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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 628 Session of  
2021

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INTRODUCED BY TOOHL, N. NELSON, ISAACSON, HOHENSTEIN, SCHLEGEL  
CULVER, HILL-EVANS, ROZZI AND FREEMAN, FEBRUARY 24, 2021

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REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 24, 2021

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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," providing for child welfare worker  
6 education loan assistance.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
10 as the Public School Code of 1949, is amended by adding an  
11 article to read:

12 ARTICLE XXII-C

13 CHILD WELFARE WORKER EDUCATION LOAN ASSISTANCE

14 (a) General Provisions.

15 Section 2201-C. Scope.

16 This article deals with child welfare worker education loan  
17 assistance.

18 Section 2202-C. Purpose.

19 The purpose of this article is to provide an incentive to  
20 Pennsylvania students to pursue higher education and training in

1 child welfare social work in order to maintain the delivery of  
2 quality services at county child welfare agencies in this  
3 Commonwealth.

4 Section 2203-C. Definitions.

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

8 "Agency." The Pennsylvania Higher Education Assistance  
9 Agency.

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

13 "Child welfare worker." A person who is employed by a county  
14 agency to perform duties relating to child welfare consistent  
15 with State law.

16 "County agency." A county child welfare agency in this  
17 Commonwealth.

18 (b) Program.

19 Section 2211-C. Pennsylvania Child Welfare Worker Education  
20 Loan Assistance Program.

21 The agency shall establish and administer the Pennsylvania  
22 Child Welfare Worker Education Loan Assistance Program as  
23 specified in section 2212-C to provide financial assistance to  
24 individuals who acquire the required degree or diploma to be  
25 employed as a child welfare worker.

26 Section 2212-C. Loan forgiveness program.

27 (a) Establishment of program.--The agency shall administer a  
28 loan forgiveness program for applicants on a Statewide basis.  
29 The agency may provide loan forgiveness as provided in  
30 subsection (b) for recipients of loans who by contract with the

1 agency agree to be employed as a child welfare worker in this  
2 Commonwealth upon attainment of the required degree.

3 (b) Loan forgiveness.--Agency-administered, federally  
4 insured student loans for higher education provided to an  
5 applicant may be forgiven by the agency as follows:

6 (1) The agency may forgive 50% of the loan, not to  
7 exceed \$50,000, if a loan recipient enters into a contract  
8 with the agency that requires the recipient upon successful  
9 completion of the required degree to be employed as a child  
10 welfare worker in this Commonwealth for a period of not less  
11 than three consecutive years.

12 (2) Loan forgiveness awards made under paragraph (1)  
13 shall be forgiven over a period of three years at an annual  
14 rate of 33 1/3% of the award and shall be made from funds  
15 appropriated for this purpose.

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

19 (i) A recipient shall apply for employment as a  
20 child welfare worker at the earliest practicable  
21 opportunity upon successfully completing the required  
22 degree.

23 (ii) Within six months after completion of the  
24 degree, a recipient shall be employed as a child welfare  
25 worker in this Commonwealth according to the terms of the  
26 loan forgiveness award.

27 (iii) The recipient shall agree to be employed as a  
28 child welfare worker on a full-time basis.

29 (iv) The recipient shall permit the agency to  
30 determine compliance with the work requirement for child

1 welfare workers and all other terms of the contract.

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

5 (vi) If the recipient is convicted of or pleads  
6 guilty or no contest to a felony or if the county agency  
7 has determined that the recipient has committed an act of  
8 gross negligence in the performance of service  
9 obligations or has terminated the recipient for cause,  
10 the agency shall have the authority to terminate the  
11 recipient's service in the program and demand repayment  
12 of the amount of the loan as of the date of the  
13 conviction or termination.

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

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

26 Section 2213-C. Tax applicability.

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

1 (c) Miscellaneous Provisions.

2 Section 2221-C. Annual report.

3 (a) Development of report.--The agency shall publish a  
4 report by September 1, 2022, and every year thereafter for the  
5 immediately preceding fiscal year. The report shall include  
6 information regarding the operation of the program established  
7 under this article, including:

8 (1) The number and amount of loan contracts executed for  
9 the child welfare worker loan forgiveness program.

10 (2) The number and amount of child welfare worker loan  
11 forgiveness contracts executed and renewed for applicants.

12 (3) The number of defaulted child welfare worker loan  
13 forgiveness contracts, reported by cause.

14 (4) The number of child welfare workers participating in  
15 the child welfare worker loan forgiveness program, reported  
16 by type of institution attended, including four-year  
17 educational institutions, community colleges, independent  
18 two-year colleges, private licensed schools, hospital-based  
19 courses of study and certificate programs.

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

22 (b) Submission.--The annual report shall be submitted to the  
23 Governor, the chairperson and minority chairperson of the  
24 Appropriations Committee of the Senate, the chairperson and  
25 minority chairperson of the Appropriations Committee of the  
26 House of Representatives, the chairperson and minority  
27 chairperson of the Education Committee of the Senate, the  
28 chairperson and minority chairperson of the Education Committee  
29 of the House of Representatives, the chairperson and minority  
30 chairperson of the Health and Human Services Committee of the

1 Senate and the chairperson and minority chairperson of the Human  
2 Services Committee of the House of Representatives.

3 Section 2222-C. Appeals.

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

6 Section 2223-C. Regulations.

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

9 Section 2224-C. Funding.

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

16 Section 2. This act shall take effect in 60 days.