
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1257 Session of
2022

INTRODUCED BY L. WILLIAMS, FONTANA, BREWSTER, COMITTA, COLLETT,
SCHWANK, SAVAL, CAPPELLETTI, KEARNEY, COSTA, MUTH AND KANE,
JUNE 2, 2022

REFERRED TO EDUCATION, JUNE 2, 2022

AN ACT

1 Establishing the School-Based Mental Health Professionals Loan
2 Forgiveness Program; and providing for powers and duties of
3 the Department of Education and the Pennsylvania Higher
4 Education Assistance Agency.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Short title.

8 This act shall be known and may be cited as the School-Based
9 Mental Health Professionals Loan Forgiveness Act.

10 Section 2. Purposes.

11 The General Assembly declares that the purpose of this act is
12 to support residents of this Commonwealth who are licensed
13 school-based mental health professionals and provide financial
14 incentive for them to remain in this Commonwealth and work in
15 the public schools of this Commonwealth.

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall
18 have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Agency." The Pennsylvania Higher Education Assistance
3 Agency.

4 "Contract." A contract between the agency and an eligible
5 applicant entered into under section 4(c)(4).

6 "Department." The Department of Education of the
7 Commonwealth.

8 "Eligible applicant." A qualified individual who meets the
9 following criteria:

10 (1) Is a resident of this Commonwealth.

11 (2) Has been hired to work as a school-based mental
12 health professional in a school entity in this Commonwealth.

13 (3) Has successfully completed at least six months of
14 employment as a school-based mental health professional at a
15 school entity in this Commonwealth and remains in good
16 standing with the school entity.

17 (4) Has borrowed and has a current outstanding balance
18 of student loans related to the attainment of
19 postbaccalaureate credits at an eligible institution of
20 higher education.

21 (5) Agrees to work in a school entity in this
22 Commonwealth for at least four consecutive years in the
23 field.

24 "Eligible institution of higher education." An institution
25 of higher education that is eligible to receive money under
26 Title IV of the Higher Education Act of 1965 (Public Law 89-329,
27 20 U.S.C. § 1070 et seq.) and that offers a program of study as
28 follows:

29 (1) In school psychology, which:

30 (i) Is accredited or approved by the National

1 Association of School Psychologists Program Approval
2 Board or the American Psychological Association
3 Commission on Accreditation.

4 (ii) Prepares students in the program of study for
5 the State licensing or certification examination in
6 school psychology.

7 (2) In school counseling, which prepares students in the
8 program of study for the State licensing or certification
9 examination in school counseling.

10 (3) In school social work, which:

11 (i) Is accredited by the Council on Social Work
12 Education.

13 (ii) Prepares students in the program of study for
14 the State licensing or certification examination in
15 school social work.

16 (4) In school nursing, which prepares students in the
17 program of study for the State licensing or certification
18 examination in school nursing.

19 (5) In another school-based mental health field, which
20 prepares students in the program of study for the State
21 licensing or certification examination in the school-based
22 mental health field, if applicable.

23 "Program." The School-Based Mental Health Professionals Loan
24 Forgiveness Program established under section 4(a).

25 "Repayable amount." The portion of a student loan related to
26 the eligible applicant's attainment of postbaccalaureate credits
27 required by an eligible institution of higher education.

28 "School-based mental health professional." As follows:

29 (1) A school counselor, school nurse, school social
30 worker, school psychologist, home and school visitor or

1 professional with a primary focus of providing behavioral
2 support or student health services.

3 (2) The term includes only those professionals who:

4 (i) are certified under Article XI of the act of
5 March 10, 1949 (P.L.30, No.14), known as the Public
6 School Code of 1949; or

7 (ii) satisfy the department's requirements for
8 public school employment.

9 "School entity." A school district, intermediate unit, area
10 career and technical school, charter school, regional charter
11 school or cyber charter school.

12 "Underserved school entity." A school entity in this
13 Commonwealth located in an area designated as a mental health
14 care health professional shortage area by the United States
15 Health Resources and Services Administration.

16 Section 4. School-Based Mental Health Professionals Loan
17 Forgiveness Program.

18 (a) Establishment.--The School-Based Mental Health
19 Professionals Loan Forgiveness Program is established within the
20 agency.

21 (b) Powers and duties of agency.--The agency shall
22 administer the program, in consultation with the department, for
23 eligible applicants on a Statewide basis and shall have the
24 following powers and duties:

25 (1) Promoting the training of school-based mental health
26 professionals and service in underserved school entities.

27 (2) Promoting the recruitment and retention of school-
28 based mental health professionals in underserved school
29 entities, through the development and maintenance of a
30 registry of available positions and through coordination with

1 underserved school entities.

2 (3) Preparing and submitting an annual report on the
3 program as specified in section 6.

4 (4) To the extent possible, maximizing Federal, local
5 and private funding to achieve the purposes of this act.

6 (c) Loan Forgiveness.--The agency shall coordinate with the
7 department for an eligible applicant as follows:

8 (1) An eligible applicant who is selected for the
9 program in accordance with this act shall be eligible for
10 forgiveness for a portion of the student loan related to the
11 eligible applicant's attainment of postbaccalaureate credits
12 required by an eligible institution of higher education.

13 (2) The agency may forgive a proportional part of the
14 eligible applicant's loan so that the loan may be entirely
15 forgiven over four years of full-time staff work. The
16 following apply:

17 (i) No more than \$10,000 shall be forgiven in any
18 one year for an eligible applicant.

19 (ii) No more than a total of \$40,000 shall be
20 forgiven for an eligible applicant.

21 (3) Payments shall be made directly to the loan servicer
22 upon each year of successful employment and in accordance
23 with the procedures established by the agency.

24 (4) A contract for loan forgiveness under this act that
25 is entered into between an eligible applicant and the agency
26 shall be considered a contract with the Commonwealth and
27 shall include the following terms:

28 (i) The eligible applicant shall agree to be
29 employed as a school-based mental health professional by
30 a school entity located within this Commonwealth for a

1 period of at least four consecutive years in the field.

2 (ii) The eligible applicant shall permit the agency
3 to determine compliance with the work requirement and all
4 other terms of the contract.

5 (iii) Upon the death or total and permanent
6 disability of the eligible applicant, the agency shall
7 nullify the service obligation of the eligible applicant.

8 (iv) An eligible applicant and the agency shall make
9 every effort to resolve conflicts in order to prevent a
10 breach of contract.

11 (d) Limitations.--

12 (1) A loan forgiveness award under this act shall not be
13 made for a loan that is in default at the time of
14 application.

15 (2) Loan forgiveness provided under this act shall not
16 be concurrently awarded to a recipient of another
17 Commonwealth-provided loan forgiveness program.

18 Section 5. Tax applicability.

19 Loan forgiveness repayments by an eligible applicant shall
20 not be considered taxable income for purposes of Article II of
21 the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform
22 Code of 1971.

23 Section 6. Annual reports.

24 (a) Development of report.--By October 1, 2023, and each
25 October 1 thereafter, the agency, in coordination with the
26 department, shall publish a report, which shall include
27 information regarding the operation of the program for the
28 immediately preceding fiscal year, including:

29 (1) The number of contracts entered, reported in total
30 and reported separately by certification area.

1 (2) The number of individuals who applied for loan
2 repayment assistance under the program, reported in total and
3 reported separately by certification area.

4 (3) The aggregate amount of loan repayment assistance
5 payments made under the program.

6 (4) The number of defaulted contracts reported by cause.

7 (5) The number of school-based mental health
8 professionals participating in the program reported by the
9 eligible institution of higher education attended.

10 (6) The number and type of enforcement actions regarding
11 the program.

12 (7) A list of underserved school entities and the number
13 of eligible applicants employed in each underserved school
14 entity.

15 (b) Submission.--Each annual report under this section shall
16 be submitted to:

17 (1) The Governor.

18 (2) The chairperson and minority chairperson of the
19 Appropriations Committee of the Senate.

20 (3) The chairperson and minority chairperson of the
21 Appropriations Committee of the House of Representatives.

22 (4) The chairperson and minority chairperson of the
23 Education Committee of the Senate.

24 (5) The chairperson and minority chairperson of the
25 Education Committee of the House of Representatives.

26 (6) The chairperson and minority chairperson of the
27 Health and Human Services Committee of the Senate.

28 (7) The chairperson and minority chairperson of the
29 Health Committee of the House of Representatives.

30 (8) The chairperson and minority chairperson of the

1 Human Services Committee of the House of Representatives.

2 Section 7. Procedures.

3 (a) Authorization.--The agency, in consultation with the
4 department, shall adopt procedures necessary to carry out the
5 purposes of this act, including application processes, timelines
6 and appeals processes in accordance with 22 Pa. Code Ch. 121
7 (relating to student financial aid), and shall revise the
8 procedures as necessary.

9 (b) Posting.--The procedures under subsection (a) shall be
10 posted on the publicly accessible Internet websites of the
11 department and agency.

12 Section 8. Funding.

13 (a) Limitation.--Loan repayment assistance payments under
14 the program shall be made only to the extent that money is
15 appropriated for that purpose and is sufficient to cover
16 administration of the program.

17 (b) Insufficient funding.--If funding is insufficient to
18 fully fund loan forgiveness for all eligible applicants,
19 priority shall be given to eligible applicants who are employed
20 as a school-based mental health professional in an underserved
21 school entity.

22 (c) Entitlement not established.--Neither the establishment
23 of the program nor the making of a loan repayment assistance
24 payment under this act shall constitute an entitlement derived
25 from the Commonwealth or a claim on any money of the
26 Commonwealth.

27 Section 9. Effective date.

28 This act shall take effect in 60 days.