

## No. 1978-33

## AN ACT

## HB 2046

Amending the act of March 10, 1949 (P.L.30, No.14), 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," removing limitations on the number of terms an intermediate unit director may serve and making editorial changes.

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

Section 1. Section 910-A, act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," added May 4, 1970 (P.L.311, No.102), is amended to read:

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] without limitation as to the number of 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] Secretary of Education** 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] without limitations as to the number of 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] Secretary of Education**, 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 2. This act shall take effect immediately.

APPROVED—The 24th day of April, A. D. 1978.

MILTON J. SHAPP