
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No.

676

Session of

1961

INTRODUCED BY MESSRS. SEYLER, STROUP, HAYS, SILVERT,
WAGNER AND SHAFER, MAY 23, 1961.

REFERRED TO COMMITTEE ON EDUCATION, MAY 23, 1961.

AN ACT

Amending the act of March 10 1949 (P L 30) entitled "An act relating to the public school system including certain provisions applicable as well to private and parochial schools amending revising consolidating and changing the laws relating thereto" increasing the term of office of treasurers of school districts providing for the collection of taxes establishing the office of superintendent of schools and assistants and the manner of their election providing for the reorganization of school districts creating a commission

EXPLANATION—CAPITAL LETTERS indicate new matter added to bill. Matter stricken through is to be omitted from bill.
Underscoring indicates new matter added to existing law. (Brackets) indicate matter stricken from existing law.

abolishing county boards of school directors and certain offices
discontinuing certain district boards of school directors and district
offices providing for the election of school boards in reorganized
school districts levying certain taxes in reorganized school districts
providing for the debts and assets of existing school districts and
making an appropriation

The General Assembly of the Commonwealth of Pennsylvania
hereby enacts as follows

1 Section 1 Section 404 of the act of March 10 1949 (P L 30) known
2 as the "Public School Code of 1949" amended August 9 1955 (P L 320)
3 is amended to read

4 Section 404 Districts Second Third and Fourth Class Permanent
5 Organization Election of Officers In each school district of the second
6 third and fourth class the school directors shall effect a permanent organi-
7 zation by electing on the first Monday of December from their members
8 a president and vice-president each to serve for one year [and shall an-
9 nually during the month of May elect a treasurer to serve for one year
10 beginning the first Monday in July following such election and shall
11 during the month of May one thousand nine hundred and fifty-three and]

1 [every four years thereafter elect a secretary for a term of four years
2 beginning the first Monday of July following such election] and shall
3 during the month of May one thousand nine hundred sixty-two and every
4 four years thereafter elect a treasurer and a secretary to serve for terms
5 of four years each beginning on the first Monday of July next following
6 such election The secretary shall at the time of his election and during
7 his term of office be a resident of the district The treasurer may be any
8 corporation duly qualified and legally authorized to transact a fiduciary
9 business in the Commonwealth Vacancies in the office of secretary or
10 treasurer shall be filled for the unexpired term In school districts of the
11 second class the secretary and treasurer shall not be members of the
12 board In districts of the third and fourth class they may be members of
13 the board The same person shall not hold at the same time more than
14 one of the offices of president vice-president secretary or treasurer of
15 any board of school directors

16 No superintendent assistant superintendent supervising principal or
17 teacher shall serve either temporarily or permanently as an officer of
18 the school board by which he is employed

19 Section 2 Section 683 of the act is amended to read

1 Section 683 Appointment of Tax Collector in Certain Cases The
2 board of school directors in each school district of the second third or
3 fourth class where a tax collector is not elected to collect school taxes
4 [or where there is a vacancy or where any tax collector elected refuses]
5 in each municipality in such district or where there is a vacancy in the
6 office of tax collector in a municipality in the district or where any tax
7 collector elected in a municipality refuses to qualify or furnish a bond as
8 herein provided shall annually on or before the first day of June in each
9 year appoint one or more suitable persons as tax collectors in said school
10 districts The board of school directors in any school district appointing
11 any tax collector or tax collectors may authorize and direct any one tax
12 collector to collect the school taxes in any one or more wards or other
13 proper divisions in such school district

14 Section 3 Section 1071 is hereby repealed as to each school district
15 upon the effective date of the reorganization plan affecting it and im-
16 mediately in the case of school districts not affected by any reorganization
17 plan

18 Section 4 The act is amended by adding after section 1068 the fol-
19 lowing sections to read

1 Section 1071.1 Election of Superintendent of Schools and Assistants

2 (a) In school districts of the first class the board of school directors shall
3 elect a superintendent of schools and such assistants as it deems wise in
4 the manner provided by law for school districts of the first class Such
5 officers shall have the powers and duties provided by law

6 (b) In a school district of the second class authorized under the
7 provisions of article XXVIII of this act to be a reorganized school
8 district in which no other district is included the board of school di-
9 rectors of such district shall in the year of the expiration of the term of
10 office of the person holding the office of superintendent of schools on
11 the effective date of this act meet at its regular place of meeting at a
12 time previously fixed by the board on the second Tuesday in April and
13 elect a superintendent of schools together with such assistant superin-
14 tendents of schools as it deems wise Every fourth year thereafter the
15 board shall meet for such purpose on the second Tuesday in April

16 (c) In all school districts reorganized under the provisions of article
17 XXVIII of this act and not provided for in (a) or (b) above the board of
18 school directors of each district shall in the year of the expiration of the
19 term of office of the superintendent of schools elected by the initial

1 board of school directors of the reorganized school district meet at its
2 regular place of meeting at a time previously fixed by the board on the
3 second Tuesday in April and elect a superintendent of schools together
4 with such assistant superintendents of schools as it deems wise Every
5 fourth year thereafter the board shall meet for such purpose on the sec-
6 ond Tuesday in April

7 Section 1071.2 Qualifications of Superintendents of Schools and
8 Assistant (a) No person shall be eligible for election or appointment to
9 the office of superintendent of schools or assistant superintendent of
10 schools unless

11 (1) He is a person of good moral character

12 (2) He has a degree from a college or other institution approved by
13 the State Council of Education

14 (3) He has six years teaching experience not less than three of which
15 shall have been in a supervisory capacity

16 (4) He has completed in a college or university a graduate course in
17 education approved by the State Council of Education

18 (5) In lieu of or in addition to the qualifications prescribed above he
19 fulfills the qualifications stated in standards promulgated by the State
20 Council of Education

1 (b) Except in school districts of the first class each person who is a
2 candidate for the office of superintendent of schools or assistant superin-
3 tendent of schools shall to be eligible for election to such office submit to
4 the board of school directors within the time provided by the board in a
5 public notice an affidavit stating the qualifications which entitle him to
6 eligibility for such office as provided in this section

7 Section 1071.3 Notice of Intention to Consider Candidates Except
8 in school districts of the first class at least thirty (30) days before the
9 time fixed for the election of the superintendent of schools and assistant
10 superintendents of schools the board shall publish in two newspapers of
11 general circulation within the district for one day of three (3) successive
12 weeks a notice of its intention to meet on the date fixed for the purpose
13 of selecting a superintendent of schools and assistant superintendents
14 of schools and inviting persons who are candidates for such offices to
15 submit to the board and affidavit of their qualifications to be received
16 by the board not less than ten days before the time fixed for the meet-
17 ing

18 Section 1071.4 Manner of Election This section shall not apply to
19 school districts of the first class The secretary of the board of school

1 directors shall mail to each member of the board at least five days before
2 the time fixed for the meeting a notice of the time place and purpose
3 of the meeting together with a list of the names and addresses of the
4 candidates eligible The board shall meet at the time previously fixed
5 and after a consideration of the qualifications of each candidates shall
6 choose by a majority vote of the members of the board present one per-
7 son to serve as superintendent of schools and as many other persons
8 as it deems wise as assistant superintendents of schools

9 Section 1071.5 Certification of Results of Election The president
10 and secretary of the board of school directors electing a superintendent
11 of schools shall forthwith certify to the Superintendent of Public In-
12 struction the name and post office address of the person elected super-
13 intendent of schools together with the number of votes received by the
14 other candidates for such office the number of directors in attendance
15 at such meeting and the amount of the annual salary fixed upon by the
16 board for the superintendent so elected together with the number of
17 votes cast for and against such salary

18 Section 1071.6 Objections to Election Hearing If any objections to
19 the election of any superintendent of schools or assistant superintendent
20 of schools are filed with the Superintendent of Public Instruction with-

1 in fifteen (15) days following the election and such objections are signed
2 and sworn to by one-fifth of the members of the board the Superin-
3 tendent of Public Instruction or such person as he may authorize shall
4 conduct a hearing at a suitable time and place after notice to the mem-
5 bers of the board the person or persons whose election is challenged
6 and the persons signing the statement of objections After the hearing
7 the Superintendent of Public Instruction or such person as he may au-
8 thorize shall rule on the objections and if they are sustained no com-
9 mission shall be issued to the person or persons elected and a date for the
10 holding of new elections shall be fixed If the objections are not sustained
11 he shall enter an order dismissing the objections and shall issue to the
12 person elected the commission to which he is entitled

13 Section 1071.7 Commission from Superintendent of Public Instruc-
14 tion If no valid objections to the election of the superintendent of schools
15 are filed with the Superintendent of Public Instruction within fifteen
16 (15) days following such election a proper commission shall be issued to
17 the persons so elected for the ensuing term by the Superintendent of
18 Public Instruction under the seal of the department

19 Section 1071.8 Term of Office of Superintendent of Schools and
20 Assistants This section shall not apply to school districts of the first

1 class A person elected superintendent of schools or assistant superin-
2 tendent of schools shall serve for a term of four years beginning on
3 the first Monday of July next following his election Whenever the term
4 of office of any superintendent of schools or assistant superintendent
5 of schools expires he shall continue in office for a further term of four
6 years unless at least sixty (60) days prior to the date fixed for the
7 election of superintendents of schools four or more members of a board
8 of school directors of a second class district or three or more members
9 of a board of school directors of a third class district shall forward by
10 certified mail a notice to the superintendent or assistant superintendent
11 of schools that another or other candidates will be considered for such
12 office In the same manner the board may notify an assistant superin-
13 tendent of schools that it will consider abolishing the office of one or
14 more assistant superintendents of schools

15 Section 1071.9 Vacancy in Office of Superintendent of Schools Any
16 vacancy in the office of superintendent of schools by reason of death
17 removal or otherwise shall be filled by the board of schools directors
18 who shall appoint a properly qualified person to serve the unexpired term

19 Section 1071.10 Duties of Superintendent of Schools (a) This sec-
20 tion shall not apply to school districts of the first class

1 (b) The superintendent of schools shall be the chief administrative
2 officer in the school district and all persons employed by such district
3 shall be under his supervision

4 (c) It shall be the duty of every superintendent of schools to visit
5 personally as often as is practicable the several schools in the district
6 under his supervision to assure that the highest possible quality of in-
7 struction in proper subjects is presented to give such guidance to
8 teachers and other persons as will attain such quality of instruction to
9 inspect the school buildings and school facilities to assure their service-
10 ability and adequacy and to discharge all duties assigned to him by the
11 board of school directors employing him in the manner prescribed by
12 the board

13 (d) The superintendent of schools shall annually on or before the
14 first Monday of August prepare and submit to the Superintendent of
15 Public Instruction a report of the public schools under his supervision
16 on such matters as the Superintendent of Public Instruction may re-
17 quire and of such other matters as the superintendent of schools may
18 deem proper He shall also furnish to the Superintendent of Public In-
19 struction whenever required to do so such additional reports and in-
20 formation as may be required

1 (c) The superintendent of schools shall have a seat on the board of
2 school directors of the district and the right to speak on all matters
3 before the board but shall have no right to vote

4 Section 1071.11 Duties of Assistant Superintendent of Schools The
5 assistant superintendent of schools shall perform such duties as may be
6 assigned to him by the board of school directors or by the superin-
7 tendent of schools

8 Section 1071.12 Salary of Superintendents of Schools and As-
9 stants The board of school directors shall determine the amount of
10 salary to be paid to the superintendent of schools and assistant super-
11 intendents of schools but the persons elected to such offices shall be
12 entitled to the following minimum salaries

13 (1) Superintendents and assistant superintendents having less than
14 one hundred (100) teachers under their supervision superin-
15 tendents twelve thousand dollars (\$12,000) and assistant super-
16 intendents ten thousand dollars (\$10,000)

17 (2) Superintendents and assistant superintendents having one hun-
18 dred (100) teachers or more but less than three hundred (300)
19 teachers under their supervision superintendents twelve thou-

1 sand dollars (\$12,000) and assistant superintendents ten
2 thousand dollars (\$10,000)

3 (3) Superintendents and assistant superintendents having three
4 hundred (300) or more teachers under their supervision super-
5 intendents twelve thousand dollars (\$12,000) and assistant
6 superintendents ten thousand dollars (\$10,000)

7 Section 1071.13 Removal of Superintendents of Schools and As-
8 stants Superintendents of schools and assistant superintendents of
9 schools may be removed from office after hearing by a majority vote
10 of the board of school directors of the district for neglect of duty in-
11 competency intemperance or immorality Notice of the date of the meet-
12 ing and the purpose of the meeting shall be sent by certified mail to the
13 accused and to each member of the board at least one week before the
14 date fixed for the hearing

15 Section 5 Sections 1072 1072.1 1072.1a 1072.2 1073 1074 1075
16 1076 1077 1078 1079 1080 1081 1082 1083 1083.1 are hereby repealed
17 as to each school district upon the effective date of the reorganization
18 plan affecting it and immediately in the case of school districts not
19 affected by any reorganization plan

1 Section 6 The act is amended by adding a new article to read

2 Article XXVI-O

3 Reorganization of School Districts

4 Section 2601-O Definitions When used in this article the following
5 words and phrases shall have the following meanings

6 (1) "Reorganized school district" shall mean the district formed by
7 a school district or by a combination of school districts when reorgan-
8 ized in accordance with the provisions of this article

9 (2) "Average daily membership" shall mean the membership de-
10 termined for the school year 1958-59 in accordance with the rules of
11 procedure established by the Department of Public Instruction for the
12 school term 1944-45

13 (3) "Commission" shall mean the Commission on School District
14 Reorganization

15 (4) "County of the seventh class or of the eighth class" shall mean
16 as determined by the 1960 decennial census

17 (5) "County plan unit" shall mean those units provided for in
18 county plans prepared by the county boards of school directors as
19 provided by law and approved by the State Council of Education prior
20 to the effective date of this article except that such units with the

1 approval of the Commission may be modified to effectuate the purposes
2 of this article

3 (6) "Union merger or jointure agreement" shall mean only such
4 agreements entered into with the approval of the State Council of Ed-
5 ucation prior to the effective date of this article

6 (7) "Pupil population of a school district" shall mean the number
7 of all pupils who are residents of the school district and are in average
8 daily membership in the public schools of the Commonwealth except
9 kindergarten pupils and pupils in attendance at area technical schools
10 or schools operated by a county board of school directors

11 (8) "School district of the first class" shall mean school districts of
12 the first class and first class A

13 Section 2602-C Preparation of Reorganization Plans by County
14 Boards The county board of school directors of each county shall after
15 consultation with all boards of school directors in the county and after
16 public hearings prepare a reorganization plan providing for the establish-
17 ment of reorganized school districts in accordance with the provisions of
18 this article The plan shall designate which county plan units and compon-
19 ent districts thereof shall comprise each reorganized school district and

1 shall assure that each school district is included in a reorganized school
2 district The plan shall also assure the continuity of special education
3 and area technical school programs by providing for the assignment of
4 such programs to a reorganized school district or a combination of such
5 districts which shall have sufficient pupils for such program and the
6 capacity to service them adequately or by providing for the assignment
7 of such programs to such intermediate or regional units as the legislature
8 may hereafter provide for such purposes The county reorganization plans
9 required by this section shall be submitted by the county boards to
10 the Commission no later than the first Monday in July of 1964

11 If a county board of school directors fails to submit a county reor-
12 ganization plan which conforms with the requirements of this article
13 within the time required by this section the Commission shall prepare
14 and adopt a county reorganization plan for the county as hereafter in
15 this article provided

16 Section 2603-C Reorganization of School Districts All school
17 districts shall be formed into reorganized school districts in accordance
18 with the following provisions

1 (1) A school district of the first class whether or not pursuant to
2 this article there is included in such district another district as provided
3 for in this article shall be a reorganized school district

4 (2) A school district of the second class which has a pupil popu-
5 lation of more than five thousand (5,000) and which has not been
6 assigned to and is not a member of a county plan unit shall be a
7 reorganized school district

8 (3) A school district of the second class which has a pupil popu-
9 lation of more than five thousand (5,000) and which is assigned to or
10 is a member of a county plan unit shall remain a member of the county
11 plan unless by the request of the board of school directors of the district
12 and with the approval of the Commission it is determined that the
13 district shall be a reorganized school district

14 (4) A school district which is located entirely within the territorial
15 limits of a district of the first class or second class shall be included in
16 the same reorganized school district as is the district of the first class
17 or second class unless the entrance of the district into such reorganized
18 school district would violate any merger union or jointure agreement
19 which such district has with another district

1 (5) A school district which is not authorized to be a reorganized
2 school district as provided in clauses (1) (2) or (3) of this section and
3 which has been assigned to a county plan unit whether or not it has be-
4 come a member thereof shall be included in the same reorganized school
5 district of which the county plan unit is a part or the whole unless the
6 entrance of the district into such reorganized school district would
7 violate any merger union or jointure agreement which the district has
8 with some other district

9 (6) A school district which is not authorized to be a reorganized
10 school district as provided in clauses (1) (2) or (3) of this section and
11 which has not been assigned to and has not become a member of a county
12 plan unit but which is located entirely within the territorial limits of a
13 county plan unit shall be included in the same reorganized school dis-
14 trict of which the county plan unit is a part or the whole unless the
15 entrance of the district into such reorganized school district would
16 violate any union merger or jointure agreement which the district has
17 with another district

18 (7) A school district which is not authorized to be a reorganized
19 school district as provided in clauses (1) (2) or (3) of this section and
20 which has not been assigned to and has not become a member of and is

1 not located entirely within the territorial limits of a county plan unit
2 shall be assigned to a reorganized school district within the county in
3 accordance with the provisions of this article

4 (8) A county plan unit shall be combined with one or more other
5 county plan units when necessary to form reorganized school districts
6 in accordance with the provisions of this article

7 (9) In all cases school districts which have entered into union
8 merger or jointure agreement prior to the effective date of this article
9 shall be assigned to the same reorganized school district as such other
10 district or districts with which they have such agreements and such
11 inclusion shall not be deemed to be a violation of any such agreement

12 Section 2604-C Continuation of Certain Districts Boards and Of-
13 ficers A school district of the first class authorized to form a reorganized
14 school district as provided in this article whether or not pursuant to this
15 article another district is included in such district shall continue to be
16 a school district of the first class and shall have all the powers and
17 duties granted and imposed by law upon such district

18 On the effective date of the reorganization of a district of the first
19 class in any district included in the district of the first class the board

1 of school directors and the office of member of such board shall be
2 abolished The office of district superintendent assistant superintendent
3 and supervising principal in any district included within a district of
4 the first class shall be abolished and the persons holding such offices shall
5 be assigned by the board of the district of the first class to such positions
6 as the board may determine for the remainder of their term of office
7 and without reduction in salary

8 A school district of the second class authorized to form a reorga-
9 nized school district in which no other district is included as provided
10 in this article shall continue to be a school district of the second class
11 and to have all the powers and duties granted and imposed by law upon
12 such district

13 In the school districts provided for in this section the members of
14 the boards of school directors shall continue in office for the terms of
15 their appointments or election and shall exercise all the powers and
16 have all the duties in such reorganized school district as they have here-
17 tofore exercised in the district of their respective class Successor mem-
18 bers of such boards shall be appointed or elected in the manner and at
19 the time provided by law for districts of their respective class

1 The district superintendent associate district superintendent and
2 assistant district superintendent in such districts shall continue in office
3 for their respective terms but such officers shall hereafter be known as
4 the superintendent of schools and assistant superintendents of schools
5 respectively and shall exercise all the powers and duties provided by
6 law for such offices

7 Section 2605-C Maximum Number of Reorganized School Districts
8 for Each County (a) A county of the seventh class or of the eighth class
9 shall have one reorganized school district but if any such reorganized
10 school district has a pupil population of less than two thousand five
11 hundred (2500) the Commission shall make such provisions as are neces-
12 sary for such district with one or more other school districts to assure
13 that the district is adequately provided with school facilities and serv-
14 ices

15 (b) In all counties other than a county of the seventh class or of the
16 eighth class in addition to the reorganized school districts formed by a
17 single school district of the second class or by a district of the first class
18 there shall be a minimum of one reorganized school district and a maxi-
19 mum number of such districts determined by dividing the total pupil

1 population of the county by ten thousand (10,000) and adding thereto
2 one district for any fractional part of ten thousand (10,000) in excess
3 of the whole number quotient obtained by such division but no re-
4 organized school district shall have a pupil population of less than five
5 thousand (5,000) The pupil population of the county shall be the sum
6 of (1) all pupil populations of all school districts within the county
7 but not including the pupil populations of a reorganized school dis-
8 trict formed by a district of the first class or by a single district of the
9 second class and of (2) all pupils in average daily membership in area
10 technical schools and schools operated by the county board of school
11 directors

12 (c) Any school district which has entered into any agreement of
13 merger union or jointure with a district or districts in another county
14 shall for the purposes of this article be under the jurisdiction of the
15 county containing the largest portion of the population of such combina-
16 tion of districts as shown by the United States census for the year 1960

17 (d) In any county the maximum number of reorganized school dis-
18 tricts as determined by the foregoing provisions may be increased by
19 one when substantial reasons make the foregoing limitations impractic-

1 able in the judgment of the Commission but no such reorganized school
2 district shall have a pupil population of less than five thousand (5,000)

3 Section 2606-C Commission on School District Reorganization (a)

4 As soon as is possible after the effective date of this article the
5 Governor shall appoint by and with the advice and consent of two-thirds
6 of all the members of the Senate five persons who together with the
7 Superintendent of Public Instruction as an ex-officio member shall
8 comprise a Commission to be known as the Commission on School Dis-
9 trict Reorganization Each of the appointive members of the Commis-
10 sion shall be appointed for a term of four years and serve until a succes-
11 sor is appointed but no member of the Commission shall be appointed to
12 serve for a term which shall end at a date later than July 1 1966

13 (b) The Commission shall cease to exist and all powers and duties
14 given to the Commission by this article shall terminate on July 1 1966

15 (c) Members of the Commission shall serve without compensation
16 but shall be reimbursed for their necessary expenses actually incurred
17 in the performance of their duties The Commission subject to the ap-
18 proval of the Governor shall appoint and fix the compensation of such
19 staff of qualified persons as may be necessary to assist the Commission
20 in exercising such powers as are granted to it by this article

1 (d) The Governor shall designate one of the commissioners to act
2 as chairman of the Commission Three members of the Commission shall
3 constitute a quorum

4 (e) The Commission shall hold at least nine regular meetings each
5 year at such times and places as the Commission may determine Special
6 meetings shall be held at the call of the chairman

7 (f) The Commission shall have the power and its duty shall be

8 (1) To approve without modification to approve with modification
9 or to disapprove a county reorganization plan upon its receipt from the
10 county board of school directors When the Commission proposes to
11 approve a plan with modification not assented to by the county board
12 preparing the plan the Commission shall hold a public hearing in the
13 county and thereafter approve the plan with or without modification
14 Upon the disapproval of a plan the Commission shall state the reasons
15 therefor and fix a time within which the county board preparing the
16 plan shall resubmit the plan with appropriate modification If the county
17 board fails to resubmit the plan by the time fixed or if the Commission
18 requires further modification not assented to by the county board the
19 Commission shall hold a public hearing in the county and thereafter

1 approve a plan for the county with such modification as the Commission
2 may determine

8 (2) To prepare a proposed county reorganization plan for any county
4 in which the county board of school directors fails to submit within the
5 time allowed by this article a county reorganization plan which con-
6 forms with the requirements of this article After publication in the
7 county of the proposed plan and a public hearing held in the county
8 the Commission shall adopt such proposed plan together with such
9 changes as it has determined upon which the plan shall be the approved
10 county reorganization plan

11 (3) To determine that adequate provision has been made for the
12 continuity of special education and area technical school programs in all
13 county reorganization plans and to make such changes as are necessary
14 in the manner provided for in this section to assure that such programs
15 are adequately supported and serviced by an appropriate unit or units
16 within the county

17 (4) To conduct such studies and investigations and to hold such
18 other public hearings as it may deem necessary to effectuate the pro-
19 visions of this article

1 (5) To recommend to the Governor and the General Assembly no
2 later than the first Monday in January of 1965 a plan for such inter-
3 mediate or regional units as may be required to assure the economical
4 and efficient performance of such services as are necessary to support
5 the administration of public education in the school districts The plan
6 shall designate the number of intermediate or regional units to be
7 established or the criteria by which the number shall be determined the
8 constituent districts to be included in each unit and the service functions
9 to be performed by the units

10 (6) To recommend to the Governor and General Assembly such
11 legislation as in the judgment of the Commission is necessary to effectu-
12 ate the purposes of this article

13 Section 2607-C Effective Dates of Reorganized School Districts (a)
14 Upon the approval of a county reorganization plan the Commission
15 shall fix a date upon which the reorganized school districts within the
16 approved plan shall become effective The date fixed by the Commission
17 shall be as soon after the approval of the plan as is convenient but in
18 no case shall the date fixed be later than one year from the date of
19 approval

1 (b) The Commission shall approve all county reorganization plans
2 no later than the first Monday in July of 1966

3 (c) The effective date for any county reorganization plan shall be
4 no later than the first Monday in July of 1966

5 Section 2608-C Discontinuance of County Board of School Directors
6 and Certain Other Offices The County Board of School Directors the
7 office of member of the board the office of county superintendent the
8 office of assistant county superintendent the office of supervisor of special
9 education together with such other offices as are under the direct
10 supervision of the county superintendent are abolished in accordance
11 with the following provisions

12 (1) On the date fixed by the Commission for a county reorganization
13 plan to become effective the county board of school directors in the
14 county and the office of member of the board are abolished and all
15 powers and duties heretofore vested by law in the board shall terminate

16 (2) The office of county superintendent assistant county superin-
17 tendent supervisor of special education and such other offices as are
18 under the direct supervision of the county superintendent are abolished
19 at the expiration of the term of office of each person holding the office

1 on the effective date fixed by the Commission for the county's reor-
2 ganization plan

3 (3) No vacancy occurring after the first Monday in July of 1962
4 in the office of members of a county board of school directors or in the
5 office of county superintendent or assistant county superintendent or
6 supervisor of special education whether the vacancy occurs by the
7 expiration of a term of office or by death resignation retirement or
8 otherwise shall be filled except with the approval of the Commission

9 Section 2609-C Election of Boards of School Directors for Reor-
10 ganized School District In all reorganized school districts other than
11 those formed by a single school district of the second class or a district
12 of the first class the county superintendent of schools upon notification
13 from the Commission of the approval of the county reorganization plan
14 and of the effective date thereof shall cause the initial board of school
15 directors for the reorganized school districts within his county to be
16 elected in the following manner

17 (1) He shall fix and give notice of the time and place of a meeting
18 of the school directors of the school districts within each county plan
19 unit who shall meet and elect for their respective county plan unit one
20 of their number to the board of school directors of the reorganized

1 school district of which the county plan unit is a part The election shall
2 be by secret ballot The person receiving the highest number of votes
3 shall be elected

4 (2) The board of school directors of a reorganized school district
5 which fulfills the requirements provided by law for a school district of
6 the second class shall have nine (9) members The board of school direc-
7 tors of a reorganized school district which fulfills the requirements pro-
8 vided by law for a school district of the third class or a lesser class shall
9 have seven (7) members

10 (3) If the number of members of the board of school directors of
11 a reorganized school district chosen by the meeting held by the school
12 directors of each county plan unit as provided in clause (1) of this sec-
13 tion is less than the number of members of the board for such reorgan-
14 ized school district as provided in clause (2) of this section the remaining
15 members of such board shall be chosen by the vote of the qualified
16 electors of the reorganized school district as hereinafter provided

17 (4) If the number of members of the board of school directors of a
18 reorganized school district chosen by the meetings held by the school
19 directors of each county plan unit as provided in clause (1) of this sec-

1 tion equals or exceeds the number of members of the board for such
2 reorganized school district as provided in clause (2) of this section the
3 number of members of the board shall be increased by two (2) and the
4 persons to hold the offices created by the increase shall be chosen by the
5 vote of the qualified electors of the reorganized school districts as here-
6 after in this section provided

7 (5) The election of members of the board of school directors of
8 the reorganized school district when required by this section to be by
9 the vote of the qualified electors of the reorganized school district shall
10 be held at the time and in the manner provided by law for the holding
11 of such elections in a school district of the second class if the re-
12 organized school district fulfills the requirements provided by law for a
13 school district of the second class and if not then at the time and in
14 the manner provided by law for the holding of such elections in school
15 districts of the third class No person who is not a member of a board
16 of school directors of a district within the reorganized school district on
17 the effective date of the reorganization plan shall be eligible for election
18 to the initial board of school directors of the reorganized school district

19 Section 2610-C Organization of Initial Board of School Directors
20 of Reorganized School Districts (a) Except for reorganized school dis-

1 tricts formed by a single school district of the second class or by a district
2 of the first class the initial board of school directors of a reorganized
3 school district shall organize on the first Monday of the second month
4 following the month of the effective date of the reorganized school
5 district The board shall elect a president and vice-president who shall
6 hold their respective offices until the first Monday of December follow-
7 ing their election and shall elect a treasurer and secretary who shall
8 hold their respective offices until the first Monday of July in the year
9 following their election and for four (4) years thereafter Thereafter
10 the board shall as provided by law meet and organize annually by the
11 election of such officers for such terms as for school districts of the
12 second class if the reorganized district is of that class and if not then
13 of the third class

14 (b) At the first meeting of the initial board of school directors of
15 a reorganized school district which fulfills the requirements provided by
16 law for a school district of the second class each member of the board
17 shall draw a lot which shall determine which three (3) members shall
18 serve for a term of two years which three (3) members shall serve for
19 a term of four years and which three (3) members shall serve for a

1 term of six years Thereafter the election of members of such boards
2 shall be at the time and in the manner provided by law for school dis-
3 tricts of the second class and the persons so elected or appointed to
4 vacancies shall serve for terms as provided by law for such districts

5 (c) At the first meeting of the initial board of school directors of
6 a reorganized school district which fulfills the requirements provided
7 by law for a school district of the third class or a lesser class each mem-
8 ber shall draw a lot which shall determine which two (2) members shall
9 serve for a term of two years which three (3) members shall serve for
10 a term of four years and which two (2) members shall serve for a term
11 of six years Thereafter the election of members of such boards shall be
12 at the time and in the manner provided by law for school districts of
13 the third class and the persons so elected or appointed to vacancies shall
14 serve for terms as provided by law for such districts

15 (d) In reorganized school districts in which the number of directors
16 of its initial board of school directors exceed the number provided for
17 in clause (2) of section 2609-C a lot for each excess member shall be
18 provided which when drawn by any member of the board shall entitle
19 such member to serve for a term of four years At the expiration of the
20 term such offices shall not be filled and the number of members of such

1 board shall revert to the number provided for in clause (2) of section
2 2609-C.

3 Section 2611-C Discontinuance of Certain Boards of School Direc-
4 tors Upon the election of the initial board of school directors of a re-
5 organized school district all other boards of school directors within the
6 reorganized school district shall cease to exist The members holding
7 office on such boards which cease to exist shall be entitled to receive
8 notice of and to attend all meetings of the board of school directors of
9 the reorganized school district Such member shall be entitled to be
10 heard by the board on all matters before the board but shall not be
11 entitled to vote on any matter The rights granted to such members
12 under this section shall terminate upon the expiration of the member's
13 term of office

14 Section 2612-C Classification of Reorganized School Districts (a)
15 On the effective date fixed in the county reorganization plan each re-
16 organized school district within such plan which fulfills the requirements
17 provided by law for a school district of the first class or second class
18 shall be classified as a school district of its respective class and the board
19 of school directors of such reorganized school district shall subject to

1 the limitations provided in section 2614-C for the levying of taxes and
2 other provisions of the law have all the powers and all the duties pro-
3 vided by law for a school district of such class

4 (b) On the effective date fixed in the county reorganization plan
5 each reorganized school district within such plan which fulfills the re-
6 quirements provided by law for a school district of the third class or a
7 lesser class shall be classified as a school district of the third class and
8 the board of directors of such reorganized school district shall subject
9 to the limitations provided in section 2614-C for the levying of taxes and
10 other provisions of the law have all the powers and all the duties pro-
11 vided by law for a school district of the third class

12 Section 2613-C Assets and Liabilities of Reorganized School Dis-
13 tricts On the effective date of the county reorganization plan the re-
14 organized school district shall assume all of the debts and liabilities of
15 the several school districts comprising such reorganized school district
16 All rights of creditors against any school district shall be preserved
17 against the reorganized school district All property vested in the several
18 districts shall become vested in the reorganized school district and all
19 uncollected debts and taxes owing to the several school districts and all

1 moneys in the treasuries of the several districts shall be paid to the
2 treasurer of the reorganized school district

3 Section 2614-C Tax Levy Limitations (a) The provisions of this
4 section shall not apply to a reorganized school district formed by a single
5 school district of the second class or by a school district of the first
6 class or first class A

7 (b) In each reorganized school district within this section the taxes
8 provided for in this section shall be levied and assessed during the
9 month of March or April or May or June of each year for the ensuing
10 fiscal year

11 (c) The board of school directors of each reorganized school district
12 within this section shall levy annually a tax on each dollar of the total
13 assessment of all property assessed and certified for taxation within the
14 district (1) to pay up to and including the full amount of the salaries
15 and increments of the teaching and supervisory staff (2) to pay rentals
16 due any municipality authority or non-profit corporation or the State
17 Public School Building Authority (3) to pay sinking fund charges in-
18 curred in connection with school building projects approved by the
19 Department of Public Instruction (4) to pay for the amortization of a

1 bond issue which provided a school building prior to the first Monday
2 of July 1959 (5) to pay the costs incurred in the operation and main-
3 tenance of school buildings and facilities (6) to pay for equipment books
4 and materials used for instruction in the schools (7) to pay for the cost
5 of pupil transportation (8) to pay the costs incurred in the performance
6 of such duties as are or may be imposed by law upon such school dis-
7 tricts No tax levied under this section shall be more than seventy-five
8 (75) mills on the dollar on the total amount of the assessed valuation
9 of all property taxable for school purposes within such district The
10 assessed valuation for the purpose of this section shall mean the valua-
11 tions assessed and certified by the county as provided by law

12 (d) Each board of school directors of a reorganized school district
13 within this section shall levy and collect annually a per capita tax of not
14 less than one dollar (\$1.00) and not more than ten dollars (\$10.00) on
15 each resident or inhabitant of such district over twenty-one (21) years
16 of age This tax is levied only for the purposes stated in subsection (c)
17 of this section

18 (e) The tax levy made by this section shall terminate in a re-
19 organized school district within this section as soon as all of the mem-
20 bers of the board of school directors in the district have been elected by

1 the qualified electors entitled to vote in such district Thereafter the
2 board of a reorganized school district within this section may levy taxes
3 at the time and for the purposes and subject to the limitations provided
4 by law for school districts of the second class if the reorganized school
5 district is of that class and if not then of the third class

6 Section 2615-C Election of Superintendent of Schools Discontin-
7 ance of Certain Officers (a) Except for reorganized school districts formed
8 by a single school district of the second class or by a school district of
9 the first class in each reorganized school district the initial board of
10 school directors shall as soon after the first organization meeting of
11 such board as is practicable elect a superintendent of schools and such
12 assistant superintendents of schools as it deems wise The persons elected
13 to such offices shall serve until the first Monday of July next following
14 such election and for four years thereafter Successors to such persons
15 initially elected shall be chosen at the time and in the manner provided
16 by law for a school district of the second class if the reorganized school
17 district is of that class and if not then of the third class

18 (b) When in a reorganized school district within this section an
19 elected superintendent of schools commences his term of office all district

1 superintendents assistant district superintendents associate district super-
2 intendents and supervising principals holding such offices in school
3 districts which are components of the reorganized school district shall
4 cease to have any of the powers and duties granted to or imposed by
5 law upon such offices The board of the reorganized school district shall
6 assign such persons without reduction in salary for the remainder of
7 the terms of their respective offices to such other positions or offices
8 for which they are certificated

9 (c) In reorganized school districts within this section the board of
10 such districts in electing a superintendent of schools and assistant super-
11 intendent of schools shall give first consideration to persons holding
12 supervisory positions in the component school districts of the reorganized
13 school district but shall also consider such other qualified persons as may
14 be candidates for such offices

15 Section 7 The sum of _____ or so
16 much as such sum as may be necessary is appropriated to the Depart-
17 ment of Public Instruction for the use of the Commission on School
18 District Reorganization to carry out the provisions of this act

19 Section 8 The provisions of this act shall become effective imme-
20 diately

We certify that this bill has passed the Senate and the House of Representatives.

.....
Chief Clerk, Senate

.....
President pro tempore, Senate

.....
Speaker, House of Representatives

Approved The day of A. D. 1961.

.....
Governor