

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1210 Session of  
2019INTRODUCED BY JONES, PICKETT, RYAN, HICKERNELL, GROVE,  
ZIMMERMAN, GILLEN AND THOMAS, APRIL 15, 2019SENATOR BROWNE, APPROPRIATIONS, IN SENATE, RE-REPORTED AS  
AMENDED, MAY 28, 2020

## 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, FURTHER <--  
6 PROVIDING FOR SPECIAL EDUCATION FUNDING COMMISSION AND FOR  
7 BASIC EDUCATION FUNDING COMMISSION; IN SCHOOL FINANCES,  
8 FURTHER PROVIDING FOR PAYROLL TAX; IN GROUNDS AND BUILDINGS,  
9 FURTHER PROVIDING FOR LIMITATION ON NEW APPLICATIONS FOR  
10 DEPARTMENT OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING  
11 PROJECTS; IN SCHOOL SAFETY AND SECURITY, FURTHER PROVIDING  
12 FOR SCHOOL SAFETY AND SECURITY GRANT PROGRAM AND PROVIDING  
13 FOR COVID-19 DISASTER EMERGENCY SCHOOL HEALTH AND SAFETY  
14 GRANTS FOR 2020-2021 SCHOOL YEAR AND FOR COVID-19 DISASTER  
15 EMERGENCY TARGETED HEALTH AND SAFETY GRANTS FOR 2020-2021  
16 SCHOOL YEAR; IN TERMS AND COURSES OF STUDY, PROVIDING FOR  
17 MINIMAL NUMBER OF DAYS; IN COMMUNITY COLLEGES, FURTHER  
18 PROVIDING FOR FINANCIAL PROGRAM AND REIMBURSEMENT OF PAYMENTS  
19 AND FOR COMMUNITY COLLEGE CAPITAL FUND; IN RURAL REGIONAL  
20 COLLEGE FOR UNDERSERVED COUNTIES, FURTHER PROVIDING FOR  
21 DESIGNATION AND BOARD OF TRUSTEES; IN MISCELLANEOUS  
22 PROVISIONS RELATING TO INSTITUTIONS OF HIGHER EDUCATION,  
23 FURTHER PROVIDING FOR PUBLIC HIGHER EDUCATION FUNDING  
24 COMMISSION; IN FUNDING FOR PUBLIC LIBRARIES, PROVIDING FOR  
25 STATE AID FOR FISCAL YEAR 2020-2021; IN REIMBURSEMENTS BY  
26 COMMONWEALTH AND BETWEEN SCHOOL DISTRICTS, FURTHER PROVIDING  
27 FOR STUDENT-WEIGHTED BASIC EDUCATION FUNDING, FOR PAYMENTS TO  
28 INTERMEDIATE UNITS, FOR SPECIAL EDUCATION PAYMENTS TO SCHOOL  
29 DISTRICTS, FOR ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO BE  
30 IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL  
31 WATCH STATUS, FOR PAYMENTS ON ACCOUNT OF PUPIL TRANSPORTATION  
32 AND FOR PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC SCHOOL

1 EMPLOYEES' SOCIAL SECURITY; AND, IN CONSTRUCTIONS AND  
2 RENOVATION OF BUILDINGS BY SCHOOL ENTITIES, FURTHER PROVIDING  
3 FOR APPLICABILITY; AND repealing provisions relating to  
4 report of racial and ethnic groupings, to study of public  
5 schools that provide Internet instruction, to corporate seal,  
6 to submission of plans, to disapproval of plans, to  
7 Department of Public Instruction to prepare plans, to  
8 establishment of reorganized school districts, to advance  
9 establishment, to special school watchmen-school districts in  
10 townships of the second class, to copies of school laws, to  
11 educational broadcasting, to residences for teachers and  
12 janitors, to heating stoves to be shielded, to ventilation  
13 and thermometer, to fireproof construction, to doors to open  
14 outward and fire escapes, etc., to completion of abandoned  
15 WPA projects in districts of the third and fourth class, to  
16 condition of grounds and shade trees, to summer schools,  
17 etc., to possession of telephone pagers prohibited, to  
18 nonprofit school food program, to antitruancy programs, to  
19 medical care for children under six with defective hearing,  
20 to report, to care and treatment of pupils, to local wellness  
21 policy, to foreign language academies, to monthly reports to  
22 school directors of the districts second, third and fourth  
23 class, to Read to Succeed Program, to department duties and  
24 powers, to schools or classes, supervisors, principals,  
25 instructors, etc., to estimate of expenses and reimbursements  
26 and appropriations, to teachers of evening schools, to duties  
27 of public institutions of higher education, ~~to medical~~ <--  
28 ~~education loan assistance~~ and to special study on the revenue  
29 impact of out-of-State tax credits.

30 The General Assembly of the Commonwealth of Pennsylvania  
31 hereby enacts as follows:

32 Section 1. ~~Sections 112, 113, 212, 292, 294, 295, 296, 297, <--~~  
33 ~~510.1, 519, 523(a), 705, 736, 737, 738, 739, 760, 772, 1208,~~  
34 ~~1317.1, 1337(f), 1338.2, 1378, 1308 A, 1414, 1422.1, 1522, 1534,~~  
35 ~~Article XV B, sections 1503 E(10), 1804, 1811, 1923 and 2002~~  
36 ~~C(b), Article XXII A and section 2596~~ SECTIONS 112 AND 113 of <--  
37 the act of March 10, 1949 (P.L.30, No.14), known as the Public  
38 School Code of 1949, are repealed:

39 [Section 112. Report of Racial and Ethnic Groupings.--The  
40 Department of Education shall conduct a thorough review of the  
41 1991-1992 PennData report "Statistical Summary for 1991-1992"  
42 and identify those school districts that have special education  
43 enrollments whose gender and ethnic representation exceeds by  
44 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.]

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3 SECTION 2. SECTION 122(K) (2) OF THE ACT, AMENDED JUNE 28,  
4 2019 (P.L.117, NO.16), IS AMENDED TO READ:

5 SECTION 122. SPECIAL EDUCATION FUNDING COMMISSION.--\* \* \*

6 (K) \* \* \*

7 (2) THE COMMISSION SHALL BE RECONSTITUTED NOT LATER THAN  
8 AUGUST 15, 2019, AND SHALL ISSUE THE REPORT TO THE RECIPIENTS  
9 LISTED IN SUBSECTION (I) (5) NOT LATER THAN [NOVEMBER 30, 2019]  
10 SEPTEMBER 30, 2020. THE COMMISSION SHALL LIMIT THE SCOPE OF THE  
11 REVIEW PROVIDED FOR UNDER THIS SUBSECTION TO ONLY THE PROVISION  
12 OF SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS BY THE  
13 COMMONWEALTH THROUGH THE FUNDING FORMULA CONTAINED IN SECTION  
14 2509.5.

15 \* \* \*

16 SECTION 3. SECTION 123(K) OF THE ACT IS AMENDED TO READ:

17 SECTION 123. BASIC EDUCATION FUNDING COMMISSION.--\* \* \*

18 (K) (1) EVERY FIVE (5) YEARS, THE COMMISSION SHALL BE  
19 RECONSTITUTED IN ACCORDANCE WITH SUBSECTION (C), SHALL MEET AND  
20 HOLD PUBLIC HEARINGS TO REVIEW THE OPERATION OF THE BASIC  
21 EDUCATION FUNDING PROVISIONS OF THIS SECTION, SHALL MAKE A  
22 FURTHER REPORT AND SHALL ISSUE THE REPORT TO THE RECIPIENTS  
23 LISTED IN SUBSECTION (I) (12).

24 (2) NOTWITHSTANDING PARAGRAPH (1), THE COMMISSION SHALL BE  
25 RECONSTITUTED JULY 1, 2022, AND SHALL ISSUE THE REPORT TO THE  
26 RECIPIENTS LISTED IN SUBSECTION (H) (12) NOT LATER THAN NOVEMBER  
27 30, 2023.

28 \* \* \*

29 SECTION 4. SECTIONS 212, 292, 295, 296, 297, 510.1, 519 AND  
30 523(A) OF THE ACT ARE REPEALED:

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

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

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

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

22 Section 294. Disapproval of Plans.--When any plan of  
23 organization of administrative units for a county is disapproved  
24 by the Council of Basic Education, it shall be returned to the  
25 county board of school directors which submitted the plan for  
26 reconsideration, amendment and resubmission in accordance with  
27 the recommendations of the Council of Basic Education.

28 Section 295. Department of Public Instruction to Prepare  
29 Plans.--In the event that no plan of organization of  
30 administrative units is approved by the Council of Basic

1 Education for a county prior to January 1, 1965, the Department  
2 of Public Instruction shall prepare and place upon the agenda of  
3 the Council of Basic Education a plan of organization of  
4 administrative units for the county. When approved by the  
5 Council of Basic Education, such plan shall be deemed the  
6 approved plan of organization of administrative units for the  
7 county.

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

27 Section 296. Establishment of Reorganized School  
28 Districts.--On July 1, 1966, or on the date of advance  
29 establishment, all administrative units contained in plans of  
30 organization of administrative units approved by the Council of

1 Basic Education shall constitute and be deemed established as  
2 school districts, and shall belong to the class to which they  
3 are entitled as provided by law: Provided, however, if any  
4 approved administrative unit includes any district or districts  
5 of the second, third, or fourth class with any district of the  
6 first class A, such district or districts of the second, third,  
7 or fourth class shall be merged into and become part of said  
8 district of the first class A, and said district of the first  
9 class A as thus enlarged shall be the reorganized district and  
10 shall be considered as having had continued existence.

11 Section 297. Advance Establishment.--(a) Any administrative  
12 unit contained in a plan of organization of administrative units  
13 approved by the Council of Basic Education may constitute and be  
14 deemed established as a school district on July 1, 1964, or on  
15 July 1, 1965, when the following conditions have been satisfied:

16 (1) All appeals to the State Board of Education from the  
17 action of the Council of Basic Education approving the plan of  
18 organization of administrative units have been finally  
19 determined;

20 (2) At a regular meeting or at a special meeting called for  
21 such purpose, the board of school directors of each school  
22 district composing the administrative unit has approved by  
23 majority vote the establishment in advance of July 1, 1966, of  
24 the proposed school district contained in the plan of  
25 organization of administrative units approved by the Council of  
26 Basic Education;

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

29 (4) The Superintendent of Public Instruction certifies to  
30 the Council of Basic Education that all school districts



1 composing the administrative unit have filed resolutions with  
2 the Department of Public Instruction approving the establishment  
3 of the school district in advance of July 1, 1966. The  
4 certification shall state the date when the school district  
5 shall be deemed established.

6 (b) Any school district established in advance of July 1,  
7 1966, shall be entitled to all the benefits of this act and  
8 shall be subject to all of the provisions of this act as if the  
9 school district were constituted and deemed established on July  
10 1, 1966: Provided, however, That in the case of school districts  
11 established on July 1, 1964, the provisions of section 303.1 of  
12 this act relating to election of school directors shall be  
13 advanced two years: And provided further, That in the case of  
14 school districts established on July 1, 1965, the provisions of  
15 section 303.1 of this act shall not be advanced.

16 Section 510.1. Special School Watchmen-School Districts in  
17 Townships of the Second Class.--The board of school directors of  
18 school districts in townships of the second class may, by  
19 resolution, appoint and fix the salary of special school  
20 watchmen, who shall have the duty of patrolling school grounds  
21 and protecting school property.

22 Section 519. Copies of School Laws.--The Superintendent of  
23 Public Instruction shall send to each member of every board of  
24 school directors in the State, a bound copy of each new edition  
25 of the School Laws, as soon as possible after the same shall  
26 have been published.]

27 Section 523. Educational Broadcasting.--

28 [(a) The State Board of Education shall adopt and amend,  
29 when necessary, a State Plan for Educational Broadcasting. The  
30 State plan shall provide for the development of educational

1 broadcasting facilities in the Commonwealth and shall define  
2 educational broadcasting service areas which shall be served by  
3 specified broadcasting centers. The Department of Education  
4 shall promulgate regulations to implement the State plan. Prior  
5 to adoption or amendment of the State plan, the board shall  
6 submit the plan to the Pennsylvania Public Television Network  
7 Commission and receive its comments thereon.]

8 \* \* \*

9 SECTION 5. SECTION 689 OF THE ACT IS AMENDED TO READ:

<--

10 SECTION 689. PAYROLL TAX.--(A) A SCHOOL DISTRICT [WITHIN  
11 WHICH A FINANCIALLY DISTRESSED MUNICIPALITY IS LOCATED] MAY LEVY  
12 A PAYROLL TAX IN ACCORDANCE WITH SECTION 303 OF THE ACT OF  
13 DECEMBER 31, 1965 (P.L.1257, NO.511), KNOWN AS "THE LOCAL TAX  
14 ENABLING ACT," IF THE FOLLOWING APPLY:

15 (1) EACH [FINANCIALLY DISTRESSED] MUNICIPALITY WITHIN THE  
16 SCHOOL DISTRICT LEVIES A PAYROLL TAX PURSUANT TO SECTION 123(C)  
17 AND (D) OF THE ACT OF JULY 10, 1987 (P.L.246, NO.47), KNOWN AS  
18 THE "MUNICIPALITIES FINANCIAL RECOVERY ACT."

19 (2) THE SCHOOL DISTRICT LEVIED A MERCANTILE OR BUSINESS  
20 PRIVILEGE TAX ON A FLAT RATE OR MILLAGE BASIS IN THE YEAR THAT  
21 THE [FINANCIALLY DISTRESSED] MUNICIPALITY FILED A PETITION TO  
22 LEVY A PAYROLL TAX PURSUANT TO SECTION 123(C) OF THE  
23 "MUNICIPALITIES FINANCIAL RECOVERY ACT."

24 (B) THE FOLLOWING SHALL APPLY:

25 (1) THE TAX AUTHORIZED UNDER SUBSECTION (A) MAY BE IMPOSED  
26 AT A RATE NOT TO EXCEED A RATE SUFFICIENT TO PRODUCE REVENUES  
27 EQUAL TO REVENUES COLLECTED FROM THE LEVY OF A MERCANTILE OR  
28 BUSINESS PRIVILEGE TAX BY THE SCHOOL DISTRICT UNDER CHAPTER 3 OF  
29 "THE LOCAL TAX ENABLING ACT" IN THE [PRECEDING FISCAL YEAR.]  
30 LAST FULL FISCAL YEAR PRECEDING THE LEVY OF THE PAYROLL TAX. A

1 SCHOOL DISTRICT SHALL NOT BE REQUIRED TO BEGIN THE LEVY OF THE  
2 PAYROLL TAX ON THE FIRST DAY OF THE FISCAL YEAR. EXCEPT AS  
3 PROVIDED UNDER CLAUSE (2), A SCHOOL DISTRICT MAY LEVY A PAYROLL  
4 TAX IN ANY SUBSEQUENT YEAR AT A RATE NOT TO EXCEED THE RATE  
5 INITIALLY AUTHORIZED UNDER THIS CLAUSE.

6 (2) IN THE EVENT THAT THE RATE IMPOSED UNDER CLAUSE (1)  
7 FAILS TO PRODUCE THE REVENUES PROJECTED IN THE FIRST FULL YEAR  
8 [AFTER THE IMPOSITION] OF THE COLLECTION OF A PAYROLL TAX, A  
9 SCHOOL DISTRICT MAY AMEND THE RATE IMPOSED NOT TO EXCEED A RATE  
10 THAT IS SUFFICIENT TO PRODUCE REVENUES EQUAL TO THE REVENUES  
11 COLLECTED AS A RESULT OF THE MERCANTILE OR BUSINESS PRIVILEGE  
12 TAX IN THE FINAL FULL FISCAL YEAR IT WAS LEVIED. A SCHOOL  
13 DISTRICT MAY LEVY THE PAYROLL TAX IN ANY SUBSEQUENT YEAR AT A  
14 RATE NOT TO EXCEED THE ADJUSTED RATE AUTHORIZED UNDER THIS  
15 CLAUSE.

16 (C) AFTER IMPOSING A PAYROLL TAX UNDER THIS SECTION, THE  
17 AUTHORITY OF A SCHOOL DISTRICT TO CONTINUE TO LEVY THE PAYROLL  
18 TAX IS NOT CONTINGENT ON THE [DISTRESSED STATUS OF, OR] DECISION  
19 TO LEVY A PAYROLL TAX BY[, ] A MUNICIPALITY WITHIN THE SCHOOL  
20 DISTRICT.

21 (D) A SCHOOL DISTRICT WHICH LEVIES A PAYROLL TAX UNDER THIS  
22 SECTION MAY NOT THEREAFTER LEVY A MERCANTILE OR BUSINESS  
23 PRIVILEGE TAX.

24 (D.1) NOTWITHSTANDING SECTION 333 OF THE ACT OF JUNE 27,  
25 2006 (1ST SP.SESS., P.L.1873, NO.1), KNOWN AS THE "TAXPAYER  
26 RELIEF ACT," OR ANY OTHER PROVISION OF LAW TO THE CONTRARY, A  
27 SCHOOL DISTRICT SHALL NOT BE SUBJECT TO A REFERENDUM REQUIREMENT  
28 AS A CONDITION TO IMPOSE THE LEVY OF A PAYROLL TAX UNDER THIS  
29 SECTION.

30 (E) AS USED IN THIS SECTION, THE FOLLOWING WORDS AND PHRASES

SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SUBSECTION UNLESS  
THE CONTEXT CLEARLY INDICATES OTHERWISE:

["FINANCIALLY DISTRESSED MUNICIPALITY." A FINANCIALLY  
DISTRESSED MUNICIPALITY UNDER THE ACT OF JULY 10, 1987 (P.L.246,  
NO.47), KNOWN AS THE "MUNICIPALITIES FINANCIAL RECOVERY ACT."]

"SCHOOL DISTRICT." A SCHOOL DISTRICT COTERMINOUS WITH A HOME  
RULE MUNICIPALITY THAT IS A CITY OF THE SECOND CLASS A LOCATED  
WITHIN A HOME RULE COUNTY OF THE THIRD CLASS.

SECTION 6. SECTION 705 OF THE ACT IS REPEALED:

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

SECTION 7. SECTION 732.1(A) OF THE ACT, AMENDED JUNE 28,  
2019 (P.L.117, NO.16), IS AMENDED TO READ:

SECTION 732.1. LIMITATION ON NEW APPLICATIONS FOR DEPARTMENT  
OF EDUCATION APPROVAL OF PUBLIC SCHOOL BUILDING PROJECTS.--(A)  
FOR THE 2012-2013 FISCAL YEAR, 2013-2014 FISCAL YEAR, 2017-2018  
FISCAL YEAR, 2018-2019 FISCAL YEAR [AND], 2019-2020 FISCAL YEAR

1 AND 2020-2021 FISCAL YEAR, THE DEPARTMENT OF EDUCATION SHALL NOT  
2 ACCEPT OR APPROVE NEW SCHOOL BUILDING CONSTRUCTION OR  
3 RECONSTRUCTION PROJECT APPLICATIONS.

4 \* \* \*

5 SECTION 8. SECTIONS 736, 737, 738, 739, 760, 772, 1208,  
6 1317.1, 1337(F), 1338.2, 1378 AND 1308-A OF THE ACT ARE  
7 REPEALED:

8 [Section 736. Heating Stoves to be Shielded.--No board of  
9 school directors in this Commonwealth shall use a common heating  
10 stove for the purpose of heating any school room, unless such  
11 stove is in part enclosed within a shield or jacket made of  
12 galvanized iron, or other suitable material, and of sufficient  
13 height, and so placed, as to protect all pupils while seated at  
14 their desks from direct rays of heat.]

15 [Section 737. Ventilation; Thermometer.--No school room or  
16 recitation room shall be used in any public school which is not  
17 provided with ample means of ventilation, and whose windows,  
18 when they are the only means of ventilation, shall not admit of  
19 ready adjustment both at the top and bottom, and which does not  
20 have some device to protect pupils from currents of cold air.  
21 Every school room or recitation room shall be furnished with a  
22 thermometer.]

23 [Section 738. Fireproof Construction.--All school buildings,  
24 two or more stories high, hereafter erected or leased in any  
25 school district of the first class in this Commonwealth shall be  
26 of fireproof construction; and in any school district of the  
27 second, third, or fourth class, every building more than two  
28 stories high, hereafter built or leased for school purposes,  
29 shall be of fireproof construction.]

30 [Section 739. Doors to Open Outward; Fire Escapes; etc.--All

doors of entrance into any building used for public school purposes shall open outward.

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

Every school building shall be provided with necessary fire-escapes and safety-appliances as required by law.

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

Section 760. Completion of Abandoned WPA Projects, Districts Third and Fourth Class.--Whenever any school district of the third or fourth class, pursuant to contract with the Works Projects Administration or any other agency of the United States Government, shall have expended money for the erection of a school building to be erected by such agency, and after the erection of such building has been begun, but before the completion thereof the project is abandoned by the Works Projects Administration or other agency of the United States Government, the board of directors of such school district may, with the approval of the Superintendent of Public Instruction, enter into a contract for the immediate continuation of the work of erecting such school building to an extent necessary to protect the work already completed from loss or damage by the elements. Such contract may be let on competitive bids solicited

1 from at least three responsible bidders and approved by the  
2 Superintendent of Public Instruction.

3 Section 772. Condition of Grounds; Shade Trees.--The board  
4 of school directors in each school district shall put the  
5 grounds about every school building in a neat, proper and  
6 sanitary condition and so maintain the same and shall provide  
7 and maintain a proper number of shade trees.

8 Section 1208. Summer Schools, etc.--The State Board of  
9 Education shall provide for summer schools in State colleges,  
10 colleges, universities and other educational institutions, and  
11 for extension courses and correspondence courses for all  
12 teachers employed in the public school system of the  
13 Commonwealth who wish to acquire the minimum qualifications  
14 prescribed herein, or such further qualifications as may be  
15 desirable.

16 Section 1317.1. Possession of Telephone Pagers Prohibited.--  
17 (a) The possession by students of telephone paging devices,  
18 commonly referred to as beepers, shall be prohibited on school  
19 grounds, at school sponsored activities and on buses or other  
20 vehicles provided by the school district.

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

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

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

28 Section 1337. Nonprofit School Food Program.--\* \* \*

29 [(f) Studies, Appraisals and Reports to Governor. The  
30 Department of Education is hereby authorized, to the extent that

1 funds are available for that purpose and in cooperation with  
2 other appropriate agencies and organizations, to conduct studies  
3 of methods of improving and expanding school food programs and  
4 promoting nutritional education in the schools, to conduct  
5 appraisals of the nutritive benefits of school food programs and  
6 to report its findings and recommendations, from time to time,  
7 to the Governor.

8 Section 1338.2. Antitruancy Programs.--The Department of  
9 Education shall formulate recommendations for the General  
10 Assembly concerning the establishment and funding of effective  
11 community-based antitruancy pilot programs. In formulating these  
12 recommendations, the Department of Education shall seek advice  
13 and counsel from educators, parents, students, district  
14 attorneys, law enforcement representatives, attendance officers,  
15 social service agencies experienced in providing services to  
16 truant children, counselors, judges, probation officers and  
17 representatives from the Pennsylvania Commission on Crime and  
18 Delinquency and the Juvenile Court Judges' Commission.

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



1 medicine selected by him.

2 Section 1308-A. Report.--The Secretary of Education shall  
3 survey all school districts and nonpublic schools to determine  
4 the extent to which additional costs have been incurred in  
5 implementing administrative and reporting requirements  
6 established for public and nonpublic schools in section 1317.2  
7 and in sections 1304-A through 1307-A. The Secretary of  
8 Education shall issue a report to the chairman and the minority  
9 chairman of the Appropriations Committee and the Education  
10 Committee of the Senate and the Appropriations Committee and  
11 Education Committee of the House of Representatives by April 1,  
12 1996, concerning the extent to which additional costs have been  
13 incurred by school districts and nonpublic schools.] <--

14 SECTION 9. SECTION 1306-B(H) OF THE ACT IS AMENDED TO READ:  
15 SECTION 1306-B. SCHOOL SAFETY AND SECURITY GRANT PROGRAM.

16 \* \* \*

17 (H) SCHOOL SAFETY AND SECURITY FUND.--

18 (1) THE SCHOOL SAFETY AND SECURITY FUND IS ESTABLISHED  
19 AS A SPECIAL NONLAPSING FUND IN THE STATE TREASURY.

20 (2) ALL MONEY DEPOSITED IN THE FUND AND THE INTEREST IT  
21 ACCRUES ARE APPROPRIATED TO THE COMMISSION ON A CONTINUING  
22 BASIS TO AWARD GRANTS UNDER THIS ARTICLE.

23 (3) NO ADMINISTRATIVE ACTION SHALL PREVENT THE DEPOSIT  
24 OF MONEY INTO THE FUND IN THE FISCAL YEAR IN WHICH THE MONEY  
25 IS RECEIVED.

26 (4) THE FUND MAY ONLY BE USED FOR THE GRANT [PROGRAM]  
27 PROGRAMS AUTHORIZED UNDER THIS ARTICLE AND NO MONEY IN THE  
28 FUND MAY BE TRANSFERRED OR DIVERTED TO ANY OTHER PURPOSE BY  
29 ADMINISTRATIVE ACTION.

30 (5) MONEY AVAILABLE TO THE FUND SHALL INCLUDE

1 APPROPRIATIONS AND TRANSFERS FROM THE GENERAL FUND, SPECIAL  
2 FUNDS, FEDERAL FUNDS AND OTHER SOURCES OF REVENUE MADE  
3 AVAILABLE TO IT.

4 (6) GRANTS UNDER THIS SECTION SHALL BE AWARDED NO LATER  
5 THAN MARCH 1, 2020, AND EACH MARCH 1 THEREAFTER.

6 (7) NOT MORE THAN 12.5% OF THE FUND MAY BE ALLOCATED  
7 ANNUALLY FOR GRANTS UNDER SUBSECTION (J) (22).

8 (8) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, DURING  
9 THE 2020-2021 FISCAL YEAR, MONEY IN THE FUND SHALL BE USED AS  
10 FOLLOWS:

11 (I) THE FOLLOWING AMOUNTS FOR GRANTS UNDER SECTION  
12 1312-B:

13 (A) THE AMOUNT APPROPRIATED TO THE PENNSYLVANIA  
14 COMMISSION ON CRIME AND DELINQUENCY FOR "COVID RELIEF  
15 - FOR TRANSFER TO THE SCHOOL SAFETY AND SECURITY  
16 FUND" FOR THE 2019-2020 FISCAL YEAR.

17 (B) THE AMOUNT TRANSFERRED TO THE FUND FROM THE  
18 APPROPRIATION TO THE DEPARTMENT OF EDUCATION FOR  
19 "COVID - ESSER - SEA" FOR THE 2019-2020 FISCAL YEAR.

20 (II) FIFTY PERCENT OF THE AMOUNT TRANSFERRED TO THE  
21 FUND UNDER SECTION 1795.2-E OF THE ACT OF APRIL 9, 1929  
22 (P.L.343, NO.176), KNOWN AS THE FISCAL CODE, FOR GRANTS  
23 UNDER SECTION 1313-B.

24 (III) FIFTY PERCENT OF THE AMOUNT TRANSFERRED TO THE  
25 FUND UNDER SECTION 1795.2-E OF THE FISCAL CODE FOR GRANTS  
26 TO ELIGIBLE APPLICANTS FOR PROGRAMS DESIGNED TO REDUCE  
27 COMMUNITY VIOLENCE AS PROVIDED FOR UNDER SECTION 1306-  
28 B(J) (22).

29 (IV) THE FOLLOWING SHALL APPLY TO THE DISTRIBUTION  
30 OF MONEY UNDER SUBPARAGRAPH (I) (B):

1           (A) THE DEPARTMENT OF EDUCATION SHALL AUTHORIZE  
2           THE COMMITTEE TO DISTRIBUTE THE MONEY TRANSFERRED TO  
3           THE FUND FROM THE APPROPRIATION FOR "COVID - ESSER -  
4           SEA."

5           (B) THE SECRETARY OF EDUCATION, IN CONSULTATION  
6           WITH THE COMMITTEE, SHALL ENSURE THAT THE  
7           REQUIREMENTS UNDER SECTION 18003 OF THE CORONAVIRUS  
8           AID, RELIEF, AND ECONOMIC SECURITY ACT (PUBLIC LAW  
9           116-136, 134 STAT. 281) ARE FULFILLED.

10       \* \* \*

11       SECTION 10. THE ACT IS AMENDED BY ADDING SECTIONS TO READ:  
12       SECTION 1312-B. COVID-19 DISASTER EMERGENCY SCHOOL HEALTH AND  
13       SAFETY GRANTS FOR 2020-2021 SCHOOL YEAR.

14       (A) FUNDING.--FOR THE 2020-2021 SCHOOL YEAR, THE AMOUNT OF  
15       MONEY AVAILABLE UNDER SECTION 1306-B(H) (8) (I) SHALL BE USED BY  
16       THE COMMITTEE TO AWARD COVID-19 DISASTER EMERGENCY SCHOOL HEALTH  
17       AND SAFETY GRANTS TO SCHOOL ENTITIES.

18       (B) PURPOSES OF GRANTS.--EACH SCHOOL ENTITY SHALL BE  
19       ELIGIBLE FOR A COVID-19 DISASTER EMERGENCY SCHOOL HEALTH AND  
20       SAFETY GRANT FOR THE FOLLOWING PURPOSES:

21           (1) PURCHASING OF CLEANING AND SANITIZING PRODUCTS THAT  
22           MEET THE CENTERS FOR DISEASE CONTROL AND PREVENTION OR  
23           DEPARTMENT OF HEALTH CRITERIA.

24           (2) TRAINING AND PROFESSIONAL DEVELOPMENT OF STAFF ON  
25           SANITATION AND MINIMIZING THE SPREAD OF INFECTIOUS DISEASES.

26           (3) PURCHASING OF EQUIPMENT, INCLUDING PERSONAL  
27           PROTECTIVE EQUIPMENT, THERMOMETERS, INFRARED CAMERAS AND  
28           OTHER NECESSARY ITEMS.

29           (4) MODIFICATION OF EXISTING AREAS TO EFFECTUATE  
30           APPROPRIATE SOCIAL DISTANCING TO ENSURE THE HEALTH AND SAFETY

OF STUDENTS AND STAFF.

(5) PROVIDING MENTAL HEALTH SERVICES AND SUPPORTS,  
INCLUDING TRAUMA-INFORMED APPROACHES FOR STUDENTS IMPACTED BY  
THE COVID-19 DISASTER EMERGENCY.

(6) PURCHASING EDUCATIONAL TECHNOLOGY FOR DISTANCE  
LEARNING TO ENSURE THE CONTINUITY OF EDUCATION.

(7) OTHER HEALTH AND SAFETY PROGRAMS, ITEMS OR SERVICES  
NECESSARY TO ADDRESS THE COVID-19 DISASTER EMERGENCY.

(C) AMOUNT OF GRANTS.--THE COMMITTEE SHALL ALLOCATE GRANTS  
ON OR BEFORE JULY 15, 2020, TO EACH SCHOOL ENTITY THAT SUBMITS  
AN APPLICATION, IN THE FOLLOWING AMOUNTS:

(1) EACH SCHOOL DISTRICT SHALL RECEIVE \$120,000, PLUS AN  
AMOUNT DETERMINED IN PARAGRAPH (3).

(2) EACH INTERMEDIATE UNIT, AREA CAREER AND TECHNICAL  
SCHOOL, CHARTER SCHOOL, REGIONAL CHARTER SCHOOL AND CYBER  
CHARTER SCHOOL SHALL RECEIVE \$90,000.

(3) AN AMOUNT DETERMINED AS FOLLOWS:

(I) MULTIPLY THE 2018-2019 AVERAGE DAILY MEMBERSHIP  
FOR EACH SCHOOL DISTRICT BY THE DIFFERENCE BETWEEN THE  
AMOUNT AVAILABLE IN SUBSECTION (A) AND THE SUM OF THE  
AMOUNTS DISTRIBUTED UNDER PARAGRAPHS (1) AND (2).

(II) DIVIDE THE PRODUCT FROM SUBPARAGRAPH (I) BY THE  
2018-2019 AVERAGE DAILY MEMBERSHIP FOR ALL SCHOOL  
DISTRICTS.

(D) AVAILABILITY OF APPLICATIONS.--THE COMMITTEE SHALL MAKE  
THE APPLICATION AVAILABLE TO SCHOOL ENTITIES NO LATER THAN JUNE  
20, 2020. THE APPLICATION REQUIREMENTS SHALL BE LIMITED TO THE  
SCHOOL ENTITY'S CONTACT INFORMATION, THE SPECIFIC PURPOSE OF THE  
GRANT BASED UPON THE CATEGORIES SPECIFIED IN SUBSECTION (B) WITH  
BOXES ON THE APPLICATION FOR THE APPLICANT TO INDICATE THE

SCHOOL ENTITY'S ANTICIPATED USE AND CERTIFICATION BY THE  
APPLICANT THAT THE FUNDS WILL BE USED FOR THE STATED PURPOSE.

(E) DEADLINES FOR APPLICATIONS.--EACH SCHOOL ENTITY MUST  
SUBMIT AN APPLICATION FOR GRANT FUNDS NO LATER THAN JUNE 30,  
2020.

(F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY  
AUDIT AND MONITOR GRANT RECIPIENTS TO ENSURE THE APPROPRIATE USE  
OF GRANT FUNDS AND COMPLIANCE WITH PROVISIONS OF THE GRANT  
PROGRAM.

(G) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

"COVID-19 DISASTER EMERGENCY." THE DISASTER EMERGENCY AS  
DESCRIBED IN THE PROCLAMATION OF DISASTER EMERGENCY ISSUED BY  
THE GOVERNOR ON MARCH 6, 2020, PUBLISHED AT 50 PA.B. 1644 (MARCH  
21, 2020), AND ANY RENEWAL OF THE STATE OF DISASTER EMERGENCY.

"SCHOOL ENTITY." A SCHOOL DISTRICT, AREA CAREER AND  
TECHNICAL SCHOOL, INTERMEDIATE UNIT, CHARTER SCHOOL, REGIONAL  
CHARTER SCHOOL AND CYBER CHARTER SCHOOL.

SECTION 1313-B. COVID-19 DISASTER EMERGENCY TARGETED HEALTH AND  
SAFETY GRANTS FOR 2020-2021 SCHOOL YEAR.

(A) FUNDING.--FOR THE 2020-2021 SCHOOL YEAR, THE AMOUNT OF  
MONEY ALLOCATED FROM THE FUND UNDER 1306-B(H) (8) (II) SHALL BE  
USED BY THE COMMITTEE TO AWARD COVID-19 DISASTER EMERGENCY  
TARGETED HEALTH AND SAFETY GRANTS TO INTERMEDIATE UNITS ON  
BEHALF OF NONPUBLIC SCHOOLS.

(B) PURPOSE OF TARGETED GRANTS.--TARGETED GRANT AWARDS SHALL  
BE MADE BY THE COMMITTEE TO INTERMEDIATE UNITS ON BEHALF OF  
NONPUBLIC SCHOOLS TO FUND THE FOLLOWING PROGRAMS, ITEMS OR  
SERVICES WHICH ADDRESS THE COVID-19 DISASTER EMERGENCY:

1           (1) PURCHASING OF CLEANING AND SANITIZING PRODUCTS THAT  
2           MEET THE CENTERS FOR DISEASE CONTROL AND PREVENTION OR THE  
3           DEPARTMENT OF HEALTH CRITERIA.

4           (2) TRAINING AND PROFESSIONAL DEVELOPMENT OF STAFF ON  
5           SANITATION AND MINIMIZING THE SPREAD OF INFECTIOUS DISEASES.

6           (3) PURCHASING OF EQUIPMENT, INCLUDING PERSONAL  
7           PROTECTIVE EQUIPMENT, THERMOMETERS, INFRARED CAMERAS AND  
8           OTHER NECESSARY ITEMS.

9           (4) MODIFICATION OF EXISTING AREAS TO EFFECTUATE  
10          APPROPRIATE SOCIAL DISTANCING TO ENSURE THE HEALTH AND SAFETY  
11          OF STUDENTS AND STAFF.

12          (5) PROVIDING MENTAL HEALTH SERVICES AND SUPPORTS FOR  
13          STUDENTS IMPACTED BY THE COVID-19 DISASTER EMERGENCY.

14          (6) PURCHASING EDUCATIONAL TECHNOLOGY FOR DISTANCE  
15          LEARNING TO ENSURE THE CONTINUITY OF EDUCATION.

16          (7) OTHER HEALTH AND SAFETY PROGRAMS, ITEMS OR SERVICES  
17          NECESSARY TO ADDRESS THE COVID-19 DISASTER EMERGENCY.

18          (C) TARGETED GRANT APPLICATION PROCESS.--

19          (1) THE COMMITTEE SHALL DEVELOP AND MAKE AVAILABLE AN  
20          APPLICATION FOR INTERMEDIATE UNITS TO APPLY FOR TARGETED  
21          GRANTS ON BEHALF OF NONPUBLIC SCHOOLS BY JUNE 20, 2020.

22          (2) THE COMMITTEE SHALL NOTIFY INTERMEDIATE UNITS AND  
23          NONPUBLIC SCHOOLS OF THE AVAILABILITY OF GRANTS UNDER THIS  
24          PROGRAM, INCLUDING THE DEADLINES FOR APPLICATION.

25          (3) AN INTERMEDIATE UNIT MAY APPLY FOR TARGETED GRANTS  
26          UPON THE REQUEST OF A NONPUBLIC SCHOOL OR COMBINATION OF  
27          NONPUBLIC SCHOOLS LOCATED WITHIN THE INTERMEDIATE UNIT.

28          (4) THE APPLICATION SHALL INCLUDE THE FOLLOWING  
29          INFORMATION:

30               (I) CONTACT INFORMATION FOR THE INTERMEDIATE UNIT

1 AND THE NONPUBLIC SCHOOL;

2 (II) THE SPECIFIC PURPOSE FOR WHICH THE TARGETED  
3 GRANT SHALL BE UTILIZED BASED UPON THE CATEGORIES IN  
4 SUBSECTION (B);

5 (III) CERTIFICATION BY THE APPLICANT THAT THE FUNDS  
6 WILL BE USED FOR THE STATE PURPOSE; AND

7 (IV) ANY OTHER INFORMATION REQUIRED BY THE  
8 COMMITTEE.

9 (D) TARGETED GRANT ALLOCATION.--

10 (1) TARGETED GRANTS SHALL BE ALLOCATED THROUGH A GRANT  
11 REVIEW PROCESS ESTABLISHED BY THE COMMITTEE.

12 (2) THE TARGETED GRANT AWARDS SHALL BE GEOGRAPHICALLY  
13 DISPERSED.

14 (3) NO INTERMEDIATE UNIT ON BEHALF OF A NONPUBLIC SCHOOL  
15 SHALL BE AWARDED A TARGETED GRANT THAT EXCEEDS \$10,000. FOR  
16 TARGETED GRANT APPLICATIONS MADE BY AN INTERMEDIATE UNIT ON  
17 BEHALF OF A COMBINATION OF NONPUBLIC SCHOOLS, THE TARGETED  
18 GRANT SHALL NOT EXCEED THE VALUE OF THE NUMBER OF SCHOOLS FOR  
19 WHICH THE INTERMEDIATE UNIT IS MAKING THE COMBINED  
20 APPLICATION MULTIPLIED BY \$10,000.

21 (E) DEADLINE FOR APPLICATIONS AND AWARDS.--

22 (1) INTERMEDIATE UNITS MUST SUBMIT APPLICATIONS ON  
23 BEHALF OF A NONPUBLIC SCHOOL OR COMBINATION OF NONPUBLIC  
24 SCHOOLS NO LATER THAN JULY 8, 2020.

25 (2) THE COMMITTEE SHALL AWARD TARGETED GRANTS BY AUGUST,  
26 1, 2020.

27 (F) AUDIT AND MONITORING.--THE COMMITTEE SHALL RANDOMLY  
28 AUDIT AND MONITOR TARGETED GRANT RECIPIENTS TO ENSURE THE  
29 APPROPRIATE USE OF THE TARGETED GRANT MONEY AND COMPLIANCE WITH  
30 PROVISIONS OF THE PROGRAM APPLICABLE TO TARGETED GRANTS.

1     (G) LIMITATIONS.--IN CARRYING OUT THE DUTIES OF THIS  
2     SECTION, THE INTERMEDIATE UNIT MAY NOT USE MORE THAN 2% OF THE  
3     MONEY THE INTERMEDIATE UNIT RECEIVES UNDER THIS SECTION FOR  
4     TARGETED GRANT ADMINISTRATION.

5     (H) DEFINITIONS.--AS USED IN THIS SECTION, THE FOLLOWING  
6     WORDS AND PHRASES SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS  
7     SUBSECTION UNLESS THE CONTEXT CLEARLY INDICATES OTHERWISE:

8     "COVID-19 DISASTER EMERGENCY." THE DISASTER EMERGENCY AS  
9     DESCRIBED IN THE PROCLAMATION OF DISASTER EMERGENCY ISSUED BY  
10    THE GOVERNOR ON MARCH 6, 2020, PUBLISHED AT 50 PA.B. 1644 (MARCH  
11    21, 2020), AND ANY RENEWAL OF THE STATE OF DISASTER EMERGENCY.

12    SECTION 1501.9. MINIMUM NUMBER OF SCHOOL DAYS.--BEGINNING IN  
13    THE 2020-2021 SCHOOL YEAR, THE MINIMUM NUMBER OF SCHOOL DAYS  
14    UNDER SECTION 1501 SHALL APPLY NOTWITHSTANDING ANY ORDER ISSUED  
15    UNDER A DECLARATION OF DISASTER EMERGENCY UNDER 35 PA.C.S. §  
16    7301(C) (RELATING TO GENERAL AUTHORITY OF GOVERNOR).

17    SECTION 11. SECTIONS 1414, 1422.1, 1522 AND 1534, ARTICLE  
18    XV-B AND SECTIONS 1503-E(10), 1804, 1811 AND 1923 OF THE ACT ARE  
19    REPEALED:

20    [Section 1414. Care and Treatment of Pupils.--Any school  
21    district or joint school board may provide for the care and  
22    treatment of defective eyes, ears and teeth of all children of  
23    school age within the district.]

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

30    (c) A local education agency may submit its local wellness



1 policy or information on other initiatives regarding child  
2 health, nutrition, food allergy reaction management and physical  
3 education to the Department of Education for inclusion in the  
4 clearinghouse established under section 1422.3(3).

5 Section 1522. Foreign Language Academies.--(a) The  
6 Department of Education shall establish a summer foreign  
7 language academy grant program utilizing Federal education funds  
8 and matching grants for students in this Commonwealth. To the  
9 greatest extent possible, the department shall establish  
10 guidelines for the programs which involve the universities and  
11 colleges, local school districts and intermediate units. Those  
12 students who are to participate in the program shall be selected  
13 by the local school districts.

14 (b) At least one summer foreign language academy shall be in  
15 operation by the summer of 1993.

16 (c) The department shall prepare an annual report of the  
17 summer foreign language academies program which shall be  
18 submitted to the Governor, the Education Committee of the Senate  
19 and the Education Committee of the House of Representatives.

20 Section 1534. Monthly Reports to School Directors; Districts  
21 Second, Third and Fourth Class.--In school districts of the  
22 second, third and fourth class every teacher employed in the  
23 public schools shall, at the end of each school month, or within  
24 five days thereafter, make a report for the past month to the  
25 board of school directors. Such reports shall state correctly  
26 the number of days the schools were kept open, and, if closed on  
27 any days, the reason therefor, the number, age, and sex of all  
28 pupils, and the number of days attended by each. Such reports  
29 shall be made on blank forms to be furnished the teachers by the  
30 board of school directors. No teacher shall be paid more than

1 one-half of his salary for the current month until such report  
2 is made. Such reports shall be filed with the secretary of the  
3 board, and shall at all times be open to inspection by the  
4 public. Any school principal may make such report for the entire  
5 school.

6 ARTICLE XV-B.

7 READ TO SUCCEED PROGRAM.

8 Section 1501-B. Establishment of Program.--There is hereby  
9 established in the Department of Education the Read to Succeed  
10 Program. The program shall provide competitive grants to school  
11 districts and charter schools to build strong reading skills in  
12 Pennsylvania students. The program shall emphasize students with  
13 the greatest need for intensive reading instruction and school  
14 programs that will enable students to learn to read by the end  
15 of the third grade.

16 Section 1502-B. Eligibility Requirements.--(a) The  
17 Department of Education shall establish eligibility criteria to  
18 be used to select schools and students in kindergarten through  
19 third grade to participate in the Read to Succeed Program.

20 (b) The secretary shall establish matching requirements for  
21 grant recipients.

22 Section 1503-B. Program Requirements.--School districts and  
23 charter schools shall apply for grants as prescribed by the  
24 Department of Education. The application will contain the  
25 following:

- 26 (1) Identification of students with the greatest need.  
27 (2) Methods of ongoing assessment.  
28 (3) Reading instruction based on current reading research.  
29 (4) Integration with the reading instruction programs and  
30 activities of the school district.

1 (5) Professional development plan.

2 (6) Opportunities for extended learning time.

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

5 (8) Staff and program facilities.

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

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

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

16 Section 1505-B. Reports.--(a) A school district or charter  
17 school participating in the Read to Succeed Program shall  
18 provide program and fiscal reports as required by the Department  
19 of Education.

20 (b) Beginning in the year 2000, the department shall submit  
21 a report by December 31 of each year to the majority and  
22 minority chairman of the Education Committee of the Senate and  
23 the majority and minority chairman of the Education Committee of  
24 the House of Representatives.]

25 Section 1503-E. Department duties and powers.

26 The department shall:

27 \* \* \*

28 [(10) Prepare and submit an annual report to the  
29 Education Committee of the Senate and the Education Committee  
30 of the House of Representatives regarding the administration

1 and operation of programs and grants awarded under the grant  
2 program. The report shall include:

3 (i) A summary of the guidelines and criteria  
4 established by the department and the establishment and  
5 operation of the grant program.

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

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

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

12 (v) A description of measures utilized by school  
13 districts to provide parent, professional educator and  
14 community involvement.

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 12. SECTION 1913-A(B) (1.6) OF THE ACT IS AMENDED BY <--  
18 ADDING A SUBCLAUSE TO READ:

19 SECTION 1913-A. FINANCIAL PROGRAM; REIMBURSEMENT OF  
20 PAYMENTS.--\* \* \*

21 (B) \* \* \*

22 (1.6) FOR THE 2006-2007 FISCAL YEAR AND EACH FISCAL YEAR  
23 THEREAFTER, THE PAYMENT FOR A COMMUNITY COLLEGE SHALL CONSIST OF  
24 THE FOLLOWING:

25 \* \* \*

26 (XIII) FOR THE 2020-2021 FISCAL YEAR, EACH COMMUNITY COLLEGE  
27 SHALL RECEIVE AN AMOUNT EQUAL TO THE FOLLOWING:

28 (A) AN AMOUNT EQUAL TO THE REIMBURSEMENT FOR OPERATING COSTS  
29 RECEIVED IN FISCAL YEAR 2019-2020 UNDER SUBCLAUSE (XII) (A) AND  
30 (C).

1 (B) AN AMOUNT EQUAL TO THE ECONOMIC DEVELOPMENT STIPEND  
2 RECEIVED IN FISCAL YEAR 2019-2020 UNDER SUBCLAUSE (XII) (B).

3 \* \* \*

4 SECTION 13. SECTION 1917-A OF THE ACT IS AMENDED BY ADDING A  
5 SUBSECTION TO READ:

6 SECTION 1917-A. COMMUNITY COLLEGE CAPITAL FUND.--\* \* \*

7 (E) PAYMENTS FROM THE FUND MAY ONLY BE MADE TO COMMUNITY  
8 COLLEGES THAT RECEIVED PAYMENT UNDER 1913-A(B) (1.6) IN THE PRIOR  
9 FISCAL YEAR.

10 SECTION 14. SECTION 1905-G(3) OF THE ACT IS AMENDED TO READ:  
11 SECTION 1905-G. DESIGNATION AND BOARD OF TRUSTEES.

12 WITHIN 60 DAYS OF THE SECRETARY'S DESIGNATION UNDER SECTION  
13 1904-G(A) (2), A BOARD OF TRUSTEES SHALL BE APPOINTED TO  
14 ESTABLISH A RURAL REGIONAL COLLEGE. THE BOARD OF TRUSTEES SHALL  
15 CONSIST OF NOT FEWER THAN SEVEN MEMBERS NOR MORE THAN 15 MEMBERS  
16 APPOINTED BY THE SECRETARY IN CONSULTATION AND JOINTLY WITH THE  
17 NONPROFIT ORGANIZATION DESIGNATED UNDER SECTION 1904-G(A) (1).  
18 THE FOLLOWING SHALL APPLY TO THE BOARD OF TRUSTEES ESTABLISHED  
19 UNDER THIS SECTION:

20 \* \* \*

21 (3) VACANCIES ON THE BOARD SHALL BE FILLED BY THE  
22 EXISTING BOARD. A TRUSTEE MAY SUCCEED HIMSELF[, PROVIDED THAT  
23 NO MEMBER SHALL SERVE FOR LONGER THAN 10 YEARS.]. FOLLOWING  
24 THE EXPIRATION OF THE INITIAL TERMS ASSIGNED UNDER PARAGRAPH  
25 (2), NO MEMBER SHALL SERVE FOR MORE THAN AN ADDITIONAL THREE  
26 CONSECUTIVE TERMS.

27 \* \* \*

28 SECTION 15. SECTION 2002-C(B) OF THE ACT IS REPEALED:  
29 [Section 2002-C. Duties of public institutions of higher  
30 education.

1 \* \* \*

2 [(b) Reporting requirements.--A public institution of higher  
3 education shall submit to the department a series of interim  
4 reports outlining the actions that the public institution of  
5 higher education has undertaken or intends to undertake to  
6 comply with subsection (a), which shall be filed December 31,  
7 2006, June 30, 2007, and December 31, 2007.]

8 \* \* \*

9 ~~ARTICLE XXII A.~~

<--

10 ~~MEDICAL EDUCATION LOAN ASSISTANCE.~~

11 ~~(a) General Provisions.~~

12 ~~Section 2201 A. Scope.~~

13 ~~This article deals with medical education loan assistance.~~

14 ~~Section 2202 A. Purpose.~~

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

20 ~~Section 2203 A. Definitions.~~

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

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

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

1 ~~Agency.~~

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

5 ~~"Approved nursing program." An institution located in this~~  
6 ~~Commonwealth and accredited to grant professional and academic~~  
7 ~~degrees or diplomas in nursing as defined in the act of May 22,~~  
8 ~~1951 (P.L.317, No.69), known as The Professional Nursing Law.~~

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

12 ~~"Designated area." Any of the following:~~

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

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

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

23 ~~(1) an accredited medical college; or~~

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

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



1 ~~"Licensed health care facility." A health care facility that~~  
2 ~~is enrolled in the Commonwealth's medical assistance program and~~  
3 ~~is licensed under Article X of the act of June 13, 1967 (P.L.31,~~  
4 ~~No.21), known as the Public Welfare Code, or the act of July 19,~~  
5 ~~1979 (P.L.130, No.48), known as the Health Care Facilities Act.~~

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

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

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

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

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

25 ~~(b) Program.~~

26 ~~Section 2211 A. Pennsylvania Medical Education Loan Assistance~~  
27 ~~Program.~~

28 ~~The agency shall establish and administer the Pennsylvania~~  
29 ~~Medical Education Loan Assistance Program as set forth in~~  
30 ~~sections 2212 A and 2213 A to provide financial assistance to~~

~~individuals who acquire the required degree or diploma in  
medicine, professional nursing, biomedicine or life sciences and  
to recruit these individuals to practice their professions in  
Pennsylvania.~~

~~Section 2212 A. Loan guarantor program.~~

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

~~(b) Loan Guarantor Program. The Loan Guarantor Program  
shall provide for the following:~~

~~(1) Life of loan servicing.~~

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

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

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

~~(c) Low cost loans. An eligible applicant shall apply to an  
offeror for a low cost loan to attend an accredited medical  
college or an approved institution of higher learning. A low  
cost loan made under this subsection shall be guaranteed by an  
approved guarantor through a contract with the agency. Low cost  
loans made under this subsection shall provide reduced interest  
rates and loan fees to eligible applicants compared to loans~~

1 ~~made for the same purpose that are not guaranteed by this~~  
2 ~~article.~~

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

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

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

14 ~~(2) A process established by the applicable guarantors.~~

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

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

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

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

1 ~~basis in Pennsylvania for a period of three consecutive~~  
2 ~~years.~~

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

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

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

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

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

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

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

1 ~~participation in the program and seek repayment of the amount~~  
2 ~~of the loan on the date of the conviction, determination,~~  
3 ~~suspension or revocation.~~

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

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

13 ~~(1) The goals and objectives of the program.~~

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

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

19 ~~(4) Recommendations for improvement.~~

20 ~~Section 2213 A. Loan forgiveness program.~~

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

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

30 ~~(1) The agency may forgive 50% of the loan, not to~~

1 ~~exceed \$50,000, if a loan recipient enters into a contract~~  
2 ~~with the agency that requires the recipient upon successful~~  
3 ~~completion of an approved nursing program and licensure as a~~  
4 ~~registered nurse to practice nursing in this Commonwealth for~~  
5 ~~a period of not less than three consecutive years.~~

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

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

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

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

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

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

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

30 ~~(vi) If the recipient is convicted of or pleads~~

1 ~~guilty or no contest to a felony or if the licensing~~  
2 ~~board has determined that the recipient has committed an~~  
3 ~~act of gross negligence in the performance of service~~  
4 ~~obligations or has suspended or revoked the license to~~  
5 ~~practice, the agency shall have the authority to~~  
6 ~~terminate the recipient's service in the program and~~  
7 ~~demand repayment of the amount of the loan as of the date~~  
8 ~~of the conviction, determination, suspension or~~  
9 ~~revocation.~~

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

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

22 ~~Section 2214 A. Tax applicability.~~

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

27 ~~(c) Miscellaneous Provisions.~~

28 ~~Section 2231 A. Annual report.~~

29 ~~(a) Development of report. The agency shall publish a~~  
30 ~~report by September 1, 2002, and every year thereafter for the~~

1 ~~immediately preceding fiscal year. The report shall include~~  
2 ~~information regarding the operation of the programs established~~  
3 ~~under this article, including:~~

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

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

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

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

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

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

30 ~~Section 2232 A. Appeals.~~



~~The provisions of this article shall be subject to 22 Pa. Code Ch. 121 (relating to student financial aid).~~

~~Section 2233 A. Regulations.~~

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

~~Section 2234 A. Funding.~~

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

SECTION 16. SECTION 2001-I(I) (13) OF THE ACT, AMENDED NOVEMBER 27, 2019 (P.L.662, NO.91), IS AMENDED TO READ:  
SECTION 2001-I. PUBLIC HIGHER EDUCATION FUNDING COMMISSION.

\* \* \*

(I) ADDITIONAL POWERS AND DUTIES.--THE COMMISSION SHALL HAVE ALL OF THE FOLLOWING POWERS AND DUTIES:

\* \* \*

(13) ISSUE A REPORT OF THE COMMISSION'S FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR, THE PRESIDENT PRO TEMPORE OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE MAJORITY LEADER AND MINORITY LEADER OF THE SENATE, THE MAJORITY LEADER AND MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES, THE SECRETARY OF EDUCATION, THE STATE BOARD OF EDUCATION, THE APPROPRIATIONS COMMITTEE OF THE SENATE, THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF REPRESENTATIVES, THE EDUCATION COMMITTEE OF THE SENATE AND THE EDUCATION COMMITTEE OF THE HOUSE OF REPRESENTATIVES NOT LATER THAN NOVEMBER 30, [2020] 2021.

\* \* \*

SECTION 17. THE ACT IS AMENDED BY ADDING A SECTION TO READ:

SECTION 2324. STATE AID FOR FISCAL YEAR 2020-2021.--

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EACH  
LIBRARY SUBJECT TO 24 PA.C.S. CH. 93 (RELATING TO PUBLIC LIBRARY  
CODE), SHALL BE ELIGIBLE FOR STATE AID FOR FISCAL YEAR 2020-  
2021, AS FOLLOWS:

(1) FUNDS APPROPRIATED FOR LIBRARIES SHALL BE DISTRIBUTED TO  
EACH LIBRARY UNDER THE FOLLOWING FORMULA:

(I) DIVIDE THE AMOUNT OF FUNDING THAT THE LIBRARY RECEIVED  
IN FISCAL YEAR 2019-2020 UNDER SECTION 2323 BY THE TOTAL STATE-  
AID SUBSIDY FOR FISCAL YEAR 2019-2020.

(II) MULTIPLY THE QUOTIENT UNDER SUBPARAGRAPH (I) BY THE  
TOTAL STATE-AID SUBSIDY FOR FISCAL YEAR 2020-2021.

(2) FOLLOWING DISTRIBUTION OF FUNDS APPROPRIATED FOR STATE  
AID TO LIBRARIES UNDER PARAGRAPH (1), ANY REMAINING FUNDS MAY BE  
DISTRIBUTED AT THE DISCRETION OF THE STATE LIBRARIAN.

(3) IF FUNDS APPROPRIATED FOR STATE AID TO LIBRARIES IN  
FISCAL YEAR 2020-2021 ARE LESS THAN FUNDS APPROPRIATED IN FISCAL  
YEAR 2002-2003, THE STATE LIBRARIAN MAY WAIVE STANDARDS AS  
PRESCRIBED IN 24 PA.C.S. CH. 93.

(4) EACH LIBRARY SYSTEM RECEIVING STATE AID UNDER THIS  
SECTION MAY DISTRIBUTE THE LOCAL LIBRARY SHARE OF THAT AID IN A  
MANNER AS DETERMINED BY THE BOARD OF DIRECTORS OF THE LIBRARY  
SYSTEM.

(5) IN THE CASE OF A LIBRARY SYSTEM THAT CONTAINS A LIBRARY  
OPERATING IN A CITY OF THE SECOND CLASS, CHANGES TO THE  
DISTRIBUTION OF STATE AID TO THE LIBRARY SHALL BE MADE BY MUTUAL  
AGREEMENT BETWEEN THE LIBRARY AND THE LIBRARY SYSTEM.

(6) IN THE EVENT OF A CHANGE IN DISTRICT LIBRARY CENTER

1 POPULATION PRIOR TO THE EFFECTIVE DATE OF THIS SECTION AS A  
2 RESULT OF:

3 (I) A CITY, BOROUGH, TOWN, TOWNSHIP, SCHOOL DISTRICT OR  
4 COUNTY MOVING FROM ONE LIBRARY CENTER TO ANOTHER; OR

5 (II) A TRANSFER OF DISTRICT LIBRARY CENTER STATUS TO A  
6 COUNTY LIBRARY SYSTEM;

7 FUNDING OF DISTRICT LIBRARY CENTER AID SHALL BE PAID BASED ON  
8 THE POPULATION OF THE NEWLY ESTABLISHED OR RECONFIGURED DISTRICT  
9 LIBRARY CENTER.

10 (7) IN THE EVENT OF A CHANGE IN DIRECT SERVICE AREA FROM ONE  
11 LIBRARY TO ANOTHER, THE STATE LIBRARIAN, UPON AGREEMENT OF THE  
12 AFFECTED LIBRARIES, MAY REDISTRIBUTE THE LOCAL LIBRARY SHARE OF  
13 AID TO THE LIBRARY CURRENTLY SERVICING THE AREA.

14 SECTION 18. SECTION 2502.53(B) INTRODUCTORY PARAGRAPH OF THE  
15 ACT, AMENDED JUNE 28, 2019 (P.L.117, NO.16), IS AMENDED AND THE  
16 SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

17 SECTION 2502.53. STUDENT-WEIGHTED BASIC EDUCATION FUNDING.--

18 \* \* \*

19 (B) FOR THE 2015-2016 SCHOOL YEAR AND EACH SCHOOL YEAR  
20 THEREAFTER, EXCEPT THE 2019-2020 SCHOOL YEAR WHICH SHALL BE  
21 GOVERNED BY SUBSECTION (B.1), THE COMMONWEALTH SHALL PAY TO EACH  
22 SCHOOL DISTRICT A BASIC EDUCATION FUNDING ALLOCATION WHICH SHALL  
23 CONSIST OF THE FOLLOWING:

24 \* \* \*

25 (B.1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT TO THE  
26 CONTRARY, FOR THE 2019-2020 SCHOOL YEAR, THE COMMONWEALTH SHALL  
27 PAY EACH SCHOOL DISTRICT A BASIC EDUCATION FUNDING ALLOCATION  
28 EQUAL TO THE AMOUNT IT RECEIVED FOR THE 2018-2019 SCHOOL YEAR  
29 UNDER THIS SECTION.

30 \* \* \*

SECTION 19. SECTION 2509.1(C.2)(1) OF THE ACT, AMENDED JUNE 28, 2019 (P.L.117, NO.16), IS AMENDED TO READ:

SECTION 2509.1. PAYMENTS TO INTERMEDIATE UNITS.--\* \* \*

(C.2) THE FOLLOWING APPLY:

(1) FOR THE 2016-2017, 2017-2018, 2018-2019 [AND] 2019-2020 AND 2020-2021 SCHOOL YEARS, FIVE AND FIVE-TENTHS PERCENT (5.5%) OF THE STATE SPECIAL EDUCATION APPROPRIATION SHALL BE PAID TO INTERMEDIATE UNITS ON ACCOUNT OF SPECIAL EDUCATION SERVICES.

\* \* \*

SECTION 20. SECTION 2509.5(BBB)(1) INTRODUCTORY PARAGRAPH OF THE ACT IS AMENDED AND THE SECTION IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 2509.5. SPECIAL EDUCATION PAYMENTS TO SCHOOL DISTRICTS.--\* \* \*

(BBB) (1) DURING THE 2016-2017 SCHOOL YEAR AND EACH SCHOOL YEAR THEREAFTER, EXCEPT THE 2020-2021 SCHOOL YEAR WHICH SHALL BE GOVERNED BY SUBSECTION (CCC), EACH SCHOOL DISTRICT SHALL RECEIVE AN AMOUNT EQUAL TO THE AMOUNT IT RECEIVED FOR THE 2013-2014 SCHOOL YEAR UNDER SUBSECTION (AAA) AND A STUDENT-BASED ALLOCATION. THE TOTAL AMOUNT AVAILABLE TO DISTRIBUTE TO SCHOOL DISTRICTS THROUGH THE STUDENT-BASED ALLOCATION SHALL EQUAL THE DIFFERENCE BETWEEN THE AMOUNT ALLOCATED FOR SPECIAL EDUCATION PAYMENTS FOR SCHOOL DISTRICTS AND THE SUM OF THE AMOUNTS RECEIVED UNDER SUBSECTION (AAA) FOR THE 2013-2014 SCHOOL YEAR TO ALL SCHOOL DISTRICTS. THE STUDENT-BASED ALLOCATION FOR EACH SCHOOL DISTRICT SHALL BE CALCULATED AS FOLLOWS:

\* \* \*

(CCC) NOTWITHSTANDING ANY PROVISION TO THE CONTRARY, DURING THE 2020-2021 SCHOOL YEAR, EACH SCHOOL DISTRICT SHALL BE PAID THE AMOUNT IT RECEIVED DURING THE 2019-2020 SCHOOL YEAR UNDER

1 SUBSECTION (BBB).

2 SECTION 21. SECTION 2510.3(A)(2) OF THE ACT, AMENDED JUNE  
3 28, 2019 (P.L.117, NO.16), IS AMENDED TO READ:

4 SECTION 2510.3. ASSISTANCE TO SCHOOL DISTRICTS DECLARED TO  
5 BE IN FINANCIAL RECOVERY STATUS OR IDENTIFIED FOR FINANCIAL  
6 WATCH STATUS.--(A) THE FOLLOWING APPLY:

7 \* \* \*

8 (2) FOR THE 2017-2018, 2018-2019 [AND], 2019-2020 AND 2020-  
9 2021 FISCAL YEARS, THE DEPARTMENT OF EDUCATION MAY UTILIZE UP TO  
10 SEVEN MILLION DOLLARS (\$7,000,000) OF UNDISTRIBUTED FUNDS NOT  
11 EXPENDED, ENCUMBERED OR COMMITTED FROM APPROPRIATIONS FOR  
12 GRANTS, SUBSIDIES AND ASSESSMENTS MADE TO THE DEPARTMENT OF  
13 EDUCATION TO ASSIST SCHOOL DISTRICTS DECLARED TO BE IN FINANCIAL  
14 RECOVERY STATUS UNDER SECTION 621-A, IDENTIFIED FOR FINANCIAL  
15 WATCH STATUS UNDER SECTION 611-A OR IDENTIFIED FOR FINANCIAL  
16 WATCH STATUS UNDER SECTION 694-A; EXCEPT THAT THE FUNDS MUST BE  
17 FIRST UTILIZED TO ACCOMPLISH THE PROVISIONS CONTAINED IN SECTION  
18 695-A. THE FUNDS SHALL BE TRANSFERRED BY THE SECRETARY OF THE  
19 BUDGET TO A RESTRICTED ACCOUNT AS NECESSARY TO MAKE PAYMENTS  
20 UNDER THIS SECTION AND, WHEN TRANSFERRED, ARE HEREBY  
21 APPROPRIATED TO CARRY OUT THE PROVISIONS OF THIS SECTION.

22 \* \* \*

23 SECTION 22. SECTION 2541 OF THE ACT IS AMENDED BY ADDING A  
24 SUBSECTION TO READ:

25 SECTION 2541. PAYMENTS ON ACCOUNT OF PUPIL TRANSPORTATION.--

26 \* \* \*

27 (G) BEGINNING WITH THE 2020-2021 FISCAL YEAR, THE SECRETARY  
28 OF EDUCATION SHALL REPORT ON A QUARTERLY BASIS IN PERSON TO THE  
29 SECRETARY OF THE BUDGET, THE CHAIRPERSON AND MINORITY  
30 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND

THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
COMMITTEE OF THE HOUSE OF REPRESENTATIVES INFORMATION  
DOCUMENTING ALL PAYMENTS FROM THE APPROPRIATION FOR PUPIL  
TRANSPORTATION DURING THE FISCAL YEAR AND A REVISED ESTIMATE OF  
THE FUNDS NEEDED TO MAKE THE REQUIRED PAYMENTS FOR THE REMAINDER  
OF THE FISCAL YEAR.

SECTION 23. SECTION 2596 OF THE ACT IS REPEALED:

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

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

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

(b) The assessment shall include:

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

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

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

(c) The Secretary of Education shall present a report

1 summarizing the results of this study to the Chairman and the  
2 Minority Chairman of the House Education Committee and the  
3 Chairman and the Minority Chairman of the Senate Education  
4 Committee no later than April 1, 1989.]

5 ~~Section 2. This act shall take effect in 60 days.~~ <--

6 SECTION 24. SECTION 2599.7(C) OF THE ACT, AMENDED JUNE 28, <--  
7 2019 (P.L.117, NO.16), IS AMENDED AND THE SECTION IS AMENDED BY  
8 ADDING SUBSECTIONS TO READ:

9 SECTION 2599.7. PAYMENT OF REQUIRED CONTRIBUTION FOR PUBLIC  
10 SCHOOL EMPLOYES' SOCIAL SECURITY.--\* \* \*

11 (C) FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, IF  
12 INSUFFICIENT FUNDS ARE AVAILABLE FOR PAYMENT OF THE AMOUNTS  
13 CALCULATED UNDER 24 PA.C.S. § 8329 FOR SCHOOL DISTRICTS, THE  
14 DEPARTMENT OF EDUCATION SHALL NOTIFY THE GOVERNOR, THE  
15 CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
16 COMMITTEE OF THE SENATE AND THE CHAIRPERSON AND MINORITY  
17 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE HOUSE OF  
18 REPRESENTATIVES OF THE AMOUNT OF THE INSUFFICIENCY. AN AMOUNT  
19 EQUAL TO THE INSUFFICIENCY MAY ONLY BE PAID TO SCHOOL DISTRICTS  
20 FROM A SUPPLEMENTAL APPROPRIATION IN THE GENERAL APPROPRIATIONS  
21 ACT [FOR THE SUBSEQUENT FISCAL YEAR].

22 \* \* \*

23 (F) BEGINNING WITH THE 2020-2021 FISCAL YEAR, THE SECRETARY  
24 OF EDUCATION SHALL REPORT ON A QUARTERLY BASIS IN PERSON TO THE  
25 SECRETARY OF THE BUDGET, THE CHAIRPERSON AND MINORITY  
26 CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE OF THE SENATE AND  
27 THE CHAIRPERSON AND MINORITY CHAIRPERSON OF THE APPROPRIATIONS  
28 COMMITTEE OF THE HOUSE OF REPRESENTATIVES INFORMATION  
29 DOCUMENTING ALL WAGES FOR WHICH PAYMENTS ARE CALCULATED UNDER 24  
30 PA.C.S. § 8329 (RELATING TO PAYMENTS ON ACCOUNT OF SOCIAL

1 SECURITY DEDUCTIONS FROM APPROPRIATIONS) FOR THE FISCAL YEAR,  
2 THE REQUIRED PAYMENT AMOUNTS DURING THE FISCAL YEAR AND A  
3 REVISED ESTIMATE OF THE FUNDS NEEDED TO MAKE THE REQUIRED  
4 PAYMENTS FOR THE REMAINDER OF THE FISCAL YEAR.

5 (G) THE DEPARTMENT SHALL ENSURE PAYMENTS MADE UNDER 24  
6 PA.C.S. § 8329 FROM THE APPROPRIATION FOR BASIC EDUCATION  
7 FUNDING ARE REPORTED SEPARATELY IN THE COMMONWEALTH'S ACCOUNTING  
8 SYSTEM.

9 SECTION 25. SECTION 2608-J OF THE ACT, ADDED JULY 2, 2019  
10 (P.L.417, NO.70), IS AMENDED TO READ:

11 SECTION 2608-J. APPLICABILITY.

12 THIS ARTICLE SHALL APPLY TO PROJECTS FOR WHICH APPROVAL AND  
13 REIMBURSEMENT IS SOUGHT [AFTER THE EFFECTIVE DATE OF THIS  
14 SECTION.] AND TO THE MAINTENANCE PROJECT GRANT PROGRAM BEGINNING  
15 JULY 1, 2021.

16 SECTION 26. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

17 (1) THE AMENDMENT OF SECTION 689 OF THE ACT SHALL TAKE  
18 EFFECT IN 30 DAYS.

19 (2) THE REPEAL OF SECTIONS 112, 113, 212, 292, 294, 295,  
20 296, 297, 510.1, 519, 523(A), 705, 736, 737, 738, 739, 760,  
21 772, 1208, 1317.1, 1337(F), 1338.2, 1378, 1308-A, 1414,  
22 1422.1, 1522 AND 1534, ARTICLE XV-B AND SECTIONS 1503-E(10),  
23 1804, 1811, 1923, 2002-C(B) AND 2596 OF THE ACT SHALL TAKE  
24 EFFECT IN 60 DAYS.

25 (3) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT  
26 IMMEDIATELY.