

No. 288

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," providing for election of school directors in independent school districts.

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

Public School
Code of 1949.

Section 1. Section 311, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," is amended to read:

Section 311, act
of March 10,
1949, P. L. 30,
amended.

Section 311. Appointment or Election in Independent Districts; Terms of Office.—(a) Every independent school district, established as herein provided, shall have its affairs administered by a board of school directors, subject to all the provisions of this act relating to the class of school districts to which such independent district belongs. The court establishing such independent school district shall, at the time of so doing, appoint a board of properly qualified residents of the district, of like number and for the same terms as is herein provided for such class of districts. In November of every odd year (*except as hereinafter provided*), such court shall appoint the proper number of directors for the full term of six years, whose terms shall begin on the first Monday of December following their appointment. Any vacancy in such board shall be filled by the court for the unexpired term.

(b) *The directors of an independent school district shall be elected by the qualified electors of the district, if, at an election held for the purpose, a majority of the qualified electors voting on the question vote in favor thereof. Any elector of the independent school district may present a petition to the court of common pleas of the county, signed by at least fifteen per cent of the electors of the district, praying that the school directors of the district be elected. If the district is situate in two or more counties, the petition shall be presented to the court of common pleas of the county in which the largest part in area is situated, which court shall have exclusive jurisdiction over the matter.*

(c) *The petition shall request the submission of the question of election of school directors to the electors of the independent school district at the next general or municipal election to be held at least ninety days after the presentation of the petition. The question to be submitted to the electors shall be framed by the court and be, by it, certified to the county commissioners for*

submission to the electors of the district. The question shall be submitted, on separate ballots, to be voted only by electors of the independent school district. Otherwise, the submission shall be in accordance with the laws of the Commonwealth relating to the submission of similar questions.

(d) If a majority of the electors of the school district voting thereon shall be in favor of electing the school directors, a certificate of the returns shall be filed with the Superintendent of Public Instruction, the prothonotary, the county board of school directors, and the board of school directors of the independent school district. The first election of school directors shall be at the next municipal election thereafter, when and at each municipal election thereafter, the number of directors necessary to fill the expiring terms shall be elected. The election of directors of the independent school district shall be by separate ballot to be voted only by electors of the independent school district.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 5th day of July, A. D. 1957.

GEORGE M. LEADER

No. 289

AN ACT

Requiring city controllers of cities of the second class A to make reports to council of the audits of accounts of officers having charge, custody, control and disbursements of public moneys, and to file copies of the reports with prothonotaries, and authorizing appeals from settlements or audits of officers' accounts.

Cities of the second Class A.

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

Controller of cities of second class A required to make annual reports to council, and file same with prothonotary of court of common pleas.

Section 1. The city controller of each city of the second class A shall make annual reports, to council on the first Monday of April, and oftener if so required by council, of the audits which he shall have made of the accounts of the officers having charge, custody, control and disbursements of public moneys, showing the balance in their hands respectively at the end of the fiscal year, and at the same time shall file a copy of the annual report with the prothonotary of the court of common pleas. It shall be lawful for the city or any taxpayer thereof on its behalf or any officer whose account is settled or audited, to appeal from the settlement or audit to the court of common pleas of the county within forty-five days after the annual report to council has been filed in the court of common pleas. If the appellant