

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2093 Session of
1993

INTRODUCED BY WOGAN, MCGEEHAN, KENNEY, FLICK, FICHTER, SAURMAN,
GODSHALL, HENNESSEY, LAUB, GLADECK, ADOLPH, PERZEL, TOMLINSON
AND O'BRIEN, OCTOBER 4, 1993

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 4, 1993

AN ACT

1 Amending the act of August 9, 1963 (P.L.643, No.341), entitled
2 "An act to execute partially section one of article fifteen
3 of the Constitution by giving cities of the first class the
4 right to frame, adopt and amend home rule charter provisions
5 governing the organization of the public school system; to
6 grant to such cities certain enumerated powers of local self-
7 government with respect to public education; to grant to such
8 cities necessarily implied powers to effectuate such
9 enumerated powers; to impose certain general and specific
10 restrictions and limitations; and to impose duties upon city
11 councils, city officers, board of elections, courts and the
12 Secretary of the Commonwealth," further providing for grant
13 of powers and authority relating to an elected school board
14 with taxation powers.

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

17 Section 1. Section 18(a)(2) and (3) of the act of August 9,
18 1963 (P.L.643, No.341), known as the First Class City Public
19 Education Home Rule Act, are amended to read:

20 Section 18. Grant of Powers and Authority.--(a) Any city of
21 the first class taking advantage of this act and framing and
22 adopting provisions hereunder shall have, and may exercise, the
23 following enumerated powers:

1 * * *

2 (2) The power to provide for a board of education of such
3 home rule school district, which shall be charged with the
4 administration, management and operation of such home rule
5 school district. All actions of such board of education shall be
6 approved by an affirmative vote of seven members of the board.

7 (3) The power to set the term[, number] and qualifications
8 of board of education members[; to provide for the methods of
9 nomination, such to include a citizens' nominating panel, if
10 deemed advisable; and either to provide for a method of
11 appointment, in such case such power shall include the
12 designation of the appointing authority, or to provide for a
13 method of election.] and to provide for a method of election
14 under which the members of the board of education are nominated
15 and elected by the qualified electors of the city, one member to
16 be elected from each councilmanic district and three elected at
17 large. An elected school board shall have such powers as
18 outlined in section 18.1.

19 * * *

20 Section 2. The act is amended by adding a section to read:

21 Section 18.1. Elected School Board.--(a) The qualified
22 electors of a city of the first class shall elect a board of
23 education, one member to be elected from each councilmanic
24 district and three members elected at large. Of the three
25 members elected at large, no more than two shall be of the same
26 political party. All terms are for four years. Elections shall
27 be held in the same year as elections for city controller and
28 the district attorney.

29 (b) A school board elected as provided for in subsection (a)
30 shall have the authority to levy taxes for school purposes as

1 provided by law and to adopt an annual budget.

2 (c) Provisions for the appointment of school board members
3 as found in section 18 shall remain in effect until all elected
4 members are duly elected and assume office.

5 (d) Tax collection procedures in first class cities shall
6 not be affected by this act.

7 Section 3. This act shall take effect in 60 days.