

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 997

Session of
1977

INTRODUCED BY DOUGHERTY, JUNE 29, 1977

REFERRED TO EDUCATION, JUNE 29, 1977

AN ACT

1 Providing for the reorganization of the administration of school
2 districts of the first class.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the "First Class
7 City Public School Administration Reorganization Act."

8 Section 2. Powers vested in city council.

9 Notwithstanding the provisions of the act of August 9, 1963
10 (P.L.643, No.341), known as the "First Class City Public
11 Education Home Rule Act," all responsibility, duties, and
12 authority relating to public education or the administration
13 thereof granted heretofore to the board of education by the
14 "First Class City Public Education Home Rule Act," and the act
15 of March 10, 1949 (P.L.30, No.14), known as the "Public School
16 Code of 1949," or any and all other statutes, shall be granted
17 to and vested in the city council of such city of the first
18 class.

1 Section 3. Powers of the board of education.

2 (a) The board of education shall be an advisory board which
3 shall review and report to the mayor, the superintendent of
4 schools, and the city council on such subjects as the board is
5 directed by the mayor, the superintendent of schools, and the
6 city council, and it shall perform such nonlegislative advisory
7 function as it is assigned by city council.

8 (b) Members of the board of education serving on the
9 effective date of this act shall serve until the expiration of
10 their terms. Successors shall be selected by the same method as
11 the present members were selected.

12 Section 4. Appointments.

13 The mayor, with the advice and consent of a majority of all
14 the members of city council, shall appoint the superintendent of
15 schools who shall be a member of the mayor's cabinet. The
16 superintendent of schools presently serving shall serve for the
17 balance of the term to which he was appointed. Thereafter, the
18 term of the superintendent of schools shall be four years and
19 shall coincide with the term for which the mayor is elected. Any
20 superintendent of schools who is appointed to fill a vacancy
21 occurring in term shall be appointed for the balance of the
22 unexpired term.

23 Section 5. Powers of the city controller.

24 The city controller shall have the power and his duty shall
25 be to perform the following functions:

26 (1) Approval of disbursement requisitions.--The city
27 controller shall examine and approve or disapprove all
28 requisitions for expenditure of funds by the school district
29 submitted to him through the superintendent of schools. The
30 city controller shall approve a requisition which he finds to

1 be for a purpose comprehended by the appropriation against
2 which it is drawn and in a proper amount. Otherwise the
3 requisition shall be disapproved and returned to the
4 superintendent of schools.

5 (2) Audits of the financial affairs of the school
6 district.--The city controller shall audit at least annually
7 the affairs of the school district, including all collections
8 made on behalf of the school district. An audit report shall
9 be made on every audit. Special audits of the affairs of the
10 school district may be made whenever in the judgment of the
11 city controller they appear necessary, and shall be made
12 whenever the mayor or the superintendent of schools shall
13 call upon the city controller to make them. Copies of all
14 audit reports made by the city controller shall be promptly
15 submitted to the mayor and to the city council and shall be
16 available in reasonable quantity for use by the public.

17 (3) Recommendations.--The city controller shall from
18 time to time make recommendations to the school district for
19 the improved efficiency and economy of their operations
20 involving the expenditure of school district funds.

21 (4) Independent audits.--The city council shall have the
22 power to retain a competent and responsible firm of certified
23 public accountants to conduct independent audits of the
24 school district and to review the audit reports of the city
25 controller and to report the results of such audits to the
26 city council and the mayor.

27 Section 6. Balanced budget.

28 (a) The total amount of proposed expenditures for education
29 shall not exceed the amount of funds available for education
30 purposes.

1 (b) Notwithstanding subsection (a) for the fiscal year
2 beginning in 1977, the school district may expend no more than
3 \$30,000,000 for education than is available for education
4 purposes and such deficit shall carry over to the next fiscal
5 year and for the fiscal year beginning in 1978, the school
6 district may expend no more than \$15,000,000 for education than
7 is available for education purposes and such deficit shall carry
8 over to the next fiscal year.

9 Section 7. Effective date.

10 This act shall take effect immediately.