

**ASCCC Legislative Report
March 20, 2018**

***Legislation with implications for academic and professional matters
Assembly Bills***

ACA 14 (Melendez) Campus Free Speech Act

This act would require the governing boards of institutions of higher education to develop policy regarding freedom of expression. The act would require the appropriate governing board or body of the institution to establish a Committee on Free Expression, consisting of no less than 15 members, as specified. The act would require each committee to report, on or before September 1 of each year, to the governing board or body, the Legislature, and the Governor specified information regarding the status of free expression at the campus, or at each campus of the segment, as applicable. The act would require each higher education institution to include in its freshman orientation programs a section describing to its students the institution's policies and regulations regarding free expression consistent with the measure's provisions.

Status: Referred to Committees of Higher Ed. and Judiciary. Set for hearing, cancelled by the author. 1/30/18

ASCCC Position/Resolutions: The ASCCC Executive Committee is committed to freedom of expression but this act is rather proscriptive and perhaps not in a form to support at this time.

AB204 (Medina) Community colleges: waiver of enrollment fees

This bill would require the ~~board of governors to, at least once every 3 years, review and approve any due process standards adopted to appeal the loss of a fee waiver under the provisions described above. If the board of governors adopt any due process standards to appeal the loss of a fee waiver under those provisions, the bill would require those standards to also require a community college district to~~ **Office of the Chancellor of the California Community Colleges to review, for general consistency, each community college district's due process procedures, including any subsequent modifications of the procedures, adopted to appeal the loss of a fee waiver under these provisions, and comment on the procedures, as appropriate. The bill would require that the district's procedures allow for an appeal due to hardship based on geographic distance from an alternative community college at which the student would be eligible for a fee waiver. The bill would require each community college district to, at least once every 3 years, examine the impact of the specified minimum academic and progress standards and determine whether those standards have had a disproportionate impact on a specific class of students, and if a disproportionate effect is found, the bill would require the community college district to include steps to address that impact in a student equity plan. Amended in the Assembly 3/17/17 Nonsubstantive amendment in Senate, 6/28/17.**

Status: Referred to Appropriations Suspense, Held by Appropriations 9/1/17

ASCCC Position/Resolutions: The ASCCC Executive Committee voted at its February meeting to support this legislation. The legislation is sponsored by FACCC. The ASCCC approved resolution SP17 6.01 to support.

AB 227 (Mayes) CalWORKs: Education Incentives

AB 227 provides a supplemental education incentive grant when a CalWORKs recipient reaches an educational milestone, as outlined below:

☑High school diploma or equivalent: \$100/month

☑Associate's degree or career/technical education program: \$200/month

☑Bachelor's degree: \$300/month

This bill would also authorize CalWORKs recipients eligibility to apply for educational stipends totaling no more than \$2400 per year for enrollment in an associate's degree, CTE certificate, or bachelor's degree program. The bill appropriates \$20 million to partially restore funding to the California Community Colleges CalWORKs program, which provides work-study slots, education and career counseling, and other services to CalWORKs recipients. [Amended 4/27/17](#)

Status: Passed Assembly, Referred to Senate Committee on Human Services, 6/14/17.

ASCCC Position/Resolutions: This bill is consistent with past ASCCC positions that the full cost of higher education is not reflective of the student aid awarded. This bill seeks to address that disparity for CalWORKs students.

AB310 (Medina) Part-time Faculty Office Hours

Requires each community college district to report total part-time hours paid divided by the total part-time faculty office hours taught during the prior fiscal year and posted each year on the district website. [Re-introduced 1/18/18](#)

Status: Passed committee, referred to Assembly Appropriations 1/18/18. [Passed Assembly, referred to Senate Rules Committee for assignment 1/29/18.](#)

ASCCC Position/Resolutions: This bill was vetoed by the Governor last year.

AB 809 (Quirk-Silva) Veterans' priority registration for enrollment in nursing programs.

AB 809 clarifies that veterans are granted priority enrollment for California Community Colleges and California State University nursing programs.

Status: Passed in the Assembly Committee on Higher Education (13-0) and sent to the Assembly Appropriations Committee. [Passed Assembly 1/29/18. Referred to Senate Rules Committee for assignment 1/29/18.](#)

ASCCC Position/Resolutions: Access to financial aid is supported by numerous ASCCC resolutions in the past.

AB847 (Bocanegra) Academic Senates: Membership Rosters

~~This bill would require the local academic senate of a campus of the California State University or of a campus of the California Community Colleges, and would request the local academic senate of a campus of the University of California, to post its membership roster on its Internet Web site or Internet Web page.~~ The bill would also require the local academic senate of a campus of the California State University or of a campus of the California Community Colleges, and would request the local academic senate of a campus of the University of California, to make the demographic data of its members, including gender and race or ethnicity, as specified, available to the public upon request. Amended 4/3/17

Status: Passed Assembly, pulled by the author. This has become a two-year bill.
6/07/17

ASCCC Position/Resolutions: Currently local academic senates are required to comply with the Brown Act that demands published agendas and membership. We have significant concerns regarding the limited demographic profile specified and the ability to target individual members – especially for smaller senates. IF the goal is to improve the diversity of our faculty, we would welcome the opportunity to work with the author toward that end. The ASCCC adopted resolution SP17 6.03 in opposition to this bill. The status of this bill is in question with the resignation of the author.

***AB 1037 (Limon) Public Postsecondary Education: Student Financial Aid.** AB 1037 establishes the Cal Grant B Service Incentive Grant Program, under the administration of the California Student Aid Commission. The program is a state work-study program available to California's AB 540 students who are ineligible for Federal Work Study (FWS) programs, and supported through the State General Fund resources. In order to be eligible for the grant, a student must be a recipient of a Cal Grant B award, enrolled at a UC, CSU, community college, or private, non-profit campus, and perform a minimum of 300 hours of community service or volunteer work in each academic year. Recent amendments to the bill limit the number of eligible students simultaneously receiving grants under the program to 2,500 awards per term.

Status: Passed in the Assembly Committee on Higher Education (9-3) and sent to the Assembly Appropriations Committee. Passed Assembly 1/29/18. Referred to Senate Rules Committee for assignment 1/29/18. Referred to Committee on Higher Education, 3/15/18.

ASCCC Position/Resolutions: Access to financial aid is supported by numerous ASCCC resolutions in the past. Supported by the Student Senate.

AB 1786 (Cervantes) Community Colleges: Veterans

This bill would express the intent to create an articulation platform for the California Community Colleges to facilitate the transition of recent veterans to state institutions for higher education.

Status: Introduced

ASCCC Position/Resolutions: The ASCCC supports the application of credit for prior military experience toward the associate degree (18.04 S11) and generally supports resources for veterans.

AB 1978 (Chavez) Cal Grant Program. Spot bill related to financial aid.

Status: Introduced 1/31/2018.

ASCCC Positions/Resolutions: Watch. Access to financial aid is supported by numerous ASCCC resolutions in the past.

AB 1803 (Choi) Postsecondary Education: career placement and job search services for graduates

This bill would require any public or private institution that offers a bachelor's degree program to provide career placement and job search services for five years to students in order to receive state funds for student financial assistance. Because services should be offered at no cost to the student, this would be an additional cost to colleges that offer baccalaureate degrees.

Status: Introduced. Referred to Committee on Higher Education 1/22/18. Passed and referred to Assembly Appropriations, 3/14/18.

ASCCC Position/Resolutions: None. Supported by the Student Senate.

***AB 1805 (Irwin) Community College Placement Policies**

This bill would require ~~districts to provide public notice of its policies regarding the placement of students. The bill also requires the notice to include placement policies regarding 1) threshold scores required on specified assessments, 2) requisite grades in specific high school courses, and 3) recommendations by an instructor or counselor.~~ This bill would require a community college to inform students of their rights to access transfer-level coursework and of the multiple measures placement policies developed by the community college, as provided. The bill would require a community college to annually report to the Office of the Chancellor of the California Community Colleges the community college's placement policies and placement results, and would require a community college to publicly post its placement results. The bill

would require its provisions to be implemented by a specified date. To the extent the bill would impose additional duties on community college districts, the bill would impose a state-mandated local program. Amended 2/28/18

Status: Referred to Assembly Higher Education 3/1/18

ASCCC Position/Resolutions: Watch this bill.

AB 1858 (Calderon) Student financial aid: Financial Aid Shopping Sheet. AB 1858 adds a provision to the Donahoe Higher Education Act that would require public and private California colleges and universities to use the Financial Aid Shopping Sheet as developed by the U.S. Department of Education or a successor document identified by the Student Aid Commission to inform students about financial aid award packages.

Status: Passed Assembly Higher Ed. and referred to Appropriations 3/14/18

ASCCC Position/Resolutions: Access to financial aid is supported by numerous ASCCC resolutions in the past.

***AB 1935 (Irwin) Community Colleges: Tutoring.** Existing law identifies nine allowable areas for noncredit instruction. AB 1935 adds supervised tutoring for degree-applicable and transfer-level courses as a noncredit category. Noncredit supervised tutoring would be eligible for state apportionment funding. This bill may be merged with SB 1009 (Wilk), which is similar.

Status: Introduced. Referred to Committee on Higher Education 2/5/18.

ASCCC Positions/Resolutions: The ASCCC supports allowing noncredit apportionment to be collected for supervised tutoring, regardless of student skill level (Resolution 18.02 F12).

***AB 1936 (Low) Postsecondary Education: Office of Higher Education Performance and Accountability.** This bill would establish the Office of Higher Education Performance and Accountability as the statewide postsecondary education coordination and planning entity. The bill would provide for the appointment by the Governor, subject to confirmation by a majority of the membership of the Senate, of an executive director of the office. and an 8-member advisory board for the purpose of examining, and making recommendations to, the office regarding the functions and operations of the office and reviewing and commenting on any recommendations made by the office to the Governor and the Legislature, among other specified duties. This is basically the same as AB 1837 (Low, 2016) which died.

Status: Introduced. Passed Higher Ed. Committee and referred to Assembly Appropriations 3/14/18.

ASCCC Positions: This bill is basically the same as AB 1837 (Low, 2016), which died. The ASCCC opposes the creation of such a body as a reformed version of CPEC (6.02 S15).

AB 2027 (Fong) Career Technical Education. This is a spot bill related to career and technical education.

Status: Read first time 2/5/18.

ASCCC Positions/Resolutions: Watch.

AB 2070 (Reyes) Sexual Assault and Sexual Violence Prevention

This bill would require governing boards to adopt, as a condition of receiving state funds for financial aid, detailed and victim-centered policies and protocols, and outreach programs, regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards, covering specified topics, including a comprehensive, trauma-informed training program for campus officials involved in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases. This bill would provide that the outreach programming required by this provision would include informing students about specified topics relating to domestic and dating violence.

Status: Read first time 2/7/18.

ASCCC Positions/Resolutions: The ASCCC has no position of record but, barring fiscal considerations, this seems like a timely and appropriate bill.

AB 2081 (Melendez) Postsecondary Education: Campus Free Speech Act This bill would establish the Campus Free Speech Act, which would require the governing board or body of each higher education institution to develop and adopt a policy on free expression that contains specified components. The would policy supersede any provisions in the policies and regulations of the institution that restrict speech on campus and are inconsistent with the policy. The establishment of a Committee on Free Expression would be required, and noncompliance would result in the loss of public funds except Cal Grant. The focus of this bill is the protection of student speech. This appears to replace ACA 14 (Melendez, 2017) which sought to amend the California Constitution.

Status: Referred to Committees on Higher Education and Judiciary 2/22/18

ASCCC Positions/Resolutions: Watch. The ASCCC generally supports freedom of speech. However, it is not clear what effect this bill would have on the classroom environment. The Student Senate supports this bill.

***AB2248 (McCarty) Student Financial Aid: Cal Grant Program**

This bill would change the Cal Grant definition of a full time student from 12 units per semester and 24 units per year to 15 units per semester and 30 units per year.

Status: Referred to Committee on Higher Education 3/1/18

ASCCC Positions/Resolutions: This bill would limit the students eligible for financial aid and is therefore antithetical to the position of the ASCCC. The Student Senate opposes this legislation.

Senate Bills

SB15 (Leyva) Cal Grant C Awards – Urgent

Existing law requires that a Cal Grant C award be utilized only for occupational or technical training in a course of not less than 4 months. Existing law also requires that the maximum award amount and the total amount of funding for the Cal Grant C awards be determined each year in the annual Budget Act.

This bill would instead, commencing with the 2017–18 award year and each award year thereafter, set maximum amounts for annual Cal Grant C awards for tuition and fees, and for access costs, respectively. The bill would also provide that, notwithstanding the maximum amounts specified in the bill, the maximum amount of a Cal Grant C award could be adjusted in the annual Budget Act for that award year. The maximum award amount for tuition and fees would be \$2,462 and the maximum amount for access costs would be ~~\$3,000~~ **\$547 with an additional possible access award of up to \$2464. Amended 4/3/17.**

Status: Referred to Appropriations Suspense File, Held by Appropriations 9/1/17
This bill appears to be dead for this year.

ASCCC Position/Resolutions: The ASCCC is very supportive of financial aid programs that improve access including reforms to the Cal Grant program – SP16 6.01.

SB 307 (Nguyen) Postsecondary Education: Student Housing Insecurity and Homelessness.

SB 307 requires the ~~Legislative Analyst's Office, in consultation with~~ the University of California, the California State University, and the California Community Colleges governing boards to appoint a task force to conduct a study on housing insecurity and homelessness of current postsecondary students in this state and prospective applicants to postsecondary educational institutions in this state. **This bill requests the University of California convene a task force with three members from each system to conduct the study.** The study is due to the Legislature on or before December 31, 2018.

Status: Held by Appropriations, 9/1/17

ASCCC Position/Resolutions: The ASCCC has historically supported vulnerable

student access to education and the wrap-around services required for educational attainment.

SB 577 (Dodd) Community College Districts: Teacher Credentialing Programs of Professional Preparation.

AB 577 authorizes the Board of Governors of the California Community Colleges, in consultation with state universities and local education boards and school districts, to authorize up to five community college districts to offer a teacher-credentialing program, subject to approval by the California Commission on Teacher Credentialing. Amended 5/26/17

Status: Passed Senate, referred to Assembly Higher Ed. First hearing cancelled at request of author. 7/11/17

ASCCC Position/Resolutions: The CCC Chancellor's Office opposes this bill as written. The ASCCC has no position.

SB 968 (Pan) Postsecondary Education: Mental Health Counselors Would require the Trustees of the California State University, the governing board of each community college district, ~~and the governing body of each independent institution of high education that is a qualifying institution,~~ and request the Regents of the University of California, to hire one full-time equivalent mental health counselor per 1,000 students at each of their respective campuses to the fullest extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. No funding is included. Amended 3/12/18.

Status: Referred to Committee on Education 2/28/18.

ASCCC Position/Resolutions: The ASCCC supported AB 2017 (McCarty, 2016) to provide mental health services for students (Resolution 6.04 S16).

***SB 1009 (Wilk) Community Colleges: Tutoring** Currently, colleges are allowed to capture apportionment for supervised tutoring of students in basic skills or non-credit courses, and eliminates the requirement for faculty referral. This legislation would extend these provisions to supervised tutoring for students in credit classes and thus provide more resources for tutoring services. This bill is very similar in intent to AB 1935 (Irwin). There have been discussions about merging the two bills.

Status: Introduced.

ASCCC Positions: The ASCCC supports allowing noncredit apportionment to be collected for supervised tutoring, regardless of student skill level (Resolution 18.02 F12).

SB 1381 (Nielsen) Campus Free Expression Act

This bill would enact the Campus Free Expression Act. The bill would declare that the outdoor areas of public postsecondary educational institutions are traditional public forums. The bill would provide that a public postsecondary educational institution may maintain and enforce reasonable time, place, and manner restrictions only when those restrictions are narrowly tailored in service of a significant institutional interest, employ clear, published, content-neutral, and viewpoint-neutral criteria, and provide for ample alternative means of expression. The bill would require these restrictions to allow for members of the campus community to spontaneously and contemporaneously distribute literature and assemble. The bill would further require that a person who wishes to engage in expressive activity on the campus of a public postsecondary educational institution be permitted to do so freely, as long as that person's conduct is not unlawful and does not materially and substantially disrupt the functioning of the institution.

Status: Referred to Committees on Education and Judiciary; hearing scheduled 4/4/18.

ASCCC Positions: It is unclear what problem this bill seeks to address.

SB 1388 (Anderson) Forming Open and Robust University Minds Act

This bill would require governing boards to develop and adopt a policy on free expression that contains specified statements. The bill would require that the outdoor areas of a public institution of higher education be deemed traditional public forums, subject to certain exceptions, and would require that a person who wishes to engage in noncommercial expressive activity in the outdoor areas of a public institution of higher education be permitted to do so freely, as long as the person's conduct is not unlawful and does not materially and substantially disrupt the functioning of the public institution of higher education. The bill would require a public institution of higher education to publicly post on its Internet Web site and submit to the Governor and Legislature an annual report that details the course of action being taken in order to comply with the requirements of the act. The bill would impose other requirements and restrictions on a public institution of higher education, relating to free expression on campus.

Status: Referred to Committees on Education and Judiciary; hearing scheduled 4/4/18.

ASCCC Positions: It is unclear what problem this bill seeks to address.

***SB 1406 (Hill) Baccalaureate Degree Pilot Program**

This bill would extend the baccalaureate degree pilot program and potentially remove the sunset date.

Status: Referred to Committee on Education; hearing scheduled 4/4/18.

ASCCC Positions: The ASCCC supports the extension of the pilot program.

Budget Bills

AB 1806 (Ting) Budget Act of 2018

Status: Introduced. Referred to Committee on Budget.

SB 119 (Committee on Budget and Fiscal Review) Budget Act of 2017

Status: Removed from inactive file 1/4/18. Re-referred to Committee on Budget.

SB 839 (Mitchell) Budget Act of 2018

Status: Introduced 1/10/2018

Bills of Interest

AB 1952 (Mayes) Social Services: Access to Food This bill addresses student food insecurity. It requests the UC Regents and directs the CSU Trustees and CCC Board of Governors to develop systems to allow students to use EBT cards on their campuses.

Status: Referred to Human Services and Agriculture Committee 3/15/18

AB 1961 (Choi) Postsecondary education: student housing and meal plans.

This bill would require each institution of higher education receiving state funds for student financial assistance to, as a condition of receipt of the funds, separately list the cost of university~~institutionally~~-operated housing and meal plans on all websites and documents it provides to students for purposes of advertising or otherwise displaying the student costs associated with university-operated housing. The bill would prohibit each of these institutions from requiring a student to have a campus meal plan in order to live in university~~institutionally~~-operated housing. This primarily affects the UC and the CSU, but there are some community colleges with student housing. *Amended 3/15/18.*

Status: Introduced. Referred to Committee on Higher Education 2/8/18.

SB 183 (Lara) State Buildings: Federal Immigration Agents Seeks to prevent federal immigration enforcement agents, officers, or personnel from state or public school buildings, or California community college campuses to perform surveillance, arrests, or question an individuals without valid federal warrants. When in possession of a valid federal warrant, the activities of federal immigration enforcement agents, officers, or personnel are limited to the individual who is the subject of the warrant.

Status: Passed the Senate 1/29/18. Read first time in Assembly 1/30/18.

SB 972 (Portantino) Pupil and student health: identification cards: suicide prevention hotline telephone number. The bill would require a public or private institution of higher education that issues student identification cards to have printed on the back of the student identification cards the telephone number for a suicide prevention hotline *or Crisis Text Line*. Because the bill would impose a new duty on campuses of the California Community Colleges, the bill would impose a state-mandated local program. This bill also applies to public schools and private schools that serve grades 7-12.

Status: Committee on Education ordered to third reading 3/15/18.

*Indicates bills to be highlighted during the Executive Committee meeting legislation discussion.

^Indicates bill will be removed from next iteration of report since the bill is not germane to the work of the ASCCC or has been replaced by a new bill.

ACR = Assembly Concurrent Resolution

ACA = Assembly Constitutional Amendment

AB = Assembly Bill

SB = Senate Bill