

**CHAPTER 115. INSTRUCTIONAL MATERIALS FOR NONPUBLIC
SCHOOL STUDENTS****GENERAL PROVISIONS**

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Authority

The provisions of this Chapter 115 issued under section 973 of the Public School Code of 1949 (24 P. S. § 9-973), unless otherwise noted.

Source

The provisions of this Chapter 115 adopted April 23, 1976, 6 Pa.B. 948, unless otherwise noted.

GENERAL PROVISIONS**§ 115.1. Definitions.**

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

Department—The Department of Education of the Commonwealth.

Instructional materials—Preprepared learning materials which are secular, neutral, and nonideological in character and are of benefit to the instruction of school children on an individual basis and are presently or hereafter provided for public school children of the Commonwealth.

(i) Examples of instructional materials which may be loaned are: books, periodicals, documents, pamphlets, musical scores, desk charts, games, study prints and pictures, desk maps, models, compasses, protractors, rulers, meter sticks, abacuses, thermometers, test tubes, safety goggles, gloves, counting frames, T-squares, specimens used for dissection, kits, and blocks or cubes.

(ii) Examples of instructional materials which cannot be loaned are: textbooks, chemicals, wall maps and charts, pencils, notebooks, chalk, eras-

ers, duplicating fluids or paper, 16 mm films, unexposed film, blank cassettes, or other consumable supplies.

Nonpublic school—Any school, other than a public school within this Commonwealth, wherein a resident of this Commonwealth may legally fulfill the compulsory school attendance requirements of the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702) and which meet the requirements of Title VI of the Act of July 2, 1964, Pub. L. 88-352 (78 Stat. 241).

Secretary—The Secretary of Education or his designee.

ADMINISTRATION

§ 115.21. Responsible agent.

The Secretary is hereby designated as the responsible agent for loaning instructional materials to students enrolled in nonpublic schools. This responsibility includes a review of instructional materials, fiscal control, fund accounting, and record retention.

§ 115.22. Eligibility.

Any student is eligible to receive instructional materials on a loan basis under this chapter who is enrolled in grades K-12 inclusive in a nonpublic school, who is a resident of this Commonwealth and whose tuition is not paid by the Commonwealth.

§ 115.23. Program procedures.

(a) Parents or guardians, by use of the following form, shall request the loan of instructional materials for the use of their child enrolled as a student in a particular school:

Certificate of Individual Request for Loan of Instructional Materials

To: Secretary of Education
Department of Education
Box 911
Harrisburg, Pennsylvania 17126

I hereby request the loans of instructional materials in accordance with Act 90 of 1975, for my child(ren) attending (Name of School) _____
in Borough, City, Town, County) _____ .

Signed _____

Parent, Guardian

Date _____

(b) The certificate set forth in subsection (a) shall be filed at the opening of each school year for each student who desires the loan of instructional materials.

(c) The nonpublic school shall be responsible for retaining on file such certificates. A letter stating that the certificates are on file shall be sent to the Coordinator for Nonpublic Educational Services each year by the principal.

(d) The Coordinator for Nonpublic Educational Services shall distribute instructional material request forms which will be of standard format no less than two weeks prior to their required submission together with an allocation of funds for this program. Each nonpublic school shall submit on or before June 30 of the preceding school year all requests of students for instructional materials for the subsequent school year. These requests shall be compiled and submitted as follows:

- (1) Each request form shall include at least 5.0% of the total cost of instructional materials for transportation charges.
- (2) Each request form shall reflect the most current price of instructional materials which is available.
- (e) The Department will issue purchase orders after a review of each request.
- (f) Invoices shall be submitted directly to the Department.
- (g) Nonpublic school officials shall identify all instructional materials loaned to students enrolled in their schools in the following manner:
Pennsylvania Department of Education Act 90
School year _____ (to be updated annually)
- (h) Nonpublic school officials shall upon delivery of instructional materials to students be responsible for submitting a completed receiving report.
- (i) Upon submission of the receiving report by the nonpublic school official the Department will begin the process of issuing payments.

§ 115.24. Inventory.

All instructional materials purchased through funds appropriated for this program will be maintained on a Statewide inventory by the Department.

§ 115.25. Allocations.

The Secretary will not be required to purchase or otherwise acquire instructional materials, the total cost of which in any school year shall exceed an amount equal to \$5.00 multiplied by the number of Commonwealth resident children enrolled as of October 1 of the preceding year in grades K-12 inclusive.

§ 115.26. Administrative funds.

- (a) A maximum of 1.0% of the appropriation for the purchase of instructional materials may be used by the Secretary for administering the program.
- (b) Administrative funds not needed for administration shall be used for the purchase or acquisition of instructional materials.

§ 115.27. Program review.

This program will be evaluated periodically.

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(238094) No. 279 Feb. 98

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