

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2633 (Alvarez) – As Amended March 19, 2024

SUBJECT: California State University: joint degrees: international institutions of higher education

SUMMARY: Removes the requirement that the California State University (CSU) obtain approval from the California Postsecondary Education Commission (CPEC) for purposes of awarding a doctoral degree jointly with independent institutions of higher education and, notwithstanding any other law, authorizes the CSU to award undergraduate, graduate, and doctoral degrees jointly with international institutions of higher education. Specifically, **this bill:**

- 1) Establishes that, notwithstanding any other law, undergraduate and graduate degrees may be awarded jointly with international institutions of higher education.
- 2) Removes the requirement that the CSU obtain approval from the CPEC for purposes of awarding a doctoral degree jointly with independent institutions of higher education.
- 3) Specifies that, notwithstanding any other law, the doctoral degree may be awarded jointly with international institutions of higher education.

EXISTING LAW:

- 1) Differentiates the missions and functions of public and independent institutions of higher education. Under these provisions:
 - a) The primary mission of the California State University (CSU) is to offer undergraduate and graduate instruction through the master's degree in the liberal arts and sciences and professional education including teacher education. The CSU is authorized to establish two-year programs only when mutually agreed upon by the Trustees and the CCC Board of Governors (BOG). The CSU is also authorized to jointly award the doctoral degree with the University of California (UC) and with one or more independent institutions of higher education.
 - b) The UC is authorized to provide undergraduate and graduate instruction and has exclusive jurisdiction in public higher education over graduate instruction in the professions of law, medicine, dentistry and veterinary medicine. The UC is also the primary state-supported academic agency for research.
 - c) The independent institutions of higher education are required to provide undergraduate and graduate instruction and research in accordance with their respective missions.
 - d) The mission and function of the CCC is the offering of academic and vocational instruction at the lower division level, and the CCC are authorized to grant the Associate in Arts and the Associate in Science degrees. The community colleges are also required to offer learning supports to close learning gaps, English as a Second Language

instruction, and adult noncredit instruction, and support services which help students succeed at the postsecondary level. (Education Code (EDC) Section 66010.4)

- 2) Authorizes the BOG of the CCC to establish permanent district baccalaureate degree programs, and provided that only 15 baccalaureate degree programs are approved during each application period allowing for a total of 30 baccalaureate degree programs per academic year. Additionally, existing law:
 - a) Specifies that CCDs, as part of the baccalaureate degree program, will have the additional mission to provide high-quality undergraduate education at an affordable price for students and the state.
 - b) Requires the Chancellor of the CCC to consult with and seek feedback from the Chancellor of the CSU, the President of the University of California (UC), and the President of the Association of Independent California Colleges and Universities (AICCU) on proposed baccalaureate degree programs, as specified, and establishes a mechanism for the assessment, consultation, and approval of programs where duplication is identified, as specified;
 - c) Requires a CCD to continue to offer an associate degree program in the same academic subject for which baccalaureate degree program has been approved, unless the CCD has received approval from the CCC Chancellor to eliminate the associate degree program, and requires the CCC Chancellor to evaluate both changes to the labor market viability of an associate degree and changes to the minimum education required to maintain program accreditation when making a decision to authorize the elimination of an associate degree program; and,
 - d) Specifies that the total number of baccalaureate degree programs offered by a CCD, at any time, does not exceed 25% of the total number of associate degree programs offered by the CCD, including associate degrees for transfer. (EDC Section 78040, et seq.)
- 3) Authorizes the CSU to award professional or applied doctoral degrees statewide, provided that only 10 baccalaureate degree programs are approved per academic year and do not duplicate doctoral degrees offered by the UC. Additionally, existing law:
 - a) Requires the Chancellor of the CSU to consult with and seek feedback from the President of, and the President of the Association of Independent California Colleges and Universities (AICCU) on proposed baccalaureate doctoral programs, as specified, and establishes a mechanism for the assessment, consultation, and approval of programs where duplication is identified, as specified;
 - b) Requires that enrollment in CSU professional or applied doctoral degree programs do not diminish enrollment in CSU undergraduate programs, and fees for professional or applied doctoral degree programs established pursuant to this article that shall be comparable to, but no higher than, those fees charged for UC doctoral degree programs; and,
 - c) Specifies that the total number of baccalaureate degree programs offered by a CSU campus, 25 percent of the total number of undergraduate, graduate through the master's

degree, and professional and teacher education programs offered by the CSU campus. (EDC Section 66046, et seq.)

- 4) Authorizes the CSU to independently award the Doctor of Education (Ed.D.) degree focused solely on preparing administrative leaders for California public elementary and secondary schools and community colleges and on the knowledge and skills needed by administrators to be effective leaders in California public schools and community colleges. (EDC Section 66040, et seq.)
- 5) Authorizes the CSU to offer the Doctor of Audiology (Au.D) degree; and, specifies that the Au.D degree programs at the CSU will focus on preparing audiologists to provide health care services and shall be consistent with the standards for accreditation set forth by the Council on Academic Accreditation in Audiology and Speech-Language Pathology. (EDC Section 66041, et seq.)
- 6) Authorizes the CSU to offer the Doctor of Physical Therapy (D.P.T.) degree, and specifies that the D.P.T. degree programs at the CSU will focus on preparing physical therapists to provide health care services, and be consistent with meeting the requirements of the Commission on Accreditation in Physical Therapy Education. (EDC Section 66042, et seq.)
- 7) Authorizes CSU to offer the Doctor of Nursing Practice (DNP) degree programs, and specifies that the DNP offered by the CSU will focus on the preparation of nursing faculty to teach in postsecondary nursing education programs and may also train nurses for advanced nursing practice or nurse leadership. (EDC Section 89280, et seq.)
- 8) Authorizes CSU to offer the Doctor of Occupational Therapy (OTD) degree, and specifies that OTD degree programs offered by the CSU will focus on preparing occupational therapists to provide health care services and to be consistent with the standards for accreditation set forth by the appropriate accrediting body. (EDC Section 66043, et seq.)
- 9) Authorizes CSU to offer the Doctor of Public Health (Dr.PH) degree, and specifies that DrPH degree programs offered by the CSU will focus on health and scientific knowledge translation and transformative community leadership, and will be designed to address the community public health workforce needs of California and prepare qualified professionals to be leaders and experienced practitioners who apply their advanced knowledge in service to California's diverse communities in areas such as community health administration, health education and promotion, and public health advocacy. (EDC Section 66044, et seq.)
- 10) Establishes CPEC as the statewide postsecondary education coordinating and planning agency, and provides for its functions and responsibilities. Existing law also provides for the composition of CPEC's membership. The annual state Budget Acts from the 2011–12 fiscal year to the 2023–24 fiscal year, inclusive, have provided no funding for CPEC.

FISCAL EFFECT: Unknown.

COMMENTS: *Purpose.* According to the author, “AB 2633 addresses the need for the [CSU] system to adapt to the rising demand for joint degree programs with international universities. These programs, marked by collaborative efforts between institutions, offer students invaluable academic experiences enriched by diverse perspectives and resources. Given the increasing

global prevalence of joint degrees, AB 2633 helps foster deep partnerships and facilitating academic mobility on a global scale. With California's unique status as a state that shares a border with Mexico, there is a great opportunity to empower CSU to establish lasting international educational relationships and potentially draw in binational students with expanded opportunities for academic and scholarly exchange. AB 2633 is pivotal for enhancing the CSU system's global recognition, fostering scholarly innovation, and strengthening binational and international educational relationships.”

Trans-national higher education (TNHE). An article published in the *Journal of Comparative & International Higher Education* in 2021 titled “Understanding International Joint and Dual Degree Programs: Opportunities and Challenges during and after the COVID-19 Pandemic” by Professor Roy Y. Chan, Ph.D explored the policies, perspectives, and practices of building and developing cross-border and TNHE programs, with a particular emphasis on international collaborative academic degree programs between the United States and Mainland China.

The article more specifically identified that, “TNHE has been able to provide a reliable, bona fide education, with a flexible, cost-efficient tuition. TNHE programs can help students obtain international qualifications or degrees that promote transnational learning, collaborative research, and global mobility. TNHE can also play a crucial role in enhancing international strategic planning, global learning, and institutional prestige to help institutions position themselves for a world-class status to improve their academic rankings and to increase the quality of national higher education systems and academic programs worldwide.”

The article also contained several policy recommendations, which included:

- 1) Establish clear expectations and maintain shared governance on general education requirements.
- 2) Improve communication between academic affairs and student affairs offices concerning international student housing.
- 3) Create policies that foster inter-institutional collaboration and cooperation.
- 4) Create a top-down approach to policy decisions (as international programs require buy-in from the most senior leaders).
- 5) Engage with governmental associations and governmental agencies.

Master Plan for Higher Education. As outlined in the Master Plan for Higher Education and by state statute, the CCCs are designated to have an open admission policy and bear the most extensive responsibility for lower-division undergraduate instruction. Its three primary areas of mission include; education leading to associates degrees and university transfer, career technical education, and basic skills. The primary mission of the CSU is undergraduate and graduate instruction through the master's degree. The UC was granted the sole authority to independently offer doctoral degrees.

Notwithstanding the differentiation of the mission envisioned by the Master Plan, as outlined in statute, the Legislature authorized the CSU to go beyond its original mission to offer six professional doctoral degrees which include the Au.D, Ed.D, D.P.T., DNP, OTD, and Dr.PH.

Each program was individually approved through legislation. Fees were capped at the rate charged at the UC, no additional funding was provided by the state, and these programs were to be implemented without diminishing or reducing enrollment in undergraduate programs. Additionally, the CSU programs that offer applied doctorates were not duplicative of degrees offered by UC.

CPEC. As specified in the “Existing Law” section of this analysis, CPEC was established to coordinate postsecondary education in California and to provide independent policy analyses and recommendations to the Legislature and the Governor on postsecondary education issues. However, CPEC's budget and responsibilities were reduced over time, casting doubt on its effectiveness and triggering calls for its restructuring. In the 2011-12 Budget Act, Governor Brown vetoed funding for CPEC, citing the agency’s ineffectiveness in higher education oversight. In his veto message, the Governor acknowledged the well-established need for coordinating and guiding state higher education policy and requested that stakeholders explore alternative ways these functions could be fulfilled.

In fall 2011, CPEC shut down, transferring its federal Teacher Quality Improvement grant program to the California Department of Education (CDE) and extensive data resources to the California Community Colleges (CCC) Chancellor's Office. Currently no coordinating entity for higher education in California exists.

Arguments in support. The Imperial Valley Economic Development Corporation wrote in support, arguing that “AB 2633 builds upon existing international academic endeavors, offering a pivotal opportunity for students to engage in a unique international academic landscape. It is especially important to the Imperial County / San Diego County region, which has a cross border population of 8 million annually. Like San Diego County, students travel to and from Mexico to attend college. As Imperial County continues to grow in population, the economy is also growing, particularly in the STEM fields. Most recently, the development of lithium and other minerals has flourished, with billions of dollars in investments. There also is a tremendous need for workers in the healthcare industry, putting tremendous pressure on our local universities and colleges to prepare students to meet these health demands.”

“As we rely on cross-border trade, there is an enormous benefit to our economy if our future workforce is educated and trained for jobs that require international expertise and knowledge of how each country handles business. Expanding the ability of students to learn about how each country handles each field of study is an incredible opportunity for them and will serve to develop our long-term economic growth.”

Unintended consequences? AB 656 (McCarty), Chapter 663, Statutes of 2023, authorizes CSU to award doctoral degrees statewide that do not duplicate UC doctoral degrees and satisfy certain requirements – among which are an annual restriction on the number of new programs authorized (10) and a limit on what percentage those programs can constitute of the total number of undergraduate, graduate through the master’s degree, and professional and teacher education programs offered by the CSU campus. Many of these constraints on growth and duplication parallel that are in place for the CCC when offering baccalaureate degrees.

AB 2633 (Alvarez) principally has two major components. The first is that it authorizes CSU to partner with international institutions of higher education to offer degrees through the doctoral

level. Committee Staff notes that there are no constraints or any approval process established for these joint international degrees.

The second major component is the removal of a reference to CPEC in current law. This reference serves a historical purpose, in that it indicates that CSU needed to get approval from a 3rd party in order to partner with independent institutions of higher education for joint doctoral degrees. The defunding of CPEC means that there has not been an approval source – and Committee Staff understands that new joint doctoral programs with independent institutions have not been pursued.

The removal of the reference to CPEC would thus allow for CSU to pursue both international and domestic joint doctoral degrees without the need for any kind of review or approval. Given the careful and measured nature of CSU's expansion of their independent doctoral authority just last year, *the Committee may wish to consider if the provisions of this bill might unintentionally grant broad authority for CSU to pursue joint doctoral degrees when, per current law the, "primary mission of the [CSU] is undergraduate and graduate instruction through the master's degree."*

The author may also wish to consider removing the language striking the reference CPEC in current law, and instead explore models that would include a review process and reasonable limits on the annual expansion of joint doctoral degrees with independent and international institutions.

Current and prior legislation. AB 1142 (Mike Fong), establishes the Coordinating Commission for Postsecondary Education in California (CCPEC) as the independent statewide postsecondary education oversight, coordination, and planning agency as a successor to CPEC. AB 1142 (Mike Fong) is currently pending a hearing in the Senate Committee on Education.

AB 656 (McCarty), Chapter 663, Statutes of 2023, authorizes the CSU to award professional or applied doctoral degrees statewide, provided that only 10 baccalaureate degree programs are approved per academic year and do not duplicate doctoral degrees offered by the UC, as specified.

SB 684 (Hueso), Chapter 936, Statutes of 2022, authorized CSU to offer the DrPH degree, and specified that DrPH degree programs offered by the CSU will focus on health and scientific knowledge translation and transformative community leadership.

AB 927 (Medina), Chapter 565, Statutes of 2021, expanded and indefinitely authorized the CCC Baccalaureate Degree Pilot Program.

AB 829 (Bloom), Chapter 183, Statutes of 2019, authorized CSU to offer the OTD degree, and specifies that OTD degree programs offered by the CSU will focus on preparing occupational therapists to provide health care services and to be consistent with the standards for accreditation set forth by the appropriate accrediting body

AB 130 (Low) of 2019, established the Higher Education Performance, Accountability and Coordination Commission as the state's independent postsecondary education coordination and agency, was vetoed by Governor Newsom.

SB 3 (Allen) of 2019, established the Office of Higher Education Coordination, Accountability and Performance as California's independent coordination, oversight and planning entity for postsecondary education. It was held on suspense in Assembly Appropriations.

AB 1936 (Low) of 2018, which was held on Suspense in Assembly Appropriations, is similar in nature to AB 130.

AB 422 (Arambula), Chapter 702, Statutes of 2017, authorized CSU to offer the DNP degree programs, and specified that the DNP offered by the CSU shall focus on the preparation of nursing faculty to teach in postsecondary nursing education programs and may also train nurses for advanced nursing practice or nurse leadership.

AB 217 (Low) of 2017, which was held on Suspense in Assembly Appropriations, was virtually identical to AB 130.

AB 1038 (Bonta) of 2017, which was held on Suspense in Assembly Appropriations, in part, established a Blue Ribbon Commission on Public Postsecondary Education to provide research and recommendations regarding California higher education.

AB 2317 (Mullin), Chapter 267, Statutes of 2016, authorized the CSU to offer the Au.D degree, and specifies that the Au.D degree programs at the CSU shall be focused on preparing audiologists to provide health care services and shall be consistent with the standards for accreditation set forth by the Council on Academic Accreditation in Audiology and Speech-Language Pathology.

AB 1837 (Low) 2016, which was held on Suspense in Senate Appropriations, was virtually identical to AB 130.

AB 2434 (Bonta) of 2016, which was held on Suspense in Assembly Appropriations, was substantially similar to AB 1038.

SB 42 (Liu) of 2015, which was substantially similar to this measure, was vetoed, with Governor Brown stating, in part, "While there is much work to be done to improve higher education, I am not convinced we need a new office and an advisory board, especially of the kind this bill proposes, to get the job done."

SB 850 (Block), Chapter 747, Statutes of 2014, authorized the CCC BOG, in consultation with the CSU and the UC, to establish a baccalaureate degree pilot program. The pilot program allows up to 15 participating community college districts to offer one baccalaureate degree program each to meet local workforce needs as long as it does not duplicate a baccalaureate degree program already offered by the CSU or the UC.

AB 1348 (John A. Pérez) of 2014, which was held on Suspense in Senate Appropriations, established the California Higher Education Authority, its governing board, and its responsibilities.

AB 2190 (John A. Pérez) of 2012, which was held on Suspense in Assembly Appropriations, established a new state oversight and coordinating body for higher education.

AB 2382 (Blumenfield), Chapter 425, Statutes of 2010, authorized the CSU to offer the D.P.T. degree, and specified that the D.P.T. degree programs at the CSU shall be focused on preparing physical therapists to provide health care services, and shall be consistent with meeting the requirements of the Commission on Accreditation in Physical Therapy Education.

SB 724 (Scott), Chapter 269, Statutes of 2005, authorized the CSU to independently award the Ed.D degree focused solely on preparing administrative leaders for California public K-14 schools

REGISTERED SUPPORT / OPPOSITION:

Support

California-Mexico Studies Center, INC.
City of Chula Vista Office of Deputy Mayor Alonso Gonzalez 2024
IVEDC
Latino Education and Advocacy Days (LEAD)
San Diego Organizing Project
Individual

Opposition

None on file.

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