

AMENDED IN SENATE JULY 15, 2010

AMENDED IN ASSEMBLY APRIL 12, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2382

Introduced by Assembly Member Blumenfield
(Coauthors: Assembly Members Adams, Buchanan, Galgiani,
Saldana, Smyth, and Audra Strickland)
(Coauthors: Senators *Padilla*, Strickland, and Wyland)

February 19, 2010

An act to add Article 4.7 (commencing with Section 66042) to Chapter 2 of Part 40 of Division 5 of Title 3 *of, and to repeal Section 66042.3 of,* of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2382, as amended, Blumenfield. California State University: Doctor of Physical Therapy degrees.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act do not apply to the University of California unless the regents of the university act, by resolution, to make them applicable.

Among other things, the act provides that the University of California has exclusive jurisdiction in public higher education to award the doctoral degree in all fields of learning, except that it may agree with the California State University to award joint doctoral degrees in selected fields. With respect to doctoral degrees, the act limits the California

State University to awarding these degrees jointly with the University of California, as described above, or jointly with independent institutions of higher education, provided that the proposed doctoral program is approved by the California Postsecondary Education Commission.

This bill would instead authorize the California State University to award the Doctor of Physical Therapy degree. This bill would require the degree to be distinguished from doctoral degree programs at the University of California.

The bill would require that the Doctor of Physical Therapy degree offered by the California State University be focused on preparing physical therapists to provide health care services and shall be consistent with meeting requirements of the Commission on Accreditation in Physical Therapy Education. The bill would require that each student in the programs authorized by the bill be charged fees no higher than the rate charged for students in state-supported programs in physical therapy at the University of California.

The bill would require the California State University, the Department of Finance, and the Legislative Analyst’s Office to jointly conduct a statewide evaluation of the new programs implemented under the bill. The bill would specify topics to be included in this evaluation, and would require that the evaluation be submitted to the Legislature and the Governor on or before January 1, 2015. *This provision would be repealed on January 1, 2019.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. The Legislature finds and declares both of the~~
 2 ~~following:~~
 3 ~~(a) Since its adoption in 1960, the Master Plan for Higher~~
 4 ~~Education has served the state well, allowing California to create~~
 5 ~~the largest and most distinguished higher education system in the~~
 6 ~~nation.~~
 7 ~~(b) Because of the need to prepare and educate increased~~
 8 ~~numbers of physical therapists, it is the intent of the Legislature~~
 9 ~~to grant the California State University authority to offer the Doctor~~
 10 ~~of Physical Therapy degree as an exception to the Master Plan for~~
 11 ~~Higher Education.~~

1 ~~SEC. 2.~~

2 *SECTION 1.* Article 4.7 (commencing with Section 66042) is
3 added to Chapter 2 of Part 40 of Division 5 of Title 3 of the
4 Education Code, to read:

5
6 Article 4.7. Doctoral Programs in Physical Therapy

7
8 ~~66042. Notwithstanding~~

9 *66042. (a) The Legislature finds and declares both of the*
10 *following:*

11 *(1) Since its adoption in 1960, the Master Plan for Higher*
12 *Education has served to create the largest and most distinguished*
13 *higher education system in the nation. A key component of the*
14 *Master Plan for Higher Education is the differentiation of mission*
15 *and function, whereby doctoral and identified professional*
16 *programs are limited to the University of California, with the*
17 *provision that the California State University can provide doctoral*
18 *education in joint doctoral programs with the University of*
19 *California and independent California colleges and universities.*
20 *The differentiation of function has allowed California to provide*
21 *universal access to postsecondary education while preserving*
22 *quality.*

23 *(2) Because of the need to prepare and educate increased*
24 *numbers of physical therapists, the State of California is granting*
25 *the California State University authority to offer the Doctor of*
26 *Physical Therapy degree as an exception to the differentiation of*
27 *function in graduate education that assigns sole authority among*
28 *the California higher education segments to the University of*
29 *California for awarding doctoral degrees independently. This*
30 *exception to the Master Plan for Higher Education recognizes the*
31 *distinctive strengths and respective missions of the California State*
32 *University and the University of California.*

33 *(b) Pursuant to subdivision (a), and notwithstanding Section*
34 *66010.4, in order to meet specific physical therapy education needs*
35 *in California, the California State University may award the Doctor*
36 *of Physical Therapy (D.P.T.) degree. The authority to award*
37 *degrees granted by this article is limited to the discipline of*
38 *physical therapy. The Doctor of Physical Therapy degree offered*
39 *by the California State University shall be distinguished from*
40 *doctoral degree programs at the University of California.*

1 66042.1. In implementing Section 66042, the California State
2 University shall comply with all of the following requirements:

3 (a) Funding on a per full-time equivalent student (FTES) basis
4 for each new student in these degree programs shall be from within
5 the California State University's enrollment growth levels as agreed
6 to in the annual Budget Act. Enrollments in these programs shall
7 not alter the California State University's ratio of graduate
8 instruction to total enrollment, and shall not diminish enrollment
9 growth in university undergraduate programs. Funding provided
10 from the state for each FTES shall be at the agreed-upon marginal
11 cost calculation that the California State University receives.

12 (b) The Doctor of Physical Therapy (D.P.T.) degree offered by
13 the California State University shall be focused on preparing
14 physical therapists to provide health care services, and shall be
15 consistent with meeting the requirements of the Commission on
16 Accreditation in Physical Therapy Education (CAPTE).

17 (c) Nothing in this article shall be construed to limit or preclude
18 the California Postsecondary Education Commission from
19 exercising its authority under Chapter 11 (commencing with
20 Section 66900) to review, evaluate, and make recommendations
21 relating to any and all programs established under this article.

22 (d) Each student in the programs authorized by this article shall
23 be charged fees no higher than the rate charged for students in
24 state-supported doctoral degree programs in physical therapy at
25 the University of California, including joint D.P.T. programs of
26 the California State University and the University of California.

27 (e) The California State University shall provide any startup
28 funding needed for the programs authorized by this article from
29 within existing budgets for academic programs support, without
30 diminishing the quality of program support offered to California
31 State University undergraduate programs. Funding of these
32 programs shall not result in reduced undergraduate enrollments at
33 the California State University.

34 66042.3. (a) The California State University, the Department
35 of Finance, and the Legislative Analyst's Office shall jointly
36 conduct a statewide evaluation of the new programs implemented
37 under this article. The results of the evaluation shall be reported,
38 in writing, to the Legislature and the Governor on or before January
39 1, 2015. The evaluation required by this section shall consider all
40 of the following:

1 ~~(a)~~

2 (1) The number of new doctoral programs in physical therapy
3 implemented, including information identifying the number of
4 new programs, applicants, admissions, enrollments, and degree
5 recipients.

6 ~~(b)~~

7 (2) The extent to which the programs established under this
8 article are fulfilling identified needs for physical therapists,
9 including statewide supply and demand data that considers capacity
10 at the University of California and in California's independent
11 colleges and universities.

12 ~~(c)~~

13 (3) Information on the place of employment of students and the
14 subsequent job placement of graduates.

15 ~~(d)~~

16 (4) Program costs and the fund sources that were used to finance
17 these programs, including a calculation of cost per degree awarded.

18 ~~(e)~~

19 (5) The costs of the programs to students, the amount of financial
20 aid offered, and student debt levels of graduates of the programs.

21 ~~(f)~~

22 (6) The extent to which the programs established under this
23 article are in compliance with the requirements of this article.

24 ***(b) (1) A report to be submitted pursuant to subdivision (a)***
25 ***shall be submitted in compliance with Section 9795 of the***
26 ***Government Code.***

27 ***(2) Pursuant to Section 10231.5 of the Government Code, this***
28 ***section is repealed on January 1, 2019.***

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