

**CHAPTER 114. TEXTBOOKS FOR NONPUBLIC SCHOOL
STUDENTS**

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Authority

The provisions of this Chapter 114 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 114 adopted December 23, 1976, 6 Pa.B. 3148, unless otherwise noted.

GENERAL PROVISIONS

§ 114.1. Definitions.

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

Act—The Public School Code of 1949 (24 P. S. §§ 1-101—27-2702).

Department—The Department of Education of the Commonwealth.

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 act, and which meets the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d—2000d-4).

Secretary—The Secretary of Education of the Commonwealth, or his designee.

Textbooks—Books, workbooks, including reusable and nonreusable workbooks, and manuals, whether bound or in looseleaf form, intended for use as a principal source of study material for a given class or group of students, a copy of which is expected to be available for the individual use of each pupil in such class or group. Such textbooks shall be textbooks which are acceptable for use in any public, elementary, or secondary school of the Commonwealth.

ADMINISTRATION**§ 114.21. Responsible agent.**

The Secretary is hereby designated as the responsible agent for loaning textbooks to students enrolled in grades Kindergarten—12, inclusive, in nonpublic schools. This responsibility includes a review of textbooks, fiscal control, fund accounting, and record retention.

§ 114.22. Program operation.

(a) The Chief for Nonpublic Educational Services shall distribute textbook 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 May 1 of the preceding school year all textbook requests for the subsequent school year.

(b) An amount equal to 5.0% of the total cost of textbooks should be reflected in the appropriate block on the form for transportation allowances.

(c) The Department will consolidate the loan requests and prepare the orders in accordance with the purchasing procedures of the Commonwealth.

(d) Textbooks will be shipped directly to the appropriate nonpublic school.

(e) The Department is responsible for fiscal control, fund accounting, and maintaining records for the acquisition of the textbooks.

(f) On or before December 1 of each year each nonpublic school or the appropriate chief administrator will receive from the Department a recomputation of the unexpended allocation. On or before January 31 of each year, each nonpublic school or appropriate chief administrator shall submit additional purchase requests for textbooks not to exceed its full allocation.

(g) Each nonpublic school shall be responsible for any expenditures in excess of its allocation.

§ 114.23. Inventory.

(a) Textbooks loaned to the nonpublic schools:

(1) shall be maintained on an inventory by the school; and

(2) if purchased by the Department under the act will be maintained on a Statewide inventory.

(b) It is presumed that textbooks on loan to nonpublic schools after a period of time will be lost, missing, obsolete, or worn out. This information should be communicated to the Department. After a period of six years, textbooks will be declared unserviceable and the disposal of such will be at the discretion of the Secretary.

§ 114.24. Administrative costs.

A maximum of 5.0% of the appropriation for “textbooks” may be used by the Department for administration.

§ 114.25. Certificate of request.

The nonpublic school or the agency of which it is a member shall be responsible for maintaining on file certificates of requests from parents of children for all textbook materials loaned to them under the act. The file shall be open to inspection by the appropriate authority. A letter certifying the certificates on file shall accompany all loan requests.

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