

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2292 Session of 2015

INTRODUCED BY WHEATLEY, COOK-ARTIS, ROZZI, J. HARRIS, THOMAS,  
PHILLIPS-HILL AND SAVAGE, AUGUST 18, 2016

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 18, 2016

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 suspension and  
6 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] a pupil [on account of disobedience or  
15 misconduct, and any] for the following reasons:

16 (1) For a pupil in grades six through twelve, a principal or  
17 teacher may temporarily suspend the pupil for disobedience or  
18 misconduct.

19 (2) For a pupil in grades kindergarten through five, a  
20 principal or teacher may temporarily suspend the pupil for the

1 following conduct on school grounds:

2 (i) causing, attempting to cause or threatening to cause  
3 physical injury to another person;

4 (ii) willfully using force or violence upon the person of  
5 another, except in self-defense;

6 (iii) possessing, selling or otherwise furnishing a firearm,  
7 knife, explosive or other dangerous object, unless the pupil has  
8 obtained written permission to possess the item from a certified  
9 school employe, and the permission has been verified by the  
10 principal or the designee of the principal;

11 (iv) unlawfully possessing, using, selling or otherwise  
12 furnishing, or is or has been under the influence of, any  
13 controlled substance;

14 (v) unlawfully offering, arranging or negotiating to sell  
15 any controlled substance, alcoholic beverage, intoxicant or any  
16 liquid, substance or material that the pupil represented as a  
17 controlled substance, alcoholic beverage or intoxicant; or

18 (vi) any other extreme conduct as determined by the  
19 principal or teacher in charge of a public school.

20 (b) A principal or teacher suspending any pupil under  
21 subsection (a) shall promptly notify the district superintendent  
22 or secretary of the board of school directors.

23 (c) The board may, after a proper hearing, suspend such  
24 child for such time as it may determine, or may permanently  
25 expel him. Such hearings, suspension, or expulsion may be  
26 delegated to a duly authorized committee of the board, or to a  
27 duly qualified hearing examiner, who need not be a member of the  
28 board, but whose adjudication must be approved by the board.

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