



ACCREDITATION EVIDENCE

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CHAPTER 228

POST SECONDARY EDUCATION OMNIBUS ACT

Original Senate File No. 266

AN ACT to create W.S. 21-18-104 and 21-18-105; to amend W.S. 9-2-1026.1(b) by creating a new paragraph (vii), 21-17-108(b), 21-18-102(a)(vii) and 21-18-202(a)(i), (xiii) and by creating new paragraphs (xvi) and (xvii) relating to post secondary education; authorizing specified recommendations of an audit of the Wyoming community college commission; specifying certain responsibility for certain programs; granting certain authority to the community college commission including with respect to staff salaries; requiring gubernatorial approval of commission director salary; repealing the limitation on membership on the commission; requiring specified reports; creating a time limited planning council; authorizing additional positions; authorizing technical training grants; providing appropriations; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 21-18-104 and 21-18-105 are created to read:

21-18-104. Small business development centers. The small business development centers shall be operated by and located at the community colleges and the University of Wyoming subject to appropriation. The community college commission shall specify the organizational structure of the network of centers in consultation with the department of commerce.

21-18-105. Budget authority.

(a) The community college commission shall include in its budget request funding for the following programs:

- (i) Small business development network;
- (ii) Wyoming community college computer consortium;
- (iii) Public television project;
- (iv) Adult basic education, graduate equivalency diploma and English as a second language instruction.

Section 2. W.S. 9-2-1026.1(b) by creating a new paragraph (vii), 21-17-108(b), 21-18-102(a)(vii) and 21-18-202(a)(i), (xiii) and by creating new paragraphs (xvi) and (xvii) are amended to read:

9-2-1026.1. Duties performed through telecommunications division; state telecommunications transport services plan; coordination of state telecommunications systems with telecommunications transport services specified; telecommunications transport services defined.

(b) Notwithstanding subsection (a) of this section:

(vii) The University of Wyoming, community college commission and department of education shall each designate two (2) members to serve on a six (6) member planning team to develop and maintain a state plan for telecommunications based distance learning. The division shall provide technical and consulting support to the team. The team shall provide a report not later than December 31, 1991, to the legislature and each year thereafter, which shall include an overview of the plan and recommendations for legislation, if necessary.

21-17-108. Agreements with boards or trustees of community colleges, school districts, junior colleges or university centers.

(b) The University of Wyoming shall establish an accrediting committee which shall determine the credit to be granted by the University of Wyoming for work taken in community colleges or university centers. In

addition, the university shall cooperate with the Wyoming community college commission in developing and maintaining a common course numbering system among community colleges and the university pursuant to W.S. 21-18-202(a)(xvii).

21-18-102. Definitions.

(a) As used in this act:

(vii) "Full-time equivalency" means the number of approved academic or vocational-technical credit hours for each class for which students are enrolled as of the final day of each academic term divided by twelve (12);

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

(a) The commission shall:

(i) Appoint a director who shall perform duties as prescribed by the commission. The director may receive an annual salary as determined by the commission and approved by the governor. The director may hire such staff as required to carry out this act as approved by the commission subject to legislative budget authorization whose salaries shall be established by the director with the approval of the commission;

(xiii) Implement a standardized tuition structure within the community college system. Tuition for a nonresident of Wyoming shall not be less than three (3) times the amount of resident tuition at any community college except as provided in reciprocal agreements with colleges or higher education agencies of other states or as approved by the commission. Any person including the spouse or any child of that person shall qualify as a resident for tuition purposes under this paragraph upon compliance with W.S. 21-17-105(d);

(xvi) Review participation by a community college in a board of cooperative educational services or with a board through an agreement to ensure consistency with the mission of the community college. The commission may disapprove such an agreement between a community college and a board of cooperative educational services if it finds the agreement is inconsistent with the statutory definition of the community college's mission;

(xvii) Develop and maintain a common course numbering system to improve articulation among the community colleges and among the community colleges and the University of Wyoming.

Section 3. Community college mission and operations.

(a) The community college commission has proposed and the legislature hereby approves the following mission statement: The mission of Wyoming's community colleges is to provide access to post-secondary educational opportunities by offering broad comprehensive programs in academic as well as vocational-technical subjects. Wyoming's community colleges are low tuition, open access institutions focusing on academic transfer programs, career and occupational programs, developmental and basic skills instruction, adult and continuing education, economic development training, public and community services programming, and student support services.

(b) The community college commission, in consultation with each community college, shall conduct a comprehensive educational needs assessment of the service area of each community college and shall provide a progress report to the legislature not later than December 31, 1991, regarding the outcome of the assessment.

(c) The commission shall establish and implement an assessment process under which each community college is evaluated on its performance in responding to the needs of its service area and which is based upon an assessment of student outcomes. The commission shall provide a report to the legislature regarding its progress in establishing and implementing this process not later than December 31, 1991.

(d) Not later than December 31, 1991, the community college commission shall submit a proposed service area plan to the legislature that would assign each county in the state to an area to be serviced primarily by a specified community college.

(e) The joint senate education, health and welfare and house education interim committee shall submit a report to the 1992 legislature including its recommendations for legislation regarding funding of the community college system including the extent and source of state and local funding. The community colleges and community college commission shall cooperate with the committee in developing this report.

(f) In the report required under subsection (e) of this section, the committee shall include proposed state policies establishing goals for community college faculty salaries, overall funding rates and the share of costs to be borne by state government, districts and nondistrict taxpayers and students. The commission shall provide recommendations to the committee under this subsection not later than August 1, 1991.

(g) The legislature hereby reaffirms its direction to the community college commission to fulfill and perform all of the duties assigned to the commission under law.

(h) Not later than July 1, 1993, the community college commission shall require and the community colleges shall implement additional appropriate national and industry financial accounting, reporting and facilities inventory standards and definitions.

(j) The community college commission shall establish a tuition waiver policy that establishes a maximum of twenty percent (20%) of tuition revenue which may be used for tuition waivers.

(k) The community college commission shall establish a policy regarding current fund subsidies to auxiliary enterprises.

Section 4. University-community college relations.

(a) The community college commission and the University of Wyoming shall submit to the legislature not later than December 31, 1991, a plan for anticipating and resolving articulation problems, including maintenance of a common course numbering system.

(b) The University of Wyoming and the community college commission shall provide a report to the legislature not later than December 31, 1991, containing recommendations and a proposed work plan to:

(i) Assess the need for and feasibility of establishing appropriate joint degree programs between the university and the community colleges as indicated by the community needs assessment;

(ii) Continue to provide information to the community colleges regarding academic performance of students from those community colleges at the university.

(c) The university and the commission shall also recommend the structure of entities to ensure that the plans under subsections (a) and (b) of this section as well as in other areas in which the university and community colleges are required to collaborate are implemented.

(d) The community college commission and the department of education shall provide a report to the legislature not later than December 31, 1991, containing recommendations and a proposed work plan to develop joint programs with high schools and provide information to high schools regarding the academic performance of students from those high schools at the community college level.

Section 5. Post secondary education planning.

(a) There is created the Wyoming post secondary education planning and coordination council consisting of the following members:

(i) Governor or his designee who shall serve as chairman;

(ii) Superintendent of public instruction or his designee;

(iii) President of the University of Wyoming or his designee;

(iv) Chairman of the University of Wyoming board of trustees or his designee;

(v) Chief academic officer of the University of Wyoming;

(vi) Chairman of the Wyoming community college commission or his designee;

(vii) Executive director of the Wyoming community college commission;

(viii) A member of the senate or the public to represent the senate appointed by the president of the senate;

(ix) A member of the house of representatives or the public to represent the house appointed by the speaker of the house;

(x) Chairman of the community college presidents' council;

(xi) Chairman of the Wyoming association of community college trustees.

(b) The council shall develop a long range plan for post secondary education in Wyoming and submit progress reports annually not later than December 1 each year. The council may make recommendations for legislation. The council shall submit a final plan to the legislature not later than December 1, 1993. The council shall terminate not later than June 30, 1994. The council may accept funds from private sources, contract for necessary services and shall utilize to the greatest extent possible available resources from the governmental entities represented on the council. The council shall review and consider reports required under this act in formulating its plan. The plan shall address in particular cooperation and coordination among all educational sectors and specify goals for post secondary education participation by Wyoming citizens.

Section 6. Appropriations.

(a) There is appropriated from the general fund to the community college commission to be used to expand the commission's capacity to collect data and analyze community college operations fifty thousand dollars (\$50,000.00) or as much thereof as necessary to implement this subsection.

(b) Notwithstanding any other provision of law, the community college commission is authorized three (3) additional full-time positions through June 30, 1992. There is appropriated from the general fund to the community college commission one hundred thousand dollars (\$100,000.00) for salaries, benefits and administrative support through June 30, 1992.

(c) There is appropriated from the general fund to the community college commission to develop and maintain a common course numbering system to improve articulation among the community colleges and among community colleges and the university pursuant to W.S. 21-18-202(a)(xvii) twenty-five thousand dollars (\$25,000.00) or as much thereof as necessary to implement this subsection.

Section 7. Appropriations - economic development programs.

(a) The community college commission shall conduct a study and review of current economic development efforts associated with community colleges and small business development centers, including the development of a plan to merge and coordinate those economic development programs offered by the Wyoming economic development and stabilization board. The commission shall present to the legislature a plan and a budget encompassing existing state efforts as well as the proposed program. The economic development and stabilization board and the department of commerce shall cooperate with the commission in carrying out this subsection.

(b) Any community college district may apply to the Wyoming community college commission for a grant to fund a program or project enhancing economic development through job training or retraining in accordance with expressed needs of Wyoming business and industry. Applications for grants authorized under this subsection shall be in a form and manner prescribed by the commission, shall be certified by local community college boards of trustees and are subject to the following:

(i) In evaluating submitted grant applications, the commission shall use the following criteria:

(A) The ability of the program or project to provide an identified population of persons with job skills leading to employment or job retention;

(B) Demonstration of cooperation and coordination between the applicant district and Wyoming business and industry in the provision of job training or retraining;

(C) Commitment of nonstate funding sources to the program or project, with state funds available through the grant restricted to not more than fifty percent (50%) of total program or project costs which supplement, not supplant existing financial support;

(D) An identifiable population and specified numbers of students served under the program or project;

(E) Any other criteria imposed by the commission and appropriately communicated to districts.

(ii) Subject to available funding and based upon the merit of the application and compliance with criteria prescribed under paragraph (i) of this subsection, the commission shall select those programs or projects for which a grant is to be awarded. In no event shall the total amount awarded exceed authorized funding;

(iii) Grants received by any community college district pursuant to this subsection shall only be expended for purposes for which the grant is awarded and shall not be transferred to or expended for any other purpose. Each recipient district shall certify to the commission that the awarded funds are expended or encumbered for the purposes for which the grant was awarded and that the funds are expended or encumbered within twelve (12) months after the date of receipt;

(iv) The commission shall report to the 1992 legislature on the programs or projects awarded a grant under this subsection, on all submitted applications not selected and on the merits of continuing the program. Additionally and at the end of the funding period, the commission shall assemble information and report to the legislature on program or project accomplishments including the number of students and businesses served, job skills acquired and resulting student placements in new employment or if retained for existing employment;

(v) One hundred fifty thousand dollars (\$150,000.00) or as much thereof as is necessary is appropriated from the general fund to the Wyoming community college commission to augment existing economic development efforts.

Section 8. Appropriations - post secondary education planning and coordinating council. There is appropriated from the general fund to the office of the governor to support the post secondary education planning and coordination council under section 5 of this act one hundred thousand dollars (\$100,000.00) to provide support for the council. The governor and the council shall take advantage of expertise from the university and community colleges where possible.

Section 9. Appropriation - small business development centers. Fifty thousand dollars (\$50,000.00) is appropriated from the general fund

to the community college commission to fund the state office of the small business development centers.

Section 10. 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.

Approved March 6, 1991.