

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2836 Session of
1998

INTRODUCED BY LEH, WOJNAROSKI, GODSHALL, McNAUGHTON, SEYFERT,
FICHTER, HARHART, BAKER, SCHULER, ROSS, DALLY, SEMMEL, CLARK,
HERSHEY, PETRONE, VANCE, SURRA, NICKOL, E. Z. TAYLOR AND
GEIST, SEPTEMBER 30, 1998

REFERRED TO COMMITTEE ON EDUCATION, SEPTEMBER 30, 1998

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 authority of
6 teachers, vice principals and principals over pupils.

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

9 Section 1. Section 1317 of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended July 25, 1963 (P.L.315, No.169), is amended to read:

12 Section 1317. Authority of Teachers[,] and Vice Principals
13 [and Principals over Pupils].--[Every teacher, vice principal
14 and principal in the public schools shall have the right to
15 exercise the same authority as to conduct and behavior over the
16 pupils attending his school, during the time they are in
17 attendance, including the time required in going to and from
18 their homes, as the parents, guardians or persons in parental
19 relation to such pupils may exercise over them.] (a) (1) In

1 all matters relating to the discipline in and conduct of the
2 public schools, public school employes and school administrators
3 shall be in the same relation to pupils as parents and
4 guardians. This relationship shall extend to all activities
5 connected with the public schools, including, but not limited
6 to, any activity conducted during the school day or during the
7 time a pupil is traveling to or from school or traveling to or
8 from a school-sponsored activity or during any academic,
9 athletic or extracurricular activity sponsored by the school
10 district at any time.

11 (2) Public school employes and administrators shall be
12 immune from civil liability for any action taken in good faith
13 with regard to any pupil at any time for the safety and
14 supervision of the pupil or for the safety and supervision of
15 others, including, but not limited to, pupils, public school
16 employes, visitors or the professional employe or administrator
17 taking such action. Each public school entity shall provide all
18 public school employes with guidelines and annual training on
19 techniques for safely restraining pupils who are engaged in
20 violent behavior.

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