

HIGHER EDUCATION SCHOLARSHIP LAW - ELIGIBILITY FOR STATE
SCHOLARSHIP

Act of Feb. 15, 2018, P.L. 12, No. 5
Session of 2018
No. 2018-5

Cl. 24

HB 1653

AN ACT

Amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for eligibility for State scholarship.

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

Section 1. Section 4(a)(6) of the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law, is amended to read:

Section 4. (a) Any student is eligible for consideration for a State scholarship providing:

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(6) The State scholarship recipient shall be free to attend any approved institution of his choice and apply the scholarship toward the tuition, room, board, books and fees of that institution[.], **subject to the following:**

(i) The institution is not required to accept the scholarship recipient for enrollment, but is free to exact compliance with its own admission requirements, standards and policies.

(ii) If the institution is headquartered and domiciled through incorporation or charter in this Commonwealth and the institution is an eligible school, as determined by the agency that participates in the program during the 2016-2017 award year, the scholarship recipient shall be eligible for the scholarship award regardless of whether the program of study or the scholarship recipient's term enrollment is 100% online or blended with classroom credits, provided that the scholarship recipient meets all other eligibility requirements as provided in this act and as established by the agency.

(iii) If the institution has a physical location in this Commonwealth but is not headquartered and domiciled through incorporation or charter in this Commonwealth, the scholarship recipient shall be eligible for a scholarship award, provided that the scholarship recipient's program of study is not structured to be more than 50% online or the scholarship recipient's online enrollment in a given term does not exceed 50% of the total credits for that term as established by the agency, provided that the scholarship recipient is enrolled at the institution's physical location in this Commonwealth and provided that the scholarship recipient meets all other eligibility requirements as provided in this act and as established by the agency.

(iv) The agency may require necessary data reporting requirements from participating schools, and the agency shall

report to the General Assembly regarding the impact that online education has on the scholarship program under this act. The report shall be submitted to the Governor, the chair and minority chair of the Appropriations Committee of the Senate, the chair and minority chair of the Appropriations Committee of the House of Representatives, the chair and minority chair of the Education Committee of the Senate and the chair and minority chair of the Education Committee of the House of Representatives.

(v) The board of directors may implement the necessary controls, with regard to subclauses (ii) and (iii), to limit the impact of online education and protect the purchasing power of the scholarship program under this act and as deemed necessary by the agency.

(vi) For the purpose of this clause, "purchasing power" shall be a mathematical formula, as determined by the agency, that compares the annual amount of the scholarship provided for by this act to the average tuition and fees as calculated by the agency.

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Section 2. The amendment of section 4(a)(6) of the act shall apply not later than the 2018-2019 award year as determined by the Pennsylvania Higher Education Assistance Agency.

Section 3. This act shall take effect immediately.

APPROVED--The 15th day of February, A.D. 2018.

TOM WOLF