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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 35 Session of  
2019

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

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REFERRED TO EDUCATION, JANUARY 11, 2019

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AN ACT

Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," providing for in-State tuition for undocumented individuals.

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

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

ARTICLE XX-I

DEVELOPMENT, RELIEF AND EDUCATION

FOR ALIEN MINORS (DREAM)

Section 2001-I. Definitions.

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

"Department." The Department of Education of the

Commonwealth.

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

"PHEAA." The Pennsylvania Higher Education Assistance Agency.

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

- (1) A community college under Article XIX-A.
- (2) A university within the State System of Higher Education under Article XX-A.
- (3) A State-related institution as defined in section 1502-A.

Section 2002-I. Eligibility.

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

Section 2003-I. Requirements.

The following provisions shall be the requirements of eligibility:

- (1) Beginning with the 2013-2014 school year, the individual must have attended a public, nonpublic, charter or cyber charter secondary school in this Commonwealth for at least two years.
- (2) Beginning with the 2015-2016 school year, the individual must have graduated from a public, nonpublic, charter or cyber charter secondary school in this Commonwealth or received the equivalent of a high school diploma in this Commonwealth.

(3) The individual must enroll as a student in an institution of higher education in this Commonwealth not earlier than the 2019 fall semester.

Section 2004-I. Institution of higher education requirements.

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

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

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

Section 2005-I. Financial aid.

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

Section 2006-I. Departmental requirements.

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

Section 2007-I. Confidentiality.

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

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