

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILLNo. **144** Session of
2019

INTRODUCED BY MARTIN, AUMENT, COSTA, BROWNE, K. WARD, MENSCH,
BLAKE, FONTANA, J. WARD, REGAN, YUDICHAK, PHILLIPS-HILL AND
BROOKS, MARCH 4, 2019

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 10, 2019

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," providing for the Keystone
6 Telepresence Education Grant Program.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

ARTICLE XV-JKEYSTONE TELEPRESENCE EDUCATION GRANT PROGRAM

14 Section 1501-J. Scope of article.

15 This article relates to the Keystone Telepresence Education
16 Grant Program.

17 Section 1502-J. Definitions.

18 The following words and phrases when used in this article

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Department." The Department of Education of the
4 Commonwealth.

5 "Grant." A Keystone Telepresence Education Grant authorized
6 and awarded by the department under the program to intermediate
7 units in this Commonwealth.

8 "Homebound student." A student in this Commonwealth who:

9 (1) is unable to attend school for an extended period as
10 the result of a serious medical condition, including injuries
11 from an accident, recovery from a medical procedure, serious
12 illness or chronic illness; and

13 (2) satisfies the conditions for receipt of homebound
14 instruction under 22 Pa. Code § 11.25 (relating to temporary
15 excusals due to illness or other urgent reasons).

16 "NONPUBLIC SCHOOL." A NONPROFIT SCHOOL, OTHER THAN A PUBLIC <--
17 SCHOOL WITHIN THIS COMMONWEALTH, WHERE A RESIDENT OF THIS
18 COMMONWEALTH MAY LEGALLY FULFILL THE COMPULSORY SCHOOL
19 ATTENDANCE REQUIREMENTS OF THIS ACT AND WHICH MEETS THE
20 REQUIREMENTS OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (PUBLIC
21 LAW 88-352, 78 STAT. 241).

22 "Program." The Keystone Telepresence Education Grant Program
23 established under section 1503-J(a).

24 "PUBLIC SCHOOL." A SCHOOL DISTRICT, CHARTER SCHOOL, REGIONAL <--
25 CHARTER SCHOOL OR CAREER AND TECHNICAL SCHOOL.

26 "Secretary." The Secretary of Education of the Commonwealth.

27 "Telepresence equipment." Available technology that enables
28 homebound students to participate in daily educational
29 activities with the students' classmates and teachers, in real-
30 time, from a remote location. The technology shall include audio

1 and video capabilities that enable homebound students to
2 communicate with classmates and teachers.

3 "Telepresence equipment manufacturer." An entity that
4 manufactures telepresence equipment for the use of, among other
5 things, educating homebound students and provides technical
6 support and training for the equipment.

7 Section 1503-J. Keystone Telepresence Education Grant Program.

8 (a) Establishment.--The Keystone Telepresence Education
9 Grant Program is established for the purpose of awarding grants
10 to intermediate units for the purchase of telepresence equipment
11 and related support services for the educational support of
12 homebound students. The department shall:

13 (1) Develop guidelines for the purchase of telepresence
14 equipment and services related to the utilization of the
15 equipment through the program, including department-approved
16 telepresence equipment manufacturers.

17 (2) Determine the form and manner in which an
18 application for a grant may be filed with the department.

19 (3) Provide notice of the program to intermediate units.

20 (4) Make grant applications available to all
21 intermediate units along with details relating to the
22 application process.

23 (5) Adopt guidelines for the approval of grant
24 applications.

25 (b) Eligibility.--Each intermediate unit shall be eligible
26 for a grant.

27 (c) Application.--An intermediate unit may apply for a grant
28 by submitting one annual application to the department. The
29 secretary shall determine in accordance with the guidelines of
30 the department the amount of a grant award to an intermediate

1 unit.

2 (d) Allocation.--To award grants under the program, the
3 department shall use up to \$300,000 annually of undistributed
4 funds not expended, encumbered or committed from appropriations
5 for grants and subsidies made to the department to award grants.
6 The funds shall be transferred by the Secretary of the Budget to
7 a restricted account as necessary to award grants and, when
8 transferred, are appropriated to carry out the provisions of
9 this article.

10 (e) Limitations.--An intermediate unit may not receive an
11 annual grant allocation that exceeds 10% of the funds available
12 under the grant program.

13 Section 1504-J. Intermediate unit policies.

14 (a) Telepresence equipment use.--An intermediate unit shall
15 develop an internal policy for the use of telepresence equipment
16 and related support services prior to applying for a grant. The
17 policy shall include guidelines for the process by which public
18 schools, ~~OR nonpublic schools or other educational entities~~ <--
19 within the intermediate unit may request the use of telepresence
20 equipment through an intermediate unit.

21 (b) Dissemination.--An intermediate unit shall, upon
22 request, provide the policy under subsection (a) to a public
23 school, ~~OR nonpublic school or other educational entity~~ within <--
24 the intermediate unit.

25 (c) Policy modification.--A public school, ~~OR nonpublic~~ <--
26 school ~~or other educational entity~~ within an intermediate unit <--
27 may request that the intermediate unit modify its policy for the
28 use of telepresence equipment and related support services to
29 meet the needs of a homebound student.

30 Section 1505-J. Use of grants.

1 (a) Equipment.--An intermediate unit which is awarded a
2 grant shall use the grant to purchase telepresence equipment.

3 (b) Service and training.--A grant may be used, in part, to
4 secure technical support, mechanical support and training
5 support related to the use of telepresence equipment.

6 Section 1506-J. Reports.

7 An intermediate unit which is awarded a grant shall submit to
8 the department a report detailing all expenditures related to
9 the use of the grant.

10 Section 1507-J. Prohibition.

11 An intermediate unit that purchases telepresence equipment
12 with a grant may not charge a public school, OR nonpublic school <--
13 or other educational entity within the intermediate unit for the <--
14 use of the telepresence equipment when the equipment is used to
15 support the educational needs of a homebound student.

16 Section 1508-J. Construction.

17 Nothing in this article shall be construed to require or
18 create an entitlement to telepresence equipment as a component
19 of an individualized education plan for any student in this
20 Commonwealth.

21 Section 2. This act shall take effect in 90 days.