

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 78 Session of 2013

INTRODUCED BY GREENLEAF, STACK, FARNESE, ALLOWAY, KITCHEN, ARGALL, SOLOBAY, BROWNE, WOZNIAK, WAUGH AND VOGEL, JANUARY 9, 2013

SENATOR FOLMER, EDUCATION, AS AMENDED, JUNE 11, 2013

AN ACT

1 Amending the act of January 25, 1966 (1965 P.L.1546, No.541),
2 entitled "An act providing scholarships and providing funds
3 to secure Federal funds for qualified students of the
4 Commonwealth of Pennsylvania who need financial assistance to
5 attend postsecondary institutions of higher learning, making
6 an appropriation, and providing for the administration of
7 this act," further providing for eligibility of scholarships <--
8 ESTABLISHING THE DISTANCE EDUCATION PROGRAM. <--

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

11 Section 1. Section 4(a)(6) of the act of January 25, 1966 <--
12 (1965 P.L.1546, No.541), referred to as the Higher Education
13 Scholarship Law, is amended to read:

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

16 \* \* \*

17 (6) The State scholarship recipient shall be free to
18 [attend] enroll at any approved institution of his choice and
19 apply the scholarship toward the tuition, room, board, books and
20 fees of that institution, regardless of the percentage of credit

1 ~~or clock hours required for completing a program of study~~  
2 ~~through online courses.~~ The institution is not required to  
3 accept the scholarship recipient for enrollment, but is free to  
4 exact compliance with its own admission requirements, standards  
5 and policies.

6 \* \* \*

7 SECTION 1. THE ACT OF JANUARY 25, 1966 (1965 P.L.1546, <--  
8 NO.541), REFERRED TO AS THE HIGHER EDUCATION SCHOLARSHIP LAW, IS  
9 AMENDED BY ADDING A SECTION TO READ:

10 SECTION 8.5. (A) THE DISTANCE EDUCATION PROGRAM IS  
11 ESTABLISHED IN THE AGENCY TO APPROVE DISTANCE EDUCATION PROGRAMS  
12 AND TO PROVIDE GRANTS TO STUDENTS WHO ENROLL IN APPROVED  
13 DISTANCE EDUCATION PROGRAMS.

14 (B) THE AGENCY SHALL ADMINISTER AND ESTABLISH GUIDELINES FOR  
15 THE DISTANCE EDUCATION PROGRAM. THE AGENCY MAY COLLECT STUDENT  
16 AND SCHOOL DATA TO ASSESS THE PERFORMANCE OF THE DISTANCE  
17 EDUCATION PROGRAM, PROVIDED THAT SUCH COLLECTION COMPLIES WITH  
18 THE RIGHTS AND RESPONSIBILITIES CERTIFICATION DOCUMENT OF THE  
19 PENNSYLVANIA STATE GRANT PROGRAM AS ADMINISTERED BY THE AGENCY.

20 (C) AN INSTITUTION OF HIGHER EDUCATION MAY SUBMIT AN  
21 APPLICATION TO THE AGENCY FOR APPROVAL TO PARTICIPATE IN THE  
22 DISTANCE EDUCATION PROGRAM. THE APPLICATION MUST BE SUBMITTED IN  
23 SUCH FORM AND MANNER AS PRESCRIBED BY THE AGENCY.

24 (D) THE AGENCY SHALL REVIEW REQUESTS SUBMITTED UNDER  
25 SUBSECTION (C) AND, IF THE INSTITUTION MEETS THE CRITERIA  
26 SPECIFIED IN THE DEFINITION OF "INSTITUTION OF HIGHER EDUCATION"  
27 AND "APPROVED DISTANCE EDUCATION PROGRAM," SHALL APPROVE THE  
28 REQUEST. THE AGENCY SHALL APPROVE REQUESTS RELATED TO ALL  
29 ACADEMIC MAJORS THAT ARE ELIGIBLE UNDER THE STATE GRANT PROGRAM.

30 (E) THE AGENCY MAY AWARD, FROM FUNDS APPROPRIATED, ALLOCATED

1 OR OTHERWISE MADE AVAILABLE TO IT, GRANTS TO STUDENTS WHO ARE  
2 ENROLLED IN APPROVED DISTANCE EDUCATION PROGRAMS AT  
3 PARTICIPATING INSTITUTIONS OF HIGHER EDUCATION. THE AGENCY SHALL  
4 ESTABLISH A POLICY TO ENSURE THAT AWARDS ARE MADE IN A  
5 CONSISTENT MANNER THROUGHOUT THE AWARD YEAR.

6 (F) A STUDENT ENROLLED IN AN APPROVED DISTANCE EDUCATION  
7 PROGRAM SHALL SUBMIT AN APPLICATION FOR A STATE GRANT FROM THE  
8 AGENCY. THE APPLICATION MUST BE SUBMITTED IN SUCH FORM AND IN A  
9 MANNER AS PRESCRIBED BY THE AGENCY.

10 (G) THE AGENCY SHALL REVIEW AN APPLICATION SUBMITTED UNDER  
11 SUBSECTION (F) AND, BASED ON AVAILABLE RESOURCES, IF THE AGENCY  
12 CONCLUDES THAT THE APPLICANT HAS FINANCIAL NEED, MAY AWARD A  
13 STATE GRANT TO THE APPLICANT TO COVER THE COST OF FULL-TIME OR  
14 AT LEAST HALF-TIME STUDY IN THE APPROVED DISTANCE EDUCATION  
15 PROGRAM AT AN INSTITUTION OF HIGHER EDUCATION APPROVED FOR  
16 PARTICIPATION IN THE DISTANCE EDUCATION PROGRAM.

17 (H) A GRANT AWARDED TO A STUDENT UNDER SUBSECTION (G) MAY  
18 NOT EXCEED PER AWARD YEAR THE AMOUNT THE STUDENT WOULD RECEIVE  
19 UNDER THE STATE GRANT PROGRAM FOR THE SAME AWARD YEAR.

20 (I) THIS SECTION SHALL APPLY TO ACADEMIC YEARS 2013-2014  
21 THROUGH 2017-2018.

22 (J) THIS SECTION SHALL EXPIRE JUNE 30, 2018.

23 (K) THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE MEANING  
24 GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT CLEARLY  
25 INDICATES OTHERWISE:

26 "APPROVED DISTANCE EDUCATION PROGRAM." A PROGRAM OF STUDY  
27 OFFERED BY AN INSTITUTION OF HIGHER EDUCATION THAT IS APPROVED  
28 BY THE AGENCY AND MEETS THE FOLLOWING CRITERIA:

29 (I) THE PROGRAM IS AT LEAST TWO ACADEMIC YEARS IN LENGTH.

30 (II) COMPLETION OF THE PROGRAM LEADS TO THE ATTAINMENT OF A

1 RECOGNIZED ACADEMIC CREDENTIAL.

2 (III) THE PROGRAM OF STUDY SHALL ALLOW AN ELIGIBLE STUDENT  
3 TO TAKE MORE THAN FIFTY PERCENT OF CREDITS OR CLOCK HOURS  
4 THROUGH DISTANCE EDUCATION FOR EACH PAYMENT PERIOD IN WHICH THE  
5 ELIGIBLE STUDENT IS ENROLLED.

6 (IV) THE PROGRAM MUST BE PURSUED BY STUDENTS ON A FULL-TIME  
7 BASIS OR AT LEAST A HALF-TIME BASIS.

8 "DISTANCE EDUCATION PROGRAM." THE DISTANCE EDUCATION PROGRAM  
9 ESTABLISHED BY THIS SECTION.

10 "ELIGIBLE STUDENT." A STUDENT WHO IS OTHERWISE ELIGIBLE FOR  
11 THE STATE GRANT PROGRAM, NOTWITHSTANDING THE DISTANCE EDUCATION  
12 REQUIREMENTS OF THE STATE GRANT PROGRAM.

13 "INSTITUTION OF HIGHER EDUCATION." A POSTSECONDARY  
14 INSTITUTION THAT PARTICIPATED IN THE STATE GRANT PROGRAM AS OF  
15 JUNE 30, 2012, AND IS DOMICILED AND HEADQUARTERED WITH ITS  
16 PRINCIPAL PHYSICAL LOCATION IN THIS COMMONWEALTH.

17 "PHYSICAL LOCATION." A LOCATION WITH QUALIFIED ON-SITE  
18 ADMINISTRATIVE STAFF RESPONSIBLE FOR THE OVERALL ADMINISTRATIVE  
19 OPERATION OF ALL EDUCATIONAL ACTIVITIES, INCLUDING, BUT NOT  
20 LIMITED TO, INSTRUCTIONAL OVERSIGHT, COUNSELING, ADVISING,  
21 LIBRARY SERVICES AND MAINTENANCE OF ACADEMIC RECORDS.

22 "STATE GRANT." A GRANT OR SCHOLARSHIP AWARDED UNDER THIS  
23 ACT.

24 Section 2. This act shall take effect ~~in 60 days.~~ JULY 1, <--  
25 2013, OR IMMEDIATELY, WHICHEVER IS LATER.