

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL  
No. 1387 Session of  
1977

INTRODUCED BY TRELLO, ABRAHAM, MISCEVICH, RAVENSTAHL, LOGUE,  
GAMBLE, DUFFY, McLANE, LETTERMAN, PRENDERGAST, ZITTERMAN,  
FISHER, GOEBEL, POTT, VALICENTI AND STUBAN, JUNE 22, 1977

REFERRED TO COMMITTEE ON EDUCATION, JUNE 22, 1977

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 an elected school board  
6 in certain school districts of the first class.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the "Public School Code of 1949," is amended by adding a  
11 section to read:

12 Section 302.2. School Board in First Class School Districts;  
13 Apportionment of Seats, and Numbers, Terms, and Methods for  
14 Election of School Directors in First Class School Districts.--

15 (a) Composition of School Board:

16 (1) In each school district of the first class, the school  
17 board shall be known as the Board of Education and shall consist  
18 of eleven school directors, to be elected by the qualified  
19 voters of the school district.

1     (2) In each school district of the first class, the  
2 boundaries of which are coterminous with the boundaries of a  
3 city of the first class which elects a part of its legislative  
4 body from assigned districts, one member of the Board of  
5 Education shall be chosen from each established district and the  
6 remaining board members necessary to arrive at eleven, shall be  
7 elected at large within such school district.

8     (b) Term of Office. All elected members shall serve for a  
9 term of four years except that members elected at the initial  
10 election in even-numbered school director districts, who shall  
11 serve for two years. In the event the first election occurs in  
12 an even-numbered year, the terms of the initial members shall be  
13 increased by one year, so that future elections can be held in  
14 odd-numbered years. In the case of death or resignation of  
15 elected members, the mayor of the most populous municipality  
16 contained in such school district shall fill the vacancy from  
17 the same school director district in which the vacancy occurred  
18 until the first Monday in December following the next municipal  
19 primary occurring one hundred twenty (120) days after the  
20 vacancy occurred.

21     (c) Nomination and Elections of School Directors. School  
22 directors shall be nominated and elected in accordance with the  
23 act of June 3, 1937 (P.L.1333, No.320), known as the  
24 "Pennsylvania Election Code."

25     (d) Applicable Law Upon Adoption. After the election of  
26 school directors from specified districts in accordance  
27 therewith, the Board of Education of such first class school  
28 district shall be governed by the provisions of this section and  
29 by all other provisions of the act to which this is an amendment  
30 and other provisions of general law relating to first class

1 school districts which are not inconsistent with the provisions  
2 of this section. The provisions of this section shall supersede  
3 all other parts of the act to which this is an amendment and all  
4 other acts affecting the organization of school districts of the  
5 first class to the extent that they are inconsistent or in  
6 conflict herewith. All existing acts or parts of acts and  
7 resolutions affecting the organization of first class school  
8 districts not inconsistent or in conflict with the provisions of  
9 this section shall remain in full force until modified or  
10 repealed as provided by law.

11 (e) Certain Prohibitions of Service. No superintendent,  
12 assistant superintendent, supervising principal, teacher or  
13 other employe shall serve either temporarily or permanently as a  
14 member of the school board by which employed.

15 (f) Transition Provisions and Expiration of Existing Terms.  
16 The terms of existing appointed board members shall terminate on  
17 the first Monday of December in 1979 in school districts of the  
18 first class or in any subsequent year in which the initial  
19 elected members are elected, at which time the terms of all  
20 members to be elected as herein provided shall be deemed to  
21 begin. Thereafter the terms of all elected members shall expire  
22 on the first Monday of December in the year in which the length  
23 of term to which such members shall have been elected has been  
24 served.

25 (g) Taxes in First Class Districts. School districts of the  
26 first class may levy and collect taxes on the same subjects and  
27 in the same manner as cities of the first class. Until such time  
28 as the elected school board shall take control, the city of the  
29 first class is directed to turn over one-half of all revenues  
30 raised by taxation to the school district for the use of the

1 school district.

2 Section 2. This act shall take effect immediately.