

ASCCC Legislative Report

Executive Committee Meeting 10 May 2019 (Updated 8 May 2019)

The following legislation either has implications for academic and professional matters or may impact an area of academic and professional matters peripherally. Suggestions of additional bills to follow are welcome – please email info@asccc.org with suggestions. Full language of all bills can be found at <https://leginfo.legislature.ca.gov>

Assembly Bills

*****AB 2 (Santiago) California College Promise**

Existing law establishes the California College Promise, under the administration of the Chancellor of the California Community Colleges, to provide funding, upon appropriation by the Legislature, to each community college meeting prescribed requirements, including using evidence-based assessment and placement practices at the community college. Existing law authorizes a community college to use that funding to accomplish specified policy goals and to waive some or all of the fees for one academic year for certain first-time students who are enrolled in 12 or more semester units or the equivalent at the college and complete and submit either a Free Application for Federal Student Aid (FAFSA) or a California Dream Act application. This bill would require that the use of evidence-based assessment and placement practices at the community colleges for participation in the California College Promise be consistent with certain existing requirements for assessments. This bill would authorize a community college to use California College Promise funding to waive fees for 2 academic years, and instead of specifying eligibility for first-time students, the bill would make ineligible for the fee waiver a community college student who has previously earned a degree or certificate from a postsecondary educational institution.

ASCCC Position/Resolutions: The ASCCC has multiple resolutions calling for an ending of fees for students in the CCC system.

Status: Referred to Appropriations – Suspense file (3 April 2019)

*****AB30 (Holden) College and Career Access Pathway Agreements – Dual Enrollment**

This bill would delete the requirement on the governing board of each district entering into a CCAP partnership agreement to present the dual enrollment partnership agreement as an informational item at a separate open public meeting of that board before taking public comment and acting to approve or disapprove the proposed agreement. The bill would provide that units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college. The bill would require the CCAP partnership agreement to include a plan, instead of a certification, by the participating community college district to ensure specified conditions are met. The bill would require the chancellor, on or before July 31, 2020, to revise

the special part-time student application process to allow pupils to complete one application for the duration of their attendance at a community college as a special part-time student participating in a CCAP partnership agreement. The bill would move the deadline for the chancellor to prepare a summary report described above from on or before January 1, 2021 to on or before January 1, 2020, and would require the chancellor to additionally prepare a summary report that includes, among other things, an evaluation of the CCAP partnerships, every 5 years thereafter. The bill would extend the operation of those provisions until January 1, 2027.

ASCCC Position/Resolutions: This bill is consistent with past ASCCC positions around dual enrollment, although there may be concerns around this eliminating the double reading at board meetings, providing priority enrollment, and potentially seeing increasing numbers of students in these programs. See resolutions 4.01 (f07), 6.03 (S 15), and 9.02 (F16) regarding ASCCC support for expanding dual enrollment opportunities for students.

Status: Referred to Appropriations – Suspense file (24 April 2019)

*****AB130 (Low): ~~Office of Higher Education Performance and Accountability.~~ Accountability Commission.**

Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, independent institutions of higher education, and private postsecondary educational institutions as the segments of postsecondary education in this state.

Existing law states the intent of the Legislature that budget and policy decisions regarding postsecondary education generally adhere to 3 specified goals and that appropriate metrics be identified, defined, and formally adopted to monitor progress toward the achievement of the goals.

Existing law establishes the California Postsecondary Education Commission (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 2018–19 fiscal year, inclusive, have provided no funding for CPEC.

This bill would establish the Higher Education Performance and Accountability Commission, composed of 6 public members with experience in postsecondary education, appointed as specified, as the statewide postsecondary education coordination and planning entity. The bill requires the commission to develop an independent annual report on the condition of higher education in California, as provided. The bill would establish other functions and responsibilities of the commission, which would include specified advisory duties and acting as a clearinghouse for postsecondary education information.

The bill would authorize the commission to require the governing boards and institutions of public postsecondary education to submit data to the commission on plans and programs, costs,

selection and retention of students, enrollments, plant capacities, and other matters pertinent to effective planning, policy development, and articulation and coordination. To the extent that this provision would impose new duties on community college districts, it would constitute a state-mandated local program.

The bill would require the commission to report to the Legislature and the Governor on or before December 31 of each year regarding its progress in achieving specified objectives and responsibilities. The bill would require the Legislative Analyst's Office to report to the Legislature on the performance of the commission on or before January 1, 2025, and every 5 years thereafter.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Article 2.3. Higher Education Performance and Accountability Commission 66010.8.

(a) The Higher Education Performance and Accountability Commission is hereby established as the statewide postsecondary education coordination and planning agency. The commission is an independent state agency, which shall be advisory to the Governor, the Legislature, other appropriate government officials, and institutions of postsecondary education.

(b) (1) The commission shall be composed of six public members with experience in postsecondary education, appointed as follows:

(A) Two members appointed by the Senate Committee on Rules.

(B) Two members appointed by the Speaker of the Assembly.

(C) Two members appointed by the Governor.

(2) A member of the commission shall serve a term of four years, and may be removed by the appointing authority only for cause.

(3) The members of the commission shall select a chairperson from among the membership.

(4) Members of the commission shall serve without compensation, but shall receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties.

(c) The commission shall appoint an executive director, who shall perform all duties, exercise all powers, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the commission, including contracting for professional or consulting services in connection with the work of the commission. The executive director shall appoint persons to any staff positions the commission may authorize.

(d) (1) Commission meetings are subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code). Commission materials shall be posted on the internet.

(2) The commission shall meet at least quarterly, and shall appoint one of its members to represent the board for purposes of communicating with the Legislature.

(3) (A) The commission is responsible for developing an independent annual report on the condition of higher education in California. The report shall be transmitted to the chairpersons of the Assembly Committee on Higher Education and the Senate Committee on Education and to the Governor on or before July 1 annually.

(B) The commission shall hold at least one special meeting to consult with stakeholders before issuing its annual report. These stakeholders shall include, but are not necessarily limited to, all of the following:

(i) The Chancellor of the California Community Colleges, or the chancellor's designee.

(ii) The Chancellor of the California State University, or the chancellor's designee.

(iii) The President of the University of California, or the president's designee.

(iv) The president of the Association of Independent California Colleges and Universities, or the president's designee.

(v) The Superintendent of Public Instruction, or the Superintendent's designee.

(vi) The chairperson of the Intersegmental Committee of the Academic Senates, or the chairperson's designee.

(vii) The executive director of the California Workforce Development Board, or the executive director's designee.

(viii) The executive director of the Student Aid Commission, or the executive director's designee.

(ix) The president of the Cal State Student Association, the president of the University of California Student Association, or the president of the Student Senate for California Community Colleges, or the designee of one of those individuals.

ASCCC Position/Resolutions: This bill is a reboot (word for word, with the exception of the dates) of AB 217 (Low, 2018). The ASCCC opposed the initial reboot of the California Postsecondary Education Commission (CPEC) called for by SB 42 (Liu, 2015) in resolution 6.01 (S15), primarily due to the complete lack of stakeholder presence on the commission. Subsequent attempts to create a similar organization have come from assembly member Low's office in 2016 and 2018. In Spring 2016, the ASCCC passed Resolution 6.02 (S 16), which provisionally accepted the creation of a new commission provided that representatives from higher education were included on the advisory board; there is a resolution coming to the spring 2019 plenary session that conditionally supports the bill provided that a designee from the academic senate from each segment is included on the commission. Based on the lack of amendments, the ASCCC took a formal Oppose Unless Amended position on 6 May 2019 based on resolution 6.01 (<https://asccc.org/resolutions/oppose-ab-130-low-april-10-2019-unless-amended>) passed at the Spring 2019 Plenary Session: the letter can be found here: <https://asccc.org/legislative-positions>

Status: Referred to Appropriations – Suspense file (24 April 2019).

AB151 (Voepel) – Cal Grant Program – Community College Transfer Entitlement

Under existing law, to be eligible for an award under the California Community College Transfer Entitlement Program, an applicant may not be 30 years of age or older by December 31

of the award year, among other requirements. This bill would raise that limit to 30 years of age or older.

ASCCC Position/Resolutions: This is one of several bills introduced by Assembly Member Voepel around financial aid and financial assistance for students. The ASCCC has supported past legislation that provides more financial resources to students.

Status: Referred to the Committee on Higher Ed (24 January 2019)

AB 239 (Salas) – Registered Nursing Programs

Existing law authorizes a community college registered nursing program to use any diagnostic assessment tool that is commonly used in registered nursing programs and approved by the Chancellor of the California Community Colleges. Existing law authorizes a community college registered nursing program to use additional multicriteria screening measures, administered in accordance with specified requirements, if it determines that the number of applicants to that registered nursing program exceeds its capacity. Existing law authorizes such a community college registered nursing program to admit students in accordance with a random selection process or a blended combination of random selection and a multicriteria screening process, as specified. Existing law repeals these provisions relating to admission to community college nursing programs on January 1, 2020.

This bill would extend operation of these provisions relating to admission to community college nursing programs until January 1, 2025.

ASCCC Position/Resolutions: This bill is being supported by the CCCCCO.

Status: Referred to the Committee on Education (24 April 2019)

AB 244 (Voepel) – Cal Grants

This bill would declare the intent of the Legislature to enact legislation that would increase awards under the Cal Grant Program from \$10,000 to \$15,000 annually.

ASCCC Position/Resolutions: This is one of several bills introduced by Assembly Member Voepel around financial aid and financial assistance for students. The ASCCC has supported past legislation that provides more financial resources to students. See also AB 540 (Limon), AB541(Gabriel), AB 542 (Gabriel), AB1307 (Rubio), AB1314 (Medina), SB461 (Roth),

*****AB302 (Berman) – Parking – Homeless Students**

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and authorizes the governing board of a community college district to grant the use of college facilities or grounds for specified purposes. Existing law requires a community college campus that has shower facilities for student use to grant access, as specified, to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, and requires the community college to determine a plan of action to implement this requirement.

This bill would require a community college campus that has parking facilities on campus to grant overnight access to those facilities, on or before July 1, 2020, to any homeless student who is enrolled in coursework, has paid any enrollment fees that have not been waived, and is in good standing with the community college, for the purpose of sleeping in the student's vehicle overnight. The bill would require the governing board of the community college district to determine a plan of action to implement this requirement, as specified. By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Section 76012 is added to the Education Code, to read:

76012.

(a) If a community college campus has parking facilities on campus, the governing board of the community college district shall grant overnight access to those facilities to any homeless student who for the purpose of sleeping in the student's vehicle overnight, provided that the student is enrolled in coursework, has paid enrollment fees if not waived, and is in good standing with the community college district without requiring the student to enroll in additional courses.

(b) The governing board of the community college district shall determine a plan of action to implement subdivision (a) that includes, but is not limited to, all of the following:

(1) A definition of homeless student that is based on the definition of homeless youth specified in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), and reflects the age of the homeless student population at the community college campus.

(2) Overnight parking facilities monitoring.

(3) An overnight parking form and liability waiver that must be completed by any homeless student seeking to access the overnight parking facilities.

(4) Designation of a specific parking area or areas for overnight parking.

(5) Accessible bathroom facilities that are in reasonable proximity to the parking area or areas designated pursuant to paragraph (4).

(6) A waiver of parking assessment fees for the overnight parking facilities.

(7) Overnight parking rules that eligible homeless students shall follow when using the overnight parking facilities such as no use of drugs or alcohol.

(8) Hours of operation for the overnight parking facilities.

(c) It is the intent of the Legislature that homeless students who use the overnight parking facilities shall be connected to available state, county, community college district, and community-based housing, food, and financial assistance resources.

(d) On or before July 1, 2020, the governing board of the community college district shall implement subdivision (a).

ASCCC Information: Assemblymember Berman clarified during legislative visits on 12 March that the intent of the bill was for students to be able to stay in their cars as noted in the amendments above. Re-referred to Committee on Appropriations (3 April 2019). The ASCCC took a formal support position on this bill on 6 May 2019 based on resolution 6.04 (<https://asccc.org/resolutions/support-ab-302-berman-march252019-and-identify-housing-assistance-representatives>) passed at the spring 2019 Plenary Session: the letter can be found here: <https://asccc.org/legislative-positions>

Status: Re-referred to the Committee on Higher Ed (7 February 2019); re-referred to Committee on Appropriations (3 April 2019); referred to Appropriations Suspense File (1 May 2019)

AB331 (Medina) – Ethnic Studies

This bill would add the completion of a one-semester course in ethnic studies, in either the subject of social studies or English, based on the model curriculum in ethnic studies developed by the Instructional Quality Commission, to the high school graduation requirements commencing with the 2023–24 school year. The bill would authorize local educational agencies to require a full-year course in ethnic studies at their discretion, as specified.

(G) Commencing with the 2023–24 school year, a one-semester course in ethnic studies, in either the subject of social studies or English, based on the model curriculum developed pursuant to Section 51226.7. A local educational agency may require a full-year course in ethnic studies at its discretion pursuant to paragraph (2).

Status: Referred to Committee on Appropriations Suspense File (3 April 2019).

*****AB595 (Medina) – Apprentices Programs**

This bill would authorize a student enrolled in a community college class or classes pursuant to an apprenticeship training program or an internship training program, as defined, who does not have a social security number to use an individual tax identification number for purposes of any background check required by the class or program.

Status: Referred to the Committees on Higher Ed and Public Safety (24 April 2019).

*****AB968 (Garcia) – Naturalist Pathway Program**

On or before the start of the 2020–21 academic year, the Chancellor of the California Community Colleges, in coordination with ~~the Community Nature Connection~~, *a nonprofit organization or public park agency that employs naturalist educators and has a demonstrated commitment to, and expertise in, the knowledge, skills, and abilities required to be an interpretive naturalist*, shall develop and implement a Naturalist Pathway Pilot Program, at a community college located in a disadvantaged community of the state, that provides a pathway for participating students to become naturalists and achieve careers providing public access to, or preserving, restoring, or enhancing outdoor areas. Participation of the college in the pilot program shall be voluntary.

(c) On or before July 1, 2024, the Chancellor of the California Community Colleges shall submit a report on the pilot program established pursuant to subdivision (b) to the Legislature, pursuant to Section 9795 of the Government Code. *The report shall include, but not be limited to, completion rates for program participants and, to the extent feasible, the percentage of participants who pursued careers providing public access to, or preserving, restoring, or enhancing, outdoor areas after completing the program.*

Status: In committee – hearing canceled at request of author. **May need to take a position on this if it does not die in committee.**

*****AB1051 (Smith) – Nursing Programs**

Existing law authorizes a community college district to employ a temporary faculty member serving as full-time clinical nursing faculty or as part-time clinical nursing faculty for up to 4 semesters or 6 quarters within any period of 3 consecutive academic years between July 1, 2007, and December 31, 2015, inclusive. (c) (1) Notwithstanding subdivision (b), a person serving as full-time clinical nursing faculty or as part-time clinical nursing faculty teaching the hours per week described in Section 87482.5 may be employed by any one community college district under this section for up to four semesters or six quarters.

(2) A community college district that employs faculty pursuant to this subdivision shall provide data to the chancellor’s office as to the number of faculty members hired under this subdivision, and what the ratio of full-time to part-time faculty was for each of the three academic years prior to the hiring of faculty under this subdivision and for each academic year for which faculty is hired under this subdivision. This data shall be submitted, in writing, to the chancellor’s office on or before June 30 of each year.

Status: Referred to Appropriations – Suspense file (3 April 2019)

AB 1427 (Carrillo) -- Community colleges: full-time faculty.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to operate campuses and provide instruction to students.

Existing law requires a community college district that has less than 75% of its hours of credit instruction taught by full-time instructors to apply a portion of specified state funding to increase the percentage of its hours of credit instruction taught by full-time instructors, as provided. Existing law requires the board of governors to adopt regulations that establish minimum standards regarding the percentage of hours of credit instruction taught by full-time instructors. This bill would instead require the board of governors to adopt regulations that establish minimum standards regarding the percentage of hours of credit and noncredit instruction taught by full-time instructors.

Status: Re-referred to Committee on Housing & Community Development (27 March 2019).

*****AB1460 (Weber) – CSU Graduation Requirement – Ethnic Studies**

Existing law establishes the California State University and its various campuses under the administration of the Board of Trustees of the California State University. Existing law requires the board to adopt rules and regulations not inconsistent with the laws of this state for the governance of the trustees, their appointees and employees, and the California State University. Existing regulations require students of the California State University to complete courses in American history and American government or pass comprehensive examinations in those fields in order to graduate, with specified requirements and exceptions.

This bill, commencing with the 2020–21 academic year, would require the California State University to provide for courses in ethnic studies at each of its campuses. The bill, commencing with the 2020–21 academic year, would require the California State University to require, as an undergraduate graduation requirement, the completion of one 3-unit course in ethnic studies, as specified.

Status: Re-referred to the Committee on Appropriations (24 April 2019).

ASCCC Position/Resolutions: If this is a lower division requirement it will make it difficult to fit within the strict sixty units of the ADT construction, but the ASCCC does not have a position on this bill.

AB1512 (Carrillo) – IB Examinations

(a) The office of the Chancellor of the California Community Colleges shall, in collaboration with the Academic Senate for California Community Colleges, do both of the following:

(1) Develop a uniform policy to award a pupil who passes an Advanced Placement examination, and a pupil who receives a score of four or above on an International Baccalaureate subject examination, course credit for California Intersegmental General Education Transfer Curriculum, California State University General Education Breadth, or local community college general education requirements, as appropriate for the pupil's needs, in a course with subject matter

similar to that of the Advanced Placement examination or the International Baccalaureate subject examination, as is appropriate.

(2) Periodically review and adjust the policy adopted pursuant to paragraph (1) to align it with policies of other public postsecondary educational institutions.

(b) If either of the policies required to be developed pursuant to subdivision (a) is not implemented in time to apply to the entering class in the fall 2020 academic term, the California Community Colleges shall adopt and implement, commencing with the 2020–21 academic year, the Advanced Placement policy or the International Baccalaureate policy, as applicable, adopted by the California State University.

(c) Each community college campus shall adopt and implement the policies developed pursuant to this section, and shall post the most recent policy adopted pursuant to this section on its internet website.

Status: Referred to the Committee on Higher Ed (14 March 2019)

AB1571 (Kiley) – Free Speech

This bill would require a campus of the California Community Colleges or the California State University, and would request a campus of the University of California, to make and disseminate a free speech statement that affirms the importance of, and the campus's commitment to promoting, freedom of expression. Because the bill would impose new duties on a campus of the California Community Colleges, the bill would impose a state-mandated local program.

Status: In committee – failed passage 19 April 2019)

AB1727 (Weber) – Career Development and College Preparation Courses

This bill would require the board to adopt regulations, no later than April 15, 2020, requiring the accounting, for purposes of state funding of community colleges, of students enrolled in certain types of courses to be conducted by positive attendance count or on a census date basis in accord with certain computational requirements.

(f) (1) Accounting of FTES for students enrolled in term-length career development and college preparation courses that meet one or more of the qualifications described in subdivision (a) shall be conducted, for courses offered pursuant to subdivision (a) that are not open entry-open exit courses, on a census date basis or a positive attendance count basis pursuant to the following:

(A) For courses scheduled coterminously with the term, the units of FTES shall be computed by dividing actual student contact hours of attendance by 525, or by multiplying the weekly number of student contact hours of students in active enrollment as of Monday of the week

nearest to one-fifth of the length of the term, unless another week is specified by the chancellor to incorporate past practice, by the term length multiplier, and dividing by 525.

(B) For courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day or scheduled during the summer or other intersession, but not scheduled coterminously with the college's primary term, the units of FTES, exclusive of independent study and cooperative work-experience education courses, shall be computed by dividing actual student contact hours of attendance by 525, or by multiplying the daily student contact hours of students in active enrollment as of the census day nearest to one-fifth of the length of the course by the number of days the course is scheduled to meet, and dividing by 525.

(2) The board of governors shall adopt regulations to implement this subdivision no later than April 15, 2020.

(3) As used in this subdivision:

(A) "Student contact hour" means a scheduled class period in which one student is enrolled. A class period for this purpose is not less than 50 minutes nor more than 60 minutes.

(B) "Term length multiplier" means the number of weeks in which at least three days of instruction or examination in term length courses of the community college are scheduled.

Status: Referred to Appropriations – Suspense file (24 April 2019)

AB1729 (Smith) – Attendance at Community College

Existing law authorizes the governing board of a school district to authorize a pupil who meets specified criteria to attend community college. Existing law limits the number of pupils a principal is authorized to recommend for community college summer session pursuant to those provisions to 5% of the total number of pupils in any grade level, as specified. Existing law, until January 1, 2020, exempts from the 5% limitation pupils who meet specified requirements, including the requirement that the course is part of a College and Career Access Pathways program, and who enroll in certain community college courses.

This bill would additionally exempt from the 5% limitation pupils who are enrolled in certain community college courses, and would explicitly provide that the 5% limitation applies to pupils enrolled in physical education courses at the community college.

(6) (A) A high school pupil recommended by the pupil's principal for enrollment in a course shall not be included in the 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) if the course in which the pupil is enrolled is either of the following:

(i) A lower division, college-level course for credit that is designated as part of the Intersegmental General Education Transfer Curriculum or applies toward the general education breadth requirements of the California State University.

(ii) A college-level, occupational course for credit assigned a priority code of "A," "B," or "C," pursuant to the Student Accountability Model, as defined by the Chancellor of the California

Community Colleges and reported in the management information system, and the course is part of a sequence of vocational or career technical education courses leading to a degree or certificate in the subject area covered by the sequence.

(B) The 5-percent limitation of pupils allowed to be recommended pursuant to paragraph (2) shall apply to all physical education courses.

Status: Referred to the Committee on Appropriations (24 April 2019); Referred to Appropriations – Suspense file (1 May 2019)

Senate Bills

*****SB3 (Allen): Office of Higher Education Coordination, Accountability, and Performance**

SB 3, as amended, Allen. Office of Higher Education Coordination, Accountability, and Performance.

Existing law provides for 5 segments of postsecondary education in this state: the University of California, the California State University, the California Community Colleges, independent institutions of higher education as defined in the Donahoe Higher Education Act, and private postsecondary educational institutions as defined in the California Private Postsecondary Education Act of 2009. The Donahoe Higher Education Act applies to the University of California only to the extent that the Regents of the University of California act by resolution to make them applicable.

This bill would establish the Office of Higher Education Coordination, Accountability, and Performance under the administration of a governing board composed of 5 members, as specified. The bill would give the office specified functions and responsibilities for purposes of statewide postsecondary education planning, oversight, data collection, and coordination. The bill would require the governing board to establish an advisory body, comprising 11 members, as specified, to provide recommendations to the governing board on issues before the governing board. The bill would require the public postsecondary segments and the Labor and Workforce Development Agency to submit specified data to the office in support of these functions and responsibilities. The bill would apply to the University of California only to the extent the Regents act by resolution to make it apply. To the extent the bill would impose additional duties on community college districts, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

It is the intent of the Legislature that all of the following occur:

- (a) That the office promotes integration, planning, oversight, and coordination of postsecondary education in the state, whereby each segment of postsecondary education, in accordance with the missions and functions of the segment, contributes toward achieving a common purpose.
- (b) That the office, as the state's postsecondary planning and coordinating entity, ensures the effective use of public postsecondary education resources, thereby eliminating unnecessary duplication of these resources, and promotes diversity, innovation, and responsiveness to student and societal needs.
- (c) That the office develops and maintains data capable of tracking a pupil's academic progress as the pupil matriculates into a postsecondary educational institution and ultimately into the workforce. It is the intent of the Legislature that this data be stored and used in a preschool through higher education (P-20) longitudinal statewide data system.
- (d) That the office develops and maintains a P-20 longitudinal statewide data system capable of documenting the performance of the public postsecondary segments and their campuses in meeting the education and workforce training needs of California's diverse population.
- (e) That the office is responsible for coordinating public, independent, and private nonprofit and for-profit postsecondary education in this state and for providing independent policy analyses and recommendations to the Legislature and the Governor on postsecondary education issues.
- (f) That the office is responsible for providing effective oversight of private for-profit postsecondary educational institutions and student and public protections against fraudulent or substandard postsecondary academic programs or degrees.

Article 4. Statewide Postsecondary Education Planning and Coordination

66913.

- (a) The Office of Higher Education Coordination, Accountability, and Performance is hereby established for purposes of statewide postsecondary education planning, oversight, data collection, and coordination.
- (b) (1) The office shall be administered by a board composed of the following five members:
 - (A) Three members appointed by the Governor, subject to confirmation by two-thirds of the Senate.
 - (B) One member appointed by the Senate Rules Committee.
 - (C) One member appointed by the Speaker of the Assembly.
- (2) Each member appointed pursuant to paragraph (1) shall be a member of the public with relevant expertise in higher education as it pertains to at least one of the following areas:
 - (A) Student support.
 - (B) College and career pathways.
 - (C) Consumer outreach, policy, research, planning, or development.
- (c) (1) Except as provided in paragraph (2), a person who is employed by any public or private postsecondary educational institution shall not be appointed to serve on the board.
- (2) A person who has part-time teaching duties at a public or private postsecondary educational institution that do not exceed six hours per week may be appointed to serve on the board if the person is not a permanent, full-time employee of the institution.
- (d) (1) Except as provided in paragraph (2), members of the board shall serve four-year terms.
- (2) The initial members appointed pursuant to subparagraph (A) of paragraph (1) of subdivision (b) shall serve six-year terms.

- (3) Members of the board may be reappointed to serve additional terms on the board.
- (e) The board shall select a chair from among its members.
- (f) The board shall appoint a state higher education executive officer who shall act in accordance with the board's policies and regulations and applicable law. The affirmative vote of two-thirds of all duly appointed members of the board, not including vacant seats on the board, shall be necessary to appoint the executive officer. The executive officer shall appoint persons to any staff positions authorized by the board.
- (g) The board may delegate authority to the state higher education executive officer to act in the name of the board.
- (h) The board shall establish an advisory body to give recommendations to the board on issues before the board. The advisory body shall comprise the following 11 members:
- (1) One representative of the Regents of the University of California designated by the regents.
 - (2) One representative of the Trustees of the California State University designated by the trustees.
 - (3) One representative of the Board of Governors of the California Community Colleges designated by the board of governors.
 - (4) One representative of independent colleges and universities that are formed and operated as nonprofit organizations in the state and are accredited by a regional association that is recognized by the United States Department of Education. This member shall be appointed by the Governor from a list or lists submitted by an association or associations of these independent colleges and universities.
 - (5) The bureau chief, or a designee of the bureau chief, of the Bureau for Private Postsecondary Education.
 - (6) The President of the State Board of Education, or a person designated by the president from among the other active members of the state board.
 - (7) Three faculty members, one from each of the public postsecondary segments. These members shall be appointed by the Governor from lists submitted to the board by the academic senate of each of the public postsecondary segments.
 - (8) Two student representatives, each of whom shall be enrolled at a California postsecondary educational institution at the time of appointment to, and throughout the student's term of service on, the advisory body, except that a student member who graduates from a California postsecondary educational institution with no more than six months of the student member's term remaining may serve on the advisory body for the remainder of the student member's term. The Governor shall appoint each student member from persons nominated by the applicable statewide student organizations of the postsecondary education segments. For each student member appointment to the advisory body, each applicable statewide student organization may submit to the Governor a list of nominees. Each list shall specify at least three, but not more than five, nominees. Each student member appointed to the advisory body shall not be enrolled in the same segment as the student member's outgoing predecessor, or the other active student member, of the advisory body.

66914.

The office shall have all of the following functions and responsibilities:

(a) It shall advise the Legislature and the Governor regarding the need and optimal locations for a new segment of public postsecondary education or new public postsecondary segment campuses.

(b) It shall review legislative and budget proposals from the public postsecondary segments for new public postsecondary programs, priorities to guide the public postsecondary segments, and coordination between the public postsecondary segments, and nearby independent institutions of higher education, as defined in Section 66010, and private postsecondary educational institutions, as defined in Section 94858. The office shall make recommendations regarding these proposals to the Legislature and the Governor. Each public postsecondary segment shall submit all proposals for new academic programs at its campuses to the office for review together with supporting materials and documents specified by the office.

(c) It shall review all proposals for changes in eligibility pools for admission to the public postsecondary segments and their campuses, and shall make recommendations regarding those proposals to the Legislature, the Governor, and the public postsecondary segments. In carrying out this paragraph, the office shall periodically conduct a study of the percentages of California public high school graduates estimated to be eligible for admission to the University of California and the California State University.

(d) It shall periodically provide independent oversight on the public postsecondary segments' and individual campus-based programs and initiatives and cross-segmental and interagency programs and initiatives in areas that include, but are not necessarily limited to, graduation rates, affordability, transfer, financial aid, assessment and placement, remediation, degree and certificate completion, adult education, workforce coordination, student transition into the workforce, effectiveness, and alignment with state goals and performance measures in higher education, including, but not necessarily limited to, the performance measures described in Sections 89295 and 92675. The office shall make recommendations regarding these programs and initiatives to the Legislature and the Governor.

(e) It shall, through its use of information and its analytic capacity, do all of the following:

(1) Inform the identification and periodic revision of state goals and performance measures of higher education in a manner that aligns with the goals for California's postsecondary education system described in Section 66010.91, and takes into consideration the performance measures described in Sections 89295 and 92675. It shall, biennially, interpret and evaluate both statewide and regional performance in relation to those goals and performance measures.

(2) In consultation with the public postsecondary segments, set performance targets for enrollment and degree and certificate completion statewide and by region. The office shall update the performance targets every two years.

(3) In consultation with the public postsecondary segments and workforce and development agencies, including, but not limited to, the Labor and Workforce Development Agency, periodically measure the supply and demand of jobs in fields of study statewide and by region.

(4) Periodically review both statewide and regional gaps of higher education admission, enrollment, and success by race, ethnicity, gender, socioeconomic status, and additional categories of students, as determined by the office.

(5) Provide, on its internet website, comparative information to help students and their families make informed decisions regarding academic programs offered by public and private postsecondary educational institutions in the state.

66915.

(a) The office may require the public postsecondary segments to submit data to the office on plans, programs, costs, admission, enrollment, retention, plant capacities, and other matters pertinent to effective planning, policy development, articulation, and coordination. The office shall furnish information concerning these matters to the Governor and to the Legislature as requested by them.

(b) The public postsecondary segments shall provide student data to the office in a manner and format prescribed by the office for the purpose of establishing a P-20 longitudinal statewide data system.

(c) (1) The Labor and Workforce Development Agency shall provide wage record and workforce program data to the office for students who recently entered the workforce under one of the following categories:

(A) As a California high school dropout.

(B) As a California high school graduate who has not enrolled full-time as a public postsecondary student.

(C) As a California public postsecondary dropout.

(D) As a California public postsecondary graduate.

(2) The agency shall submit data pursuant to paragraph (1) disaggregated by category.

(d) The public postsecondary segments and the Labor and Workforce Development Agency shall provide to the office new data every six months for purposes of this chapter.

(e) The public postsecondary segments, the office, and the Labor Workforce and Development Agency may disclose data pursuant to this section only to the extent permitted by state and federal privacy laws, including, but not limited to, the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(f) The office shall make recommendations to the Legislature and the Governor on standardizing definitions and data collection across the state's preschool through grade 12 system and public postsecondary segments.

ASCCC Position/Resolutions: Akin to the original call for a recreation of CPEC, this appears to be a body that would have no stakeholder input and may require an oppose position. The ASCCC took a formal support position on this bill on 6 May 2019 based on resolution 6.02 (<https://asccc.org/resolutions/provisionally-support-sb-3-allen-february-25-2019>) passed at the spring 2019 Plenary Session: the letter can be found here: <https://asccc.org/legislative-positions>

Status: Re-referred to Committee on Appropriations (24 April 2019); set for hearing 13 May

SB52 (Atkins): The Cal Grant Program: Cal Grant C Awards

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.

Effective commencing with the fall term or semester of the 2020–21 academic year, this bill would require the commission to establish an application deadline of September 2 of an academic year for students to apply for a Cal Grant C award for that academic year.

ASCCC Position/Resolution: The ASCCC supports the expansion of financial aid; this area (Cal Grant C) is one of the foci of this year’s Legislative and Advocacy Committee. The Executive Committee also agreed to send a letter to Vice Chancellor Metune in support of the CO’s support for expansion of Cal Grant C.

Status: Placed in Appropriations – Suspend File (8 April 2019)

SB158 (Allen) – Academic Achievement

Existing law requires the State Board of Education to adopt statewide academically rigorous content standards in the core curriculum areas of reading, writing, and mathematics to serve as the basis for assessing the academic achievement of individual pupils, schools, school districts, and the California educational system. Existing law makes these provisions inoperative on July 1, 2011.

This bill would repeal these provisions.

ASCCC Position/Resolution: Unclear what this repeals, since the provisions were supposed to become inoperative in 2011. We do have resolutions from 2012 endorsing the Common Core Standards.

Status: Set for third reading (24 April 2019). Read third time and ordered to Assembly (2 May 2019). In Assembly, read first time, held at desk (2 May 2019).

SB291 (Leyva) – CCC Student Financial Aid Program

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction at the campuses they operate and maintain.

Existing law establishes the California College Promise, under the administration of the Chancellor of the California Community Colleges, to provide funding, upon appropriation by the Legislature, to each community college meeting prescribed requirements. Existing law authorizes a community college to use that funding to waive some or all of the fees for one academic year

for certain first-time students who are enrolled in 12 or more semester units or the equivalent at the college and complete and submit either a Free Application for Federal Student Aid or a California Dream Act application.

The bill would establish the California Community College Student Financial Aid Program, to provide need-based grant awards to eligible community college students who attend a California community college voluntarily designated by its district governing board *to participate in the program*, as specified. Subject to an appropriation by the Legislature, the bill specifies that the program shall be administered by the Board of Governors of the California Community Colleges and implemented by the eligible California community colleges

(a) (1) On July 17, 2017, the Board of Governors of the California Community Colleges accepted a strategic vision report titled Vision for Success which includes, “a comprehensive vision for change, framed as a set of seven commitments that taken together can move the college system in the right direction to collectively reach our goals” and “a call to action, asking the entire community of CCC stakeholders to join in this Vision for Success.”

(2) The document further states: “California’s community colleges offer one of the least expensive tuition rates in the country. Still, the total amount of money spent by students and taxpayers to attain a particular outcome at a community college can be quite high because the average student takes several years to complete a credential, degree, or transfer and commonly accumulate [sic] many excess units along the way. Another significant problem for students is the high cost of living in California and the limits of financial aid for CCC students. While about half of CCC students have their tuition waived, few qualify for financial aid to cover their living expenses such as transportation and textbooks. Approximately 46 percent of CCC students receive need-based financial aid, compared to about two-thirds of resident undergraduate students at UC and CSU. One reason for this is that many state and federal student aid programs are structured to help full-time students and many community college students attend part time. In addition, California’s Cal Grant Program is less generous to CCC students, irrespective of full- or part-time status. Examining college costs around the state, The Institute for College Access and Success (TICAS) found that after factoring in financial aid, the net cost of community college was actually more expensive for students than UC or CSU in seven of the nine regions studied. Nowhere was the CCC found to be the least expensive option.”

(b) (1) During deliberations on the 2017–18 budget package, legislative intent sought to have the California Student Aid Commission review California financial aid programs and report to the relevant budget subcommittees and policy committees of the Legislature on options to consolidate existing programs that serve similar student populations in order to lower students’ total cost of college attendance, including tuition and fees, books and supplies, transportation, and room and board.

(2) The California Student Aid Commission approved recommended policy changes from a commissioned report, dated April 4, 2018, by The Century Foundation titled “Expanding Opportunity, Reducing Debt,” which includes the following excerpts:

(A) “Frequently, and especially at public institutions, students’ greatest needs are not related to tuition, but instead are generated by other expenses, such as books, food, housing, and transportation. The bulk of CSAC aid, however, is linked simply to tuition prices, without taking into consideration the full set of expenses students face in order to commit themselves to their

studies. At the same time, the current Cal Grant includes a patchwork of grant types (A, B, C, and both entitlement and competitive grants) with a variety of eligibility requirements that create complexities for students, CSAC, and schools. The resulting aid system is too difficult to understand, and in some cases, creates cliff effects for students and families, or fails to reach students who have significant need.”

(B) “Community colleges enroll more low-income Pell Grant recipients than do CSU, UC, and California’s nonprofit colleges combined. Yet CSAC’s aid programs currently provide little support to community college students, and the community colleges lack the means to generate institutional aid in the way that UC and CSU do.”

(c) In a higher education analysis dated February 15, 2018, the Legislative Analyst’s Office stated, “We recommend the Legislature take a more straightforward approach—consolidating all four existing state financial aid programs for financially needy CCC students into one program with one set of rules. Under the new program, financially needy students would receive a grant for living costs that covered all their unmet need after taking into account their expected family contribution, federal aid, and a reasonable work expectation.”

SEC. 2.

Chapter 4 (commencing with Section 70200) is added to Part 42 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 4. California Community College Student Financial Aid Program 70200.

(a) There is hereby established the California Community College Student Financial Aid Program.

(b) The purpose of the program is to provide students enrolled in the California Community Colleges with additional financial aid to help offset the cost of attendance.

70201.

Subject to an appropriation in the Budget Act or other statute for these purposes, the board shall administer the California Community College Student Financial Aid Program consistent with the provisions of this chapter.

70202.

As used in this chapter, the following terms have the following meanings:

(a) “Academic year” has the same meaning as specified in subdivision (a) of Section 69432.7.

(b) “Board” means the Board of Governors of the California Community Colleges.

(c) (1) “Cost of attendance” has the same meaning as specified in Section 108711 of Title 20 of the United States Code.

(2) Notwithstanding paragraph (1), the board may adopt rules governing the establishment of, and adjustment to, the cost of attendance by an eligible California community college for purposes of this program.

(d) “Eligible California community college” means a California community college that satisfies all of the following conditions:

(1) It is a qualifying institution pursuant to subdivision (l) of Section 69432.7.

(2) It meets the requirements of Section 76396.2.

(3) Its district governing board has voluntarily decided to participate in the program and has designated it to participate.

(e) "Eligible program" has the same meaning as specified in Section 1088 of Title 20 of the United States Code.

(f) "Eligible student" means a person enrolled at an eligible California community college who meets all of the following conditions:

(1) The person either is a resident of California, based on the criteria set forth in Chapter 1 (commencing with Section 68000) of Part 41 for determining nonresident and resident tuition for a student attending an eligible California community college, or meets the qualification for exemption from paying nonresident tuition pursuant to subdivision (a) of Section 68130.5.

(2) The person has not received a grant or grants for educational expenses totaling more than the equivalent of two full-time academic years.

(3) The person has made satisfactory academic progress, as defined in Section 69432.7.

(4) The person has completed a Free Application for Federal Student Aid or a California Dream Act Application.

(5) The person is enrolled in an eligible program.

(g) "Expected family contribution" has the same meaning as specified in subdivision (g) of Section 69432.7.

(h) "Full-time student" has the same meaning as is consistent with the use of the term for the purposes of the federal Pell Grant Program (20 U.S.C. Sec. 1070a).

(i) "Gift aid" means financial aid received by a student that does not have to be repaid by the student, including, but not limited to, all of the following:

(1) Grants through the federal Pell Grant Program (20 U.S.C. Sec. 1070a).

(2) Grants through the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program pursuant to Chapter 1.7 (commencing with Section 69430).

(3) Grants or scholarships pursuant to Section 69650.

(4) Fees waived pursuant to subdivisions (g), (h), (i), and (j) of Section 76300 and pursuant to Section 76301.

(5) Fees waived pursuant to Section 76396.3.

(j) "Half-time student" has the same meaning as is consistent with the use of the term for the purposes of the federal Pell Grant Program (20 U.S.C. Sec. 1070a).

(k) "Less-than-half-time student" has the same meaning as is consistent with the use of the term for the purposes of the federal Pell Grant Program (20 U.S.C. Sec. 1070a).

(l) (1) "Reasonable student contribution" means an amount a student should reasonably be expected to contribute to educational expenses, to be adopted by the board for the academic year.

(2) For the purposes of determining the reasonable student contribution, the board shall do both of the following:

(A) Adopt the reasonable student contribution amount consistent with all of the following:

(i) The minimum wage rates as specified pursuant to all of the following:

(I) Section 1182.12 of the Labor Code.

(II) Federal law.

(III) Local laws.

(ii) Research regarding the level of work that may be harmful to student outcomes.

(iii) Data on barriers to work, including, but not necessarily limited to, current unemployment levels.

(B) Report the amount for the subsequent academic year to the Governor and the Legislature, consistent with Section 9795 of the Government Code, no later than March 31.

(m) "Three-quarter-time student" has the same meaning as is consistent with the use of the term for the purposes of the federal Pell Grant Program (20 U.S.C. Sec. 1070a).
70203.

(a) Each eligible California community college shall calculate the sum of the following for each term in an academic year for each eligible student at the eligible community college:

- (1) The cost of attendance.
- (2) The negative of the expected family contribution.
- (3) The negative of the reasonable student contribution.
- (4) The negative of the sum of all of the gift aid received by the student.

(b) Notwithstanding subdivision (a), for an eligible student who is not a full-time student, the sum shall be the following:

- (1) For a three-quarter-time student, the sum calculated pursuant to subdivision (a), multiplied by 0.75.
- (2) For a half-time student, the sum calculated pursuant to subdivision (a), multiplied by 0.5.
- (3) For a less-than-half-time student, the sum calculated pursuant to subdivision (a), multiplied by 0.25.

70204.

(a) It is the intent of the Legislature that an appropriation for the program be included in future Budget Acts.

(b) An appropriation for the program shall be consistent with both of the following:

- (1) It shall specify the percentage of the sum calculated pursuant to Section 70203 that shall be awarded to each eligible student for that academic year.
- (2) It shall authorize the Department of Finance to adjust the appropriation to reflect the revised estimate of the costs for all awards for that academic year.

(c) An eligible California community college shall award to an eligible student a grant equal to the sum calculated pursuant to Section 70203, multiplied by percentage specified pursuant to subdivision (b) for that academic year.

(d) The board of governors shall apportion funds to each eligible California community college to make payments of awards to eligible students pursuant to subdivision (c).

SEC. 3.

(a) It is the intent of the Legislature to enact future legislation that would appropriate moneys for the purposes of the California Community College Student Financial Aid Program as follows:

- (1) For the 2019–20 fiscal year, the sum of \$250,000,000.
- (2) For the 2020–21 fiscal year, the sum of \$500,000,000.
- (3) For the 2021–22 fiscal year, the sum of \$750,000,000.
- (4) For the 2022–23 fiscal year, the sum of \$1,000,000,000.
- (5) For the 2023–24 fiscal year, the sum of \$1,250,000,000.
- (6) For the 2024–25 fiscal year and for each fiscal year thereafter, the sum of \$1,500,000,000.

(b) Pursuant to paragraph (1) of subdivision (b) of Section 70204 of the Education Code, the percentage of the sum calculated pursuant to Section 70203 of the Education Code that shall be awarded to each eligible student for each fiscal year shall be as follows:

- (1) For the 2019–20 fiscal year, 17 percent.
- (2) For the 2020–21 fiscal year, 33 percent.
- (3) For the 2021–22 fiscal year, 50 percent.
- (4) For the 2022–23 fiscal year, 67 percent.
- (5) For the 2023–24 fiscal year, 83 percent.
- (6) For the 2024–25 fiscal year and for each fiscal year thereafter, 100 percent.

ASCCC Position/Resolutions: The ASCCC has supported past legislation that provides more financial resources to students – resolution asking for support passed at spring 2019 Plenary session, with amendment to require funding to go through the Student Aid Commission rather than the Chancellor’s Office. The ASCCC took a formal support if amended position on this bill on 6 May 2019 based on resolution 6.03 (<https://asccc.org/resolutions/provisionally-supportsb-291-leyva-march-1-2019>) passed at the spring 2019 Plenary Session: the letter can be found here: <https://asccc.org/legislative-positions>

Status: Referred to Appropriations – Suspense file (22 April 2019).

*****SB462 (Stern) – Forestland Restoration Workforce Program**

This bill would require the Chancellor’s Office of the California Community Colleges, working in collaboration with the Academic Senate for California Community Colleges, to establish a model curriculum for a forestland restoration workforce program that could be offered at campuses of the California Community Colleges. The bill would require the chancellor’s office to distribute the model curriculum to community college districts no later than January 1, 2021, with the goal of enabling interested community college districts to offer the course to students beginning with the 2021–22 academic year.

The bill would provide that certified graduates of the forestland restoration workforce course would be eligible to matriculate into the prescribed fire teams of the California Department of Forestry and Fire Protection or into work with other compatible state and federal forest restoration efforts and related apprenticeship programs, as specified. The bill would require the chancellor’s office, working in collaboration with the California Fire Science Consortium, to provide community college districts interested in offering the forestland restoration workforce course with information about fire advisors from the consortium who are qualified, willing, and available to be course instructors or to consult with those instructors.

Status: Set for hearing 10 April. ASCCC will oppose unless amended; President Stankas and Vice President Davison have met with staff in Senator Stern’s office and are continuing to advise. The ASCCC took a formal support if amended position on this bill on 6 May 2019 the letter can be found here: <https://asccc.org/legislative-positions>

Set for hearing 13 May.

SB484 (Portantino) – Community College Transfer Students

This bill would require the governing board of each community college district to direct the appropriate officials at their respective campuses to (1) identify those students who have completed an associate degree for transfer, (2) notify those students of their completion of the degree requirements, (3) automatically award those students the degree, and (4) add those students to an identification system at the end of each academic year that the Office of the Chancellor of the California Community Colleges shall maintain and that can be accessed electronically by the California State University and the University of California. The bill would authorize a student to affirmatively exercise an option to not receive an associate degree for transfer or to not be included in the identification system.

Status: Referred to Appropriations – Suspense file (22 April 2019).

SB563 (Roth) –College and Career Access Pathways Pilot

This bill, upon appropriation by the Legislature, would establish the College and Career Access Pathways (CCAP) pilot program, to be administered by the Chancellor of the California Community Colleges, to develop solutions to reduce barriers and enhance participation of school districts in CCAP partnerships. The bill would require the chancellor’s office, on or before July 1, 2020, to competitively select 3 community colleges, with one each located in northern, southern, and central California, and up to a total of 15 high schools located within the service area of those selected community colleges, with at least 3 and no more than 5 selected high schools located in each selected community college service area, to participate in the pilot program, except as provided. The bill would require the chancellor’s office to allocate to each selected community college and high school a specified award for each of the 2020–21 to 2022–23 fiscal years, inclusive, to be used for specified goals to encourage participation in, and enhance services for pupils participating in, a CCAP program. The bill would require each selected community college and high school to report, on or before July 1, 2024, to the chancellor’s office, the Legislature, and the appropriate Senate and Assembly select committees relating to career technical education specified information for its respective pupils participating in a CCAP partnership program. The bill would repeal these provisions on January 1, 2025.

Status: Set for hearing 3 April 2019; referred to Appropriations Suspense File (29 April 2019).

SB586 (Roth) – College and Career Access Pathways partnerships

This bill would require the governing board of a school district and the governing board of a community college district or the governing body of a charter school providing career technical

education pathways under a CCAP partnership to, as part of the partnership agreement, consult with the appropriate local workforce development board to align the pathways with the state's current and future employment needs.

Status: Amended and sent to consent calendar (10 April 2019); referred to Committees on Education and Higher Education (6 May 2019).

SB777 (Rubio) – Full Time Instruction

Section 87482.6 of the Education Code is amended to read:

87482.6.

(a) The Legislature finds and declares all of the following:

(1) The Legislature wishes to recognize and make efforts to address the longstanding policy of the board of governors that at least 75 percent of the hours of credit instruction in the California Community Colleges, as a system, should be taught by full-time faculty.

(2) Reaching this goal would help achieve the California Community Colleges' systemwide goals identified in the Vision for Success, which were adopted by the Board of Governors in 2017, and would support each college's efforts to meet student success needs.

(3) It is a priority of the California Community Colleges to support additional full-time faculty positions.

(b) (1) Community college districts that have less than 75 percent of their hours of credit instruction taught by full-time faculty: make, at a minimum, an annual 10-percent reduction in the district's deficit, rounded up to the nearest whole number, until the 75-percent goal is reached, as calculated pursuant to paragraph (2) of subdivision (d).

(2) For this purpose, the district's deficit is 75 percent of the total number of hours of credit instruction taught by the district less the number of those hours taught by full-time faculty.

(c) The board of governors shall adopt regulations for the effective administration of this section. The regulations shall provide both of the following:

(1) In computing the percentage of hours of credit instruction taught by full-time faculty the hours of overload teaching by full-time faculty shall be excluded from both the total hours of credit instruction taught by the district and the total hours of credit instruction taught by full-time faculty.

(2) A full-time faculty shall be defined as any regular and contract faculty member teaching credit instruction.

~~(3)~~

(d) The chancellor shall annually compute and report by March 15 of each year to each community college district both of the following:

(1) The district status with respect to progress toward the 75-percent goal and the additional hours of full-time faculty credit instruction needed to make a 10-percent improvement in the district's deficit.

(2) The conversion of the hours computed pursuant to paragraph (1) to the number of additional full-time faculty required. If the result of this conversion is not a whole number, then the

determination of the number of additional full-time faculty required shall be rounded up to the nearest whole number.

(e) A district shall develop and maintain a five-year plan for making progress towards achieving the 75-percent full-time faculty goal, including specific strategies for achieving the goal. These strategies shall include the means to improve and maintain the percentage during economic downturns, details of the district's historic full-time faculty hiring progress, and identification of new positions that are not replacements but are additions to the total full-time faculty.

(f) Because noncredit instruction has an increasing role in college efforts to address student success needs, the board of governors shall determine how to apply the 75-percent goal to both credit and noncredit faculty in both state-supported and basic-aid districts.

(g) The chancellor shall annually review each district's progress towards the district's 75-percent goal and provide guidance to those districts farthest from the 75-percent goal to assist these districts in determining strategies to more aggressively progress toward the 75-percent goal.

(4)

(h) On or before December 31 of each year, the chancellor shall determine the extent to which each district, by September 30 of that year has hired the number of full-time faculty determined pursuant to paragraph (2) of subdivision (d). To the extent that the cumulative number of full-time faculty has not been retained, the chancellor shall reduce the district's base budget for the current and subsequent fiscal years by an amount equivalent to the average replacement cost times the deficiency in the number of full-time faculty. The average replacement cost shall be calculated as the district average faculty salary plus benefits minus the product of the number of hours equivalent to a full-time teaching load and the district average hourly rate of compensation for a part-time instructor. Each district shall provide all information to the chancellor necessary for the chancellor to comply with this subdivision not less than 60 days before the chancellor's determination is due.

Status: Set for hearing 10 April 2019; set for hearing 29 April 2019; send to Appropriations Suspense File (29 April 2019).

ACR14 (Limon) – Dual Enrollment Week

This measure would recognize the week of March 17, 2019, to March 23, 2019, inclusive, as Dual Enrollment Week in California and would encourage colleges and universities to visit high schools and take action to help pupils register in dual enrollment courses.

ASCCC Position/Resolutions: The ASCCC has supported faculty-led efforts around dual enrollment.

Status: To Senate. To Committee on Rules. Chaptered by the Secretary of State (9 April 2019)

Bills That Are Not 10+1 But May Be of Interest

AB706 (Low) – Academic Employees

Existing law establishes community college districts, administered by governing boards, throughout the state. Existing law requires that the total amount of leave of absence for illness or injury to which an academic employee of a community college district is entitled be transferred with the employee to another district, if the employee accepts employment with, or is elected to, another district within 3 school years after the school year in which the employment with the first district is terminated, or within any greater period during which the employee's reemployment rights are protected under a local bargaining agreement then in effect in the first district. This bill would eliminate limits on the time during which an employee of one school year or more is entitled to transfer the employee's accrued leave.

Status: Read a second time and referred to a third reading (25 April 2019). Ordered to Senate (6 May 2019); read for first time in Senate and sent to Committee on Rules for assignment (6 May 2019).

AB710 (Cevantes) –Postsecondary education: cost of attendance: fiscal matters.

Under the Donahoe Higher Education Act, the segments of postsecondary education in this state are the University of California, the California State University, the California Community Colleges, independent institutions of higher education, and private postsecondary educational institutions. Existing law requires each campus of the California State University, and requests each campus of the University of California, to post on its internet website information about the market cost of a one-bedroom apartment in the areas surrounding that campus where its students commonly reside

This bill would require institutions in the California Community Colleges, California State University, or the University of California systems, independent institutions of higher education, and private postsecondary educational institutions to each calculate and include at a minimum, specified items, including room and board, in a calculation of a full-time student's cost of attendance at that institution. This bill would require, for the purposes of determining the costs to include for room and board, an institution to designate a student as living with family as a dependent, living on campus, or living independently off campus, as specified, and for the institution to update the calculation for room and board each fiscal year using the most recent fiscal year data available. By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Status: Passed from committee to consent calendar (25 April 2019); ordered to Senate (2 May 2019). Read in Senate and sent to Committee on Rules for assignment (2 May 2019).

*****AB720 (Muratsuchi) – Community College Funding:** instructional service agreements with public safety agencies.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes these districts to provide instruction at the community college campuses they operate and maintain. Existing law provides for a formula for the calculation of general purpose apportionments of state funds to community colleges. Existing law provides a separate formula for the allocation of apportionments of state funds to community colleges, which uses the numbers of full-time equivalent students as its basis, for use for apportionments for noncredit instruction and instruction in career development and college preparation.

This bill would provide that instruction by community college districts under instructional service agreements with public safety agencies, as defined, would be funded under the apportionment formula used for instruction in career development and college preparation. The bill would also make various nonsubstantive changes.

Status: Referred to Appropriations – Suspense file (24 April 2019).

AB809 (Santiago) – Child Development Programs – Priority Enrollment

This bill would encourage child development programs established by the California Community Colleges, the California State University, and the University of California to give specified priority to children of students who are unmarried and meeting specified income requirements.

(d) Each public postsecondary educational institution shall notify pregnant and parenting students of the protections provided by Title IX through prominently posting a notice of the Title IX protections on the institution’s internet website.

(e) Each public postsecondary educational institution with an on-campus medical center shall provide notice of the protections provided by Title IX through the medical center to a student who requests information regarding policies or protections for students with children or pregnant students and when otherwise appropriate.

Status: Referred to Committee on Higher Ed (4 March 2019). Re-referred to Committee on Appropriations. (3 April 2019). Read a second time and ordered to Consent (2 May 2019).

*****AB897 (Medina) – Community College Faculty**

This bill would instead require that negotiation on reemployment preference for part-time, temporary faculty assignments be based on the minimum standards not exceeding 80% to 85%, and would prohibit the district from restricting the terms of the negotiated agreement to less than that range, unless explicitly agreed upon by an individual part-time, temporary faculty member and the district, for any new agreement, or upon expiration of any negotiated agreement in effect on January 1, 2020. The bill would make conforming changes and repeal obsolete provisions.

(a) (1) As a condition of receiving funds allocated for the Student Success and Support Program in the annual Budget Act, community college shall negotiate with the exclusive bargaining representations for part-time, temporary faculty the terms and conditions required by subdivision (b) as follows:

(A) A community college district that does not have a collective bargaining agreement with part-time, temporary faculty in effect as of January 1, 2020, shall commence negotiations upon the effective date of this section.

(B) A community college district that has a collective bargaining agreement with part-time, temporary faculty in effect as of January 1, 2020, shall commence negotiations no later than the expiration date of the collective bargaining agreement.

(C) The parties shall negotiate these rights for part-time, temporary faculty.

Status: Referred to Appropriations – Suspense file (24 April 2019).

AB943 (Chiu) – Student Equity Funds

AB 943, as amended, Chiu. Community colleges: Student Equity and Achievement Program funds.

Existing law, the Seymour-Campbell Student Success Act of 2012, provides that the purpose of the act is to increase California community college student access and success by providing effective core matriculation services of orientation, assessment and placement, counseling, and other education planning services, and academic interventions. Existing law establishes the Student Equity and Achievement Program and requires a district, as a condition of the receipt of funds under the program, to comply with specified requirements, including the maintenance of a student equity plan to ensure equal educational opportunities and promote student success for all students, regardless of race, gender, age, disability, or economic circumstances.

This bill would authorize the use of funding for the Student Equity and Achievement Program, up to \$25,000 of apportionment funds per campus, or both, for the provision of emergency student financial assistance to eligible students to overcome unforeseen financial challenges that would directly impact a student's ability to persist in the student's course of study, as specified, if emergency student financial assistance is included in an institution's plan for interventions to students.

(e) (1) Funding included in the Budget Act for student equity plans, up to twenty-five thousand dollars (\$25,000) per campus of apportionment funding, or both, may be used for provision of

emergency student financial assistance to help an eligible student overcome unforeseen financial challenges that would directly impact the student's ability to persist in the student's course of study. These challenges include, but are not necessarily limited to, the immediate need for shelter or food. Each community college district and campus is encouraged to consider the unique characteristics of its student body in developing specific guidelines for further defining what constitutes an unforeseen financial challenge for its students.

(2) In order for emergency student financial assistance to be an allowable use of Student Equity Program funds, emergency student financial assistance shall be included in the institution's plan for interventions to students.

(3) For purposes of this subdivision, the following terms are defined as follows:

(A) "Eligible student" means a student who has experienced an unforeseen financial challenge, who is making satisfactory academic progress, as defined by the college the student attends, and who is at risk of not persisting in the student's course of study due to the unforeseen financial challenge.

(B) "Emergency student financial assistance" means financial support to assist a student to overcome unforeseen financial challenges so that the student can continue the student's course of study.

Status: Re-referred to Committee on Appropriations (8 April 2019). Ordered to third reading from consent (6 May 2019).

*****AB1343 (Eggman, et al) – California Private Postsecondary Education Act of 2009**

This bill would, beginning January 1, 2021, prohibit a private postsecondary educational institution from enrolling residents of California, unless the institution meets either the requirement that no more than 85% of the institution's tuition revenue, determined as specified, is derived from student financial aid and loans, or not less than 50% of the institution's *tuition* revenue is dedicated to student ~~instruction~~. *instruction, as defined in regulations adopted by the bureau no later than January 1, 2021, as specified.* The bill would provide that submission to the bureau of an audit or audited financial statement, as specified, presumptively constitutes proof of compliance with this requirement. The bill would exempt an institution with annual revenues of less than \$2,500,000 in the most recent audited financial statement for a fiscal year within the prior 2 years. *The bill would not apply to a cohort of students enrolled at an institution to which the bill would otherwise apply if the attendance of that cohort at the institution begins before the regulations defining "instruction" have been adopted pursuant to the bill.*

Status: Re-referred to Committee on Budget and Planning (22 April 2019)

*****AB1504 (Medina) – Student Participation Fee**

Existing law authorizes the governing body of a student body association to order an election be held to establish a student representation fee of \$2 per semester, collected by officials of the

community college at or before registration, and requires an affirmative vote of a majority of the students voting in the election to establish the fee. For a student representation fee adopted on or after January 1, 2014, existing law requires \$1 of the \$2 fee to be expended to establish and support the operations of a statewide community college student organization.

Existing law specifies the underlying goals required of the statewide community college student organization.

This bill would add supporting student participation and engagement in statewide higher education policy and advocacy activities to the required goals of the statewide community college student organization for fee adopted after January 1, 2014.

Status: Read a second time and ordered to third reading (25 April 2019); re-referred to Committee on Appropriations (2 May 2019).

*****AB1658 (Carrillo) – Teacher Credentialing**

(a) The commission shall convene a workgroup, as provided in subdivision (b), to study issues relating to adult education teacher credentialing, including, but not limited to, all of the following:

~~(1) Employment patterns and options for adult education teachers across the state that may include consideration of both of the following:~~

~~(A) Teacher permanency relative to concerns regarding underemployment.~~

~~(B) The impact funding levels for adult education may have on underemployment and teacher permanency.~~

~~(2)~~

(1) Reciprocity between community colleges and local educational agencies, and the qualifications for an adult education teacher.

~~(3)~~

(2) The current processes and practices by which a person obtains a preliminary and clear designated subjects adult education teaching credential, and identified challenges within those processes that limit access, such as prohibitive costs and limited accessibility to professional coursework.

~~(4)~~

(3) For classes required to obtain a clear designated subjects adult education teaching credential, accessibility, cost, and availability.

~~(5)~~

(4) Impact of pupil attendance patterns on class scheduling and teacher assignments.

(b) The workgroup shall include all of the following:

~~(1) Representatives from labor unions representing certificated adult education employees.~~

~~(2) Representatives from statewide adult education organizations.~~

~~(3) Adult education representatives from school administrator organizations.~~

~~(4) Representatives from the statewide noncredit community college organization.~~

~~(5) The Superintendent, or the Superintendent's designee.~~

- (1) *Two adult education teachers employed by a school district or county office of education.*
- (2) *Two adult education instructors employed by a community college district.*
- (3) *One school administrator responsible for overseeing adult education teachers.*
- (4) *One community college administrator responsible for overseeing adult education instructors.*
- (5) *One credential specialist employed by a school district.*

(c) (1) The workgroup shall submit a report to the Legislature on its ~~findings~~ findings, with policy recommendations to improve reciprocity between community colleges and local educational agencies that ensure access and capacity for adult education pupils.

Status: Referred to Committee on Appropriation – Suspense File (24 April 2019). This language is likely changing again, as per the author’s office.

*****SB366 (Chang) – Cyberbullying**

Existing law requests the Trustees of the California State University and the Regents of the University of California to adopt and publish policies on harassment, intimidation, and bullying to be included within the rules and regulations governing student behavior within their respective segments of public postsecondary education.

The bill would require the Trustees of the California State University, and request the Regents of the University of California, to provide, as part of established campus orientations, educational and preventive information about cyberbullying to students at all campuses of their respective segments.

Status: Ordered to second hearing and placed on consent (22 April 2019); in Assembly and held at desk (25 April 2019).

******SB660 (Pan) – Mental Health Counselors**

This bill would require the Trustees of the California State University and the governing board of each community college district to have one full-time equivalent mental health counselor with an applicable California license per 1,500 students enrolled at each of their respective campuses to the extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. The bill would require those institutions, on or before January 1, 2021, and every 3 years thereafter, to report to the Legislature how funding was spent and the number of mental health counselors employed on each of its campuses, as specified. The bill would require each campus of those institutions to, at least every 3 years, conduct a campus survey and focus groups to understand students’ needs and challenges regarding, among other things, their mental health, would require each campus of those institutions to collect data on attempted suicides, as specified, and would require that data, without any personally identifiable information and collected in accordance with state and federal privacy law, to be included in the report to the Legislature.

Status: Set for hearing 10 April 2019. CSU Academic Senate is taking a support position. Sent to Appropriations Suspense File (29 April 2019).

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

***Indicates bills that have changed since Legislative Report of April 2019.

Indicates changes since report was sent to the office on 24 April 2019

ACR = Assembly Concurrent Resolution ACA = Assembly Constitutional Amendment
AB = Assembly Bill SB = Senate Bill