
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1865 Session of
2013

INTRODUCED BY MURT, THOMAS, V. BROWN, WATSON, MARSHALL, ROZZI,
KORTZ, COHEN, DeLUCA, SABATINA AND CALTAGIRONE,
DECEMBER 9, 2013

REFERRED TO COMMITTEE ON EDUCATION, DECEMBER 9, 2013

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

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

11 Section 1. Section 1901-A(4) of the act of March 10, 1949
12 (P.L.30, No.14), known as the Public School Code of 1949,
13 amended July 13, 2005 (P.L.226, No.46), is amended to read:

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

18 * * *

19 (4) "Community college" shall mean a public college or
20 technical institute which is established and operated in

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

8 * * *

9 Section 2. Sections 1902-A(a)(1), 1905-A(a) and 1912-A of
10 the act, added July 1, 1985 (P.L.103, No.31), are amended to
11 read:

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

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

1 allowed to offer and all matters necessary to effectuate the
2 purposes of this act.

3 * * *

4 Section 1905-A. Powers and Duties of Board of Trustees.--(a)

5 The affairs of any community college established under this act
6 shall be administered and supervised by a board of trustees.

7 Subject to any law and to any policies, standards, rules and
8 regulations adopted by the State Board of Education provided for
9 community colleges, the board shall, for the purpose of
10 establishing, operating and maintaining a community college,
11 have the power, and its duty shall be:

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

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

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

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

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

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

1 (7) To enter into contracts for services to high schools of
2 member districts to provide area vocational-technical education
3 services.

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

7 * * *

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

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

18 (i) The community college:

19 (A) is located in a rural geographic area of this
20 Commonwealth;

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

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

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

1 (2) In approving the request of a community college to offer
2 baccalaureate degree programs pursuant to this subsection, the
3 State Board of Education shall specify the baccalaureate degree
4 programs the community college is allowed to offer.

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

9 Section 3. Section 1914-A(c) of the act, added June 22, 2001
10 (P.L.530, No.35), is amended to read:

11 Section 1914-A. Dissolution of Certain Community Colleges.--
12 * * *

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

28 * * *

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