

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 604 Session of
1997

INTRODUCED BY MURPHY, HART, ULIANA, HELFRICK, COSTA, SALVATORE
AND WOZNIAK, MARCH 3, 1997

REFERRED TO EDUCATION, MARCH 3, 1997

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 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) (1) Notwithstanding the discretion vested in the board
6 by subsection (a), the board shall expel for the remainder of
7 the school year, any student who possesses a firearm in a school
8 building, on school grounds, in any conveyance providing
9 transportation to or from a public school or in attendance at
10 any school function. This clause shall not apply to a student
11 who is participating in a school-sanctioned activity involving
12 the use of firearms.

13 (2) The student will be allowed to petition for return the
14 following year and to repeat the year missed.

15 (3) The school district that expels the student shall use
16 its best efforts to place the student in an alternative
17 education facility, such as a private or charter school, while
18 the student is expelled.

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