THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1576 Session of 2021

INTRODUCED BY SCHWEYER, BURGOS, GUZMAN, BULLOCK, DELLOSO, FITZGERALD, GALLOWAY, GUENST, HANBIDGE, HILL-EVANS, HOHENSTEIN, INNAMORATO, KINKEAD, KINSEY, KRAJEWSKI, LEE, MADDEN, McNEILL, N. NELSON, PASHINSKI, ROZZI, SCHLOSSBERG, SOLOMON, STURLA, WEBSTER AND ZABEL, JUNE 8, 2021

REFERRED TO COMMITTEE ON EDUCATION, JUNE 8, 2021

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 tuition equity and
6   inclusion.

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-K

13   TUITION EQUITY AND INCLUSION

14 Section 2001-K. Definitions.

15   The following words and phrases when used in this article

16 shall have the meanings given to them in this section unless the

17 context clearly indicates otherwise:

18   "Department." The Department of Education of the

1 Commonwealth.

2   "PHEAA." The Pennsylvania Higher Education Assistance

3 Agency.

4   "Public institution of higher education." Any of the

5 following:

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

7   (2) A university within the State System of Higher

8 Education under Article XX-A.

9   (3) A State-related institution as defined in section

10 1502-A.

11 Section 2002-K. Eligibility.

12   (a) Requirements.--An individual shall be exempt from paying

13 out-of-State tuition rates at a public institution of higher

14 education if the individual:

15   (1) Is other than a nonimmigrant within the meaning of:

16   (i) 8 U.S.C. § 1101(a)(15)(F), (H)(iii) or (J)

17 (relating to definitions) and including only a student or

18 trainee; or

19   (ii) 8 U.S.C. § 1101(a)(15)(M).

20   (2) Attended a public, nonpublic, charter or cyber

21 charter secondary school in this Commonwealth for at least

22 two years.

23   (3) Graduated from a public, nonpublic, charter or cyber

24 charter secondary school in this Commonwealth or received the

25 equivalent of a high school diploma in this Commonwealth.

26   (b) Evidence.--The department shall issue guidance to public

27 institutions of higher education on what evidence is acceptable

28 to prove the requirements under this section.

29 Section 2003-K. Duties of public institution of higher

30   education.

1   A public institution of higher education that admits an

2 individual under this article shall:

3   (1) Keep a record of the number of individuals admitted

4   under this article and annually report this information to

5   the department.

6   (2) Adopt appropriate policies to implement the

7   provisions of this article.

8 Section 2004-K. Financial aid.

9   (a) Eligibility.--An individual who meets the requirements

10 under section 2002-K(a) and is accepted by a public institution

11 of higher education in this Commonwealth shall be eligible for

12 financial aid through PHEAA.

13   (b) Application.--PHEAA shall create an alternative

14 financial aid application for an individual under this section.

15 The application shall not require the Social Security number of

16 the individual or a parent of the individual.

17 Section 2005-K. Duties of department.

18   The department shall prepare an annual report consisting of a

19 compilation of the reports submitted to the department under

20 section 2003-K(1). The report shall be submitted to the

21 chairperson and minority chairperson of the Education Committee

22 of the Senate and the chairperson and minority chairperson of

23 the Education Committee of the House of Representatives.

24 Section 2006-K. Confidentiality.

25   Information obtained under this article is confidential and

26 shall be used or disclosed only for purposes of administering

27 this article.

28   Section 2. This act shall take effect July 1, 2021.