

No. 294

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," revising and clarifying provisions relating to administration at the county level and to membership, the right to vote and hold office and vacancies on county boards; fixing the status of school districts in inter-county jointures, services provided through the office of county superintendent, and teachers' meetings.

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

Public School
Code of 1949.

Section 1. Section 901, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended March 29, 1956 (P. L. 1356), and May 24, 1956 (P. L. 1665), is amended to read:

Section 901, act
of March 10,
1949, P. L. 30,
amended March
29, 1956, P. L.
1356, and May
24, 1956, P. L.
1665, further
amended.

Section 901. Conventions and Special Meetings.—

(a) The school directors, in every county having a county superintendent of public schools, shall annually be called together at the county-seat or some other suitable place within the county, by the county superintendent of public schools. The purpose of such annual convention shall be the consideration and the discussion, by the school directors and others, of questions and subjects pertaining to the welfare and promotion of the public schools in their respective counties, and such other business as may properly come before such conventions. In addition hereto, the county superintendent of public schools may call together the school directors within the county at the county-seat, or some other suitable place within the county designated by the county superintendent of public schools when any emergency may exist, or when, in the opinion of the county superintendent of public schools, a special meeting should be called for the consideration and discussion by the school directors and others of questions and subjects pertaining to the welfare and promotion of the public schools or their interests in their respective districts, or counties, and such other business as may properly come before said meeting.

(b) The convention shall have power, at the annual convention or at any special meeting, to pass on and approve activities and services to be provided, administered and supervised by the county board of school directors, and to authorize the same by a majority vote of those present.

Such action shall not be taken unless the secretary of each school board has been advised at least forty (40) days previous to the convention or meeting at which such action is to be considered.

(c) The school directors of any district that has joined with one or more districts of another county in establishing joint schools which conform to approved county plans shall be eligible for membership on the county board and shall attend and have full voting rights at (1) the annual convention, (2) the convention for the election of county superintendent of schools, and (3) at all special meetings of school directors called by the county superintendent of schools in such other county. School directors in districts located in two or more counties which form a joint school system shall have full voting rights and the right to hold office on the county board only in the county containing the largest proportion of the population of the administrative unit as shown by the last United States census. Once a school district has been assigned to another county board, it shall not be affected by population shifts shown in any future United States census. They shall be given the same notice in reference to the meetings that is given to school directors of the county.

Subsection (b), section 921 of the act, amended August 21, 1953, P. L. 1223, further amended.

Section 2. Subsection (b) of section 921 of the act, amended August 21, 1953 (P. L. 1223), is amended to read:

Section 921. Election; Vacancies; Qualifications; Removals.— * * *

(b) [No] *Subject to the provisions of subsection (c) of section 901, no person shall become or be reelected as a member of the county board of school directors unless he, at the time he is chosen, holds the office of school director within the county. A vacancy shall occur upon the removal of the residence of any member of the county board from the county or from the district for which he was elected. A vacancy shall also occur when any member of the county board ceases to be a school director in the district from which he was elected. Upon the failure of any member to be reelected to the school board in the district of his residence, he shall hold this office until the next annual convention, at which a successor shall be elected for the balance of the unexpired term.*

* * * * *

Section 1022 of the act, amended May 24, 1956, P. L. 1665, further amended.

Section 3. Section 1022 of the act, amended May 24, 1956 (P. L. 1665), is amended to read:

Section 1022. Time and by Whom Elected; Term of Office.—In each county in which a county superintendent is to be elected, (1) the school directors of all of the school districts under the supervision of the county superintendent, (2) the school directors of all union and merged districts, (3) the school directors of all districts of the third and fourth class employing district super-

intendents to operate joint school systems, (4) *except as otherwise provided in subsection (c) of section 901*, the school directors of all school districts that were under the supervision of the county superintendent on the first Monday of July, 1955, (5) the school directors of districts employing district superintendents who elect to become part of the county service system, and (6) *the school directors of districts of other counties that have joined with one or more districts of the county in establishing joint schools which conform to approved county plans, shall meet in convention at the county seat of the county, in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county, on the second Tuesday of April, one thousand nine hundred fifty (1950), and on the same day of every fourth year thereafter, and, by a majority vote of those present, elect as herein provided one duly qualified person as county superintendent, to serve for four years from the first Monday of July next following, and fix his annual salary. When there is only one candidate for the office of county superintendent and such candidate within thirty days of the date fixed for holding the convention for the election of the county superintendent dies, withdraws or proves ineligible to be elected, the convention shall be postponed or adjourned to the second Tuesday of June of the same year. If no candidate is elected at such postponed or adjourned convention, the office shall be filled in the manner provided by this act for the filling of vacancies in the office.*

Section 4. The act is amended by adding, after section 1072.1, a new section to read:

Act of March 10, 1949, P. L. 30, amended by adding a new section 1072.2.

Section 1072.2. Notwithstanding the creation of the office of district superintendent by a school district as hereinbefore provided, any board of school directors of a school district employing a district superintendent may, by majority vote and the concurrence of the county board of school directors, elect to become a part of the county superintendent's office service program and entitled to all the rights, benefits and services pertaining to such county superintendent's office, subject, thereafter, to all conditions and requirements and obligations imposed on school districts whose directors are presently eligible to vote at the election of county superintendent.

Section 5. Section 1091 of the act, amended May 24, 1956 (P. L. 1665), is amended to read:

Section 1091 of the act, amended May 24, 1956, P. L. 1665, further amended.

Section 1091. Services Provided Through Office of County Superintendent.—(1) Joint school systems operated by school districts of the third or fourth class that employ district superintendents for the joint school

systems, (2) union and merged districts, (3) *except as otherwise provided in subsection (c) of section 901*, districts that were under the supervision of the county superintendent on the first Monday of July, 1955, (4) districts employing district superintendents which elect to become part of the county service system, and (5) districts of other counties that have joined with one or more districts of the county in establishing joint schools which conform to approved county plans, shall be entitled to all services provided through the office of the county superintendent, subject to all conditions and requirements imposed on school districts under the supervision of the county superintendent.

Section 1186 of the act, amended August 9, 1955, P. L. 319, further amended.

Section 6. Section 1186 of the act, amended August 9, 1955 (P. L. 319), is amended to read:

Section 1186. County Superintendents to Call Meetings.—Each county superintendent shall call the teachers [of the public schools under his jurisdiction] *of the school districts whose directors are eligible to vote at the election of the county superintendent* to assemble, for two days or their equivalent each year, at such time and place as he may deem most convenient, for the purpose of receiving instructions in the science and art of teaching. Each superintendent may also invite members of the teaching and supervisory staffs of the other districts and of institutions of learning within the county to attend such meeting or meetings.

Each county superintendent shall exercise general management over such assembly, shall secure the necessary speakers and shall incur the necessary expenses.

A county-wide program of in-service education may be substituted for the above meetings. This program shall be planned by the county council of school administrators, consisting of all supervising principals and superintendents in the county in conjunction with the staff of the office of county superintendent.

Section 1187 of the act, amended.

Section 7. Section 1187 of the act is amended to read:

Section 1187. Attendance Records and Reports; Expenses of Meeting.—Each county superintendent shall keep a record of all the teachers [under his jurisdiction] *of the school districts whose directors are eligible to vote at the election of the county superintendent*, who attend each meeting, and the number of whole or part days during which each was in attendance. At the close of each meeting, the superintendent shall send to the board of school directors of each school district under his jurisdiction a statement of the names of the teachers of the school district who were in attendance at each meeting,

and the period during which each teacher was in attendance.

Each superintendent shall also, at the close of each meeting, present, to the treasurer of the county in which the school districts under the jurisdiction of the county superintendent or the greater part thereof shall be located, a sworn statement of the expenses incurred in the conduct of such meeting.

Section 8. Section 1188 of the act, amended August 10, 1951 (P. L. 1161), is amended to read:

Section 1188 of the act, amended August 10, 1951, P. L. 1161, further amended.

Section 1188. Compensation of Teachers Attending.—In each school district [under the jurisdiction of a county superintendent and in each school district of the third class under the jurisdiction of a district superintendent, whose teachers are required to attend meetings called by the county superintendent,] *whose directors are eligible to vote at the election of the county superintendent*, the board of school directors shall pay, from the funds of the school district, to each teacher employed in such school district who has been in attendance at a meeting of the teachers, called by the county superintendent as herein provided, five dollars (\$5.00) for each half of a day during which such teacher was in attendance at such meeting. Such compensation shall not in any one year exceed twenty dollars (\$20.00) per teacher. This payment shall be in addition to the compensation provided in the teacher's contract with the school district. Such payments shall be based upon the official attendance record made by the county superintendent to the board of school directors.

The time spent by teachers at a teacher's meeting, called by a county superintendent as herein provided, shall not be considered as days taught, nor lessen the number of days in the minimum school term as herein required.

Section 9. Sections 1189, 1190, 1191, 1193 and 1194 of the act are amended to read:

Sections 1189, 1190, 1191, 1193 and 1194 of the act, amended.

Section 1189. Penalty on Teachers Failing to Attend.—Each teacher who shall not attend a meeting of teachers, called by a county superintendent as herein provided, shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such meeting. The board of school directors of the district by which he is employed shall deduct this sum from his salary for the month next following the date of such meeting, unless satisfactory reason for such absence is given to the superintendent holding such institute. [Such forfeiture shall not exceed for any one year the sum of four dollars (\$4.00) per teacher.]

Section 1190. Auditors.—The teachers [under the jurisdiction of a county superintendent] *attending meetings of teachers called by a county superintendent as herein provided* shall, at the first meeting in each school year which may be called by the county superintendent as provided herein, elect two (2) of their number as auditors. The persons so elected, together with the auditor elected by the school directors' association of such county, shall audit the accounts of each such meeting which shall be held during the school year.

Section 1191. Statement of Receipts and Disbursements.—Within thirty (30) days after the closing of a meeting of teachers [under the jurisdiction of a county superintendent], which has been held as herein provided, the county superintendent shall prepare an itemized account of all the receipts and disbursements received or made on account of such meeting, and submit the same, properly sworn to, together with the proper vouchers therefor; to the auditors herein required to audit such accounts.

Section 1193. Reports to Departments of Public Instruction.—Each county superintendent, immediately after the adjournment of a meeting of teachers [under his jurisdiction] which has been held as herein provided, shall report to the Department of Public Instruction, on blanks furnished by it, the number of teachers in attendance, the names of instructors, the subjects upon which instruction was given, the degree of popular interest awakened by the proceeding, and such further information as may be required.

Section 1194. Districts Having District Superintendent.—In each school district of the first, [and] second [classes and in each school district of the] *and* third class, which has employed a district superintendent, *except as provided in section 1186*, the board of school directors may provide any form of teacher training or teacher improvement for the teachers of such district which it may deem proper.

All expenses incurred in such training and improvement shall be paid by such board of school directors as other expenses of such school district are paid.

Effective date.

Section 10. This act shall take effect July 1, 1957.

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

GEORGE M. LEADER