

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 896 Session of 2023

INTRODUCED BY TOPPER, APRIL 12, 2023

REFERRED TO COMMITTEE ON EDUCATION, APRIL 12, 2023

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 the State Board of Education,  
 6 further 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), (e) and (f) of the act of  
 10 March 10, 1949 (P.L.30, No.14), known as the Public School Code  
 11 of 1949, are amended to read:

12 Section 2602-B. Membership.--(a) The board shall consist of  
 13 [twenty-one (21)] twenty-five (25) members, [ten (10)] twelve  
 14 (12) of whom shall also serve as members of the Council of Basic  
 15 Education, and [ten (10)] twelve (12) of whom shall also serve  
 16 as members of the Council of Higher Education. The member  
 17 designated by the Governor as chairman of the board shall also  
 18 [service] serve 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. Members shall  
17 receive no salary but shall be entitled to travel expenses and  
18 other necessary expenses incurred in the performance of their  
19 duties as members of the board.

20 (b) [~~Eleven (11)~~] Thirteen (13) members shall constitute a  
21 quorum provided that at least [~~five (5)~~] six (6) members serving  
22 on each of the councils are present. The affirmative vote of a  
23 majority of all the members of the board duly recorded showing  
24 how each member voted shall be required in order to take action  
25 adopting statements of policy, standards, rules and regulations.  
26 The board shall meet at least six (6) times a year at such times  
27 and places as it shall determine. Special meetings may be called  
28 by the chairman or at the request of a majority of the members  
29 of the board.

30 \* \* \*

1 (e) For the purpose of formulating policy proposals  
2 applicable to elementary, secondary, career and technical  
3 education and higher education in this Commonwealth, there shall  
4 be two councils, which shall consist of [~~ten (10)~~] twelve (12)  
5 members of the board each, the chairman being a member of both  
6 councils, and shall be known as the Council of Basic Education  
7 and the Council of Higher Education. The Governor shall  
8 designate to serve at his pleasure a member serving on each  
9 council to act as chairman of the council. Each council shall  
10 meet at the call of its chairman or at the request of a majority  
11 of the members of the council. The chairman of the board may  
12 appoint special joint committees from among the members of the  
13 board to formulate policy proposals in those areas which fall  
14 within the purview of both of the councils.

15 (f) Except for the chairman, not more than two (2) members  
16 serving on each council shall be employed either in a school  
17 system or in the Department of Education. For purposes of this  
18 subsection, the State System of Higher Education shall not be  
19 considered a school system. Three (3) members of the Council of  
20 Higher Education shall be actively employed by an institution of  
21 higher education, at least one holding an administrative  
22 position and at least one holding a professional position on a  
23 faculty of an institution of higher education. At least two (2)  
24 members serving on each council shall have had previous  
25 experience with career and technical education or training.  
26 At least two (2) members serving on the Council of Basic  
27 Education shall be parents of children enrolled in a public  
28 school entity in this Commonwealth, at least one shall be a  
29 parent of a child enrolled in a charter school or cyber charter  
30 school. At least two (2) members serving on the Council of

1 Higher Education shall be parents of students enrolled in a  
2 postsecondary institution in this Commonwealth.

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