

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," repealing provisions relating to
6 report of racial and ethnic groupings, to study of public
7 schools that provide Internet instruction, to corporate seal,
8 to submission of plans, to approval of plans, to disapproval
9 of plans, to Department of Public Instruction to prepare
10 plans, to establishment of reorganized school districts, to
11 advance establishment, to special school watchmen-school
12 districts in townships of the second class, to copies of
13 school laws, to educational broadcasting, to residences for
14 teachers and janitors, to heating stoves to be shielded, to
15 ventilation and thermometer, to fireproof construction, to
16 doors to open outward and fire escapes, etc., to water-
17 closets and out-houses, to completion of abandoned WPA
18 projects, districts of the third and fourth class, to
19 condition of grounds and shade trees, to summer schools,
20 etc., to possession of telephone pagers prohibited, to
21 nonprofit school food program, to antitruancy programs, to
22 medical care for children under six with defective hearing,
23 to report, to care and treatment of pupils and to local
24 wellness policy; further providing for fire and emergency
25 evacuation drills; repealing provisions relating to foreign
26 language academies, to monthly reports to school directors in
27 districts second, third and fourth class, to alcohol,
28 chemical and tobacco abuse program, to read to succeed, to
29 reporting, to department duties and powers; further providing
30 for duties of State Board for Vocational Education and
31 reports; repealing provisions related to schools or classes,
32 supervisors, principals, instructors and etc., to estimate of
33 expenses and reimbursements and appropriations and to

1 teachers of evening schools; further providing for powers and
2 duties of the board of trustees; repealing provisions related
3 to annual report, to duties of public institutions of higher
4 education, to medical education loan assistance, to special
5 study on the revenue impact of out-of-State tax credits, and
6 to powers and duties of the board and to reports and
7 recommendations.

8 The General Assembly of the Commonwealth of Pennsylvania

9 hereby enacts as follows:

10 Section 1. Section 112 of the act of March 10, 1949 (P.L.30,
11 No.14), known as the Public School Code of 1949, added June 7,
12 1993 (P.L.49, No.16), is repealed:

13 [Section 112. Report of Racial and Ethnic Groupings.--The
14 Department of Education shall conduct a thorough review of the
15 1991-1992 PennData report "Statistical Summary for 1991-1992"
16 and identify those school districts that have special education
17 enrollments whose gender and ethnic representation exceeds by
18 five percent (5%) the gender and ethnic makeup of the student
19 population for the 1991-1992 school year. The Department of
20 Education shall report to the Committee on Education in the
21 Senate and the Committee on Education in the House of
22 Representatives by October 1993 the findings of the review by
23 the Department of Education, an outline of what further
24 investigative steps should be taken, recommendations for
25 appropriate actions to be taken by the Department of Education
26 and any technical assistance services to be provided by the
27 Department of Education to school districts.]

28 Section 2. Section 113 of the act, added June 22, 2001
29 (P.L.530, No.35), is repealed:

30 [Section 113. Study of Public Schools that Provide Internet
31 Instruction.--(a) The Department of Education shall conduct a
32 study of public schools that provide instruction primarily
33 through the Internet. The study shall include:

- 1 (1) a review of academic accountability methods and systems;
2 (2) a summary of governance structures, approval processes
3 and oversight mechanisms of each public school that provides
4 instruction primarily through the Internet;
5 (3) an analysis and verification of the actual and
6 reasonable instructional cost per student for each public school
7 that provides instruction primarily through the Internet; and
8 (4) recommendations regarding funding alternatives.

9 (b) The Department of Education shall prepare a report that
10 includes its findings and recommendations from the study and
11 shall provide the report to the chairman and the minority
12 chairman of the Education Committee of the Senate and the
13 chairman and minority chairman of the Education Committee of the
14 House of Representatives by October 30, 2001.

15 (c) In the event that the report required under subsection
16 (b) is not provided by October 30, 2001, no school district
17 shall pay to any public school that provides instruction
18 primarily through the Internet an amount to exceed two thousand
19 dollars (\$2,000) per resident student enrolled.]

20 Section 3. Section 212 of the act is repealed:

21 [Section 212. Corporate Seal.--Each school district in this
22 Commonwealth may, by a majority vote of the members of the board
23 of school directors of such district, adopt a corporate seal for
24 the use of said district. The seal shall have engraved thereon
25 the following: "School District of,
26 Pennsylvania," and such other inscription or design as the board
27 of school directors may direct.]

28 Section 4. Sections 292, 293, 294 and 295 of the act, added
29 August 8, 1963 (P.L.564, No.299), are repealed:

30 [Section 292. Submission of Plans.--Each county board of

1 school directors, on or before July 1, 1964, shall prepare a
2 plan of organization of administrative units for the county,
3 conforming to the standards for approval of administrative units
4 adopted by the State Board of Education. The plan shall be
5 submitted to the Department of Public Instruction not less than
6 thirty (30) days nor more than sixty (60) days after it is
7 prepared. Any school district which considers itself aggrieved
8 by the plan may set forth its specific objections in a petition
9 which shall be served by registered or certified mail on the
10 secretary of the county board of school directors. All such
11 petitions filed shall be appended to the plan prior to
12 submission to the Department of Public Instruction. No plan of
13 organization of administrative units shall be submitted which
14 violates any written agreement entered into by several school
15 districts for the establishment of a joint school or department,
16 unless the agreement is amended to provide that it shall be
17 discontinued at the time the proposed administrative unit is
18 deemed established as a school district. A plan of organization
19 of administrative units shall be deemed to violate a written
20 agreement entered into by several school districts for the
21 establishment of a joint school or department only when it
22 formulates an administrative unit, which in whole or in part
23 comprises less than all of the school districts joined by such
24 agreement. In preparing its plans, a county board of school
25 directors shall confer with school directors and administrators
26 of all school districts of the county, and may confer with the
27 staff of the Department of Public Instruction and upon written
28 request shall confer with other interested persons. Each plan
29 shall assure the continuity of special education and area
30 technical school programs by providing special education and

1 area technical school attendance areas established in accordance
2 with standards approved by the State Board of Education.

3 Each county board of school directors which prepared and
4 submitted to the Department of Public Instruction prior to
5 January 1, 1963, a plan of organization of administrative units
6 for the county, shall, in compliance with the provisions hereof,
7 reconsider such plan and submit the same or a revised plan on or
8 before July 1, 1964, irrespective of the action taken on the
9 prior plan. In those cases where the prior plan was approved by
10 the State Council of Education, the plan submitted when approved
11 by the Council of Basic Education shall supersede the prior
12 approved plan as the plan of organization of administrative
13 units for the county.

14 Section 293. Approval of Plans.--(a) When any plan of
15 organization of administrative units for a county is found to
16 conform to the standards for approval of administrative units
17 adopted by the State Board of Education, the Department of
18 Public Instruction shall cause such plan to be placed upon the
19 agenda of the Council of Basic Education. The Council of Basic
20 Education shall review all plans placed upon its agenda, and
21 approve such plans as it deems wise in the best interests of the
22 educational system of the Commonwealth. Except as hereinafter
23 provided, no plan of organization of administrative units shall
24 be approved in which any proposed school district contains a
25 pupil population of less than four thousand (4,000), unless when
26 factors of topography, pupil population, community
27 characteristics, transportation of pupils, use of existing
28 school buildings, existing administrative units, potential
29 population changes and the capability of providing a
30 comprehensive program of education are considered by the Council

1 of Basic Education as requiring the approval of a plan of
2 organization of administrative units in which one or more
3 proposed school districts contains a pupil population of less
4 than four thousand (4,000). (b) A plan of organization of
5 administrative units for a county shall be approved by the
6 Council of Basic Education, if the plan contains (i) no unit
7 with a pupil population less than that of the unit with the
8 smallest pupil population in the last previous county-wide plan
9 submitted to and approved by the State Council of Education
10 prior to September 12, 1961, and (ii) no more units than were in
11 the aforesaid county-wide plan plus an additional unit for each
12 second class district which was not required to be a part of
13 such county-wide plan and which was not included in an
14 administrative unit thereof. (c) Pupil population as used in
15 this section shall mean the average daily membership for the
16 school year 1961-1962 including kindergarten or grade one
17 through grade twelve.

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

24 Section 295. Department of Public Instruction to Prepare
25 Plans.--In the event that no plan of organization of
26 administrative units is approved by the Council of Basic
27 Education for a county prior to January 1, 1965, the Department
28 of Public Instruction shall prepare and place upon the agenda of
29 the Council of Basic Education a plan of organization of
30 administrative units for the county. When approved by the

1 Council of Basic Education, such plan shall be deemed the
2 approved plan of organization of administrative units for the
3 county.

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

23 Section 5. Section 296 of the act, amended June 2, 1965
24 (P.L.86, No.59), is repealed:

25 [Section 296. Establishment of Reorganized School
26 Districts.--On July 1, 1966, or on the date of advance
27 establishment, all administrative units contained in plans of
28 organization of administrative units approved by the Council of
29 Basic Education shall constitute and be deemed established as
30 school districts, and shall belong to the class to which they

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

9 Section 6. Section 297 of the act, added August 8, 1963
10 (P.L.564, No.299), is repealed:

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

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

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

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

30 (4) The Superintendent of Public Instruction certifies to

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

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

17 Section 7. Section 510.1 of the act, added January 14, 1952
18 (1951 P.L.2031, No.569), is repealed:

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

25 Section 8. Section 519 of the act is repealed:

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

1 Section 9. Section 523(a) of the act, amended November 2,
2 1973 (P.L.321, No.103), is repealed:

3 Section 523. Educational Broadcasting.--

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

14 * * *

15 Section 10. Section 705 of the act, amended October 21, 1965
16 (P.L.601, No.312), is repealed:

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

1 the same as other school property.]

2 Section 11. Sections 736, 737 and 738 of the act are
3 repealed:

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

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

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

26 Section 12. Section 739 of the act, amended March 23, 1972
27 (P.L.118, No.43), is repealed:

28 [Section 739. Doors to Open Outward; Fire Escapes; etc.--All
29 doors of entrance into any building used for public school
30 purposes shall open outward.

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

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

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

14 Section 13. Sections 740, 760 and 772 of the act are
15 repealed:

16 [Section 740. Water-closets or Out-houses.--The board of
17 school directors in every district shall, with every building
18 used for school purposes, provide and maintain in a proper
19 manner, a suitable number of water-closets or out-houses, not
20 less than two for each building, where both sexes are in
21 attendance. Such water-closets or out-houses shall be suitably
22 constructed for, and used separately by, the sexes. When any
23 water-closets or out-houses are outside and detached from the
24 school building, the entrances thereto shall be properly
25 screened, and they shall, unless constructed at a remote
26 distance from each other, have separate means of access thereto,
27 and, if possible, for not less than twenty-five (25) feet from
28 such water-closets or out-houses, such means of access or walks
29 leading thereto shall be separated by a closed partition, wall,
30 or fence, not less than seven (7) feet high.

1 The board of school directors shall keep all water-closets or
2 out-houses, used in connection with any school building, in a
3 clean and sanitary condition, and shall, not less than ten (10)
4 days prior to the opening of any term of school, and oftener if
5 necessary, have them properly cleaned and disinfected by the use
6 of fresh-dry-slacked lime, or other proper disinfecting
7 materials.

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

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

30 Section 14. Section 1208 of the act, amended October 21,

1 1965 (P.L.601, No.312), is repealed:

2 [Section 1208. Summer Schools, etc.--The State Board of
3 Education shall provide for summer schools in State colleges,
4 colleges, universities and other educational institutions, and
5 for extension courses and correspondence courses for all
6 teachers employed in the public school system of the
7 Commonwealth who wish to acquire the minimum qualifications
8 prescribed herein, or such further qualifications as may be
9 desirable.]

10 Section 15. Section 1317.1 of the act, added December 22,
11 1989 (P.L.749, No.103), is repealed:

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

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

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

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

24 Section 16. Section 1337(f) of the act, amended December 6,
25 1972 (P.L.1430, No.314), is repealed:

26 Section 1337. Nonprofit School Food Program.

27 * * *

28 [(f) Studies, Appraisals and Reports to Governor. The
29 Department of Education is hereby authorized, to the extent that
30 funds are available for that purpose and in cooperation with

1 other appropriate agencies and organizations, to conduct studies
2 of methods of improving and expanding school food programs and
3 promoting nutritional education in the schools, to conduct
4 appraisals of the nutritive benefits of school food programs and
5 to report its findings and recommendations, from time to time,
6 to the Governor.]

7 Section 17. Section 1338.2 of the act, added November 17,
8 1995 (1st Sp.Sess., P.L.1110, No.29), is repealed:

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

20 Section 18. Section 1378 of the act is repealed:

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

1 the schools of the school district. Such care and treatment may
2 be administered by the medical examiner or by some doctor of
3 medicine selected by him.]

4 Section 19. Section 1308-A of the act, added June 30, 1995
5 (P.L.220, No.26), is repealed:

6 [Section 1308-A. Report.--The Secretary of Education shall
7 survey all school districts and nonpublic schools to determine
8 the extent to which additional costs have been incurred in
9 implementing administrative and reporting requirements
10 established for public and nonpublic schools in section 1317.2
11 and in sections 1304-A through 1307-A. The Secretary of
12 Education shall issue a report to the chairman and the minority
13 chairman of the Appropriations Committee and the Education
14 Committee of the Senate and the Appropriations Committee and
15 Education Committee of the House of Representatives by April 1,
16 1996, concerning the extent to which additional costs have been
17 incurred by school districts and nonpublic schools.]

18 Section 20. Section 1414 of the act, added July 15, 1957
19 (P.L.937, No.404), is 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 21. Section 1422.1 of the act, amended June 30, 2012
25 (P.L.684, No.82), is repealed:

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

1 for schools within the local education agency.

2 (c) A local education agency may submit its local wellness
3 policy or information on other initiatives regarding child
4 health, nutrition, food allergy reaction management and physical
5 education to the Department of Education for inclusion in the
6 clearinghouse established under section 1422.3(3).]

7 Section 22. Section 1517(d) of the act, amended January 14,
8 1970 (1969 P.L.468, No.192), is amended to read:

9 Section 1517. Fire and Emergency Evacuation Drills.--* * *

10 (d) (1) All schools using or contracting for school buses
11 for the transportation of school children shall conduct on
12 school grounds two emergency evacuation drills on buses during
13 each school year, the first to be conducted during the first
14 week of the first school term and the second during the month of
15 March, and at such other times as the chief school administrator
16 may require. Each such drill shall include the practice and
17 instruction concerning the location, use and operation of
18 emergency exit doors and fire extinguishers and the proper
19 evacuation of buses in the event of fires or accidents.

20 (2) Bus operators shall be provided with proper training and
21 instructions to enable them to carry out the provisions of this
22 subsection and may be required to attend classes and drills in
23 connection therewith.

24 [On or before the tenth day of April of each year, each
25 district superintendent shall certify to the Department of
26 Public Instruction that the emergency evacuation drills herein
27 required have been held.]

28 Section 23. Section 1522 of the act, amended August 5, 1991
29 (P.L.219, No.25), is repealed:

30 [Section 1522. Foreign Language Academies.--(a) The

1 Department of Education shall establish a summer foreign
2 language academy grant program utilizing Federal education funds
3 and matching grants for students in this Commonwealth. To the
4 greatest extent possible, the department shall establish
5 guidelines for the programs which involve the universities and
6 colleges, local school districts and intermediate units. Those
7 students who are to participate in the program shall be selected
8 by the local school districts.

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

11 (c) The department shall prepare an annual report of the
12 summer foreign language academies program which shall be
13 submitted to the Governor, the Education Committee of the Senate
14 and the Education Committee of the House of Representatives.]

15 Section 24. Section 1534 of the act is repealed:

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

1 report for the entire school.]

2 Section 25. Section 1547(h) of the act, amended December 19,
3 1990 (P.L.1362, No.211), is repealed:

4 Section 1547. Alcohol, Chemical and Tobacco Abuse Program.--

5 * * *

6 [(h) On or before June 1, 1992, the Secretary of Education
7 shall report to the General Assembly concerning the 1991-1992
8 school year activities of the Department of Education pertaining
9 to the provisions of this section and concerning proposed 1992-
10 1993 school year activities of the Department of Education
11 pertaining to this section.]

12 * * *

13 Section 26. The heading of Article XV-B of the act, added
14 June 26, 1999 (P.L.394, No.36), is repealed:

15 [ARTICLE XV-B.

16 READ TO SUCCEED PROGRAM.]

17 Section 27. Sections 1501-B, 1502-B, 1503-B, 1504-B and
18 1505-B of the act, added June 26, 1999 (P.L.934, No.36), are
19 repealed:

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

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

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

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

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

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

9 (2) Methods of ongoing assessment.

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

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

13 (5) Professional development plan.

14 (6) Opportunities for extended learning time.

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

17 (8) Staff and program facilities.

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

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

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

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

1 of Education.

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

7 Section 28. Section 1516-D of the act, added July 20, 2007
8 (P.L.278, No.45), is repealed:

9 [Section 1516-D. Reporting.

10 (a) General rule.--No later than October 1, 2008, and
11 October 1 of each year thereafter in which funding is
12 appropriated for the purpose of providing grants to approved
13 providers under this subarticle, the department shall submit a
14 report to the chairman and minority chairman of the
15 Appropriations Committee of the Senate, the chairman and
16 minority chairman of the Appropriations Committee of the House
17 of Representatives, the chairman and minority chairman of the
18 Education Committee of the Senate and the chairman and minority
19 chairman of the Education Committee of the House of
20 Representatives summarizing the operation of the program for the
21 immediately preceding fiscal year. The report shall include:

22 (1) A description of the operation of the program,
23 including:

24 (i) The criteria used to determine the eligibility
25 of a provider for funding under the program.

26 (ii) The criteria used to determine the amount of
27 grant funds paid to approved providers.

28 (iii) A summary of the process used by eligible
29 providers to apply for grant funds, including sample
30 copies of all application forms, instructions, guidelines

1 and deadlines.

2 (2) A summary of the total amount of grant funds paid to
3 approved providers.

4 (3) A summary of the allowable uses of grant funds under
5 the program.

6 (4) A description of the assessments used to measure the
7 academic progress of eligible students served through the
8 program.

9 (5) A listing by county of each eligible provider
10 submitting a grant application and indicating whether the
11 eligible provider received funding and the amount thereof.

12 (6) For each approved provider, a report by county
13 indicating:

14 (i) Name.

15 (ii) Address.

16 (iii) The number of eligible students served through
17 the program.

18 (iv) The use or uses of the grant funds.

19 (v) The assessment of academic progress of each
20 eligible student served through the program.

21 (vi) Of the eligible students served through the
22 program, the number who are three years of age and the
23 number who are four years of age.

24 (vii) To the extent possible, the total number of
25 students receiving pre-kindergarten services itemized to
26 identify:

27 (A) The number of students receiving services as
28 a result of tuition paid by the parent or guardian.

29 (B) The number of students receiving services
30 through the program.

1 (C) The number of students receiving services
2 through the State Head Start Supplemental Assistance
3 and Federal Head Start programs.

4 (viii) To the extent possible, a financial summary
5 indicating the total expenditures of each approved
6 provider and indicating as components of those
7 expenditures the total revenues received from the
8 Commonwealth through early childhood programs
9 administered by the Department of Public Welfare, the
10 total revenues received from the Commonwealth under the
11 program and the total revenues received from
12 nonparticipating families with children enrolled in the
13 program.

14 (ix) The enrollment goals as set forth in the grant
15 application.

16 (x) To the extent possible, the number of eligible
17 students served through the program who were funded
18 through the subsidized day-care programs administered by
19 the Department of Public Welfare and the number of
20 eligible students served through the program who were
21 funded through the Federal Head Start program or the
22 State Head Start Supplemental Assistance program.

23 (b) Interim report.--No later than February 1, 2008, the
24 department shall submit an interim report regarding the program
25 to the chairman and minority chairman of the Appropriations
26 Committee of the Senate, the chairman and minority chairman of
27 the Appropriations Committee of the House of Representatives,
28 the chairman and minority chairman of the Education Committee of
29 the Senate and the chairman and minority chairman of the
30 Education Committee of the House of Representatives summarizing

1 the operation of the program for the 2007-2008 fiscal year. The
2 interim report shall include the items listed in subsection (a)
3 (1), (2), (3), (4), (5) and (6)(i), (ii), (iii), (iv), (vi) and
4 (ix).]

5 Section 29. Section 1503-E(10) of the act, added July 4,
6 2004 (P.L.536, No.70), is repealed:

7 Section 1503-E. Department duties and powers.

8 The department shall:

9 * * *

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

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

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

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

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

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

27 Section 30. Section 1803 of the act, amended December 22,
28 1965 (P.L.1150, No.446), is amended to read:

29 Section 1803. Duties of State Board for Vocational
30 Education; Reports.--The State Board for Vocational Education is

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

14 Section 31. Section 1804 of the act, amended January 14,
15 1970 (1969 P.L.468, No.192), is repealed:

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

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

27 Section 32. Section 1811 of the act, amended June 19, 1961
28 (P.L.470, No.236), is repealed:

29 [Section 1811. Estimate of Expenses and Reimbursements;
30 Appropriations.--On or before the first Wednesday of January of

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

17 Section 33. Section 1923 of the act is repealed:

18 [Section 1923. Teachers of Evening Schools.--All teachers of
19 evening schools must have proper certificates as provided in
20 this act.]

21 Section 34. Section 1906.1-B(c) of the act, added December
22 9, 2002 (P.L.1472, No.187), is amended to read:

23 Section 1906.1-B. Powers and Duties of the Board of
24 Trustees.--* * *

25 (c) The board of trustees shall coordinate, review and
26 approve the annual capital budget requirements of the college
27 and the annual operating budget of the college. It shall present
28 these annual budgets with comments to the Secretary of Education
29 for presentation to the State Board of Education. [The State
30 Board of Education shall return such budget requests,

1 recommending approval or disapproval, with comments, if any, to
2 the Secretary of Education prior to their submission to the
3 Secretary of the Budget.] The board of trustees may also submit
4 its budget recommendations and findings to the General Assembly
5 subsequent to the submission of the Governor's budget to the
6 General Assembly.

7 * * *

8 Section 35. Section 1916-B of the act, added December 9,
9 2002 (P.L.1472, No.187), is repealed:

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

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

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

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

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

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

28 Section 36. Section 2002-C(b) of the act, added July 11,
29 2006 (P.L.1092, No.114), is repealed:

30 Section 2002-C. Duties of public institutions of higher

1 education.

2 * * *

3 [(b) Reporting requirements.--A public institution of higher
4 education shall submit to the department a series of interim
5 reports outlining the actions that the public institution of
6 higher education has undertaken or intends to undertake to
7 comply with subsection (a), which shall be filed December 31,
8 2006, June 30, 2007, and December 31, 2007.]

9 * * *

10 Section 37. The headings of Article XXII-A and Subdivision
11 (a) of the act, added October 30, 2001 (P.L.828, No.83), are
12 repealed:

13 [ARTICLE XXII-A.

14 MEDICAL EDUCATION LOAN ASSISTANCE.

15 (a) General Provisions.]

16 Section 38. Sections 2201-A, 2202-A and 2203-A of the act,
17 added October 30, 2001 (P.L.828, No.83), are repealed:

18 [Section 2201-A. Scope.

19 This article deals with medical education loan assistance.

20 Section 2202-A. Purpose.

21 The purpose of this article is to provide an incentive to
22 Pennsylvania students to pursue higher education and training in
23 medicine, professional nursing, biomedicine and the life
24 sciences in order to maintain the delivery of quality health
25 care services in this Commonwealth.

26 Section 2203-A. Definitions.

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

30 "Accredited medical college." An institution of higher

1 education located in this Commonwealth that is accredited by the
2 Liaison Committee on Medical Education to provide courses in
3 medicine and empowered to grant professional and academic
4 degrees in medicine as defined in the act of December 20, 1985
5 (P.L.457, No.112), known as the Medical Practice Act of 1985.

6 "Agency." The Pennsylvania Higher Education Assistance
7 Agency.

8 "Approved institution of higher learning." An institution of
9 higher learning located in this Commonwealth and approved by the
10 agency.

11 "Approved nursing program." An institution located in this
12 Commonwealth and accredited to grant professional and academic
13 degrees or diplomas in nursing as defined in the act of May 22,
14 1951 (P.L.317, No.69), known as The Professional Nursing Law.

15 "Degree in medicine." A degree from an accredited medical
16 college that qualifies the degree recipient to be licensed as a
17 physician.

18 "Designated area." Any of the following:

19 (1) A geographic area of this Commonwealth that is
20 designated by the Secretary of Health as having a shortage of
21 physicians.

22 (2) A geographic area of this Commonwealth designated by
23 the United States Department of Health and Human Services as
24 a medically underserved area or designated to have a
25 medically underserved population.

26 "Eligible applicant." An individual who holds an
27 undergraduate degree from an institution of higher learning and
28 is enrolled in:

29 (1) an accredited medical college; or

30 (2) an approved institution of higher learning for

1 purposes of obtaining a graduate degree in biomedicine or
2 life sciences.

3 "Guarantor." An insurance company or not-for-profit
4 guarantor whose primary purpose is to provide default coverage
5 and loss prevention services to an offeror of unsecured student
6 loans.

7 "Licensed health care facility." A health care facility that
8 is enrolled in the Commonwealth's medical assistance program and
9 is licensed under Article X of the act of June 13, 1967 (P.L.31,
10 No.21), known as the Public Welfare Code, or the act of July 19,
11 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

12 "Nursing school applicant." An individual who is a resident
13 of this Commonwealth and is enrolled in an approved nursing
14 program.

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

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

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

25 "Work requirement for nurses." Postgraduate, full-time
26 employment in direct patient care with a licensed health care
27 facility located in this Commonwealth in an occupation related
28 to an approved course of study. The term does not include a paid
29 student internship, a paid fellowship, volunteer service or
30 employment before graduation.]

1 Section 39. The heading of Subdivision (b) of Article XXII-A
2 of the act, added October 30, 2001 (P.L.828, No.83), is
3 repealed:

4 [(b) Program.]

5 Section 40. Sections 2211-A, 2212-A, 2213-A and 2214-A of
6 the act, added October 30, 2001 (P.L.828, No.83), are repealed:
7 [Section 2211-A. Pennsylvania Medical Education Loan Assistance
8 Program.

9 The agency shall establish and administer the Pennsylvania
10 Medical Education Loan Assistance Program as set forth in
11 sections 2212-A and 2213-A to provide financial assistance to
12 individuals who acquire the required degree or diploma in
13 medicine, professional nursing, biomedicine or life sciences and
14 to recruit these individuals to practice their professions in
15 Pennsylvania.

16 Section 2212-A. Loan guarantor program.

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

22 (b) Loan Guarantor Program.--The Loan Guarantor Program
23 shall provide for the following:

24 (1) Life of loan servicing.

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

28 (3) Predetermining the eligibility of applicants who
29 receive a loan from an offeror to attend an accredited
30 medical school or an approved institution of higher learning

1 that is insured by a guarantor.

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

5 (c) Low-cost loans.--An eligible applicant shall apply to an
6 offeror for a low-cost loan to attend an accredited medical
7 college or an approved institution of higher learning. A low-
8 cost loan made under this subsection shall be guaranteed by an
9 approved guarantor through a contract with the agency. Low-cost
10 loans made under this subsection shall provide reduced interest
11 rates and loan fees to eligible applicants compared to loans
12 made for the same purpose that are not guaranteed by this
13 article.

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

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

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

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

26 (3) Any other collection procedure or process deemed
27 appropriate by the agency.

28 (f) Medical Education Loan Loss Account.--An account is
29 hereby established within the agency to receive funds
30 appropriated for purposes of this section. Moneys in the account

1 are hereby appropriated to the agency to provide the loan
2 guarantor program. When funds in the account are expended, no
3 additional loans shall be offered.

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

7 (1) The agency or the offeror may reduce the interest
8 rate of the loan by not less than 1% if the loan recipient,
9 upon completion of a graduate degree in biomedicine or life
10 sciences or upon licensure as a physician, agrees to practice
11 medicine or be employed to conduct research on a full-time
12 basis in Pennsylvania for a period of three consecutive
13 years.

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

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

24 (1) The loan recipient practicing in a designated area
25 shall agree to treat patients eligible for medical assistance
26 and Medicare.

27 (2) The loan recipient shall permit the agency or the
28 offeror to monitor the recipient's practice or employment to
29 determine compliance with the terms of the contract and this
30 article.

1 (3) The agency shall certify compliance with the terms
2 of the contract.

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

6 (5) If the loan recipient is convicted of or pleads
7 guilty or no contest to a felony or if the licensing board
8 has determined that the recipient has committed an act of
9 gross negligence in the performance of service obligations or
10 has suspended or revoked the license to practice, the agency
11 or the offeror shall terminate the loan recipient's
12 participation in the program and seek repayment of the amount
13 of the loan on the date of the conviction, determination,
14 suspension or revocation.

15 (6) A loan recipient who fails to comply with a contract
16 shall pay to the agency or the offeror the amount of loan
17 received under the original contract as of the time of
18 default. Providing false information or misrepresentation on
19 an application or verification of service shall constitute
20 default.

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

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

25 (2) A determination of whether the goals and objectives
26 were achieved by the agency-participating guarantor and
27 offeror.

28 (3) The specific methodology used to evaluate the
29 results.

30 (4) Recommendations for improvement.

1 Section 2213-A. Loan forgiveness program.

2 (a) Establishment of program.--The agency shall administer a
3 loan forgiveness program for nursing school applicants on a
4 Statewide basis. The agency may provide loan forgiveness as
5 provided in subsection (b) for recipients of loans who by
6 contract with the agency agree to practice professional nursing
7 in this Commonwealth upon attainment of the required license.

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

11 (1) The agency may forgive 50% of the loan, not to
12 exceed \$50,000, if a loan recipient enters into a contract
13 with the agency that requires the recipient upon successful
14 completion of an approved nursing program and licensure as a
15 registered nurse to practice nursing in this Commonwealth for
16 a period of not less than three consecutive years.

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

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

24 (i) An unlicensed recipient shall apply for a
25 registered nurse's license to practice in this
26 Commonwealth at the earliest practicable opportunity upon
27 successfully completing a degree in nursing.

28 (ii) Within six months after licensure, a recipient
29 shall engage in the practice of nursing in this
30 Commonwealth according to the terms of the loan

1 forgiveness award.

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

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

8 (v) Upon the recipient's death or total or permanent
9 disability, the agency shall nullify the service
10 obligation of the recipient.

11 (vi) If the recipient is convicted of or pleads
12 guilty or no contest to a felony or if the licensing
13 board has determined that the recipient has committed an
14 act of gross negligence in the performance of service
15 obligations or has suspended or revoked the license to
16 practice, the agency shall have the authority to
17 terminate the recipient's service in the program and
18 demand repayment of the amount of the loan as of the date
19 of the conviction, determination, suspension or
20 revocation.

21 (vii) Loan recipients who fail to begin or complete
22 the obligations contracted for shall pay to the agency
23 the amount of the loan received under the terms of the
24 contract pursuant to this section. Providing false
25 information or misrepresentation on an application or
26 verification of service shall be deemed a default.
27 Determination as to the time of default shall be made by
28 the agency.

29 (4) Notwithstanding 42 Pa.C.S. § 8127 (relating to
30 personal earnings exempt from process), the agency may seek

1 garnishment of wages in order to collect the amount of the
2 loan following default under paragraph (3)(vii).

3 Section 2214-A. Tax applicability.

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

8 Section 41. The heading of Subdivision (c) of Article XXII-A
9 of the act, added October 30, 2001 (P.L.828, No.83), is
10 repealed:

11 [(c) Miscellaneous Provisions.]

12 Section 42. Sections 2231-A, 2232-A, 2233-A and 2234-A of
13 the act, added October 30, 2001 (P.L.828, No.83), are repealed:
14 [Section 2231-A. Annual report.

15 (a) Development of report.--The agency shall publish a
16 report by September 1, 2002, and every year thereafter for the
17 immediately preceding fiscal year. The report shall include
18 information regarding the operation of the programs established
19 under this article, including:

20 (1) The number and amount of loan guarantees and loan
21 contracts executed and renewed for eligible applicants in
22 medicine, biomedicine or life sciences and the nursing loan
23 forgiveness program.

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

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

28 (4) The number of nurses participating in the nursing
29 loan forgiveness program, reported by type of institution
30 attended, including four-year educational institutions,

1 community colleges, independent two-year colleges, private
2 licensed schools, hospital-based courses of study and
3 certificate programs.

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

6 (b) Submission.--The annual report shall be submitted to the
7 Governor, the chair and minority chair of the Appropriations
8 Committee of the Senate, the chair and minority chair of the
9 Appropriations Committee of the House of Representatives, the
10 chair and minority chair of the Education Committee of the
11 Senate, the chair and minority chair of the Education Committee
12 of the House of Representatives, the chair and minority chair of
13 the Public Health and Welfare Committee of the Senate and the
14 chair and minority chair of the Health and Human Services
15 Committee of the House of Representatives.

16 Section 2232-A. Appeals.

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

19 Section 2233-A. Regulations.

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

22 Section 2234-A. Funding.

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

29 Section 43. Section 2596 of the act, added October 20, 1988
30 (P.L.827, No.110), is repealed:

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

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

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

14 (b) The assessment shall include:

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

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

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

23 (c) The Secretary of Education shall present a report
24 summarizing the results of this study to the Chairman and the
25 Minority Chairman of the House Education Committee and the
26 Chairman and the Minority Chairman of the Senate Education
27 Committee no later than April 1, 1989.]

28 Section 44. Section 2603-B(c), (d)(4) and (10) and (h) of
29 the act, amended or added March 30, 1988 (P.L.321, No.43), June
30 29, 2002 (P.L.524, No.88) and December 23, 2003 (P.L.304, No.48)

1 are repealed:

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

3 [(c) The board shall develop an annual operating budget,
4 including projected operating expenses of the Professional
5 Standards and Practices Commission. It shall include salaries
6 for staff, office materials and equipment, and all expenses for
7 the operation of the board and commission. This budget shall be
8 presented to the Secretary of Education. Upon adoption of the
9 general appropriations act, the department shall notify the
10 board of the amount of its allocation.]

11 * * *

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

13 * * *

14 [(4) (i) apply for, receive and administer, subject to any
15 applicable regulations or laws of the Federal Government or any
16 agency thereof, any Federal grants, appropriations, allocations
17 and programs for the development of academic facilities on
18 behalf of the Commonwealth, any of its school districts or any
19 institution of higher education, public or private, within this
20 Commonwealth;

21 (ii) subject to criteria developed by the Secretary of
22 Education and subject to any applicable regulations or laws of
23 the Federal Government or any agency thereof, to develop, alter,
24 amend and submit to the Federal Government State plans for
25 participation in Federal grants, appropriations, allocations and
26 programs for the development of academic facilities and to make
27 regulations, criteria, methods, forms, procedures and to do all
28 other things which may be necessary to make possible the
29 participation of the Commonwealth in such Federal grants,
30 appropriations, allocations and programs for the development of

1 academic facilities;

2 (iii) hold hearings, issue subpoenas and render decisions as
3 to the priority assigned to any project, or as to any other
4 matter or determination affecting any applicant for Federal
5 grants, appropriations, allocations and programs for the
6 development of academic facilities;

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

9 (v) submit, annually, to the Governor, on or before the
10 first Monday of December, a report of its proceedings during
11 that year, together with such recommendations as the board shall
12 deem necessary;]

13 * * *

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

24 (ii) Standards promulgated under this section shall be
25 deposited with the Pennsylvania Bulletin for publication.]

26 * * *

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

1 The master plan shall:

2 (1) define the role of each type of institution (State-owned
3 universities, State-related universities, community colleges,
4 private colleges and universities and off-campus centers of any
5 of these and other institutions authorized to grant degrees) in
6 this Commonwealth;

7 (2) recommend enrollment levels for each such institution;

8 (3) recommend methods for governance;

9 (4) recommend methods for the distribution of State funds
10 among the institutions;

11 (5) evaluate the status of physical plants and technical
12 equipment and project needs;

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

14 (7) evaluate enrollment accessibility to institutions of
15 higher learning by the public; and

16 (8) otherwise provide for an orderly development of
17 institutions of higher education in this Commonwealth.]

18 Section 45. Section 2605-B of the act, added March 30, 1988
19 (P.L.321, No.43), is repealed:

20 [Section 2605-B. Reports and Recommendations.--(a) Annually
21 in January, the board shall submit a comprehensive report of its
22 activities to the Governor and the General Assembly together
23 with its recommendations for improvements in education in this
24 Commonwealth. The board's report shall include a statement
25 outlining the expected benefits and projected costs of any
26 recommended course of action. The report shall also include
27 information regarding the ongoing review of the Master Plan for
28 Higher Education and the Master Plan for Basic Education and
29 list any projected changes.

30 (b) As it deems appropriate and necessary, the board may

1 make reports and requests to the General Assembly on such issues
2 as, pending legislation, proposed legislation, educational
3 policy, and any other programs or issues of which the board
4 believes the General Assembly should be aware.]
5 Section 46. This act shall take effect in 60 days.