
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2444 Session of
2018

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SCHWEYER, JUNE 6, 2018

REFERRED TO COMMITTEE ON EDUCATION, JUNE 6, 2018

AN ACT

1 Providing for the Pennsylvania Promise Program and the
2 Pennsylvania Promise Fund.

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 Pennsylvania
7 Promise 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 "Academic year." A 12-month period commencing on or after
13 August 1 of the calendar year.

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

16 "Community college." An institution created under Article
17 XIX-A of the act of March 10, 1949 (P.L.30, No.14), known as the

1 Public School Code of 1949, or the act of August 24, 1963
2 (P.L.1132, No.484), known as the Community College Act of 1963.

3 "Eligible adult learner." An individual who:

4 (1) Is a resident of this Commonwealth at the time of
5 the application.

6 (2) Has been a domiciled resident of this Commonwealth
7 as determined by the agency.

8 (3) Is 24 years of age or older at the time of the
9 application.

10 (4) Has graduated from high school or an equivalent
11 approved by the Department of Education.

12 (5) Has applied for and been accepted to an institution
13 of higher education.

14 (6) Has completed a Free Application For Federal Student
15 Aid (FAFSA).

16 (7) Has applied for all available Federal Pell grants,
17 Pennsylvania State grants and institution grants.

18 "Eligible student." An individual who:

19 (1) Is a resident of this Commonwealth at the time of
20 the application.

21 (2) Has been a domiciled resident of this Commonwealth
22 as determined by the agency.

23 (3) Is less than 24 years of age or is an active member
24 of a branch of the armed services at the time of the
25 application.

26 (4) Has graduated from high school or an equivalent
27 approved by the Department of Education within the previous
28 five years.

29 (5) Has applied for and been accepted to an institution
30 of higher education.

1 (6) Has completed a Free Application For Federal Student
2 Aid (FAFSA).

3 (7) Has applied for all available Federal Pell grants,
4 Pennsylvania State grants and institution grants.

5 "Fees." Fixed charges to recover costs of certain services,
6 materials or activities provided. Fees shall not exceed the
7 highest fixed charges set by the Pennsylvania State System of
8 Higher Education's Board of Governors.

9 "Full-time student." An individual enrolled in an
10 undergraduate degree program at an institution of higher
11 education and registered for a minimum of 12 credits per
12 semester or equivalent enrollment as set by the agency.

13 "Fund." The Pennsylvania Promise Fund established under
14 section 5.

15 "Institution of higher education." Any of the following:

- 16 (1) A community college.
- 17 (2) A State-owned institution.
- 18 (3) A State-related institution.
- 19 (4) The Thaddeus Stevens College of Technology.

20 "Part-time student." An individual enrolled in an
21 institution of higher education and registered for less than 12
22 credits per semester or equivalent enrollment as set by the
23 agency.

24 "Program." The Pennsylvania Promise Program established
25 under this act.

26 "Room and board." The standard educational expense allowance
27 for the most recent year as determined by the agency.

28 "State-owned institution." An institution which is part of
29 the State System of Higher Education under Article XX-A of the
30 Public School Code of 1949 and all branches and campuses of the

1 institution.

2 "State-related institution." The Pennsylvania State
3 University, Pennsylvania College of Technology, University of
4 Pittsburgh, Temple University, Lincoln University and associated
5 branch campuses of the universities.

6 "Tuition." An amount not to exceed the maximum undergraduate
7 in-state tuition rate established by the Board of Governors for
8 rendering educational services, as enumerated in Article XX-A of
9 the Public School Code of 1949. The agency, at its discretion,
10 may increase the maximum amount.

11 Section 3. Pennsylvania Promise Program.

12 There is established within the agency a program to be known
13 as the Pennsylvania Promise Program.

14 Section 4. Procedure.

15 (a) Agency.--The agency shall administer the program and be
16 responsible for carrying out the provisions of this act.

17 (b) Regulations.--The agency may adopt rules and regulations
18 necessary to administer the provisions of this act.

19 Section 5. Pennsylvania Promise Fund.

20 (a) Fund.--A restricted receipts account shall be
21 established in the State Treasury and shall be known as the
22 Pennsylvania Promise Fund.

23 (b) Administration of fund.--Money in the fund shall be
24 appropriated to the agency on an ongoing basis to carry out the
25 provisions of this act.

26 (c) Contributions and investment.--The following apply:

27 (1) The fund may accept gifts, donations, legacies or
28 any other revenues.

29 (2) Interest earned by the fund shall remain in the
30 fund.

1 (d) Purpose.--Money in the fund shall be used for the
2 purpose set forth in this act.

3 (e) Allocation.--The following shall apply:

4 (1) The agency shall distribute money from the fund to
5 eligible students in accordance with sections 6 and 7.

6 (2) The agency shall allocate money in the fund for
7 eligible adult learners:

8 (i) In accordance with section 8.

9 (ii) In the following amounts:

10 (A) For fiscal year 2018-2019, \$12,500,000.

11 (B) For fiscal year 2019-2020, \$25,000,000.

12 (C) For fiscal year 2020-2021, \$40,000,000.

13 (D) For fiscal year 2021-2022 and each fiscal
14 year thereafter, \$50,000,000.

15 (3) Beginning no later than the first full fiscal year
16 after the notice in section 10 is published and each fiscal
17 year thereafter, \$50,000,000 shall be transferred by the
18 agency from the fund to the Department of Labor and Industry
19 to support and enhance apprenticeship programs across this
20 Commonwealth.

21 (4) Beginning no later than the first full fiscal year
22 after the notice in section 10 is published and each fiscal
23 year thereafter, no more than \$50,000,000 shall be used by
24 the agency for matching funds through the agency's work study
25 program.

26 (5) Notwithstanding any provisions of law to the
27 contrary, uses of funds made available under this section
28 shall be determined by the agency.

29 (f) Nonlapsing.--Money in the fund shall not lapse and shall
30 be available in subsequent fiscal years to be used in accordance

1 with the provisions of this act.

2 (g) Administrative fees.--No more than 2% of the money in
3 the fund may be used to cover administrative costs. For purposes
4 of this section, administrative costs shall include marketing of
5 the program throughout this Commonwealth.

6 (h) Insufficient funds.--If during any year there are
7 insufficient funds available to provide scholarships or make the
8 transfers required under this section, the agency shall pro rate
9 the transfers and scholarships under sections 6 and 7.

10 Section 6. Scholarship for tuition and fees.

11 (a) Application.--The agency shall accept applications, in a
12 form and manner as determined by the agency, from eligible
13 students for tuition and fees.

14 (b) Scholarship at State-owned or State-related
15 institution.--An eligible student may receive a scholarship at a
16 State-owned institution or State-related institution for the
17 academic year in an amount not to exceed the outstanding tuition
18 and fees after Federal, State and institution grants have been
19 applied if the eligible student:

20 (1) has a total annual household income that does not
21 exceed \$110,000; and

22 (2) is enrolled full-time.

23 (c) Scholarship at community colleges.--An eligible student
24 may receive a scholarship at a community college for the
25 academic year in an amount not to exceed the outstanding tuition
26 and fees after Federal, State and institution grants have been
27 applied if, at a minimum, the eligible student is enrolled full-
28 time.

29 (d) Review and approval.--

30 (1) The agency shall review all applications submitted

1 under this section.

2 (2) The agency may approve an application if the
3 application meets the requirements under subsection (b) or
4 (c) and if the eligible student submitting the application
5 meets the requirements of this act.

6 (e) Distribution of scholarship.--Once an eligible student
7 has been approved for a scholarship for tuition and fees under
8 this section, the agency shall, upon receipt of an outstanding
9 balance from an institution of higher education, pay the
10 outstanding tuition and fee balance owed by the eligible student
11 directly to the institution of higher education.

12 (f) Limitation on scholarship.--Notwithstanding any
13 provision of this act to the contrary, the agency may not issue
14 any scholarship in excess of the outstanding balance for tuition
15 and fees received from an institution of higher education.

16 (g) Renewal.--

17 (1) A scholarship for tuition and fees awarded to an
18 eligible student shall not exceed one academic year.

19 (2) The agency shall create an application to allow
20 previously approved eligible students to recertify their
21 eligibility.

22 (3) An eligible student at a State-owned or State-
23 related institution who has not exceeded the limitation in
24 subsection (i) may reapply for the scholarship for tuition
25 and fees if the eligible student:

26 (i) Is enrolled full-time.

27 (ii) Is making satisfactory academic progress as
28 determined by the institution of higher education, unless
29 the eligible student is in the first year of college.

30 (iii) While attending a State-owned institution or

1 State-related institution, has a total annual household
2 income that does not exceed \$110,000.

3 (4) An eligible student at a community college who has
4 not exceeded the limitation in subsection (i) may reapply for
5 the scholarship for tuition and fees if the eligible student:

6 (i) Is enrolled full-time or part-time.

7 (ii) Is making satisfactory academic progress,
8 unless the eligible student is in the first year of
9 college.

10 (h) Continued eligibility.--An eligible student shall be
11 continuously enrolled in the institution of higher education for
12 the academic year which the eligible student received a
13 scholarship for tuition and fees. If the eligible student is not
14 continuously enrolled in the institution of higher education,
15 the agency, in its discretion, may deny renewal under subsection
16 (g).

17 (i) Limitation to scholarship.--

18 (1) An eligible student may not receive a scholarship
19 for tuition and fees if the eligible student:

20 (i) While attending a community college, the
21 eligible student has completed no more than four academic
22 years or has earned an associate's degree, except as
23 provided in paragraph (2).

24 (ii) While attending a State-owned institution or
25 State-related institution, the eligible student has
26 completed four academic years or has earned a bachelor's
27 degree.

28 (2) A student who is otherwise eligible for a
29 scholarship under this section may not be eligible for a
30 scholarship for tuition and fees if the local sponsor has not

1 made the payment required under section 1913-A(a)(2) of the
2 act of March 10, 1949 (P.L.30, No.14), known as the Public
3 School Code of 1949.

4 (3) An eligible student may receive a scholarship for no
5 more than four academic years at an institution of higher
6 education.

7 Section 7. Scholarship for room and board.

8 (a) Application.--The agency shall accept applications, in a
9 form and manner as determined by the agency, from eligible
10 students who qualify under subsections (b) and (c).

11 (b) Scholarship at State-owned or State-related
12 institution.--An eligible student at a State-owned or State-
13 related institution may receive a need-based scholarship for
14 room and board for the academic year after Federal, State and
15 institution grants have been applied if the eligible student:

16 (1) has a total annual household income that does not
17 exceed \$48,000; and

18 (2) is enrolled full-time.

19 (c) Scholarship at community college.--An eligible student
20 at a community college may receive a need-based scholarship for
21 room and board for the academic year after Federal, State and
22 institution grants have been applied if the eligible student:

23 (1) has a total annual household income that does not
24 exceed \$48,000; and

25 (2) is enrolled full-time or part-time.

26 (d) Review and approval.--

27 (1) The agency shall review all applications submitted
28 under this section.

29 (2) The agency may approve an application if the
30 application meets the requirements under subsection (b) or

1 (c) and if the eligible student meets the requirements of
2 this act.

3 (e) Distribution of scholarship at State-owned or State-
4 related institution.--If an eligible student has been approved
5 for a scholarship for room and board under subsection (b), the
6 agency shall, upon receipt of an outstanding balance from the
7 State-owned or State-related institution of higher education,
8 pay the outstanding balance for room and board owed by the
9 eligible student directly to the institution.

10 (f) Distribution of scholarship at community colleges.--If
11 an eligible student has been approved for a scholarship for room
12 and board under subsection (c), the agency shall pay a
13 scholarship for room and board in a manner decided by the
14 agency.

15 (g) Limitation on scholarship.--

16 (1) Except as provided in paragraph (2) and
17 notwithstanding any provision of this act to the contrary,
18 the agency may not issue a scholarship for room and board in
19 excess of the outstanding balance received from a State-owned
20 institution or State-related institution.

21 (2) The agency may issue a scholarship for room and
22 board in excess of the outstanding balance received from a
23 community college.

24 (3) A student who is otherwise eligible for a
25 scholarship under this section may not be eligible for a
26 scholarship for tuition and fees if the local sponsor has not
27 made the payment required under section 1913-A(a)(2) of the
28 act of March 10, 1949 (P.L.30, No.14), known as the Public
29 School Code of 1949.

30 (h) Renewal.--

1 (1) A scholarship for tuition and fees awarded to an
2 eligible student shall not exceed one academic year.

3 (2) The agency shall create an application to allow
4 previously approved eligible students to recertify their
5 eligibility.

6 (3) An eligible student who has not exceeded the
7 limitation in subsection (j) may reapply for the scholarship
8 for room and board if the student is enrolled full-time at a
9 State-owned or State-related institution or is enrolled full-
10 time or part-time at a community college and:

11 (i) is making satisfactory academic progress, unless
12 the eligible student is in the first year of college; and

13 (ii) has a total annual household income that does
14 not exceed \$48,000.

15 (i) Continued eligibility.--An eligible student shall be
16 continuously enrolled in the institution of higher education for
17 the academic year for which the eligible student received a
18 scholarship for room and board. If an eligible student is not
19 continuously enrolled in the institution of higher education,
20 the agency, in its discretion, may deny renewal under subsection
21 (h).

22 (j) Limitation to eligibility.--

23 (1) An eligible student may not receive a scholarship
24 for room and board if the eligible student:

25 (i) While attending a community college, has
26 completed four academic years or has earned an
27 associate's degree except as provided in paragraph (2).

28 (ii) While attending a State-owned institution or
29 State-related institution, has completed four academic
30 years or has earned a bachelor's degree.

1 (2) An eligible student may receive a scholarship for
2 two academic years at a State-owned institution or State-
3 related institution if they have exhausted their eligibility
4 under paragraph (1)(i).

5 Section 8. Eligibility for adult reeducation.

6 (a) Application.--The agency shall accept applications, in a
7 form and manner as determined by the agency, from an eligible
8 adult learner for aid to assist with education expenses.

9 (b) Eligibility.--An eligible adult learner may receive
10 assistance for aid for adult reeducation programs for the
11 academic year the eligible adult learner:

12 (1) has a total annual household income that does not
13 exceed \$110,000; and

14 (2) has applied for and has been accepted into an adult
15 reeducation program or adult reeducation certificate program,
16 or is enrolled part time or full time in an institution of
17 higher education.

18 (c) Pennsylvania Targeted Industry Program.--Notwithstanding
19 any provisions of law to the contrary, the agency may use money
20 allocated for adult reeducation for the Pennsylvania Targeted
21 Industry Program.

22 (d) Review and approval.--

23 (1) The agency shall review all applications submitted
24 under this section.

25 (2) The agency may approve an application if the
26 application meets the requirements under subsection (b) and
27 if the eligible adult learner meets the requirements of this
28 act.

29 (e) Priority.--When reviewing an application for aid under
30 this section, the agency shall prioritize aid for programs that

1 lead to an industry-recognized credential that is articulated
2 with college credit. The agency shall annually determine and
3 post on its publicly accessible Internet website industry-
4 recognized credentialed programs that qualify for aid priority
5 under this section.

6 (f) Distribution of aid.--If an eligible adult learner has
7 been approved for aid under this section, the agency shall, upon
8 receipt of an outstanding balance from an institution of higher
9 education, pay the outstanding balance owed by an adult learner
10 directly to the institution of higher education.

11 (g) Limitation on aid.--Notwithstanding any provision of
12 this act to the contrary, the agency may not issue any aid in
13 excess of the outstanding balance received from an institution
14 of higher education.

15 (h) Renewal.--

16 (1) Aid awarded to an eligible adult learner shall not
17 exceed one academic year.

18 (2) The agency shall create an application to allow
19 previously approved eligible students to recertify their
20 eligibility.

21 (3) An eligible adult learner who has not exceeded the
22 limitation in subsection (i) may reapply for aid if:

23 (i) Enrolled as a full-time student or part-time
24 student at an institution of higher education or a
25 certificate program approved by the agency.

26 (ii) Total annual household income does not exceed
27 \$110,000.

28 (i) Limitation to eligibility.--An eligible adult learner
29 may not receive aid if the eligible adult learner:

30 (1) While attending a community college, has completed

1 no more than four academic years or has earned an associate's
2 degree or an industry-recognized credential for which the
3 eligible adult learner was enrolled in order to qualify for
4 aid.

5 (2) While attending a State-owned institution or State-
6 related institution, has completed four academic years or has
7 earned a bachelor's degree or industry-recognized credential
8 for which the eligible adult learner was enrolled in order to
9 qualify for aid.

10 Section 9. Annual report.

11 Beginning one year after the first scholarship is awarded
12 under this act, the agency shall provide the Governor and the
13 chairperson and minority chairperson of the Appropriations
14 Committee and the Education Committee of the Senate and the
15 chairperson and minority chairperson of the Appropriations
16 Committee and the Education Committee of the House of
17 Representatives with a report which includes the following:

18 (1) The total number of students served by the program.

19 (2) A breakdown by race, gender, ethnicity and
20 socioeconomic demographic for all students served by the
21 program, if known.

22 (3) The total number of scholarships awarded and the
23 average amount awarded.

24 (4) A year-over-year comparison of the net total costs
25 at all institutions of higher education in this Commonwealth
26 which shall be used to evaluate the adequacy and success of
27 the program in lowering college costs.

28 (5) Recommendations, if any, for improving access and
29 affordability of higher education.

30 (6) Any other information.

1 Section 10. Notice.

2 The Secretary of the Commonwealth shall submit notice for
3 publication in the Pennsylvania Bulletin when the General
4 Assembly appropriates money necessary to effectuate this act.

5 Section 11. Effective date.

6 This act shall take effect as follows:

7 (1) The following provisions shall take effect
8 immediately:

9 (i) This section.

10 (ii) Section 10.

11 (2) The remainder of this act shall take effect upon
12 publication of the notice under section 10.