

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 348 Session of 2011

INTRODUCED BY BROWNE AND WASHINGTON, JANUARY 31, 2011

REFERRED TO EDUCATION, JANUARY 31, 2011

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 educational  
 6 support services providers and for payments of grants.

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

9 Section 1. Section 1505-C(a) of the act of March 10, 1949  
 10 (P.L.30, No.14), known as the Public School Code of 1949,  
 11 amended December 23, 2003 (P.L.304, No.48), is amended to read:  
 12 Section 1505-C. Providers.

13 (a) Application.--

14 (1) A prospective provider shall submit an application  
 15 to the department for approval to provide education support  
 16 services or tutoring under the Educational Assistance Program  
 17 under this article. The application shall include a  
 18 description of the services to be provided, a description of  
 19 the curriculum to be used, the cost of the services, the  
 20 qualification of all individuals providing those services,

1 including evidence of compliance with section 111 and with 23  
2 Pa.C.S. § 6355 (relating to requirement), a description of an  
3 assessment mechanism to be used to determine the academic  
4 progress of students who receive tutoring services, and such  
5 other information as may be required by the department.

6 (2) Approval is subject to a provider agreeing not to  
7 seek payment directly from the grant recipient for education  
8 support services for which reimbursement is provided under  
9 this article.

10 \* \* \*

11 Section 2. Section 1507-C(a) and (b) of the act, added May  
12 17, 2001 (P.L.4, No.4), are amended to read:

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

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

1 all outstanding certificates to the department for payment no  
2 later than 90 days after receiving the completed certificate  
3 from the] provider.

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

13 \* \* \*

14 Section 3. This act shall take effect July 1, 2011, or  
15 immediately, whichever is later.