

AMENDED IN SENATE MARCH 9, 2020

SENATE BILL

No. 874

Introduced by ~~Senator Hill~~ *Senators Hill, Hueso, and Wilk*

January 21, 2020

~~An act to amend Section 78041 of the Education Code, relating to public postsecondary education.~~ *An act to amend Sections 78040, 78041, and 78042 of, to amend the heading of Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7 of Title 3 of, and to repeal and add Section 78043 of, the Education Code, relating to public postsecondary education.*

LEGISLATIVE COUNSEL'S DIGEST

SB 874, as amended, Hill. ~~Public postsecondary education: community college districts: baccalaureate degree pilot program.~~ *Public postsecondary education: community colleges: statewide baccalaureate degree pilot program.*

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges. Existing law, until July 1, 2026, authorizes the board of governors, in consultation with the California State University and the University of California, to establish a statewide baccalaureate degree pilot program. Existing law requires that program to consist of a maximum of 15 community college districts, with one baccalaureate degree pilot program each. Existing law requires those pilot programs to commence no later than the 2017–18 academic year, and requires students participating in those programs to commence the

program by the beginning of the 2022–23 academic year. Existing law requires the governing board of a community college district seeking authorization to offer a pilot program to submit certain items for review by the chancellor and approval by the board of governors, including documentation of unmet workforce needs specifically related to the proposed pilot program.

This bill would extend the operation of the statewide baccalaureate degree pilot program indefinitely. The bill would remove the requirements that the program consist of a maximum of 15 community college district programs and for a student to commence a program by the end of the 2022–23 academic year. The bill would require a community college district to provide evidence of unmet workforce needs to the Chancellor of the California Community Colleges, as provided. The bill would require, as part of the application and review process, the chancellor to ensure that a district is provided with a minimum of 90 days to develop curriculum and compile application materials, and that a minimum of 30 days is taken to validate the submitted information and access the workforce value of the proposed degree, as specified. The bill would require the chancellor to consult with and seek feedback from the California State University and the University of California on proposed baccalaureate degrees, as specified.

~~Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law authorizes the Board of Governors of the California Community Colleges, in consultation with the California State University and the University of California, to establish a statewide baccalaureate degree pilot program. Existing law requires a district baccalaureate degree pilot program to commence by the beginning of the 2017–18 academic year, and requires a student participating in a baccalaureate degree pilot program to commence the student's degree program by the beginning of the 2022–23 academic year.~~

~~This bill would make a nonsubstantive change to these provisions.~~

~~Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.~~
~~State-mandated local program: no.~~

The people of the State of California do enact as follows:

1 *SECTION 1. The heading of Article 3 (commencing with*
2 *Section 78040) of Chapter 1 of Part 48 of Division 7 of Title 3 of*
3 *the Education Code is amended to read:*

4
5 Article 3. Baccalaureate Degree-Pilot Program

6
7 *SEC. 2. Section 78040 of the Education Code is amended to*
8 *read:*

9 78040. For purposes of this article, “district” means any
10 community college district identified by the Chancellor of the
11 California Community Colleges as participating in the statewide
12 baccalaureate degree-pilot program. ~~Each participating district~~
13 ~~may establish one baccalaureate degree pilot program pursuant to~~
14 ~~Section 78041.~~

15 *SEC. 3. Section 78041 of the Education Code is amended to*
16 *read:*

17 78041. Notwithstanding Section 66010.4, and commencing
18 January 1, 2015, the Board of Governors of the California
19 Community Colleges, in consultation with the California State
20 University and the University of California, may authorize the
21 establishment of district baccalaureate degree-pilot programs that
22 meet all of the eligibility requirements set forth in Section 78042.
23 ~~A district pilot program established pursuant to this article shall~~
24 ~~commence no later than the 2017–18 academic year. A student~~
25 ~~participating in a baccalaureate degree pilot program shall~~
26 ~~commence his or her degree program by the beginning of the~~
27 ~~2022–23 academic year. For purposes of this section, a pilot~~
28 ~~program commences when the first class of students begins the~~
29 ~~program. The statewide baccalaureate degree pilot program shall~~
30 ~~consist of a maximum of 15 districts, with one baccalaureate degree~~
31 ~~program each, to be determined by the Chancellor of the California~~
32 ~~Community Colleges and approved by the Board of Governors of~~
33 ~~the California Community Colleges.~~

34 *SEC. 4. Section 78042 of the Education Code is amended to*
35 *read:*

36 78042. (a) A district shall seek approval to offer—a
37 baccalaureate degree-program *programs* through the appropriate
38 accreditation body.

(b) When seeking approval from the Board of Governors of the California Community Colleges, a district shall maintain the primary mission of the California Community Colleges specified in paragraph (3) of subdivision (a) of Section 66010.4. The district, as part of the baccalaureate degree-pilot program, shall have the additional mission to provide high-quality undergraduate education at an affordable price for students and the state.

(c) As a condition of eligibility for consideration to participate in the statewide baccalaureate degree-pilot program, a district shall have a written policy that requires all potential students who wish to apply for a Board of Governors Fee Waiver pursuant to Section 76300 to complete and submit either a Free Application for Federal Student Aid or a California Dream Act application in lieu of completing the Board of Governors Fee Waiver application.

~~(d) A district shall not offer more than one district's baccalaureate degree program, as determined by the governing board of the district and approved by the Board of Governors of the California Community Colleges, and program shall be subject to the following limitations:~~

(1) A district shall identify and document unmet workforce needs in the subject area of the baccalaureate degree to be offered and offer a baccalaureate degree at a campus in a subject area with unmet workforce needs in the local community or region of the district.

(2) A baccalaureate degree-pilot program shall not offer a baccalaureate degree program or program curricula already offered by the California State University or the University of California.

(3) A district shall have the expertise, resources, and student interest to offer a quality baccalaureate degree in the chosen field of study.

~~(4) A district shall not offer more than one baccalaureate degree program within the district, which shall be limited to one campus within the district.~~

~~(5) A district shall notify a student who applies to the district's baccalaureate degree pilot program that the student is required to commence the student's baccalaureate degree by the beginning of the 2022-23 academic year, as specified in Section 78041.~~

(e) A district shall maintain separate records for students who are enrolled in courses classified in the upper division and lower division of a baccalaureate program. A student shall be reported

1 as a community college student for enrollment in a lower division
2 course and as a baccalaureate degree program student for
3 enrollment in an upper division course.

4 (f) A governing board of a district seeking authorization to offer
5 a baccalaureate degree ~~pilot~~ program shall submit all of the
6 following for review by the Chancellor of the California
7 Community Colleges and approval by the Board of Governors of
8 the California Community Colleges:

9 (1) Documentation of the district's written policy required by
10 subdivision (c).

11 (2) The administrative plan for the baccalaureate degree ~~pilot~~
12 program, including, but not limited to, the governing board of the
13 district's funding plan for its specific district.

14 (3) A description of the baccalaureate degree ~~pilot~~ program's
15 curriculum, faculty, and facilities.

16 (4) The enrollment projections for the baccalaureate degree ~~pilot~~
17 program.

18 (5) Documentation regarding unmet workforce needs specifically
19 related to the proposed baccalaureate degree ~~pilot~~ program, and a
20 written statement supporting the necessity of a four-year degree
21 for that program. *The documentation regarding unmet workforce*
22 *needs shall include all of the following:*

23 (i) *Evidence that the district consulted with regional employers*
24 *and regional workforce development boards.*

25 (ii) *Statewide and regional workforce data relevant to the*
26 *proposed baccalaureate degree program.*

27 (iii) *Evidence that the baccalaureate degree to be offered will*
28 *help address unmet workforce needs. The evidence may include,*
29 *but is not limited to, information showing the following:*

30 (I) *Employers are having difficulty filling positions that require*
31 *a baccalaureate degree.*

32 (II) *Employers are willing to pay baccalaureate degree holders*
33 *more than those with a related associate degree or no*
34 *postsecondary degree.*

35 (III) *Employers have a preference for candidates with the*
36 *proposed baccalaureate degree.*

37 (6) Documentation of consultation with the California State
38 University and the University of California regarding collaborative
39 approaches to meeting regional workforce needs.

1 (g) (1) ~~On or before March 31, 2015, the~~ *The* Board of
2 Governors of the California Community Colleges shall develop,
3 and adopt by regulation, a funding model for the support of the
4 statewide baccalaureate degree ~~pilot~~ program that is based on a
5 calculation of the number of full-time equivalent students enrolled
6 in all district ~~pilot~~ *baccalaureate degree* programs.

7 (2) Funding for each full-time equivalent student shall be at a
8 marginal cost calculation, as determined by the Board of Governors
9 of the California Community Colleges, that shall not exceed the
10 community college credit instruction marginal cost calculation for
11 a full-time equivalent student, as determined pursuant to paragraph
12 (2) of subdivision (d) of Section 84750.5.

13 (3) A student in a baccalaureate degree ~~pilot~~ program authorized
14 by this article shall not be charged fees higher than the mandatory
15 systemwide fees charged for baccalaureate degree programs at the
16 California State University.

17 (4) Fees for coursework in a baccalaureate degree ~~pilot~~ program
18 shall be consistent with Article 1 (commencing with Section 76300)
19 of Chapter 2 of Part 47.

20 (5) A district shall, in addition to the fees charged pursuant to
21 paragraph (4), charge a fee for upper division coursework in a
22 baccalaureate degree ~~pilot~~ program of eighty-four dollars (\$84)
23 per unit.

24 ~~(h) (1) The Legislative Analyst's Office shall conduct both an~~
25 ~~interim and a final statewide evaluation of the statewide~~
26 ~~baccalaureate degree pilot program implemented pursuant to this~~
27 ~~article.~~

28 ~~(2) The results of the interim evaluation shall be reported as a~~
29 ~~progress report, in writing, to the Legislature and the Governor on~~
30 ~~or before July 1, 2018. The interim evaluation shall include, but~~
31 ~~is not limited to, all of the following:~~

32 ~~(A) How many, and which specific, districts applied for a~~
33 ~~baccalaureate degree pilot program, and the baccalaureate degree~~
34 ~~pilot programs they applied for.~~

35 ~~(B) Which potential four-year baccalaureate degrees were denied~~
36 ~~and why they were denied.~~

37 ~~(C) Baccalaureate degree pilot program costs and the funding~~
38 ~~sources that were used to finance these programs.~~

1 ~~(D) Current trends in workforce demands that require four-year~~
2 ~~degrees in the specific degree programs being offered through the~~
3 ~~statewide baccalaureate degree pilot program.~~

4 ~~(E) Current completion rates, if available, for each cohort of~~
5 ~~students participating in a baccalaureate degree pilot program.~~

6 ~~(F) Information on the impact of the baccalaureate degree pilot~~
7 ~~program on underserved and underprepared students.~~

8 ~~(3) The results of the final evaluation shall be reported, in~~
9 ~~writing, to the Legislature and the Governor on or before February~~
10 ~~1, 2020. The final evaluation shall include, but is not limited to,~~
11 ~~all of the following:~~

12 ~~(A) The number of new district baccalaureate degree pilot~~
13 ~~programs implemented, including information identifying the~~
14 ~~number of new programs, applicants, admissions, enrollments,~~
15 ~~and degree recipients.~~

16 ~~(B) The extent to which the baccalaureate degree pilot programs~~
17 ~~established under this article fulfill identified workforce needs for~~
18 ~~new baccalaureate degree programs, including statewide supply~~
19 ~~and demand data that considers capacity at the California State~~
20 ~~University, the University of California, and in California's~~
21 ~~independent colleges and universities.~~

22 ~~(C) Information on the place of employment of students and~~
23 ~~the subsequent job placement of graduates.~~

24 ~~(D) Baccalaureate degree program costs and the funding sources~~
25 ~~that were used to finance these programs, including a calculation~~
26 ~~of cost per degree awarded.~~

27 ~~(E) The costs of the baccalaureate degree programs to students,~~
28 ~~the amount of financial aid offered, and student debt levels of~~
29 ~~graduates of the programs.~~

30 ~~(F) Time-to-degree rates and completion rates for the~~
31 ~~baccalaureate degree pilot programs.~~

32 ~~(G) The extent to which the programs established under this~~
33 ~~article are in compliance with the requirements of this article.~~

34 ~~(H) Information on the impact of the baccalaureate degree pilot~~
35 ~~program on underserved and underprepared students.~~

36 ~~(I) Recommendations on whether and how the statewide~~
37 ~~baccalaureate degree pilot program can or should be extended and~~
38 ~~expanded.~~

39 ~~(4) A district shall submit the information necessary to conduct~~
40 ~~the evaluations required by paragraph (1), as determined by the~~

1 ~~Legislative Analyst's Office, to the Chancellor of the California~~
2 ~~Community Colleges, who shall provide the information to the~~
3 ~~Legislative Analyst's Office upon request.~~

4 ~~(5) A report to be submitted pursuant to paragraph (2) or (3)~~
5 ~~shall be submitted in compliance with Section 9795 of the~~
6 ~~Government Code.~~

7 *(h) The Chancellor of the California Community Colleges shall*
8 *ensure both of the following for the application and review process*
9 *for districts to participate in the baccalaureate degree program:*

10 *(1) A district is provided with no less than 90 days to develop*
11 *its program curriculum and to compile and submit all necessary*
12 *application materials pursuant to subdivision (f).*

13 *(2) The review process takes no less than 30 days from the*
14 *receipt of a completed application to validate the information*
15 *submitted and assess the workforce value of the proposed program.*

16 *(i) (1) The Chancellor of the California Community Colleges*
17 *shall consult with and seek feedback from the California State*
18 *University and the University of California about proposed*
19 *baccalaureate degree programs.*

20 *(2) Within three business days of receiving an application to*
21 *participate in the baccalaureate degree program, the Chancellor*
22 *of the California Community Colleges shall notify the California*
23 *State University and the University of California.*

24 *(3) The California State University and the University of*
25 *California may assess whether proposed baccalaureate degree*
26 *programs are duplicative of existing baccalaureate programs*
27 *offered by state universities, and may submit comments to the*
28 *Chancellor of the California Community Colleges regarding*
29 *proposed baccalaureate degree programs.*

30 *(4) The Chancellor of the California Community Colleges shall*
31 *provide the California State University and the University of*
32 *California no less than ____ days, to review, assess, and provide*
33 *feedback pursuant to paragraph (3) for proposed baccalaureate*
34 *degree programs.*

35 *SEC. 5. Section 78043 of the Education Code is repealed.*

36 ~~78043. This article shall become inoperative on July 1, 2026,~~
37 ~~and as of January 1, 2027, is repealed, unless a later enacted statute~~
38 ~~that is enacted before January 1, 2027, deletes or extends that date.~~

39 *SEC. 6. Section 78043 is added to the Education Code, to read:*

1 78043. *Baccalaureate degree programs approved by the Board*
2 *of Governors of the California Community Colleges pursuant to*
3 *this article prior to January 1, 2021, may continue to operate.*

4 SECTION 1. ~~Section 78041 of the Education Code is amended~~
5 ~~to read:~~

6 ~~78041. Notwithstanding Section 66010.4, and commencing~~
7 ~~January 1, 2015, the Board of Governors of the California~~
8 ~~Community Colleges, in consultation with the California State~~
9 ~~University and the University of California, may authorize the~~
10 ~~establishment of district baccalaureate degree pilot programs that~~
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13 ~~commence no later than the 2017–18 academic year. A student~~
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16 ~~2022–23 academic year. For purposes of this section, a pilot~~
17 ~~program commences when the first class of students begins the~~
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19 ~~consist of a maximum of 15 districts, with one baccalaureate degree~~
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