
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2509 Session of
2014

INTRODUCED BY DAVIDSON, SACCONI, METZGAR, SWANGER, CRUZ,
J. HARRIS, COHEN, MURT, GILLEN, V. BROWN, BARRAR, KINSEY AND
TOOHIL, SEPTEMBER 22, 2014

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 22, 2014

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, amended July 8,
11 1989 (P.L.253, No.43), is amended to read:

12 Section 315. Filling of Vacancies.--[In] (a) Except as
13 provided in subsection (b), in case any vacancy shall occur in
14 any board of school directors by reason of death, [resignation,]
15 removal from the district, or otherwise, such vacancy shall, in
16 a school district of the first class, be filled for the
17 unexpired term by the court of common pleas of the county in
18 which such school district is situated from the qualified
19 electors of the district; and in a school district of the

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

1 he shall have been elected, whichever shall be the shorter
2 period.

3 (b) In case any vacancy shall occur in any board of school
4 directors by reason of resignation, such vacancy shall be filled
5 by the qualified elector who received the second highest number
6 of votes in the most recent election of school directors. If no
7 such qualified elector exists or the qualified elector opts not
8 to fill the vacancy, the vacancy shall be filled by the
9 qualified elector who received the third highest number of votes
10 in the most recent election of school directors. If no such
11 qualified elector exists or the qualified elector opts not to
12 fill the vacancy, the vacancy may be filled by either of the
13 following:

14 (1) Selection by the board of school directors. The
15 board of school directors may only select a qualified elector
16 who was a candidate in the most recent election of school
17 directors.

18 (2) A special election by the qualified electors of the
19 district, occurring no later than sixty (60) days after the
20 vacancy occurred.

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