

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1000 Session of
2013

INTRODUCED BY SCARNATI, RAFFERTY, GREENLEAF, WAUGH, HUTCHINSON,
MENSCH, BAKER, WHITE, GORDNER, VOGEL, STACK, YUDICHAK,
BREWSTER, COSTA, BRUBAKER, DINNIMAN AND WILEY, JUNE 28, 2013

AS AMENDED ON SECOND CONSIDERATION, MARCH 10, 2014

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 rural regional
6 community college for underserved counties.

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

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

ARTICLE XIX-GRURAL REGIONAL COMMUNITY COLLEGEFOR UNDERSERVED COUNTIES

15 Section 1901-G. Scope of article.

16 This article provides for the establishment of a rural
17 regional community college in a multicounty rural area that is
18 underserved by comprehensive community college education and
19 work force development.

20 Section 1902-G. 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:

"Annual." A 12-month period coterminous with the Commonwealth's fiscal year beginning July 1 and ending June 30.

"Board of trustees." The board of trustees of a rural regional community college established under this article.

"County." Any county in this Commonwealth.

"Certified public accountant." A member of the American Institute of Certified Public Accountants who has a minimum of five years' verifiable experience in performing audits of government funds for nonprofit organizations with a comparable or larger annual budget.

"MIDDLE STATES." THE MIDDLE STATES ASSOCIATION OF COLLEGES AND SCHOOLS.

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"PARTNER INSTITUTION." ONE OR MORE MIDDLE STATES-ACCREDITED INSTITUTIONS OF HIGHER EDUCATION.

"Rural regional community college." A public institution which is established in a rural area and operated in accordance with the provisions of this article as a nonprofit organization which provides up to a two-year, postsecondary education not to exceed the level of an associate of arts or sciences degree and which is active in work force development.

"Rural regional community college plan" or "plan." A plan for the establishment and operation of a rural regional community college under this article.

"Secretary." The Secretary of Education of the Commonwealth or such person as the secretary may designate to act on behalf of the secretary with regard to any of the duties and prerogatives imposed by this article.

1 "State Board." The State Board of Education.

2 Section 1903-G. Designations by the secretary.

3 (a) Duties of secretary.--

4 (1) Within 30 days of the effective date of this
5 section, the secretary shall designate an established
6 nonprofit organization as defined under section 501(c)(3) of
7 the Internal Revenue Code of 1986 (Public Law 99-514, 26
8 U.S.C. § 501(c)(3)), which organization represents a rural
9 multicounty region underserved by a comprehensive community
10 college program, including work force development, to assist
11 the secretary with the designation under paragraph (2).

12 (2) Within 30 days of the designation under paragraph
13 (1), the secretary shall, in consultation with the nonprofit
14 organization, designate contiguous counties or parts of
15 contiguous counties to be served by establishment of a rural
16 regional community college.

17 (b) Changes.--No sooner than four years after the effective
18 date of this section, the secretary, with approval of the board
19 of trustees, may add counties or parts of counties to be served
20 by the rural regional community college.

21 Section 1904-G. Designation; board of trustees.

22 Within 60 days of the secretary's designation under section
23 1903-G(a)(2), a board of trustees shall be appointed to
24 establish a rural regional community college. The board of
25 trustees shall consist of not fewer than seven members nor more
26 than 15 members appointed by the secretary in consultation and
27 jointly with the nonprofit organization designated under section
28 1903-G(a)(1). The following shall apply to the board of trustees
29 established under this section:

30 (1) Members of the board of trustees shall be

1 representative of the area designated under section 1903-G(a)
2 (2) and may include school administrators, community
3 education council officials, business leaders and government
4 officials.

5 (2) Members of the board of trustees shall be appointed
6 for terms of three years each, except that those persons
7 initially appointed shall draw lots to determine which
8 trustees shall serve for a term of three years, which
9 trustees shall serve for a term of two years and which
10 trustees shall serve for a term of one year. Thereafter, all
11 members shall be appointed for terms of three years each.

12 (3) Vacancies on the board shall be filled by the
13 existing board. A trustee may succeed himself, provided that
14 no member shall serve for longer than ten years.

15 (4) The secretary shall convene an initial meeting of
16 the board of trustees within 60 30 days of the secretary's
17 ~~designation~~ APPOINTMENT OF A BOARD OF TRUSTEES under this
18 section. After the initial meeting, the board of trustees
19 shall meet at such times each year as the board of trustees
20 determines to be necessary to satisfy the requirements of
21 this article.

22 (5) The board of trustees shall adopt standing operating
23 rules and procedures, by laws and articles of incorporation.

24 (6) The board of trustees shall establish an advisory
25 ~~committee~~ COUNCIL of presidents, or their ~~designee~~ DESIGNEES, <--
26 from institutions with postsecondary education programs
27 within the region designated under section 1903-G(a)(2). The
28 advisory council shall meet quarterly to discuss employer and
29 work force needs, new educational offerings and general
30 coordination of service and facilities. One advisory council

1 member representing a community college and one advisory
2 council member that is a president of a college or university
3 shall serve as co-chairs.

4 (7) The board of trustees shall choose from among its
5 members a chairman, vice chairman and secretary.

6 (8) A majority of the members of the board of trustees
7 shall constitute a quorum.

8 (9) Trustees shall serve without compensation, except
9 that they shall be reimbursed for their actual and necessary
10 expenses incurred in the performance of their duties.

11 Section 1905-G. Establishment.

12 (a) General rule.--Within one year of its initial meeting,
13 the board of trustees appointed under section 1904-G shall
14 submit to the secretary a proposed rural regional community
15 college plan in such form and containing such information as the
16 secretary may require. In addition to other information which
17 may be required by the secretary, the plan shall include the
18 following:

19 (1) A designation of the name of the proposed rural
20 regional community college which shall be the "Regional
21 Community College of _____ " or "
22 Regional Community College."

23 (2) A survey of the educational, vocational and
24 occupational needs of the area and the means by which the
25 proposed rural regional community college will meet those
26 needs, re-engage high school dropouts to earn their secondary
27 credentials and postsecondary credentials or industry
28 certification, reduce unemployment and improve the employable
29 skills of residents of the area to be served by the rural
30 regional community college.

1 (3) An operating and financial plan for the proposed
2 rural regional community college, including a plan for the
3 capital needs and expenses of the proposed rural regional
4 community college.

5 (4) A plan by which the rural regional community college
6 shall seek accreditation by an accrediting association which
7 is recognized by the United States Department of Education.

8 (b) Submission of plan.--Within 60 days of the submission of
9 the rural regional community college plan to the secretary, the
10 secretary shall issue an approval or rejection of the plan. A
11 rejection of the plan shall be accompanied by a written
12 statement of the reasons for the rejection of the plan. If the
13 plan is rejected, the board of trustees shall submit a revised
14 plan to the secretary within 60 days of the plan's rejection.

15 (c) Plan approval.--Upon the approval of the plan by the
16 secretary, the rural regional community college shall be
17 considered established.

18 Section 1906-G. Powers and duties of board of trustees.

19 (a) General rule.--The board of trustees appointed under
20 section 1904-G shall administer and supervise the affairs of the
21 rural regional community college established under this article.
22 Subject to any other law and to any regulations promulgated by
23 the State Board pertaining to rural regional community colleges,
24 the board of trustees shall have the following powers and
25 duties:

26 (1) To advance the mission of the rural regional
27 community college in service to residents of the region
28 designated under section 1903-G(a)(2).

29 (2) To appoint and fix the salary of a president of the
30 rural regional community college.

1 (3) To appoint and fix the salary of a chief financial
2 officer of the rural regional community college.

3 (4) To hold, rent, lease, sell, purchase and improve
4 land, buildings, furnishings, equipment, materials, books and
5 supplies.

6 (5) To enter into contracts for services with community
7 education councils, schools, colleges or universities, or
8 with school districts or municipalities, and other applicable
9 or appropriate agencies and organizations, to effectuate the
10 purposes of this article.

11 (6) To accept and receive gifts of real and personal
12 property and Federal, State and local moneys, loans and
13 grants, and to expend the same.

14 (7) To make policies providing for the admission and
15 expulsion of students, the courses of instruction, the
16 tuition and fees to be charged and for all matters related to
17 the government and administration of the rural regional
18 community college, provided that policies related to
19 admission, tuition and fees give preference to residents of
20 the area designated by the secretary pursuant to section
21 1903-G(a)(2).

22 (8) To submit to the secretary for approval proposed
23 amendments to the rural regional community college plan.

24 (9) To enter into contracts for services to high schools
25 located in the area designated by the secretary under section
26 1903-G to provide SERVICES, INCLUDING, BUT NOT LIMITED TO, <--
27 area vocational-technical education services.

28 (10) To approve an annual budget to be submitted to the
29 secretary for funding.

30 (11) To exercise such other powers and perform such

1 other duties as are necessary to effectuate the purposes of
2 this article.

3 (b) Duties of board.--The board of trustees shall enter into
4 contracts, hold property and take other actions in the name of
5 the rural regional community college.

6 (c) Initial partnership.--

7 (1) The board of trustees shall select initially a
8 Middle States accredited institution of higher education as a <--
9 partner institution to develop and offer accredited courses
10 and programs of study at the approved sites of operation.

11 (2) The partner institution shall select programs in <--
12 consultation and ONLY WITH approval of the board of trustees <--
13 and consistent with its THE PARTNER INSTITUTION'S <--
14 accreditation and shall be responsible for staffing and
15 evaluation and provision of other support services as may be
16 required for students.

17 (3) The board of trustees may contract with other
18 colleges to provide curricula not available through the
19 partner institution.

20 (4) As the rural regional community college is able to
21 operate on its own, a transition plan and budget shall be
22 included in the contract BETWEEN THE RURAL REGIONAL COMMUNITY <--
23 COLLEGE AND THE PARTNER INSTITUTION to efficiently expedite
24 the transition for its partner institution or institutions. <--

25 (5) Nothing in this article shall be construed to
26 preclude the board of trustees from contracting for specific
27 services or programs following the transition from the
28 initial operating partner institution. <--

29 Section 1907-G. Officers of rural regional community college.

30 (a) President.--The president shall be the chief executive

and administrative officer of the rural regional community college and shall perform all duties which the board of trustees may prescribe. The president shall have the right to attend meetings of the board of trustees and to be heard on all matters before it, but shall have no right to vote on any matter.

(b) Chief financial officer.--The chief financial officer of the rural regional community college shall give a proper bond in such amount and with such corporate surety as is approved by the board of trustees. The chief financial officer shall file the bond with the board of trustees. The account of the chief financial officer shall be audited biannually by a certified public accountant or other qualified public accountant selected by the board of trustees.

Section 1908-G. Students.

Any individual may apply for admission to the rural regional community college established under this article, provided that preference in admissions, tuition and fees may be given to residents of the multicounty area designated by the secretary pursuant to section 1903-G(a)(2). In considering applicants for admission, the rural regional community college shall not discriminate on the basis of race, color, gender, marital status, ethnic group or religion.

Section 1909-G. Tuition.

The tuition and fees charged by the rural regional community college shall be an amount determined by the board of trustees, in accordance with the budget submitted to the secretary. The board of trustees shall annually establish a separate schedule of tuition and fees for students that reside inside the region DESIGNATED UNDER SECTION 1903-G(A)(2) and students that reside outside the SAID region designated under section 1903-G(a)(2).

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1 Section 1910-G. Dissolution and transition of rural regional
2 community college.

3 The rural regional community college established under this
4 article may not be dissolved without the approval of the
5 secretary. Upon dissolution of the rural regional community
6 college, the Commonwealth shall assume all assets and
7 liabilities of the rural regional community college, except that
8 such assets that are the property of any partner institution
9 that may be operating for and within the rural regional
10 community college shall remain the property of the PARTNER <--
11 institution.

12 Section 1911-G. Degrees.

13 The rural regional community college established under this
14 article may award any type of diploma, technical or career
15 training certificate or degree not to exceed the level of an
16 associate of arts or sciences degree. As long as the Middle- <--
17 States accredited PARTNER institution provides the accredited <--
18 curricula and courses under contract to the rural regional
19 community college, the requirements of the accrediting agency
20 shall pertain to the designation GRANTING of such awards. <--

21 Section 1912-G. Funding.

22 The rural regional community college established under this
23 article shall be funded by tuition and fees established by the
24 board of trustees, and may accept appropriations from the
25 General Assembly, grants from the Federal Government, grants
26 from the Commonwealth, grants from private foundations or any
27 combination thereof.

28 Section 1913-G. Financial aid.

29 Students enrolled in the rural regional community college
30 established under this article shall be eligible for financial

1 aid to the extent permitted under Federal and State law.

2 Section 1914-G. Regulations.

3 The State Board may promulgate regulations pursuant to the
4 act of June 25, 1982 (P.L.633, No.181), known as the Regulatory
5 Review Act, as necessary to implement this article.

6 Section 1915-G. Reports.

7 The Legislative Budget and Finance Committee shall prepare
8 and submit to the General Assembly written interim and final
9 reports evaluating the operation of this article. The interim
10 report shall be submitted by June 30, 2018, and the final report
11 shall be submitted by June 30, 2022. Each report shall include,
12 but may not be limited to, the following:

13 (1) A review of the success of the rural regional
14 community college established under this article in
15 satisfying the goals set forth in the rural regional
16 community college plan approved by the secretary and in
17 satisfying the needs of the multicounty area the rural
18 regional community college was established to serve.

19 (2) Demographic and program data, including the
20 following:

21 (i) Numbers of full-time and part-time faculty and
22 student enrollments, in total and within curricular
23 areas.

24 (ii) Dual enrollment participation.

25 (iii) Credit hours taught by faculty.

26 (iv) Distance learning courses offered.

27 (v) Articulation agreements with higher education
28 institutions.

29 (vi) Lists of courses with fewer than 20 students.

30 (vii) Lists of courses with more than 50 students.

1 Where available, student data shall be disaggregated by
2 categories, including gender, race and age.

3 (3) Student progress and achievement measures, including
4 the following:

5 (i) Retention rates related to student goals.

6 (ii) Graduation and completion rates after two,
7 three and four years.

8 (iii) Passing rates on certification and licensure
9 examinations.

10 (iv) Number of students employed within one year of
11 program completion.

12 (v) Placement into additional education or
13 employment in the student's field of study.

14 Where available, data shall be disaggregated by categories,
15 including gender, race and age.

16 (4) Economic and work force development measures,
17 including:

18 (i) Employer satisfaction.

19 (ii) Customized job training offerings.

20 (iii) Employment status.

21 (iv) Numbers of businesses and organizations served.

22 (5) Recommendations for future legislation.

23 Section 2. This act shall take effect immediately.