
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1277 Session of
2018

INTRODUCED BY GREENLEAF, MENSCH, SCHWANK AND BREWSTER,
OCTOBER 25, 2018

REFERRED TO EDUCATION, OCTOBER 25, 2018

AN ACT

1 Amending Title 61 (Prisons and Parole) of the Pennsylvania
2 Consolidated Statutes, providing for Second Chance PHEAA
3 Pilot Program; in Pennsylvania Board of Probation and Parole,
4 providing for Post-Prison Education Program Demonstration
5 Project; and establishing the Post-Prison Education Program
6 Demonstration Project Fund.

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

9 Section 1. Title 61 of the Pennsylvania Consolidated
10 Statutes is amended by adding a chapter to read:

11 CHAPTER 51

12 SECOND CHANCE PHEAA PILOT PROGRAM

13 Sec.

14 5101. Scope of chapter.

15 5102. Definitions.

16 5103. Establishment of program.

17 5104. Application and selection of institutions of higher
18 education.

19 5105. Award and funding of pilot program.

20 5106. Student application and selection.

1 5107. Evaluation and reporting.

2 5108. Length of pilot program.

3 5109. Expiration.

4 § 5101. Scope of chapter.

5 This chapter relates to the Second Chance PHEAA Pilot
6 Program.

7 § 5102. Definitions.

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

11 "Agency." The Pennsylvania Higher Education Assistance
12 Agency.

13 "Approved program." A program of study offered by an
14 institution of higher education that is approved by the agency,
15 is credit-bearing, results in a certificate or degree and meets
16 the following criteria:

17 (1) Partners with one or more State correctional
18 institutions to offer one or more academic programs to
19 incarcerated students.

20 (2) Works with the partnering State correctional
21 institution or institutions to encourage interested students
22 to submit a Free Application for Federal Student Aid (FAFSA).

23 (3) Only disburses agency grant funding to otherwise
24 eligible students who will eventually be eligible for release
25 from the State correctional institution, while giving
26 priority to those who are likely to be released within five
27 years of enrollment in the educational program.

28 (4) Only enroll students in postsecondary education and
29 training programs that prepare the students for high-demand
30 occupations from which they are not legally barred from

1 entering due to restrictions on formerly incarcerated
2 individuals obtaining any necessary licenses or
3 certifications for those occupations.

4 (5) Discloses to interested students and to the agency
5 information about any portions of a program of study that, by
6 design, cannot be completed while students are incarcerated,
7 as well as the options available for incarcerated students to
8 complete any remaining program requirements postrelease.

9 (6) Offers students the opportunity to continue their
10 enrollment in the academic program if the students are
11 released from prison prior to program completion, as
12 appropriate.

13 (7) Informs students of the academic and financial
14 options available if they are not able to complete the
15 academic program while incarcerated. This includes whether
16 the students can continue in the program after release,
17 transfer credits earned in the program to another program
18 offered by the institution or transfer credits earned in the
19 program to another postsecondary institution.

20 (8) Submits plans for how it, in collaboration with
21 State correctional institutions, will provide academic and
22 career guidance, as well as transition services to
23 incarcerated students in order to support successful reentry.

24 "Inmate." A person committed to a term of imprisonment or
25 otherwise confined under the custody of the Commonwealth in a
26 correctional institution in accordance with law.

27 "Institution of higher education." A postsecondary
28 institution that participated in the State grant program during
29 the 2017-2018 award year and is domiciled and headquartered with
30 its principal physical location in this Commonwealth.

1 "Physical location." A location with qualified on-site
2 administrative staff responsible for the overall administrative
3 operating of all educational activities, including instructional
4 oversight, counseling, advising, library services and
5 maintenance of academic records.

6 "Program." The Second Chance PHEAA Pilot Program established
7 in this chapter.

8 "State correctional institution." A correctional facility,
9 prison or jail owned or operated by the Commonwealth.

10 "State grant." A grant or scholarship awarded under the act
11 of January 25, 1966 (1965 P.L.1546, No.541), referred to as the
12 Higher Education Scholarship Law.

13 "Student." An inmate who is otherwise eligible for the State
14 grant program, notwithstanding the regulatory requirement
15 related to incarcerated students.

16 § 5103. Establishment of program.

17 (a) General rule.--The Second Chance PHEAA Pilot Program is
18 established in the agency to approve programs and to provide
19 grants to students who enroll in approved programs.

20 (b) Guidelines.--The agency shall administer and establish
21 guidelines for the program.

22 § 5104. Application and selection of institutions of higher
23 education.

24 (a) Application.--An institution of higher education, in
25 partnership with one or more State correctional institutions,
26 may submit an application to the agency for approval to
27 participate in the program. The application must be submitted in
28 a form and in a manner as prescribed by the agency.

29 (b) Selection.--From the applications submitted, the agency
30 shall select a limited number of institutions of higher

1 education that satisfy the criteria of an approved program to
2 participate in the program. In making the selection, the agency
3 shall carefully consider institutional diversity by, among other
4 characteristics, institutional type and control, geographic
5 location, enrollment size and evidence that demonstrates a
6 strong record on student outcomes and in the administration of
7 the State grant program. The agency shall approve requests
8 related to all academic majors that are eligible under the State
9 grant program.

10 § 5105. Award and funding of pilot program.

11 (a) General rule.--The agency shall award, from funds
12 appropriated, allocated or otherwise made available to the
13 agency, grants to students who are enrolled in an approved
14 program at participating institutions of higher education.

15 (b) Funding.--One-half of one percent of the total funding
16 appropriated to the State grant program shall be allocated to
17 fund the program.

18 § 5106. Student application and selection.

19 (a) General rule.--A student enrolled in an approved program
20 shall submit an application for a State grant from the agency.
21 The application must be submitted in a form and in a manner as
22 prescribed by the agency.

23 (b) Grant award.--

24 (1) The agency shall review each application submitted
25 under subsection (a) and, based on available resources as
26 provided in section 5105(b) (relating to award and funding of
27 pilot program), if the agency concludes that the applicant
28 has financial need, may award a State grant to the applicant
29 to cover the cost of full-time or at least half-time study in
30 an approved program.

1 (2) A grant awarded to a student may not exceed per
2 award year the amount the student would receive under the
3 State grant program for the same award year.

4 § 5107. Evaluation and reporting.

5 (a) Review of pilot program.--The agency may collect student
6 and school data to assess the performance of the program,
7 provided that the collection complies with the rights and
8 responsibilities certification document of the State grant
9 program as administered by the agency.

10 (b) Submission of data.--An institution of higher education
11 with an approved program shall submit to the agency an annual
12 report about the approved program, its implementation and its
13 results. The institution of higher education shall provide the
14 agency information on:

15 (1) Courses and programs offered.

16 (2) The number of students enrolled in the approved
17 program and any withdrawals.

18 (3) Numbers and types of degrees and certificates
19 awarded.

20 (4) Partnerships with the State correctional
21 institutions.

22 (5) Challenges in providing programs and courses in the
23 prison setting.

24 (6) How the challenges were addressed.

25 (7) Other relevant data the agency may request.

26 (c) Agency report.--By December 31, 2022, the agency shall
27 submit to the Secretary of Education, the Secretary of
28 Corrections, the chairperson and minority chairperson of the
29 Education Committee of the Senate, the chairperson and minority
30 chairperson of the Education Committee of the House of

1 Representatives, the chairperson and minority chairperson of the
2 Judiciary Committee of the Senate and the chairperson and
3 minority chairperson of the Judiciary Committee of the House of
4 Representatives, a written report assessing the success of the
5 program and making recommendations regarding the possible
6 extension and expansion of the program.

7 § 5108. Length of pilot program.

8 This chapter shall apply to academic year 2018-2019 through
9 academic year 2022-2023.

10 § 5109. Expiration.

11 This chapter shall expire June 30, 2023.

12 Section 2. Chapter 61 of Title 61 is amended by adding a
13 subchapter to read:

14 CHAPTER 61

15 PENNSYLVANIA BOARD OF PROBATION AND PAROLE

16 * * *

17 SUBCHAPTER E

18 POST-PRISON EDUCATION PROGRAM

19 DEMONSTRATION PROJECT

20 Sec.

21 6161. Definitions.

22 6162. Demonstration project.

23 6163. Application and selection of demonstration project.

24 6164. Evaluation and reporting.

25 6165. Post-Prison Education Program Demonstration Project Fund.

26 6166. Length of demonstration project.

27 6167. Expiration.

28 § 6161. Definitions.

29 The following words and phrases when used in this subchapter
30 shall have the meanings given to them in this section unless the

1 context clearly indicates otherwise:

2 "Demonstration project." The Post-Prison Education Program
3 Demonstration Project established in this subchapter.

4 "Institution of higher education." A postsecondary
5 institution that participated in the State grant program during
6 the 2017-2018 award year and is domiciled and headquartered with
7 its principal physical location in this Commonwealth.

8 § 6162. Demonstration project.

9 (a) Establishment.--The Post-Prison Education Program
10 Demonstration Project is established in the board to approve a
11 project aimed at assisting individuals released from prison to
12 transition successfully to college and the workforce.

13 (b) Guidelines.--The board, along with the department, shall
14 administer and establish guidelines for the demonstration
15 project.

16 (c) Criteria.--The demonstration project shall provide ex-
17 offenders with:

18 (1) Resources such as scholarships to assist with
19 tuition, fees and textbooks.

20 (2) Academic advising and career counseling.

21 (3) Advocacy and mentoring.

22 § 6163. Application and selection of demonstration project.

23 (a) Grant application.--A nonprofit organization within this
24 Commonwealth may submit an application to the board for approval
25 of a grant to operate a demonstration project. The grant
26 application must include a detailed description of the
27 postconviction education program to be carried out with grant
28 funds including eligibility, enrollment process and policies
29 regarding academics, drug and alcohol and lifestyle. The
30 application must be submitted in a form and in a manner as

1 prescribed by the board and department.

2 (b) Selection.--From the applications submitted, the board,
3 in consultation with the department, shall select a nonprofit
4 organization, that meets the criteria and guidelines specified
5 in section 6162(b) and (c) (relating to demonstration project)
6 to be awarded a grant to operate a demonstration project for a
7 postconviction education program.

8 § 6164. Evaluation and reporting.

9 (a) Reporting of data.--The grant recipient shall submit to
10 the board annually information about the demonstration project,
11 its implementation and its results. The recipient shall provide
12 the board data on:

13 (1) the number of students enrolled in the demonstration
14 project and any withdrawals;

15 (2) the rate of recidivism of students participating in
16 the demonstration project;

17 (3) numbers and types of degrees and certificates
18 earned;

19 (4) the number of students who secured employment upon
20 graduating;

21 (5) partnerships with institutions of higher education;
22 and

23 (6) other relevant data that the board may request.

24 (b) Board report.--By December 31, 2021, the board shall
25 submit to the Secretary of Education, the Secretary of
26 Corrections, the chairperson and minority chairperson of the
27 Education Committee of the Senate, the chairperson and minority
28 chairperson of the Education Committee of the House of
29 Representatives, the chairperson and minority chairperson of the
30 Judiciary Committee of the Senate and the chairperson and

1 minority chairperson of the Judiciary Committee of the House of
2 Representatives a written report assessing the success of the
3 demonstration project and making recommendations regarding the
4 possible extension and expansion of the demonstration project.

5 § 6165. Post-Prison Education Program Demonstration Project
6 Fund.

7 (a) Establishment.--Post-Prison Education Program
8 Demonstration Project Fund is established in the State Treasury.
9 The money in the fund is appropriated on a continuing basis to
10 the board for the purposes of this subchapter.

11 (b) Initial funding.--The sum of \$500,000 shall be
12 transferred from the General Fund to the fund established in
13 subsection (a).

14 (c) Limitation of expenditure.--Each fiscal year the board
15 may not expend more than \$125,000 from the fund established in
16 subsection (a).

17 § 6166. Length of demonstration project.

18 This subchapter shall apply to academic year 2018-2019
19 through academic year 2021-2022.

20 § 6167. Expiration.

21 This subchapter shall expire June 30, 2022.

22 Section 3. This act shall take effect July 1, 2019, or
23 immediately, whichever is later.