

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1175 Session of
2001

INTRODUCED BY WAGNER, LAVALLE, COSTA, STOUT AND TARTAGLIONE,
OCTOBER 23, 2001

REFERRED TO EDUCATION, OCTOBER 23, 2001

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated
2 Statutes, establishing the Helping Our Pupils to Excellence
3 in Pennsylvania Scholarship Program; providing for the powers
4 and duties of the Pennsylvania Higher Education Assistance
5 Agency; and establishing the HOPE in Pennsylvania Scholarship
6 Fund.

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

9 Section 1. Title 24 of the Pennsylvania Consolidated
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 67

12 HOPE IN PENNSYLVANIA SCHOLARSHIP PROGRAM

13 Subchapter

14 A. Preliminary Provisions

15 B. Administration of Program

16 C. Miscellaneous Provisions

17 SUBCHAPTER A

18 PRELIMINARY PROVISIONS

19 Sec.

1 6701. Scope.

2 6702. Definitions.

3 § 6701. Scope.

4 This chapter establishes a Statewide program to be known as
5 the Helping Our Pupils to Excellence in Pennsylvania Scholarship
6 Program.

7 § 6702. Definitions.

8 The following words and phrases when used in this chapter
9 shall have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Academic year." A period of time, typically nine months, in
12 which a full-time student is expected to complete the equivalent
13 of at least two semesters' or three quarters' academic work.

14 "Agency." The Pennsylvania Higher Education Assistance
15 Agency of the Commonwealth.

16 "Certificate." A credential, other than a degree, indicating
17 satisfactory completion of training in a program of study
18 offered by an eligible public institution of higher education.

19 "Diploma." A credential, other than a degree, indicating
20 satisfactory completion of training in a program of study
21 offered by an eligible public institution of higher education.

22 "Drop and add period." The period of time, early in a
23 quarter or semester, when a freshman student, sophomore student,
24 junior student or senior student may change course load, by
25 changing, adding or removing courses.

26 "Eligible institution of higher education." A school which
27 is:

28 (1) A unit of the State System of Higher Education.

29 (2) A community college established under Article XIX-A
30 of the act of March 10, 1949 (P.L.30, No.14), known as the

Public School Code of 1949.

(3) A private institution of higher education.

"Eligible public institution of higher education." A State-owned institution or a State-related institution.

"Eligible student." A person who:

(1) Is a freshman student, sophomore student, junior student or senior student.

(2) Meets the requirements of section 6712 (relating to eligibility requirements at public institutions of higher education) or 6713 (relating to eligibility requirements at private institutions of higher education).

(3) Is eligible for a HOPE in Pennsylvania Scholarship.

(4) Is not rendered otherwise ineligible for a HOPE in Pennsylvania Scholarship under section 6713.

"Freshman student." A student at an institution of higher education who has attempted less than 46 quarter hours or less than 30 semester hours.

"Full-time student." A matriculated student attending an institution of higher education and enrolled for the equivalent of at least 12 quarter or semester hours.

"Fund." The HOPE in Pennsylvania Scholarship Fund established in this chapter.

"Grade point average." The numbered grade average calculated using a 4.0 scale.

"HOPE in Pennsylvania Scholarship." A Helping Our Pupils to Excellence in Pennsylvania Scholarship for education awarded in accordance with this chapter.

"Junior student." A student at an institution of higher education who has attempted at least 91 quarter hours but less than 136 quarter hours or at least 61 semester hours but less

1 than 91 semester hours.

2 "Mandatory fees." Either of the following:

3 (1) The fees approved by the State System of Higher
4 Education and imposed by eligible public institutions of
5 higher education.

6 (2) The fees imposed by private institutions of higher
7 education.

8 "Matriculated status." Being recognized as a student in a
9 defined program of study leading to a degree, diploma or
10 certificate at an institution of higher education.

11 "Private institution of higher education." An institution of
12 higher education which is located in this Commonwealth that
13 provides an organized four-year program of undergraduate
14 instruction toward a baccalaureate degree and that is not a
15 public institution of higher education.

16 "Program" or "HOPE in Pennsylvania Scholarship Program." The
17 Helping Our Pupils to Excellence in Pennsylvania Scholarship
18 Program established in this chapter.

19 "Quarter hours." This term includes each quarter hour
20 attempted, whether remedial or for credit toward a degree, but
21 shall not include any quarter hour attempted or completed before
22 graduating from high school or earning a general educational
23 development equivalency diploma.

24 "Semester hours." This term includes each semester hour
25 attempted, whether remedial or for credit toward a degree, but
26 shall not include any semester hour attempted before graduating
27 high school or earning a general educational development
28 equivalency diploma.

29 "Senior student." A student at an institution of higher
30 education who has attempted at least 136 quarter hours but less

1 than 191 quarter hours or at least 91 semester hours but less
2 than 128 semester hours.

3 "Sophomore student." A student at an institution of higher
4 education who has attempted at least 46 quarter hours but less
5 than 91 quarter hours or at least 31 semester hours but less
6 than 61 semester hours.

7 "State-owned institution." An institution which is part of
8 the State System of Higher Education pursuant to Article XX-A of
9 the act of March 10, 1949 (P.L.30, No.14), known as the Public
10 School Code of 1949.

11 "State-related institution." The Pennsylvania State
12 University, the University of Pittsburgh, Temple University and
13 Lincoln University and their branch campuses.

14 "Title IV." Title IV of the Higher Education Act of 1965
15 (Public Law 89-329, 79 Stat. 1219).

16 SUBCHAPTER B

17 ADMINISTRATION OF PROGRAM

18 Sec.

19 6711. Establishment.

20 6712. Eligibility requirements at public institutions of
21 higher education.

22 6713. Eligibility requirements at private institutions of
23 higher education.

24 6714. Ineligibility for HOPE in Pennsylvania Scholarship.

25 6715. Use of a HOPE in Pennsylvania Scholarship.

26 6716. HOPE in Pennsylvania Scholarship Fund.

27 § 6711. Establishment.

28 (a) General rule.--The Helping Our Pupils to Excellence in
29 Pennsylvania Scholarship Program is established and may be
30 referred to as the HOPE in Pennsylvania Scholarship Program. The

1 program shall be administered by the Pennsylvania Higher
2 Education Assistance Agency.

3 (b) Agency duties.--The agency shall:

4 (1) Prepare and supervise the issuance of public
5 information concerning the provisions of the program.

6 (2) Prescribe the form and regulate the submission of
7 applications for HOPE in Pennsylvania Scholarships.

8 (3) Conduct any conferences and interviews with
9 applicants that may be appropriate.

10 (4) Administer or contract for the administration of
11 appropriate examinations.

12 (5) Determine the eligibility of applicants.

13 (6) Select qualified recipients.

14 (7) Award the appropriate HOPE in Pennsylvania
15 Scholarships.

16 (8) Make all necessary and proper rules, consistent with
17 this chapter, for the efficient exercise of the duties set
18 forth in this chapter.

19 (9) Promulgate rules and regulations that may restrict
20 eligibility for HOPE in Pennsylvania Scholarships or reduce
21 the dollar amount of HOPE in Pennsylvania Scholarships and
22 grants.

23 § 6712. Eligibility requirements at public institutions of
24 higher education.

25 (a) Freshman students.--To be eligible for a HOPE in
26 Pennsylvania Scholarship, a freshman student entering and
27 seeking an associate or baccalaureate degree at an eligible
28 public institution of higher education shall:

29 (1) Meet residency requirements by satisfying the
30 qualifications for higher education grant domicile as

1 promulgated by the agency.

2 (2) Meet achievement standards by:

3 (i) having graduated from a high school with an
4 average cumulative grade point average of at least 3.0;

5 or

6 (ii) in the case of a student who is otherwise
7 qualified but:

8 (A) did not graduate from high school or
9 complete a home study program and having received a
10 general educational development equivalency diploma;
11 or

12 (B) completed a home study program meeting the
13 requirements of section 1327.1 of the act of March
14 10, 1949 (P.L.30, No.14), known as the Public School
15 Code of 1949, in lieu of graduating from an eligible
16 high school, earning a cumulative grade point average
17 of at least 3.0 at an eligible institution of higher
18 education at the end of the quarter or semester in
19 which the student has attempted 45 quarter hours or
20 30 semester hours.

21 (3) Meet enrollment standards by being admitted,
22 enrolled and classified as an undergraduate student in a
23 matriculated status.

24 The HOPE in Pennsylvania Scholarship for the freshman student's
25 year shall be paid at the end of the freshman year.

26 (b) Sophomore students.--To be eligible for a HOPE in
27 Pennsylvania Scholarship, a sophomore student seeking an
28 associate or baccalaureate degree at an eligible public
29 institution of higher education shall:

30 (1) Meet residency requirements by satisfying the

1 qualifications for higher education grant domicile as
2 promulgated by the agency.

3 (2) Meet achievement standards by meeting the following
4 criteria:

5 (i) Earn a cumulative grade point average of at
6 least 3.0 at an eligible public institution of higher
7 education at the end of the quarter or semester in which
8 the student has attempted 45 quarter hours or 30 semester
9 hours.

10 (ii) Maintain satisfactory academic progress in a
11 course of study in accordance with the standards and
12 practices used for Federal Title IV programs by the
13 institution of higher education in which the student is
14 enrolled.

15 (3) Meet enrollment standards by being admitted,
16 enrolled and classified as an undergraduate student in a
17 matriculated status.

18 (c) Junior students.--To be eligible for a HOPE in
19 Pennsylvania Scholarship, a junior student seeking a
20 baccalaureate degree at a public institution of higher education
21 shall:

22 (1) Meet residency requirements by meeting the
23 qualifications for higher education grant domicile as
24 promulgated by the agency.

25 (2) Meet achievement standards by meeting the following
26 criteria:

27 (i) Earn a cumulative grade point average of at
28 least 3.0 at an eligible public institution of higher
29 education at the end of the quarter or semester in which
30 the student has attempted 90 quarter hours or 60 semester

1 hours.

2 (ii) Maintain satisfactory academic progress in a
3 course of study in accordance with the standards and
4 practices used for Federal Title IV programs by the
5 institution of higher education in which the student is
6 enrolled.

7 (3) Meet enrollment standards by being admitted,
8 enrolled and classified as an undergraduate student in a
9 matriculated status.

10 (d) Senior students.--To be eligible for a HOPE in
11 Pennsylvania Scholarship, a senior student seeking a
12 baccalaureate degree at a public institution of higher education
13 shall:

14 (1) Meet residency requirements by satisfying the
15 qualifications for higher education grant domicile as
16 promulgated by the agency.

17 (2) Meet achievement standards by meeting the following
18 criteria:

19 (i) Earn a cumulative grade point average of at
20 least 3.0 at an eligible public institution of higher
21 education at the end of the quarter or semester in which
22 the student has attempted 135 quarter hours or 90
23 semester hours.

24 (ii) Maintain satisfactory academic progress in a
25 course of study in accordance with the standards and
26 practices used for Federal Title IV programs by the
27 institution of higher education in which the student is
28 enrolled.

29 (3) Meet enrollment standards by being admitted,
30 enrolled and classified as an undergraduate student in a

1 matriculated status.

2 (e) Requalification.--A student who fails to maintain a
3 cumulative grade point average of at least 3.0 at the end of the
4 quarter or semester in which the student has attempted 45
5 quarter hours or 30 semester hours may attend the next 45
6 quarter or 30 semester hours without a HOPE in Pennsylvania
7 Scholarship. An otherwise eligible student who regains a
8 cumulative grade point average of at least 3.0 at the end of a
9 quarter or semester in which the student has attempted 90
10 quarter hours or 60 semester hours may requalify for a HOPE in
11 Pennsylvania Scholarship.

12 (f) No minimum hours required.--For students eligible for a
13 HOPE in Pennsylvania Scholarship under this section, no minimum
14 number of hours of enrollment may be required by the agency.

15 (g) Termination of eligibility.--

16 (1) Except as provided in paragraph (2), a student may
17 receive a HOPE in Pennsylvania Scholarship until the first of
18 these events:

19 (i) the student has earned a baccalaureate degree;

20 or

21 (ii) the student has attempted at any institution of
22 higher education a total of 190 quarter hours or 127
23 semester hours.

24 (2) A student enrolled in an undergraduate degree
25 program designed to be more than 190 quarter hours or 127
26 semester hours in length is eligible to receive a HOPE in PA
27 Scholarship for the lesser of:

28 (i) a total of 225 attempted quarter hours or 150

29 attempted semester hours; or

30 (ii) the number of hours required for graduation if

1 the student has a cumulative grade point average of at
2 least 3.0 after the term in which the student attempted
3 190 quarter hours or 127 semester hours.

4 (h) Amount of HOPE in Pennsylvania Scholarship.--Subject to
5 the amounts contained in the HOPE in Pennsylvania Scholarship
6 Fund, a HOPE in Pennsylvania Scholarship awarded under this
7 chapter shall include tuition, approved mandatory fees and a
8 book allowance not to exceed \$100 per quarter or \$150 per
9 semester. In the event the amount of funding in the HOPE in
10 Pennsylvania Scholarship Fund is insufficient to fund all HOPE
11 in Pennsylvania Scholarships for students attending public
12 institutions of higher education, the amount of the HOPE in
13 Pennsylvania Scholarship for attendance at a public institution
14 of higher education shall be pro rata reduced.

15 § 6713. Eligibility requirements at private institutions of
16 higher education.

17 (a) Freshman students.--To be eligible for a HOPE in
18 Pennsylvania Scholarship, a freshman student entering and
19 seeking an associate or baccalaureate degree at an eligible
20 private institution of higher education shall:

21 (1) Meet residency requirements by satisfying the
22 qualifications for higher education grant domicile as
23 promulgated by the agency.

24 (2) Meet achievement standards by:

25 (i) having graduated from an eligible high school
26 with an average cumulative grade point average of at
27 least 3.0; or

28 (ii) in the case of a student who is otherwise
29 qualified but:

30 (A) did not graduate from high school or

complete a home study program and having received a general educational development equivalency diploma; or

(B) completed a home study program that meets the requirements of section 1327.1 of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, in lieu of graduating from an eligible high school, earning a cumulative grade point average of at least 3.0 at an eligible institution of higher education at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours.

(3) Meet enrollment standards by:

(i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status.

(ii) Being registered for and attending classes as a full-time student for 14 days or more after the last day of the institution for higher education's drop and add period.

The HOPE in Pennsylvania Scholarship for the freshman student's year shall be paid at the end of the freshman year.

(b) Sophomore students.--To be eligible for a HOPE in Pennsylvania Scholarship, a sophomore student seeking an associate or baccalaureate degree at an eligible private institution of higher education shall:

(1) Meet residency requirements by satisfying the qualifications for higher education grant domicile as promulgated by the agency.

(2) Meet achievement standards by meeting the following criteria:

(i) Earn a cumulative grade point average of at least 3.0 at an eligible private institution of higher education at the end of the quarter or semester in which the student has attempted 45 quarter hours or 30 semester hours.

(ii) Maintain satisfactory academic progress in a course of study in accordance with the standards and practices used for Federal Title IV programs by the institution of higher education in which the student is enrolled.

(3) Meet enrollment standards by:

(i) Being admitted, enrolled and classified as an undergraduate student in a matriculated status.

(ii) Being registered for and attending classes as a full-time student for 14 days or more after the last day of the institution for higher education's drop and add period.

(c) Junior students.--To be eligible for a HOPE in Pennsylvania Scholarship, a junior student seeking a baccalaureate degree at a public institution of higher education shall:

(1) Meet residency requirements by satisfying the qualifications for higher education grant domicile as promulgated by the agency.

(2) Meet achievement standards by meeting the following criteria:

(i) Earn a cumulative grade point average of at least 3.0 at an eligible private institution of higher education at the end of the quarter or semester in which the student has attempted 90 quarter hours or 60 semester

1 hours.

2 (ii) Maintain satisfactory academic progress in a
3 course of study in accordance with the standards and
4 practices used for Federal Title IV programs by the
5 institution of higher education in which the student is
6 enrolled.

7 (3) Meet enrollment standards by:

8 (i) Being admitted, enrolled and classified as an
9 undergraduate student in a matriculated status.

10 (ii) Being registered for and attending classes as a
11 full-time student for 14 days or more after the last day
12 of the institution for higher education's drop and add
13 period.

14 (d) Senior students.--To be eligible for a HOPE in
15 Pennsylvania Scholarship, a senior student seeking a
16 baccalaureate degree at a private institution of higher
17 education shall:

18 (1) Meet residency requirements by satisfying the
19 qualifications for higher education grant domicile as
20 promulgated by the agency.

21 (2) Meet achievement standards by meeting the following
22 criteria:

23 (i) Earn a cumulative grade point average of at
24 least 3.0 at an eligible private institution of higher
25 education at the end of the quarter or semester in which
26 the student has attempted 135 quarter hours or 90
27 semester hours.

28 (ii) Maintain satisfactory academic progress in a
29 course of study in accordance with the standards and
30 practices used for Federal Title IV programs by the

1 institution of higher education in which the student is
2 enrolled.

3 (3) Meet enrollment standards by:

4 (i) Being admitted, enrolled and classified as an
5 undergraduate student in a matriculated status.

6 (ii) Being registered for and attending classes as a
7 full-time student for 14 days or more after the last day
8 of the institution of higher education's drop and add
9 period.

10 (e) Requalification.--A student who fails to maintain a
11 cumulative grade point average of at least 3.0 at the end of the
12 quarter or semester in which the student has attempted 45
13 quarter hours or 30 semester hours may attend the next 45
14 quarter hours or 30 semester hours without a HOPE in
15 Pennsylvania Scholarship. An otherwise eligible student who
16 regains a cumulative grade point average of at least 3.0 at the
17 end of a quarter or semester in which the student has attempted
18 90 quarter hours or 60 semester hours may requalify for a HOPE
19 in Pennsylvania Scholarship.

20 (f) No minimum hours required.--For students eligible for a
21 HOPE in Pennsylvania Scholarship under this section, no minimum
22 number of hours of enrollment is required.

23 (g) Termination of eligibility.--

24 (1) Except as set out in paragraph (2), a student may
25 receive a HOPE in Pennsylvania Scholarship until the first of
26 these events:

27 (i) the student has earned a baccalaureate degree;

28 or

29 (ii) the student has attempted at any institution of
30 higher education a total of 190 quarter hours or 127

semester hours.

(2) A student enrolled in an undergraduate degree program designed to be more than 190 quarter hours or 127 semester hours in length is eligible to receive a HOPE in Pennsylvania Scholarship for the lesser of:

(i) a total of 225 attempted quarter hours or 150 attempted semester hours; or

(ii) the number of hours required for graduation if the student has a cumulative grade point average of at least 3.0 after the term in which the student attempted 190 quarter hours or 127 semester hours.

(h) Amount of HOPE of Pennsylvania Scholarship.--Subject to the amounts contained in the fund, a HOPE in Pennsylvania Scholarship awarded under this section shall be not more than \$3,000 for any academic year. In the event the amount of funding in the HOPE in Pennsylvania Scholarship Fund is insufficient to fund all HOPE in Pennsylvania Scholarships for students attending private institutions of higher education, the amount of the HOPE in Pennsylvania Scholarship for attendance at a private institution of higher education shall be pro rata reduced.

§ 6714. Ineligibility for HOPE in Pennsylvania Scholarship.

A student shall be ineligible for a HOPE in Pennsylvania Scholarship if any of the following apply:

(1) The student is not a United States citizen or a permanent resident alien who meets the definition of an eligible noncitizen under Federal Title IV requirements.

(2) The student has not complied with the United States Selective Service System requirements for registration if such requirements are applicable to the student.

(3) The student is in default on a Federal Title IV educational loan or an educational loan administered by the agency, provided that a student who is otherwise not eligible and has fully repaid the defaulted loan will be eligible to obtain a HOPE in Pennsylvania Scholarship for future academic terms but not retroactively.

(4) The student owes a refund on a Federal Title IV student financial aid program or an educational loan administered by the agency, provided that a student who is otherwise not eligible and has fully repaid the defaulted loan will be eligible to obtain a HOPE in Pennsylvania Scholarship for future academic terms but not retroactively.

(5) The student has been convicted of a felony offense involving marijuana, a controlled substance or a dangerous drug, provided that such ineligibility extends from the date of the conviction to the completion of the next academic term.

(6) The student is incarcerated.

(7) The student does not meet each qualification listed in this chapter relating to the relevant HOPE in Pennsylvania Scholarship and is applicable to the student.

§ 6715. Use of a HOPE in Pennsylvania Scholarship.

A HOPE in Pennsylvania Scholarship may be applied only to tuition, mandatory fees and book costs.

§ 6716. HOPE in Pennsylvania Scholarship Fund.

(a) Establishment.--There is hereby established a separate fund in the State Treasury to be known as the HOPE in Pennsylvania Scholarship Fund.

(b) Administration.--The fund shall be administered by the Pennsylvania Higher Education Assistance Agency.

1 (c) Funding source.--The source of the fund shall be moneys
2 collected and transferred to the separate account under the act
3 of (P.L. , No.), known as the Racetrack Slot
4 Machine Act. This revenue shall be credited to the fund by the
5 State Treasury. All interest earned by the fund and all refunds
6 and repayments shall be credited to the fund.

7 (d) Use of fund.--Moneys from the fund shall be expended by
8 the agency as HOPE in Pennsylvania Scholarships to eligible
9 students.

10 SUBCHAPTER C

11 MISCELLANEOUS PROVISIONS

12 Sec.

13 6721. Report to the General Assembly.

14 § 6721. Report to the General Assembly.

15 On or before April 1 following the effective date of this
16 chapter and in each succeeding year in which HOPE in
17 Pennsylvania Scholarships are awarded, the agency shall provide
18 a report to the General Assembly regarding the implementation of
19 this chapter.

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