

Guidelines for the Establishment of



Public Community Colleges in Pennsylvania

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF EDUCATION
333 MARKET STREET
HARRISBURG, PA 17126-0333
www.pde.state.pa.us

Table of Contents

INTRODUCTION	1
THE ROLE OF THE COMMUNITY COLLEGES IN PENNSYLVANIA	2
SPONSORSHIP AND FUNDING.....	3
COMMUNITY COLLEGE PLAN	4
LOCAL PLANNING.....	5
FEASIBILITY STUDY.....	5
PHILOSOPHY AND OBJECTIVES	7
ORGANIZATION OF THE PROPOSED COLLEGE.....	7
GOVERNANCE	8
FINANCE.....	9
SUPPORTING INFORMATION.....	9
APPENDICES	10
APPENDIX A: SAMPLE TOPICAL OUTLINE OF A COMMUNITY COLLEGE PLAN.....	11
APPENDIX B: CHART OF ACTIVITIES.....	12
APPENDIX C: ADDITIONAL RESOURCES.....	13

I. Introduction

The Community College Act of 1963 (P.L. 1132, Act 484) originally provided for the creation, establishment and operation of public community colleges in the Commonwealth of Pennsylvania. The statute was incorporated into the Public School Code of 1949 by Act 31 of 1985, which also amended the formula used to fund the colleges. Additional substantive amendments were made to the Act in 1993 and 2005. The Act requires that the State Board of Education (Board) adopt policies, standards, rules and regulations, formulated by the Council of Higher Education, for the establishment and operation of these colleges.

The State Board of Education, through the Council of Higher Education, has promulgated various regulations for the creation and operation of community colleges. Title 22 Pa. Code Chapter 35 provides general provisions for the administration and operation of the colleges. Chapter 335 provides for credit and noncredit courses that community colleges may offer. Other sections of Title 22 that are useful in operating a community college are Chapters 11 (Pupil Attendance), 31 (General Provisions for Higher Education), 34 (Branch Campuses for State-Supported Institutions) and 42 (Program Approval). Additionally, policies and guidance are periodically issued on an as-needed basis by the Department of Education.

Organizations intending to submit an application for a new community college are advised to thoroughly familiarize themselves with the basic legislation, regulations and policies for public community colleges so their planning may proceed in accordance with statutory requirements. The State Board of Education, its Council of Higher Education and the Department of Education wish to assist local communities in this endeavor.

This document is to serve as an outline to facilitate the creation of a Community College Plan.¹ Each organization wishing to establish a new community college must draft and submit such a plan to the State Board of Education. The statute requires that the local sponsor submit the plan to the Board.² The application shall be duplicated, bound and contain official resolutions of sponsorship by the local sponsor(s). In addition to the number of copies required for local distribution, thirty-five (35) copies shall be provided to the Executive Director of the State Board of Education for use by the Board, the Council of Higher Education and the Department of Education. The submission of a preliminary draft for review by the Department of Education is advised before the expense of final duplication and binding is incurred.

The application shall be a comprehensive document, which covers all of the substantive issues discussed herein. A sample, topical outline for a Community College Plan is included as Appendix A. Local sponsors are urged to acquire the services of a competent community college consultant to guide them in conducting the required studies and in preparing the applications.

¹ The terms 'application' and 'Community College Plan' are used interchangeably in this document.

² 24 P.S. §19-1903-A(a).

Action to approve the Community College Plan will be taken by the State Board only if the application is in conformity with the enabling legislation, the State regulations and the suggestions contained in this document. The following guidelines, therefore, are intended to supplement the basic legislation and assist local community sponsors as they plan for the establishment and operation of a community college and prepare their applications for submission to the State Board of Education.

II. The Role of the Community Colleges in Pennsylvania

“A public college or technical institute which is established and operated in accordance with the provisions of this act by a local sponsor, which provides a two-year, postsecondary, college-parallel, terminal-general, terminal-technical, out-of-school youth or adult education program, or any combination of these. The community college may also provide area vocational-technical education services and credit, nonremedial college courses to secondary senior high school students.” *24 P.S. §19-1901-A(4)*

The community college in Pennsylvania is a public institution of higher education, offering instruction beyond high school, but of less than baccalaureate level, in programs of two-years or less duration when pursued by a full-time student. They are open-access institutions intended to provide academic services to the entire community, regardless of prior academic achievement. It is the intent of the State Board of Education that these institutions shall be widely comprehensive, providing for all of the educational requirements of the community. Typically, the colleges provide the following:

- Liberal Arts Education;
- Occupational/Technical Education;
- Continuing Education and Professional Development;
- Developmental Education;
- Avocational and Recreational Courses and
- Community Service Opportunities.

The college must qualify for accreditation by appropriate accrediting agencies. Regulations promulgated by the State Board of Education require new degree-granting institutions to obtain candidacy status for total institutional accreditation within three years of commencing operations.³

A community college is authorized to award associate degrees, Certificates and Diplomas as approved by the board of trustees. The associate degree shall require the satisfactory completion of an approved college-parallel or applied education curriculum with a minimum of sixty (60) semester credit hours or the equivalent.⁴ The Certificate or

³ 22 Pa. Code §31.52.

⁴ 22 Pa. Code §35.22(c).

Diploma programs will require satisfactory completion of assigned instructional units in programs that do not lead to the associate degree. Typically, these programs consist of between 16 and 30 credit hours to complete. A community college that desires to establish an upper division program, not culminating in a baccalaureate degree, must gain approval from the Department.⁵ The procedure for gaining this approval can be found in 22 Pa. Code Chapter 42 (relating to program approval).

III. Sponsorship and Funding

Each community college in the Commonwealth must have a local sponsor that provides for local control of the college through an appointed or elected Board of Trustees. The statute requires that the local sponsor be a “school district or a municipality or a county board of school directors or any combination of school districts, municipalities or county boards of school directors...”⁶ The Act treats the individual school districts or municipalities that make up the local sponsor as a single, distinct entity. In agreeing to be a sponsor to a community college, the school district or municipality is agreeing to become a member of the sponsoring entity and to act as a unit under the law. The powers of the Act are conferred upon the local sponsor as a single body represented by the college’s Board of Trustees. The Board of Trustees provides a layer of local control to the college, but this does not mean that the college is part of the school district or of the city or county government. Once established, a community college is an autonomous, independent institution of higher education, free of legislative, executive and administrative control of its sponsoring school district or municipality.

The governing bodies of the members that make up the local sponsor are responsible for electing, by majority vote, the members of the board of trustees. However, the board of trustees for a community college sponsored by a city of the second class shall be appointed by the mayor, with approval of city council, and in cities of the first class shall be appointed by the mayor from nomination from a nominating panel established in accordance with municipal ordinance.⁷

Throughout the history of community colleges in Pennsylvania, almost all of the possible methods for providing sponsorship have been attempted. There have been a total of sixteen community colleges approved by the Board of Education since the enabling legislation was passed in 1963. The sixteen colleges were originally founded with the following sponsorship models:

County Sponsorship

- Community College of Allegheny County
- Bucks County Community College
- Butler County Community College
- Luzerne County Community College

⁵ 22 Pa. Code §35.21(c).

⁶ 24 P.S. §19-1901-A(2).

⁷ 24 P.S. §19-1904-A.

Montgomery County Community College
Northwest Pennsylvania Technical Institute
Pennsylvania Highlands Community College⁸
Westmoreland County Community College

School District Sponsorship

Community College of Beaver County
Delaware County Community College
Harrisburg Area Community College
Lehigh Carbon Community College
Northampton Community College
Reading Area Community College
Williamsport Area Community College

Municipality

Community College of Philadelphia

Of the seven colleges that were originally sponsored by a consortium of school districts, two (Community College of Beaver County and Reading Area Community College) have converted to county sponsorship and another, Williamsport Area Community College, has ceased operating as a community college and became Pennsylvania College of Technology. Additionally, Northwest Pennsylvania Technical Institute has closed leaving a total of fourteen operational community colleges within the Commonwealth.

Community colleges in the Commonwealth are funded through a combination of tuition paid by students, a local sponsor share and state appropriation. The legislation does not require the local sponsor to contribute a specific amount, but a de facto requirement of one-third exists due to language limiting student tuition to no more than one-third of the operating expenses of the college. Additionally, the local sponsor must agree to contribute 50% of the capital costs of the college.

The governing body of each member of a local sponsor may levy taxes for the purpose of providing funds for the community college. The tax shall be in addition to the district or municipalities normal millage as fixed or limited by law.⁹ The State Board of Education will only approve a community college if the amount of local, state and federal revenue is deemed sufficient to support the college.

IV. Community College Plan

The formal application submitted for the establishment of a new community college is called a Community College Plan. A sample topical outline of a plan is included in Appendix A and will be described in more detail here. Please note that this outline is not entirely prescriptive; each local sponsor is encouraged to modify the order and flow of

⁸ Originally Cambria County Area Community College.

⁹ 24 P.S. §19-1909-A.

the document to best meet the needs of the community. Also, sponsors should feel free to include any additional documentation that is deemed necessary to provide the Board and Department with a full picture of the proposed community college. The application shall be a comprehensive document, which extensively discusses all of the substantive issues identified below.

A. Local Planning

The plan should provide a detailed description of the total planning activities that have taken place as a precursor to the submission of the Community College Plan; including a background of the grass-roots organization and involvement of the local sponsor(s). Any organizational documentation related to the creation and submission of the Community College Plan may be included. The perceived service area of the proposed college should be extensively discussed, along with maps showing geography, topography and a description of main commuting routes, driving distances and availability of convenient public transportation to the proposed campus site(s).

A description of the members of the local sponsor, their involvement in the planning process and the relationship between the members of the sponsor should be included. The Act requires that the Community College Plan shall be “approved by the governing body of each member of the local sponsor,” prior to the plan being submitted to the State Board.¹⁰ Additionally, copies of governing board minutes or an official resolution approving the Community College Plan and its submission to the State Board of Education shall be included.

B. Feasibility Study

A comprehensive feasibility study must be performed to justify the need for a community college in the service area and the desire of the citizenry to support a college. The study is to look at all aspects of the community that comprise the proposed service area of the college. While it is not required, it is advisable to retain a professional consultant with experience in this type of study.

The feasibility study shall contain the following information:

1. Population data and trends over the preceding five years and projections for the ensuing 10 years.
2. Employment statistics for the surrounding region for the previous five years and analysis of the employment needs of the region. A historic look at the unemployment rate of the area and discussions of recent major layoffs that have adversely affected the local economy may be included in this section.

¹⁰ 24 P.S. §19-1903-A(b).

3. Analysis of the area public and private high schools/career and technology centers, their programs and number of graduates for the preceding five-years and projections for the succeeding ten-years.
4. Socio-economic analysis of the region. This should include information on the educational attainment of the population (e.g., the number of adults with a high school diploma, some college but no degree, associate degree, bachelor's degree, master's degree, etc.)
5. Economic development activities of the region (business, industry, agriculture, public service).
6. Description of facilities and sites available, which might be suitable for a college campus.
7. Information on the availability of qualified faculty.
8. Community Surveys:
 - i. Surveys to determine educational needs and college aspirations of
 - high school freshman and their parents,
 - high school juniors and their parents,
 - high school graduates from the previous two years and
 - adults 25 years and older.
 - ii. Community survey soliciting opinions of the local community in regards to education and the need for a community college. The survey should not only gauge the community's attitude toward a new college, but also the knowledge of the types of services a community college can offer. This survey may also solicit the avocational and recreational courses that the community would be interested in attending if they were offered at the college.
 - iii. A business and industry survey should be conducted to determine the manpower needs of employers within the local workforce investment areas.
9. Discussion of existing post-secondary and higher education institutions currently serving the region. This is to include type of institution, programs and degrees offered, size and makeup of student body and institutional focus (i.e., research, liberal arts, trade, technical/occupational, etc.).
10. Analysis of programs needed and desired in the proposed service area.
11. Enrollment projections for the first five years of the college's existence. The survey results from the feasibility study should be utilized in determining the number and types (recent high school graduates, out-of-school youth, high school dual enrollment students, unemployed adults, etc.) of students that are expected to attend the college.

C. Philosophy and Objectives

The Community College Plan should include a detailed statement of the institution's philosophy outlining its mission, objectives and operating principles. Demonstrate how the mission of the proposed college will fulfill the educational needs of the Commonwealth and how it will accomplish the goals of the State Board of Education's Master Plan for Higher Education within the proposed service area.

The Community College Act is clear in its intent that the community colleges established in Pennsylvania shall offer instruction beyond high school to as many youth and adults of the Commonwealth as possible. Implied in the Act is the concept that community colleges shall serve individuals of all levels of academic ability. Community colleges shall, therefore, extend an opportunity for higher education not only to those students who can satisfy the academic and financial requirements of existing higher education institutions, but also to many who cannot satisfy these requirements. Consequently, it has been the policy of the State Board that approval will be granted to establish a community college only when clear evidence exists in the local sponsors' plan that admission policies will be consistent with those of other open-access institutions in the Commonwealth.

D. Organization of the Proposed College

1. A description of the administrative organization of the proposed college, including:
 - An organizational chart of the college administration;
 - A discussion of the method that will be used for adopting administrative and staffing policies of the college;
 - The accreditation plans of the college, to include the anticipated accrediting body, a proposed timeline and any additional program specific accreditations that may be sought;
 - The method to be used for development and approval of other college policies such as: academic, admissions, financial aid, and student records;
 - A description of student and counseling services that will be provided to students should be included.

2. A list of the curricula that is intended to be offered by the college. This list should designate:
 - The specific curricular areas (Nursing, Mechanical Drafting, English, Criminal Justice, etc.) that are intended to be offered at initial college start-up;
 - The types of degrees (Associate of Arts, Associate of Science, Associate of Applied Science, etc.), certificates or diplomas;

- A five-year timeline of program development;
 - Remedial and developmental education offerings;
 - Noncredit and business and industry training that will be offered.
3. A description of the academic year of the college. The regulations allow great latitude in allowing the college to identify how the college will be organized. They do require that a semester or trimester have no fewer than 15 weeks of instruction.¹¹ A college that is organized around a quarter system must maintain quarters of not less than ten weeks of instruction. This section of the regulations is not meant to prevent unique calendar arrangements that may be in the best interest of the college or the students. Such innovative calendar sessions will be allowed as long as they include a proportionate number of hours.

E. Governance

Upon approval of a Community College Plan, it is the responsibility of the local sponsor to appoint a board of trustees. The board of trustees must be appointed within sixty (60) days of approval of the plan by the State Board of Education.¹² The college is considered to be established when the board of trustees are appointed.¹³ The Plan should carefully consider the number of trustees that will be appointed to the board and how they will be selected. If there is more than one governing body making up the local sponsor, there should also be consideration as to how the trustees will be apportioned among the members. Section 19-1904-A(b) of the Community College Act requires that a board of trustees consist of no less than seven and no more than fifteen members.

The board of trustees will enter into formal written agreements with each member of the local sponsor to provide “operating expenses for at least a five-year period and for capital expenses for such term or period as is necessary for the reduction of capital indebtedness not to exceed thirty years.”¹⁴ Copies of draft bylaws, articles of agreement and policy or other appropriate organizational procedures providing for the organization of the board and operation of the college should be included. The board of trustees shall “supervise the expenditure of appropriations made by the local sponsor and shall conduct the business affairs of the community college...”¹⁵

¹¹ 22 Pa. Code §35.23(a).

¹² 24 P.S. §19-1904-A(a).

¹³ 24 P.S. §19-1903-A(a)(c).

¹⁴ 24 P.S. §19-1905-A(a)(8)(c).

¹⁵ 24 P.S. §19-1905-A(8)(b).

F. Finance

The Community College Plan must contain a financial program for operation of the proposed college. This plan must call for the local sponsor to appropriate to the community college an amount “at least equal to the community college’s annual operating costs less the student tuition...less the Commonwealth’s payment...”¹⁶ The plan must also contain an estimate of the annual operating expenses for a five-year period, annual capital expenditures for a ten-year period, tuition to be charged to the students (sponsored, non-sponsored, out-of-state) and a statement of the taxing plan (assessed valuation and proposed millage to be levied). A proposed budget for the period of start-up should be included and should include such information as estimates of various revenue streams, proposed salary and wage schedules, fringe benefits and payroll taxes, professional and purchased services, administrative and instructional expenses, technology expenses, student scholarships, etc. “Capital Expenses shall include library books and complementary audio-visual equipment purchased during the first five years after establishment.”¹⁷ Included in the ten-year projection of capital expenditures required by the enabling act, shall be a plan for over-all campus development. This campus master plan shall also include: student center, cultural center, library and adequate faculty and student parking facilities.

G. Supporting Information

Any other information that has not been specifically requested above, but is believed to be essential to garnering the proper insight into the proposed community college, may be placed in this section. This may include documentation such as attitudes of neighboring institutions of higher education in regards to the founding of a community college and endorsements of interested community groups.

¹⁶ 24 P.S. §19-1913-A(a).

¹⁷ 24 P.S. §19-1913-A(a)(5)(c)(1).

Appendix A: Sample Topical Outline of a Community College Plan

- Chapter 1 History of Organization and Sponsorship
 - Objectives/Procedures of the Study
 - Participating Groups
 - Local Sponsor
 - Definitions
 - Organization of the Report

- Chapter 2 Service Area of the Study
 - Introduction
 - Definition of Study Area
 - Geographical Characteristics
 - Transportation Infrastructure
 - Utilities
 - Area Media and Communications
 - Population—Demographic and Educational Trends
 - Characteristics of Civilian Labor Force
 - Industry Employment
 - Industry Forecasting
 - Human Services
 - Education
 - Secondary Schools
 - Career and Technical Education Centers
 - Post-Secondary Institutions

- Chapter 3 Results of Survey Research
 - Introduction
 - Community Surveys
 - High School Students and their Parents
 - Community
 - Business and Industry
 - Summary of Survey Analyses

- Chapter 4 Philosophy, Objectives and Organization of the College
 - Mission
 - Governance
 - Sponsorship of the College
 - Board of Trustees
 - Organization of College Administration
 - Draft Policies
 - Administrative Policies of the College
 - Academic Policies
 - Student Related Policies
 - Tuition and Fees Policies
 - Financial Aid Policies

- Course-Related Policies
- Personnel
- Facilities
 - Campus Site Analysis
 - Off-Campus Educational Sites
- Student Services
 - Financial Aid Counseling
 - Orientation
 - Counseling and Guidance
 - Placement Services
 - Follow-up Studies
- Program Offerings
- Projected Opening Enrollment

Chapter 5 Financial Operations of the Community College

- Introduction
- Revenues
- Proposed Budget for Start-up Period
- Proposed Budget for First Year of Operation
- Budgets for Following Years of Operation
- Schedule of Annual Capital Expenditures for the first 10 years
- Conclusions

Appendices

- Steering/Advisory Committee
- Post-Secondary Institutional Profiles
- Survey Instruments
 - Student Surveys
 - Community Survey
 - Business and Industry Survey
- Administrative Site Proposals
- Resolutions of Sponsorship
- Letters of Support

Appendix B: Chart of Activities

1. A group or entity makes contact with the Office of Access Initiatives.
2. The contacting group states its basic desire to establish a new community college; the Office of Access Initiatives briefly reviews the main requirements for a community college to operate in the Commonwealth and refers the group to the Executive Director of the State Board of Education.
3. The following material is sent to the contacting group:
 - a. Guidelines for the Establishment of Public Community Colleges in Pennsylvania.
 - b. The most recent version of the Community College Act (Excerpted from the Public School Code of 1949 as contained in the text of Title 24, Pennsylvania Statutes Annotated [24 P.S. §19-1901A to 19-1918-A].
 - c. 22 Pa. Code Chapter 35 – Community Colleges; Chapter 42—Program Approval and Chapter 335 – Community College Courses.
 - d. Excerpts of Regulations of the State Board of Education: 22 Pa. Code Chapter 11 – Pupil Attendance; Chapter 31 – General Provisions; Chapter 34—Branch Campuses for State-Supported Institutions.
4. An informal meeting is held in Harrisburg for the purposes of discussing in more detail the intent of the contacting group and to make certain the group understands Pennsylvania’s laws and regulations pertinent to community colleges.
5. The group is provided with contacts in the Office of Access Initiatives, Office of the Budget and the State Board of Education for follow-up questions.
6. Community college approval follows the process in the Community College Act [24 P.S. 19-1901A]. Process includes:
 - a. A community college plan is submitted by the local sponsor to the State Board of Education.
 - b. The Department of Education, at the request of the State Board of Education, may make and report its findings and recommendations to the Council of Higher Education.
 - c. State Board of Education confers with and obtains the approval of the Governor’s Office as to the number of community colleges that can be approved for participation during the ensuing fiscal period.
 - d. Notice of the application published in the PA Bulletin for public comment.
 - e. The State Board of Education holds at least one hearing in the service area of the proposed community college.
 - f. The State Board of Education approves or disapproves of the Plan.
 - g. If the plan is approved: Members of the Local Sponsor appoint the College’s Board of Trustees. The Board drafts a final plan for the opening of the college. This plan should outline all activities that will take place during the 120 days prior to the opening of the college. This plan includes articles of agreement between the sponsor and the board of trustees, which provides anticipated capital needs, planning, program development and student services.

Appendix C: Additional Resources

American Association of Community Colleges: <http://www.aacc.nche.edu>

American Council on Education: <http://www.acenet.edu>

Association of Community College Trustees: <http://www.acct.org>

Community College Business Officers: <http://www.cbo.org>

Community College Central: <http://www.communitycollegecentral.org>

Community College Policy Center: <http://www.comunitycollegepolicy.org>

Community College Research Center: <http://www.tc.columbia.edu/ccrc>

Council for the Study of Community Colleges: <http://www.cscconline.org>

The Institute for Higher Education Policy: <http://www.ihep.org>

Middle State Association of Colleges and Schools: <http://www.msache.org>

National Center for Public Policy and Higher Education: <http://www.highereducation.org>

Pennsylvania Commission for Community Colleges: <http://www.pacomunitycolleges.org>