THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 64   Session of 1977

INTRODUCED BY J. L. WRIGHT JR., BURNS, WEIDNER, LEHR,
L. E. SMITH AND STAIRS, JANUARY 19, 1977

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 19, 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," further providing for the
6   consolidation of school districts only after a referendum.

7   The General Assembly of the Commonwealth of Pennsylvania

8 hereby enacts as follows:

9   Section 1. Section 224, act of March 10, 1949 (P.L.30,

10 No.14), known as the "Public School Code of 1949," added

11 December 7, 1965 (P.L.1034, No.385), is amended to read:

12   Section 224. Combination of School Districts.--Any two or

13 more school districts or administrative units may combine to

14 create a larger school district. The board of school directors

15 of each school district desiring to form such a combination

16 shall, by a majority vote, adopt a resolution outlining the

17 areas to be combined and file an application for approval with

18 the [Superintendent of Public Instruction] Secretary of

19 Education. The [Superintendent of Public Instruction] Secretary

20 of Education shall place on the agenda of the State Board of

1 Education each such application for its consideration.

2 The State Board of Education shall review each application

3 upon its agenda and approve such applications as it deems wise

4 in the best interest of the educational system of the

5 Commonwealth.

6 The State Board may continue the application on its agenda

7 and may permit any school district or interested party,

8 aggrieved by the petition, to file its objection. Such objection

9 shall set forth the basis for and facts of aggrievement.

10 If an application is not approved it shall be returned to the

11 applying districts for resubmission in accordance with such

12 recommendations as may be attached thereto.

13 When an application receives approval, but before the State

14 Board of Education shall direct the [Superintendent of Public

15 Instruction] Secretary of Education to issue a certificate

16 creating the new school district, listing the name, constituting

17 components, classification and effective date of operation,

18 there shall be an election held on the question of the

19 consolidation of such school districts, which shall be held on

20 the day of the next primary, general or municipal election

21 occurring at least sixty (60) days after such approval of the

22 State board. Such election shall be held at the regular polling

23 places in the school districts affected. At any such election

24 all of the registered electors of the school districts affected

25 by such consolidation shall have the right to vote. The ballot

26 at any such election, or ballot labels in the event voting is by

27 machine, shall be furnished by the county board or boards of

28 elections, and the question to be placed thereon shall be

29 framed, printed and advertised as provided by the election laws

30 of the Commonwealth.

1   The election officers, after the polls have been closed,

2 shall count the ballots and certify the number of votes cast for

3 and against such consolidation to the county board of elections,

4 who shall tabulate and compute the same and lay the result

5 before the State Board of Education. If it shall appear that a

6 majority of the votes cast in each of the school districts

7 affected are in favor of the consolidation of such school

8 districts, the State board shall order the issuing of the

9 certificate. If a majority of the votes cast in any of the

10 school districts affected, are against the consolidation of such

11 school districts, no further action shall be had upon said

12 application. No new application shall be considered for a period

13 of five (5) years.

14   Section 2. This act shall take effect immediately.