

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1077 Session of
2004

INTRODUCED BY M. WHITE, D. WHITE, EARLL, GORDNER, KUKOVICH,
WAGNER, SCHWARTZ, KASUNIC, ERICKSON, BOSCOLA, WENGER,
WONDERLING, WAUGH, TARTAGLIONE, RAFFERTY, PILEGGI, ORIE,
LEMOND, WOZNIAK, RHOADES, MOWERY, PIPPY, ARMSTRONG AND
TOMLINSON, MARCH 25, 2004

REFERRED TO EDUCATION, MARCH 25, 2004

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 assignment of
6 transfer students subject to suspension or expulsion.

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

9 Section 1. Section 1317.2(e.1) of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949,
11 amended June 25, 1997 (P.L.297, No.30), is amended to read:

12 Section 1317.2. Possession of Weapons Prohibited.-- * * *

13 [(e.1) A school district receiving a student who transfers
14 from a public or private school during a period of expulsion for
15 an act or offense involving a weapon may assign that student to
16 an alternative assignment or provide alternative education
17 services, provided that the assignment may not exceed the period
18 of expulsion.]

1 * * *

2 Section 2. The act is amended by adding a section to read:

3 Section 1318.1. Transfer Students Subject to Suspension or
4 Expulsion.--(a) A school district receiving a student who
5 transfers from a public or private school during a period of
6 suspension or expulsion for any act or offense may assign that
7 student to an alternative assignment or provide alternative
8 education services, provided that the assignment may not exceed
9 the period of suspension or expulsion.

10 (b) This section shall also apply if the transfer is
11 predicated on a student's alleged misconduct for which a
12 suspension or expulsion hearing is not concluded or for which a
13 period of suspension or expulsion has not yet been imposed by
14 the school entity from which the student is transferring, in
15 which case the school district receiving the student may, prior
16 to admitting the student, require a hearing to determine whether
17 a period of suspension or expulsion should be implemented.

18 Section 3. This act shall take effect in 60 days.