

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 462 Session of 2019

INTRODUCED BY PHILLIPS-HILL, FOLMER, MENSCH, J. WARD, HUTCHINSON AND WHITE, MARCH 21, 2019

SENATOR LANGERHOLC, EDUCATION, AS AMENDED, JUNE 4, 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," in preliminary provisions, repealing
6 provisions relating to report of racial and ethnic groupings
7 and to study of public schools that provide Internet
8 instruction; in school districts, repealing provisions
9 relating to corporate seal, to submission of plans, ~~to~~ <--
10 ~~approval of plans,~~ to disapproval of plans, to Department of
11 Public Instruction to prepare plans, to establishment of
12 reorganized school districts and to advance establishment; in
13 duties and powers of boards of school directors, repealing
14 provisions relating to special school watchmen-school
15 districts in townships of the second class, to copies of
16 school laws and to educational broadcasting; in grounds and
17 buildings, repealing provisions relating to residences for
18 teachers and janitors, to heating stoves to be shielded, to
19 ventilation and thermometer, to fireproof construction, to
20 doors to open outward and fire escapes, etc., to completion
21 of abandoned WPA projects in districts of the third and
22 fourth class and to condition of grounds and shade trees; in
23 certification of teachers, repealing provisions relating to
24 summer schools, etc.; in pupils and attendance, repealing
25 provisions relating to possession of telephone pagers
26 prohibited, to nonprofit school food program, to antitruancy
27 programs and to medical care for children under six with
28 defective hearing; in safe schools, repealing provisions
29 relating to report; in school health services, repealing
30 provisions relating to care and treatment of pupils and to
31 local wellness policy; in terms and courses of study, ~~further~~ <--
32 ~~providing for fire and emergency evacuation drills,~~ repealing
33 provisions relating to foreign language academies, to monthly
34 reports to school directors of the districts second, third

1 and fourth class, to ~~read to succeed program~~ READ TO SUCCEED <--
2 PROGRAM and to department duties and powers; in vocational
3 education, ~~further providing for duties of State Board for~~ <--
4 ~~Vocational Education and reports,~~ repealing provisions
5 relating to schools or classes, supervisors, principals,
6 instructors, etc., to estimate of expenses and reimbursements
7 and appropriations and to teachers of evening schools; ~~in~~ <--
8 ~~Thaddeus Stevens College of Technology, further providing for~~
9 ~~powers and duties of the board of trustees and repealing~~
10 ~~provisions relating to annual report;~~ in transfers of credits
11 between institutions of higher education, repealing
12 provisions relating to duties of public institutions of
13 higher education; repealing provisions relating to medical
14 education loan assistance; AND, in reimbursements by <--
15 Commonwealth and between school districts, repealing
16 provisions relating to special study on the revenue impact of
17 out-of-State tax credits; ~~and, in the State Board of~~ <--
18 ~~Education, repealing provisions relating to powers and duties~~
19 ~~of the board and to reports and recommendations.~~

20 The General Assembly of the Commonwealth of Pennsylvania

21 hereby enacts as follows:

22 ~~Section 1. Sections 112, 113, 212, 292, 293, 294, 295, 296,~~ <--
23 ~~297, 510.1, 519, 523(a), 705, 736, 737, 738, 739, 760, 772,~~
24 ~~1208, 1317.1, 1337(f), 1338.2, 1378, 1308 A, 1414 and 1422.1 of~~
25 ~~the act of March 10, 1949 (P.L.30, No.14), known as the Public~~
26 ~~School Code of 1949, are repealed:~~

27 SECTION 1. SECTIONS 112, 113, 212, 292, 294, 295, 296, 297, <--
28 510.1, 519, 523(A), 705, 736, 737, 738, 739, 760, 772, 1208,
29 1317.1, 1337(F), 1338.2, 1378, 1308-A, 1414, 1422.1, 1522 AND
30 1534, ARTICLE XV-B, SECTIONS 1503-E(10), 1804, 1811, 1923 AND
31 2002-C(B), ARTICLE XXII-A AND SECTION 2596 OF THE ACT OF MARCH
32 10, 1949 (P.L.30, NO.14), KNOWN AS THE PUBLIC SCHOOL CODE OF
33 1949, ARE REPEALED:

34 [Section 112. Report of Racial and Ethnic Groupings.--The
35 Department of Education shall conduct a thorough review of the
36 1991-1992 PennData report "Statistical Summary for 1991-1992"
37 and identify those school districts that have special education
38 enrollments whose gender and ethnic representation exceeds by
39 five percent (5%) the gender and ethnic makeup of the student

1 population for the 1991-1992 school year. The Department of
2 Education shall report to the Committee on Education in the
3 Senate and the Committee on Education in the House of
4 Representatives by October 1993 the findings of the review by
5 the Department of Education, an outline of what further
6 investigative steps should be taken, recommendations for
7 appropriate actions to be taken by the Department of Education
8 and any technical assistance services to be provided by the
9 Department of Education to school districts.

10 Section 113. Study of Public Schools that Provide Internet
11 Instruction.--(a) The Department of Education shall conduct a
12 study of public schools that provide instruction primarily
13 through the Internet. The study shall include:

14 (1) a review of academic accountability methods and systems;

15 (2) a summary of governance structures, approval processes
16 and oversight mechanisms of each public school that provides
17 instruction primarily through the Internet;

18 (3) an analysis and verification of the actual and
19 reasonable instructional cost per student for each public school
20 that provides instruction primarily through the Internet; and

21 (4) recommendations regarding funding alternatives.

22 (b) The Department of Education shall prepare a report that
23 includes its findings and recommendations from the study and
24 shall provide the report to the chairman and the minority
25 chairman of the Education Committee of the Senate and the
26 chairman and minority chairman of the Education Committee of the
27 House of Representatives by October 30, 2001.

28 (c) In the event that the report required under subsection
29 (b) is not provided by October 30, 2001, no school district
30 shall pay to any public school that provides instruction

1 primarily through the Internet an amount to exceed two thousand
2 dollars (\$2,000) per resident student enrolled.

3 Section 212. Corporate Seal.--Each school district in this
4 Commonwealth may, by a majority vote of the members of the board
5 of school directors of such district, adopt a corporate seal for
6 the use of said district. The seal shall have engraved thereon
7 the following: "School District of,
8 Pennsylvania," and such other inscription or design as the board
9 of school directors may direct.

10 Section 292. Submission of Plans.--Each county board of
11 school directors, on or before July 1, 1964, shall prepare a
12 plan of organization of administrative units for the county,
13 conforming to the standards for approval of administrative units
14 adopted by the State Board of Education. The plan shall be
15 submitted to the Department of Public Instruction not less than
16 thirty (30) days nor more than sixty (60) days after it is
17 prepared. Any school district which considers itself aggrieved
18 by the plan may set forth its specific objections in a petition
19 which shall be served by registered or certified mail on the
20 secretary of the county board of school directors. All such
21 petitions filed shall be appended to the plan prior to
22 submission to the Department of Public Instruction. No plan of
23 organization of administrative units shall be submitted which
24 violates any written agreement entered into by several school
25 districts for the establishment of a joint school or department,
26 unless the agreement is amended to provide that it shall be
27 discontinued at the time the proposed administrative unit is
28 deemed established as a school district. A plan of organization
29 of administrative units shall be deemed to violate a written
30 agreement entered into by several school districts for the

1 establishment of a joint school or department only when it
2 formulates an administrative unit, which in whole or in part
3 comprises less than all of the school districts joined by such
4 agreement. In preparing its plans, a county board of school
5 directors shall confer with school directors and administrators
6 of all school districts of the county, and may confer with the
7 staff of the Department of Public Instruction and upon written
8 request shall confer with other interested persons. Each plan
9 shall assure the continuity of special education and area
10 technical school programs by providing special education and
11 area technical school attendance areas established in accordance
12 with standards approved by the State Board of Education.

13 Each county board of school directors which prepared and
14 submitted to the Department of Public Instruction prior to
15 January 1, 1963, a plan of organization of administrative units
16 for the county, shall, in compliance with the provisions hereof,
17 reconsider such plan and submit the same or a revised plan on or
18 before July 1, 1964, irrespective of the action taken on the
19 prior plan. In those cases where the prior plan was approved by
20 the State Council of Education, the plan submitted when approved
21 by the Council of Basic Education shall supersede the prior
22 approved plan as the plan of organization of administrative
23 units for the county.

24 ~~Section 293. Approval of Plans. (a) When any plan of~~ <--
25 ~~organization of administrative units for a county is found to~~
26 ~~conform to the standards for approval of administrative units~~
27 ~~adopted by the State Board of Education, the Department of~~
28 ~~Public Instruction shall cause such plan to be placed upon the~~
29 ~~agenda of the Council of Basic Education. The Council of Basic~~
30 ~~Education shall review all plans placed upon its agenda, and~~

1 ~~approve such plans as it deems wise in the best interests of the~~
2 ~~educational system of the Commonwealth. Except as hereinafter~~
3 ~~provided, no plan of organization of administrative units shall~~
4 ~~be approved in which any proposed school district contains a~~
5 ~~pupil population of less than four thousand (4,000), unless when~~
6 ~~factors of topography, pupil population, community~~
7 ~~characteristics, transportation of pupils, use of existing~~
8 ~~school buildings, existing administrative units, potential~~
9 ~~population changes and the capability of providing a~~
10 ~~comprehensive program of education are considered by the Council~~
11 ~~of Basic Education as requiring the approval of a plan of~~
12 ~~organization of administrative units in which one or more~~
13 ~~proposed school districts contains a pupil population of less~~
14 ~~than four thousand (4,000). (b) A plan of organization of~~
15 ~~administrative units for a county shall be approved by the~~
16 ~~Council of Basic Education, if the plan contains (i) no unit~~
17 ~~with a pupil population less than that of the unit with the~~
18 ~~smallest pupil population in the last previous county wide plan~~
19 ~~submitted to and approved by the State Council of Education~~
20 ~~prior to September 12, 1961, and (ii) no more units than were in~~
21 ~~the aforesaid county wide plan plus an additional unit for each~~
22 ~~second class district which was not required to be a part of~~
23 ~~such county wide plan and which was not included in an~~
24 ~~administrative unit thereof. (c) Pupil population as used in~~
25 ~~this section shall mean the average daily membership for the~~
26 ~~school year 1961-1962 including kindergarten or grade one~~
27 ~~through grade twelve.~~

28 Section 294. Disapproval of Plans.--When any plan of
29 organization of administrative units for a county is disapproved
30 by the Council of Basic Education, it shall be returned to the

1 county board of school directors which submitted the plan for
2 reconsideration, amendment and resubmission in accordance with
3 the recommendations of the Council of Basic Education.

4 Section 295. Department of Public Instruction to Prepare
5 Plans.--In the event that no plan of organization of
6 administrative units is approved by the Council of Basic
7 Education for a county prior to January 1, 1965, the Department
8 of Public Instruction shall prepare and place upon the agenda of
9 the Council of Basic Education a plan of organization of
10 administrative units for the county. When approved by the
11 Council of Basic Education, such plan shall be deemed the
12 approved plan of organization of administrative units for the
13 county.

14 Any school district which considers itself aggrieved by a
15 plan of organization of administrative units approved by the
16 Council of Basic Education may appeal to the State Board of
17 Education by filing a petition, within thirty (30) days after
18 approval of the plan, setting forth the grounds for such appeal.
19 A copy of such petition shall be served by registered or
20 certified mail on the secretary of the county board of school
21 directors. The State Board of Education, or its representative,
22 shall fix a day and time for hearing, shall give written notice
23 to all parties interested, and may hear and consider such
24 testimony as it may deem advisable to enable it to make a
25 decision. After reaching its decision, the State Board of
26 Education shall enter such order as appears to it just and
27 proper, either directing the Council of Basic Education to
28 approve the plan in an amended form or confirming the plan in
29 the form previously approved by the Council of Basic Education.
30 The decision of the State Board of Education shall be final,

1 unless an appeal is taken as now provided under the provisions
2 of the "Administrative Agency Law."

3 Section 296. Establishment of Reorganized School

4 Districts.--On July 1, 1966, or on the date of advance
5 establishment, all administrative units contained in plans of
6 organization of administrative units approved by the Council of
7 Basic Education shall constitute and be deemed established as
8 school districts, and shall belong to the class to which they
9 are entitled as provided by law: Provided, however, if any
10 approved administrative unit includes any district or districts
11 of the second, third, or fourth class with any district of the
12 first class A, such district or districts of the second, third,
13 or fourth class shall be merged into and become part of said
14 district of the first class A, and said district of the first
15 class A as thus enlarged shall be the reorganized district and
16 shall be considered as having had continued existence.

17 Section 297. Advance Establishment.--(a) Any administrative

18 unit contained in a plan of organization of administrative units
19 approved by the Council of Basic Education may constitute and be
20 deemed established as a school district on July 1, 1964, or on
21 July 1, 1965, when the following conditions have been satisfied:

22 (1) All appeals to the State Board of Education from the
23 action of the Council of Basic Education approving the plan of
24 organization of administrative units have been finally
25 determined;

26 (2) At a regular meeting or at a special meeting called for
27 such purpose, the board of school directors of each school
28 district composing the administrative unit has approved by
29 majority vote the establishment in advance of July 1, 1966, of
30 the proposed school district contained in the plan of

1 organization of administrative units approved by the Council of
2 Basic Education;

3 (3) A copy of the resolution of each school district is
4 filed with the Department of Public Instruction; and

5 (4) The Superintendent of Public Instruction certifies to
6 the Council of Basic Education that all school districts
7 composing the administrative unit have filed resolutions with
8 the Department of Public Instruction approving the establishment
9 of the school district in advance of July 1, 1966. The
10 certification shall state the date when the school district
11 shall be deemed established.

12 (b) Any school district established in advance of July 1,
13 1966, shall be entitled to all the benefits of this act and
14 shall be subject to all of the provisions of this act as if the
15 school district were constituted and deemed established on July
16 1, 1966: Provided, however, That in the case of school districts
17 established on July 1, 1964, the provisions of section 303.1 of
18 this act relating to election of school directors shall be
19 advanced two years: And provided further, That in the case of
20 school districts established on July 1, 1965, the provisions of
21 section 303.1 of this act shall not be advanced.

22 Section 510.1. Special School Watchmen-School Districts in
23 Townships of the Second Class.--The board of school directors of
24 school districts in townships of the second class may, by
25 resolution, appoint and fix the salary of special school
26 watchmen, who shall have the duty of patrolling school grounds
27 and protecting school property.

28 Section 519. Copies of School Laws.--The Superintendent of
29 Public Instruction shall send to each member of every board of
30 school directors in the State, a bound copy of each new edition

1 of the School Laws, as soon as possible after the same shall
2 have been published.] <--

3 Section 523. Educational Broadcasting.--

4 [(a) The State Board of Education shall adopt and amend, <--
5 when necessary, a State Plan for Educational Broadcasting. The
6 State plan shall provide for the development of educational
7 broadcasting facilities in the Commonwealth and shall define
8 educational broadcasting service areas which shall be served by
9 specified broadcasting centers. The Department of Education
10 shall promulgate regulations to implement the State plan. Prior
11 to adoption or amendment of the State plan, the board shall
12 submit the plan to the Pennsylvania Public Television Network
13 Commission and receive its comments thereon.] <--

14 * * *

15 [Section 705. Residences for Teachers and Janitors.--The <--
16 board of directors of any school district of the fourth class,
17 when they consider it necessary, may purchase or build a
18 residence or residences for the use of the principal or teacher
19 or janitor, or any of them, as shall be deemed advisable, in the
20 same manner and upon the same procedure as other school
21 buildings are purchased or erected. Such school districts, with
22 the approval of the Department of Public Instruction, are
23 authorized to expend the funds of the school district and to
24 borrow money for the purchase or erection of such residences in
25 the same manner as for other school buildings. Any such district
26 may fix and charge a rental for the use of such building, which
27 rental shall be paid into the school treasury. All property
28 acquired under this section shall be held by the school district
29 the same as other school property.

30 Section 736. Heating Stoves to be Shielded.--No board of

1 school directors in this Commonwealth shall use a common heating
2 stove for the purpose of heating any school room, unless such
3 stove is in part enclosed within a shield or jacket made of
4 galvanized iron, or other suitable material, and of sufficient
5 height, and so placed, as to protect all pupils while seated at
6 their desks from direct rays of heat.

7 Section 737. Ventilation; Thermometer.--No school room or
8 recitation room shall be used in any public school which is not
9 provided with ample means of ventilation, and whose windows,
10 when they are the only means of ventilation, shall not admit of
11 ready adjustment both at the top and bottom, and which does not
12 have some device to protect pupils from currents of cold air.
13 Every school room or recitation room shall be furnished with a
14 thermometer.

15 Section 738. Fireproof Construction.--All school buildings,
16 two or more stories high, hereafter erected or leased in any
17 school district of the first class in this Commonwealth shall be
18 of fireproof construction; and in any school district of the
19 second, third, or fourth class, every building more than two
20 stories high, hereafter built or leased for school purposes,
21 shall be of fireproof construction.

22 Section 739. Doors to Open Outward; Fire Escapes; etc.--All
23 doors of entrance into any building used for public school
24 purposes shall open outward.

25 In all school buildings erected after the first day of May,
26 one thousand nine hundred twenty-five, or buildings leased or
27 used for school purposes, all entrance and exit doors, as well
28 as all doors leading to or from all regular, special, or general
29 rooms, shall open outward.

30 Every school building shall be provided with necessary fire-

1 escapes and safety-appliances as required by law.

2 On and after January 1, 1973, each new school building and
3 every addition to an existing school building equipped with
4 windows and with no emergency fire rescue door to the outside,
5 shall be equipped with escape windows of such type and at such
6 locations as may be approved by the Department of Labor and
7 Industry.

8 Section 760. Completion of Abandoned WPA Projects, Districts
9 Third and Fourth Class.--Whenever any school district of the
10 third or fourth class, pursuant to contract with the Works
11 Projects Administration or any other agency of the United States
12 Government, shall have expended money for the erection of a
13 school building to be erected by such agency, and after the
14 erection of such building has been begun, but before the
15 completion thereof the project is abandoned by the Works
16 Projects Administration or other agency of the United States
17 Government, the board of directors of such school district may,
18 with the approval of the Superintendent of Public Instruction,
19 enter into a contract for the immediate continuation of the work
20 of erecting such school building to an extent necessary to
21 protect the work already completed from loss or damage by the
22 elements. Such contract may be let on competitive bids solicited
23 from at least three responsible bidders and approved by the
24 Superintendent of Public Instruction.

25 Section 772. Condition of Grounds; Shade Trees.--The board
26 of school directors in each school district shall put the
27 grounds about every school building in a neat, proper and
28 sanitary condition and so maintain the same and shall provide
29 and maintain a proper number of shade trees.

30 Section 1208. Summer Schools, etc.--The State Board of

1 Education shall provide for summer schools in State colleges,
2 colleges, universities and other educational institutions, and
3 for extension courses and correspondence courses for all
4 teachers employed in the public school system of the
5 Commonwealth who wish to acquire the minimum qualifications
6 prescribed herein, or such further qualifications as may be
7 desirable.

8 Section 1317.1. Possession of Telephone Pagers Prohibited.--

9 (a) The possession by students of telephone paging devices,
10 commonly referred to as beepers, shall be prohibited on school
11 grounds, at school sponsored activities and on buses or other
12 vehicles provided by the school district.

13 (b) The prohibition contained in subsection (a) shall not
14 apply in the following cases, provided that the school
15 authorities approve of the presence of the beeper in each case:

16 (1) A student who is a member of a volunteer fire company,
17 ambulance or rescue squad.

18 (2) A student who has a need for a beeper due to the medical
19 condition of an immediate family member.]

20 Section 1337. Nonprofit School Food Program.--* * *

21 [(f) Studies, Appraisals and Reports to Governor. The
22 Department of Education is hereby authorized, to the extent that
23 funds are available for that purpose and in cooperation with
24 other appropriate agencies and organizations, to conduct studies
25 of methods of improving and expanding school food programs and
26 promoting nutritional education in the schools, to conduct
27 appraisals of the nutritive benefits of school food programs and
28 to report its findings and recommendations, from time to time,
29 to the Governor.]

30 Section 1338.2. Antitruancy Programs.--The Department of

1 Education shall formulate recommendations for the General
2 Assembly concerning the establishment and funding of effective
3 community-based antitruancy pilot programs. In formulating these
4 recommendations, the Department of Education shall seek advice
5 and counsel from educators, parents, students, district
6 attorneys, law enforcement representatives, attendance officers,
7 social service agencies experienced in providing services to
8 truant children, counselors, judges, probation officers and
9 representatives from the Pennsylvania Commission on Crime and
10 Delinquency and the Juvenile Court Judges' Commission.

11 Section 1378. Medical Care for Children Under Six with
12 Defective Hearing.--Whenever the county medical director of the
13 Department of Health reports to the medical examiner of any
14 school district a case of a minor under six (6) years of age,
15 who is totally deaf or whose hearing is impaired, who is not
16 receiving adequate care and treatment, and whose parent or
17 guardian is financially unable to provide the same, such medical
18 examiner shall provide such care and treatment at the expense of
19 the school district or of the Commonwealth, as the case may be
20 charged by law with the providing of medical examinations for
21 the schools of the school district. Such care and treatment may
22 be administered by the medical examiner or by some doctor of
23 medicine selected by him.

24 Section 1308-A. Report.--The Secretary of Education shall
25 survey all school districts and nonpublic schools to determine
26 the extent to which additional costs have been incurred in
27 implementing administrative and reporting requirements
28 established for public and nonpublic schools in section 1317.2
29 and in sections 1304-A through 1307-A. The Secretary of
30 Education shall issue a report to the chairman and the minority

1 chairman of the Appropriations Committee and the Education
2 Committee of the Senate and the Appropriations Committee and
3 Education Committee of the House of Representatives by April 1,
4 1996, concerning the extent to which additional costs have been
5 incurred by school districts and nonpublic schools.

6 Section 1414. Care and Treatment of Pupils.--Any school
7 district or joint school board may provide for the care and
8 treatment of defective eyes, ears and teeth of all children of
9 school age within the district.

10 Section 1422.1. Local Wellness Policy.--(a) Not later than
11 the first day of the school year beginning after June 30, 2006,
12 each local education agency shall, pursuant to section 204 of
13 the Child Nutrition and WIC Reauthorization Act of 2004 (Public
14 Law 108-265, 118 Stat. 729), establish a local wellness policy
15 for schools within the local education agency.

16 (c) A local education agency may submit its local wellness
17 policy or information on other initiatives regarding child
18 health, nutrition, food allergy reaction management and physical
19 education to the Department of Education for inclusion in the
20 clearinghouse established under section 1422.3(3).† <--

21 ~~Section 2. Section 1517(d) and (e) of the act are amended to~~
22 ~~read:~~

23 ~~Section 1517. Fire and Emergency Evacuation Drills. * * *~~

24 ~~(d) (1) All school entities using or contracting for school~~
25 ~~buses for the transportation of school children shall conduct on~~
26 ~~school grounds two emergency evacuation drills on buses during~~
27 ~~each school year, the first to be conducted during the first~~
28 ~~week of the first school term and the second during the month of~~
29 ~~March, and at such other times as the chief school administrator~~
30 ~~may require. Each such drill shall include the practice and~~

1 ~~instruction concerning the location, use and operation of~~
2 ~~emergency exit doors and fire extinguishers and the proper~~
3 ~~evacuation of buses in the event of fires or accidents.~~

4 ~~(2) Bus operators shall be provided with proper training and~~
5 ~~instructions to enable them to carry out the provisions of this~~
6 ~~subsection and may be required to attend classes and drills in~~
7 ~~connection therewith.~~

8 ~~{(e) On or before the tenth day of April of each year, each~~
9 ~~chief school administrator shall certify to the Department of~~
10 ~~Education that the emergency evacuation drills and school~~
11 ~~security drills herein required have been conducted in~~
12 ~~accordance with this section.}~~

13 * * *

14 ~~Section 3. Sections 1522, 1534, Article XV B heading, 1501~~
15 ~~B, 1502 B, 1503 B, 1504 B, 1505 B and 1503 E(10) of the act are~~
16 ~~repealed:~~

17 ~~{Section 1522. Foreign Language Academies.--(a) The~~
18 ~~Department of Education shall establish a summer foreign~~
19 ~~language academy grant program utilizing Federal education funds~~
20 ~~and matching grants for students in this Commonwealth. To the~~
21 ~~greatest extent possible, the department shall establish~~
22 ~~guidelines for the programs which involve the universities and~~
23 ~~colleges, local school districts and intermediate units. Those~~
24 ~~students who are to participate in the program shall be selected~~
25 ~~by the local school districts.~~

26 ~~(b) At least one summer foreign language academy shall be in~~
27 ~~operation by the summer of 1993.~~

28 ~~(c) The department shall prepare an annual report of the~~
29 ~~summer foreign language academies program which shall be~~
30 ~~submitted to the Governor, the Education Committee of the Senate~~

1 and the Education Committee of the House of Representatives.

2 Section 1534. Monthly Reports to School Directors; Districts
3 Second, Third and Fourth Class.--In school districts of the
4 second, third and fourth class every teacher employed in the
5 public schools shall, at the end of each school month, or within
6 five days thereafter, make a report for the past month to the
7 board of school directors. Such reports shall state correctly
8 the number of days the schools were kept open, and, if closed on
9 any days, the reason therefor, the number, age, and sex of all
10 pupils, and the number of days attended by each. Such reports
11 shall be made on blank forms to be furnished the teachers by the
12 board of school directors. No teacher shall be paid more than
13 one-half of his salary for the current month until such report
14 is made. Such reports shall be filed with the secretary of the
15 board, and shall at all times be open to inspection by the
16 public. Any school principal may make such report for the entire
17 school.

18 ARTICLE XV-B.

19 READ TO SUCCEED PROGRAM.

20 Section 1501-B. Establishment of Program.--There is hereby
21 established in the Department of Education the Read to Succeed
22 Program. The program shall provide competitive grants to school
23 districts and charter schools to build strong reading skills in
24 Pennsylvania students. The program shall emphasize students with
25 the greatest need for intensive reading instruction and school
26 programs that will enable students to learn to read by the end
27 of the third grade.

28 Section 1502-B. Eligibility Requirements.--(a) The
29 Department of Education shall establish eligibility criteria to
30 be used to select schools and students in kindergarten through

1 third grade to participate in the Read to Succeed Program.

2 (b) The secretary shall establish matching requirements for
3 grant recipients.

4 Section 1503-B. Program Requirements.--School districts and
5 charter schools shall apply for grants as prescribed by the
6 Department of Education. The application will contain the
7 following:

8 (1) Identification of students with the greatest need.

9 (2) Methods of ongoing assessment.

10 (3) Reading instruction based on current reading research.

11 (4) Integration with the reading instruction programs and
12 activities of the school district.

13 (5) Professional development plan.

14 (6) Opportunities for extended learning time.

15 (7) Coordination with community-based reading activities,
16 including family literacy programs.

17 (8) Staff and program facilities.

18 (9) A multiyear plan that shows how the school district or
19 charter school will assume full financial and programmatic
20 responsibility for the Read to Succeed Program at the conclusion
21 of the grant period.

22 (10) The estimated budget for each specific program
23 activity.

24 Section 1504-B. Technical Assistance and Monitoring.--The
25 Department of Education shall provide technical assistance and
26 establish methods to ensure the quality of the program receiving
27 a grant, including program monitoring and onsite visitation.

28 Section 1505-B. Reports.--(a) A school district or charter
29 school participating in the Read to Succeed Program shall
30 provide program and fiscal reports as required by the Department

1 of Education.

2 (b) Beginning in the year 2000, the department shall submit
3 a report by December 31 of each year to the majority and
4 minority chairman of the Education Committee of the Senate and
5 the majority and minority chairman of the Education Committee of
6 the House of Representatives.]

7 Section 1503-E. Department duties and powers.

8 The department shall:

9 * * *

10 [(10) Prepare and submit an annual report to the
11 Education Committee of the Senate and the Education Committee
12 of the House of Representatives regarding the administration
13 and operation of programs and grants awarded under the grant
14 program. The report shall include:

15 (i) A summary of the guidelines and criteria
16 established by the department and the establishment and
17 operation of the grant program.

18 (ii) A listing of the sources of funding sought by
19 the department for use in the grant program.

20 (iii) A listing of the number of school districts
21 that established and implemented programs.

22 (iv) A description of each school district's program
23 and the integration into the curriculum.

24 (v) A description of measures utilized by school
25 districts to provide parent, professional educator and
26 community involvement.]

<--

27 ~~Section 4. Section 1803 of the act is amended to read:~~

28 ~~Section 1803. Duties of State Board for Vocational~~

29 ~~Education; Reports. The State Board for Vocational Education is~~

30 ~~hereby authorized and directed to investigate and to aid in the~~

1 ~~introduction of vocational industrial, vocational agricultural,~~
2 ~~vocational homemaking, vocational distributive and vocational~~
3 ~~business and office occupational education; to assist in the~~
4 ~~establishment of schools and departments for said forms of~~
5 ~~education, and to inspect and approve such schools or~~
6 ~~departments as are hereinafter provided. [The State Board for~~
7 ~~Vocational Education shall make a report annually to the~~
8 ~~Governor and Legislature describing the condition and progress~~
9 ~~of vocational industrial, vocational agricultural, vocational~~
10 ~~homemaking, vocational distributive and vocational business and~~
11 ~~office occupational education during the year, and shall also~~
12 ~~make such recommendations as the board may deem advisable.]~~

13 ~~Section 5. Sections 1804, 1811 and 1923 of the act are~~
14 ~~repealed:~~

15 ~~{Section 1804. Schools or Classes; Supervisors; Principals;~~
16 ~~Instructors, etc.--In carrying out the provisions of this act,~~
17 ~~the State Board for Vocational Education shall provide for~~
18 ~~vocational schools or classes, with the necessary staffs, in~~
19 ~~accordance with the State Plan for Vocational Education,~~
20 ~~approved by the Federal Board for Vocational Education.~~

21 ~~Principals, instructors and lecturers for the Public Service~~
22 ~~Institute shall be elected by the State Board for Vocational~~
23 ~~Education. They shall possess the qualifications established in~~
24 ~~the State Plan for Vocational Education approved by the Federal~~
25 ~~Board for Vocational Education.~~

26 ~~Section 1811. Estimate of Expenses and Reimbursements;~~
27 ~~Appropriations.--On or before the first Wednesday of January of~~
28 ~~any year in which the regular session of the Legislature is~~
29 ~~held, the State Board for Vocational Education shall present to~~
30 ~~the Legislature an estimate of the amount of money necessary to~~

1 meet the expenditures to be incurred in the administration of
2 this act for the fiscal year beginning with the first day of the
3 ensuing June, 1961, and beginning with the first day of July of
4 each year thereafter; and the amount necessary to meet the
5 claims of school districts and unions of school districts
6 maintaining approved vocational schools or departments, under
7 the provisions of this act for the school year beginning with
8 the first day of the preceding July. On the basis of such
9 statement, the Legislature shall make an appropriation of such
10 amounts as may be necessary to meet the expense of carrying this
11 act into effect, and of reimbursing such school districts and
12 unions of school districts for such school year as herein
13 provided.

14 Section 1923. Teachers of Evening Schools.--All teachers of
15 evening schools must have proper certificates as provided in
16 this act.]

17 ~~Section 6. Section 1906.1 B(c) of the act is amended to~~ <--
18 ~~read:~~

19 ~~Section 1906.1 B. Powers and Duties of the Board of~~
20 ~~Trustees. * * *~~

21 ~~(c) The board of trustees shall coordinate, review and~~
22 ~~approve the annual capital budget requirements of the college~~
23 ~~and the annual operating budget of the college. It shall present~~
24 ~~these annual budgets with comments to the Secretary of Education~~
25 ~~for presentation to the State Board of Education. [The State~~
26 ~~Board of Education shall return such budget requests,~~
27 ~~recommending approval or disapproval, with comments, if any, to~~
28 ~~the Secretary of Education prior to their submission to the~~
29 ~~Secretary of the Budget.] The board of trustees may also submit~~
30 ~~its budget recommendations and findings to the General Assembly~~

1 ~~subsequent to the submission of the Governor's budget to the~~
2 ~~General Assembly.~~

3 * * *

4 ~~Section 7. Sections 1916 B, 2002 C(b), Article XXII A~~
5 ~~heading, Subdivision (a) heading, 2201 A, 2202 A, 2203 A,~~
6 ~~Subdivision (b) heading, 2211 A, 2212 A, 2213 A, 2214 A,~~
7 ~~Subdivision (c) heading, 2231 A, 2232 A, 2233 A, 2234 A, 2596,~~
8 ~~2603 B(c), (d) (4) and (10) and (h) and 2605 B of the act are~~
9 ~~repealed:~~

10 ~~{Section 1916 B. Annual Report. The board of trustees shall~~
11 ~~be required to submit a report to the Governor, the~~
12 ~~Appropriations Committee and Education Committee of the Senate~~
13 ~~and the Appropriations Committee and Education Committee of the~~
14 ~~House of Representatives and the State Board of Education, no~~
15 ~~later than September 1, which shall cover the twelve month~~
16 ~~period beginning with the summer term of the preceding year and~~
17 ~~shall include:~~

18 ~~(1) The definitions and number of faculty members and staff~~
19 ~~employed full time, the number of faculty members and staff~~
20 ~~employed part time, the number of full time students enrolled~~
21 ~~and the number of part time students enrolled.~~

22 ~~(2) The total number of credit hours taught and the minimum~~
23 ~~number of credit hours required for graduation.~~

24 ~~(3) The degrees and programs offered by the institution.~~

25 ~~(4) The total number of graduates and the total number of~~
26 ~~graduates by degree or program.~~

27 ~~(5) The number of terms scheduled and dates thereof.}~~

28 Section 2002-C. Duties of public institutions of higher
29 education.

30 * * *

1 [(b) Reporting requirements.--A public institution of higher
2 education shall submit to the department a series of interim
3 reports outlining the actions that the public institution of
4 higher education has undertaken or intends to undertake to
5 comply with subsection (a), which shall be filed December 31,
6 2006, June 30, 2007, and December 31, 2007.]

7 * * *

8 [ARTICLE XXII-A.

9 MEDICAL EDUCATION LOAN ASSISTANCE.

10 (a) General Provisions.

11 Section 2201-A. Scope.

12 This article deals with medical education loan assistance.

13 Section 2202-A. Purpose.

14 The purpose of this article is to provide an incentive to
15 Pennsylvania students to pursue higher education and training in
16 medicine, professional nursing, biomedicine and the life
17 sciences in order to maintain the delivery of quality health
18 care services in this Commonwealth.

19 Section 2203-A. Definitions.

20 The following words and phrases when used in this article
21 shall have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 "Accredited medical college." An institution of higher
24 education located in this Commonwealth that is accredited by the
25 Liaison Committee on Medical Education to provide courses in
26 medicine and empowered to grant professional and academic
27 degrees in medicine as defined in the act of December 20, 1985
28 (P.L.457, No.112), known as the Medical Practice Act of 1985.

29 "Agency." The Pennsylvania Higher Education Assistance
30 Agency.

1 "Approved institution of higher learning." An institution of
2 higher learning located in this Commonwealth and approved by the
3 agency.

4 "Approved nursing program." An institution located in this
5 Commonwealth and accredited to grant professional and academic
6 degrees or diplomas in nursing as defined in the act of May 22,
7 1951 (P.L.317, No.69), known as The Professional Nursing Law.

8 "Degree in medicine." A degree from an accredited medical
9 college that qualifies the degree recipient to be licensed as a
10 physician.

11 "Designated area." Any of the following:

12 (1) A geographic area of this Commonwealth that is
13 designated by the Secretary of Health as having a shortage of
14 physicians.

15 (2) A geographic area of this Commonwealth designated by
16 the United States Department of Health and Human Services as
17 a medically underserved area or designated to have a
18 medically underserved population.

19 "Eligible applicant." An individual who holds an
20 undergraduate degree from an institution of higher learning and
21 is enrolled in:

22 (1) an accredited medical college; or

23 (2) an approved institution of higher learning for
24 purposes of obtaining a graduate degree in biomedicine or
25 life sciences.

26 "Guarantor." An insurance company or not-for-profit
27 guarantor whose primary purpose is to provide default coverage
28 and loss prevention services to an offeror of unsecured student
29 loans.

30 "Licensed health care facility." A health care facility that

1 is enrolled in the Commonwealth's medical assistance program and
2 is licensed under Article X of the act of June 13, 1967 (P.L.31,
3 No.21), known as the Public Welfare Code, or the act of July 19,
4 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

5 "Nursing school applicant." An individual who is a resident
6 of this Commonwealth and is enrolled in an approved nursing
7 program.

8 "Offeror." An institution that makes unsecured loans to
9 eligible students in cooperation with the agency.

10 "Physician." An individual licensed to practice medicine and
11 surgery within the scope of the act of October 5, 1978
12 (P.L.1109, No.261), known as the Osteopathic Medical Practice
13 Act, or the act of December 20, 1985 (P.L.457, No.112), known as
14 the Medical Practice Act of 1985.

15 "Registered nurse." An individual licensed to practice
16 professional nursing under the act of May 22, 1951 (P.L.317,
17 No.69), known as The Professional Nursing Law.

18 "Work requirement for nurses." Postgraduate, full-time
19 employment in direct patient care with a licensed health care
20 facility located in this Commonwealth in an occupation related
21 to an approved course of study. The term does not include a paid
22 student internship, a paid fellowship, volunteer service or
23 employment before graduation.

24 (b) Program.

25 Section 2211-A. Pennsylvania Medical Education Loan Assistance
26 Program.

27 The agency shall establish and administer the Pennsylvania
28 Medical Education Loan Assistance Program as set forth in
29 sections 2212-A and 2213-A to provide financial assistance to
30 individuals who acquire the required degree or diploma in

1 medicine, professional nursing, biomedicine or life sciences and
2 to recruit these individuals to practice their professions in
3 Pennsylvania.

4 Section 2212-A. Loan guarantor program.

5 (a) Establishment of program.--The agency shall administer a
6 loan guarantor program on a Statewide basis. The agency shall
7 utilize funds in the Medical School Loan Account to encourage
8 eligible applicants to attend an accredited medical college or
9 an approved institution of higher learning.

10 (b) Loan Guarantor Program.--The Loan Guarantor Program
11 shall provide for the following:

12 (1) Life of loan servicing.

13 (2) Contracting for insurance with a guarantor, approved
14 by the agency, which offers a low-cost loan with competitive
15 interest rates and loan fees to eligible applicants.

16 (3) Predetermining the eligibility of applicants who
17 receive a loan from an offeror to attend an accredited
18 medical school or an approved institution of higher learning
19 that is insured by a guarantor.

20 (4) Evaluating the benefit package of a guarantor for
21 adequacy, accessibility and availability of funds necessary
22 to provide adequate loss prevention.

23 (c) Low-cost loans.--An eligible applicant shall apply to an
24 offeror for a low-cost loan to attend an accredited medical
25 college or an approved institution of higher learning. A low-
26 cost loan made under this subsection shall be guaranteed by an
27 approved guarantor through a contract with the agency. Low-cost
28 loans made under this subsection shall provide reduced interest
29 rates and loan fees to eligible applicants compared to loans
30 made for the same purpose that are not guaranteed by this

1 article.

2 (d) Loan requirements.--Loans provided under this section
3 shall cover up to 100% of the actual cost of tuition, room and
4 board at an accredited medical college or an approved
5 institution of higher learning and the actual cost of course-
6 required textbooks and supplies for the recipient.

7 (e) Default.--If a recipient fails to repay a loan received
8 under this section, the agency shall collect the loan pursuant
9 to one of the following:

10 (1) Section 4.3 of the act of August 7, 1963 (P.L.549,
11 No.290), referred to as the Pennsylvania Higher Education
12 Assistance Agency Act.

13 (2) A process established by the applicable guarantors.

14 (3) Any other collection procedure or process deemed
15 appropriate by the agency.

16 (f) Medical Education Loan Loss Account.--An account is
17 hereby established within the agency to receive funds
18 appropriated for purposes of this section. Moneys in the account
19 are hereby appropriated to the agency to provide the loan
20 guarantor program. When funds in the account are expended, no
21 additional loans shall be offered.

22 (g) Interest rate reduction.--The agency or an offeror may
23 modify loans under this section to further reduce interest rates
24 as follows:

25 (1) The agency or the offeror may reduce the interest
26 rate of the loan by not less than 1% if the loan recipient,
27 upon completion of a graduate degree in biomedicine or life
28 sciences or upon licensure as a physician, agrees to practice
29 medicine or be employed to conduct research on a full-time
30 basis in Pennsylvania for a period of three consecutive

1 years.

2 (2) The agency or the offeror may reduce the interest
3 rate of the loan by not less than 2% if the loan recipient,
4 upon licensure as a physician, agrees to practice medicine
5 for not less than three consecutive years in a designated
6 area.

7 (h) Contract.--In addition to the requirements of subsection
8 (g), in order to be eligible for an interest rate reduction, a
9 loan recipient shall enter into a contract with the agency or an
10 offeror or its assigns at the time the loan is made. The
11 contract shall include the following:

12 (1) The loan recipient practicing in a designated area
13 shall agree to treat patients eligible for medical assistance
14 and Medicare.

15 (2) The loan recipient shall permit the agency or the
16 offeror to monitor the recipient's practice or employment to
17 determine compliance with the terms of the contract and this
18 article.

19 (3) The agency shall certify compliance with the terms
20 of the contract.

21 (4) Upon the loan recipient's death or total or
22 permanent disability, the agency or the offeror shall nullify
23 the service obligation of the recipient.

24 (5) If the loan recipient is convicted of or pleads
25 guilty or no contest to a felony or if the licensing board
26 has determined that the recipient has committed an act of
27 gross negligence in the performance of service obligations or
28 has suspended or revoked the license to practice, the agency
29 or the offeror shall terminate the loan recipient's
30 participation in the program and seek repayment of the amount

1 of the loan on the date of the conviction, determination,
2 suspension or revocation.

3 (6) A loan recipient who fails to comply with a contract
4 shall pay to the agency or the offeror the amount of loan
5 received under the original contract as of the time of
6 default. Providing false information or misrepresentation on
7 an application or verification of service shall constitute
8 default.

9 (i) Accountability.--In July 2004, the agency shall conduct
10 a performance review of the program and services provided. The
11 performance review shall include the following:

12 (1) The goals and objectives of the program.

13 (2) A determination of whether the goals and objectives
14 were achieved by the agency-participating guarantor and
15 offeror.

16 (3) The specific methodology used to evaluate the
17 results.

18 (4) Recommendations for improvement.

19 Section 2213-A. Loan forgiveness program.

20 (a) Establishment of program.--The agency shall administer a
21 loan forgiveness program for nursing school applicants on a
22 Statewide basis. The agency may provide loan forgiveness as
23 provided in subsection (b) for recipients of loans who by
24 contract with the agency agree to practice professional nursing
25 in this Commonwealth upon attainment of the required license.

26 (b) Loan forgiveness.--Agency-administered, federally
27 insured student loans for higher education provided to a nursing
28 school applicant may be forgiven by the agency as follows:

29 (1) The agency may forgive 50% of the loan, not to
30 exceed \$50,000, if a loan recipient enters into a contract

1 with the agency that requires the recipient upon successful
2 completion of an approved nursing program and licensure as a
3 registered nurse to practice nursing in this Commonwealth for
4 a period of not less than three consecutive years.

5 (2) Loan forgiveness awards made pursuant to paragraph
6 (1) shall be forgiven over a period of three years at an
7 annual rate of 33 1/3% of the award and shall be made from
8 funds appropriated for this purpose.

9 (3) The contract entered into with the agency pursuant
10 to paragraph (1) shall be considered a contract with the
11 Commonwealth and shall include the following terms:

12 (i) An unlicensed recipient shall apply for a
13 registered nurse's license to practice in this
14 Commonwealth at the earliest practicable opportunity upon
15 successfully completing a degree in nursing.

16 (ii) Within six months after licensure, a recipient
17 shall engage in the practice of nursing in this
18 Commonwealth according to the terms of the loan
19 forgiveness award.

20 (iii) The recipient shall agree to practice in a
21 licensed health care facility in the provision of direct
22 patient care on a full-time basis.

23 (iv) The recipient shall permit the agency to
24 determine compliance with the work requirement for nurses
25 and all other terms of the contract.

26 (v) Upon the recipient's death or total or permanent
27 disability, the agency shall nullify the service
28 obligation of the recipient.

29 (vi) If the recipient is convicted of or pleads
30 guilty or no contest to a felony or if the licensing

1 board has determined that the recipient has committed an
2 act of gross negligence in the performance of service
3 obligations or has suspended or revoked the license to
4 practice, the agency shall have the authority to
5 terminate the recipient's service in the program and
6 demand repayment of the amount of the loan as of the date
7 of the conviction, determination, suspension or
8 revocation.

9 (vii) Loan recipients who fail to begin or complete
10 the obligations contracted for shall pay to the agency
11 the amount of the loan received under the terms of the
12 contract pursuant to this section. Providing false
13 information or misrepresentation on an application or
14 verification of service shall be deemed a default.

15 Determination as to the time of default shall be made by
16 the agency.

17 (4) Notwithstanding 42 Pa.C.S. § 8127 (relating to
18 personal earnings exempt from process), the agency may seek
19 garnishment of wages in order to collect the amount of the
20 loan following default under paragraph (3)(vii).

21 Section 2214-A. Tax applicability.

22 Loan forgiveness repayments received by a student shall not
23 be considered taxable income for purposes of Article III of the
24 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code
25 of 1971.

26 (c) Miscellaneous Provisions.

27 Section 2231-A. Annual report.

28 (a) Development of report.--The agency shall publish a
29 report by September 1, 2002, and every year thereafter for the
30 immediately preceding fiscal year. The report shall include

1 information regarding the operation of the programs established
2 under this article, including:

3 (1) The number and amount of loan guarantees and loan
4 contracts executed and renewed for eligible applicants in
5 medicine, biomedicine or life sciences and the nursing loan
6 forgiveness program.

7 (2) The number and amount of nursing loan forgiveness
8 contracts executed and renewed for nursing school applicants.

9 (3) The number of defaulted nursing loan forgiveness
10 contracts, reported by cause.

11 (4) The number of nurses participating in the nursing
12 loan forgiveness program, reported by type of institution
13 attended, including four-year educational institutions,
14 community colleges, independent two-year colleges, private
15 licensed schools, hospital-based courses of study and
16 certificate programs.

17 (5) The number and type of enforcement actions taken by
18 the agency.

19 (b) Submission.--The annual report shall be submitted to the
20 Governor, the chair and minority chair of the Appropriations
21 Committee of the Senate, the chair and minority chair of the
22 Appropriations Committee of the House of Representatives, the
23 chair and minority chair of the Education Committee of the
24 Senate, the chair and minority chair of the Education Committee
25 of the House of Representatives, the chair and minority chair of
26 the Public Health and Welfare Committee of the Senate and the
27 chair and minority chair of the Health and Human Services
28 Committee of the House of Representatives.

29 Section 2232-A. Appeals.

30 The provisions of this article shall be subject to 22 Pa.

1 Code Ch. 121 (relating to student financial aid).

2 Section 2233-A. Regulations.

3 The agency shall adopt regulations and procedures necessary
4 to carry out the purposes of this article.

5 Section 2234-A. Funding.

6 Loan guarantor program payments and loan forgiveness
7 repayments shall be made only to the extent that funds are
8 appropriated for that purpose and are sufficient to cover
9 administration of the programs. The receipt of a loan under this
10 article shall not constitute an entitlement derived from the
11 Commonwealth or a claim on any funds of the Commonwealth.

12 Section 2596. Special Study on the Revenue Impact of Out-of-
13 State Tax Credits.--(a) The Department of Education shall
14 undertake a special study to assess the revenue impact on
15 Pennsylvania school districts of residents who work in bordering
16 states. Particular emphasis shall be placed on districts meeting
17 the following criteria:

18 (1) Districts that levy a local earned income tax under the
19 act of December 31, 1965 (P.L.1257, No.511), known as "The Local
20 Tax Enabling Act"; and

21 (2) Districts that include as resident taxpayers individuals
22 who are subject to state and/or local income taxes at their out-
23 of-State place of employment and who, therefore, claim tax
24 credits in Pennsylvania as a result of these levies.

25 (b) The assessment shall include:

26 (1) Identification of all districts which meet the above
27 criteria.

28 (2) Compilation of data indicating, on a per district basis,
29 the number of resident taxpayers claiming a tax credit for out-
30 of-State payments.

1 (3) Analysis of the individual taxpayer data in order to
2 assess the effect on the local and State revenues for each
3 affected school district.

4 (c) The Secretary of Education shall present a report
5 summarizing the results of this study to the Chairman and the
6 Minority Chairman of the House Education Committee and the
7 Chairman and the Minority Chairman of the Senate Education
8 Committee no later than April 1, 1989.]

9 Section 2603-B. Powers and Duties of the Board. * * * <--

10 ~~{(c) The board shall develop an annual operating budget,~~
11 ~~including projected operating expenses of the Professional~~
12 ~~Standards and Practices Commission. It shall include salaries~~
13 ~~for staff, office materials and equipment, and all expenses for~~
14 ~~the operation of the board and commission. This budget shall be~~
15 ~~presented to the Secretary of Education. Upon adoption of the~~
16 ~~general appropriations act, the department shall notify the~~
17 ~~board of the amount of its allocation.}~~

18 ~~(d) The board shall also have the authority and duty to:~~

19 ~~* * *~~

20 ~~{(4) (i) apply for, receive and administer, subject to any~~
21 ~~applicable regulations or laws of the Federal Government or any~~
22 ~~agency thereof, any Federal grants, appropriations, allocations~~
23 ~~and programs for the development of academic facilities on~~
24 ~~behalf of the Commonwealth, any of its school districts or any~~
25 ~~institution of higher education, public or private, within this~~
26 ~~Commonwealth;~~

27 ~~(ii) subject to criteria developed by the Secretary of~~
28 ~~Education and subject to any applicable regulations or laws of~~
29 ~~the Federal Government or any agency thereof, to develop, alter,~~
30 ~~amend and submit to the Federal Government State plans for~~

1 ~~participation in Federal grants, appropriations, allocations and~~
2 ~~programs for the development of academic facilities and to make~~
3 ~~regulations, criteria, methods, forms, procedures and to do all~~
4 ~~other things which may be necessary to make possible the~~
5 ~~participation of the Commonwealth in such Federal grants,~~
6 ~~appropriations, allocations and programs for the development of~~
7 ~~academic facilities;~~

8 ~~(iii) hold hearings, issue subpoenas and render decisions as~~
9 ~~to the priority assigned to any project, or as to any other~~
10 ~~matter or determination affecting any applicant for Federal~~
11 ~~grants, appropriations, allocations and programs for the~~
12 ~~development of academic facilities;~~

13 ~~(iv) adopt rules or procedures and prescribe regulations for~~
14 ~~the submission to it of all matters within its jurisdiction; and~~

15 ~~(v) submit, annually, to the Governor, on or before the~~
16 ~~first Monday of December, a report of its proceedings during~~
17 ~~that year, together with such recommendations as the board shall~~
18 ~~deem necessary;]~~

19 * * *

20 ~~[(10) (i) Approve or disapprove standards proposed by the~~
21 ~~department in order to comply with the provisions of the No~~
22 ~~Child Left Behind Act of 2001 to maintain the eligibility of~~
23 ~~this Commonwealth to receive Federal funding for education~~
24 ~~programs. The board shall approve or disapprove the standards~~
25 ~~within 30 days of submission to the board's office or at its~~
26 ~~next scheduled meeting, whichever is sooner. Failure of the~~
27 ~~board to approve or disapprove the standards within the time~~
28 ~~established under this section shall be deemed an approval of~~
29 ~~the standards.~~

30 ~~(ii) Standards promulgated under this section shall be~~

1 ~~deposited with the Pennsylvania Bulletin for publication.]~~

2 * * *

3 ~~[(h) Every five (5) years, the board shall adopt a master-~~
4 ~~plan for higher education which shall be for the guidance of the~~
5 ~~Governor, the General Assembly, and all institutions of higher-~~
6 ~~education financed wholly or in part from State appropriations.~~

7 ~~The master plan shall:~~

8 ~~(1) define the role of each type of institution (State owned-~~
9 ~~universities, State related universities, community colleges,~~
10 ~~private colleges and universities and off-campus centers of any-~~
11 ~~of these and other institutions authorized to grant degrees) in-~~
12 ~~this Commonwealth;~~

13 ~~(2) recommend enrollment levels for each such institution;~~

14 ~~(3) recommend methods for governance;~~

15 ~~(4) recommend methods for the distribution of State funds~~
16 ~~among the institutions;~~

17 ~~(5) evaluate the status of physical plants and technical-~~
18 ~~equipment and project needs;~~

19 ~~(6) evaluate the status of and projection of manpower needs;~~

20 ~~(7) evaluate enrollment accessibility to institutions of-~~
21 ~~higher learning by the public; and~~

22 ~~(8) otherwise provide for an orderly development of-~~
23 ~~institutions of higher education in this Commonwealth.]~~

24 * * *

25 ~~[Section 2605 B. Reports and Recommendations. (a) Annually~~
26 ~~in January, the board shall submit a comprehensive report of its~~
27 ~~activities to the Governor and the General Assembly together~~
28 ~~with its recommendations for improvements in education in this~~
29 ~~Commonwealth. The board's report shall include a statement~~
30 ~~outlining the expected benefits and projected costs of any~~

1 ~~recommended course of action. The report shall also include~~
2 ~~information regarding the ongoing review of the Master Plan for~~
3 ~~Higher Education and the Master Plan for Basic Education and~~
4 ~~list any projected changes.~~

5 ~~(b) As it deems appropriate and necessary, the board may~~
6 ~~make reports and requests to the General Assembly on such issues~~
7 ~~as, pending legislation, proposed legislation, educational~~
8 ~~policy, and any other programs or issues of which the board~~
9 ~~believes the General Assembly should be aware.†~~

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

<--