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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 838 Session of  
2019

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INTRODUCED BY MURT, READSHAW, CALTAGIRONE, NEILSON, HILL-EVANS  
AND ROEBUCK, MARCH 14, 2019

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REFERRED TO COMMITTEE ON EDUCATION, MARCH 14, 2019

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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 community colleges, further  
6 providing for the definition of "community college," for  
7 powers and duties of State Board of Education, for powers and  
8 duties of Board of Trustees, for degrees and for dissolution  
9 of certain community colleges.

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

12 Section 1. Sections 1901-A(4), 1902-A(a)(1), 1905-A(a),  
13 1912-A and 1914-A(c) of the act of March 10, 1949 (P.L.30,  
14 No.14), known as the Public School Code of 1949, are amended to  
15 read:

16 Section 1901-A. Definitions.--The following words and  
17 phrases, as used in this article, shall, unless a different  
18 meaning is plainly required by the context, have the following  
19 meaning:

20 \* \* \*

21 (4) "Community college" shall mean a public college or

1 technical institute which is established and operated in  
2 accordance with the provisions of this act by a local sponsor  
3 which provides a two-year, four-year, postsecondary, college-  
4 parallel, terminal-general, terminal-technical, out-of-school  
5 youth or adult education program or any combination of these.  
6 The community college may also provide area vocational-technical  
7 education services and credit, nonremedial college courses to  
8 secondary senior high school students.

9 \* \* \*

10 Section 1902-A. Powers and Duties of State Board of  
11 Education.--(a) The State Board of Education shall have the  
12 power, and its duty shall be:

13 (1) To adopt such policies, standards, rules and regulations  
14 formulated by the Council of Higher Education, as may be  
15 necessary to provide for the establishment, operation and  
16 maintenance of community colleges, including minimum  
17 requirements for physical facilities and equipment, curriculum,  
18 faculty, standards and professional requirements, qualifications  
19 for admission and advancement of students, student enrollment,  
20 student population of the area to be served by the community  
21 college, requirements for satisfactory completion of a two-year  
22 or four-year program and the degrees or diplomas or certificates  
23 to be awarded therefor, means of financing and financial  
24 resources for the establishment and support of the community  
25 college, standards under which the State Board of Education may  
26 allow a community college to offer baccalaureate degrees and  
27 standards under which the State Board of Education shall  
28 determine the baccalaureate degrees a community college may be  
29 allowed to offer and all matters necessary to effectuate the  
30 purposes of this act.

1 \* \* \*

2 Section 1905-A. Powers and Duties of Board of Trustees.--(a)  
3 The affairs of any community college established under this act  
4 shall be administered and supervised by a board of trustees.  
5 Subject to any law and to any policies, standards, rules and  
6 regulations adopted by the State Board of Education provided for  
7 community colleges, the board shall, for the purpose of  
8 establishing, operating and maintaining a community college,  
9 have the power, and its duty shall be:

10 (1) To appoint and fix the salary of a president.

11 (2) To hold, rent, lease, sell, purchase and improve land,  
12 buildings, furnishings, equipment, materials, books and  
13 supplies.

14 (3) To enter into contracts for services with schools,  
15 colleges or universities, or with school districts or  
16 municipalities, to effectuate the purposes of this act.

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

20 (5) To make policies providing for the admission and  
21 expulsion of students, the degrees to be offered, the courses of  
22 instruction, the tuition and fees to be charged and for all  
23 matters related to the government and administration of the  
24 college.

25 (6) To submit to the State Board of Education for its  
26 approval proposed amendments to the community college plan,  
27 including any proposal to offer baccalaureate degrees under  
28 section 1912-A(b).

29 (7) To enter into contracts for services to high schools of  
30 member districts to provide area vocational-technical education

1 services.

2 (8) To exercise such other powers and perform such other  
3 duties as are necessary to carry into effect the purposes of  
4 this act.

5 \* \* \*

6 Section 1912-A. Degrees.--(a) The State Board of Education  
7 shall prescribe the types of diplomas, certificates or degrees  
8 that may be granted students who complete post-secondary  
9 education courses in community colleges.

10 (b) (1) Upon request by an established community college to  
11 amend its community college plan to allow the community college  
12 to offer baccalaureate degree programs, the State Board of  
13 Education may allow a community college to offer baccalaureate  
14 degree programs where the State Board of Education determines  
15 that both of the following apply:

16 (i) The community college:

17 (A) is located in a rural geographic area of this  
18 Commonwealth;

19 (B) is located in a geographic area that is underserved by  
20 other colleges or universities offering baccalaureate degrees;  
21 or

22 (C) seeks to offer a baccalaureate degree program that is  
23 not offered by any other college or university serving the  
24 geographic area in which the community college is located; and

25 (ii) The board of trustees of the community college has  
26 demonstrated that each local sponsor of the community college  
27 has approved the request by resolution adopted by a majority  
28 vote at a public meeting of the local sponsor.

29 (2) In approving the request of a community college to offer  
30 baccalaureate degree programs under this subsection, the State

1 Board of Education shall specify the baccalaureate degree  
2 programs the community college is allowed to offer.

3 (3) The State Board of Education shall promulgate  
4 regulations under the act of June 25, 1982 (P.L.633, No.181),  
5 known as the "Regulatory Review Act," in order to implement this  
6 subsection.

7 Section 1914-A. Dissolution of Certain Community Colleges.--  
8 \* \* \*

9 (c) The corporate successor of a dissolved community college  
10 shall continue to have the authority to grant baccalaureate  
11 degrees, associate degrees and certificates in those programs in  
12 which the dissolved community college had the authority to grant  
13 degrees during the last complete school year of operation as a  
14 community college. If a corporate successor desires to offer  
15 additional associate degree programs, it must apply to the  
16 Department of Education to obtain approval in accordance with  
17 applicable regulations. If a corporate successor desires to  
18 offer additional certificates, it shall apply for licensure to  
19 the State Board of Private Licensed Schools. [A corporate  
20 successor of a dissolved community college is not authorized to  
21 award baccalaureate degrees.] If a corporate successor desires  
22 to offer baccalaureate degree programs, it must apply to the  
23 State Board of Education under section 1912-A(b).

24 \* \* \*

25 Section 2. This act shall take effect in 60 days.