AMENDED IN SENATE APRIL 17, 2017

AMENDED IN SENATE MARCH 27, 2017

**SENATE BILL No. 769**

# Introduced by Senator Hill

**(Coauthors: Senators Beall, Dodd, Glazer, Hueso, Mendoza, Newman, Stern, and Wilk)**

February 17, 2017

An act to amend Sections 78040, 78041, ~~and 78042 of, and to repeal~~ ~~Section 78043 of,~~ *78042, and 78043 of* the Education Code, relating to community colleges.

legislative counsel’s digest

SB 769, as amended, Hill. Baccalaureate Degree Pilot Program.

Existing law, until July 1, 2023, 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 the statewide baccalaureate degree pilot program to consist of a maximum of 15 district baccalaureate degree pilot programs. 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 complete his or her degree by the end of the 2022–23 academic year. Existing law prohibits a district’s baccalaureate degree pilot program from offering a baccalaureate degree program or program curricula already offered by the University of California or the California State University.

This bill would limit that prohibition to a district’s baccalaureate degree program or program curricula that is offered within 100 miles of the California State University’s or the University of California’s

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baccalaureate degree program or program curricula. The bill would extend the operation of the statewide baccalaureate degree pilot program ~~indefinitely~~ *until July 1, 2028,* and would no longer require a student to complete his or her degree by the end of the 2022–23 academic year. The bill would increase the maximum number of district baccalaureate degree pilot programs to ~~30~~ *25* programs.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

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

1. SECTION 1. Section 78040 of the Education Code is amended
2. to read:
3. 78040. For the purposes of this article, “district” means any
4. community college district identified by the Chancellor of the
5. California Community Colleges as participating in the statewide
6. baccalaureate degree pilot program. Each participating district
7. may establish a baccalaureate degree pilot program pursuant to
8. Section 78041.
9. SEC. 2. Section 78041 of the Education Code is amended to
10. read:
11. 78041. Notwithstanding Section 66010.4, and commencing
12. January 1, 2015, the Board of Governors of the California
13. Community Colleges, in consultation with the California State
14. University and the University of California, may authorize the
15. establishment of district baccalaureate degree pilot programs that
16. meet all of the eligibility requirements set forth in Section 78042.
17. A district baccalaureate degree pilot program established pursuant
18. to this article shall commence no later than the 2017–18 academic
19. year. For purposes of this section, a pilot program commences
20. when the first class of students begins the program. The statewide
21. baccalaureate degree pilot program shall consist of a maximum of
22. ~~30~~ *25* baccalaureate degree pilot programs to be determined by
23. the Chancellor of the California Community Colleges and approved
24. by the Board of Governors of the California Community Colleges.
25. SEC. 3. Section 78042 of the Education Code is amended to
26. read:
27. 78042. (a) A district shall seek approval to offer a
28. baccalaureate degree pilot program through the appropriate
29. accreditation body.

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* 1. (b) When seeking approval from the Board of Governors of the
  2. California Community Colleges, a district shall maintain the
  3. primary mission of the California Community Colleges specified
  4. in paragraph (3) of subdivision (a) of Section 66010.4. The district,
  5. as part of the baccalaureate degree pilot program, shall have the
  6. additional mission to provide high-quality undergraduate education
  7. at an affordable price for students and the state.
  8. (c) As a condition of eligibility for consideration to participate
  9. in the statewide baccalaureate degree pilot program, a district shall
  10. have a written policy that requires all potential students who wish
  11. to apply for a Board of Governors Fee Waiver pursuant to Section
  12. 76300 to complete and submit either a Free Application for Federal
  13. Student Aid or a California Dream Act application in lieu of
  14. completing the Board of Governors Fee Waiver application.
  15. (d) A district’s baccalaureate degree pilot program shall be
  16. subject to the following limitations:
  17. (1) A district shall identify and document unmet workforce
  18. needs in the subject area of a baccalaureate degree to be offered
  19. and offer a baccalaureate degree at a campus in a subject area with
  20. unmet workforce needs in the local community or region of the
  21. district.
  22. (2) A baccalaureate degree pilot program shall not offer a
  23. baccalaureate degree program or program curricula already offered
  24. by the California State University or the University of California
  25. if that district’s program or program curricula is within 100 miles
  26. of the California State University’s or the University of California’s
  27. program or program curricula.
  28. (3) A district shall have the expertise, resources, and student
  29. interest to offer a quality baccalaureate degree in a chosen field of
  30. study.
  31. (e) A district shall maintain separate records for students who
  32. are enrolled in courses classified in the upper division and lower
  33. division of a baccalaureate program. A student shall be reported
  34. as a community college student for enrollment in a lower division
  35. course and as a baccalaureate degree program student for
  36. enrollment in an upper division course.
  37. (f) A governing board of a district seeking authorization to offer
  38. a baccalaureate degree pilot program shall submit all of the
  39. following for review by the Chancellor of the California

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1. Community Colleges and approval by the Board of Governors of
2. the California Community Colleges:
3. (1) Documentation of the district’s written policy required by
4. subdivision (c).
5. (2) The administrative plan for the baccalaureate degree pilot
6. program, including, but not limited to, the governing board of the
7. district’s funding plan for its specific district.
8. (3) A description of the baccalaureate degree pilot program’s
9. curriculum, faculty, and facilities.
10. (4) The enrollment projections for the baccalaureate degree pilot
11. program.
12. (5) Documentation regarding unmet workforce needs specifically
13. related to the proposed baccalaureate degree pilot program, and a
14. written statement supporting the necessity of a four-year degree
15. for that program.
16. (6) Documentation of consultation with the California State
17. University and the University of California regarding collaborative
18. approaches to meeting regional workforce needs.
19. (g) (1) On or before March 31, 2015, the Board of Governors
20. of the California Community Colleges shall develop, and adopt
21. by regulation, a funding model for the support of the statewide
22. baccalaureate degree pilot program that is based on a calculation
23. of the number of full-time equivalent students enrolled in all district
24. pilot programs.
25. (2) Funding for each full-time equivalent student shall be at a
26. marginal cost calculation, as determined by the Board of Governors
27. of the California Community Colleges, that shall not exceed the
28. community college credit instruction marginal cost calculation for
29. a full-time equivalent student, as determined pursuant to paragraph
30. (2) of subdivision (d) of Section 84750.5.
31. (3) A student in a baccalaureate degree pilot program authorized
32. by this article shall not be charged fees higher than the mandatory
33. systemwide fees charged for baccalaureate degree programs at the
34. California State University.
35. (4) Fees for coursework in a baccalaureate degree pilot program
36. shall be consistent with Article 1 (commencing with Section 76300)
37. of Chapter 2 of Part 47.
38. (5) A district shall, in addition to the fees charged pursuant to
39. paragraph (4), charge a fee for upper division coursework in a

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1. baccalaureate degree pilot program of eighty-four dollars ($84)
2. per unit.
3. (h) (1) The Legislative Analyst’s Office shall conduct both an
4. interim and a final statewide evaluation of the statewide
5. baccalaureate degree pilot program implemented pursuant to this
6. article.
7. (2) The results of the interim evaluation shall be reported as a
8. progress report, in writing, to the Legislature and the Governor on
9. or before July 1, 2018. The interim evaluation shall include, but
10. is not limited to, all of the following:
11. (A) How many, and which specific, districts applied for a
12. baccalaureate degree pilot program, and the baccalaureate degree
13. pilot programs they applied for.
14. (B) Which potential four-year baccalaureate degrees were denied
15. and why they were denied.
16. (C) Baccalaureate degree pilot program costs and the funding
17. sources that were used to finance these programs.
18. (D) Current trends in workforce demands that require four-year
19. degrees in the specific degree programs being offered through the
20. statewide baccalaureate degree pilot program.
21. (E) Current completion rates, if available, for each cohort of
22. students participating in a baccalaureate degree pilot program.
23. (F) Information on the impact of baccalaureate degree pilot
24. program on underserved and underprepared students.
25. (3) The results of the final evaluation shall be reported, in
26. writing, to the Legislature and the Governor on or before July 1,
27. 2022. The final evaluation shall include, but is not limited to, all
28. of the following:
29. (A) The number of new district baccalaureate degree pilot
30. programs implemented, including information identifying the
31. number of new programs, applicants, admissions, enrollments,
32. and degree recipients.
33. (B) The extent to which the baccalaureate degree pilot programs
34. established under this article fulfill identified workforce needs for
35. new baccalaureate degree programs, including statewide supply
36. and demand data that considers capacity at the California State
37. University, the University of California, and in California’s
38. independent colleges and universities.
39. (C) Information on the place of employment of students and
40. the subsequent job placement of graduates.

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* 1. (D) Baccalaureate degree program costs and the funding sources
  2. that were used to finance these programs, including a calculation
  3. of cost per degree awarded.
  4. (E) The costs of the baccalaureate degree programs to students,
  5. the amount of financial aid offered, and student debt levels of
  6. graduates of the programs.
  7. (F) Time-to-degree rates and completion rates for the
  8. baccalaureate degree pilot programs.
  9. (G) The extent to which the programs established under this
  10. article are in compliance with the requirements of this article.
  11. (H) Information on the impact of the baccalaureate degree pilot
  12. programs on underserved and underprepared students.
  13. (I) Recommendations on whether and how the statewide
  14. baccalaureate degree pilot program can or should be expanded.
  15. (4) A district shall submit the information necessary to conduct
  16. the evaluations required by paragraph (1), as determined by the
  17. Legislative Analyst’s Office, to the Chancellor of the California
  18. Community Colleges, who shall provide the information to the
  19. Legislative Analyst’s Office upon request.
  20. (5) A report to be submitted pursuant to paragraph (2) or (3)
  21. shall be submitted in compliance with Section 9795 of the
  22. Government Code.
  23. ~~SEC. 4. Section 78043 of the Education Code is repealed.~~
  24. *SEC. 4. Section 78043 of the Education Code is amended to*
  25. *read:*
  26. 78043. This article shall become inoperative on July 1, ~~2023,~~
  27. *2028,* and as of January 1, ~~2024,~~ *2029,* is repealed, unless a later
  28. enacted statute that is enacted before January 1, ~~2024,~~ *2029,* deletes
  29. or extends that date.

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