

*otherwise, it shall approve the same and order that said bridge and approaches thereto be constructed in accordance with the plans and surveys accompanying the petition. Thereupon, any original location, relocation, opening, widening, straightening, extension, alteration or vacation of any bridge and approaches thereto *shall be as set forth in said proceedings and the right to proceed with such construction shall become absolute.*

(b) The court shall make an order fixing a time, not less than ten days thereafter, for the filing of exceptions thereto. Upon the hearing thereof, the court may, for proper cause shown, disapprove of said application; otherwise, it shall make an order approving the location and the plans and surveys therefor and authorize such county to construct such bridge and its approaches and to let a contract or contracts therefor under specifications to be prepared by the county engineer or other proper county authority. Thereupon, the said bridge and its approaches shall be deemed to be laid out and opened in accordance with the surveys and plans accompanying said petition.

APPROVED—The 31st day of July, A. D. 1963.

WILLIAM W. SCRANTON

No. 215

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," further providing for distressed districts, the appointments of members of boards of control and their compensation and removal.

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

Public School
Code of 1949.

Section 1. Subsection (a) of section 691, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," added December 15, 1959 (P. L. 1842), is amended by adding, at the end thereof, a new clause to read:

Subsection (a),
section 691, act
of March 10,
1949, P. L. 30,
added December
15, 1959, P. L.
1842, amended
by adding a new
clause (7).

Section 691. When District Distressed.—(a) A school district shall be deemed to be distressed when any one of the following circumstances shall arise and the Superintendent of Public Instruction, after proper investigation of the district's financial condition, the

* "shall" not in original.

administrative practices of the board and such other matters as to him may seem pertinent, has issued a certificate declaring such district in financial distress:

* * * * *

(7) A new, merged or union school district has been formed and one or more of the former school districts which compose the merged or union school district was a distressed school district at the time of the formation of the merged or union school district.

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Section 692 of act, added December 15, 1959, P. L. 1842, amended.

Section 2. Section 692 of the act, added December 15, 1959 (P. L. 1842), is amended to read:

Section 692. Special Board of Control; Petition; Appointments.—Whenever on the basis of a proper investigation as herein provided for, the Superintendent of Public Instruction has declared any school district to be a distressed school district he or his designated representative who shall be a person trained in public school administration, possessing the certification prerequisites demanded of a district county associate or assistant county superintendent, or holding in the Department of Public Instruction the rank of Deputy Superintendent, shall petition the court of common pleas of the county in which such district, or the largest part in area, is located to appoint two citizens who shall be qualified electors and taxpayers in the county in which the school district is located. School directors and employes of any such school district shall be ineligible for appointment by the court. [Within ten days after the presentation of said petition, the court shall make the appointments herein provided and the] *The* appointees, together with the Superintendent of Public Instruction or his designated representative, shall constitute a special board of control. Vacancies occurring because of death or resignation of appointed members of the board shall be filled by the court. The special board of control shall assume control of the affairs of the district and operate it in the place of the school directors during the period necessary to reestablish a sound financial structure in the district. The costs of the court proceedings shall be paid by the Department of Public Instruction.

Act amended by adding two new sections 692.1 and 692.2.

Section 3. The act is amended by adding, after section 692, two new sections to read:

Section 692.1. When No Appointment Is Made.—In the event that the court of common pleas has made no appointment of members to a special board of control within thirty (30) days of the date of the filing of

the petition for such appointment, the Superintendent of Public Instruction may designate the county superintendent of schools and a member of the county board of school directors of the county in which the petition is presented to serve until the court makes its appointments. A school director of the distressed school district serving on the county board of school directors shall be ineligible for appointment.

Section 692.2. Compensation of Special Board of Control.—The members of the special board appointed by the court, or the member other than the county superintendent of schools appointed on a temporary basis by the Superintendent of Public Instruction, shall be paid ten dollars (\$10) for each meeting of the regular board of school directors of the distressed school district which they attend: Provided, however, That the total amount to be paid in any fiscal year to each such member shall not exceed one hundred twenty dollars (\$120). Such payments shall be made from the funds of the school district and shall be charged to administrative services even though no previous provision has been made in the budget of the school district for such expenses.

Section 4. Section 695 of the act, added December 15, 1959 (P. L. 1842), is amended to read:

Section 695 of act, added December 15, 1959, P. L. 1842, amended.

Section 695. School Directors to Remain in Office; Elections.—The school directors of a distressed district may not resign their offices, *except with the unanimous consent of the special board of control* and shall continue in office, unless removed from office for neglect of duty under the provisions of section 318 of this act by the court of common pleas of the county in which such district or the largest part in area is located, *or unless any of such directors are elected to another position not compatible with the position of school director or are appointed to any position for which there is a requirement that said appointee shall hold no elective office*, for the remainder of their terms during the time the district is operated by the special board of control and shall perform any duties delegated to them by it. The assumption of control of a distressed school district by the special board of control shall in no way interfere with the regular election or reelection of school directors for the district.

APPROVED—The 31st day of July, A. D. 1963.

WILLIAM W. SCRANTON