

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 35 Session of 2019

INTRODUCED BY SCHWANK, FONTANA, BREWSTER, FARNESE, HUGHES AND COSTA, JANUARY 11, 2019

REFERRED TO EDUCATION, JANUARY 11, 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," providing for in-State tuition for  
 6 undocumented individuals.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known  
 10 as the Public School Code of 1949, is amended by adding an  
 11 article to read:

12 ARTICLE XX-I

13 DEVELOPMENT, RELIEF AND EDUCATION

14 FOR ALIEN MINORS (DREAM)

15 Section 2001-I. Definitions.

16 The following words and phrases when used in this article  
 17 shall have the meanings given to them in this section unless the  
 18 context clearly indicates otherwise:

19 "Department." The Department of Education of the  
 20 Commonwealth.

1 "Individual." An immigrant as defined by 8 U.S.C. § 1101(a)  
2 (15) (relating to definitions) who resides in this Commonwealth  
3 without authority under Federal immigration law.

4 "PHEAA." The Pennsylvania Higher Education Assistance  
5 Agency.

6 "Public institution of higher education." Any of the  
7 following:

8 (1) A community college under Article XIX-A.

9 (2) A university within the State System of Higher  
10 Education under Article XX-A.

11 (3) A State-related institution as defined in section  
12 1502-A.

13 Section 2002-I. Eligibility.

14 An individual meeting all the requirements of section 2003-I  
15 shall be exempt from paying the out-of-State or international  
16 tuition rate at a public institution of higher education.

17 Section 2003-I. Requirements.

18 The following provisions shall be the requirements of  
19 eligibility:

20 (1) Beginning with the 2013-2014 school year, the  
21 individual must have attended a public, nonpublic, charter or  
22 cyber charter secondary school in this Commonwealth for at  
23 least two years.

24 (2) Beginning with the 2015-2016 school year, the  
25 individual must have graduated from a public, nonpublic,  
26 charter or cyber charter secondary school in this  
27 Commonwealth or received the equivalent of a high school  
28 diploma in this Commonwealth.

29 (3) The individual must enroll as a student in an  
30 institution of higher education in this Commonwealth not

1 earlier than the 2019 fall semester.

2 Section 2004-I. Institution of higher education requirements.

3 An institution of higher education that admits an individual  
4 under this article shall:

5 (1) Keep a record of the number of individuals admitted  
6 under this article and annually report this information to  
7 the department.

8 (2) Adopt appropriate policies to implement the  
9 provisions of this article.

10 Section 2005-I. Financial aid.

11 An individual accepted by an institution of higher education  
12 under this article shall qualify as a resident of this  
13 Commonwealth for purposes of educational financial aid through  
14 PHEAA.

15 Section 2006-I. Departmental requirements.

16 The department shall submit to the chairperson and minority  
17 chairperson of the Education Committee of the Senate and the  
18 chairperson and minority chairperson of the Education Committee  
19 of the House of Representatives an annual report consisting of a  
20 compilation of the reports submitted to the department under  
21 section 2004-I.

22 Section 2007-I. Confidentiality.

23 Information obtained from an individual for the purposes of  
24 implementing this article is confidential.

25 Section 2. This act shall take effect July 1, 2019, or  
26 immediately, whichever is later.