

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 876 Session of
2005

INTRODUCED BY SCHRODER, BARRAR, BELARDI, BENNINGHOFF, BOYD,
CALTAGIRONE, CAPPELLI, CRAHALLA, CREIGHTON, GINGRICH, HARPER,
HENNESSEY, HERSHEY, HUTCHINSON, MACKERETH, O'NEILL, PICKETT,
RAPP, REICHLEY, ROSS, SCAVELLO, SHANER, E. Z. TAYLOR, TIGUE,
WATSON, YOUNGBLOOD, DENLINGER AND THOMAS, MARCH 14, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 1, 2005

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 PROGRAM OF <—
6 CONTINUING PROFESSIONAL EDUCATION; authorizing the department
7 to directly reimburse educational support services providers;
8 and repealing penalties for grant recipients.

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

11 ~~Section 1. Section 1507 C of the act of March 10, 1949~~ <—
12 ~~(P.L.30, No.14), known as the Public School Code of 1949,~~
13 ~~amended or added May 17, 2001 (P.L.4, No.4) and December 23,~~
14 ~~2003 (P.L.304, No.48), is amended to read:~~

15 SECTION 1. SECTION 1205.2(F) OF THE ACT OF MARCH 10, 1949 <—
16 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF 1949, ADDED
17 NOVEMBER 23, 1999 (P.L.529, NO.48), IS AMENDED TO READ:

18 SECTION 1205.2. PROGRAM OF CONTINUING PROFESSIONAL
19 EDUCATION.--* * *

1 (F) THE DEPARTMENT SHALL ANNUALLY PROVIDE A MINIMUM OF FORTY
2 (40) HOURS OF CONTINUING PROFESSIONAL EDUCATION COURSES,
3 PROGRAMS, ACTIVITIES OR LEARNING EXPERIENCES AT NO CHARGE TO
4 PROFESSIONAL EDUCATORS EMPLOYED BY A SCHOOL ENTITY. IN PROVIDING
5 THESE COURSES, THE DEPARTMENT SHALL SEEK TO USE THE MOST
6 EFFICIENT AND COST-EFFECTIVE MEANS POSSIBLE, INCLUDING THE USE
7 OF ADVANCED TECHNOLOGY SUCH AS CD-ROM, THE INTERNET AND DISTANCE
8 COMMUNICATION. THE DEPARTMENT MAY MAKE SOME OR ALL OF THESE
9 EDUCATION COURSES AVAILABLE AT NO CHARGE TO ANY INDIVIDUAL WHO
10 VOLUNTEERS TO WORK ON A FULL-TIME OR PART-TIME BASIS IN A SCHOOL
11 ENTITY.

12 * * *

13 SECTION 2. SECTION 1507-C OF THE ACT, AMENDED OR ADDED MAY
14 17, 2001 (P.L.4, NO.4) AND DECEMBER 23, 2003 (P.L.304, NO.48),
15 IS AMENDED TO READ:

16 Section 1507-C. Payment of educational support services grants.

17 (a) Certificates.--A certificate for education support
18 services under this article shall be issued by the department in
19 an amount authorizing up to \$500 for each eligible student
20 identified on the certificate. The certificate shall be issued
21 to the grant recipient and shall be valid only for the fiscal
22 year in which it is issued. After receiving the certificate
23 [from a], the grant recipient[,] shall sign it and give it to
24 the provider, who shall include the following information on the
25 certificate: name of eligible student [served], type of
26 instruction, date and length of instruction and cost of
27 instruction provided to the eligible student. When the amount of
28 the certificate has been utilized or when the eligible student
29 is no longer receiving education support services from the
30 provider, the provider shall return the completed certificate to

1 the [grant recipient for submission to the] department for
2 payment. The department shall make payment directly to the
3 [grant recipient] provider for the amount due. [Grant
4 recipients] Providers must send all outstanding certificates to
5 the department for payment no later than 90 days after
6 [receiving the completed] completing the certificate [from the
7 provider].

8 [(b) Penalty for grant recipients.--A grant recipient who
9 knowingly defrauds the Commonwealth by receiving reimbursement
10 for education support services not rendered to the eligible
11 student and grant recipient identified on the certificate
12 commits a misdemeanor of the third degree and shall, upon
13 conviction, be sentenced to pay a fine of not more than \$1,000
14 per violation and shall be disqualified from eligibility for an
15 additional grant for a period of not less than five years.]

16 (c) Penalty for providers.--A provider that knowingly
17 violates section 1509-C or knowingly defrauds the Commonwealth
18 by receiving reimbursement for education support services not
19 rendered to the eligible student and grant recipient identified
20 on the certificate commits a misdemeanor of the third degree and
21 shall, upon conviction, be sentenced to pay a fine of not more
22 than \$1,000 per violation and shall be barred from participation
23 in the program for not less than five years.

24 Section ~~2~~ 3. This act shall take effect in 60 days.

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