

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1151 Session of 2024

INTRODUCED BY MARTIN, K. WARD, PITTMAN, AUMENT, ARGALL, PENNYCUICK, LANGERHOLC, LAUGHLIN, MASTRIANO, REGAN, STEFANO, VOGEL AND J. WARD, APRIL 26, 2024

AS AMENDED ON THIRD CONSIDERATION, JUNE 10, 2024

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 the State System of Higher
6 Education, further providing for definitions and establishing
7 the Grow Pennsylvania Merit Scholarship Program.

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

10 Section 1. Section 2001-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended July 8, 2022 (P.L.620, No.55), is amended to read:

13 Section 2001-A. Definitions.--The following words and
14 phrases when used in this article shall, for the purpose of this
15 article, have the following meanings, respectively, except in
16 those instances where the context clearly indicates a different
17 meaning:

18 [(1)] "Affiliated entity" shall mean a private nonprofit
19 corporation with the sole purpose of benefiting the State System
20 of Higher Education or a State-owned university.

1 "Agency" shall mean the Pennsylvania Higher Education  
2 Assistance Agency.

3 "Approved course of study" shall mean a program offered by an  
4 institution that provides instruction in agriculture, computer  
5 science, business, education, SPECIAL EDUCATION, STEM EDUCATION, <--  
6 engineering, nursing, ALLIED HEALTH, criminal justice or other <--  
7 in-demand occupations approved by the agency in consultation  
8 with the Independent Fiscal Office.

9 [(1.1)] "Board" shall mean the Board of Governors of the  
10 State System of Higher Education.

11 "Campus police" shall mean all law enforcement personnel  
12 employed by the system who have successfully completed a campus  
13 police course of training approved under 53 Pa.C.S. Ch. 21  
14 Subch. D (relating to municipal police education and training).

15 [(2)] "Chancellor" shall mean the chief executive officer of  
16 the State System of Higher Education.

17 [(3)] "Coalition bargaining" shall mean two (2) or more  
18 employers bargaining jointly with all of their employes in a  
19 particular category or bargaining unit so that one collective  
20 process would determine the conditions of employment for all  
21 employers in the appropriate units involved.

22 [(4)] "Commission" shall mean the presidents of the several  
23 institutions.

24 [(4.1)] "Commonwealth University of Pennsylvania" shall mean  
25 the institution comprised of Bloomsburg University of  
26 Pennsylvania, Lock Haven University of Pennsylvania and  
27 Mansfield University of Pennsylvania as consolidated under  
28 section 2002-A.

29 [(5)] "Council" shall mean the council of trustees of the  
30 individual institutions.

1 [(6)] "Deferment" shall mean any authorized delay in the  
2 payment by a student of all or part of his tuition fee, charges  
3 for room and board, application fee, student activity fee, or  
4 any other charge or fee.

5 [(6.1)] "Education record" shall have the same meaning as in  
6 the Family Educational Rights and Privacy Act of 1974 (Public  
7 Law 90-247, 20 U.S.C. § 1232g). ((6.1) added July 1, 2020,  
8 P.L.558, No.50)

9 [(7)] "Employer" shall mean the Board of Governors of the  
10 State System of Higher Education as the successor employer to  
11 the Commonwealth of Pennsylvania.

12 [(8)] "Graduate assistant" means a graduate student  
13 appointed by the president and assigned to a faculty or staff  
14 member to assist in research, instruction and other related  
15 professional duties.

16 "Grounds" shall mean all lands and buildings owned,  
17 controlled, leased or managed by the system and all highways,  
18 trafficways and bicycle and pedestrian facilities that traverse  
19 or abut such lands and buildings.

20 [(9)] "Higher education" shall include any organized program  
21 of instruction, research or service primarily concerned with a  
22 field of organized knowledge, related theory, and associated  
23 practice or application of skills and which leads to a degree;  
24 that is, the work is creditable toward a degree.

25 "In-demand occupation" shall mean a job that is in demand by  
26 employers in this Commonwealth, requires a high level of skill  
27 and is likely to provide family-sustaining wages.

28 [(9.1)] "Initial member" shall mean a trustee serving on the  
29 council of trustees as of June 30, 2022, for an institution  
30 consolidated under section 2002-A that has been nominated and

1 appointed by the Governor and confirmed by the Senate.

2 [(10)] "Institution" shall mean each of the State-owned  
3 colleges and university on the effective date hereof, or  
4 hereafter created, and including its personnel, and its physical  
5 plant, instructional equipment, records and all other property  
6 thereof.

7 [(10.1)] "Integrated council" shall mean each of the  
8 following:

9 (1) The Council of Trustees of Commonwealth University of  
10 Pennsylvania.

11 (2) The Council of Trustees of Pennsylvania Western  
12 University.

13 "Maintenance projects" shall mean those activities,  
14 materials, labor and contracts necessary to replace, restore,  
15 refurbish or enhance real property which do not alter the  
16 architectural or engineering characteristics of the structure,  
17 as follows: painting; window repair and replacement; roof repair  
18 and replacement; repointing and masonry repair; downspout and  
19 gutters; landscaping; roadways, parking facilities, track and  
20 athletic court resurfacing and reconstruction; sidewalk and  
21 curbing reconstruction and replacement; asbestos abatement (in  
22 accordance with all State and Federal statutes and regulations);  
23 caulking and insulation; and replacement, reconstruction and  
24 construction of non-load-bearing interior walls. No such project  
25 shall affect the structural integrity of any existing facility  
26 or utility system.

27 "Merit scholarship" means SHALL MEAN the waiver of an amount <--  
28 equal to the differential between tuition for a resident and  
29 nonresident student.

30 [(10.2)] "Pennsylvania Western University" shall mean the

1 institution comprised of California University of Pennsylvania,  
2 Clarion University of Pennsylvania and Edinboro University of  
3 Pennsylvania as consolidated under section 2002-A.

4 [(11)] "Professional employe" for the purposes of this act,  
5 professional employe means any employe whose work:

6 [(i)] (1) is predominately intellectual and varied in  
7 character;

8 [(ii)] (2) requires consistent exercise of discretion and  
9 judgment;

10 [(iii)] (3) requires knowledge of an advanced nature in the  
11 field of science or learning customarily acquired by specialized  
12 study in an institution of higher learning or its equivalent;  
13 and

14 [(iv)] (4) is of such character that the output or result  
15 accomplished cannot be standardized in relation to a given  
16 period of time.

17 "Program" means SHALL MEAN the Grow Pennsylvania Merit <--  
18 Scholarship Program.

19 [(12)] "Refund" shall mean any return payment, or remission,  
20 by an institution to a student of all or part of any sum he has  
21 paid for tuition, room and board, application or student  
22 activity fee or any other charge or fee.

23 [(13)] "Secretary" shall mean the Secretary of Education of  
24 the Commonwealth of Pennsylvania or such person as the secretary  
25 may designate to act on behalf of the secretary with regard to  
26 any of the duties and prerogatives imposed by this act.

27 [(14)] "State board" shall mean the State Board of  
28 Education.

29 "STEM" SHALL MEAN SCIENCE, TECHNOLOGY, ENGINEERING AND <--  
30 MATHEMATICS.

1 [(15)] "Student" shall mean a person who is enrolled in a  
2 course of study in any institution which is subject to the  
3 provisions hereof.

4 [(16)] "Student association" shall mean the officially  
5 recognized representative body of the student population of each  
6 institution.

7 [(17)] "System" shall mean the State System of Higher  
8 Education.

9 [(17.1)] "Transitional member" shall mean a trustee serving  
10 on the council of trustees as of June 30, 2022, for an  
11 institution consolidated under section 2002-A, who is appointed  
12 to serve on an integrated council for a term beginning on July  
13 15, 2022, until September 30, 2022, or upon confirmation of  
14 initial members by the Senate, whichever occurs earlier.

15 [(18)] "Waiver" shall mean any release from initial payment  
16 by a student of all or part of his tuition, charge for room and  
17 board, application or student activity fee or any other charge  
18 or fee.

19 [(19) "Maintenance projects" shall mean those activities,  
20 materials, labor and contracts necessary to replace, restore,  
21 refurbish or enhance real property which do not alter the  
22 architectural or engineering characteristics of the structure,  
23 as follows: painting; window repair and replacement; roof repair  
24 and replacement; repointing and masonry repair; downspout and  
25 gutters; landscaping; roadways, parking facilities, track and  
26 athletic court resurfacing and reconstruction; sidewalk and  
27 curbing reconstruction and replacement; asbestos abatement (in  
28 accordance with all State and Federal statutes and regulations);  
29 caulking and insulation; and replacement, reconstruction and  
30 construction of non-load bearing interior walls. No such project

1 shall affect the structural integrity of any existing facility  
2 or utility system.

3 (20) "Campus police" shall mean all law enforcement  
4 personnel employed by the system who have successfully completed  
5 a campus police course of training approved under 53 Pa.C.S. Ch.  
6 21 Subch. D (relating to municipal police education and  
7 training).

8 (21) "Grounds" shall mean all lands and buildings owned,  
9 controlled, leased or managed by the system and all highways,  
10 trafficways and bicycle and pedestrian facilities that traverse  
11 or abut such lands and buildings.]

12 Section 2. The act is amended by adding a section to read:

13 Section 2022-A. Grow Pennsylvania Merit Scholarship  
14 Program.--(a) Beginning with the class of first-time freshmen  
15 enrolling for the 2025-2026 academic year, the ~~system~~ AGENCY, IN <--  
16 CONJUNCTION WITH THE SYSTEM, shall administer a program, which  
17 is established and shall be known as the Grow Pennsylvania Merit  
18 Scholarship Program, that awards merit scholarships to eligible  
19 nonresident students.

20 (b) To be eligible for receipt of a merit scholarship, an  
21 eligible nonresident student must:

22 (1) Demonstrate a grade point average of at least 2.50 on a  
23 4.0 scale.

24 (2) Be enrolled in person in an approved course of study-, <--  
25 EXCEPT THAT A PERSON MAY TAKE OCCASIONAL ONLINE COURSES.

26 (3) Enter into a written agreement with the agency to:

27 (i) Satisfy all degree requirements and other requirements  
28 of this section.

29 (ii) Commence employment in this Commonwealth within one  
30 year after completion of an approved course of study culminating

1 in a bachelor's or associate's degree. The employment must be in  
2 a field IN-DEMAND OCCUPATIONS, as determined by the agency, <--  
3 related to the approved course of study for a period of fifteen <--  
4 months of each academic year the student received a merit  
5 scholarship, unless the agency determines that there are  
6 extenuating circumstances.

7 (iii) Reimburse the agency all amounts waived under this <--  
8 section, including interest, as determined by the agency, if the  
9 student breaches the agreement.

10 (III) REIMBURSE THE AGENCY THE AGGREGATE AMOUNT OF A <--  
11 SCHOLARSHIP RECEIVED UNDER THIS ARTICLE IF THE STUDENT BREECHES  
12 THE AGREEMENT. THE AGENCY, IN ITS DISCRETION, MAY CHARGE  
13 INTEREST. FOR A STUDENT WHO PARTIALLY SATISFIES THE WORK  
14 REQUIREMENT, THE AGENCY SHALL PRORATE THE REQUIRED  
15 REIMBURSEMENT.

16 (c) The agency shall monitor and verify a student's  
17 compliance with the agreement and enforce repayment of all merit  
18 scholarships for a student who does not comply with the  
19 provisions of this section, including USE OF lawful collection <--  
20 procedures and of private collection agencies. <--  
21 NOTHING UNDER  
22 THIS SUBSECTION SHALL BE CONSTRUED TO REQUIRE AN INSTITUTION OF  
23 HIGHER EDUCATION TO ENFORCE ANY PROVISION OF THIS ARTICLE  
24 RELATING TO REPAYMENT OF FUNDS FOR FAILURE TO COMPLY WITH THE  
25 PROVISIONS OF THIS SECTION.

26 (d) A scholarship shall be for a maximum of four academic  
27 years.

28 (e) If a student terminates enrollment in the approved  
29 course of study during the academic year or prior to completion  
30 of the approved course of study, an institution shall notify the  
agency in writing. NOTHING IN THIS SUBSECTION SHALL BE CONSTRUED <--



1 TO CHANGE A STUDENT'S ELIGIBILITY FOR A MERIT SCHOLARSHIP IF THE  
2 STUDENT TERMINATES ENROLLMENT IN ONE APPROVED COURSE OF STUDY  
3 AND ENROLLS IN A DIFFERENT APPROVED COURSE OF STUDY.

4 (f) Money reimbursed to the agency under this section shall  
5 be transferred to the system.

6 (g) (1) The agency shall postpone the work requirement  
7 under subsection (b) (3) for extenuating circumstances, as  
8 determined by the agency, or if the student enrolls in a higher  
9 level degree program.

10 (2) A student that enrolls in a higher level degree program  
11 must provide the agency with documentation showing continual  
12 status as a full-time student in order to be given a  
13 postponement by the agency under this section.

14 (h) A merit scholarship received by a student shall not be  
15 considered taxable income for purposes of Article III of the act  
16 of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of  
17 1971."

18 (i) The ~~agency~~ SYSTEM shall provide assistance to the ~~system~~ <--  
19 AGENCY as necessary to administer the program. <--

20 (j) The ~~system~~ AGENCY, in consultation with the ~~agency~~ <--  
21 SYSTEM, shall prepare and submit to the Governor and the General <--  
22 Assembly no later than December 31, 2025, and each year  
23 thereafter, a report detailing the operation of the program. The  
24 report shall, at a minimum, include:

25 (1) A list of the in-demand occupations for which ~~grants~~ <--  
26 MERIT SCHOLARSHIPS may be sought. <--

27 (2) The number of merit scholarships applicants.

28 (3) The number of merit scholarships awarded.

29 (4) The number of merit scholarships awarded by approved  
30 source of study.

1     (5) The number of merit scholarships awarded by institution.

2     (6) The average amount of the merit scholarship.

3     (7) The number of merit scholarship recipients that are  
4 employed and meeting the work requirement under subsection (b)  
5 (3).

6     (8) The number of merit scholarship recipients that have not  
7 met the work requirement.

8     (9) The amount of money reimbursed to the ~~system~~ AGENCY by <--  
9 merit scholarship recipients that have not met the work  
10 requirement.

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