

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1745 Session of 2017

INTRODUCED BY HICKERNELL, BOBACK, CHARLTON, CUTLER, FEE, HEFFLEY, PHILLIPS-HILL, MENTZER, MILLARD, MURT, RAPP, ROEBUCK, SAYLOR, SCHWEYER, WARD, WATSON, ZIMMERMAN, TOOHL, J. HARRIS AND MADDEN, AUGUST 24, 2017

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 19, 2018

AN ACT

1 Providing for a tuition and fee waiver program for youth who are
2 or have been in substitute care.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Fostering
7 Independence Through Education Act.

8 Section 2. Definitions.

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

12 "Adoption." Adoption of an individual who has been in the
13 care and custody of a county agency and in substitute care.

14 "Agency." The Pennsylvania Higher Education Assistance
15 Agency.

16 "County agency." The term as defined under 23 Pa.C.S. § 6303

1 (relating to definitions).

2 "Dependent child." The term as defined under 42 Pa.C.S. §
3 6302 (relating to definitions).

4 "Permanent legal custodian." A person to whom legal custody
5 of a child has been given by order of a court pursuant to 42
6 Pa.C.S. § 6351(a)(2.1) (relating to disposition of dependent
7 child).

8 "POC." THE POINT OF CONTACT DESIGNATED IN SECTION 5. <--

9 "Program." The tuition and fee waiver program established in
10 section 3.

11 ~~"SPOC." The single point of contact designated in section 5.~~ <--

12 "State postsecondary educational institution." The term
13 includes any of the following:

14 (1) A community college operating under Article XIX-A of
15 the act of March 10, 1949 (P.L.30, No.14), known as the
16 Public School Code of 1949.

17 (2) A university within the State System of Higher
18 Education established under Article XX-A of the Public School
19 Code of 1949.

20 (3) The Pennsylvania State University.

21 (4) The University of Pittsburgh.

22 (5) Temple University.

23 (6) Lincoln University.

24 (7) The Thaddeus Stevens College of Technology.

25 (8) Any other institution designated as State-related by
26 the Commonwealth.

27 "Substitute care." The term includes any placement
28 authorized by a court for a dependent child or a child with
29 shared case management in dependency and delinquency proceedings
30 under 42 Pa.C.S. Ch. 63 (relating to juvenile matters).

1 Section 3. Tuition and fee waiver program.

2 (a) Establishment.--There is established a tuition and fee
3 waiver program for individuals who satisfy the eligibility
4 requirements under subsection (c).

5 (b) Award.--Beginning with the semester starting in the fall
6 of 2019, each State postsecondary educational institution shall
7 award a tuition and fee waiver for undergraduate courses at the
8 institution for each individual who is eligible under subsection
9 (c). The tuition and fee waiver shall be equal to the amount of
10 the tuition and all fees at the State postsecondary educational
11 institution the individual attends, minus the amount of any
12 Federal grants, State grants or other scholarships or grants the
13 individual receives. AN INDIVIDUAL SHALL RECEIVE A TUITION AND <--
14 FEE WAIVER UNDER THIS ACT FOR FIVE YEARS, WHETHER OR NOT
15 CONSECUTIVE, OR UNTIL THE INDIVIDUAL REACHES 26 YEARS OF AGE,
16 WHICHEVER OCCURS FIRST, AS LONG AS THE INDIVIDUAL REMAINS
17 ELIGIBLE UNDER SUBSECTION (C).

18 (c) Eligibility.--In order to receive a tuition and fee
19 waiver under this section, an individual IN SUBSTITUTE CARE <--
20 UNDER 42 PA.C.S. CH. 63 (RELATING TO JUVENILE MATTERS) must meet
21 all of the following requirements:

22 (1) Be at least ~~16~~ 14 years of age but under ~~23~~ 26 years <--
23 of age and be in or have been in substitute care for ~~no less~~ <--
24 ~~than 30 days~~ AT LEAST SIX MONTHS before, on or after the <--
25 effective date of this section, including any of the
26 following:

27 (i) Placement in substitute care as a dependent
28 child at any time while ~~16~~ 14 years of age or older. <--

29 (ii) Placement in substitute care with shared case
30 management in dependency and delinquency proceedings

1 under 42 Pa.C.S. Ch. 63 ~~(relating to juvenile matters)~~ AT <--
2 ANY TIME WHILE 14 YEARS OF AGE OR OLDER.

3 (iii) Adoption AT ANY TIME AFTER REACHING 14 YEARS <--
4 OF AGE from substitute care as a dependent child.

5 (iv) Placement with a permanent legal custodian AT <--
6 ANY TIME AFTER REACHING 14 YEARS OF AGE from substitute
7 care as a dependent child.

8 (2) Have graduated from high school or received a
9 Commonwealth secondary school diploma or another equivalent
10 approved by the Department of Education.

11 (3) Have been accepted for admission to, or be currently
12 attending, a State postsecondary educational institution.

13 (4) For those individuals already attending a State
14 postsecondary educational institution when the tuition and
15 fee waiver is sought, have maintained satisfactory progress
16 as defined by the State postsecondary educational institution
17 attended.

18 (5) Have applied for all available Federal and State
19 grants.

20 (6) CURRENTLY RESIDE IN THIS COMMONWEALTH. <--

21 (d) Accessibility.--Each State postsecondary educational
22 institution, through the ~~SPOC~~ POC required under section 5, <--
23 shall work with the agency as well as the Department of Labor
24 and Industry and the Department of Human Services to ensure that
25 individuals eligible for the program under subsection (c) apply
26 for all available Federal and State grants.

27 Section 4. Outreach.

28 (a) Duties of Department of Human Services.--The Department
29 of Human Services, in conjunction with the Department of
30 Education, shall do all of the following:

1 (1) By December 1, 2018, prepare information to be
2 disseminated by county agencies, the Department of Education
3 and State postsecondary educational institutions that
4 describes the availability of the program established under
5 this act and explains how to participate in the program.

6 (2) Ensure that identified individuals who may be
7 eligible for services and programs under section 1738-E of
8 the act of April 9, 1929 (P.L.343, No.176), known as The
9 Fiscal Code, are informed of these services and programs.

10 (b) Duties of State postsecondary educational
11 institutions.--Each State postsecondary educational institution
12 shall do all of the following:

13 (1) Assist the Department of Human Services and the
14 Department of Education in the preparation of information
15 that describes the availability of the program established
16 under this act and explains how to participate in the program
17 as required under subsection (a)(1).

18 (2) Through the ~~SPOC~~ POC required under section 5, <--
19 provide technical assistance to individuals who are eligible
20 under section 3(c) in completing admissions applications and
21 financial aid applications.

22 (3) Disseminate the information prepared under
23 subsection (a)(1) to all applicants for admission and to
24 prospective applicants for admission. A State postsecondary
25 educational institution may comply with this paragraph by
26 including a paper or electronic copy of the information with
27 other information or notifications provided to the applicant
28 for admission and by posting the information prepared under
29 subsection (a)(1) on the institution's publicly accessible
30 Internet website.

- 1 (4) To improve retention, all of the following:
- 2 (i) Track the retention rates of students that
- 3 voluntarily disclose to the institution their eligibility
- 4 for the program.
- 5 (ii) Provide the Department of Education and the
- 6 Department of Human Services with recommendations on ways
- 7 in which to improve the delivery of services to students
- 8 who are eligible under section 3(c).
- 9 (iii) Annually review and identify impediments to
- 10 retaining students who are eligible under section 3(c).
- 11 (5) Report the information required under paragraph (4)
- 12 to the Department of Education and the Department of Human
- 13 Services by June 30, 2019, and by June 30 of each year
- 14 thereafter.

15 Section 5. ~~Single point~~ POINT of contact. <--

16 Each State postsecondary educational institution shall

17 designate an appropriate staff person OR PERSONS as the ~~single~~ <--

18 point of contact for students eligible for the program. THE POC <--

19 MAY BE COMPRISED OF ONE OR MORE QUALIFIED STAFF MEMBERS TO

20 PROVIDE THE APPROPRIATE SUPPORT OR EXPERTISE REQUIRED FOR THE

21 DUTIES SPECIFIED IN THIS SECTION. The ~~SPOC~~ POC shall have OR <--

22 ENSURE THE DELEGATION OF the following duties:

23 (1) Assist students in obtaining verification of

24 eligibility for the program from the courts, the county

25 agency or the Department of Human Services.

26 (2) Assist individuals who are eligible under section

27 3(c) in accessing available Federal and State financial aid

28 resources and in identifying further scholarship and grant

29 opportunities, in consultation with the institution's

30 financial aid department.

1 (3) Serve as the primary contact for all individuals
2 applying to or attending the institution who are eligible
3 under section 3(c).

4 (4) Provide all individuals applying to or attending the
5 institution who are eligible under section 3(c) with
6 information and referrals for on-campus support services and
7 resources, including admissions, housing, financial aid,
8 health, mental health, tutoring, career, academic advising
9 and other services.

10 (5) Provide all individuals applying to or attending the
11 institution who are eligible under section 3(c) with
12 information and referrals for off-campus support services,
13 including transitional housing and medical insurance and
14 services.

15 (6) POST POC CONTACT INFORMATION ON THE PUBLICLY
16 ACCESSIBLE INTERNET WEBSITE OF THE STATE POSTSECONDARY
17 EDUCATIONAL INSTITUTION. <--

18 Section 6. Report.

19 In order to determine and maximize the effectiveness of this
20 act, the Department of Human Services, with the assistance of
21 the Department of Education, shall collect information obtained
22 from all State postsecondary educational institutions under
23 section 4(b)(5) and prepare a AN ANONYMIZED report to be <--
24 submitted by August 31, 2019, and by August 31 of each year
25 thereafter, to the chairperson and minority chairperson of the
26 Education Committee of the Senate, the chairperson and minority
27 chairperson of the Health and Human Services Committee of the
28 Senate, the chairperson and minority chairperson of the
29 Education Committee of the House of Representatives and the
30 chairperson and minority chairperson of the Children and Youth

1 Committee of the House of Representatives that contains all of
2 the following:

3 (1) Information relating to the participation of
4 students in the program.

5 (2) Retention rates of those students who are
6 participating in the program.

7 (3) Retention rates of those students who have
8 voluntarily disclosed to their State institution of higher
9 education their eligibility for the program under section
10 3(c) but who are not participating in the program.

11 (4) Identification of impediments to retaining students
12 who are eligible under section 3(c).

13 (5) Recommendations on ways in which to improve the
14 delivery of services to students who are eligible for the
15 program under section 3(c) and to address the impediments
16 identified under paragraph (4).

17 Section 7. Effective date.

18 This act shall take effect in 60 days.