

SF0111

**Community colleges-bachelor of applied science programs.**

Sponsored By: Senator(s) Nethercott, Agar, Anselmi-Dalton, Bebout, Biteman, Coe, Dockstader, Driskill, Hicks, James, Kinskey, Landen, Pappas, Perkins, Schuler and Wasserburger and Representative(s) Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Eklund, Eyre, Gray, Harshman, Henderson, Kirkbride, Lindholm, Loucks, MacGuire, Miller, Newsome, Northrup, Obermueller, Olsen, Paxton, Piiparinen, Pownall, Salazar, Stith, Styvar, Sweeney, Walters, Western and Zwonitzer

AN ACT relating to postsecondary education; amending authorized academic programs at the community colleges; providing for community college commission approval of the baccalaureate degree programs; conforming Hathaway scholarship statutes; requiring reports; and providing for an effective date.

1/16/2019 Bill Number Assigned  
1/17/2019 S Received for Introduction  
1/18/2019 S Introduced and Referred to S04 - Education  
1/25/2019 S04 - Education:Recommend Do Pass 4-1-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Coe, Ellis, Hutchings, Landen  
**Nays:** Senator Rothfuss  
**Ayes** 4    **Nays** 1    **Excused** 0    **Absent** 0    **Conflicts** 0

1/25/2019 S Placed on General File  
1/25/2019 S COW:Passed  
1/28/2019 S 2nd Reading:Passed  
1/29/2019 S 3rd Reading:Passed 28-2-0-0-0

**ROLL CALL**

**Ayes:** Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger  
**Nays:** Senator(s) Case, Rothfuss  
**Ayes** 28    **Nays** 2    **Excused** 0    **Absent** 0    **Conflicts** 0

1/29/2019 H Received for Introduction  
2/12/2019 H Introduced and Referred to H04 - Education  
2/14/2019 H04 - Education:Recommend Do Pass 6-2-1-0-0

**ROLL CALL**

**Ayes:** Representative(s) Brown, Flitner, Freeman, Obermueller, Paxton, Simpson  
**Nays:** Representative(s) Connolly, Piiparinen  
**Excused:** Representative Northrup  
**Ayes** 6    **Nays** 2    **Excused** 1    **Absent** 0    **Conflicts** 0

2/14/2019 H Placed on General File

**SF0111HW001/FAILED**

Page 1-lines 1 through 5      Delete entirely and insert:

"AN ACT relating to postsecondary education; amending authorized academic programs at the community colleges; authorizing a pilot project to allow students attending a community college to earn bachelor degrees through the community college or the University of Wyoming; conforming Hathaway scholarship statutes; specifying certain programs to be reviewed for future inclusion by higher education institutions; specifying conditions for the pilot program; requiring reports; making legislative findings; and providing for an effective date."

Page 1-lines 9 through 11 Delete entirely.

Pages 2 through 7 Delete entirely.

Page 8-lines 1 through 7 Delete entirely and insert:

**"Section 1.**

(a) The legislature finds that:

(i) The availability of bachelor degree programs in Wyoming impacts Wyoming's ability to promote and achieve the goals of the legislative and executive branches' economic and education initiatives;

(ii) There exists a need to increase the availability of bachelor degrees in Wyoming to enable:

(A) Increased educational opportunity, particularly for students who must remain close to home for reasons related to family, health or work while earning a college degree; and

(B) Increased skill development, which will lead to economic expansion and diversification.

**Section 2.** W.S. 21-18-320 is created to read:

**21-18-320. Bachelor of applied science pilot program; conditions.**

(a) A community college may establish not more than a total of four (4) bachelor degree programs in accordance with the restrictions contained in this section. The community college may establish and administer not more than two (2) community college bachelor of applied science programs and a community college may work with the University of Wyoming for the university to jointly offer with the community college not more than two (2) bachelor degree programs in any discipline at the community college. Each program shall be approved by the community college commission. In selecting and implementing programs under this section, the colleges and the university shall consider workforce needs within the state. The programs established under this section shall be subject to the following:

(i) Degrees earned from a program administered jointly by the university and a college shall be conferred by the University of Wyoming. Programs conferring a university degree held at a community college shall allow a student enrolled in a program to be able to receive all instruction and complete all program requirements at the location of the community college in a timeframe comparable to that if attending classes at the university;

(ii) If a college has requested the university to jointly administer a program under this section it shall not request a second joint program until at least ninety (90) days have elapsed since the college's submission of the first program to the university, unless every college without a program under this section has notified the university that it does not plan to propose a program;

(iii) The university and the community colleges shall endeavor to implement pilot programs not later than the 2020-2021 academic year;

(iv) A college and university jointly administered program shall be as requested by the community college. The university and college shall implement a memorandum of understanding for the program within sixty (60) days after the university receives the request for the program;

(v) Tuition and fees charged for enrollment in a college and university jointly administered program provided under this section shall be the amount charged by the community college for comparable hours of instruction;

(vi) Delivery of college and university jointly administered programs, including division of tuition and fees generated, shall be as mutually agreed by the university and each college;

(vii) Subject to paragraph (viii) of this subsection, enrollment in a college and university jointly administered program under this section may be curtailed at any time subject to mutual agreement by the university and college;

(viii) Any student enrolled in a program commenced under this section shall be allowed to continue in the program until the earlier of graduation from the program, disenrollment, or five (5) years from initial enrollment, so long as satisfactory academic progress is made.

(b) The university and the community college commission shall report to the joint education interim committee and the joint appropriations committee on the status of the programs implemented under this section by November 1 of each year.

**Section 3.** W.S. 21-16-1303(f)(iv), 21-16-1304(b), 21-16-1305(a)(iii), 21-18-102(a)(i), 21-18-202(d)(i) and (h)(ii) and 21-18-320(a)(xvi) are amended to read:

**21-16-1303. Hathaway scholarship program; eligibility requirements.**

(f) Students meeting the requirements of this subsection shall not be subject to the six (6) academic year limitation on scholarships under this article, the satisfactory academic progress requirements of W.S. 21-16-1304(c)(i) and 21-16-1305(b)(i) or the continuous enrollment requirements of W.S. 21-16-1304(c)(ii) and 21-16-1305(b)(ii), but shall be subject to the following:

(iv) Within the earlier of eight (8) years of initial Hathaway scholarship eligibility or four (4) years of last attending an eligible institution while receiving a Hathaway scholarship, have enrolled at the University of Wyoming to complete a ~~baccalaureate bachelor~~ of applied science degree or attending a Wyoming community college to complete a bachelor of applied science degree as authorized by W.S. 21-18-320 and have applied for reinstatement of the student's Hathaway scholarship;

**21-16-1304. Hathaway opportunity, performance and honor scholarships.**

(b) Scholarships under this section shall be for a maximum of the equivalent of eight (8) full-time semesters. ~~Except as specified under subsection (g) of this section,~~ A scholarship under this section shall be available for attendance at a Wyoming community college for not more than a maximum of the equivalent of four (4) full-time semesters, except as follows:

(i) As specified under subsection (g) of this section; or

(ii) A scholarship for a student enrolled in a bachelor degree program provided pursuant to W.S. 21-18-320 with attendance at a Wyoming community college shall be for a maximum of the equivalent of eight (8) full-time semesters.

**21-16-1305. Hathaway provisional opportunity scholarships.**

(a) Any student who meets the criteria under W.S. 21-16-1303 is eligible to receive a Hathaway provisional opportunity scholarship to pursue a certificate or degree as follows:

(iii) A student who receives a scholarship under paragraph (i) of this subsection and who earns a certificate from the community college with a minimum cumulative GPA of 2.25 may extend the provisional opportunity scholarship to pursue either a certificate or a degree at a Wyoming community college or if the student earns a degree from the community college with a minimum GPA of 2.25, may extend the scholarship to pursue a degree at the University of Wyoming if the student maintains a minimum cumulative GPA of 2.25 and otherwise remains eligible for a scholarship under this article. A student who receives a scholarship under paragraph (i) of this subsection, is enrolled in a bachelor degree program provided pursuant to W.S. 21-18-320 with attendance

at a community college and has received a minimum cumulative GPA of 2.25 after four (4) full-time semesters may extend the provisional opportunity scholarship for an additional four (4) full-time semesters to complete the bachelor degree if the student maintains a minimum cumulative GPA of 2.25 and otherwise remains eligible for a scholarship under this article. The scholarship under this paragraph shall be for the same amounts and subject to the same limitations as provided for scholarships under paragraph (a)(i) of this section, except that the student may continue a bachelor degree program provided pursuant to W.S. 21-18-320 or pursue either an additional certificate or a degree and the student may use this scholarship while attending a Wyoming community college or the University of Wyoming.

**21-18-102. Definitions.**

(a) As used in this act:

(i) "Academic program" means those programs approved by the commission which provide credits:

(A) Resulting in a two (2) year associate degree;

(B) Resulting in a bachelor degree in accordance with W.S. 21-18-320;

(C) Resulting in a credit bearing credential such as a certificate; or

(D) Which may be transferred to an accredited four (4) year college or university.

**21-18-202. Powers and duties of the commission.**

(d) The commission shall perform the following approval functions:

(i) Approve all new programs, including bachelor degree programs to be provided pursuant to W.S. 21-18-320, qualifying for state funding pursuant to the statewide community college strategic plan developed under subsection (h) of this section;

(h) The commission shall prior to the beginning of each biennial budget period, review, update and modify the statewide college system strategic plan. The plan shall clearly prescribe the components of the educational program and attach program components to statewide system priorities. This plan shall serve as the basis for state operational and capital construction budget requests and funding of the statewide college system for the applicable biennial budget period. In developing, reviewing and updating the strategic plan, the commission shall:

(ii) Include mechanisms within the planning process which adhere to the state's interests in establishing a statewide college system identified as assuring statewide access to:

(A) Academic programs, including not more than four (4) bachelor degree programs provided pursuant to W.S. 21-18-320 at each community college;

(B) Career-technical education and training programs;

(C) Dual and concurrent enrollment programs; and

(D) Remedial and continuing education programs responding to needs of students, employers and the state workforce, including program access through outreach or coordinated electronic system technology.

**21-18-303. District board generally; powers; board approved additional mill levy.**

(a) The community college district board may:

(xvi) Confer degrees and certificates, including bachelor of applied science degrees from programs provided pursuant to W.S. 21-18-320, and grant diplomas as are usual for community colleges and authorized under its accreditation by the regional accrediting agency;

**Section 4.**

(a) The University of Wyoming, community colleges and the community college commission shall evaluate the funding, other implementation needs and appropriate timeframe to:

(i) Establish health care provider programs at community colleges. The commission, university and colleges may consider potential undergraduate and postgraduate health care provider programs under this paragraph;

(ii) Re-establish a career and technical training program by the University of Wyoming;

(iii) Establish a baccalaureate program in education at Central Wyoming community college.

(b) The university and community college commission shall consult with the department of workforce services, the department of education, the economically needed diversity options for Wyoming executive council and Wyoming business council regarding the effect the programs specified in subsection (a) of this section could have on economic development and diversification efforts in Wyoming. The university and community college commission shall report the results of the study under subsection (a) of this section, including any responses by the entities specified in this subsection and recommendations of the university and community college commission, to the joint education interim committee not later than September 1, 2019. The joint education interim committee shall sponsor legislation implementing recommendations of the university and commission as it determines appropriate for consideration in the 2020 budget session of the legislature.

**Section 5.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". NICHOLAS

2/21/2019 H COW:Passed

2/22/2019 H 2nd Reading:Laid Back

**SF0111H2001/FAILED**

Page 1-line 10 Delete "and" and insert ",",

Page 1-line 11 After "(h)(ii)" insert "and by creating a new paragraph (v)".

Page 7-after line 16 Insert:

"(v) Ensure that any baccalaureate degree program within any community college is structured so that the creation and operation of the program does not result in any increased fiscal impact to the state or increase any appropriation request for state funds from the commission or a community college.". SOMMERS

**SF0111H2002/ADOPTED**

Page 1-line 5 After "statutes;" insert "requiring reports;".

Page 8-line 7 Delete entirely and insert:

**"Section 2.**

(a) The community college commission shall report to the joint education interim committee and the joint appropriations committee on the status of the applied baccalaureate programs implemented or planned to be implemented under this act by November 1 of each year.

(b) The community college commission, in consultation with the Wyoming community colleges, shall evaluate the financial impacts of this act to the community colleges and the state. The evaluation shall separately consider near-term and long-term financial impacts to initiate and sustain applied baccalaureate programs at the community colleges, including facilities requirements for the programs, personnel costs and student enrollment impacts on state funding requirements. The evaluation shall, at a minimum, identify financial impacts for the 2021-2022 biennium and for the 2023-2024 biennium.

The commission shall report its evaluation to the joint education interim committee and the joint appropriations committee not later than November 1, 2019.

**Section 3.** This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.". NICHOLAS

**SF0111H2003/FAILED**

Page 1-line 5 Before "and" insert "specifying requirements for requests for state funding for applied baccalaureate degree programs;".

Page 1-line 11 After "(h)(ii)" insert ", 21-18-205(c) and (e)(ii)".

Page 7-after line 16 Insert:

**"21-18-205. Appropriation and distribution of state funds; restrictions; budget authority.**

(c) State funding for the assistance of community colleges shall be appropriated to the community college commission unless otherwise specified by law. Subject to the provisions of this section, funds appropriated for each biennium shall be distributed by the commission to community colleges in amounts determined by a funding allocation model adopted by rule of the commission. Funding allocation model components for fixed and variable costs shall be defined by and computed in accordance with guidelines and procedures prescribed by rule and regulation of the commission, applied to the distribution of state appropriations for each biennial budget period and reallocated at a schedule specified by rule and regulation of the commission, but in no event less than once every four (4) years. The commission may maintain a contingency reserve account utilizing any revenue derived under W.S. 9-4-601(b)(iv)(A) to be distributed as a component of the funding allocation model for specific use by the colleges for emergency repairs and preventive maintenance. The funding allocation model components shall not include funding for the provision of applied baccalaureate degree programs provided by a college.

(e) The commission may by exception budget, request additional state funding to be designated as special purpose funding, accounted for and distributed separately from distributions under the funding allocation model. Special purpose funding under this subsection shall be limited to amounts and for the period of time specified by the legislature and shall not be included in any subsequent biennial budget unless specifically requested by the commission and approved by the legislature. Funds appropriated pursuant to this subsection shall be distributed in amounts and at times determined by the commission, subject to the following:

(ii) Special purpose funding may be requested under this subsection for use by the commission in funding new programs, including applied baccalaureate degree programs provided by or at a community college, and other new programs addressing unanticipated and emerging statewide needs during the biennial budget period which are consistent with the statewide community college system strategic plan. Funds appropriated by the legislature for purposes of this paragraph shall be accounted for separately and shall not be transferred or expended for any other purpose or as part of state assistance under subsection (c) of this section. Any unexpended or unencumbered amount of special purpose funding under this paragraph remaining at the end of the budget period for which appropriated shall revert as provided by law.". HARSHMAN

2/25/2019 H 2nd Reading:Passed  
2/26/2019 H 3rd Reading:Laid Back

**SF0111H3001/WITHDRAWN**

SF0111H3002/FAILED

(CORRECTED CORRECTED COPY)

Page 1-line 3 After "the" insert "applied".

Page 1-line 4 After "programs;" insert "providing for university and college joint administration of certain programs; providing limitations for programs;".

Page 1-line 5 After "statutes;" insert "specifying certain programs to be reviewed for future inclusion by higher education institutions;".

Page 1-after line 7 Insert:  
**"Section 1. W.S. 21-18-320 is created to read:  
21-18-320. Applied baccalaureate degree programs; conditions.**

(a) Every community college may establish and administer not more than two (2) applied baccalaureate degree programs in accordance with this subsection. In selecting and implementing programs under this subsection, the college shall consider workforce needs within the state. Programs under this subsection shall be subject to approval by the community college commission.

(b) In addition to the authority under subsection (a) of this section every community college may also collaborate with the University of Wyoming to provide one (1) applied baccalaureate degree program with the degree being conferred by the university and the student being able to receive all instruction and complete all program requirements through virtual education through the college or by attendance at the college campus. A program under this subsection shall be subject to the following:

(i) The community college shall receive approval of the community college commission to pursue establishment of the program prior to entering into a memorandum of understanding with the university. In pursuing the establishment of a program under this subsection the college shall consider workforce needs within the state;

(ii) Students shall be able to obtain the degree in a timeframe comparable to that if attending classes at the university;

(iii) The program shall be as requested by the community college. The university and college shall implement a memorandum of understanding for the program within sixty (60) days after the university receives the proposal from the college for the program;

(iv) Tuition and fees charged for enrollment shall be the amount charged by the community college for comparable hours of instruction;

(v) The division of tuition and fees generated shall be as mutually agreed by the university and each college;

(vi) Subject to paragraph (vii) of this subsection, enrollment in a program under this subsection may be curtailed at any time subject to mutual agreement by the university and college;

(vii) Any student enrolled in a program commenced under this subsection shall be allowed to continue in the program until the earlier of graduation from the program, disenrollment or five (5) years from initial enrollment, so long as satisfactory academic progress is made.

(c) The university and the community colleges shall endeavor to implement programs under subsection (b) of this section not later than the 2020-2021 academic year."

Page 2-line 17 After "complete" strike "a".

Page 2-line 18 Strike "baccalaureate of applied" and insert "an applied baccalaureate".

Page 3-line 12 After "in" delete "a" insert "an applied".

Page 3-line 13 After "college" insert "provided pursuant to W.S. 21-18-320".

Page 4-line 14 After "baccalaureate" insert "degree".

Page 4-line 17 After "the" insert "applied".

Page 6-line 6 After "programs" insert "provided pursuant to W.S. 21-18-320(a)".

Page 6-line 8 After "section" insert ". A college's proposal to provide an applied baccalaureate degree program with the University of Wyoming pursuant to W.S. 21-18-320(b) shall also be subject to commission approval".

Page 8-line 7 In the Nicholas second reading amendment (SF0111H2002/A) to this line, before the new section 3 as created by that amendment, insert:

**"Section 4.**

(a) The University of Wyoming, community colleges and the community college commission shall evaluate the funding, other implementation needs and appropriate timeframe to:

(i) Establish health care provider programs at community colleges. The commission, university and colleges may consider potential undergraduate and postgraduate health care provider programs under this paragraph;

(ii) Establish career and technical education training programs at one (1) or more community colleges, developed in cooperation by the community college and the University of Wyoming;

(iii) Establish a baccalaureate program in education at Central Wyoming community college.

(b) The university and community college commission shall consult with the department of workforce services, the department of education, the economically needed diversity options for Wyoming executive council and Wyoming business council regarding the effect the programs specified in subsection (a) of this section could have on economic development and diversification efforts in Wyoming. The university and community college commission shall report the results of the study under subsection (a) of this section, including any responses by the entities specified in this subsection and recommendations of the university and community college commission, to the joint education interim committee not later than September 1, 2019. The joint education interim committee shall sponsor legislation implementing recommendations of the university and commission as it determines appropriate for consideration in the 2020 budget session of the legislature."

Renumber as necessary. HARSHMAN

**SF0111H3003/FAILED**

Page 1-line 5 Before "and" insert "specifying requirements for requests for state funding for applied baccalaureate degree programs;".

Page 1-line 11 After "(h)(ii)" insert ", 21-18-205(c) and (e)(ii)".

Page 7-after line 16 Insert:

**"21-18-205. Appropriation and distribution of state funds; restrictions; budget authority.**

(c) State funding for the assistance of community colleges shall be appropriated to the community college commission unless otherwise specified by law. Subject to the provisions of this section, funds appropriated for each biennium shall be distributed by the commission to community colleges in amounts determined by a funding allocation model adopted by rule of the commission. Funding allocation model components for fixed and variable costs shall be defined by and computed in accordance with guidelines and procedures prescribed by rule and regulation of the commission, applied to the distribution of state appropriations for each biennial budget period and reallocated at a schedule specified by rule and regulation of the commission, but in no event less than once every four (4) years. The commission may maintain a contingency reserve account utilizing any revenue derived under W.S. 9-4-601(b)(iv)(A) to be distributed as a component of the funding allocation model for specific use by



the colleges for emergency repairs and preventive maintenance. The funding allocation model components shall not include funding for the provision of applied baccalaureate degree programs provided by a college.

(e) The commission may by exception budget, request additional state funding to be designated as special purpose funding, accounted for and distributed separately from distributions under the funding allocation model. Special purpose funding under this subsection shall be limited to amounts and for the period of time specified by the legislature and shall not be included in any subsequent biennial budget unless specifically requested by the commission and approved by the legislature. Funds appropriated pursuant to this subsection shall be distributed in amounts and at times determined by the commission, subject to the following:

(ii) Special purpose funding may be requested under this subsection for use by the commission in funding new programs, including applied baccalaureate degree programs provided by or at a community college, and other new programs addressing unanticipated and emerging statewide needs during the biennial budget period which are consistent with the statewide community college system strategic plan. Funds appropriated by the legislature for purposes of this paragraph shall be accounted for separately and shall not be transferred or expended for any other purpose or as part of state assistance under subsection (c) of this section. Any unexpended or unencumbered amount of special purpose funding under this paragraph remaining at the end of the budget period for which appropriated shall revert as provided by law.". NICHOLAS, LARSEN, SOMMERS, SCHWARTZ

2/27/2019 H 3rd Reading:Passed 51-8-1-0-0

#### ROLL CALL

**Ayes:** Representative(s) Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Crank, Dayton-Selman, Duncan, Edwards, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Henderson, Hunt, Jennings, Kinner, Kirkbride, Laursen, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Zwonitzer

**Nays:** Representative(s) Barlow, Connolly, Eklund, Greear, Harshman, Larsen, Sommers, Yin

**Excused:** Representative Northrup

**Ayes** 51      **Nays** 8      **Excused** 1      **Absent** 0      **Conflicts** 0

2/27/2019 S Received for Concurrence

2/27/2019 S Concur:Passed 24-2-4-0-0

#### ROLL CALL

**Ayes:** Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, Kinskey, Kost, Landen, Moniz, Nethercott, Perkins, Schuler, Scott, Steinmetz, Von Flatern

**Nays:** Senator(s) Case, Rothfuss

**Excused:** Senator(s) Agar, James, Pappas, Wasserburger

**Ayes** 24      **Nays** 2      **Excused** 4      **Absent** 0      **Conflicts** 0

2/27/2019 Assigned Number SEA No. 0080

2/27/2019 S President Signed SEA No. 0080

2/27/2019 H Speaker Signed SEA No. 0080

3/15/2019 Governor Signed SEA No. 0080

3/15/2019 Assigned Chapter Number 199

