

AMENDED IN SENATE MAY 26, 2017

AMENDED IN SENATE MAY 8, 2017

AMENDED IN SENATE APRIL 17, 2017

AMENDED IN SENATE MARCH 27, 2017

SENATE BILL

No. 769

**Introduced by Senator Hill
(Principal coauthor: Senator Galgiani)
(Coauthors: Senators Beall, Dodd, Glazer, Hueso, Mendoza,
Newman, Stern, and Wilk)**

February 17, 2017

An act to amend Sections 78040, 78041, 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 baccalaureate degree program or program curricula. The bill would extend the operation of the statewide baccalaureate degree pilot program 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 25 programs. The bill would require each district seeking approval to offer a new baccalaureate degree pilot program on or after January 1, 2018, to use exclusively its existing financial resources to implement the program by no later than the 2020–21 academic year, if the district receives approval to offer the program.~~

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. (a) 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~~ *Except as provided in subdivision (b), a* district baccalaureate
18 degree pilot program established pursuant to this article shall
19 commence no later than the 2017–18 academic year. For the
20 purposes of this section, a pilot program commences when the first
21 class of students begins the program. The statewide baccalaureate
22 degree pilot program shall consist of a maximum of 25

1 baccalaureate degree pilot programs to be determined by the
2 Chancellor of the California Community Colleges and approved
3 by the Board of Governors of the California Community Colleges.

4 *(b) Each district seeking approval to offer a new baccalaureate*
5 *degree pilot program on or after January 1, 2018, shall, if the*
6 *district receives approval to offer the program, use exclusively its*
7 *existing financial resources to implement the program by no later*
8 *than the 2020–21 academic year.*

9 SEC. 3. Section 78042 of the Education Code is amended to
10 read:

11 78042. (a) A district shall seek approval to offer a
12 baccalaureate degree pilot program through the appropriate
13 accreditation body.

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

21 (c) As a condition of eligibility for consideration to participate
22 in the statewide baccalaureate degree pilot program, a district shall
23 have a written policy that requires all potential students who wish
24 to apply for a Board of Governors Fee Waiver pursuant to Section
25 76300 to complete and submit either a Free Application for Federal
26 Student Aid or a California Dream Act application in lieu of
27 completing the Board of Governors Fee Waiver application.

28 (d) A district's baccalaureate degree pilot program shall be
29 subject to the following limitations:

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

35 (2) A baccalaureate degree pilot program shall not offer a
36 baccalaureate degree program or program curricula already offered
37 by the California State University or the University of California
38 ~~if that district's program or program curricula is within 100 miles~~
39 ~~of the California State University's or the University of California's~~
40 ~~program or program curricula.~~ *California.*

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

4 (e) A district shall maintain separate records for students who
5 are enrolled in courses classified in the upper division and lower
6 division of a baccalaureate degree program. A student shall be
7 reported as a community college student for enrollment in a lower
8 division course and as a baccalaureate degree program student for
9 enrollment in an upper division course.

10 (f) A governing board of a district seeking authorization to offer
11 a baccalaureate degree pilot program shall submit all of the
12 following for review by the Chancellor of the California
13 Community Colleges and approval by the Board of Governors of
14 the California Community Colleges:

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

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

20 (3) A description of the baccalaureate degree pilot program's
21 curriculum, faculty, and facilities.

22 (4) The enrollment projections for the baccalaureate degree pilot
23 program.

24 (5) Documentation regarding unmet workforce needs specifically
25 related to the proposed baccalaureate degree pilot program, and a
26 written statement supporting the necessity of a four-year degree
27 for that program.

28 (6) Documentation of consultation with the California State
29 University and the University of California regarding collaborative
30 approaches to meeting regional workforce needs.

31 (g) (1) On or before March 31, 2015, the Board of Governors
32 of the California Community Colleges shall develop, and adopt
33 by regulation, a funding model for the support of the statewide
34 baccalaureate degree pilot program that is based on a calculation
35 of the number of full-time equivalent students enrolled in all district
36 baccalaureate degree pilot programs.

37 (2) Funding for each full-time equivalent student shall be at a
38 marginal cost calculation, as determined by the Board of Governors
39 of the California Community Colleges, that shall not exceed the
40 community college credit instruction marginal cost calculation for

1 a full-time equivalent student, as determined pursuant to paragraph
2 (2) of subdivision (d) of Section 84750.5.

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

7 (4) Fees for coursework in a baccalaureate degree pilot program
8 shall be consistent with Article 1 (commencing with Section 76300)
9 of Chapter 2 of Part 47.

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

14 (h) (1) The Legislative Analyst's Office shall conduct both an
15 interim and a final statewide evaluation of the statewide
16 baccalaureate degree pilot program implemented pursuant to this
17 article.

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

22 (A) How many, and which specific, districts applied for a
23 baccalaureate degree pilot program, and the baccalaureate degree
24 pilot programs they applied for.

25 (B) Which potential four-year baccalaureate degrees were denied
26 and why they were denied.

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

29 (D) Current trends in workforce demands that require four-year
30 degrees in the specific degree programs being offered through the
31 statewide baccalaureate degree pilot program.

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

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

36 (3) The results of the final evaluation shall be reported, in
37 writing, to the Legislature and the Governor on or before July 1,
38 2022. The final evaluation shall include, but is not limited to, all
39 of the following:

1 (A) The number of new district baccalaureate degree pilot
2 programs implemented, including information identifying the
3 number of new programs, applicants, admissions, enrollments,
4 and degree recipients.

5 (B) The extent to which the baccalaureate degree pilot programs
6 established under this article fulfill identified workforce needs for
7 new baccalaureate degree programs, including statewide supply
8 and demand data that considers capacity at the California State
9 University, the University of California, and in California's
10 independent colleges and universities.

11 (C) Information on the place of employment of students and
12 the subsequent job placement of graduates.

13 (D) Baccalaureate degree program costs and the funding sources
14 that were used to finance these programs, including a calculation
15 of cost per degree awarded.

16 (E) The costs of the baccalaureate degree programs to students,
17 the amount of financial aid offered, and student debt levels of
18 graduates of the programs.

19 (F) Time-to-degree rates and completion rates for the
20 baccalaureate degree pilot programs.

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

23 (H) Information on the impact of the baccalaureate degree pilot
24 programs on underserved and underprepared students.

25 (I) Recommendations on whether and how the statewide
26 baccalaureate degree pilot program can or should be expanded.

27 (4) A district shall submit the information necessary to conduct
28 the evaluations required by paragraph (1), as determined by the
29 Legislative Analyst's Office, to the Chancellor of the California
30 Community Colleges, who shall provide the information to the
31 Legislative Analyst's Office upon request.

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

35 SEC. 4. Section 78043 of the Education Code is amended to
36 read:

1 78043. This article shall become inoperative on July 1, 2028,
2 and as of January 1, 2029, is repealed, unless a later enacted statute
3 that is enacted before January 1, 2029, deletes or extends that date.

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