

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 703

Session of
1985

INTRODUCED BY HARPER, CAWLEY, POTT, TIGUE, BATTISTO, HALUSKA,
VROON, BLAUM, BELARDI, COHEN, TRELLO, TRUMAN, CARN, OLIVER,
DEAL AND ACOSTA, MARCH 25, 1985

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
OCTOBER 22, 1985

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," AUTHORIZING THE ADOPTION OF RULES <—
6 PROHIBITING THE USE OF LOOK-ALIKE ALCOHOLIC BEVERAGES;
7 further providing for the attire for students and for a
8 discipline code; AND FURTHER PROVIDING FOR THE RETURN OF <—
9 FUNDS RECEIVED FOR BUILDING SITE COSTS.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. ~~The~~ SECTION 510 OF THE act of March 10, 1949 <—
13 (P.L.30, No.14), known as the Public School Code of 1949, ~~is~~ <—
14 ~~amended by adding sections to read:~~ AMENDED JUNE 29, 1976 <—
15 (P.L.450, NO.110), IS AMENDED TO READ:

16 SECTION 510. RULES AND REGULATIONS; SAFETY PATROLS.--THE
17 BOARD OF SCHOOL DIRECTORS IN ANY SCHOOL DISTRICT MAY ADOPT AND
18 ENFORCE SUCH REASONABLE RULES AND REGULATIONS AS IT MAY DEEM
19 NECESSARY AND PROPER, REGARDING THE MANAGEMENT OF ITS SCHOOL
20 AFFAIRS AND THE CONDUCT AND DEPARTMENT OF ALL SUPERINTENDENTS,

1 TEACHERS, AND OTHER APPOINTEES OR EMPLOYES DURING THE TIME THEY
2 ARE ENGAGED IN THEIR DUTIES TO THE DISTRICT, AS WELL AS
3 REGARDING THE CONDUCT AND DEPARTMENT OF ALL PUPILS ATTENDING THE
4 PUBLIC SCHOOLS IN THE DISTRICT, DURING SUCH TIME AS THEY ARE
5 UNDER THE SUPERVISION OF THE BOARD OF SCHOOL DIRECTORS AND
6 TEACHERS, INCLUDING THE TIME NECESSARILY SPENT IN COMING TO AND
7 RETURNING FROM SCHOOL. THIS AUTHORITY SHALL INCLUDE THE POWER TO
8 PROHIBIT STUDENTS AND STAFF FROM USING LOOK-ALIKE ALCOHOLIC
9 BEVERAGES ON SCHOOL GROUNDS, AT SCHOOL SPONSORED ACTIVITIES OR
10 IN TRAVELING TO AND FROM SCHOOL ON BUSES OR OTHER VEHICLES
11 PROVIDED BY THE DISTRICT.

12 IN THE EXERCISE OF THIS AUTHORITY THE BOARD OF SCHOOL
13 DIRECTORS IS EMPOWERED TO ORGANIZE SCHOOL SAFETY PATROLS AND,
14 WITH THE PERMISSION OF THE PARENTS, TO APPOINT PUPILS AS MEMBERS
15 THEREOF, FOR THE PURPOSE OF INFLUENCING AND ENCOURAGING THE
16 OTHER PUPILS TO REFRAIN FROM CROSSING PUBLIC HIGHWAYS AT POINTS
17 OTHER THAN AT REGULAR CROSSINGS, AND FOR THE PURPOSE OF
18 DIRECTING PUPILS NOT TO CROSS HIGHWAYS AT TIMES WHEN THE
19 PRESENCE OF TRAFFIC WOULD RENDER SUCH CROSSING UNSAFE. NOTHING
20 HEREIN CONTAINED SHALL BE CONSTRUED TO AUTHORIZE OR PERMIT THE
21 USE OF ANY SAFETY PATROL MEMBER FOR THE PURPOSE OF DIRECTING
22 VEHICULAR TRAFFIC, NOR SHALL ANY SAFETY PATROL MEMBER BE
23 STATIONED IN THAT PORTION OF THE HIGHWAY INTENDED FOR THE USE OF
24 VEHICULAR TRAFFIC. NO LIABILITY SHALL ATTACH EITHER TO THE
25 SCHOOL DISTRICT, OR ANY INDIVIDUAL DIRECTOR, SUPERINTENDENT,
26 TEACHER, OR OTHER SCHOOL EMPLOYEE, BY VIRTUE OF THE ORGANIZATION,
27 MAINTENANCE, OR OPERATION OF A SCHOOL SAFETY PATROL ORGANIZED,
28 MAINTAINED, AND OPERATED UNDER AUTHORITY OF THIS SECTION.

29 ALL FLAGS, BELTS, APPAREL AND DEVICES ISSUED, SUPPLIED OR
30 FURNISHED TO PERSONS ACTING IN THE CAPACITY OF SPECIAL SCHOOL

1 POLICE, OR SPECIAL POLICE APPOINTED TO CONTROL AND DIRECT
2 TRAFFIC AT OR NEAR SCHOOLS, IN ORDER TO ENHANCE THE CONSPICUITY
3 OF SUCH PERSONS, SHALL BE MADE FROM RETRO-REFLECTIVE AND
4 FLUORESCENT MATERIALS VISIBLE BOTH DAY AND NIGHT AT THREE
5 HUNDRED (300) FEET TO APPROACHING MOTORISTS USING LAWFUL LOW
6 BEAM HEADLIGHTS AND SHALL CONFORM TO STANDARDS, SPECIFICATIONS,
7 OR REGULATIONS ISSUED BY THE STATE BOARD OF EDUCATION. ALL BELTS
8 SUPPLIED OR FURNISHED TO PUPILS ACTIVE IN THE CAPACITY OF SCHOOL
9 SAFETY PATROL MEMBERS SHALL BE FLUORESCENT.

10 SECTION 2. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:

11 Section 1317.1. Discipline Code.--The board of school
12 directors of any school district may implement a discipline code
13 for students. If the board of school directors does adopt a
14 discipline code, such code shall require the school officials to
15 notify a parent or guardian by letter or, if possible, by
16 telephone, if they are having a discipline problem with the
17 parent's or guardian's child prior to any suspension or
18 expulsion action.

19 Section 1317.2. Dress Code; Students.--The board of school
20 directors in all school districts may establish a dress code for
21 students when they are present upon school grounds.

22 ~~Section 2. This act shall take effect in 60 days.~~ <—

23 SECTION 3. SECTION 2574.1 OF THE ACT, AMENDED OCTOBER 21, <—
24 1965 (P.L.601, NO.312) AND JANUARY 26, 1966 (1965 P.L.1591,
25 NO.560), IS AMENDED TO READ:

26 SECTION 2574.1. PAYMENTS ON ACCOUNT OF BUILDING SITE
27 COSTS.--WHENEVER ANY SCHOOL DISTRICT ACQUIRES A SITE FOR A
28 SCHOOL BUILDING IN ADVANCE OF ITS NEED AND IN ACCORDANCE WITH A
29 LONG RANGE MASTER PLAN FOR SCHOOL BUILDING CONSTRUCTION APPROVED
30 BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION TO THE

1 EXTENT THAT THE COST OF THE ACQUISITION SHALL BE DEEMED
2 REASONABLE BY THE DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION,
3 THE COMMONWEALTH SHALL PAY, IN THE YEAR OF SUCH ACQUISITION, ONE
4 HUNDRED PERCENT (100%) OF THE REIMBURSEMENT DUE THE DISTRICT
5 UNDER APPLICABLE LAWS IN FORCE AT THAT TIME FOR THE COST OF
6 ACQUISITION. IF SUCH SITE IS NOT THEREAFTER USED BY THE DISTRICT
7 FOR SCHOOL BUILDING PURPOSES, WITHIN A PERIOD OF TEN YEARS FROM
8 DATE OF PURCHASE, THE AMOUNTS PAID TO THE DISTRICT UNDER THIS
9 SECTION SHALL BE RETURNED TO THE COMMONWEALTH BY THE DISTRICT
10 WITHIN TWO YEARS OF THE END OF SUCH TEN YEAR PERIOD OF NON-USER.
11 IF SUCH AMOUNTS ARE NOT SO RETURNED WITHIN SUCH TWO YEAR PERIOD,
12 COMMONWEALTH MONEYS DUE AND PAYABLE TO THE DISTRICT BY THE
13 DEPARTMENT OF [PUBLIC INSTRUCTION] EDUCATION AS A SUBSIDY OR
14 REIMBURSEMENT FOR ANY PURPOSE SHALL FIRST BE WITHHELD IN THE
15 AMOUNT OF THE MONEYS OWED THE COMMONWEALTH BY THE DISTRICT UNDER
16 THIS SECTION AND CREDITED AS RETURNED IN FULL HEREUNDER BEFORE
17 ANY PART OF SUCH COMMONWEALTH REIMBURSEMENT OR SUBSIDY IS PAID
18 TO THE DISTRICT. THE DISTRICT SHALL NOT BE REQUIRED TO RETURN
19 THE FUNDS IT RECEIVED IF THE DISTRICT CAN DEMONSTRATE IN ITS
20 LONG-RANGE PLAN THAT THE SITE WILL STILL BE NEEDED FOR A SCHOOL
21 BUILDING, EVEN THOUGH THE SITE MAY BE USED TEMPORARILY BY A
22 POLITICAL SUBDIVISION, OR AGENCY THEREOF, FOR PUBLIC PURPOSES.
23 IF THE DISTRICT CONVEYS OR TRANSFERS THE SITE TO ANOTHER PARTY,
24 THE DISTRICT SHALL REPAY THE AMOUNT IT WAS REIMBURSED AND
25 APPROPRIATE INTEREST, AS DETERMINED BY THE DEPARTMENT.

26 SECTION 4. (A) SECTION 2 OF THIS ACT, ADDING SECTIONS
27 1317.1 AND 1317.2, SHALL TAKE EFFECT IN 60 DAYS.

28 (B) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT IMMEDIATELY.