

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 123

Session of
1981

INTRODUCED BY JUBELIRER AND MESSINGER, JANUARY 26, 1981

REFERRED TO EDUCATION, JANUARY 26, 1981

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," changing provisions relating to
6 election of school directors by regions and further providing
7 for the terms of school directors, for school terms and
8 sessions, and for food service programs.

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

11 Section 1. Subsection (a) of section 303, act of March 10
12 1949 (P.L.30, No.14), known as the "Public School Code of 1949,"
13 amended July 1, 1978 (P.L.575, No.105), is amended to read:

14 Section 303. Number and Election in Districts of the Second,
15 Third and Fourth Classes; Terms of Office.--(a) In each school
16 district of the second class, and on and after July 1, 1966, or
17 if there is advance establishment July 1, 1964, or July 1, 1965,
18 as the case may be, in each school district of the second, third
19 and fourth class, there shall be a board of nine (9) school
20 directors, who, except as otherwise provided in this act, shall

1 be elected at large for terms of [~~six (6)~~] four (4) years. [The
2 terms of three of the members shall expire on the first Monday
3 of December of each odd numbered year, as now provided by law.
4 At each municipal election, three school directors, except as
5 otherwise provided in this act, shall be elected at large for
6 terms of six (6) years. Their terms of office shall begin on the
7 first Monday of December following their election.] At the
8 municipal election in 1981, two school directors shall be
9 elected for terms of four (4) years and one for a term of two
10 (2) years. At the municipal election in 1983 and every four (4)
11 years thereafter, four (4) directors shall be elected for terms
12 of four (4) years. At the municipal election in 1985 and every
13 four (4) years thereafter, five (5) directors shall be elected
14 for terms of four (4) years. Such school directors shall be
15 elected at large or by regions as provided in subsection (b). In
16 every nine (9) region district, and in every three (3) region
17 district except those in which all the directors whose terms
18 expire in 1981 represent a single region, the board of school
19 directors shall, prior to the first day in which petitions for
20 the 1981 primary election may be circulated, determine by
21 drawing lots which region shall elect a school director for a
22 term of two (2) years. In all cases where directors are elected
23 at large in 1981, or in three (3) region districts in which all
24 the directors whose terms expire in 1981 represent a single
25 region, the director receiving the least amount of votes shall
26 serve for a term of two (2) years. Beginning with the terms to
27 be filled at the municipal election held in 1979 and each odd
28 numbered year thereafter, the terms of school directors so
29 elected shall be four (4) years.

30 * * *

1 Section 2. Section 324 of the act, amended January 18, 1968
2 (1967 P.L.963, No.429), is amended to read:

3 Section 324. Not to be Employed by or do Business with
4 District; Exceptions.--No school director shall, during the term
5 for which he was elected or appointed, as a private person
6 engaged in any business transaction with the school district in
7 which he is elected or appointed, be employed in any capacity by
8 the school district in which he is elected or appointed, or
9 receive from such school district any pay for services rendered
10 to the district except as provided in this act: Provided, That
11 one who has served as a school director for two consecutive
12 terms, of six years each, may be elected to the position of
13 attorney or solicitor for the board of which he was a member by
14 the unanimous vote of all the other members of the board, and,
15 after resigning his office as school director, shall be entitled
16 to receive such pay for his services as solicitor as the board
17 of school directors may determine: Provided, however, That a
18 school director may be appointed to the position of secretary to
19 the board of a school district of the second class, of which he
20 was a member during the term for which he was elected or
21 appointed upon the unanimous consent of all the other members of
22 the board after resigning his office as school director, and he
23 shall be entitled to receive such pay for his services as
24 secretary as the board of school directors shall determine: And
25 provided further, That one who has served as a school director
26 may, after resigning from office as a school director, be
27 elected to the position of [teacher] professional or
28 commissioned employe by the board of which he was a member by a
29 vote of at least two-thirds of all other members of the board
30 and shall be entitled to receive such pay for his services as a

1 [teacher] professional or commissioned employe as the board of
2 school directors may lawfully determine.

3 No school board shall draw, cause to be drawn or accept a
4 specification for any item to be purchased by the school
5 district that would limit the purchase of the item to the firm,
6 corporation, partnership or other business entity of which a
7 school director is an officer, agent or employe and exclude all
8 other persons who could submit quotations or bid on an
9 equivalent item.

10 Section 3. This act shall take effect immediately.