

Date of Hearing: April 16, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2104 (Soria) – As Introduced February 5, 2024

SUBJECT: Community colleges: Baccalaureate Degree in Nursing Pilot Program

SUMMARY: Requires the Chancellor of the California Community Colleges (CCC) to develop a Baccalaureate Degree in Nursing (BSN) Pilot Program that authorizes select community college districts to offer a BSN degree. Specifically, **this bill:**

- 1) Requires the Chancellor of the CCC to develop a BSN Program that authorizes select community college districts to offer a BSN degree.
- 2) Specifies that the pilot program will be limited to 15 community college districts (CCD) statewide. Requires the chancellor to identify eligible CCDs that apply based on at least two of the following criteria:
 - a) CCDs that demonstrate equitable access to the pilot program, with a particular focus on regions showing a need for healthcare professionals. This includes regions with a projected significant growth rate above 7% over the years 2025 to 2030, inclusive, and regions encompassing northern, central, and southern parts of the state.
 - b) Priority is given to CCDs that are located in broadly recognized underserved nursing areas.
 - c) Priority is given to CCDs where the service area of the community college district includes communities with persistent poverty.
- 3) Specifies that the total number of participants in a pilot program at a CCD will be limited to 25% of the community college district's associate degree in nursing class size. For community college districts located in persistent poverty communities this limit may be increased to up to 75% of the community college district's associate degree in nursing class size.
- 4) Requires the Legislative Analyst's Office to conduct an evaluation of the pilot program to determine the effectiveness of the program and the need to continue or expand the program.
 - a) The results of the evaluation must be submitted to the Legislature, as specified.
- 5) Sunsets the bill's provision on January 1, 2031.

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 that do not duplicate University of California (UC) doctoral degrees and satisfy certain requirements. Requires a CSU campus seeking authorization to offer a professional or applied doctoral degree to submit specified information on the proposed doctoral degree for review by the office of the Chancellor of the CSU, and approval by the CSU Board of Trustees (BOT), as provided. Authorizes a proposed doctoral degree that is approved for implementation by the BOT to be implemented at the CSU systemwide, but would limit the number of doctoral degree programs that may be offered at a California State University campus.
- 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.)

FISCAL EFFECT: Unknown

COMMENTS: *Purpose.* According to the author, “California’s current healthcare workforce development apparatus is not equipped to handle the growing nursing needs of the state, especially in disadvantaged communities in more rural parts of the state. While California’s Community College system can reach these communities and does offer associates degrees in nursing, the needs of the healthcare workforce more frequently demand a bachelor’s degree. This level of degree is exclusive in California to private institutions that are prohibitively expensive or the UC and CSU systems that have limited capacity and difficulty serving areas of the state with the highest need.”

“In order to meet our nursing workforce needs and extend these career opportunities to Californians throughout the state, we must expand the role of our community college system. AB 2104 will take the first steps in this process by allowing a limited number of campuses to expand their nursing programs to offer Bachelors of Science in nursing degree.”

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 and 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.

Parallel expansion. 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 allowed up to 15 participating community college districts to offer one baccalaureate degree program each to meet local workforce needs as long as it was not duplicating a baccalaureate degree program already offered by the CSU or the UC. The Legislative Analyst’s Office (LAO) conducted interim and final evaluations of the pilot program.

Assembly Bill 927 (Medina and Choi), Chapter 565, Statutes of 2021 made the SB 850 (Block) pilot program permanent, perpetually approving the original pilot programs and authorizing as many as 30 new baccalaureate degrees per year. As of publication of this analysis there are a total of 39 approved programs. Most participating campuses currently offer one program, while seven campus offer two baccalaureate degree programs. Consistent with the provisions of SB 850 (Block), AB 927 (Medina and Choi) mandates that none of the CCC baccalaureate degree programs can duplicate programs offered by the CSU or UC.

AB 656 (McCarty), Chapter 663, Statutes of 2023, authorizes the CSU to award professional or applied doctoral degrees statewide that do not duplicate UC doctoral degrees and satisfy certain requirements.

Nursing programs in California. Graduates of associate and BSN degree programs may sit for nurse licensure exams and become licensed registered nurses. The state’s Board of Registered Nursing (BRN) approves all of California’s pre-licensure nursing programs offered by public and private colleges and makes decisions about the number of students that new and existing nursing programs are allowed to enroll. The number of nursing programs in the state totals 152, with 101 public, 91 associate degrees in nursing, 48 BSN, and 13 Entry Level Master’s (ELM) programs.

According to the most recent BRN annual school report (2021-2022), California graduated about 13,300 students in 2021-22 from registered nursing programs, which represents an 18% increase in student completions since 2012. Associate’s degree completions decreased while bachelor’s degrees and ELM nursing completions increased. The number of joint associate degrees in nursing and bachelor’s programs has increased over the last 10 years. The time it takes a student to graduate from a program varies by degree. An associate degree in nursing prepares students for registered nursing care in a variety of settings in two-three years, whereas a bachelor’s degree takes about four years to train students for registered nursing care as well as administrative and leadership positions. An ELM is a one- to two- year program for baccalaureate degree holders in other fields seeking to become registered nurses. All schools are required to provide clinical instruction with clinical placement in a health care facility in each phase of the educational process. Students must pass a national licensure examination to earn a license. The BRN projects enrollment to increase for the 2023-2024 academic year to about 18,500.

Arguments in support. State Center CCD, the sponsor of AB 2104 (Soria), writes that “the San Joaquin Valley faces a significant nursing shortage in a population that is medically underserve and has growing healthcare needs. Addressing the nursing crisis head-on by providing affordable, quality education locally is a crucial step towards providing our diverse student body with greater access to advanced healthcare training. By enabling our community colleges, which already play a crucial role in training the majority of the state's RNs, this bill will allow us to meet unfilled demand and significantly enhance our capacity to meet local and statewide healthcare needs.”

State Center CCD also notes that “AB 2104 represents a significant opportunity to empower community colleges to provide advanced nursing education and training, thereby addressing immediate workforce needs and promoting economic mobility. By prioritizing underserved populations and creating pathways to high-demand, well-paying careers in healthcare, this legislation aligns with our collective goal of fostering social equity and improving health outcomes for all Californians.”

The Community College League of California writes that “hospitals are increasingly preferring to hire BSN-educated nurses, which hurts underrepresented students. A 2021 Health Impact report found that 18% of California hospitals surveyed stated that a BSN was required for employment – twice the percentage noted in 2017 – and 54.3% reported a preference for hiring BSN nurses. Additionally, 31.5% of the ADN-holding nurses surveyed stated that the lack of a BSN degree was given as the reason for their failure to be hired. As California faces a nursing shortage, public nursing schools simply cannot keep up with the high student demand for nursing.”

The Community College League also wrote that, “currently, when students are not admitted into a public nursing program, they turn to for-profit and private institutions. While this may be a good option for some students, it is an unnecessarily expensive option when the local community college could offer the program at a fraction of the cost. Many capable students are priced out of the option to attend a private university or are forced to take out significant loans, creating generational debt. AB 2104 represents an opportunity to utilize California community colleges’ existing ADN infrastructure to give students an accessible and affordable option to earn their BSN degree.”

Arguments in opposition. The CSU Chancellor’s Office wrote in opposition, stating that “limited clinical placements and regulatory challenges have been the main challenges facing the state in its effort to increase the number of nurses. Nursing school capacity is limited not by the number of enrollment spots, but rather the number of clinical placements. Nursing programs cannot enroll students if they cannot meet the requirements to provide clinical placements for students. Therefore, policies seeking to increase the number of nurses should first evaluate the clinical placements available to public and private nursing programs.”

CSU also noted that “further, the Legislature has maintained, with the passage of [AB] 927 (Medina), that community college baccalaureate programs shall not duplicate existing CSU and UC programs since they result in the inefficient use of state resources. Building BSN programs at community colleges sets a precedent for duplication of CSU and UC baccalaureate degrees in not only nursing programs but in every field. Nursing programs would require significant infusions of funding to replicate established high-quality programs and such an expansion would not guarantee increased enrollment. It would result in increased competition for limited clinical placements and qualified faculty, further complicating the problem that already exists. The CSU believes the most appropriate and proven path forward to achieve an increase in the number of nursing students is through partnership and online programs. CSU universities offer several online associate degrees in nursing (ADN) to BSN programs which serve rural students and allow them to fulfill all upper division coursework remotely...CSU universities [also] offer concurrent enrollment partnership programs for incoming freshmen with nearby community colleges that offer all coursework online...[these] programs are very effective in serving students in rural areas and in increasing the pace at which students can matriculate through the nursing program.”

The Association of Independent California Colleges and Universities (AICCU) also wrote that AB 2104 (Soria) “will not add a single additional nurse to the state workforce beyond the number that would exist under current law. In fact, we are concerned that the bill will exacerbate existing challenges in hiring nursing faculty, since community college programs will likely need to seek out more faculty to teach the additional courses required as part of baccalaureate degree programs. Rather than compound the existing challenges in the nursing educator pipeline, we believe that the Legislature should instead look to incentivize and promote collaborative, intersegmental partnerships through models such as concurrent enrollment and accelerated pathways. The Newsom Administration signaled its support for partnerships in the January budget with a proposal of \$60 million to the [BOG] of the [CCC] ‘to expand nursing programs and bachelor of science in nursing partnerships to grow, educate, and maintain the next generation of registered nurses.’”

Is this an appropriate solution? If it is the desire of the Legislature to expand BSN degree programs, arguably more effective and efficient alternatives exist that do not require a departure from the CCC's traditional mission to expand and streamline BSN pathways.

Improving alignment between CCC and the universities could increase the number of CCC students who ultimately obtain a bachelor's degree and reduce the amount of time students take to obtain their degree. For example, the Tri-County Nursing Pathway is a partnership between Riverside City College and two CSU campuses (Fullerton and San Bernardino) that allows associate degree nursing students to concurrently obtain their bachelor's degrees. Students can enroll in CSU courses while still completing their associate degree requirements, allowing them to obtain their BSN degree with only six additional months of coursework. The Committee may wish to consider all of the following:

- 1) *Could this bill undermine any incentives for similar collaborations across the public education segments to address regional workforce needs like nursing?*
- 2) *Can the process for developing collaborative efforts to address workforce needs be modified to facilitate greater proliferation of these programs?*
- 3) *Should a community college be required to demonstrate that existing avenues for partnership with other institutions are not possible or viable before seeking authorization to offer an independent baccalaureate degree?*
- 4) *Should additional support be provided to the other segments with primary jurisdiction for granting baccalaureate degrees to increase the number of degree slots available in high-demand areas?*

Premature? AB 1311 (Soria), Chapter 126, Statutes of 2023, requires the LAO to conduct an assessment evaluating existing programs in allied health jointly offered between campuses of the CCC, the CSU, and the UC. This assessment could be a significant tool in planning how best to develop and scale collective nursing education efforts.

The Committee may wish to consider if it is prudent to develop a new nursing pathway before receiving a legislatively-mandated assessment of existing efforts, especially given the State's finite fiscal resources and lack of clinical placements.

Higher education coordination. All of California's public education institutions share a commitment to work together to ensure that parts of the system work for all Californians. Since the defunding of the California Postsecondary Education Commission (CPEC) in 2011, California has not had a statewide coordinating entity for higher education. Prior to its demise, the role of the CPEC included academic program review to coordinate the long-range planning of the state's public higher education systems as a means to ensure that the segments were working together to carry out their individual missions while serving the state's long-range workforce and economic needs.

The absence of a higher education coordinating entity has hindered the state's ability to review degree programs to align with state and workforce needs. In its place, changes to higher education's blueprint are being made one legislative proposal at a time in a piecemeal way, which could result in an uncoordinated and fragmented system. Although this bill is limited to

one community college baccalaureate degree program, it establishes a precedent for permitting duplication of degree programs and expands CCC's ability to establish baccalaureate degrees independent from California's other public universities. The Committee may wish to consider all of the following:

- 1) *What relationship is there among the different missions of California's higher education segments and their differential ways in which they offer education?*
- 2) *Is it appropriate to rely solely on the legislative process to implement significant programmatic changes to higher education without any coordination or long-range plan to guide the conversation? Does the legislative process allow for consideration of priority relative to other demands in higher education?*
- 3) *How should the legislature leverage the strength of each segment to address regional or statewide workforce needs? What is the expectation for collaboration among the segments?*
- 4) *The delineation of missions serves as a guide for how and where to allocate state resources. If there is a lack of clarity about institutional missions, what will guide the future of higher education?*

Budget action. As noted by the CSU, the Governor's budget contains \$60 million one-time Proposition 98 General Fund to expand CCC BSN partnerships. Last year, the state adopted a five-year funding plan totaling \$300 million to expand CCC nursing education, with the programmatic details of the initiative to be subject to future legislation. The Governor has also issued an Executive Order regarding a new Master Plan for Career Education. Given that the details of these proposals are forthcoming, and the Governor has signaled a desire to dedicate resources to partnerships, *the Committee may wish to reevaluate if this proposal is premature.*

Prior legislation. AB 656 (McCarty), Chapter 663, Statutes of 2023, authorized the CSU to award professional or applied doctoral degrees statewide that do not duplicate UC doctoral degrees and satisfy certain requirements. Required a CSU campus seeking authorization to offer a professional or applied doctoral degree to submit specified information on the proposed doctoral degree for review by the office of the Chancellor of the CSU, and approval by the CSU Board of Trustees, as provided.

AB 1311 (Soria), Chapter 126, Statutes of 2023, required the LAO to conduct an assessment, on or before January 1, 2025, evaluating the efficacy of existing programs in allied health jointly offered between campuses of the California Community Colleges, the California State University, and the University of California. Required the final assessment to be reported, in writing, to the Legislature and the Governor on or before January 1, 2025, 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 and Choi), Chapter 565, Statutes of 2021, removed the cap on the total number of baccalaureate degree programs allowed within the CCC system and eliminates the January 1, 2027, sunset date of the statewide baccalaureate degree pilot program, thereby permanently authorizing the offering of baccalaureate degree programs at CCCs.

SB 874 (Hill) of 2020, would have extended the operation of the statewide baccalaureate degree pilot program indefinitely. The bill would have removed the requirements that the program consist of a maximum of 15 community college district programs and for a student to commence a program by the end of the 2022–23 academic year. SB 874 was held in the Senate Committee on Education due to bill restrictions from COVID-19.

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.

SB 577 (Dodd), Chapter 603, Statutes of 2018, established the CCC Teacher Credentialing Partnership Pilot Program, awarding grants to collaboratives of one or more teacher-credentialing higher education institutions partnering with one or more community colleges for the purpose of offering teacher credentialing programs at community colleges.

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.

SB 769 (Hill) of 2017, would have extended the operation of the statewide baccalaureate degree pilot program until July 1, 2028. SB 769 was held in the Assembly Committee on Appropriations.

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.

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 661 (Block, 2011) authorized Grossmont-Cuyamaca and the San Mateo Community College districts to offer one baccalaureate degree pilot program per campus. AB 661 was heard and passed in the Assembly Higher Education Committee by a vote of 6-0 but was moved to the inactive file on the Assembly Floor.

AB 2400 (Block, 2010) authorized the San Diego, Grossmont-Cuyamaca and San Mateo Community College districts to establish baccalaureate degree pilot programs. No vote was taken and AB 2400 was held in the Assembly Higher Education Committee.

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

Antelope Valley Community College District
 Aveanna Healthcare
 California Assisted Living Association
 California Association for Health Services At Home
 Central Valley Community College CEO Caucus
 Citrus College
 Coast Community College District
 Community College League of California
 Contra Costa Community College District
 County Health Executives Association of California (CHEAC)
 Faculty Association of California Community College
 Grossmont-Cuyamaca Community College District
 Moorpark College
 Mt. San Antonio College
 North Orange County Community College District
 Rio Hondo College
 Riverside Community College District
 Rural County Representatives of California (RCRC)
 San Diego Unified School District
 San Jose-evergreen Community College District
 Santa Clarita Community College District - College of The Canyons
 State Center Community College District
 Valley Children's Healthcare
 Westhillscollege.com
 Yuba Community College District

Oppose

Association of Independent California Colleges & Universities (AICCU)
 Azusa Pacific University
 California Association of Colleges of Nursing
 California Baptist University
 California State University, Office of The Chancellor
 Concordia University Irvine
 Dominican University of California

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