
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1205 Session of
2013

INTRODUCED BY FOLMER, BLAKE, DINNIMAN, PILEGGI, YUDICHAK,
VULAKOVICH AND BAKER, DECEMBER 4, 2013

AS REPORTED FROM COMMITTEE ON EDUCATION, HOUSE OF
REPRESENTATIVES, AS AMENDED, APRIL 9, 2014

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated
2 Statutes, in private colleges, universities and seminaries,
3 further providing for certification of institutions; and
4 providing for change of designation to university and for
5 change of designation to college.

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

8 Section 1. Section 6503(e.1) of Title 24 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 6503. Certification of institutions.

11 * * *

12 (e.1) Additional degrees, programs or majors.--Subject to
13 the authority of the State board to regulate teacher education
14 programs under section 2603-B of the act of March 10, 1949
15 (P.L.30, No.14), known as the Public School Code of 1949, and
16 the authority of the department to regulate teacher education
17 programs under 22 Pa. Code Ch. 49 (relating to certification of
18 professional personnel), a private, nonprofit college or

1 university or seminary may offer an additional degree that is
2 not specified in a certificate received under subsection (a) or
3 may institute an additional major or program if either of the
4 following applies:

5 (1) The college [or], university or seminary satisfies
6 both of the following:

7 (i) The college [or], university or seminary has
8 operated continuously in this Commonwealth for the
9 immediately preceding ten years.

10 (ii) The college [or], university or seminary is
11 accredited by a regional accrediting agency recognized by
12 the United States Department of Education.

13 (2) The department approves the additional degree, major
14 or program pursuant to the procedure for issuing a
15 certificate provided in subsection (e).

16 * * *

17 Section 2. Title 24 is amended by adding sections to read:
18 § 6503.1. Change of designation to university.

19 (a) General rule.--Notwithstanding the provisions of this
20 chapter or other law or regulation to the contrary, a private
21 nonprofit institution, as defined under section 501(c)(3) of the
22 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
23 501(c)(3)), holding a certificate of authority that authorizes
24 the conferral, at a minimum, of bachelor's degrees or graduate
25 degrees and using the designation of "college" may, on and after
26 the effective date of this subsection, use the designation of
27 "university" if the institution submits a notarized affidavit <--
28 LETTER FROM THE PRESIDENT OF THE INSTITUTION to the department <--
29 stating:

30 (1) As of the date of the affidavit LETTER the <--

1 institution fulfills at least two of the three units
2 necessary for an institution to be designated as a
3 university, as defined in ~~this section~~ SUBSECTION (F). <--

4 (2) The institution's commitment to meet any additional
5 unit or other requirement necessary to achieve full
6 compliance with the definition contained in this section
7 within a five-year period.

8 (3) If the institution cannot satisfy the provisions of
9 paragraphs (1) and (2), in lieu thereof, that the institution
10 fulfills one of the three units necessary for the institution
11 to be designated as a university as defined in ~~this section~~ <--
12 SUBSECTION (F) and the institution provides a specialized <--
13 ~~type of~~ MEDICAL educational program that would be enhanced by <--
14 having the designation of "university."

15 (4) That the institution has been in continuous
16 operation in this Commonwealth for the ten years preceding
17 the date of the ~~notarized affidavit~~ LETTER. <--

18 (5) That during the preceding ten years, the institution
19 has maintained accreditation by the Middle States Commission
20 on Higher Education or another regional accrediting body
21 recognized by the United States Department of Education.

22 (6) That the accreditation status of the institution is
23 in good standing and is in compliance with all standards
24 imposed by the Middle States Commission on Higher Education
25 or other regional accrediting body, including, but not
26 limited to, periodic reviews and evaluations.

27 (7) The intended effective date of the change in
28 designation.

29 (8) That the institution's board of trustees or similar
30 governing body has approved the change in designation.

1 (b) Documentation.--The institution seeking the change in
2 designation shall include any and all documentation necessary to
3 verify the representations contained in the ~~notarized affidavit~~ <--
4 LETTER FROM THE PRESIDENT OF THE INSTITUTION. <--

5 (c) Time period to submit ~~affidavit~~ LETTER.--The institution <--
6 must submit the ~~notarized affidavit~~ LETTER FROM THE PRESIDENT OF <--
7 THE INSTITUTION to the department no later than 90 days before
8 the effective date of the change in designation. ~~The notarized~~ <--
9 ~~affidavit shall be subject to the penalties of 18 Pa.C.S. § 4904~~
10 ~~(relating to unsworn falsification to authorities).~~

11 (d) Review by department.--

12 (1) The department shall review the ~~affidavit~~ LETTER <--
13 FROM THE PRESIDENT OF THE INSTITUTION and complete its review
14 within 60 days of receipt of the ~~affidavit~~ LETTER. <--

15 (2) If the ~~affidavit~~ LETTER complies with the <--
16 requirements of this section, the department shall accept the
17 ~~affidavit~~ LETTER and publish the acceptance as a notice in <--
18 the Pennsylvania Bulletin. The notice shall include the
19 effective date of the change in designation.

20 (3) If the department fails to complete its review of
21 the ~~affidavit~~ LETTER within the 60-day time period, the <--
22 ~~affidavit~~ LETTER shall be deemed accepted and the department <--
23 shall publish the acceptance as a notice in the Pennsylvania
24 Bulletin.

25 (4) If the ~~affidavit~~ LETTER does not comply with the <--
26 requirements of this section, the department shall reject the
27 ~~affidavit~~ LETTER for noncompliance by returning the ~~affidavit~~ <--
28 LETTER to the institution, together with any documentation <--
29 submitted, and shall state the basis for the rejection.

30 (5) An institution which receives a rejection of its

1 affidavit LETTER may submit a corrected or new affidavit <--
2 LETTER for review and acceptance by the department at any <--
3 time.

4 (e) Five-year plan.--

5 (1) Within 90 days of the effective date of the change
6 in designation, the institution must submit to the department
7 a five-year plan to fulfill any additional unit or other
8 requirement needed for compliance with the definition of
9 "university." "UNIVERSITY" IN SUBSECTION (F). <--

10 (2) Failure of the institution to ~~complete~~ FULFILL the <--
11 plan within five years from the effective date of the change
12 in designation shall result in the institution losing its
13 university status. The department may extend the time ALLOTTED <--
14 TO THE INSTITUTION TO FULFILL THE PLAN, provided that the
15 institution demonstrates progress toward fulfillment of the
16 plan.

17 (f) Definitions.--The following words and phrases when used
18 in this section shall have the meanings given to them in this
19 subsection unless the context clearly indicates otherwise:

20 "Institution." An institution of higher education in this
21 Commonwealth.

22 "University." A multiunit institution with a complex
23 structure and diverse educational functions, including
24 instruction, promotion of scholarship, preservation and
25 discovery of knowledge, research and service, that:

26 (1) Consists of a minimum of three units, except as
27 provided in subsection ~~(a)(3)~~ (A), as follows: <--

28 (i) The first unit provides for at least one major
29 in both the arts and sciences at the undergraduate level.

30 (ii) The second unit provides for advanced degree

1 programs in the arts and sciences with at least one major
2 in both the arts and sciences at the undergraduate level.

3 (iii) The third unit provides for any combination of
4 at least five advanced degrees or professional programs
5 at the graduate level.

6 (2) Has a foundation in the arts and sciences which is
7 instilled in the philosophy and implementation of the
8 institution's education curriculum.

9 (3) Provides access to cultural facilities and
10 opportunities to the community and utilizes similar assets of
11 the community.

12 Section 6507.1. Change of designation to college.

13 Notwithstanding the provisions of this chapter or any other
14 law or regulation to the contrary, a private nonprofit
15 institution, as defined under section 501(c)(3) of the Internal
16 Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)),
17 holding a certificate of authority that authorizes the <--
18 conferral, at a minimum, of associate degrees in specialized
19 technology, holding accreditation from the Accrediting
20 Commission of Career Schools and Colleges and using the
21 designation of "trade school," THAT IS AUTHORIZED, AT A MINIMUM,
22 TO AWARD ASSOCIATE DEGREES IN SPECIALIZED TECHNOLOGY OR
23 ASSOCIATE DEGREES IN SPECIALIZED BUSINESS AND HOLDS
24 ACCREDITATION FROM AN ACCREDITING BODY RECOGNIZED BY THE UNITED
25 STATES DEPARTMENT OF EDUCATION may, on and after the effective
26 date of this section, use the designation of "college."

27 Section 3. This act shall take effect immediately.