

No. 169

AN ACT

HB 171

Amending the act of January 25, 1966 (P.L.1546), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," reducing the minimum scholarship award per academic year; making certain students eligible and certain other students ineligible under the act, and making provision for the return of unused portions of scholarships; establishing the percentage of awards to be made annually; authorizing the use of funds for administering the scholarship program; and deleting certain provisions allocating prior appropriations.

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

Section 1. Clause (4) of subsection (a) and subsection (d) of section 4, clauses (1) and (3) of section 5, section 6, subsection (a) of section 7, and subsections (c) and (d) of section 8, act of January 25, 1966 (P.L.1546), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," are amended to read:

Section 4. (a) Any student is eligible for consideration for a State scholarship providing:

* * *

(4) He is enrolled, or will be enrolled in the fall semester immediately following his secondary school graduation or his date of application, as a full-time student at an institution of higher learning: *Provided, however, That failure to enroll in the fall semester immediately following secondary school graduation shall not render ineligible a student who entered service in the military forces of the United States, the Peace Corps or Volunteers in Service to America, during the fall semester immediately following his secondary school graduation;*

* * *

(d) Undergraduate awards granted during the first year under this act will be limited to freshmen students at institutions of higher learning. Awards will be renewable for the next three academic years. [with succeeding classes of secondary school graduates added to the program each year except as hereinafter provided.] *In the case of students enrolled in five year work study programs, approved by the agency and established by institutions of higher education, awards may be renewed for the next four academic years, provided that the total scholarship funds awarded to any student during the five year period shall not exceed the amount to which such student would have been entitled had his educational*

program been completed in a period of four academic years.

Section 5. Rosters of potential scholarship recipients shall be set up by the agency as follows:

(1) The agency shall annually select from among current secondary school graduates and shall rank according to ability those students who, in the agency's sole discretion, show the greatest potential to perform at the highest level of academic achievement in *approved* postsecondary educational programs of study [leading to an associate or baccalaureate degree].

* * *

(3) The agency shall select from among current applicants those students currently enrolled or accepted for enrollment in [degree granting undergraduate] *approved postsecondary* programs, who in the agency's sole discretion, are successfully pursuing a course of study or who have been accepted as first year undergraduate students and who are in greatest need of financial assistance to complete their educational programs.

* * *

Section 6. [The appropriation herein contained shall be allocated by the agency as follows:

(1) One million dollars (\$1,000,000) is hereby appropriated from the *General Fund to the Pennsylvania Higher Education Assistance Agency* for scholarships to those students selected in accordance with the provisions of clause (1) of section 5 of this act. The financial need of the highest ranked student shall then be met through a scholarship from this allocation. The financial need of the next highest ranked student shall be met in turn until the total allocation has been disbursed. Applicants who qualify on the basis of ability but do not demonstrate financial need shall receive a certificate of merit. Applicants who receive an award under this category will not be eligible under clauses (2) or (3) of section 5 of this act.

(2) Two million five hundred thousand dollars (\$2,500,000) is hereby appropriated from the General Fund to the Pennsylvania Higher Education Assistance Agency for scholarships to those students selected in accordance with the provisions of clause (2) of section 5 of this act. The financial need of the highest ranked student shall be met through a scholarship from this allocation. The financial need of the next highest ranked student shall be met through a scholarship from this allocation until the total allocation has been disbursed. Applicants who receive an award under this category will not be eligible under clauses (1) or (3) of section 5 of this act.

(3) Five hundred thousand dollars (\$500,000) is hereby appropriated from the General Fund to the Pennsylvania Higher Education Assistance Agency for scholarships for those students selected in accordance with the provisions of clause (3) of section 5 of this act in accordance with rules and regulations to be drawn up by the agency.

(4) Of the appropriations of four million dollars (\$4,000,000) the agency

may allocate up to five percent to pay the costs of administering the scholarship program.

(5)] (a) The sum of five hundred thousand dollars (\$500,000) is hereby specifically appropriated to the agency which shall be held in reserve to guarantee loans granted under the provisions of this act and guaranteed under the provisions of the act of August 7, 1963 (P.L.549), entitled "An act creating the Pennsylvania Higher Education Assistance Agency; defining its powers and duties; conferring powers and imposing duties on the Governor, President Pro Tempore of the Senate, Speaker of the House of Representatives, Superintendent of Public Instruction and the Department of Banking; and making appropriations," and for the payment of possible losses of such loans guaranteed.

[(6)] (b) The sum of one hundred thousand dollars (\$100,000), or as much thereof as may be necessary, is hereby specifically appropriated to the agency for the purpose of assisting *institutions of higher learning, including* State-owned colleges or universities within the Commonwealth, *or students attending such institutions* in securing *or distributing* Federal funds to be used by the *institutions of higher learning, including* State-owned colleges or universities as financial aid to students in meeting their costs of attendance at such institutions. **[The] Where any of the** appropriated funds *are* to be allocated by the agency to the individual *institutions of higher learning and* State-owned colleges or universities *they shall be allocated* in the proportion that the institution's full-time enrollment bears to the total full-time enrollment among all the *institutions of higher learning and* State-owned colleges or universities *receiving such allocations* and in accordance with rules and regulations established by the board of directors of the agency. Such regulations may include, but shall not be limited to, the repayment of such sums to the agency where appropriate.

(c) *Scholarships awarded to secondary school graduates selected under clause (1) of section 5 of this act shall be awarded as follows: the financial need of the highest ranked student shall be met through appropriations allocated by the agency for such purpose; and the financial need of the next highest ranked student shall be met in turn until the total allocation for such purpose has been disbursed. Applicants who qualify on the basis of ability but do not demonstrate financial need shall receive a certificate of merit. Applicants who receive an award under this category will not be eligible under clauses (2) or (3) of section 5 of this act.*

(d) *Scholarships awarded to secondary school graduates selected under clause (2) of section 5 of this act shall be awarded as follows: the financial need of the highest ranked student shall be met through appropriations allocated by the agency for such purposes; and the financial need of the next highest ranked student shall be met in turn until the total allocation for such purpose has been disbursed.*

Applicants who receive an award under this category will not be eligible under clauses (1) or (3) of section 5 of this act.

(e) Scholarships awarded to students currently enrolled or accepted for enrollment in approved postsecondary programs, in accordance with clause (3) of section 5 of this act, shall be selected in accordance with rules and regulations to be drawn up by the agency.

Section 7. (a) **[Financial need of less than two hundred dollars (\$200) will render the applicant ineligible for a scholarship.]** All scholarship awards will be based on the applicant's financial need, the minimum scholarship award being **[two hundred dollars (\$200)] one hundred dollars (\$100)** per academic year, the maximum scholarship being one thousand two hundred dollars (\$1,200) per academic year.

* * *

Section 8. * * *

(c) **[In the event that any portion of any allocation made under section 6 for scholarships is unused in any year, the]** *The* agency shall have the right to use any or all of the unused **[allocation]** *scholarship funds* for additional scholarships in any *fiscal* year and in any category.

(d) Payments of State scholarships will be made by the agency in accordance with the rules and regulations established by the agency. Should the recipient terminate his enrollment for any reason during the academic year, the unused portion of the scholarship shall be returned to the **[Scholarship Fund of the]** Pennsylvania Higher Education Assistance Agency by the institution according to the institution's own policy for issuing refunds.

Section 2. The act is amended by adding after section '8.1, a new section to read:

Section '8.2. (a) The agency may deny all forms of financial assistance to any student:

(1) Who is convicted by any court of record of a criminal offense which was committed after the effective date of this act which, under the laws of the United States or Pennsylvania, would constitute a misdemeanor involving moral turpitude or a felony; or

(2) Who has been expelled, dismissed or denied enrollment by an approved institution of higher learning for refusal to obey, after the effective date of this act, a lawful regulation or order of any institution of higher education, which refusal, in the opinion of the institution, contributed to a disruption of the activities, administration or classes of such institution; or

(3) Who has been convicted in any court of record, of any offense committed in the course of disturbing, interfering with or preventing, or in an attempt to disturb, interfere with or prevent the orderly conduct

¹"8" in original.

²"8.1." in original.

of the activities, administration or classes of an institution of higher education.

(b) Each institution of higher education shall immediately furnish to the agency, the name and address of any student who is a resident of the Commonwealth of Pennsylvania who is expelled, dismissed or denied enrollment for the reasons set forth in clause (2) of subsection (a) of this section, or of whom the institution of higher education has knowledge that he has been convicted of offenses as set forth in clauses (1) and (3) of subsection (a) of this section.

(c) Nothing in this section shall be construed as limiting or prejudicing the rights and prerogatives of any institution of higher education to institute and carry out an independent, disciplinary proceeding pursuant to existing authority, practice, and law, including but not limited to refusal to award, continue or extend any financial assistance to any individual because of any misconduct which in its judgment bears adversely on his fitness for such assistance, and further, nothing in this section shall be construed to limit the freedom of any student to verbal expression of individual views or opinions.

(d) Any institution of higher learning which refuses to execute an agreement with the agency to comply with subsection (b) of this section shall be denied the status of an approved institution under the provisions of this act.

Section 3. This act shall take effect immediately.

APPROVED—The 18th day of December, A. D. 1969.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 169.


Secretary of the Commonwealth.