

ASCCC Legislative Report

Executive Committee Meeting 8 May 2020 (updated as of 6 May)

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>

Calendar:

4 May 2020: Assembly Reopens

11 May 2020: Senate Reopens

13 May 2020: Assembly Higher Education Committee meetings

Summary:

1. The messaging from the legislature is that bills that will be heard will be limited this year.

Priority will be given to bills that:

- a. Absolutely must pass this year;
- b. Is directly Covid-19 related;
- c. Alleviates homelessness; or
- d. Is related to wildfire preparedness or response to PG&E bankruptcy.

** All highlighted bills indicate bills which have been amended since 4 May 2020 and/or will possibly be heard on 13 May 2020 if in the Assembly; hearing schedule with specifics should be released on Friday 8 May 2020.

Legislation – Assembly

AB1460 (Weber) – CSU Graduation Requirement – Ethnic Studies

Official 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.

Status: Read on floor of Senate and ordered to third reading (24 February 2020)

AB1512 (Carrillo) – IB Examinations

Official ASCCC Position/Resolutions: Resolution 9.01 (F2019) encourages local senates to determine criteria around IB and CLEP exams: <https://asccc.org/resolutions/local-determination-international-baccalaureate-credit-california-community-colleges>

Status: In Senate and read first time (30 January 2020)

AB1862 (Santiago): CSU Tuition

This bill would prohibit the charging of tuition or mandatory systemwide fees for enrollment at a campus of the California State University for any academic year, up to 2 academic years, to a California Community College resident transfer student who has completed an associate degree for transfer or has received a fee waiver pursuant to the California College Promise.

ASCCC Positions/Resolutions: The ASCCC has always opposed fees for education in the CCC system.

Status: Referred to Committee on Higher Education (17 January 2020)

AB1930 (Medina): Student Eligibility Requirements

This bill would require the trustees, and request the regents, before making any change in student eligibility policy that adds eligibility requirements that impact students across its segment, to coordinate with the other segment to align their respective student eligibility policies and to commission an independent study by a third-party research organization to assess the impact of the change in student eligibility policy on the eligibility rates of the graduates of public secondary schools who are members of underrepresented student groups.

The bill would also require, if either the trustees or the regents approve a change in student eligibility policy that adds eligibility requirements that impact students across its segment, that an implementation committee be convened to develop a multiyear plan for that segment to work with the public elementary and secondary school system, the California Community Colleges, and the governing body of the other segment to implement the change, and would require in those circumstances annual progress reports to the Governor, the Legislature, and the governing body of the other segment, as specified.

Status: Referred to Committee on Higher Education (30 January 2020)

AB1970 (Jones-Sawyer): Pilot Program for Free Tuition and Fees: Working Group

This bill would establish a working group consisting of representatives from the State Department of Education, the Board of Governors of the California Community Colleges, the Trustees of the California State University, and the Regents of the University of California to consider the creation of a pilot program, as specified, that would provide free postsecondary education in the state by replacing the system of charging students tuition and fees for enrollment at a public postsecondary institution. The bill would require the working group to submit a report to the Legislature on the pilot program.

ASCCC Positions/Resolutions: The ASCCC has always opposed fees for education in the CCC system.

Status: Referred to Committee on Higher Education (6 February 2020)

AB2009 (Cunningham): Human Trafficking Awareness Training

This bill would require, no later than July 1, 2021, the Chancellor's Office of the California Community Colleges to enter into an agreement with an experienced provider of training for persons preparing for licensing and employment as professional commercial truck drivers for the development and provision of instructional material necessary to add human trafficking awareness training to the curriculum of students pursuing this course of study and to disseminate information about how to obtain and use this instructional material to community colleges and private postsecondary educational institutions offering these programs.

ASCCC Positions/Resolutions: There are currently 5 CCCs that offer truck driving as part of their curriculum under ToP Code 0947.50

Status: Referred to Committee on Higher Education (14 February 2020)

AB2019 (Holden): CCAP Agreements

This bill would also authorize county offices of education to enter into CCAP partnerships with the governing boards of community college districts in accordance with these provisions. The bill would make conforming changes.

ASCCC Positions/Resolutions: ASCCC has multiple resolutions supporting dual enrollment; this bill would expand dual enrollment opportunities to incarcerated youth. The CCCCCO is proposing to support this bill

Status: Have heard from the SMCCCD that this bill be heard 13 May 2020.

AB2156 (E. Garcia): Concurrent award of associate degree and high school diploma

This bill would provide that, notwithstanding the provisions referenced above or any other law, a community college district may establish and offer to students a course of study leading to the concurrent award of an associate degree and a high school diploma.

ASCCC Positions/Resolutions: Resolution 13.01 (F12) asked the ASCCC to examine the impacts of auto-awarding degrees and report back; a Rostrum was published in Feb 2015 regarding this issue: <https://asccc.org/content/automatic-awarding-degrees-and-certificates---considerations-local-senates>

AB2335 (Rivas): Community Colleges: Student Equity Plans

This bill would require student equity plans to include campus-based research as to the extent of student equity for students who are currently or were formally in the juvenile justice system.

ASCCC Positions/Resolutions: At the F19 Plenary, the delegates passed resolution 03.06 (F19) which called for the ASCCC to work with the CCCCCO to including currently and formerly incarcerated youth in equity plans: <https://asccc.org/resolutions/include-currently-and-formerly-incarcerated-youth-equity-plans>

AB2494 (Choi): Course credit for prior military education, training, and service.

This bill would *require the Office of the Chancellor of the California State University, in collaboration with the Academic Senate of the California State University, and* request the Office of the President of the University of California, in collaboration with the *University of California, Academic-Senate of the University of California, Senate,* to develop, by September 1, 2021, a consistent policy to award military personnel and veterans who have an official Joint Services Transcript course credit similar to the policy developed by the Office of the Chancellor of the California Community Colleges under existing law. The bill would also *require that each campus of the California State University, and* request ~~that, by December 31, 2022, that~~ each campus of the University of ~~California have~~ *California, have, by December 31, 2022,* a policy consistent with the ~~policy~~ *respective policies* developed by the *Office of the Chancellor of the California State University and the* office of the president and post on its internet website the most recent policy adopted pursuant to the bill.

Status: Amended 4 May 2020; will likely be heard 13 May 2020

AB2764 (Gloria): Waiver of Open Course Provisions: military personnel

This bill would waive open course provisions in statute or regulations of the board of governors for any governing board of a community college district for classes the district provides to military personnel on a military base, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

AB2776 (Lackey): Statewide baccalaureate pilot program

This bill would express the intent of the Legislature to enact subsequent legislation pertaining to the statewide baccalaureate degree pilot program.

AB2982 (Salas): Textbook Affordability

This bill would establish the Fair Access to College Textbooks Act as part of the Donahoe Higher Education Act. The act would prohibit an institution of higher education, defined to be a public postsecondary institution within the California State University, the California Community Colleges, and the University of California, from assessing an automatic charge for instructional materials, as defined, to a student, or enter into an agreement with a book publisher or other entity to assess the charge, and would prohibit an institution of higher education from calculating a charge to be automatically assessed under these provisions on the basis of the number of credit hours in which the student enrolls,

number of courses in which the student enrolls, a student's major or program, or any other basis other than the cost of the specific instructional materials required or recommended for a specific course or course section in which the student enrolls, unless certain conditions are met. The bill would provide that an agreement between an institution of higher education and another entity, such as a book publisher, bookstore, or content management provider, that allows the entity to automatically assess a charge for instructional materials to a student, or to electronically provide instructional materials to a student for which an automatic charge is assessed is an open record under the California Public Records Act. The bill would prohibit an institution of higher education from denying a student access to instructional materials for which the student has been automatically charged based on the student's refusal or failure to agree to the sale, disclosure, licensing, use, retention, or other exploitation of any data pertaining to the student that would be obtained through the student's use of the materials. The bill would provide that these provisions only apply to a contract entered into or renewed after January 1, 2021.

Status: Amended 4 May 2020; likely to be heard 13 May 2020

ASCCC Positions/Resolutions: The ASCCC has multiple resolutions supporting the increase in OER and the creation of the OERI, and around textbook affordability as a whole.

AB3000 (Frazier): Credit for Prior Learning

This bill would change the statutory deadline for the chancellor to submit the report on Credit for Prior Learning to January 1, 2022 (two year extension)

AB3310 (Muratsuchi): Ethnic Studies

This bill would, commencing with the 2021–22 academic year, require each community college district to offer courses in ethnic studies at each of its campuses. The bill would require that the units earned by students for successful completion of these courses would be eligible for transfer and, if applicable, would meet ethnic studies graduation requirements at the California State University. The bill would also, commencing with the 2023–24 academic year, require each community college district to require the completion of at least one course in ethnic studies of at least 3 units as a requirement for a student to obtain an associate degree. The bill would require the Chancellor of the California Community Colleges to develop and adopt appropriate regulations for the implementation of these provisions.

Legislation -- Senate

SB874 (Hill): Baccalaureate Degrees

Currently language is spot bill language; may be acted on 21 February 2020.

ASCCC Positions/Resolutions: At its Fall 2019 plenary session, the ASCCC voted to support baccalaureate degrees in the CCC system, to remove the pilot designation from the 15 colleges currently offering these programs, and to expand the current offerings with a prioritization in allied health. See resolutions 6.01 (F19) and 6.02 (F19).

SB987 (Hurtado): Premedical Pathway Pilot Program

This bill would express the intent of the Legislature to enact legislation that would establish a pilot program for purposes of facilitating premedical pathways to medical school for students attending community colleges.

SB1026 (Wilk): Statewide Baccalaureate Degree Pilot Program

This bill would make a non-substantive change in a provision related to the statewide baccalaureate degree pilot program. (Spot bill)

ASCCC Positions/Resolutions: At its Fall 2019 plenary session, the ASCCC voted to support baccalaureate degrees in the CCC system, to remove the pilot designation from the 15 colleges currently offering these programs, and to expand the current offerings with a prioritization in allied health. See resolutions 6.01 (F19) and 6.02 (F19).

SB1083 (Pan): Mental Health Counselors

This bill would express the intent of the Legislature to enact later legislation that 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.

ASCCC Positions/Resolutions: The ASCCC has repeatedly called for the inclusion of more counselors, and supported the intent of previous legislation around mental health services (see resolution 06.04 (S16): <https://asccc.org/resolutions/mental-health-services>)

SB1104 (Hill): Statewide Baccalaureate Degree Program

This bill would make a non-substantive change in a provision related to the statewide baccalaureate degree pilot program. (Spot bill)

ASCCC Positions/Resolutions: At its Fall 2019 plenary session, the ASCCC voted to support baccalaureate degrees in the CCC system, to remove the pilot designation from the 15 colleges currently offering these programs, and to expand the current offerings with a prioritization in allied health. See resolutions 6.01 (F19) and 6.02 (F19).

SB1155 (Hertzberg): LACCD Pilot Program

This bill would establish the Los Angeles County Community Colleges Common Course Numbering Pilot Project, and would require the chancellor to convene a pilot project task force. The bill would require the task force to develop a common course numbering system in the subjects of mathematics and language arts. The bill would require the chancellor to invite designated community college districts, all of which are located in Los Angeles County, to participate in the task force. The bill would require the task force to complete its work no later

than December 31, 2021, and would require the chancellor to submit a report on that work to the Legislature no later than March 31, 2022, as specified.

Additional Bills of Interest

AB 2003 (Cristina Garcia): Feminine Hygiene Products

This bill would require a community college to stock 50% of the school's restrooms with feminine hygiene products, as defined. The bill would prohibit a community college from charging for any menstrual products, including feminine hygiene products, provided to students.

AB2023 (Chiu): Name and Gender Changes

This bill would require a campus of the University of California, California State University, or California Community Colleges to update a former student's records to include the student's updated legal name or gender if the institution receives government-issued documentation, as described, from the student demonstrating that the former student's legal name or gender has been changed.

AB2190 (Medina): Board of Governors of the CCCs

This bill would eliminate the prohibition against a student member voting during the student member's first year on the board. It is supported by the SCCC.

AB2353 (McCarty) and AB 2388 (Berman): Housing and Basic Needs and SB1355 (Durazo)

AB2353: This bill would require the California School Finance Authority to administer a competitive grant program to provide planning grants to California community colleges that are exploring or determining if they can offer affordable student rental housing, as defined. The bill would require the authority to ensure that the selection process meets certain requirements, and to provide technical assistance to community colleges that receive planning grant funds for the purpose of exploring and determining if they can offer affordable student rental housing. The bill would make the implementation of these provisions contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for these purposes.

AB2388: This bill would require each campus of the California Community Colleges to establish the position of Basic Needs Coordinator, commencing on or before July 1, 2021. The bill would specify that a basic needs coordinator would act as a broker in identifying, supporting, and linking students to on- and off-campus housing, food, and mental health services and resources, among other responsibilities. The bill would also require each campus to establish a Basic Needs Center, which would be a central location on campus where basic needs services, resources, and staff are made available to students, as specified. The bill would further require each campus to develop a document to be provided to students at the Basic Needs Center that clearly lists all on- and off-campus basic needs services and resources, as specified. The bill would authorize funding that may be included in the Budget Act of 2021 or a subsequent year for the Student Equity and Achievement Program to fund the campus basic needs coordinators and centers,

and authorize the California Community Colleges to seek and accept on behalf of the state any gift, bequest, devise, or donation to aid in the funding of the basic needs coordinators and centers. The bill would require each community college campus, through existing reporting on basic needs, to report specified information to the Office of the Chancellor of the California Community Colleges. The bill would also require the chancellor's office to conduct a student basic needs survey every 2 years, and release the results of the first survey on or before November 15, 2021.

ASCCC Positions/Resolutions: The ASCCC supported Berman's initial bill (AB 302, 2019) to allow for students to park in their cars; there have also been presentations about student housing insecurity and food insecurity at a range of events attended by the ASCCC Executive Committee.

AB2578 (Irwin): CSU: Proficiency level of entering students

This bill would *instead* require the California State University to provide ~~additional~~ *specified* information to the Legislature ~~in these reports.~~ *about the placement of freshmen at each of its campuses for purposes of certain general education requirements in one report to be submitted by April 1 of each year.* This ~~additional~~ *placement* information would include the numbers of freshmen at each campus, the freshmen's levels of ~~college readiness in English and mathematics,~~ *general education written communication and mathematics and quantitative reasoning placement,* an analysis of the factors used by the university in its determination of freshmen's levels of ~~college readiness,~~ *that placement,* an analysis of any equity gaps by income, race, or ethnicity within and across the university's levels of ~~college readiness,~~ *that placement,* and the university's plan to address any such gaps.

AB2901 (Weber) – Board of Trustees Student Members

This bill would entitle each student member of the governing board to make and second motions and to receive the same compensation as a regular board member without further authorization of the governing board.

This bill is supported by the SSCCC

AB2972 (Limon): Undocumented Students

This bill would ~~express the intent of the Legislature to enact later legislation that would~~ require the *Board of Governors of the* California Community Colleges and the *Trustees of the* California State University, and encourage the *Regents of the* University of California, to create a systemwide training program, for the ~~administrators~~ *administrators, as defined,* of those respective segments to complete annually, relating to undocumented students, Deferred Action for Childhood Arrivals (DACA), federal and state laws related to immigration generally, ~~and~~ state law relating to exemption from nonresident ~~tuition.~~ *tuition, and resources that the system or campus has for undocumented students. The bill would specify that these online training programs would be available to all faculty and staff of the segments, and would require the governing bodies of the segments to encourage faculty and staff, particularly advisors, counselors, and human resources specialists, to take the training.*

ASCCC Positions/Resolutions: The ASCCC has multiple resolutions supporting DACA students.

AB3137 (Voepel): College Promise: Members of the Armed Forces

This bill would require that a student who is a member of the Armed Forces of the United States, as defined, and is called to active duty as specified, may withdraw from participation in the California College Promise and resume participation in the program upon the student's return from active duty without losing eligibility for the fee waiver or any other benefit of the program. The bill would also provide that the time during which the student was obliged to withdraw because of active duty shall not count toward the limit of the period of that student's eligibility for participation in the California College Promise.

AB3189 (Medina): Donahue Higher Education Act: Student Housing

This bill would add to the act a provision declaring a finding of the Legislature that there is a need for more housing to be provided for students at the campuses of the postsecondary educational institutions of this state.

AB3207 (Gipson): Community College Student Housing

This bill would provide that the governing board of a community college district is authorized to construct and maintain, instead of dormitories, student housing in connection with any community college campus within the district. The bill would further provide that, notwithstanding any other law, a community college district is authorized to expend, for the construction and maintenance of student housing, funds allocated pursuant to the Community College Facility Deferred Maintenance and Special Repair Program. To the extent that this bill would authorize the expenditure, for student housing, of funds previously allocated under the program for deferred maintenance and special repair, the bill would make an appropriation.

AB3299 (Gipson): CCC Chancellor

This bill would make non-substantive changes to provisions on pertaining to the appointment, compensation, duties, and responsibilities of the chancellor.

Assembly Constitutional Amendments

ACA 5 (Weber): Governmental Preferences

The California Constitution, pursuant to provisions enacted by the initiative Proposition 209 in 1996, prohibits the state from discriminating against, or granting preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting. The California Constitution defines the state for these purposes to include the state, any city, county, public university system, community college district, school district, special district, or any other political subdivision or governmental instrumentality of, or within, the state.

This measure would repeal these provisions. The measure would also make a statement of legislative findings in this regard.

Status: This ACA has been gaining momentum and has the support of the CCCCCO among other groups. The ASCCC Executive Committee, in the absence of plenary, can choose to take a position on this if it is the will of the committee.

ASCCC Positions/Resolutions: The ASCCC passed a number of resolutions around Prop 209 after the initial passage; those can be found here:

<https://asccc.org/search/node/209%20type%3Aresolution>

Legend

ACR = Assembly Concurrent Resolution ACA = Assembly Constitutional Amendment

AB = Assembly Bill SB = Senate Bill

A glossary of commonly used terms can be found on the ASCCC Legislative Updates page:

<https://asccc.org/sites/default/files/A%20GLOSSARY%20OF%20LEGISLATIVE%20TERMS.pdf>