
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1017 Session of
2021

INTRODUCED BY DeLUCA, KINSEY, CIRESI, MERSKI, PISCIOTTANO AND
GILLEN, MARCH 29, 2021

REFERRED TO COMMITTEE ON EDUCATION, MARCH 29, 2021

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 directors, further
6 providing for filling of vacancies.

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

9 Section 1. Section 315 of the act of March 10, 1949 (P.L.30,
10 No.14), known as the Public School Code of 1949, is amended to
11 read:

12 Section 315. Filling of Vacancies.--In case any vacancy
13 shall occur in any board of school directors by reason of death,
14 resignation, removal from the district, or otherwise, such
15 vacancy shall, in a school district of the first class, be
16 filled for the unexpired term by the court of common pleas of
17 the county in which such school district is situated from the
18 qualified electors of the district; and in a school district of
19 the second, third, or fourth classes, the remaining members of
20 the board of school directors shall, by a majority vote thereof,

1 fill such vacancy from the qualified electors of the district
2 within thirty (30) days thereafter. In a district of the second,
3 third, or fourth class, the person selected to fill such vacancy
4 shall be a qualified elector of the district and shall hold his
5 office, if the term thereof so long continues, until the first
6 Monday of December after the first municipal election occurring
7 more than sixty (60) days after the vacancy shall have occurred.
8 At such election an eligible person shall be elected for the
9 remainder of the unexpired term. If, by reason of a tie vote or
10 otherwise, such vacancy shall not have been filled by the board
11 of school directors within thirty (30) days after such vacancy
12 shall have occurred from the qualified electors of the district,
13 the court of common pleas of the proper county, upon the
14 petition of ten or more resident taxpayers, shall fill such
15 vacancy by the appointment of a suitable person from the
16 qualified electors of the district if the term of the vacant
17 office so long continues, until the first Monday of December
18 after the first municipal election occurring more than sixty
19 (60) days after the vacancy shall have occurred. At such
20 election an eligible person shall be elected for the remainder
21 of the unexpired term. In any class of school district, the
22 spouse of a current school director may not be appointed to fill
23 a vacancy. When any member of a board of school directors
24 heretofore or hereafter enlists or is inducted into the military
25 or naval forces of the United States in time of war, or is
26 called to active duty in the military or naval forces of the
27 United States, a temporary vacancy shall be declared, which
28 shall be filled by the remaining members of the board or the
29 court, as the case may be from the qualified electors of the
30 district, until the return of such member of the board from the

1 military or naval service, or until the expiration of the term
2 for which he shall have been elected, whichever shall be the
3 shorter period.

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