

No. 2014-67

AN ACT

SB 1205

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

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

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

§ 6503. Certification of institutions.

* * *

(e.1) Additional degrees, programs or majors.—Subject to the authority of the State board to regulate teacher education programs under section 2603-B of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and the authority of the department to regulate teacher education programs under 22 Pa. Code Ch. 49 (relating to certification of professional personnel), a private, nonprofit college or university *or seminary* may offer an additional degree that is not specified in a certificate received under subsection (a) or may institute an additional major or program if either of the following applies:

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

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

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

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

* * *

Section 2. Title 24 is amended by adding sections to read:

§ 6503.1. *Change of designation to university.*

(a) *General rule.*—*Notwithstanding the provisions of this chapter or other law or regulation to the contrary, a private nonprofit institution, as defined under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)), holding a certificate of authority that authorizes the conferral, at a minimum, of bachelor's degrees or graduate degrees and using the designation of "college" may, on and after the effective date of this subsection, use the designation of "university" if the institution submits a letter from the president of the institution to the department stating:*

(1) *As of the date of the letter, the institution fulfills at least two of the three units necessary for an institution to be designated as a university, as defined in subsection (f).*

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

(3) *If the institution cannot satisfy the provisions of paragraphs (1) and (2), in lieu thereof, that the institution fulfills one of the three units necessary for the institution to be designated as a university as defined in subsection (f) and the institution provides a specialized medical educational program that would be enhanced by having the designation of "university."*

(4) *That the institution has been in continuous operation in this Commonwealth for the ten years preceding the date of the letter.*

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

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

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

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

(b) *Documentation.—The institution seeking the change in designation shall include any and all documentation necessary to verify the representations contained in the letter from the president of the institution.*

(c) *Time period to submit letter.—The institution must submit the letter from the president of the institution to the department no later than 90 days before the effective date of the change in designation.*

(d) *Review by department.—*

(1) *The department shall review the letter from the president of the institution and complete its review within 60 days of receipt of the letter.*

(2) *If the letter complies with the requirements of this section, the department shall accept the letter and publish the acceptance as a notice in the Pennsylvania Bulletin. The notice shall include the effective date of the change in designation.*

(3) *If the department fails to complete its review of the letter within the 60-day time period, the letter shall be deemed accepted, and the department shall publish the acceptance as a notice in the Pennsylvania Bulletin.*

(4) *If the letter does not comply with the requirements of this section, the department shall reject the letter for noncompliance by returning the letter to the institution, together with any documentation submitted, and shall state the basis for the rejection.*

(5) *An institution which receives a rejection of its letter may submit a corrected or new letter for review and acceptance by the department at any time.*

(e) Five-year plan.—

(1) Within 90 days of the effective date of the change in designation, the institution must submit to the department a five-year plan to fulfill any additional unit or other requirement needed for compliance with the definition of "university" in subsection (f).

(2) Failure of the institution to fulfill the plan within five years from the effective date of the change in designation shall result in the institution losing its university status. The department may extend the time allotted to the institution to fulfill the plan, provided that the institution demonstrates progress toward fulfillment of the plan.

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

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

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

(1) Consists of a minimum of three units, except as provided in subsection (a), as follows:

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

(ii) The second unit provides for advanced degree programs in the arts and sciences with at least one major in both the arts and sciences at the undergraduate level.

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

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

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

§ 6507.1. Change of designation to college.

Notwithstanding the provisions of this chapter or any other law or regulation to the contrary, a private nonprofit institution, as defined under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)), that is authorized, at a minimum, to award associate degrees in specialized technology or associate degrees in specialized business and holds accreditation from an accrediting body recognized by the United States Department of Education may, on and after the effective date of this section, use the designation of "college."

Section 3. This act shall take effect immediately.