

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2073 Session of  
2024

INTRODUCED BY GAYDOS, STEHR, M. MACKENZIE, R. MACKENZIE, KEEFER,  
MOUL, SMITH, CIRESI AND GILLEN, FEBRUARY 28, 2024

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 28, 2024

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 eligibility and incompatible offices.

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

9 Section 1. Section 322 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 322. Eligibility; Incompatible Offices.--(a) Any  
13 [citizen] resident of this Commonwealth, having a good moral  
14 character, being eighteen (18) years of age or upwards, and  
15 having been a resident of the district for at least one (1) year  
16 prior to the date of his election or appointment, shall be  
17 eligible to the office of school director therein: Provided,  
18 That any person holding any office or position of profit under  
19 the government of any city of the first class, or the office of  
20 mayor, chief burgess, county commissioner, district attorney,

1 city, borough, or township treasurer, member of council in any  
2 municipality, township commissioner, township supervisor, tax  
3 collector, assessor, assistant assessor, any comptroller,  
4 auditor, constable, executive director or assistant executive  
5 director of an intermediate unit, supervisor, principal,  
6 teacher, or employe of any school district, shall not be  
7 eligible as a school director in this Commonwealth[. This] and  
8 shall not be eligible to serve as a school director of a school  
9 district in which an immediate family member is currently  
10 employed.

11 (b) Subject to subsection (c), this section shall not  
12 [prevent any] be construed to prevent an individual who is a  
13 district superintendent, assistant district superintendent,  
14 supervisor, teacher, or employe of any school district, from  
15 being a school director in a district other than the one in  
16 which [he] the individual is so employed, and other than in a  
17 district with which the district in which [he] the individual is  
18 employed operates a joint school or department. [Provided,  
19 however, That a joint school or department does not include a  
20 career and technical school, intermediate unit or community  
21 college: And provided further, That a]

22 (c) A school director who is a supervisor, principal,  
23 teacher or employe of a career and technical school,  
24 intermediate unit or community college shall not:

25 (1) serve as a member of a board of the career and technical  
26 school, intermediate unit or community college in which [he] the  
27 school director is a supervisor, principal, teacher or employe[:  
28 And provided further, That a school director who is a  
29 supervisor, principal, teacher or employe of a career and  
30 technical school, intermediate unit or community college, shall

1 not]; or

2 (2) be assigned to a position of employment under the  
3 supervision of the district in which [he or she] the school  
4 director serves as a member of the board of school directors.

5 (d) A school director shall not be eligible to the office of  
6 member of council in [any] a municipality.

7 (e) As used in this section:

8 "Immediate family member" shall mean an individual's parent,  
9 sibling, spouse, child, stepchild, grandchild, nephew, niece,  
10 first cousin, sister-in-law, brother-in-law, uncle or aunt.

11 "Joint school or department" does not include an area career  
12 and technical school, intermediate unit or community college.

13 Section 2. This act shall apply only to individuals who are  
14 elected or appointed as school directors on or after the  
15 effective date of this section.

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