

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1582 Session of
1983

INTRODUCED BY McVERRY, MARMION AND GAMBLE, OCTOBER 17, 1983

REFERRED TO COMMITTEE ON EDUCATION, OCTOBER 17, 1983

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," providing for subpoena power in cases
6 relating to the suspension or expulsion of pupils.

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

9 Section 1. Section 1318 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended February 8, 1980 (P.L.3, No.2), is amended to read:

12 Section 1318. Suspension and Expulsion of Pupils.--(a)
13 Every principal or teacher in charge of a public school may
14 temporarily suspend any pupil on account of disobedience or
15 misconduct, and any principal or teacher suspending any pupil
16 shall promptly notify the district superintendent or secretary
17 of the board of school directors. The board may, after a proper
18 hearing, suspend such child for such time as it may determine,
19 or may permanently expel him. Such hearings, suspension, or

1 expulsion may be delegated to a duly authorized committee of the
2 board, or to a duly qualified hearing examiner, who need not be
3 a member of the board, but whose adjudication must be approved
4 by the board.

5 (b) The board shall have power to issue subpoenas requiring
6 the attendance of witnesses at hearings on its own behalf or at
7 the request of the party against whom a complaint is made. If
8 any person shall refuse to appear and testify in answer to any
9 subpoena issued by the board, any party interested may petition
10 the court of common pleas setting forth the facts, which court
11 shall thereupon issue its subpoena commanding that person to
12 appear before it, there to testify as to the matters being
13 inquired into. Any person refusing to testify before the court
14 shall be held for contempt. All testimony at hearings shall be
15 taken under oath and any member of the board of school directors
16 shall have power to administer oaths to witnesses.

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