
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1870 Session of
2023

INTRODUCED BY WEBSTER, KINSEY, BURGOS, MADDEN, HILL-EVANS,
PROBST, SANCHEZ, KAZEEM, CEPEDA-FREYTIZ, DALEY, KRAJEWSKI AND
GREEN, DECEMBER 5, 2023

REFERRED TO COMMITTEE ON EDUCATION, DECEMBER 5, 2023

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," in pupils and attendance, further
6 providing for suspension 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, is
11 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 who is eight (8) years of age or
15 older on account of disobedience or misconduct, and any
16 principal or teacher suspending any pupil shall promptly notify
17 the district superintendent or secretary of the board of school
18 directors. The board may, after a proper hearing, suspend such
19 child for such time as it may determine, or may permanently

1 expel him. Such hearings, suspension, or expulsion may be
2 delegated to a duly authorized committee of the board, or to a
3 duly qualified hearing examiner, who need not be a member of the
4 board, but whose adjudication must be approved by the board.

5 (b) A principal or teacher in charge of a public school may
6 not exclude a pupil specified under subsection (a) from in-
7 person instruction for more than ten (10) school days without a
8 proper hearing.

9 (c) A principal or teacher in charge of a public school may
10 not suspend or expel a pupil younger than eight (8) years of age
11 from a public school or publicly funded pre-kindergarten program
12 unless the pupil poses an imminent threat of harm or danger to
13 others in the public school or pre-kindergarten program.

14 (d) Nothing in this section shall be construed to prohibit
15 the expulsion of a pupil in accordance with section 1317.2.

16 (e) As used in this section, the term "pre-kindergarten
17 program" shall have the same meaning as defined in section 2002-
18 B.

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