

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1406 Session of 2013

INTRODUCED BY TALLMAN, MOUL, REGAN AND GROVE, MAY 15, 2013

REFERRED TO COMMITTEE ON EDUCATION, MAY 15, 2013

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 State Board of Education, further  
 6 providing for membership.

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

9 Section 1. Section 2602-B(a), (b) and (f) of the act of  
 10 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
 11 of 1949, added March 30, 1988 (P.L.321, No.43), are amended to  
 12 read:

13 Section 2602-B. Membership.--(a) The board shall consist of  
 14 twenty-one (21) members, ten (10) of whom shall also serve as  
 15 members of the Council of Basic Education, and ten (10) of whom  
 16 shall also serve as members of the Council of Higher Education.  
 17 The member designated by the Governor as chairman of the board  
 18 shall also service as a member of the Council of Basic Education  
 19 and of the Council of Higher Education. Except the legislative  
 20 members, each member shall be appointed by the Governor, by and

1 with the advice and consent of a majority of all the members of  
2 the Senate, and shall, except as hereinafter provided, hold  
3 office for terms of six (6) years each or until his successor  
4 has been appointed and has qualified. An appointment to fill a  
5 vacancy shall be for the unexpired term or until his successor  
6 has been appointed and has qualified. The chairmen and minority  
7 chairmen of the House of Representatives and Senate Education  
8 Committees, or their respective designees from such committees,  
9 shall serve as ex officio members of the board with full voting  
10 privileges and shall serve as members for as long as they hold  
11 their respective positions. The Chairman of the Professional  
12 Standards and Practices Commission, or a commission member  
13 designated by the chairman, created by the act of December 12,  
14 1973 (P.L.397, No.141), referred to as the Teacher Certification  
15 Law, shall be an ex officio member of the board without voting  
16 privileges or assignment to either council. The Deputy Secretary  
17 of the Office of Elementary and Secondary Education for the  
18 Department of Education shall be an ex officio member of the  
19 board without voting privileges or assignment to either council.  
20 Members shall receive no salary but shall be entitled to travel  
21 expenses and other necessary expenses incurred in the  
22 performance of their duties as members of the board.

23 (b) Eleven (11) members shall constitute a quorum provided  
24 that at least five (5) members serving on each of the councils  
25 are present. The affirmative vote of a majority of all the  
26 members of the board duly recorded showing how each member voted  
27 shall be required in order to take action adopting statements of  
28 policy, standards, rules and regulations. No vote on the  
29 adoption of statements of policy, standards, rules or  
30 regulations shall be taken unless the statements of policy,

1 standards, rules or regulations are presented to the members of  
2 the board in conjunction with a fiscal note detailing the  
3 economic impact resulting from adoption. The board shall meet at  
4 least six (6) times a year at such times and places as it shall  
5 determine. Special meetings may be called by the chairman or at  
6 the request of a majority of the members of the board.

7 \* \* \*

8 (f) Except for the chairman, not more than two (2) members  
9 serving on each council shall be employed either in a school  
10 system or in the Department of Education. For purposes of this  
11 subsection, the State System of Higher Education shall not be  
12 considered a school system. Three (3) members of the Council of  
13 Higher Education shall be actively employed by an institution of  
14 higher education, at least one holding an administrative  
15 position and at least one holding a professional position on a  
16 faculty of an institution of higher education. At least two (2)  
17 members serving on each council shall have had previous  
18 experience with vocational-technical education or training. At  
19 least two (2) members of the Council of Basic Education shall be  
20 school directors as provided for in Article III, one of whom  
21 shall be a resident of the western region of this Commonwealth  
22 and one of whom shall be a resident of the eastern region of  
23 this Commonwealth.

24 \* \* \*

25 Section 2. This act shall take effect in 60 days.