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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 102 Session of  
2015

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INTRODUCED BY WILLIAMS, KITCHEN, COSTA AND FONTANA,  
FEBRUARY 12, 2015

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REFERRED TO EDUCATION, FEBRUARY 12, 2015

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AN ACT

1 Establishing a pilot program to provide scholarship grants to  
2 students to support on-time graduation at universities within  
3 the State System of Higher Education and community colleges;  
4 imposing duties on the State System of Higher Education; and  
5 making an appropriation.

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

8 CHAPTER 1

9 PRELIMINARY PROVISIONS

10 Section 101. Short title.

11 This act shall be known and may be cited as the Fly in Four  
12 Scholarship Act.

13 Section 102. Declaration of policy.

14 The General Assembly finds and declares as follows:

15 (1) The purpose of this act is to provide incentives for  
16 postsecondary undergraduate students to enroll in  
17 postsecondary educational programs on a full-time basis and  
18 complete an approved course of study on time.

19 (2) This act is designed to reduce the cost of and the

1 amount of time necessary to complete an undergraduate degree  
2 for students who otherwise would be required work more than  
3 20 hours per week during an academic semester to pay for  
4 tuition, fees and related expenses.

5 Section 103. Definitions.

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

9 "Academic advisor." A dean, counselor or other advisor that  
10 is employed by a participating institution that serves as a  
11 resource in counseling and aiding a student to graduate from the  
12 participating institution.

13 "Academic map." A personalized, term-by-term academic plan  
14 that includes the sequences of courses required for on-time  
15 graduation in an approved course of study.

16 "Agency." The Pennsylvania Higher Education Assistance  
17 Agency.

18 "Approved course of study." An undergraduate program or  
19 curriculum offered by a participating institution.

20 "Full-time student." A student who is enrolled in a  
21 participating institution pursuing an approved course of study:

22 (1) equal to or greater than 15 credit hours, or its  
23 equivalent, recognized by the Pennsylvania Higher Education  
24 Assistance Agency as a full-time course of study; or

25 (2) less than 15 credit hours, or its equivalent, but  
26 averaging 30 credit hours, or its equivalent, per academic  
27 year and is on track for on-time graduation.

28 "Graduation review." A meeting in person between a student  
29 and an academic advisor which occurs two semesters before a  
30 student's target graduation date to evaluate a student's

1 progress toward on-time graduation.

2 "Grant." A scholarship grant.

3 "On-time graduation." Graduation from a participating  
4 institution with a degree in an approved course of study by the  
5 student's target graduation date.

6 "Participating institution." A postsecondary educational  
7 institution that:

8 (1) is within the State System of Higher Education or a  
9 community college in this Commonwealth;

10 (2) is authorized to grant degrees in approved courses  
11 of study; and

12 (3) agrees to participate in the Fly in Four Scholarship  
13 Program.

14 "Program." The Fly in Four Scholarship Program.

15 "Scholarship grant." A Fly in Four Scholarship Grant.

16 "Student." An individual domiciled in this Commonwealth who  
17 is enrolled at and has earned at least 30 credit hours, or its  
18 equivalent, at a postsecondary educational institution located  
19 in this Commonwealth.

20 "Target graduation date." The date on which a student will  
21 graduate from a participating institution with a degree in an  
22 approved course of study if the student completes at least 30  
23 credit hours, or its equivalent, per academic year toward  
24 completion of an approved course of study and adheres to an  
25 academic map.

26 "Work limit." Employment of 20 hours a week or more while  
27 enrolled as a full-time student in an approved course of study.

## 28 CHAPTER 3

### 29 PROGRAM

30 Section 301. Fly in Four Scholarship Program.

1 (a) Establishment.--The Fly in Four Scholarship Program is  
2 established as a pilot program within the agency.

3 (b) Issuance of grants.--The agency may provide a Fly in  
4 Four Scholarship Grant to an eligible full-time student upon  
5 confirmation from a participating institution that the student  
6 is enrolled in an approved course of study, has completed at  
7 least 30 credit hours, or its equivalent, in the preceding  
8 academic year and intends to complete an approved course of  
9 study by the student's target graduation date. A grant may be  
10 awarded to a student previously enrolled in the program who is  
11 not on track to graduate if the student maintained eligibility  
12 under section 302(a) and (b) during the previous academic year.

13 (c) Limitations.--Scholarship grants are limited to the  
14 amount set forth in section 307(a) and shall be used for  
15 tuition, fees or approved cost-of-living expenses as determined  
16 by the agency.

17 (d) Other funding.--Prior to awarding a scholarship grant,  
18 the agency shall consider Federal and other State grants  
19 available to the student and reduce the amount of the  
20 scholarship grant accordingly.

21 Section 302. Student eligibility and requirements.

22 (a) Eligibility.--To receive a scholarship grant, a student  
23 must meet the following requirements:

24 (1) Graduation from a high school in this Commonwealth  
25 or completion of general educational development (GED) or its  
26 equivalent.

27 (2) Maintenance of domicile in this Commonwealth during  
28 the term of the scholarship grant.

29 (3) Compliance with any conditions of the scholarship  
30 grant required by the agency.

1           (4) Maintenance of a grade point average of 3.0 or  
2 higher on a scale of 4.0, or its equivalent, beginning with  
3 the first semester of the student's freshman year through the  
4 term of the scholarship grant.

5           (5) Demonstration of financial need as determined by the  
6 agency.

7       (b) Agreement.--A student must enter into a written  
8 agreement with the agency prior to receiving a scholarship  
9 grant. The student must agree to:

10           (1) Satisfy all degree, diploma or certificate  
11 requirements and any other requirement under this act.

12           (2) Refrain from employment that exceeds the work limit  
13 during the term of the scholarship grant, beginning with the  
14 first day of the semester for which the grant applies.

15           (3) Meet with an academic advisor each semester during  
16 the term of the scholarship grant.

17           (4) Intend to enroll in at least 30 credit hours, or its  
18 equivalent, in courses on an academic map for an approved  
19 course of study during the upcoming academic year.

20           (5) Promptly register for classes when registration  
21 becomes available.

22           (6) Complete a graduation review, if applicable.

23           (7) Reimburse the Commonwealth all amounts received  
24 under this act and interest thereon, as determined by the  
25 agency, if the student fails to comply with this section.

26       (c) Application.--A student must apply to the agency for a  
27 scholarship grant as prescribed by the agency and provide the  
28 information and documentation required by the agency to be  
29 considered for a scholarship grant. The application of a student  
30 who is under 18 years of age shall include the signature of a

parent or guardian. The application shall include:

(1) An academic transcript.

(2) A verified statement by an academic advisor of the student's compliance with an academic map in an approved course of study in the preceding academic year and intended compliance in the upcoming academic year.

(d) Petition.--A student may include a written statement with an application that petitions the agency to disburse all or part of a scholarship grant directly to a student to pay for necessary living expenses of the student, as determined by the agency. The agency in its discretion shall determine whether to grant the petition.

### Section 303. Participating institutions.

(a) Notification.--A participating institution shall notify all individuals enrolling in the participating institution about the availability of the program.

(b) Student support.--A participating institution shall provide student support as follows:

(1) Upon request, shall promptly transmit to students any materials required to accompany the application in section 302(c).

(2) Provide students with access to all of the following:

(i) An academic map.

(ii) Academic advising.

(iii) Timely registration for classes.

(iv) Early warning for students whose academic progress may not satisfy on-time graduation.

(v) Appropriate academic course alternatives or substitutes if a required course is unavailable and will

jeopardize the student's on-time graduation.

(vi) A graduation review by an academic advisor two semesters before the scholarship recipient's target graduation date to evaluate progress toward on-time graduation.

#### Section 304. Termination.

(a) Notification of agency.--If a student terminates enrollment in the participating institution during the academic year or prior to completion of the approved course of study, the participating institution shall notify the agency in writing.

(b) Transfer.--A scholarship grant is only transferrable for use at another participating institution if approved by the agency.

(c) Limitation.--The amount of scholarship grants awarded shall be limited to funds appropriated for that purpose. First priority for awarding grants shall be given to renewal applicants. Thereafter, grants shall be awarded on a first-come, first-served basis.

#### Section 305. Minors.

A person under 18 years of age who otherwise qualifies for a scholarship grant under this chapter shall not be disqualified based upon age.

#### Section 306. Ineligibility.

(a) Grounds for denial.--The agency may deny a scholarship grant to a student who is ineligible for financial assistance under section 8.2 of the act of January 25, 1966 (1965 P.L.1546, No.541), referred to as the Higher Education Scholarship Law.

(b) Fraud.--Any person who knowingly or intentionally procures, obtains or aids another to procure or obtain a scholarship grant through fraudulent means shall be disqualified

1 from participation in the program and shall be liable to the  
2 agency for up to an amount equal to three times the amount  
3 obtained.

4 Section 307. Grant amount and term.

5 (a) Amount.--The agency may award a scholarship grant in an  
6 amount of up to \$4,000 per student per academic year.

7 (b) Term of grant.--A grant shall be awarded beginning no  
8 earlier than the second academic year of enrollment in a  
9 participating institution. The grant shall be for the duration  
10 of the upcoming academic year.

11 Section 308. Distribution.

12 The agency shall distribute scholarship grants in the  
13 following manner:

14 (1) Except as set forth under paragraph (2), the agency  
15 shall disburse a scholarship grant directly to a  
16 participating institution for payment of tuition and fees.

17 (2) If the agency approves a student's petition under  
18 section 302(d), the agency may disburse all or part of the  
19 amount requested in the petition directly to the student.

## 20 CHAPTER 5

### 21 ADMINISTRATION AND ENFORCEMENT

22 Section 501. Administration.

23 (a) Verification.--The agency shall monitor and verify the  
24 fulfillment of the obligations of individual students and  
25 participating institutions under this act.

26 (b) Enforcement.--The agency may require repayment of all  
27 scholarship grants by a student who fails to comply with the  
28 provisions of this act. The agency may make use of all lawful  
29 collection procedures, including the use of private collection  
30 agencies. If a student has not completed on-time graduation but



1 has maintained eligibility under section 302(a) and (b) during  
2 the preceding academic year, the agency may not require  
3 repayment of a scholarship grant.

4 Section 502. Tax exemption.

5 Scholarship grants received by a student shall not be  
6 considered taxable income for the purposes of Article III of the  
7 act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code  
8 of 1971.

9 Section 503. Construction.

10 Scholarship grants received, directly or indirectly, by a  
11 student are not considered financial assistance or an  
12 appropriation to the participating institution.

13 Section 504. Appeals.

14 An appeal of an agency decision under this act is subject to  
15 22 Pa. Code Ch. 121 (relating to student financial aid).

16 Section 505. Regulations.

17 The agency shall promulgate regulations and adopt procedures  
18 necessary to carry out the provisions of this act.

19 Section 506. Report.

20 (a) Report.--The agency shall publish a report of the  
21 program by September 1, 2017, to evaluate its effectiveness so  
22 that the General Assembly may determine whether the program  
23 shall become permanent. The report shall contain information  
24 regarding the operation of the program, including, but not  
25 limited to, the following:

26 (1) Total number of students receiving scholarship  
27 grants and the number of students receiving scholarship  
28 grants in each approved course of study.

29 (2) Total number of students who withdraw from the  
30 program.

1           (3) Total number of students receiving scholarship  
2 grants attending each participating institution and category  
3 of institution.

4       (b) Submission.--The agency shall submit the report to:

5           (1) The Governor.

6           (2) The Department of Education.

7           (3) The chairman and minority chairman of the  
8 Appropriations Committee of the Senate.

9           (4) The chairman and minority chairman of the Education  
10 Committee of the Senate.

11          (5) The chairman and minority chairman of the  
12 Appropriations Committee of the House of Representatives.

13          (6) The chairman and minority chairman of the Education  
14 Committee of the House of Representatives.

#### 15                               CHAPTER 11

#### 16                               MISCELLANEOUS PROVISIONS

17 Section 1101. Appropriation.

18       The sum of \$10,000,000, or as much thereof as may be  
19 necessary, is hereby appropriated to the Pennsylvania Higher  
20 Education Assistance Agency for the fiscal year July 1, 2015, to  
21 June 30, 2016, to carry out the provisions of this act.

22 Section 1102. Effective date.

23       This act shall take effect in 60 days.