

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 340 Session of 2013

INTRODUCED BY TALLMAN, BROOKS, GROVE, HESS AND MILLARD,  
JANUARY 24, 2013

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 24, 2013

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," in State Board of Education, further  
6 providing for membership and for powers and duties of the  
7 board.

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

10 Section 1. Sections 2602-B(a), (b), (e) and (f) and 2603-  
11 B(a) of the act of March 10, 1949 (P.L.30, No.14), known as the  
12 Public School Code of 1949, added March 30, 1988 (P.L.321,  
13 No.43), are amended to read:

14 Section 2602-B. Membership.--(a) The board shall consist of  
15 [twenty-one (21)] fifteen (15) members, [ten (10)] seven (7) of  
16 whom shall also serve as members of the Council of Basic  
17 Education, and [ten (10)] seven (7) of whom shall also serve as  
18 members of the Council of Higher Education. The member  
19 designated by the Governor as chairman of the board shall also  
20 service as a member of the Council of Basic Education and of the

1 Council of Higher Education. Except the legislative members,  
2 each member shall be appointed by the Governor, by and with the  
3 advice and consent of a majority of all the members of the  
4 Senate, and shall, except as hereinafter provided, hold office  
5 for terms of [~~six (6)~~] four (4) years each or until his  
6 successor has been appointed and has qualified. An appointment  
7 to fill a vacancy shall be for the unexpired term or until his  
8 successor has been appointed and has qualified. The chairmen and  
9 minority chairmen of the House of Representatives and Senate  
10 Education Committees, or their respective designees from such  
11 committees, shall serve as ex officio members of the board with  
12 full voting privileges and shall serve as members for as long as  
13 they hold their respective positions. The Chairman of the  
14 Professional Standards and Practices Commission, or a commission  
15 member designated by the chairman, created by the act of  
16 December 12, 1973 (P.L.397, No.141), referred to as the Teacher  
17 Certification Law, shall be an ex officio member of the board  
18 without voting privileges or assignment to either council.  
19 Members shall receive no salary but shall be entitled to travel  
20 expenses and other necessary expenses incurred in the  
21 performance of their duties as members of the board.

22 (b) [~~Eleven (11)~~] Eight (8) members shall constitute a  
23 quorum provided that at least [~~five (5)~~] four (4) members  
24 serving on each of the councils are present. The affirmative  
25 vote of a majority of all the members of the board duly recorded  
26 showing how each member voted shall be required in order to take  
27 action adopting statements of policy, standards, rules and  
28 regulations. The board shall meet at least six (6) times a year  
29 at such times and places as it shall determine. Special meetings  
30 may be called by the chairman or at the request of a majority of

1 the members of the board.

2 \* \* \*

3 (e) For the purpose of formulating policy proposals  
4 applicable to elementary, secondary, vocational-technical  
5 education and higher education in this Commonwealth, there shall  
6 be two councils, which shall consist of [ten (10)] seven (7)  
7 members of the board each, the chairman being a member of both  
8 councils, and shall be known as the Council of Basic Education  
9 and the Council of Higher Education. The Governor shall  
10 designate to serve at his pleasure a member serving on each  
11 council to act as chairman of the council. Each council shall  
12 meet at the call of its chairman or at the request of a majority  
13 of the members of the council. The chairman of the board may  
14 appoint special joint committees from among the members of the  
15 board to formulate policy proposals in those areas which fall  
16 within the purview of both of the councils.

17 (f) (1) Except for the Secretary of Education, no member of  
18 the board may be employed by the Department of Education.

19 (2) Except for the chairman, not more than two (2) members  
20 serving on each council shall be employed [either] in a school  
21 system [or in the Department of Education]. For purposes of this  
22 [subsection] clause, the State System of Higher Education shall  
23 not be considered a school system.

24 (3) Three (3) members of the Council of Higher Education  
25 shall be actively employed by an institution of higher  
26 education, at least one holding an administrative position and  
27 at least one holding a professional position on a faculty of an  
28 institution of higher education.

29 (4) At least two (2) members serving on each council shall  
30 have had previous experience with vocational-technical education

1 or training.

2 (5) At least two (2) members of the Council of Basic  
3 Education shall be a school director as provided for in Article  
4 V, one of whom must be a resident of the western region of this  
5 Commonwealth and one of whom must be a resident of the eastern  
6 region of this Commonwealth.

7 \* \* \*

8 Section 2603-B. Powers and Duties of the Board.--(a) (1)  
9 The board shall have the power, and its duty shall be, to review  
10 the statements of policy, standards, rules and regulations  
11 formulated by the Council of Basic Education and the Council of  
12 Higher Education, and adopt broad policies and principles, and  
13 establish standards governing the educational program of the  
14 Commonwealth.

15 (2) When adopting and establishing policies, principles and  
16 standards, the board shall consider the economic impact and  
17 costs of implementing the policies, principles and standards.

18 \* \* \*

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