

No. 102

AN ACT

HB 40

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," establishing a system of intermediate units; establishing intermediate unit boards of directors; and creating the position of executive director.

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

Section 1. The act of March 10, 1949 (P.L.30), known as the "Public School Code of 1949," is amended by adding after Article IX, a new article to read:

ARTICLE IX-A
INTERMEDIATE UNITS

Section 901-A. Establishment of Intermediate Units.—Each school district of the Commonwealth shall be assigned to an intermediate unit, and shall be entitled to the services of an intermediate unit in accordance with a program of services adopted by the intermediate unit board of directors. The arrangement of the school districts of the Commonwealth into intermediate units shall reflect consideration of (i) the number of public school children enrolled in kindergarten through grade twelve, (ii) ease of travel within each intermediate unit, and (iii) the opportunity to provide adequate basic services. Intermediate units shall be part of the public school system of this Commonwealth, and shall become operative on July 1, 1971.

Section 902-A. Arrangement of School Districts Into Intermediate Units.—The school districts are arranged in intermediate units as follows:

Intermediate Unit No. 1: Albert Gallatin Area, Frazier, Brownsville Area, Connellsville Area, Laurel Highlands, Uniontown Area, West Greene, Central Greene, Jefferson Morgan, Carmichaels Area, Southeastern Greene, Fort Cherry, Burgettstown Area, Avella Area, McCuffey, Canon McMillan, Chartiers Houston, Peters Township, Trinity Area, Washington, Ringgold, Charleroi Area, Bethlehem Center, California Area and Bentworth.

Intermediate Unit No. 2: Pittsburgh City.

Intermediate Unit No. 3: North Allegheny, Quaker Valley, Avalon Borough, North Hills, Avonworth, Bellevue Borough, Babcock, Hampton Township, Braddock Borough, Allegheny Valley, Braddock Hills Borough, Highlands Merged, Plum Borough, Gateway,

Churchill Area, Wilksburg Borough, East Allegheny, Coraopolis Borough, McKeesport Area, West Mifflin Area Union, South Allegheny, East Deer Frazer Union, Elizabeth Forward, East Pittsburgh Borough, Clairton City, Edgewood Borough, West Jefferson Hills Union, Baldwin Whitehall, Mt. Lebanon Township, Etna Borough, Upper St. Clair Township, Bethel Park, Chartiers Valley, Keystone Oaks, Fox Chapel Union, Montour, Carlynton, Sto Rox, West Allegheny, Homestead Borough, Duquesne City, Brentwood Borough, South Park, South Fayette Township, Millvale Borough, Moon Union, Munhall Borough, Neville Township, North Braddock Borough, Oakmont Borough, Penn Hills Township, Rankin Borough, Reserve Township, Shaler Township, Sharpsburg Borough, Swissvale Borough, Turtle Creek Borough, Verona Borough, West Deer Township and West Homestead Borough.

Intermediate Unit No. 4: Slippery Rock Area, Butler Area, Southwest Butler County, Mars Area, Bruin Borough, South Butler County, Chicora Borough, Clay Township, Donegal Township, Fairview Township, Karns City Borough, Moniteau Merged, Parker Township, Perry Township, Petrolia Borough, West Sunbury Borough, Ellwood City Area, Laurel, Mohawk Area, Neshannock Township, New Castle Area, Shenango Area, Union Area, Wilmington Area, Jamestown Area, Commodore Perry, Mercer Area, Greenville Area, West Middlesex Area, Grove City Area, Lakeview, Sharon City, Hickory Township, Reynolds, Sharpsville Area and Farrell Area.

Intermediate Unit No. 5: Blooming Valley Borough, Cambridge Springs Borough, Cambridge Township, Cochranon Borough, Conneaut Lake Borough, Conneaut Valley Merged, Cussewago Township, East Fairfield Township, East Fallowfield Township, Fairfield Township, French Creek Township, Greenwood Township, Hayfield Township, Linesville Conneaut Merged, Meadville Area Union, North Shenango Township, Randolph East Mead Merged, Richmond Township, Rockdale Township, Sadsbury Township, Saegerwood Merged, Sparta Merged, Steuben Township, Summit Township, Townville Area Merged, Venango Borough, Venango Township, Wayne Township, West Fallowfield Township, Woodcock Borough, Erie City, Mill Creek Township, Amity Township, Bloomfield Township, Columbus Township, Concord Township, Corry City, Edinboro Area Union, Elgin Borough, Fairview Union, Fort Leboeuf Merged, Girard Union, Greene Township, Greenfield Township, Harbor Creek Township, Iroquois Area Merged, McKean Union, North East Borough, North East Township, Northwestern Union, Spring Creek Township, Union City Borough, Union Township, Venango Township, Wattsburg Borough, Wayne Township, and Warren County.

Intermediate Unit No. 6: Allegheny Clarion Valley, Clarion Area,

Clarion Limestone Area, Keystone, North Clarion County, Redbank Valley, Union, Dubois Area, Forest Area, Brockway Area, Brookville Area, Punxsutawney Area, Oil City Area, Franklin Area, Cranberry Area, Valley Grove, Allegheny Township, Oilcreek Township, Pleasantville Borough and Titusville Area.

Intermediate Unit No. 7: Burrell, Kiski Area, Franklin Regional, Derry Area, Greater Latrobe, Mount Pleasant Area, Ligonier Valley, Hempfield Area, Greensburg Salem, Yough, Monessen City, Belle Vernon Area, Jeannette City, Norwin, Penn Trafford, Southmoreland and New Kensington Arnold.

Intermediate Unit No. 8: Bedford Area, Chestnut Ridge, Everett Area, Northern Bedford County, Tussey Mountain, Tyrone Area, Bellwood Antis, Altoona Area, Williamsburg Community, Hollidaysburg Area, Clayburg Kimmel, Spring Cove, Northern Cambria, Cambria Heights, Penn Cambria, Portage Area, Forest Hills, Blacklick Valley, Conemaugh Valley Area, Richland, Ferndale Area, Westmont Hilltop, Central Cambria, Greater Johnstown, Berlin Area Merged, Boswell Borough, Brothersvalley Township, Conemaugh Township Union, Elk Lick Township, Fairhope Township, Greenville Township, Hooversville Borough, Jennerstown Area Merged, Meyersdale Area Union, Quemahoning Township, Rockwood Area Merged, Salisbury Borough, Shade Central City Union, Shanksville Borough, Somerset Area Merged, Stonycreek Township, Stoystown Borough, Turkeyfoot Valley Area Union and Windber Area Merged.

Intermediate Unit No. 9: Cameron County, Johnsonburg Area, Ridgway Area, St. Marys Area, Bradford Area, Otto Eldred, Port Allegany Smethport Area, Kane Area, Oswayo Valley, Northern Potter, Coudersport Area, Galeton Area and Austin Area.

Intermediate Unit No. 10: Bald Eagle Area, Bellefonte Area, State College Area, Penns Valley Area, West Branch Area, Moshannon Valley, Harmony, Curwensville Area, Clearfield Area, Philipsburg Osceola Area, Glendale Allison Township, Bald Eagle Township, Beech Creek Borough, Beech Creek Township, Castanea Township, Chapman Township, Colebrook Township, Curtin Township, Dunnstable Township, East Keating Township, Flemington Borough, Gallagher Township, Greene Township, Grugan Township, Lamar Township, Leidy Township, Liberty Township, Lock Haven City, Logan Township, Loganton Borough, Mill Hall Borough, Noyes Township, Pine Creek Township, Porter Township, Renovo Borough, Stewardson Township, South Renovo Borough, Wayne Township and Woodward Township.

Intermediate Unit No. 11: Southern Fulton, Central Fulton, Forbes Road, Juniata Valley, Huntingdon Area, Mount Union Area, Southern Huntingdon County, Juniata County and Mifflin County.

Intermediate Unit No. 12: Bermudian Springs Merged, Conewago

Township, Cumberland Township, East Berlin Borough, Fairfield Area Merged, Franklin Township, Germany Township, Gettysburg Area Merged, Latimore Township, Littlestown Borough, McSherrystown Borough, Mount Joy Independent, Mount Pleasant Township, New Oxford Area Merged, Union Township, Upper Adams Merged, Central York Dallastown Area, Dover Area, Eastern York, Northeastern, Red Lion Area, South Eastern, Southern York County, South Western, Spring Grove Area, West York Area, York City, York Suburban, Hanover Borough, Chambersburg Area, Waynesboro Area, Tuscarora, Greencastle Antrim and Fannett Metal.

Intermediate Unit No. 13: Cocalico, Conestoga Valley, Donegal, Eastern Lancaster County, Elizabethtown Area, Ephrata Area, Lampeter Strasburg, Columbia Borough, Manheim Central, Manheim Township, Penn Manor, Pequea Valley, Solanco, Warwick, Hempfield Union, Lancaster City, Lancaster Township, Palmyra Area, Annville Cleona, Cornwall Lebanon, Eastern Lebanon County, Northern Lebanon and Lebanon.

Intermediate Unit No. 14: Boyertown Area, Brandywine Heights Area, Conrad Weiser Area, Daniel Boone Area, Exeter Township, Fleetwood Area, Governor Mifflin, Hamburg Area, Kutztown Area, Antietam, Muhlenberg Township, Oley Valley, Reading City, Schuylkill Valley, Tulpehocken Area, Twin Valley, West Reading Borough, Wilson and Wyomissing Area.

Intermediate Unit No. 15: Big Spring, Camp Hill, Carlisle Area, Cumberland Valley, East Pennsboro Area, Mechanicsburg Area, Shippensburg Area, South Middleton, West Shore, Upper Dauphin Area, Millersburg Area, Middletown Area, Central Dauphin, Lower Dauphin, Steelton Highspire, Halifax Area, Susquehanna Township, Derry Township, Harrisburg City, West Perry, Susquenita, Newport, Greenwood and Northern York County.

Intermediate Unit No. 16: Benton Area, Berwick Area, Bloomsburg Area, Central Columbia, Millville Area, Southern Columbia Area, Danville Area, Warrior Run, Milton Area, Shikellamy, Line Mountain, Shamokin Area, Mount Carmel Area, Adams Township, Beavertown Borough, Center Township, Chapman Township, Franklin Township, Freeburg Borough, Jackson Township, Middleburg Borough, Middlecreek Township, Monroe Township, Penn Township, Perry Township, Selinsgrove Borough, Shamokin Dam Borough, Spring Township, Union Township, Washington Township, West Beaver Township, West Perry Township, Lewisburg Area and Mifflinburg Area.

Intermediate Unit No. 17: Towanda Area, Northeast Bradford, Wyalusing Area, Canton, Troy Area, Athens Area, Sayre Area, East Lycoming, Muncy, Montgomery Area, Montoursville Area, South Williamsport Area, Williamsport Area, Jersey Shore Area, Loyalsock

Township, Sullivan County, Northern Tioga, Southern Tioga and Wellsboro Area.

Intermediate Unit No. 18: Ashley Borough, Northwest Area, Lake Lehman, Bear Creek Township, Dallas, Wyoming Area, Buck Township, Pittston Area, Wyoming Valley West, Greater Nanticoke Area, Hazleton Area, Dennison Township, Dorrance Township, Fairview Township, Hanover Township, Laflin Borough, Laurel Run Borough, Nuangola Borough, Plains Township, Rice Township, Slocum Township, Sugar Notch Borough, Warrior Run Borough, White Haven Borough, Wilkes Barre City, Wilkes Barre Township, Wright Township and Tunkhannock Area.

Intermediate Unit No. 19: Scranton City, Abington Heights, Dunmore Borough, Archbald Borough, Riverside, North Pocono, Blakely Borough, Old Forge Borough, Carbondale City, Carbondale Township, Dickson City Borough, Fell Township, Greenfield Township, Jermyn Borough, Jessup Borough, Mayfield Borough, Olyphant Borough, Scott Township, Throop Borough, Blue Ridge, Elk Lake, Forest City Regional, Montrose Area, Mountain View, Susquehanna Community, Blooming Grove Township, Buckingham Township, Canaan Township, Clinton Township, Damascus Township, Dreher Township, Greene Township, Hawley Borough, Honesdale Union, Lackawaxen Township, Lake Township, Manchester Township, Palmyra Township, Palmyra Township Pike, Paupack Township, Preston Township, South Canaan Township, Salem Township, Scott Township, Sterling Township, Waymart Borough, White Mills Independent and Lackawanna Trail.

Intermediate Unit No. 20: Pleasant Valley, Pocono Mountain, East Stroudsburg Area, Stroudsburg Area, Bangor Area, Pen Argyl Area, Nazareth Area, Northampton Area, Saucon Valley, Bethlehem Area, Easton City, Forks Township, Lower Mt. Bethel Independent, Palmer Township, Riegelsville Borough, Williams Township, Wilson Borough Union and Delaware Valley.

Intermediate Unit No. 21: Palmerton Area, Lehighton Area, Jim Thorpe Area, Panther Valley, Weatherly Area, Allentown City, Catasauqua, East Penn, Northern Lehigh, Northwestern Lehigh, Parkland, Salisbury Township, Southern Lehigh and Whitehall Coplay.

Intermediate Unit No. 22: Palisades, Quakertown Community, Pennridge, Central Bucks, Council Rock, Centennial, Neshaminy, Pennsbury, Morrisville Borough, Bristol Township, Bristol Borough, Bensalem Township and New Hope Solebury.

Intermediate Unit No. 23: Upper Moreland Township, Abington, Jenkintown, Bryn Athyn Borough, Cheltenham Township, Springfield Township, Collegetown Borough, Lower Merion, Colonial Wissahickon, Upper Dublin, Hatboro Horsham, North Penn,

Norristown Area, Upper Merion Area, Spring Ford Area, Souderton Area, Upper Perkiomen, Pottstown, Pottsgrove, Lower Moreland Township, Lower Providence Township, Schwenksville Union, Skippack Township, Trappe Borough and Worcester Township.

Intermediate Unit No. 24: Owen J. Roberts, Oxford Area, Phoenixville Area, Downingtown Area, Coatesville Area, Octorara Area, Charlestown Township, West Chester Area, Unionville Chadds Ford, Kennett Consolidated, Avon Grove, East Whiteland Township, Easttown Township, Malvern Borough, Tredyffrin Township and Willistown Township.

Intermediate Unit No. 25: Radnor Township, Aldan Borough, Haverford Township, Bethel Township, Ridley, Marple Newtown, Rose Tree Media, Chester Heights Borough, Chester City, Chichester, Chester Township, Clifton Heights Borough, Collingdale Borough, Colwyn Borough, Concord Township, Darby Borough, Darby Township, East Lansdowne Borough, Folcroft Borough, Glenolden Borough, Lansdowne Borough, Millbourne Borough, Morton Borough, Nether Providence Township, Norwood Borough, Penn Delco Union, Prospect Park Borough, Sharon Hill Borough, Springfield Township, Swarthmore Rutledge Union, Tinicum Township, Upland Borough, Upper Darby Township and Yeadon Borough.

Intermediate Unit No. 26: Philadelphia City.

Intermediate Unit No. 27: Ambridge Area Merged, Baden Economy Union, Beaver Area, Western Beaver County Area, Midland Borough, Beaver Falls Area, Aliquippa Borough, Big Beaver Borough, Center Township, Freedom Area, Chippewa Township, Rochester Area, New Brighton Area, Northeastern Beaver County, Darlington Borough, Darlington Township, Enon Valley Borough, Frankfort Springs Borough, Georgetown Borough, Greene Township, Hanover Township, Harmony Township, Homewood Borough, Hookstown Borough, Hopewell Township, Independence Township, Koppel Borough, Monaca Borough, New Calilee Borough, Patterson Heights Borough, Patterson Township, Potter Township, Raccoon Township, Shippingport Borough, South Beaver Township, West Mayfield Borough.

Intermediate Unit No. 28: Armstrong, Apollo Borough, Buffalo Township, Freeport Borough, Kiskiminetas Township, Leechburg Union, North Apollo Borough, South Buffalo Township, United, Blairsville, Saltsburg, Homer Center, Penns Manor Area, Indiana Area, Purchase Line, Marion Center Area, Jacksonville Borough, West Lebanon Independent, and Young Township.

Intermediate Unit No. 29: Pine Grove Area, Williams Valley, Tri Valley, Blue Mountain, Schuylkill Haven Area, Minersville Area, Pottsville Area, Saint Clair Area, North Schuylkill, Mahanoy Area, Tamaqua Area, Shenandoah Valley.

Section 903-A. Transfer of Membership.—*Any school district may apply for transfer from one intermediate unit to another intermediate unit with which its boundaries are contiguous by submitting a written request for such transfer to the State Board of Education, along with reasons for requesting such transfer and with the written approval or disapproval of all school districts within the intermediate unit of which the school district is a member and all school districts within the intermediate unit to which it wishes to transfer. If the State Board of Education approves the transfer, it shall be effective the following July 1. In no event shall a transfer be made without the approval of all the school districts within all intermediate units involved in said transfer.*

Section 904-A. Merger of Intermediate Units.—*Two or more intermediate units may, with the approval of a majority of the members of each intermediate unit board of directors and all school districts within each intermediate unit, submit a written request to the State Board of Education for consolidation. If the State Board of Education approves such consolidation, it shall be effective the following July 1.*

Section 905-A. Regulations.—*The State Board of Education shall adopt such regulations as it deems necessary to guide the organization and operation of intermediate units and to provide procedures for amendment of the State plan of intermediate units.*

Section 906-A. Program of Services.—*From July 1, 1971 to June 30, 1972, intermediate units shall provide essential services formerly provided by county boards of school directors, collect and analyze informational data and adopt the program of services to be provided by the intermediate unit. On or before May 1, 1971, and annually thereafter, each intermediate unit shall submit a program of services for the next school year to the Superintendent of Public Instruction for budgetary approval. Such program of services shall be developed and submitted in accordance with law, as hereinafter provided.*

Section 907-A. Subsidies for Services.—*Intermediate units shall receive subsidies from the Commonwealth as herein provided only for services performed pursuant to and authorized by law, as hereinafter provided. Nothing contained herein shall prohibit intermediate units from receiving funds from school districts and other sources including nonpublic nonprofit schools and expending such funds to provide additional services not included in the approved program of services.*

Section 908-A. Special Pupil Services.—*All powers and duties of county boards of school directors with respect to special pupil services are hereby transferred to intermediate unit boards of directors, effective July 1, 1971, and all Commonwealth payments theretofore paid to county boards of school directors on account of special pupil services shall thereafter be paid to intermediate unit boards of directors.*

Section 909-A. Vocational-Technical Education.—*All powers and duties of county boards of school directors with respect to*

vocational-technical education are hereby transferred to intermediate unit boards of directors, effective July 1, 1971; and all Commonwealth payments theretofore paid to county boards of school directors on account of vocational-technical education shall thereafter be paid to intermediate unit boards of directors.

Section 910-A. Intermediate Unit Board of Directors.—(a) Each intermediate unit board of directors shall be composed of thirteen members, chosen for terms of three years from among members of the boards of school directors of school districts comprising the intermediate unit. An intermediate unit director may succeed himself for two additional terms. Unless there are fewer than thirteen school districts in an intermediate unit, at no time shall more than one director from any school district be elected to an intermediate unit board of directors. Where there are fewer than thirteen school districts within an intermediate unit, there shall be at least one school director from each school district elected to the intermediate unit board of directors. The election of intermediate unit boards of directors shall be by proportionate ballot, and each school director of each school district within an intermediate unit shall be entitled to cast votes determined by dividing the weighted average daily membership of the school district by the total weighted average daily membership within the intermediate unit, multiplying the quotient so obtained by one thousand, dividing the product so obtained by thirteen, and rounding such dividend to the nearest whole number: Provided, however, That each school director shall have at least one vote. The Superintendent of Public Instruction shall annually, not later than the first day of February, certify the weighted average daily membership for the previous school year for each school district and for each intermediate unit, and shall compute the number of votes to which each school director of each school district within an intermediate unit shall be entitled.

(b) Except for the initial election, directors shall be elected annually in April by convention of the school directors of the school districts comprising an intermediate unit as follows: five every third year, four each other year. Intermediate unit boards of directors shall organize annually in July.

(c) The initial election of directors shall be held between the effective date of this act and January 15, 1971; and thirteen directors shall be elected for terms to begin on January 15, 1971, to expire for four directors on June 30, 1972, for four directors on June 30, 1973 and for five directors on June 30, 1974. From the date of election to July 1, 1971 the directors elected initially shall serve as intermediate unit planning committees to plan for the operations of intermediate units commencing July 1, 1971.

(d) Vacancies on an intermediate unit board of directors shall be

filled by appointment by majority vote of the remaining intermediate unit directors. A director so appointed shall serve until the annual convention, at which time the convention shall elect a director to serve the unexpired portion of the term. An intermediate unit director elected to fill a vacancy may succeed himself for three additional terms. Vacancies shall occur upon the death, resignation, or removal of an intermediate unit director, or when he no longer holds office as a school director. In the event vacancies exist or occur in the membership of all of the members of an intermediate unit board of directors, a special convention, called by the Superintendent of Public Instruction, shall be held of school directors of the school districts comprising the intermediate unit for the purpose of electing directors to fill the vacancies.

(e) Any member of an intermediate unit board of directors may be removed in the same manner and for the same cause as provided by law for removal of members of boards of school directors.

(f) Elections of intermediate unit directors and the organization of intermediate unit boards of directors shall be conducted in accordance with regulations adopted by the State Board of Education.

(g) In the case of an intermediate unit comprised of a single school district, the board of education of the school district shall be the intermediate unit board of directors.

Section 911-A. Annual Conventions.—The executive director of each intermediate unit shall call a convention to be held annually in April for the purpose of electing members to the intermediate unit board of directors, approval of the budget of the intermediate unit by a majority of votes of the directors present and voting and for the consideration and discussion of matters pertaining to the improvement of education in the public schools within the intermediate unit and such other business as may properly come before the convention. The executive director shall at least one week prior to such annual convention furnish each director of each district comprising the unit with a printed copy of the budget proposed for adoption. In addition, the intermediate unit board of directors may call into special convention the school directors of all school districts within an intermediate unit at any time for the consideration of business which may properly come before a special convention. On petition of a majority of the school directors of all school districts within the unit for a special convention for a stated purpose relating to proper business of the intermediate unit, the intermediate unit board of directors shall call into special convention the school directors of all school districts within the unit for consideration of such stated purpose. Notice to each such district director shall be given at least five days prior to such special convention.

Section 912-A. Election of Officers.—(a) During the month of July, 1971, each intermediate unit board of directors shall elect a president

and a vice president from among its members, a secretary and a treasurer, who need not be members. The treasurer may be any corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth.

(b) Before entering upon his duties, the treasurer shall furnish a bond in an amount and with surety or sureties as the intermediate unit board of directors shall approve, conditioned upon the faithful performance of his duties. The cost of the bond shall be paid out of the funds of the intermediate unit. No bond shall be required where a bank or trust company serves as treasurer.

(c) Not later than January 15, 1971, each intermediate unit planning committee shall elect officers in the manner provided herein, to serve until the election of officers in July, 1971.

Section 913-A. Staff.—(a) The staff of an intermediate unit shall consist of an executive director and such assistant executive directors, program specialists, and other personnel as the intermediate unit board of directors deems necessary to employ. In the case of an intermediate unit comprised of a single school district, the district superintendent shall serve as executive director of the intermediate unit. His salary shall not be charged to the intermediate unit budget; and, the salary of his assistants shall be charged to the intermediate unit budget only to the extent that such assistants are engaged in providing approved intermediate unit services as determined by the executive director.

(b) An executive director shall be appointed by each intermediate unit board of directors for a term of four years: Provided, That the initial term shall commence July 1, 1971 and terminate June 30, 1974: And, provided further, however, That each intermediate unit planning committee may employ an executive director-elect to serve prior to July 1, 1971. An executive director shall hold a commission issued by the Superintendent of Public Instruction, in accordance with regulations adopted by the State Board of Education.

(c) Assistant executive directors may be appointed by each intermediate unit board of directors upon recommendation of the executive director for a term of four years: Provided, That the initial term shall commence July 1, 1971, and terminate June 30, 1974: And provided further, however, That each intermediate unit planning committee may employ assistant executive directors-elect upon recommendation of the executive director-elect to serve prior to July 1, 1971. An assistant executive director shall hold a commission issued by the Superintendent of Public Instruction, in accordance with regulations adopted by the State Board of Education.

(d) All persons holding a commission for the office of county superintendent or assistant county superintendent valid for the term of office beginning July 1966, shall be eligible for election to the office of executive director or assistant executive director in 1971, and, if elected

to either office, shall remain eligible for election or reelection to either office thereafter.

(e) All professional and temporary professional employes of an intermediate unit shall have the same rights of tenure, minimum salaries and increments, leaves of absence because of illness, professional study or physical disability, sabbatical leaves, military leaves and exchange teacher leaves as professional and temporary professional employes of school districts.

(f) Program specialists shall satisfy minimum qualifications adopted by the State Board of Education.

(g) All employes of an intermediate unit shall be eligible for and become members of the Public School Employes' Retirement System of Pennsylvania, except that members of the State Employes' Retirement System may elect to remain members of such retirement system.

(h) All persons employed by an intermediate unit prior to July 1, 1971, other than the executive director and assistant executive directors, shall be selected, as the need arises, and to the extent such persons are available, from among those persons who, on the effective date of this act, are employed by or assigned to the offices of the county boards of school directors replaced by the intermediate unit. Position placement and salaries shall be determined by an intermediate unit board of directors upon recommendation of the executive director, who shall be guided by the program of services to be offered by the intermediate unit.

Section 914-A. Powers and Duties of the Intermediate Unit Board of Directors.—An intermediate unit board of directors shall have the power and its duty shall be:

(1) To appoint an executive director and determine his salary.

(2) To appoint assistant executive directors upon recommendation of the executive director and determine their salaries.

(3) To approve professional staff appointments made by the executive director.

(4) To adopt employment policies for nonprofessional staff.

(5) To adopt a program of services. Each intermediate unit may provide, but shall, except as hereinafter provided, be limited to, the following services: (i) curriculum development and instructional improvement services; (ii) educational planning services; (iii) instructional materials services; (iv) continuing professional education services; (v) pupil personnel services; (vi) State and Federal agency liaison services; and (vii) management services. Each additional service to be provided shall be first approved by a majority of all the boards of school directors comprising the intermediate unit at a meeting called by the intermediate unit board of directors for the express purpose of approving or disapproving any such additional service. Each intermediate unit may provide for the furnishing of any of the services mentioned in this clause or elsewhere in this act to nonpublic, nonprofit

schools which schools are hereby authorized to contract for and purchase services from intermediate units so as to participate in the intermediate program.

(6) To adopt and advertise the intermediate unit budget. The budget shall be approved by (i) at least a majority of the school districts comprising the intermediate unit; and (ii) at least a majority of the proportionate votes of all school directors present and voting in convention, and shall be filed annually with the Superintendent of Public Instruction and advertised or notice thereof given to the public in each of its component school districts as required of local school district budgets by section 687 of this act on or before the first day of May. Budgeted expenditures shall be those expenditures classified as current expenses, capital outlays, debt redemptions and outgoing transfers according to the Manual of Accounting and Related Financial Procedures for Pennsylvania School Systems and amendments and supplements thereto published by the Department of Public Instruction.

(7) To provide for and conduct programs of services authorized by the State Board of Education, including services performed under contract with component school districts. Except as otherwise provided by law, all powers and duties of county boards of school directors in regard to classes and schools for exceptional children, educational broadcasting, audio-visual libraries, instructional materials centers, area technical schools and area vocational-technical schools are hereby transferred to and conferred upon intermediate unit boards of directors. An intermediate unit may contract with school districts to provide services on behalf of the intermediate unit.

(8) To contract for specialized services.

(9) To receive Federal, State, school district and other moneys and expend the same to conduct programs of services.

(10) To designate one or more banks or bank and trust companies as a depository or depositories for its funds. Each such depository shall furnish a bond or collateral in lieu thereof as is provided in the case of depositories of school funds.

(11) To lease land, buildings and equipment.

(12) To employ a solicitor for such purposes as may be required and fix his compensation.

(13) To select a name for the intermediate unit, which shall be filed with and approved by the Superintendent of Public Instruction.

(14) To consolidate and let combined bids for bulk purchases.

(15) To perform such other duties as may be required by regulation of the State Board of Education.

Section 915-A. Powers and Duties of Executive Director.—The executive director of an intermediate unit shall have the power and his duty shall be:

- (1) *To administer the intermediate unit program of services.*
- (2) *To appoint professional staff subject to the approval of the intermediate unit board of directors.*
- (3) *To employ nonprofessional staff in accordance with employment policies of the intermediate unit board of directors.*
- (4) *To prepare the budget for adoption by the intermediate unit board of directors.*
- (5) *To direct expenditures of funds within the budget or other authorizations of the intermediate unit board of directors.*
- (6) *To appoint such advisory groups as will assist the staff in providing programs of services for school districts.*
- (7) *To provide the Superintendent of Public Instruction with information, reports and services.*
- (8) *To perform such other duties as may be required by the intermediate unit board of directors and the regulations of the State Board of Education.*

Section 916-A. Intermediate Unit Council.—*Each intermediate unit shall have an Intermediate Unit Council composed of all chief school administrators within the intermediate unit, to be advisory to the executive director.*

The executive director of the intermediate unit shall serve as chairman of the Intermediate Unit Council.

The Intermediate Unit Council shall meet at least five times each year and may meet at any other time upon the call of the executive director.

Section 917-A. Allocations.—*In January 1971, and annually thereafter in January, the Superintendent of Public Instruction shall allocate to each intermediate unit a portion of the amount included in the Governor's budget for the succeeding fiscal year for the support of intermediate units. The allocation shall be made in the following manner: (1) Determine for each intermediate unit the total weighted average daily membership of all school districts comprising the intermediate unit; (2) compute an aid ratio for each intermediate unit in the same manner as in the case of school districts; (3) determine a weight factor for each intermediate unit by multiplying the total weighted average daily membership of all school districts comprising the intermediate unit by the aid ratio of the intermediate unit; (4) determine a statewide value per weight factor by dividing the amount provided in the Governor's budget for the succeeding fiscal year for the support of intermediate units by the total weight factors of all intermediate units within the Commonwealth; and (5) determine the allocation to each intermediate unit by multiplying its weight factor by the statewide value per weight factor: Provided, That no intermediate unit shall be allocated less than the amount received during the 1968-1969 school year by the offices of county superintendents of schools replaced by the intermediate unit from the Commonwealth and*

the estimated value of assistance from the respective counties, as determined by the Department of Public Instruction.

Section 918-A. General Operating Subsidy.—(a) *On or before the first day of May 1971, and annually thereafter, each intermediate unit shall submit to the Superintendent of Public Instruction for prior review and approval, a budget estimating the cost of operating and administering the intermediate unit program of services for the ensuing school year.*

(b) *In May 1971, and annually thereafter in May, the Superintendent of Public Instruction shall estimate the amount to be paid by the Commonwealth to each intermediate unit based upon approved budgets. In July 1971, and annually thereafter in July, the Commonwealth shall pay to each intermediate unit an advance payment equal to one-half of such estimated amount. In December 1971, the Commonwealth shall pay to each intermediate unit the balance of such estimated amount. In December 1972, and annually thereafter in December, the Commonwealth shall pay to each intermediate unit the balance of the State's share of the budget approved for such school year, less any State funds paid in the previous school year which were unexpended or unencumbered at the end of the previous school year.*

(c) *In computing approved budget expenditures, the Superintendent of Public Instruction shall not consider Federal payments and payments by the Commonwealth on behalf of the Federal Government.*

Section 919-A. Capital Subsidy.—*All leases for office space, classrooms, buses, garages, warehouse space, equipment and similar facilities shall be pre-approved by the Superintendent of Public Instruction. The Commonwealth shall pay to each intermediate unit on account of approved leases annually from funds appropriated for such purposes an amount computed by applying the intermediate unit aid ratio to the approved lease payment. The aid ratio computed initially shall apply as a minimum for the duration of the lease.*

Section 920-A. School District Payments.—(a) *Where the approved budget exceeds the allocation to the intermediate unit, each school district within the intermediate unit shall contribute to the intermediate unit a share of the amount by which the budget exceeds the allocation, computed in the following manner: (1) Determine a weight factor for each school district by multiplying the school district's weighted average daily membership by the difference between 1.0000 and the school district's aid ratio; (2) determine a value per weight factor for the intermediate unit by dividing the amount by which the budget exceeds the allocation by the total weight factors of all school districts comprising the intermediate unit; and (3) determine each school*

district's share by multiplying the value per weight factor by the weight factor of the school district.

(b) Less than a majority of the school districts comprising an intermediate unit may contract with the intermediate unit for services to be provided for the contracting school districts by the intermediate unit, with the cost of such services to be paid by the contracting school districts in such manner as they may agree upon.

(c) If a school district desires to independently provide a service that is included in the approved program of services to be offered by an intermediate unit, and the service is to be financed solely by the school district, and if the intermediate unit board of directors determines that the quality of such service is adequate and that such independent action will not adversely affect the service to be offered to the remaining districts by the intermediate unit, the intermediate unit board of directors may relieve the school district of payment for such service.

(d) Payments due from school districts to an intermediate unit shall be withheld by the Commonwealth from subsidies payable to school districts during November and paid to the intermediate unit not later than January 1 each year.

Section 921-A. Financial Reports.—An annual financial report shall be submitted to the Superintendent of Public Instruction by each intermediate unit not later than the first day of October, together with an auditor's report prepared by an independent auditor who shall be a certified public accountant or other competent public accountant.

Section 2. This act shall take effect immediately.

APPROVED—The 4th day of May, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 102.



Secretary of the Commonwealth.