

No. 308

AN ACT

HB 1224

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," clarifying certain administrative procedures of area vocational-technical schools.

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

Section 1. Section 914-A, act of March 10, 1949 (P.L.30), known as the "Public School Code of 1949," added May 4, 1970 (P.L.311), is amended by adding a clause to read:

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:

* * *

(16) To prepare and submit to the State Board for Vocational Education proposals for arranging school districts of the intermediate unit into area vocational-technical attendance areas or any revisions thereof. A school district in an adjacent intermediate unit may be included in such proposed attendance area with the concurring approval of the board of school directors of the school district and the intermediate unit to which it belongs.

Section 2. Section 1841 of the act is amended by adding a paragraph to read:

Section 1841. Area Vocational-Technical Schools and Technical Institutes Authorized.—* * *

Area vocational-technical school and technical institute attendance areas and standards for courses and equipment shall be in conformity with standards prepared by the Department of Education and approved by the State Board for Vocational Education.

Section 3. Subsection (a) of section 1844 of the act, amended January 14, 1970 (P.L.468), is amended to read:

Section 1844. Establishment of Schools and Institutes.—(a) The [executive director] *intermediate unit board of directors* of each intermediate unit shall call a convention of school directors of all school districts in the intermediate unit to meet separately by attendance areas, to discuss the establishment of an area vocational-technical school or technical institute, as the case may be *and to call upon each district to vote for or against participation in the establishment of a school or institute.* [The secretary of the intermediate unit board of directors shall call on each district to state its desire or unwillingness to participate in the establishment

of an area vocational-technical school or technical institute, as the case may be. Then the question of establishing an area vocational-technical school or technical institute shall be placed before the convention. If approved by a majority of all the school directors of the districts expressing a desire to participate in the establishment of an area vocational-technical school or technical institute, the school directors shall, following approval of the Department of Public Instruction,]

In addition to the method of establishing area vocational-technical schools and technical institutes as provided above, the intermediate unit board of directors may, at any meeting call for an election by the school directors of the districts within an attendance area to determine if an area vocational-technical school or technical institute shall be established. The intermediate unit board of directors shall notify, by certified mail, each school district within an attendance area of its action. At a regular or special meeting of each school board within an attendance area and within sixty days of the receipt of notification, an election shall be held to determine if the district desires to participate in the establishment of an area vocational-technical school or technical institute. The results of this election and the number of votes cast each way shall be certified to the intermediate unit board of directors.

The intermediate unit board of directors shall certify the vote conducted in convention or by mail ballot to the Department of Education and if sufficient school districts vote in the affirmative, the intermediate unit board of directors shall proceed to act as the agency to initiate the final procedures necessary to organize and establish [and operate] an area vocational-technical school or technical institute in the attendance area. School districts indicating unwillingness to participate in the establishment of an area vocational-technical school or technical institute may become participating districts at a later date according to terms and conditions defined by the then participating districts. [In the event a convention of school directors from districts within an approved vocational-technical or technical institute attendance area is not called (1) to discuss the establishment of an area vocational-technical school or technical institute, (2) to poll each board to determine whether it desires or is unwilling to participate in establishing an area vocational-technical school or technical institute, and (3) to conduct a vote of the directors from districts desiring to participate in an area vocational-technical school or technical institute, one or more boards of school directors of school districts from an approved attendance area may invite the directors from other school districts within the attendance area to a meeting. The directors assembled in meeting shall discuss the establishment of an area vocational-technical school or technical institute, determine which districts desire to participate, and conduct a vote of directors from school districts desiring to participate in the establishing of an area vocational-technical school or technical institute. If a majority of the school directors from districts indicating interest in participating vote to establish an area vocational-technical school or technical institute, following

approval of the Department of Public Instruction, the boards of school directors may organize a joint board for the purpose of establishing and operating such school or institute.]

In the event the intermediate unit board of directors fails to call for an election and one or more districts within an attendance area desire an election, they may request the Department of Education to conduct such election in the same manner prescribed for the intermediate unit board of directors.

* * *

Section 4. Section 1850.2 of the act, added February 1, 1966 (P.L.1632), is amended to read:

Section 1850.2. Operation by [a Board of School Directors or Two or More County Boards of School Directors] *Intermediate Unit Board of Directors* Acting as *an Operating Agent*.—When [a county board of school directors or two or more county boards of school directors are] *an intermediate unit board of directors* is designated as agent to operate, administer and manage a school and/or institute, such [county board or county boards as] agent shall discharge its duties and responsibilities in accordance with the provisions of a written agreement entered into by the area vocational-technical board and the [county board or county boards] *intermediate unit board of directors*. The agreement shall give the [county board or county boards] *agent* the power and authority to operate, administer and manage a school and/or institute given by law to an area vocational-technical board and shall provide that [county board or county boards] *the agent* shall conduct the affairs of the school and/or institute within the limits of the budget adopted by the area vocational-technical board. In no event shall the powers granted an area vocational-technical board by clauses (1), (4), (11), (17), (19), (22) and (25) of section 1850.1 (b) be delegated hereunder nor shall the powers granted an area vocational-technical board by clauses (9), (10), (12) and (14) of section 1850.1 (b) be delegated hereunder, except to the extent that the subject items are fully provided for within the current budget.

These same provisions shall apply when a joint committee is designated to operate and manage a school and/or institute.

APPROVED—The 6th day of December, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 308.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large, prominent initial "C".

Secretary of the Commonwealth.