
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1205 Session of
2013

INTRODUCED BY FOLMER, BLAKE, DINNIMAN, PILEGGI, YUDICHAK,
VULAKOVICH AND BAKER, DECEMBER 4, 2013

REFERRED TO EDUCATION, DECEMBER 4, 2013

AN ACT

1 Amending Title 24 (Education) of the Pennsylvania Consolidated
2 Statutes, providing for change of designation to university.

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

5 Section 1. Title 24 of the Pennsylvania Consolidated
6 Statutes is amended by adding a section to read:

7 § 6503.1. Change of designation to university.

8 (a) General rule.--Notwithstanding the provisions of this
9 chapter or other law or regulation to the contrary, a private
10 nonprofit institution, as defined under section 501(c)(3) of the
11 Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. §
12 501(c)(3)), holding a certificate of authority that authorizes
13 the conferral, at a minimum, of bachelor's degrees and using the
14 designation of "college" may, on and after the effective date of
15 this subsection, use the designation of "university" if the
16 institution submits a notarized affidavit to the department
17 stating:

18 (1) As of the date of the affidavit the institution

1 fulfills at least two of the three units necessary for an
2 institution to be designated as a university, as defined in
3 this section.

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

8 (3) That the institution has been in continuous
9 operation in this Commonwealth for the ten years preceding
10 the date of the notarized affidavit.

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

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

20 (6) The intended effective date of the change in
21 designation.

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

24 (b) Documentation.--The institution seeking the change in
25 designation shall include any and all documentation necessary to
26 verify the representations contained in the notarized affidavit.

27 (c) Time period to submit affidavit.--The institution must
28 submit the notarized affidavit to the department no later than
29 90 days before the effective date of the change in designation.
30 The notarized affidavit shall be subject to the penalties of 18

1 Pa.C.S. § 4904 (relating to unsworn falsification to
2 authorities).

3 (d) Review by department.--

4 (1) The department shall review the affidavit and
5 complete its review within 60 days of receipt of the
6 affidavit.

7 (2) If the affidavit complies with the requirements of
8 this section, the department shall accept the affidavit and
9 publish the acceptance as a notice in the Pennsylvania
10 Bulletin. The notice shall include the effective date of the
11 change in designation.

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

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

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

24 (e) Five-year plan.--

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

30 (2) Failure of the institution to complete the plan

1 within five years from the effective date of the change in
2 designation shall result in the institution losing its
3 university status. The department may extend the time,
4 provided that the institution demonstrates progress toward
5 fulfillment of the plan.

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

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

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

15 (1) Consists of a minimum of three units as follows:

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

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

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

24 (2) Has a foundation in the arts and sciences which is
25 instilled in the philosophy and implementation of the
26 undergraduate and graduate education curriculum.

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

30 Section 2. This act shall take effect immediately.