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INDEPENDENT REGULATORY REVIEW COMMISSION
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

July 13, 2000

Peter H. Garland, Ph.D., Executive Director
State Board of Education
333 Market Street, 1st Floor
Harrisburg, PA 17126

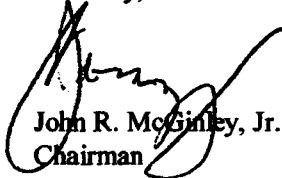
Re: IRRC Regulation #6-263 (#1947)
State Board of Education
Program Standards and Eligibility Criteria for the
Higher Education Equal Opportunity Act

Dear Dr. Garland:

The Independent Regulatory Review Commission approved the subject regulation at its July 13, 2000 public meeting. Our Order is enclosed and is available on our website at <http://www.irrc.state.pa.us>.

We appreciate the joint effort that went into producing a regulation that met the criteria and intent of the Regulatory Review Act.

Sincerely,


John R. McGinley, Jr.
Chairman

wbg
Enclosure
cc: Evelyn Mayer
Eugene W. Hickok, Jr.
Nannette Kimmel

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held July 13, 2000

John R. McGinley, Jr. Chairman
Alvin C. Bush, Vice Chairman
Arthur Coccodrilli
Robert J. Harbison, III
John F. Mizner

Regulation No. 6-263
State Board of Education
Programs Standards and Eligibility Criteria for
the Higher Education Equal Opportunity Act

On April 28, 1998, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Education. This rulemaking amends 22 Pa. Code Chapter 44. The proposed regulation was published in the May 9, 1998 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 8, 2000.

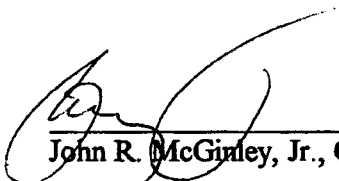
This regulation amends the income eligibility requirements for participation in counseling and tutorial programs authorized by the Higher Education Equal Opportunity Act. The existing regulation sets an income limit of \$18,750 which the Secretary of Education will revise annually based on changes in the Consumer Price Index. Under the amendments, an individual with an annual family income equal to or less than 200% of the federal poverty level, as determined by the U.S. Department of Health and Human Services, will meet the income eligibility requirements.

We have determined this regulation is consistent with the statutory authority of the State Board of Education (24 P.S. §§ 2510-303 and 2510-304) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





John R. McGinley, Jr., Chairman