
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 993 Session of
2019

INTRODUCED BY BRIGGS, ROEBUCK, HILL-EVANS, KINSEY, CALTAGIRONE,
SCHLOSSBERG, SOLOMON, T. DAVIS, FREEMAN, ZABEL, DeLUCA,
MULLINS, CIRESI, WARREN, MURT, KORTZ AND STURLA,
MARCH 27, 2019

REFERRED TO COMMITTEE ON EDUCATION, MARCH 27, 2019

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in preliminary provisions,
6 establishing the Higher Education Funding Commission and
7 providing for its powers and duties.

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

10 Section 1. The General Assembly finds that:

11 (1) This Commonwealth has a diverse array of
12 institutions of higher education with a variety of missions
13 and strengths.

14 (2) Higher education is a critical mechanism for
15 socioeconomic advancement among aspiring individuals and an
16 important driver of economic mobility in our society.

17 (3) A well-educated workforce is vital to our future
18 economic growth.

19 (4) Institutions of Higher Education contribute to the

1 quality of life in their communities and provide services
2 such as medical facilities, research centers, libraries,
3 sports, art and cultural events.

4 (5) All residents of this Commonwealth benefit from the
5 skills and education gained by students at our institutions
6 of higher education.

7 (6) To secure these benefits for its residents, the
8 Commonwealth invests significant public resources to support
9 these institutions.

10 (7) To maximize these benefits for residents, the
11 Commonwealth should continue to partner with the institutions
12 to promote greater accessibility, affordability and usability
13 of postsecondary education in this Commonwealth.

14 (8) The future of this Commonwealth depends in part on
15 the ability of public and private institutions of higher
16 education to continue to fulfill their missions.

17 Section 2. The act of March 10, 1949 (P.L.30, No.14), known
18 as the Public School Code of 1949, is amended by adding a
19 section to read:

20 Section 128. Higher Education Funding Commission.--(a) The
21 Higher Education Funding Commission is established.

22 (b) The commission shall review and make recommendations
23 related to higher education funding as provided in this section.

24 (c) (1) The commission shall consist of the following
25 members:

26 (i) The chair and minority chair of the Education Committee
27 of the Senate and the chair and minority chair of the Education
28 Committee of the House of Representatives or their designees.

29 (ii) Two (2) legislators from each of the four (4)
30 legislative caucuses, to be appointed by the President pro

1 tempore of the Senate and the Speaker of the House of
2 Representatives, in consultation with the Majority Leader and
3 Minority Leader of the Senate and the Majority Leader and
4 Minority Leader of the House of Representatives.

5 (iii) The Secretary of Education or a designee.

6 (iv) The Deputy Secretary for Higher Education or a
7 designee.

8 (v) An individual appointed by the Governor from within the
9 Governor's Administration.

10 (2) The commission shall appoint a member to serve as chair
11 of the commission.

12 (d) The commission shall hold its first meeting within
13 forty-five (45) days of the effective date of this section,
14 regardless of whether the Governor or all legislators have been
15 appointed.

16 (e) The commission shall hold meetings at the call of the
17 chair.

18 (f) The members may not receive compensation for their
19 services but shall be reimbursed for all necessary travel and
20 other reasonable expenses incurred in connection with the
21 performance of their duties as members of the commission.

22 (g) The General Assembly shall provide administrative
23 support, meeting space and any other assistance required by the
24 commission to carry out its duties under this section in
25 cooperation with the department. The department shall provide
26 the commission with data, research and other information upon
27 request by the commission.

28 (h) The commission shall develop a higher education funding
29 formula and identify factors that may be used to determine the
30 distribution of higher education funding among the school

1 districts in this Commonwealth. The factors identified under
2 this subsection may include all of the following:

3 (1) Projected revenue and expenses, including long-term debt
4 and the current and projected cost and funding status of health
5 and pension benefits for at least the next five (5) years.

6 (2) College affordability, including the effect on
7 enrollment trends over the next five (5) years, taking into
8 account the costs and fees levied on students who attend
9 traditional classes and on students who take online courses.

10 (3) The potential for improved efficiencies and overall cost
11 reductions between the public institutions of higher education.

12 (4) Current and future infrastructure needs at all the
13 public institutions of higher education, including academic
14 buildings, residence halls and other student-financed buildings,
15 as well as a review of deferred maintenance projects and future
16 information technology needs.

17 (5) The contributions made by any affiliates, subsidiaries,
18 foundations, local sponsors or other entities.

19 (6) The adequacy of State support for institutions of higher
20 education.

21 (7) Best practices undertaken by policymakers in other
22 states to address enrollment and fiscal pressures in public
23 higher education.

24 (8) An analysis of current efforts by institutions of higher
25 education to improve financial literacy as it relates to the
26 costs associated with the attainment of an associate degree or
27 higher.

28 (9) The economic impact of institutions of higher education
29 on their communities.

30 (10) Gaps and opportunities for collaboration with basic

1 education, work force development programs, economic development
2 and other related systems.

3 (11) Using data from the most recent year available, provide
4 a list of all public and private institutions of higher
5 education with students who receive grant money from the
6 Pennsylvania Higher Education Assistance Agency and the grant
7 amounts awarded to each institution.

8 (12) Geographic price differences identified for each
9 institution of higher education.

10 (13) Whether an institution of higher education has
11 experienced exceptionally high enrollment growth.

12 (14) Other factors related to the distribution of higher
13 education funding.

14 (i) The commission shall have all of the following powers
15 and duties:

16 (1) Review and make findings and recommendations related to
17 higher education funding in this Commonwealth.

18 (2) Consult with and utilize experts to assist the
19 commission in carrying out the duties under this subsection.

20 (3) Receive input from interested parties, including, but
21 not limited to, school districts and charter and cyber charter
22 school operators.

23 (4) Hold public hearings in different regions of this
24 Commonwealth.

25 (5) Review and consider higher education funding formulas
26 and factors utilized throughout the United States.

27 (6) In identifying the higher education funding factors
28 under subsection (h) and in completing the report required under
29 this subsection, consider the impact these factors may have on
30 the distribution of higher education funding among the

1 institutions of higher education.

2 (7) Review the administration of Federal and State higher
3 education programs and services to determine if cost savings may
4 be achieved and make recommendations to implement the savings.

5 (8) Prior to recommending a higher education funding formula
6 under this section, consider the potential consequences of a
7 higher education funding formula that does not allocate to each
8 institution of higher education at least the same level or
9 proportion of State higher education funding as the institution
10 received in the prior school year.

11 (9) Prior to recommending a higher education funding formula
12 under this section, consider nationally accepted accounting and
13 budgeting standards.

14 (10) Develop a proposed higher education funding formula and
15 factors pursuant to subsection (h).

16 (11) Draft proposed regulations and proposed legislation
17 based on the commission's findings.

18 (12) Issue a report of the commission's findings and
19 recommendations to the Governor, the State Board of Education,
20 the Secretary of Education, the President pro tempore of the
21 Senate, the Speaker of the House of Representatives, the
22 Majority Leader and Minority Leader of the Senate, the Majority
23 Leader and Minority Leader of the House of Representatives, the
24 Education Committee of the Senate and the Education Committee of
25 the House of Representatives not later than one year after the
26 effective date of this section.

27 (j) The higher education formula developed by the commission
28 shall not go into effect unless the formula is approved by an
29 act of the General Assembly enacted after the effective date of
30 this section.

1 (k) Every five (5) years the commission shall be
2 reconstituted in accordance with subsection (c) and shall meet
3 and hold public hearings to review the operation of the higher
4 education funding provisions of this section, shall make a
5 further report and shall issue the report to the recipients
6 listed in subsection (i) (12).

7 (l) As used in this section, the following words and phrases
8 shall have the meanings given to them in this subsection unless
9 the context clearly indicates otherwise:

10 "Commission." The Higher Education Funding Commission
11 established by this section.

12 "Department." The Department of Education of the
13 Commonwealth.

14 Section 3. This act shall take effect in 60 days.