FIRST WEEK  
4 AFTER THE SAME HAS BEEN FURNISHED TO IT.

5 Section ~~1. 2.~~ 4. Section 2432, ~~act of March 10, 1949~~ <—  
6 ~~(P.L.30, No.14), known as the "Public School Code of 1949,"~~ OF <—  
7 THE ACT, amended May 2, 1949 (P.L.805, No.205), is amended to  
8 read:

9 Section 2432. Notice of Audit.--The auditors shall, within  
10 ten days after completing their report of audit, advertise a  
11 [concise financial statement] notice that the audit report for  
12 the district has been filed and is available for public  
13 inspection at the business office of the district in one  
14 newspaper of general circulation published or generally  
15 circulated in such district, once a week for three successive  
16 weeks. Such notice shall call attention to the fact that the  
17 report was filed on a date therein stated, and give notice that  
18 the same will be confirmed absolutely unless an appeal is taken  
19 therefrom within thirty days after the filing thereof. [Such  
20 financial statement shall set forth the balance in the treasury  
21 at the beginning of the fiscal year, all revenues received  
22 during the year by major classifications, all expenditures made  
23 during the fiscal year by major functions, and the current  
24 resources and liabilities of the district at the end of the  
25 fiscal year; the gross liability and the net debt of the  
26 district, the amount of the assessed valuation of the district,  
27 the assets of the district with the character and value thereof,  
28 the date of the last maturity of the respective forms of funded  
29 debt, and the assets in each sinking fund. Such publication  
30 shall be deemed compliance with the provisions of the Municipal

1 Borrowing Law which requires the corporate authorities of the  
2 district to publish an annual statement of indebtedness.] Any  
3 auditor neglecting or refusing to comply with this section  
4 shall, upon conviction thereof in a summary proceeding, be  
5 sentenced to pay a fine of not more than one hundred dollars  
6 (\$100), and, in default of the payment of such fine and costs,  
7 shall be sentenced to imprisonment for not more than ten days.

8 Section ~~2-3-~~ 5. Section 2441 of the act, amended January <—  
9 14, 1970 (1969, P.L.468, No.192), is amended to read:

10 Section 2441. Time of Audit; Filing Copies; Publication.--In  
11 every school district of the fourth class, the auditors shall  
12 meet annually with the board of school directors, on the first  
13 day of July, at the time of organization, or within five days  
14 thereafter, and within thirty days carefully audit and adjust  
15 the financial accounts of the school district for the preceding  
16 school year: Provided, That the meeting of the auditors with the  
17 board of school directors shall not be held on the Fourth of  
18 July. At the completion of the audit, they shall make a careful  
19 statement, in duplicate, of the finances of the district for the  
20 preceding year, setting forth the assets and liabilities, and an  
21 itemized statement of all receipts, expenditures, and credits,  
22 whatsoever, of all school officials, and including therein any  
23 sums that have been charged against any person or persons. One  
24 copy of such annual statement shall be filed by the auditors  
25 with the secretary of the board of school directors and one in  
26 the court of common pleas of the county in which such district  
27 or the greater or greatest part thereof in area shall be  
28 located. A [summary thereof, including the assets and  
29 liabilities] notice that the audit report for the district has  
30 been filed and is available for public inspection at the

1 business office of the school district shall be published in a  
2 newspaper having general circulation in the district, once a  
3 week for three successive weeks, beginning the first week after  
4 filing the same, or be promptly posted, by not less than six  
5 copies, in as many places in the district. The auditors shall  
6 also file one copy of their report with the Superintendent of  
7 Public Instruction.

8       Section ~~3. 4. This~~ 6. (A) SECTION 1 OF THIS act shall <—  
9 take effect in 60 days. ~~and shall apply to the fiscal year July~~ <—  
10 ~~1, 1979 to June 30, 1980 and each fiscal year thereafter.~~

11       (B) SECTION 2 OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY. <—

12       (C) SECTIONS 3, 4 AND 5 OF THIS ACT SHALL TAKE EFFECT IN 60  
13 DAYS AND SHALL APPLY TO THE FISCAL YEAR JULY 1, 1980 TO JUNE 30,  
14 1981 AND TO EACH FISCAL YEAR THEREAFTER.