
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 760 Session of
2015

INTRODUCED BY SMUCKER, BLAKE, SCHWANK, WILLIAMS, TARTAGLIONE,
LEACH AND BREWSTER, APRIL 23, 2015

REFERRED TO EDUCATION, APRIL 23, 2015

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 in-State tuition for
6 undocumented individuals.

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 XX-H

13 DEVELOPMENT, RELIEF AND EDUCATION

14 FOR ALIEN MINORS (DREAM)

15 Section 2001-H. Definitions.

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

19 "Department." The Department of Education of the
20 Commonwealth.

1 "Individual." An undocumented person who is not a citizen or
2 national of the United States. The term does not include a
3 nonimmigrant alien as defined in 8 U.S.C. § 1101(a)(15)
4 (relating to definitions).

5 "PHEAA." The Pennsylvania Higher Education Assistance
6 Agency.

7 "Public institution of higher education." Any of the
8 following:

9 (1) A community college under Article XIX-A.

10 (2) A university within the State System of Higher
11 Education under Article XX-A.

12 (3) A State-related institution as defined in section
13 1502-A.

14 Section 2002-H. Eligibility.

15 An individual shall be exempt from paying the out-of-State or
16 international tuition rate at a public institution of higher
17 education in this Commonwealth if the individual meets both of
18 the following requirements:

19 (1) Beginning with the 2007-2008 school year, attended a
20 public or nonpublic secondary school in this Commonwealth for
21 at least two years.

22 (2) Beginning with the 2009-2010 school year, graduated
23 from a public or nonpublic secondary school in this
24 Commonwealth or received the equivalent of a high school
25 diploma in this Commonwealth.

26 Section 2003-H. Requirements.

27 To be considered eligible under this article, an individual
28 must:

29 (1) Enter as a student in a public institution of higher
30 education in this Commonwealth not earlier than the 2013 fall

1 semester.

2 (2) If not a permanent resident, provide to the public
3 institution of higher education an affidavit stating that the
4 individual will file an application to become a permanent
5 resident within 30 days after the individual becomes eligible
6 to do so.

7 Section 2004-H. Public institution of higher education
8 requirements.

9 A public institution of higher education that admits an
10 individual under this article shall:

11 (1) Keep a record of the number of individuals admitted
12 under this article and annually report this information to
13 the department.

14 (2) Adopt appropriate policies to implement the
15 provisions of this article.

16 Section 2005-H. Financial aid.

17 Any individual applying to or accepted by a public
18 institution of higher education under this article may apply for
19 and receive financial aid with PHEAA.

20 Section 2006-H. Departmental requirements.

21 The department shall submit to the chairman and minority
22 chairman of the Education Committee of the Senate and the
23 chairman and minority chairman of the Education Committee of the
24 House of Representatives an annual report consisting of a
25 compilation of the reports submitted to the department under
26 section 2004-H.

27 Section 2007-H. Confidentiality.

28 Information obtained from an individual for the purposes of
29 implementing this article is confidential. A public institution
30 of higher education that receives an affidavit under section

1 2003-H(2) shall treat the affidavit as an education record of
2 the individual under the provisions of the Family Educational
3 Rights and Privacy Act of 1974 (Public Law 90-247, 20 U.S.C. §
4 1232g).

5 Section 2. This act shall take effect July 1, 2015, or
6 immediately, whichever is later.