

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1643 Session of 2007

INTRODUCED BY BENNINGTON, PARKER, MUNDY, LEACH, WHEATLEY, FRANKEL, BELFANTI, BRENNAN, CALTAGIRONE, HERSHEY, JAMES, KORTZ, PETRONE, READSHAW, SCHRODER, SHIMKUS, SIPTROTH, SURRA, WANSACZ, YOUNGBLOOD AND PAYTON, JUNE 27, 2007

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, NOVEMBER 20, 2007

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 REPORTS TO <—
6 DEPARTMENT OF EDUCATION, FOR RULES AND REGULATIONS AND SAFETY
7 PATROLS, FOR FINANCIAL REPORTS, FOR residence and right to
8 free school privileges, FOR POSSESSION OF WEAPONS PROHIBITED <—
9 AND FOR SUSPENSION AND EXPULSION OF PUPILS.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 ~~Section 1. Section 1302(a) of the act of March 10, 1949 <—~~
13 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
14 ~~amended December 23, 2003 (P.L.304, No.48), is amended and the~~
15 ~~section is amended by adding a subsection to read:~~

16 SECTION 1. SECTION 218 OF THE ACT OF MARCH 10, 1949 (P.L.30, <—
17 NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, ADDED MAY 10,
18 2000 (P.L.44, NO.16), IS AMENDED TO READ:

19 SECTION 218. REPORTS TO DEPARTMENT OF EDUCATION.--ALL
20 FINANCIAL ACCOUNTING AND REPORTING BY SCHOOL DISTRICTS TO THE

1 DEPARTMENT OF EDUCATION SHALL BE IN ACCORDANCE WITH GENERALLY  
2 ACCEPTED ACCOUNTING AND REPORTING STANDARDS[.], EXCEPT FOR THE  
3 ANNUAL FINANCIAL REPORT. THE DEPARTMENT OF EDUCATION SHALL  
4 ESTABLISH A REPORTING STANDARD FOR THE ANNUAL FINANCIAL REPORT.  
5 THE STANDARD SHALL CONFORM TO FUND LEVEL REPORTING CRITERIA  
6 ONLY, AND WILL BE AN ALLOWED OTHER COMPREHENSIVE BASIS OF  
7 ACCOUNTING. FOR PURPOSES OF THIS SECTION, AN "OTHER  
8 COMPREHENSIVE BASIS OF ACCOUNTING" SHALL MEAN A BASIS OF  
9 ACCOUNTING, OTHER THAN GENERALLY ACCEPTED ACCOUNTING PRINCIPLES,  
10 THAT AN ENTITY USES TO REPORT ITS ASSETS, LIABILITIES, EQUITY,  
11 REVENUES AND EXPENSES.

12 SECTION 2. SECTION 510 OF THE ACT, AMENDED JUNE 29, 1976  
13 (P.L.450, NO.110), IS AMENDED TO READ:

14 SECTION 510. RULES AND REGULATIONS; SAFETY PATROLS.--(A)  
15 THE BOARD OF SCHOOL DIRECTORS IN ANY SCHOOL DISTRICT MAY ADOPT  
16 AND ENFORCE SUCH REASONABLE RULES AND REGULATIONS AS IT MAY DEEM  
17 NECESSARY AND PROPER, REGARDING THE MANAGEMENT OF ITS SCHOOL  
18 AFFAIRS AND THE CONDUCT AND DEPARTMENT OF ALL SUPERINTENDENTS,  
19 TEACHERS, AND OTHER APPOINTEES OR EMPLOYES DURING THE TIME THEY  
20 ARE ENGAGED IN THEIR DUTIES TO THE DISTRICT, AS WELL AS  
21 REGARDING THE CONDUCT AND DEPARTMENT OF ALL [PUPILS] STUDENTS  
22 ATTENDING THE PUBLIC SCHOOLS IN THE DISTRICT, DURING SUCH TIME  
23 AS THEY ARE ATTENDING SCHOOL OR SCHOOL-RELATED ACTIVITIES, ARE  
24 PRESENT ON SCHOOL PROPERTY OR IN BUSES OR OTHER VEHICLES  
25 PROVIDED BY THE DISTRICT, OR OTHERWISE ARE UNDER THE SUPERVISION  
26 OF THE BOARD OF SCHOOL DIRECTORS AND TEACHERS, INCLUDING THE  
27 TIME NECESSARILY SPENT IN COMING TO AND RETURNING FROM  
28 SCHOOL[.], AND PERTAINING TO ACTIVITIES OF STUDENTS REGARDLESS  
29 OF TIME OR PLACE LIKELY TO CAUSE OR CAUSING SUBSTANTIAL  
30 DISRUPTION OF OR MATERIAL INTERFERENCE WITH SCHOOL ACTIVITIES OR

1 THE ORDERLY AND SAFE ADMINISTRATION OF THE SCHOOLS.

2       (B) IN THE EXERCISE OF THIS AUTHORITY THE BOARD OF SCHOOL  
3 DIRECTORS IS EMPOWERED TO ORGANIZE SCHOOL SAFETY PATROLS AND,  
4 WITH THE PERMISSION OF THE PARENTS, TO APPOINT [PUPILS] STUDENTS  
5 AS MEMBERS THEREOF, FOR THE PURPOSE OF INFLUENCING AND  
6 ENCOURAGING THE OTHER [PUPILS] STUDENTS TO REFRAIN FROM CROSSING  
7 PUBLIC HIGHWAYS AT POINTS OTHER THAN AT REGULAR CROSSINGS, AND  
8 FOR THE PURPOSE OF DIRECTING [PUPILS] STUDENTS NOT TO CROSS  
9 HIGHWAYS AT TIMES WHEN THE PRESENCE OF TRAFFIC WOULD RENDER SUCH  
10 CROSSING UNSAFE. NOTHING HEREIN CONTAINED SHALL BE CONSTRUED TO  
11 AUTHORIZE OR PERMIT THE USE OF ANY SAFETY PATROL MEMBER FOR THE  
12 PURPOSE OF DIRECTING VEHICULAR TRAFFIC, NOR SHALL ANY SAFETY  
13 PATROL MEMBER BE STATIONED IN THAT PORTION OF THE HIGHWAY  
14 INTENDED FOR THE USE OF VEHICULAR TRAFFIC. NO LIABILITY SHALL  
15 ATTACH EITHER TO THE SCHOOL DISTRICT, OR ANY INDIVIDUAL  
16 DIRECTOR, STUDENT, SUPERINTENDENT, TEACHER, OR OTHER SCHOOL  
17 EMPLOYE, BY VIRTUE OF THE ORGANIZATION, MAINTENANCE, OR  
18 OPERATION OF A SCHOOL SAFETY PATROL ORGANIZED, MAINTAINED, AND  
19 OPERATED UNDER AUTHORITY OF THIS SECTION.

20       (C) ALL FLAGS, BELTS, APPAREL AND DEVICES ISSUED, SUPPLIED  
21 OR FURNISHED TO PERSONS ACTING IN THE CAPACITY OF SPECIAL SCHOOL  
22 POLICE, OR SPECIAL POLICE APPOINTED TO CONTROL AND DIRECT  
23 TRAFFIC AT OR NEAR SCHOOLS, IN ORDER TO ENHANCE THE CONSPICUITY  
24 OF SUCH PERSONS, SHALL BE MADE FROM RETRO-REFLECTIVE AND  
25 FLUORESCENT MATERIALS VISIBLE BOTH DAY AND NIGHT AT THREE  
26 HUNDRED (300) FEET TO APPROACHING MOTORISTS USING LAWFUL LOW  
27 BEAM HEADLIGHTS AND SHALL CONFORM TO STANDARDS, SPECIFICATIONS,  
28 OR REGULATIONS ISSUED BY THE STATE BOARD OF EDUCATION. ALL BELTS  
29 SUPPLIED OR FURNISHED TO [PUPILS] STUDENTS ACTIVE IN THE  
30 CAPACITY OF SCHOOL SAFETY PATROL MEMBERS SHALL BE FLUORESCENT.

1 SECTION 3. SECTION 921-A OF THE ACT, AMENDED JULY 11, 2006  
2 (P.L.1092, NO.114), IS AMENDED TO READ:

3 SECTION 921-A. FINANCIAL REPORTS.--AN ANNUAL FINANCIAL  
4 REPORT SHALL BE SUBMITTED TO THE SECRETARY OF EDUCATION BY EACH  
5 INTERMEDIATE UNIT NOT LATER THAN THE 31ST DAY OF OCTOBER,  
6 TOGETHER WITH AN AUDITOR'S REPORT PREPARED BY AN INDEPENDENT  
7 AUDITOR WHO SHALL BE A CERTIFIED PUBLIC ACCOUNTANT OR OTHER  
8 COMPETENT PUBLIC ACCOUNTANT. ALL FINANCIAL ACCOUNTING AND  
9 REPORTING BY INTERMEDIATE UNITS TO THE DEPARTMENT OF EDUCATION  
10 SHALL BE IN ACCORDANCE WITH GENERALLY ACCEPTED ACCOUNTING AND  
11 REPORTING STANDARDS[.], EXCEPT FOR THE ANNUAL FINANCIAL REPORT.  
12 THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A REPORTING STANDARD  
13 FOR THE ANNUAL FINANCIAL REPORT. THE STANDARD SHALL CONFORM TO  
14 FUND LEVEL REPORTING CRITERIA ONLY, AND WILL BE AN ALLOWED OTHER  
15 COMPREHENSIVE BASIS OF ACCOUNTING. FOR PURPOSES OF THIS SECTION,  
16 AN "OTHER COMPREHENSIVE BASIS OF ACCOUNTING" SHALL MEAN A BASIS  
17 OF ACCOUNTING, OTHER THAN GENERALLY ACCEPTED ACCOUNTING  
18 PRINCIPLES, THAT AN ENTITY USES TO REPORT ITS ASSETS,  
19 LIABILITIES, EQUITY, REVENUES AND EXPENSES.

20 SECTION 4. SECTION 1302(A) OF THE ACT, AMENDED DECEMBER 23,  
21 2003 (P.L.304, NO.48), IS AMENDED AND THE SECTION IS AMENDED BY  
22 ADDING A SUBSECTION TO READ:

23 Section 1302. Residence and Right to Free School  
24 Privileges.--(a) (1) A child shall be considered a resident of  
25 the school district in which his parents or the guardian of his  
26 person resides. When a child's parents reside in different  
27 school districts, the child may attend either of the school  
28 districts in which his parents reside, regardless of which  
29 parent has primary physical custody of the child. The parents  
30 must choose and so state and agree in writing which of the two

1 school districts shall be the child's school district of  
2 residence for the school year, unless there is a court order  
3 that directs which of the two districts shall be the child's  
4 school district of residence.

5 (2) Federal installations are considered a part of the  
6 school district or districts in which they are situate and the  
7 children residing on such installations shall be counted as  
8 resident pupils of the school district.

9 (3) Nothing in this subsection shall be construed to require  
10 a school district to transport a child to or from a residence  
11 outside of the school district.

12 (a.1) When a resident of any school district keeps in his  
13 home a child of school age, not his own, supporting the child  
14 gratis as if it were his own, such child shall be entitled to  
15 all free school privileges accorded to resident school children  
16 of the district, including the right to attend the public high  
17 school maintained in such district or in other districts in the  
18 same manner as though such child were in fact a resident school  
19 child of the district, and shall be subject to all the  
20 requirements placed upon resident school children of the  
21 district. Before such child may be accepted as a pupil, such  
22 resident shall file with the secretary of the board:

23 (1) appropriate legal documentation to show dependency or  
24 guardianship; or

25 (2) a sworn statement that he is a resident of the district,  
26 that he is supporting the child gratis, that he will assume all  
27 personal obligations for the child relative to school  
28 requirements, and that he intends to so keep and support the  
29 child continuously and not merely through the school term. The  
30 school board, pursuant to guidelines issued by the Department of

1 Education, may require other reasonable information to be  
2 submitted by the resident to substantiate the sworn statement.  
3 The form containing the sworn statement shall include notice in  
4 large print of the penalty for providing false information in  
5 the sworn statement.

6 \* \* \*

7 ~~Section 2. This act shall take effect in 60 days.~~ <—

8 SECTION 5. SECTION 1317.2(E.1) OF THE ACT, AMENDED JUNE 25, <—  
9 1997 (P.L.297, NO.30), IS AMENDED TO READ:

10 SECTION 1317.2. POSSESSION OF WEAPONS PROHIBITED.--\* \* \*

11 [(E.1) A SCHOOL DISTRICT RECEIVING A STUDENT WHO TRANSFERS  
12 FROM A PUBLIC OR PRIVATE SCHOOL DURING A PERIOD OF EXPULSION FOR  
13 AN ACT OR OFFENSE INVOLVING A WEAPON MAY ASSIGN THAT STUDENT TO  
14 AN ALTERNATIVE ASSIGNMENT OR PROVIDE ALTERNATIVE EDUCATION  
15 SERVICES, PROVIDED THAT THE ASSIGNMENT MAY NOT EXCEED THE PERIOD  
16 OF EXPULSION.]

17 \* \* \*

18 SECTION 6. SECTION 1318 OF THE ACT, AMENDED FEBRUARY 8, 1980  
19 (P.L.3, NO.2), IS AMENDED TO READ:

20 SECTION 1318. SUSPENSION AND EXPULSION OF [PUPILS.--]  
21 STUDENTS.--(A) EVERY PRINCIPAL OR TEACHER IN CHARGE OF A PUBLIC  
22 SCHOOL MAY TEMPORARILY SUSPEND ANY [PUPIL] STUDENT ON ACCOUNT OF  
23 DISOBEDIENCE OR MISCONDUCT, AND ANY PRINCIPAL OR TEACHER  
24 SUSPENDING ANY [PUPIL] STUDENT SHALL PROMPTLY NOTIFY THE  
25 DISTRICT SUPERINTENDENT OR SECRETARY OF THE BOARD OF SCHOOL  
26 DIRECTORS. THE BOARD MAY, AFTER A PROPER HEARING, SUSPEND SUCH  
27 [CHILD] STUDENT FOR SUCH TIME AS IT MAY DETERMINE, OR MAY  
28 PERMANENTLY EXPEL [HIM] THE STUDENT. SUCH HEARINGS, SUSPENSION,  
29 OR EXPULSION MAY BE DELEGATED TO A DULY AUTHORIZED COMMITTEE OF  
30 THE BOARD, OR TO A DULY QUALIFIED HEARING EXAMINER, WHO NEED NOT

1 BE A MEMBER OF THE BOARD, BUT WHOSE ADJUDICATION MUST BE  
2 APPROVED BY THE BOARD. THE BOARD AND DESIGNATED COMMITTEES OR  
3 HEARING EXAMINERS ACTING PURSUANT TO THIS SECTION SHALL HAVE THE  
4 POWER TO ADMINISTER OATHS TO WITNESSES AND THE POWER TO ISSUE  
5 SUBPOENAS AS PROVIDED IN SECTION 1128.

6 (B) (1) A PUBLIC SCHOOL ENTITY MAY SUSPEND, EXPEL OR DENY  
7 ADMISSION TO A STUDENT SUSPENDED OR EXPELLED FROM ANOTHER PUBLIC  
8 SCHOOL ENTITY OR NONPUBLIC SCHOOL, UNTIL THE PERIOD OF  
9 SUSPENSION OR EXPULSION HAS EXPIRED, IF SUCH SUSPENSION OR  
10 EXPULSION WAS IMPOSED DUE TO MISCONDUCT OF A NATURE THAT WOULD  
11 SUBJECT STUDENTS IN THE RECEIVING ENTITY TO POSSIBLE SUSPENSION  
12 OR EXPULSION.

13 (2) DENIAL OF ADMISSION TO A TRANSFERRING STUDENT BASED ON  
14 SUSPENSION OR EXPULSION FROM OR MISCONDUCT IN A PRIOR SCHOOL  
15 ENTITY SHALL BE TREATED AS SUSPENSION OR EXPULSION FOR PURPOSES  
16 OF THIS SECTION. A STUDENT RETURNING TO THE PROGRAM OF THE  
17 SCHOOL DISTRICT OF RESIDENCE AFTER WITHDRAWING FROM OR BEING  
18 EXPELLED OR SUSPENDED FROM AN AREA VOCATIONAL-TECHNICAL SCHOOL  
19 IS A TRANSFERRING STUDENT FOR PURPOSES OF THIS SECTION.

20 (3) NO HEARING OTHERWISE REQUIRED UNDER SUBSECTION (A) SHALL  
21 BE NECESSARY IF SUSPENSION, EXPULSION OR DENIAL OF ADMISSION  
22 UNDER SUBSECTION (B)(1) IS BASED UPON AN ADJUDICATION ISSUED IN  
23 ACCORDANCE WITH THIS SECTION BY THE BOARD OR JOINT OPERATING  
24 COMMITTEE OF THE PRIOR ENTITY OF ENROLLMENT, AS EVIDENCED BY A  
25 CERTIFIED COPY OF SUCH ADJUDICATION.

26 (4) A SCHOOL ENTITY MAY, AFTER HEARING IN ACCORDANCE WITH  
27 SUBSECTION (A), SUSPEND, EXPEL OR DENY ADMISSION TO A  
28 TRANSFERRING STUDENT WHO HAS COMMITTED MISCONDUCT WHILE ENROLLED  
29 IN ANOTHER PUBLIC OR NONPUBLIC SCHOOL OF A NATURE THAT WOULD  
30 SUBJECT STUDENTS IN THE RECEIVING ENTITY TO POSSIBLE SUSPENSION

1 OR EXPULSION, BUT WHO WITHDREW FROM THE PRIOR SCHOOL ENTITY  
2 BEFORE DISCIPLINARY PROCEEDINGS BASED ON THE MISCONDUCT WERE  
3 INITIATED OR COMPLETED.

4 (5) A RECEIVING SCHOOL ENTITY MAY ENROLL A STUDENT  
5 TRANSFERRING FROM ANOTHER PUBLIC OR NONPUBLIC SCHOOL ENTITY IN  
6 ITS REGULAR PROGRAM ON A PROVISIONAL BASIS PENDING RECEIPT OF A  
7 CERTIFIED COPY OF THE STUDENT'S DISCIPLINARY RECORD AND SWORN  
8 STATEMENT AS REQUIRED UNDER SECTION 1304-A. IF THE DISCIPLINARY  
9 RECORD OR SWORN STATEMENT REVEALS A HISTORY OF MISCONDUCT WHILE  
10 ENROLLED IN THE PRIOR ENTITY, IN ADDITION TO OTHER DISPOSITION  
11 AUTHORIZED UNDER THIS SECTION AND TO THE EXTENT CONSISTENT WITH  
12 THE DISCIPLINARY STANDARDS, POLICIES AND PROCEDURES OF THE  
13 RECEIVING ENTITY, THE STUDENT MAY BE REASSIGNED TO AN  
14 ALTERNATIVE EDUCATION PROGRAM AND MAY BE DEEMED INELIGIBLE TO  
15 PARTICIPATE IN EXTRACURRICULAR ACTIVITIES.

16 (6) A RECEIVING SCHOOL ENTITY MAY, CONSISTENT WITH ITS  
17 DISCIPLINARY STANDARDS, POLICIES AND PROCEDURES, IMPOSE OTHER  
18 FORMS OF DISCIPLINE OR DISCIPLINARY ASSIGNMENT OR IMPOSE  
19 CONDITIONS OF ADMISSION OR CONTINUED ENROLLMENT BASED ON A  
20 TRANSFERRING STUDENT'S EXPULSION OR SUSPENSION FROM OR  
21 MISCONDUCT WHILE ENROLLED IN A PRIOR SCHOOL ENTITY, IN LIEU OF  
22 OR IN COMBINATION WITH DENIAL OF ADMISSION, SUSPENSION OR  
23 EXPULSION.

24 (C) THE BOARD OF SCHOOL DIRECTORS MAY, IN CONNECTION WITH  
25 ANY EXPULSION, SUSPENSION, DENIAL OF ADMISSION OR DISCIPLINARY  
26 REASSIGNMENT OF A STUDENT, IMPOSE CONDITIONS FOR ADMISSION OR  
27 READMISSION TO OR CONTINUATION IN THE SCHOOL ENTITY'S REGULAR OR  
28 ALTERNATIVE EDUCATION PROGRAMS. VIOLATION OF OR FAILURE TO MEET  
29 SUCH CONDITIONS MAY BECOME THE BASIS FOR DENIAL OF ADMISSION,  
30 READMISSION OR SUBSEQUENT DISCIPLINARY ACTION, INCLUDING



1 EXCLUSION FROM OR REASSIGNMENT WITHIN THE SCHOOL ENTITY'S  
2 REGULAR OR ALTERNATIVE EDUCATION PROGRAMS. THE BOARD MAY  
3 DESIGNATE A PERSON OR PERSONS TO DETERMINE WHETHER SUCH  
4 CONDITIONS HAVE BEEN MET OR VIOLATED. THE HEARING REQUIREMENTS  
5 OF SUBSECTION (A) ARE NOT APPLICABLE TO A DETERMINATION THAT A  
6 STUDENT IS NOT ELIGIBLE FOR READMISSION OR TO REMAIN IN  
7 PROBATIONARY CONTINUED ENROLLMENT BECAUSE OF VIOLATION OF OR  
8 FAILURE TO MEET SUCH CONDITIONS.

9 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, A  
10 HEARING OTHERWISE REQUIRED UNDER SUBSECTION (A) MAY BE WAIVED IN  
11 A WRITTEN AGREEMENT PROVIDING FOR THE STUDENT'S DISCIPLINARY  
12 EXCLUSION FROM SCHOOL PROGRAMS FOR A SPECIFIED PERIOD OF TIME,  
13 ENTERED INTO BY THE BOARD OF SCHOOL DIRECTORS AND THE STUDENT  
14 AND IN THE CASE OF A STUDENT UNDER EIGHTEEN (18) YEARS OF AGE,  
15 ALSO BY THE PARENT OR GUARDIAN HAVING PRIMARY CUSTODY OF THE  
16 STUDENT. ANY SUCH AGREEMENT SHALL BE FILED PERMANENTLY IN THE  
17 STUDENT'S DISCIPLINARY RECORDS AND SHALL BE TREATED IN THE SAME  
18 WAY AS AN ADJUDICATION OF EXPULSION FOR PURPOSES OF SUBSECTIONS  
19 (B) AND (C), THIS SUBSECTION AND ARTICLE XIII-A. CONSIDERATION  
20 BY THE BOARD OF A PROPOSED AGREEMENT IN LIEU OF HEARING SHALL  
21 NOT CONSTITUTE GROUNDS FOR DISQUALIFYING THE BOARD OR MEMBERS  
22 THEREOF FROM PARTICIPATING IN A HEARING OR TAKING OTHER ACTION  
23 PURSUANT TO THIS SECTION IN THE EVENT THE AGREEMENT IS NOT  
24 APPROVED BY THE BOARD. THE AGREEMENTS SHALL SET FORTH:

25 (1) A SUMMARY OF THE REASON FOR THE EXCLUSION.

26 (2) THE EFFECTIVE DATE AND EXPIRATION DATE OF THE PERIOD OF  
27 EXCLUSION.

28 (3) THE DATE WHEN THE STUDENT MAY BE CONSIDERED FOR EARLIER  
29 READMISSION.

30 (4) A SUMMARY OF THE PROCEDURAL RIGHTS THE STUDENT WOULD

1 HAVE BEEN AFFORDED AT A HEARING.

2 (5) AGREED CONDITIONS OF READMISSION OR OF PROBATIONARY  
3 CONTINUED ENROLLMENT, IF ANY.

4 (6) ANY OTHER TERMS AND CONDITIONS OF THE AGREED  
5 DISCIPLINARY DISPOSITION.

6 (E) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO ALTER THE  
7 OBLIGATIONS OF SCHOOL ENTITIES PURSUANT TO THE INDIVIDUALS WITH  
8 DISABILITIES EDUCATION ACT (PUBLIC LAW 91-230, 20 U.S.C. § 1400  
9 ET SEQ.) AND FEDERAL REGULATIONS THEREUNDER RELATING TO THE  
10 DISCIPLINE OF STUDENTS WITH DISABILITIES.

11 (F) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO EXEMPT AN  
12 EXPELLED STUDENT OR THE STUDENT'S PARENTS OR LEGAL GUARDIANS  
13 FROM COMPULSORY EDUCATION REQUIREMENTS OR THE PENALTIES  
14 CONTAINED IN SECTIONS 1333, 1338 AND 1338.1 IF THEY FAIL TO  
15 PROVIDE THE STUDENT WITH A SUFFICIENT ALTERNATE PLACEMENT  
16 PROGRAM.

17 SECTION 7. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

18 (1) THE AMENDMENT OF SECTION 1302 OF THE ACT SHALL TAKE  
19 EFFECT IN 60 DAYS.

20 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
21 IMMEDIATELY.