

ASCCC Legislative Report
May 30, 2018

Legislation with implications for academic and professional matters
Assembly Bills

ACA 14 (Melendez) Campus Free Speech Act

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

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

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

AB204 (Medina) Community colleges: waiver of enrollment fees

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

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

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

AB 227 (Mayes) CalWORKs: Education Incentives

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

- ☑ High school diploma or equivalent: \$100/month
- Associate's degree or career/technical education program: \$200/month
- Bachelor's degree: \$300/month

This bill would also authorize CalWORKs recipients eligibility to apply for educational stipends totaling no more than \$2400 per year for enrollment in an associate's degree, CTE certificate, or bachelor's degree program. The bill appropriates \$20 million to partially restore funding to the California Community Colleges

CalWORKs program, which provides work-study slots, education and career counseling, and other services to CalWORKs recipients. [Amended 4/27/17](#)

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

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

***AB310 (Medina) Part-time Faculty Office Hours**

Requires each community college district to report total part-time hours paid divided by the total part-time faculty office hours taught during the prior fiscal year and posted each year on the district website. [Re-introduced 1/18/18. Non-substantive Amendments 5/7/18](#)

Status: Passed Senate Education. Assigned to Senate Appropriations 5/07/18

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

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

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

Status: Passed Assembly. Referred to Senate Committees on Education and Veterans Affairs 4/19/18.

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

AB847 (Bocanegra) Academic Senates: Membership Rosters

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

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

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

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

Status: Passed in the Assembly. Referred to Senate Education, 3/15/18.

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

***AB 1786 (Cervantes) Community Colleges: Veterans Academic Credit for Prior Military Experience**

This bill would ~~express the intent to create an articulation platform for the California Community Colleges to facilitate the transition of recent veterans to state institutions for higher education. require a statewide articulation officer at the Office of the Chancellor of the California Community Colleges to establish by March 31, 2019, an initiative to expand the use of course credit for students with prior learning. who would be designated by the chancellor under the bill's provisions by March 31, 2019, to, using common course descriptors and pertinent recommendations of the American Council on Education, determine, by July 1, 2019, for which courses credit should be awarded for prior military experience.~~ Amended 3/20/18 Revised by author 4/04/18 Amended 4/26/18

Status: Passed Assembly. Referred to Senate Education. 5/30/18

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

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

Status: Introduced 1/31/2018.

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

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

This bill would require any public or private institution that offers a bachelor's degree program to provide career placement and job search services for five years to students in

order to receive state funds for student financial assistance. Because services should be offered at no cost to the student, this would be an additional cost to colleges that offer baccalaureate degrees.

Status: Introduced. Held in Assembly Appropriations Suspense file 5/25/18

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

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

This bill would require districts to provide public notice of its policies regarding the placement of students. The bill also requires the notice to include placement policies regarding 1) threshold scores required on specified assessments, 2) requisite grades in specific high school courses, and 3) recommendations by an instructor or counselor. This bill would require a community college to inform students of their rights to access transfer-level coursework and credit ESL coursework and of the multiple measures placement policies developed by the community college, as provided. The bill would require a community college to annually report to the Office of the Chancellor of the California Community Colleges the community college's placement policies and placement results, and would require a community college to publicly post its placement results and be present on any written communication by a college counselor to a student about the student's course placement options. The bill would require its provisions to be implemented by a specified date. To the extent the bill would impose additional duties on community college districts, the bill would impose a state-mandated local program. Amended 2/28/18 Amended 4/5/18 Amended 5/29/18

Status: Passed Assembly. Referred to Senate Education. 5/29/18

ASCCC Position/Resolutions: Watch this bill.

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

Status: Passed Assembly. Referred to Senate 5/30/18

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

***AB 1935 (Irwin) Community Colleges: Tutoring.** Existing law identifies nine allowable areas for noncredit instruction. AB 1935 adds supervised tutoring for basic skills and for degree-applicable and transfer-level courses as a noncredit category. Noncredit supervised

tutoring would be eligible for state apportionment funding. This bill may be merged with SB 1009 (Wilk), which is similar. **Amended 4/05/18**

Status: Passed Assembly. Referred to Senate 5/30/18

ASCCC Positions/Resolutions: The ASCCC supports allowing noncredit apportionment to be collected for supervised tutoring, regardless of student skill level (Resolution 18.02 F12). The Board of Governors agreed to sponsor this bill with the addition of basic skills as requested by the ASCCC.

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

Status: Held in Assembly Appropriations Suspense. 5/25/18.

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

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

Status: Read first time 2/5/18.

ASCCC Positions/Resolutions: Watch.

AB 2070 (Reyes) Sexual Assault and Sexual Violence Prevention

This bill would require governing boards to adopt, as a condition of receiving state funds for financial aid, detailed and victim-centered policies and protocols, and outreach programs, regarding sexual assault, domestic violence, dating violence, and stalking involving a student that comport with best practices and current professional standards, covering specified topics, including a comprehensive, trauma-informed training program for campus officials involved in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases. This bill would provide that the outreach programming required by this provision would include informing students about specified topics relating to ~~domestic~~ intimate partner and dating violence. **Amended 4/09/18**

Status: Passed Assembly. Referred to Senate Education. 5/24/18.

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

^AB 2081 (Melendez) Postsecondary Education: Campus Free Speech Act

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

Status: Failed Passage of Higher Education and Judiciary Committees 4/03/18

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

***AB2166 (Caballero) Agricultural Technology**

This bill is mostly about agricultural technology and water usage, however; there is a section that states this bill would require the Board of Governors to direct the statewide **Academic Senate for California Community Colleges** to engage in the Course Identification Numbering System process to explore the feasibility of developing a transfer model curricula for agriculture disciplines and a model curriculum in the subdiscipline of Agricultural Business and Technology Program or similar program that may be adopted by the community college districts and offered to its students, as specified. Amended 5/09/18

Status: Held by Assembly Appropriations Suspense File 5/25/18

ASCCC Positions/Resolutions: The ASCCC has no position regarding most of the content of this bill. The ASCCC appreciates the amendments.

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

This bill would change the Cal Grant definition of a full time student from 12 units per semester and 24 units per year to 15 units per semester and 30 units per year. This bill would require the commission, upon the initial awarding and the renewal of a Cal Grant award, to notify in writing a Cal Grant award recipient that, if he or she takes less than 15 semester units or the equivalent per semester or the equivalent or less than 30 semester units or the equivalent per academic year, he or she will not graduate in 4 years, except as specified. The bill also would require a qualifying institution, as defined, to notify in writing a student during new student orientation and annual registration that, if he or she takes less than 15 semester units or the equivalent per semester or the equivalent, or less than 30 semester units or the equivalent per academic year, he or she will not graduate in 4 years, except as specified. Amended 4/16/18 Amended 4/26/18

Status: Passed Assembly. Ordered to Senate Education. 5/30/18

ASCCC Positions/Resolutions: This bill has been modified to a version that is simply requiring information transmission.

***AB2621 (Medina) Exclusively Online College Feasibility**

This bill would require the Legislative Analyst's Office to conduct a study on the feasibility of creating an exclusively online community college and to report its findings to the Legislature on or before July 1, 2019.

Status: Referred to Committee on Higher Education. Hearing cancelled at request of the author. 4/24/18

ASCCC Positions/Resolutions: The ASCCC supports a feasibility study and passed a resolution at the spring plenary supporting this bill.

***AB2767 (Medina) Funding Formula Study**

This bill would require the Legislative Analyst's Office to conduct a study of the funding formula used to allocate state apportionments by the California Community Colleges for the 2017-18 fiscal year. The bill would require the Legislative Analyst's Office to submit a report to the Legislature, on or before July 1, 2019, containing its findings from the study and providing recommendations as to various funding formula models the Legislature may wish to adopt for use by the California Community Colleges.

Status: Referred to Committee on Higher Education. Hearing cancelled at request of the author. 4/24/18

ASCCC Positions/Resolutions: The ASCCC supports gathering information and deliberative processes that will enable thoughtful and systemic action. The ASCCC supported this bill through resolution at the spring plenary.

***AB2894 (Gloria) Active Duty Military Students**

This bill would ~~make nonsubstantive changes in this provision.~~ provide that, **subject to applicable federal, state, and institutional refund and withdrawal policies**, when a student, as defined, is called to active military duty during an academic term, the student may: choose to withdraw from the institution, retroactive to the beginning of the academic term; if at least 75% of the term has been completed, choose to request that the faculty member assign a grade for the course based on the work the student has completed, as specified; or, if the faculty member assigns a grade of Incomplete for the student's coursework, the student has a minimum of ~~2~~ **4** weeks after returning to the institution to complete the course requirements. Under the bill, a student would be defined as a person enrolled, or previously enrolled, at a campus of any of the 5 segments of postsecondary education listed above. **Amended 5/09/18**

Status: Passed Assembly. Referred to Senate. 5/25/18

ASCCC Positions/Resolutions: The Legislative and Advocacy Committee recommends supporting this bill and possibly working with the author on clean up language.

***AB3101 (Carrillo) CCCApply**

This bill would require the board ~~California Community College Chancellor~~, on or before July 31, 2019, to revise the ~~CCCApply~~ **California community college online** application and enrollment process so that only data that is required by the federal government, or that is otherwise necessary, as determined by the board, is collected during the process. The bill would require the board, to the extent that data can be collected from the student at a later time, to delay the collection of that data until after the student is enrolled. **Amended 5/29/18**

Status: Passed Assembly. Referred to Senate Education. 5/29/18

ASCCC Positions/Resolutions: The ASCCC supports easing application and onboarding processes for students. That said, this may not be the best approach to accomplish that goal.

Senate Bills

SB15 (Leyva) Cal Grant C Awards – Urgent

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

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

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

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

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

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

Status: Held by Appropriations, 9/1/17

ASCCC Position/Resolutions: The ASCCC has historically supported vulnerable student access to education and the wrap-around services required for educational attainment.

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

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

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

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

SB 968 (Pan) Postsecondary Education: Mental Health Counselors Would require the Trustees of the California State University, the governing board of each community college district, ~~and the governing body of each independent institution of high education that is a qualifying institution,~~ and request the Regents of the University of California, to hire one full-time equivalent mental health counselor per ~~1,000~~ 1500 students at each of their respective campuses to the fullest extent consistent with state and federal law. The bill would define mental health counselor for purposes of this provision. This bill will be enacted only upon appropriations in the annual budget act. No funding is included. Amended 3/12/18. Amended 5/2/18 Amended 5/25/18

Status: Passed Senate. Ordered to Assembly. 5/30/18

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

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

Status: Held in Appropriations Suspense file. 5/25/18

ASCCC Positions: The ASCCC supports allowing noncredit apportionment to be collected for supervised tutoring, regardless of student skill level (Resolution 18.02 F12). The ASCCC specifically supported this bill through resolution at the spring plenary.

***SB1071 (Newman) Uniform Policy on Military Credit**

This bill would instead require, commencing January 1, 2019, the office of the chancellor, in collaboration with the **Academic Senate for the California Community Colleges**, to begin development of, and for each community college district to subsequently begin adoption and implementation of, a uniform policy to award military personnel and veterans with an official Joint Services Transcript, as specified. The bill would also require the office of the chancellor and the academic senate to review and adjust this uniform policy to align it with policies of other public postsecondary educational institutions.

Status: Ordered to special consent calendar. 5/29/18

ASCCC Positions: The ASCCC supports policies that award credit for verifiable military credit. The Legislative and Advocacy Committee is concerned with a uniform policy. This and other bills are probably due to a lack of progress by the Chancellor's Office on Credit for Prior Learning.

***SB 1354 (Galgiani) California Apprenticeship Initiative New and Innovative Grant Program**

Upon appropriation by the Legislature for its purposes, this bill would establish a grant program, under the administration of the Chancellor of the California Community Colleges, to create new and innovative apprenticeship opportunities in priority and emerging industry sectors or areas in which apprenticeship training is not fully established or does not exist.

Status: Passed Senate. In Assembly Higher Education. 4/30/18

ASCCC Positions: The ASCCC may wish to work with the author regarding the use of the word apprenticeship in this bill and might it be better to use work-based learning. The goal of engaging more students in the workforce as part of their education is useful, but there appears to be an absence of ideas to address this except through apprenticeship models.

***SB 1381 (Nielsen) Campus Free Expression Act**

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

Amended 5/1/18

Status: Held by Appropriations, Suspense file. 5/25/18.

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

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

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

Status: Referred to Committees on Education and Judiciary; failed passage.
Reconsideration granted. 4/04/18

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

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

This bill would extend the baccalaureate degree pilot program and potentially move the sunset date to 2027. Amended 4/16/18

Status: Passed Senate. In Assembly Higher Education. 5/7/18

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

Budget Bills

AB 1806 (Ting) Budget Act of 2018

Status: Introduced. Referred to Committee on Budget.

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

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

SB 839 (Mitchell) Budget Act of 2018

Status: Introduced 1/10/2018

Bills of Interest

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

