

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 525

Session of
1981

INTRODUCED BY McVERRY, MARMION, FLECK, PENDLETON, TADDONIO,
FRAZIER AND POTT, FEBRUARY 10, 1981

REFERRED TO COMMITTEE ON EDUCATION, FEBRUARY 10, 1981

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," further providing for the suspension
6 and expulsion of pupils.

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

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

12 Section 1318. Suspension and Expulsion of Pupils.--Every
13 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. The board shall have power to

1 issue subpoenas requiring the attendance of witnesses at such
2 hearings on its own behalf or at the request of the party
3 against whom a complaint is made. If any person shall refuse to
4 appear and testify in answer to any subpoena issued by the
5 board, any party interested may petition the court of common
6 pleas setting forth the facts, which court shall thereupon issue
7 its subpoena commanding such person to appear before it, there
8 to testify as to the matters being inquired into. Any person
9 refusing to testify before the court shall be held for contempt.
10 All testimony at such hearings shall be taken under oath, and
11 any member of the board of school directors shall have power to
12 administer oaths to such witnesses. Such hearings, suspension,
13 or expulsion may be delegated to a duly authorized committee of
14 the board, or to a duly qualified hearing examiner who need not
15 be a member of the board, but whose adjudication must be
16 approved by the board.

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