

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 19 Session of 2017

INTRODUCED BY O'BRIEN, GODSHALL, D. MILLER, KINSEY, D. COSTA,
 CARROLL, V. BROWN, STURLA, NEILSON AND THOMAS,
 JANUARY 23, 2017

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 23, 2017

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," in school finances, further providing
 6 for distress in school districts of the first class and
 7 providing for school board in distressed school districts;
 8 and making related repeals.

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

11 Section 1. Section 696(n) of the act of March 10, 1949
 12 (P.L.30, No.14), known as the Public School Code of 1949, is
 13 amended to read:

14 Section 696. Distress in School Districts of the First
 15 Class.--* * *

16 (n) [The Secretary of Education, only upon the
 17 recommendation of a majority of the School Reform Commission,
 18 may issue a declaration to dissolve the School Reform
 19 Commission. The dissolution declaration shall be issued at least
 20 one hundred eighty (180) days prior to the end of the current

1 school year and shall be effective at the end of that school
2 year.] The following provisions shall apply to the dissolution
3 of the School Reform Commission:

4 (1) The Secretary of Education shall, within ten (10) days
5 of the effective date of this paragraph, issue a declaration to
6 dissolve the School Reform Commission. The dissolution
7 declaration shall be effective at the end of the 2017-2018
8 school year.

9 (2) [Except as otherwise provided in this section, after]
10 After dissolution of the School Reform Commission the board of
11 school directors established in accordance with the provisions
12 of section 696.1 shall have the [powers and] duties of the
13 School Reform Commission.

14 (3) Upon the effective date of the dissolution declaration,
15 the provisions of subsections (a), (b), (b.1), (b.2), (c), (e),
16 (h), (i), (j), (k), (l), (n.1) and (n.2) shall expire.

17 * * *

18 Section 2. The act is amended by adding a section to read:

19 Section 696.1. School Board in Distressed School
20 Districts.--(a) Each distressed school district in a city of
21 the first class shall have a twelve (12) member school board
22 with taxing power. There shall be eleven (11) elected school
23 board members, one (1) elected from each city council district
24 and one (1) elected from the city at large. There shall be one
25 (1) school board member appointed by the mayor of the city of
26 the first class who shall have no voting rights.

27 (b) Odd-numbered districts shall elect school board members
28 for two (2) year terms beginning in 2018. Even-numbered
29 districts shall elect school board members for one (1) year
30 terms in 2018 and for two (2) year terms beginning in 2019. The

1 at-large school board member shall be elected for a two (2) year
2 term beginning in 2018.

3 (c) District school board member candidates shall be
4 required to obtain the same number of signatures as district
5 councilmen candidates are required to obtain in cities of the
6 first class.

7 (d) A district school board member may not serve on the
8 school board for more than ten (10) years.

9 (e) No superintendent, assistant superintendent, supervising
10 principal, teacher or other employe may serve either temporarily
11 or permanently as a member of the school board by which
12 employed.

13 (f) The school board in a distressed school district shall
14 have the same taxing authority as the city council in a city of
15 the first class. The existing spending caps for other school
16 districts shall apply for cities of the first class at such time
17 as the distressed school district does the following:

18 (1) Achieves budget surpluses in five (5) consecutive years.

19 (2) Achieves average PSSA scores equal to or in excess of
20 the Statewide average.

21 (g) (1) The school board shall have the powers and duties
22 of boards of school directors under Article V. The duties
23 granted heretofore to the School Reform Commission under this
24 act or any other law shall be vested in the school board.

25 (2) The school board shall be governed by the provisions of
26 this act and other provisions of general law relating to first
27 class school districts that are not inconsistent with the
28 provisions of this section. The school board may adopt
29 reasonable rules and regulations for its government and control.

30 (3) All persons elected or appointed as school board members

1 shall serve without pay except as provided for the secretary and
2 treasurer under Article IV.

3 (4) The provisions of this section shall supersede all other
4 parts of this act and all other acts affecting the organization
5 of school districts of the first class to the extent that they
6 are inconsistent or in conflict with this section.

7 (5) All existing acts or parts of acts and resolutions
8 affecting the organization of first class school districts not
9 inconsistent or in conflict with the provisions of this section
10 shall remain in full force until modified or repealed as
11 provided by law.

12 (h) For the purposes of this section, "distressed school
13 district" shall mean a school district of the first class that
14 has been declared to be distressed by the Secretary of Education
15 under section 691.

16 Section 3. Repeals are as follows:

17 (1) The act of August 9, 1963 (P.L.643, No.341), known
18 as the First Class City Public Education Home Rule Act, is
19 repealed to the extent of any inconsistency with this act.

20 (2) All other acts and parts of acts are repealed
21 insofar as they are inconsistent with this act.

22 Section 4. This act shall take effect in 60 days.