

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 536

Session of
1979

INTRODUCED BY COWELL, FISCHER, GALLAGHER, MILANOVICH, BURNS,
HARPER, COHEN, O'DONNELL, DAVIES AND E. Z. TAYLOR,
MARCH 6, 1979

REFERRED TO COMMITTEE ON EDUCATION, MARCH 6, 1979

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," increasing the membership
21 on the State Board of Education.

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

24 Section 1. Section 408.1, act of April 9, 1929 (P.L.177,
25 No.175), known as "The Administrative Code of 1929," amended
26 October 18, 1972 (P.L.935, No.224), is amended to read:

27 Section 408.1. The State Board of Education.--The State

1 Board of Education shall consist of [seventeen] twenty one
2 members, [eight] ten of whom shall also serve as members of the
3 Council of Basic Education, and [eight] ten of whom shall also
4 serve as members of the Council of Higher Education. The member
5 designated by the Governor as Chairman of the State Board of
6 Education shall also serve as a member of the Council of Basic
7 Education and of the Council of Higher Education. Members at
8 large on the effective date of this act may be assigned by the
9 Governor to either council. [Each] Except the legislative
10 members, each member shall be appointed by the Governor, by and
11 with the advice and consent of two-thirds of all the members of
12 the Senate, and shall, except as hereinafter provided, hold
13 office for terms of six years each and until his successor has
14 been appointed and has qualified. The majority and minority
15 chairmen of the House of Representatives and Senate Education
16 Committees shall serve as ex officio members of the board and
17 shall serve as members for as long as they hold their respective
18 positions. Members shall receive no salary but shall be entitled
19 to travel and other necessary expenses incurred in the
20 performance of their duties as members of the board.

21 [Nine] Eleven members shall constitute a quorum provided that
22 at least [four] five members serving on each of the councils are
23 present. The affirmative vote of a majority of all the members
24 of the board duly recorded showing how each member voted shall
25 be required in order to take action adopting policies,
26 standards, rules and regulations. The board shall meet at least
27 five times a year at such times and places as it shall
28 determine. Special meetings may be called by the chairman or at
29 the request of a majority of the members of the board.

30 Of the members first appointed, three shall be appointed for

1 a term of one year, three shall be appointed for a term of two
2 years, three shall be appointed for a term of three years, three
3 shall be appointed for a term of four years, three shall be
4 appointed for a term of five years, and two shall be appointed
5 for a term of six years. Thereafter, all terms shall be for six
6 years, except that an appointment to fill a vacancy shall be for
7 the unexpired term.

8 The Governor shall designate, to serve at his pleasure, a
9 member as Chairman of the State Board of Education.

10 Except for the chairman, not more than two members serving on
11 each council shall be employed either in a school system in the
12 Department of Education or by any educational institution. At
13 least two members serving on each council shall have had
14 previous experience with technical education or training.

15 For the purpose of formulating policy proposals applicable to
16 elementary, secondary, vocational-technical education and higher
17 education in the Commonwealth, there shall be two councils to
18 consist of [nine] ten members of the board each, the chairman of
19 the board being a member of both councils, and to be known as
20 the Council of Basic Education and the Council of Higher
21 Education. The Governor shall designate to serve at his pleasure
22 a member serving on each council to act as chairman of the
23 council. Each council shall meet at the call of its chairman or
24 at the request of a majority of the members of the council. The
25 chairman of the board may appoint special joint committees from
26 among the members of the board to formulate policy proposals in
27 those areas which fall within the purview of both of the
28 councils. The board shall employ and fix the compensation of
29 such staff as is deemed necessary to perform the duties of the
30 board. The board shall assign a member of the staff to each of

1 the councils to serve as secretary.

2 The Secretary of Education, or his designated representative,
3 shall be the chief executive officer of the State Board of
4 Education and shall be entitled to attend all meetings of the
5 board and the councils, and shall have the right to speak on all
6 matters before the board and the councils but not to vote.

7 Section 2. This act shall take effect in 60 days.