
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2279 Session of
2024

INTRODUCED BY MERCURI, JAMES AND TOPPER, MAY 14, 2024

REFERRED TO COMMITTEE ON EDUCATION, MAY 14, 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, is
12 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.

21 "Agency" shall mean the Pennsylvania Higher Education

1 Assistance Agency.

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

7 [(1.1)] "Board" shall mean the Board of Governors of the
8 State System of Higher Education.

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

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

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

20 [(4)] "Commission" shall mean the presidents of the several
21 institutions.

22 [(4.1)] "Commonwealth University of Pennsylvania" shall mean
23 the institution comprised of Bloomsburg University of
24 Pennsylvania, Lock Haven University of Pennsylvania and
25 Mansfield University of Pennsylvania as consolidated under
26 section 2002-A.

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

29 [(6)] "Deferment" shall mean any authorized delay in the
30 payment by a student of all or part of his tuition fee, charges

1 for room and board, application fee, student activity fee, or
2 any other charge or fee.

3 [(6.1)] "Education record" shall have the same meaning as in
4 the Family Educational Rights and Privacy Act of 1974 (Public
5 Law 90-247, 20 U.S.C. § 1232g). ((6.1) added July 1, 2020,
6 P.L.558, No.50)

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

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

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

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

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

26 [(9.1)] "Initial member" shall mean a trustee serving on the
27 council of trustees as of June 30, 2022, for an institution
28 consolidated under section 2002-A that has been nominated and
29 appointed by the Governor and confirmed by the Senate.

30 [(10)] "Institution" shall mean each of the State-owned

1 colleges and university on the effective date hereof, or
2 hereafter created, and including its personnel, and its physical
3 plant, instructional equipment, records and all other property
4 thereof.

5 [(10.1)] "Integrated council" shall mean each of the
6 following:

7 (1) The Council of Trustees of Commonwealth University of
8 Pennsylvania.

9 (2) The Council of Trustees of Pennsylvania Western
10 University.

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

25 "Merit scholarship" means the waiver of an amount equal to
26 the differential between tuition for a resident and nonresident
27 student.

28 [(10.2)] "Pennsylvania Western University" shall mean the
29 institution comprised of California University of Pennsylvania,
30 Clarion University of Pennsylvania and Edinboro University of

1 Pennsylvania as consolidated under section 2002-A.

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

4 [(i)] (1) is predominately intellectual and varied in
5 character;

6 [(ii)] (2) requires consistent exercise of discretion and
7 judgment;

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

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

15 "Program" means the Grow Pennsylvania Merit Scholarship
16 Program.

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

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

25 [(14)] "State board" shall mean the State Board of
26 Education.

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

30 [(16)] "Student association" shall mean the officially

1 recognized representative body of the student population of each
2 institution.

3 [(17)] "System" shall mean the State System of Higher
4 Education.

5 [(17.1)] "Transitional member" shall mean a trustee serving
6 on the council of trustees as of June 30, 2022, for an
7 institution consolidated under section 2002-A, who is appointed
8 to serve on an integrated council for a term beginning on July
9 15, 2022, until September 30, 2022, or upon confirmation of
10 initial members by the Senate, whichever occurs earlier.

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

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

29 [(20) "Campus police" shall mean all law enforcement
30 personnel employed by the system who have successfully completed

1 a campus police course of training approved under 53 Pa.C.S. Ch.
2 21 Subch. D (relating to municipal police education and
3 training).

4 (21) "Grounds" shall mean all lands and buildings owned,
5 controlled, leased or managed by the system and all highways,
6 trafficways and bicycle and pedestrian facilities that traverse
7 or abut such lands and buildings.]

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

9 Section 2022-A. Grow Pennsylvania Merit Scholarship

10 Program.--(a) Beginning with the class of first-time freshmen
11 enrolling for the 2025-2026 academic year, the system shall
12 administer a program, which is established and shall be known as
13 the Grow Pennsylvania Merit Scholarship Program, that awards
14 merit scholarships to eligible nonresident students.

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

17 (1) Demonstrate a grade point average of at least 2.50 on a
18 4.0 scale.

19 (2) Be enrolled in person in an approved course of study.

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

21 (i) Satisfy all degree requirements and other requirements
22 of this section.

23 (ii) Commence employment in this Commonwealth within one
24 year after completion of an approved course of study culminating
25 in a bachelor's or associate's degree. The employment must be in
26 a field, as determined by the agency, related to the approved
27 course of study for a period of fifteen months of each academic
28 year the student received a merit scholarship, unless the agency
29 determines that there are extenuating circumstances.

30 (iii) Reimburse the agency all amounts waived under this

1 section, including interest, as determined by the agency, if the
2 student breaches the agreement.

3 (c) The agency shall monitor and verify a student's
4 compliance with the agreement and enforce repayment of all merit
5 scholarships for a student who does not comply with the
6 provisions of this section, including lawful collection
7 procedures and of private collection agencies.

8 (d) A scholarship shall be for a maximum of four academic
9 years.

10 (e) If a student terminates enrollment in the approved
11 course of study during the academic year or prior to completion
12 of the approved course of study, an institution shall notify the
13 agency in writing.

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

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

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

24 (h) A merit scholarship received by a student shall not be
25 considered taxable income for purposes of Article III of the act
26 of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of
27 1971."

28 (i) The agency shall provide assistance to the system as
29 necessary to administer the program.

30 (j) The system, in consultation with the agency, shall

1 prepare and submit to the Governor and the General Assembly no
2 later than December 31, 2025, and each year thereafter, a report
3 detailing the operation of the program. The report shall, at a
4 minimum, include:

5 (1) A list of the in-demand occupations for which grants may
6 be sought.

7 (2) The number of merit scholarships applicants.

8 (3) The number of merit scholarships awarded.

9 (4) The number of merit scholarships awarded by approved
10 source of study.

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

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

13 (7) The number of merit scholarship recipients that are
14 employed and meeting the work requirement under subsection (b)
15 (3).

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

18 (9) The amount of money reimbursed to the system by merit
19 scholarship recipients that have not met the work requirement.

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