
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 604 Session of
2019

INTRODUCED BY HAHN, MURT, KAUFFMAN, ROTHMAN, JAMES, KIRKLAND,
IRVIN, MILLARD, SAYLOR, DeLUCA, CIRESI AND GILLEN,
FEBRUARY 28, 2019

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 28, 2019

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 of this Commonwealth, having a good moral character,
14 being eighteen (18) years of age or upwards, [and] having been a
15 resident of the district for at least one (1) year immediately
16 prior to the date of his election or appointment and having
17 fulfilled the requirements under subsection (b), shall be
18 eligible to the office of school director therein: Provided,
19 That any person holding any office or position of profit under

1 the government of any city of the first class, or the office of
2 mayor, chief burgess, county commissioner, district attorney,
3 city, borough, or township treasurer, member of council in any
4 municipality, township commissioner, township supervisor, tax
5 collector, assessor, assistant assessor, any comptroller,
6 auditor, constable, executive director or assistant executive
7 director of an intermediate unit, supervisor, principal,
8 teacher, or employe of any school district, shall not be
9 eligible as a school director in this Commonwealth. This section
10 shall not prevent any district superintendent, assistant
11 district superintendent, supervisor, teacher, or employe of any
12 school district, from being a school director in a district
13 other than the one in which he is so employed, and other than in
14 a district with which the district in which he is employed
15 operates a joint school or department. Provided, however, That a
16 joint school or department does not include a vocational school,
17 intermediate unit or community college: And provided further,
18 That a school director who is a supervisor, principal, teacher
19 or employe of a vocational school, intermediate unit or
20 community college shall not serve as a member of a board of the
21 vocational school, intermediate unit or community college in
22 which he is a supervisor, principal, teacher or employe: And
23 provided further, That a school director who is a supervisor,
24 principal, teacher or employe of a vocational school,
25 intermediate unit or community college, shall not be assigned to
26 a position of employment under the supervision of the district
27 in which he or she serves as a member of the board of school
28 directors. A school director shall not be eligible to the office
29 of member of council in any municipality.

30 (b) Subject to subsection (a), a person shall be eligible to

1 the office of school director if the person submits the
2 following information to the board of school directors:

3 (1) Pursuant to 18 Pa.C.S. Ch. 91 (relating to criminal
4 history record information), a report of criminal history record
5 information from the Pennsylvania State Police or a statement
6 from the Pennsylvania State Police that the State Police central
7 repository contains no such information relating to the person.
8 The criminal history record information shall be limited to that
9 which is disseminated pursuant to 18 Pa.C.S. § 9121(b)(2)
10 (relating to general regulations).

11 (2) A certification from the Department of Human Services as
12 to whether the person is named in the Statewide database as the
13 alleged perpetrator in a pending child abuse investigation or as
14 the perpetrator of a founded report or an indicated report.

15 (3) A report of Federal criminal history record information.
16 The person shall submit a full set of fingerprints to the
17 Pennsylvania State Police for the purpose of a record check, and
18 the Pennsylvania State Police or its authorized agent shall
19 submit the fingerprints to the Federal Bureau of Investigation
20 for the purpose of verifying the identity of the person and
21 obtaining a current record of any criminal arrests and
22 convictions.

23 (c) A person who is a candidate for the office of school
24 director shall, as part of the candidate's affidavit under
25 Article IX of the act of June 3, 1937 (P.L.1333, No.320), known
26 as the Pennsylvania Election Code, state that the information
27 specified under subsection (b) has been obtained.

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