

# TITLE 22

## EDUCATION

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**Cross References**

This title cited in 49 Pa. Code § 41.1 (relating to definitions).

**PART I. STATE BOARD OF EDUCATION**

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**Cross References**

This part cited in 16 Pa. Code § 45.4 (relating to definitions); 19 Pa. Code § 17.8 (relating to educational names); 22 Pa. Code § 339.22 (relating to program content); and 22 Pa. Code § 349.32 (relating to Department guidelines to implement standards, regulations, laws).

**Subpart A. MISCELLANEOUS PROVISIONS**

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**CHAPTER 1. PRELIMINARY PROVISIONS**

<b>Sec.</b>	
<b>1.1.</b>	Definitions.
<b>1.2.</b>	Function of the Board.
<b>1.3.</b>	Scope of regulations.
<b>1.4.</b>	Inquiries.
<b>1.5.</b>	Applicability of general rules before the Board.
<b>1.6.</b>	Applicability of general rules before the Department.

**Authority**

The provisions of this Chapter 1 issued under sections 1317 and 1318 of The Administrative Code of 1929 (71 P.S. §§ 367 and 368) (Repealed); and the Public School Code of 1949 (24 P.S. §§ 1-101—27-2702), unless otherwise noted.

**§ 1.1. Definitions.**

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

*Board*—The State Board of Education of the Commonwealth.

*Department*—The Department of Education of the Commonwealth. When a provision of this part confers powers on or imposes duties upon the Department which under a statute may be exercised by or imposed only on the Secretary of Education, the reference to the Department shall be construed to mean the Department acting by and through the Secretary of Education personally.

*Secretary*—The Secretary of the Department of Education.

**§ 1.2. Function of the Board.**

The Board will adopt broad policies and principles and establish standards governing the educational programs of the Commonwealth.

**§ 1.3. Scope of regulations.**

(a) This part is binding upon the Department when administering the educational program of the Commonwealth.

(b) The Department may issue rules and directives necessary to carry out the regulations of this part.

**Notes of Decisions***Regulation*

An order of the State Board of Education disclaiming authority to decide upon continuance of school board's practice of utilizing out-of-state schools to educate some of the district's children is not a regulation. *Wayne Highlands School District v. Department of Education*, 488 A.2d 1172 (Pa. Cmwlth. 1985).

**§ 1.4. Inquiries.**

Inquiries concerning Board regulations shall be referred to the State Board of Education, 333 Market Street, Harrisburg, Pennsylvania 17126-0333.

**§ 1.5. Applicability of general rules before the Board.**

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to general rules of administrative practice and procedure), is applicable to the activities of and proceedings before the Board.

**Source**

The provisions of this § 1.5 adopted October 3, 1975, effective October 4, 1975, 5 Pa.B. 2685.

**§ 1.6. Applicability of general rules before the Department.**

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to general rules of administrative practice and procedure), is applicable to the activities of and proceedings before the Department.

**Authority**

The provisions of this § 1.6 issued under section 35 of the Administrative Agency Law (71 P.S. § 1710.35) (Repealed).

**Source**

The provisions of this § 1.6 adopted January 3, 1975, effective January 4, 1975, 5 Pa.B. 7.

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