

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1591 Session of
1997

INTRODUCED BY LLOYD, HESS, STERN, PHILLIPS, BELFANTI, WOGAN,
BELARDI, LUCYK, JAMES, HENNESSEY, JOSEPHS, TRELLO, STEELMAN,
MELIO AND C. WILLIAMS, JUNE 4, 1997

REFERRED TO COMMITTEE ON EDUCATION, JUNE 4, 1997

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 community colleges; and
6 further providing for community college regions.

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

9 Section 1. Article XIX-A of the act of March 10, 1949
10 (P.L.30, No.14), known as the Public School Code of 1949, added
11 July 1, 1985 (P.L.103, No.31), is amended by adding a
12 subdivision heading to read:

13 ARTICLE XIX-A.

14 COMMUNITY COLLEGES.

15 (a) Community Colleges Generally.

16 Section 2. Section 1901-A(2) and (3) of the act, added July
17 1, 1985 (P.L.103, No.31), are amended and the section is amended
18 by adding clauses to read:

19 Section 1901-A. Definitions.--The following words and

1 phrases, as used in this article, shall, unless a different
2 meaning is plainly required by the context, have the following
3 meaning:

4 * * *

5 (2) "Local sponsor" shall mean a school district or a
6 municipality or a county board of school directors or any
7 combination of school districts, municipalities or county boards
8 of school directors which participate or propose to participate
9 in the establishment and operation of a community college. The
10 term shall also mean two or more contiguous counties of the
11 sixth, seventh or eighth classes which combine to create a
12 community college region for the purpose of sponsoring a
13 community college.

14 (3) "Member" of a local sponsor shall mean any school
15 district or municipality which alone is or with other districts
16 and municipalities is included in a local sponsor. The term
17 shall also mean any county which together with one or more other
18 contiguous counties is included in a local sponsor.

19 * * *

20 (11) "Community college region" shall mean a community
21 college local sponsor composed of two or more contiguous
22 counties of the sixth, seventh or eighth classes which combine
23 for the purpose of sponsoring a community college at one or more
24 locations within those counties which is operated by an out-of-
25 State community college.

26 (12) "Nonprofit educational foundation" shall mean any
27 corporation, organization, association, foundation, joint
28 venture or similar organization or entity duly incorporated as a
29 not-for-profit corporation under the laws of this Commonwealth
30 and whose primary mission is the promotion and advancement of

higher education in areas of this Commonwealth in which there is no institution of higher education other than one sponsored by a community college region.

(13) "Regional board of trustees" shall mean the regional board of trustees of a community college region.

Section 3. Article XIX-A of the act is amended by adding a subdivision to read:

(b) Community College Regions.

Section 1921-A. Community College Regions; Authority to Establish, Procedures.--(a) Any county of the sixth, seventh or eighth class, acting through its governing body may by ordinance or resolution and pursuant to the standards and regulations of the State Board of Education and with the approval of the State Board of Education combine with one or more contiguous counties of the sixth, seventh or eighth class to constitute a community college region. A community college sponsored in accordance with this section may be situated at one or more locations within such counties and may be operated by an out-of-State community college which has been approved and authorized to operate under the applicable laws and regulations of its home state and has been approved and authorized to operate in this Commonwealth under 15 Pa.C.S. Pt. II, Subpt. C (relating to nonprofit corporations); And, provided further That the out-of-State community college has total institutional accreditation from the appropriate accrediting agencies recognized by the Federal Government and acceptable to the State Board of Education.

(b) A community college region which is formed for the purpose of sponsoring a community college in accordance with subsection (a) shall submit a plan to the State Board of Education in such form and containing such information as that

1 board may require requesting approval to sponsor a community
2 college. The plan shall specify the name of the community
3 college proposed to be sponsored by the community college
4 region, the name of the local sponsor, the name of the community
5 college region and the geographic area to be served by the
6 region. A copy of the contract or agreement creating the
7 community college region shall accompany the plan. The plan
8 shall include provisions allocating financial responsibility for
9 the community college region subject to the policies, standards,
10 rules and regulations of the State Board of Education. If such
11 provisions allocate financial responsibility to one or more
12 nonprofit educational foundations, such foundation or
13 foundations, with the approval of the State Board of Education,
14 may act as the local sponsor in the operation of the community
15 college region. If the State Board of Education does not approve
16 or disapprove the plan within one year, the plan shall be deemed
17 approved.

18 (c) A community college region shall be eligible for
19 reimbursement in accordance with section 1913-A as though the
20 community college it sponsors were a community college sponsored
21 in accordance with that section.

22 (d) Unless provisions of this subarticle expressly indicate
23 otherwise, all of the provisions of subarticle (a) which
24 specifically relate to the financing, maintenance and operation
25 of community colleges shall apply to a community college region.

26 Section 1922-A. Regional Board of Trustees; Appointment,
27 Term and Organization.--(a) The affairs of a community college
28 region formed in accordance with section 1921-A shall be
29 administered by a regional board of trustees which shall be
30 appointed within sixty (60) days of the approval of the plan by

1 the State Board of Education.

2 (b) The regional board of trustees shall consist of four
3 persons appointed by the vote of a majority of the members of
4 the governing body of each county participating in the community
5 college region. If there is a nonprofit educational foundation
6 within a county which accepts financial responsibility for the
7 operation of the community college region, three of the four
8 members of the regional board from that county shall be
9 appointed by the vote of a majority of the members of the
10 governing body of that county from nominees recommended by the
11 foundation. One member of the regional board shall be appointed
12 by the vote of a majority of the members of the governing bodies
13 of all of the participating counties. The members of the
14 regional board appointed by the participating counties may
15 include one member from the governing body of each such county.

16 (c) Members of the regional board of trustees shall be
17 appointed for a term of six years each, except that three of the
18 initial appointments shall be made for a term of two years and
19 three of the initial appointments shall be made for a term of
20 four years. Thereafter, all members shall be appointed for a
21 term of six years. A regional trustee may succeed himself.
22 Vacancies shall be filled for unexpired terms in the same manner
23 as original appointments by the authority responsible for making
24 the original appointment.

25 (d) The regional board of trustees shall annually select a
26 chairperson, vice-chairperson, treasurer and secretary from its
27 membership at such time and in such manner as it may determine.
28 A majority of the members of the regional board shall constitute
29 a quorum. The regional board of trustees shall serve without
30 compensation but shall be reimbursed for their expenses actually

1 and necessarily incurred by them in the performance of their
2 duties under this article.

3 Section 1923-A. Powers and Duties of Regional Board of
4 Trustees.--(a) Subject to any policies, standards, rules or
5 regulations of the State Board of Education, the powers and
6 duties of the regional board of trustees shall be:

7 (1) To enter into, in the name of the community college
8 region, any contract or agreement deemed necessary or
9 appropriate for the effective operation of the community college
10 region, including:

11 (i) Contracts for services with schools, colleges or
12 universities, or with school districts or municipalities, to
13 effectuate the purposes of this subarticle; and

14 (ii) Contracts with nonprofit corporations organized by
15 officers, employes, alumni or students of the community college
16 for the furtherance of the objects and purposes of the community
17 college.

18 (2) To accept and receive gifts of real and personal
19 property and Federal, State and local moneys and grants, and to
20 expend the same.

21 (3) To submit to the State Board of Education for its
22 approval any proposed amendments to the regional community
23 college plan.

24 (4) To adopt an annual budget of the community college
25 region and to certify to the governing bodies of all counties
26 appointing members to the regional board and, when applicable,
27 the nonprofit educational foundation or foundations the
28 respective proportionate share of the capital and operating
29 costs required to be raised by each county and each nonprofit
30 educational foundation.

1 (5) To supervise the expenditure of appropriations made by
2 the local sponsor and conduct the business affairs of the
3 community college region in accordance with the rules,
4 regulations and procedures approved by the local sponsor.

5 (6) To exercise such other powers and perform such other
6 duties as are necessary to carry into effect the purposes of
7 this subarticle.

8 Section 4. This act shall take effect in 60 days.