

No. 90

AN ACT

HB 1440

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for the loan of textbooks and instructional materials for the benefit of children attending nonpublic schools in this Commonwealth.

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

Section 1. Subsections (b), (c), (d) and (e) of section 923-A, act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," added July 12, 1972 (P.L.863, No.195) and subsection (d) amended July 18, 1974 (P.L.475, No.169), are amended by adding a definition to subsection (b) and amending subsections (c), (d) and (e) to read:

Section 923-A. Loan of Textbooks, Instructional Materials and Equipment, Nonpublic School Children.—* * *

(b) Definitions. The following terms, whenever used or referred to in this section, shall have the following meanings, except in those circumstances where the context clearly indicates otherwise:

* * *

"Instructional materials" means pre-prepared 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.

* * *

(c) Loan of Textbooks *and Instructional Materials*. The Secretary of Education directly, or through the intermediate units, shall have the power and duty to purchase textbooks *and instructional materials* and, upon individual request, to loan them to all children residing in the Commonwealth who are enrolled in grades kindergarten through twelve of a nonpublic school [**wherein the requirements of the compulsory attendance provisions of this act may be met**]. Such textbooks *and instructional materials* shall be loaned free to such children subject to such rules and regulations as may be prescribed by the Secretary of Education, *due regard being had to the feasibility of making loans of particular instructional materials on an individual basis.*

¹"education" in original.

(d) Purchase of **[Books] Textbooks and Instructional Materials.** The secretary shall not be required to purchase or otherwise acquire textbooks, pursuant to this section, the total cost of which, in any school year, shall exceed an amount equal to twelve dollars (**\$12**) for the school year 1973-1974, **[and] fifteen dollars (\$15)** for the school year beginning July 1, 1974 and **twenty dollars (\$20) for each school year** thereafter **or instructional materials, the total cost of which, in any school year, shall exceed an amount equal to five dollars (\$5.00)**, multiplied by the number of children residing in the Commonwealth who on the first day of October of **[such] the school year immediately preceding** are enrolled in grades kindergarten through twelve of a nonpublic school. **[within the Commonwealth in which the requirements of the compulsory attendance provisions of this act may be met.**

(e) **Purchase of Instructional Materials and Equipment.** Pursuant to requests from the appropriate nonpublic school official on behalf of nonpublic school pupils, the Secretary of Education shall have the power and duty to purchase directly, or through the intermediate units, or otherwise acquire, and to loan to such nonpublic schools, **instructional materials and equipment, useful to the education of such children, the total cost of which, in any school year, shall be an amount equal to but not more than twenty-five dollars (\$25) multiplied by the number of children residing in the Commonwealth who on the first day of October of such school year, are enrolled in grades kindergarten through twelve of a nonpublic school in which the requirements of the compulsory attendance provisions of this act may be met.]**

Section 2. This act shall take effect immediately.

APPROVED—The 1st day of August, A. D. 1975.

MILTON J. SHAPP