



June 16, 2011

## State Legislative Update

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### *Overview*

The legislature has continued budget negotiations with the Governor still not reaching agreement on a two-thirds vote budget package that includes tax extensions. Meanwhile, Legislative Policy Committees continue to meet to hear bills from the other house.

### **Major Policy Issues**

There are several key bills that are being considered by the Legislature this year that have raised significant policy issues, particularly in light of the current fiscal environment. **Assembly Bill 515 (Brownley)** establishes a pilot community college extension program. The local community college governing board would be permitted to establish a pilot extension program that offers credit courses and set student fees that cover the full cost of instruction. The bill also specifies that collective bargaining and Title 5 regulations would still apply.

Another bill, **AB 160 (Portantino)**, would relax specified restrictions on K-12 student concurrent enrollment opportunities when attending a K-12 school district that has entered into a partnership with the local community college district. This is a popular concept but one that has raised significant questions about allowing higher enrollment priority for K-12 students over some college level students.

**Senate Bill 760 (Alquist)** adds new reporting requirements for California Community Colleges. The bill attempts to clarify reporting requirements adopted in the education trailer bill earlier this year (SB 70, Chapter 7, Statutes of 2011). Specifically, SB 760 requires institutions participating in the Cal Grant program to provide student specific data regarding enrollment, persistence, and graduation for all students, as well as job placement and wage data on all graduates. The bill, however, has clarified reporting requirements in SB 70 in such a way that they go beyond the federal requirements. For example, the bill requires higher education institutions to report data in disaggregated formats that are currently not available and would require considerable new resources to collect. The bill also defines terms for "on-time completion rate", "placement rate", and other data elements that create significant implementation challenges within the community college system. The Chancellor's Office is working with the author's office to resolve these issues.

STATE OF CALIFORNIA

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## Board of Governors Sponsored Bill Package

This year the Board of Governors' sponsored bill package includes four measures. The common theme of the bills is to utilize the latest technology and innovation to increase efficiency and serve students more effectively. The statuses of the bills are as follows:

- **AB 743 (Block) Common Assessment.** This bill would establish a common assessment tool for all colleges to use in placing students in mathematics, English and English as a Second Language. The bill has bipartisan support and passed the Assembly set for Senate Education Committee on June 22.
- **AB 1056 (Fong) Electronic Transcripts.** This bill would create an incentive to have all colleges utilize electronic transcripts by December 2012. The bill passed the Assembly and has been assigned to the Senate Education Committee.
- **AB 1029 (Lara) Stand Alone Course Approval.** This bill extends the authority provided to community college districts to January 1, 2014 to approve instructional courses that are not a part of established educational programs. These courses are known as "stand-alone" courses because they fall outside the traditional groupings of credit courses that culminate in degrees. This bill passed the Assembly will be heard by the Senate Education Committee on June 15.

The following report highlights and provides a brief analysis of major community college bills introduced this year. The bills are organized by topic. Attached you will also find the latest Community College Chancellor's Office matrix, which can also be found online on the Government Relations webpage: <http://www.cccco.edu/ChancellorsOffice/Divisions/GovRelations/tabid/231/Default.aspx>

## Academic Affairs

### **AB 160 (Portantino) Concurrent Enrollment in Secondary School and Community College**

**Analysis / Summary:** AB 160 makes several changes to existing law regarding concurrent enrollment. The bill allows a school district to enter into a partnership with a community college district to determine local concurrent enrollment policies for K-12 students, including the ability to establish enrollment priority for concurrent enrollment students and to remove the 5 percent summer enrollment cap.

**Location:** The bill was referred to the Senate Committee on Education. The hearing is set for June 22<sup>nd</sup>.  
**Position:** Support

### **AB 230 (Carter) Joint Educational Programs: Middle College High School Students: Enrollment Priority**

**Analysis / Summary:** This bill exempts students attending Middle College High Schools (MCHS), who regularly enroll in community college courses to complete their education program, from the requirement that California Community College governing boards assign low enrollment priority to concurrent enrollment students.

**Comments:** If enacted, AB 230 would affect less than 2,000 high school students enrolled in 11 MCHS programs funded by the CCC Chancellor's Office.

**Location:** The bill passed the Senate Committee on Education and was referred to the Senate Committee on Appropriations. No set hearing date.

**Position:** Support

**AB 288 (Fong) Community Colleges: Student Expulsion**

**Analysis/ Summary:** AB 288 would authorize the governing board or designee(s), of a district to deny, permit, or place conditions on the enrollment of an individual who has been expelled from a community college within the preceding 5 years, or who is undergoing expulsion procedures. Further, AB 288 would grant districts authority to request pertinent discipline related information from other collegiate institutions and mandates a response within 5 days. Finally, AB 288 requires a student who has been expelled from a collegiate institution within the preceding 5 years to inform the district at the time of application; failure to do so will be considered by the governing board or designee at the time of the hearing. As an oversight measure, the board or delegate is required to hold a hearing before taking any action on such an individual.

**Comments:** AB 288 is sponsored by Peralta Community College and is nearly identical to AB 1400 of 2009 which was vetoed by Governor Schwarzenegger.

**Location:** Passed the Assembly (60-0) and sent to the Senate for assignment to a policy committee.

**Position:** Support

**AB 515 (Brownley) Postsecondary Education: Community Colleges**

**Analysis / Summary:** AB 515 would establish a pilot community college extension program that authorizes the governing board of a community college district, without approval of the Board of Governors, to establish and maintain an extension program offering credit courses. Community college district governing boards are prohibited from expending General Fund moneys to support the pilot program and are permitted to set student fees that cover the full cost of instruction. The bill also specifies that collective bargaining and Title 5 regulations would still apply.

**Comments:** This bill is sponsored by Santa Monica Community College and the College of the Canyons and is intended to provide community colleges the option to offer extension courses modeled after the UC and CSU system.

**Location:** The bill passed the Assembly (42 -19) and was sent to the Senate.

**SB 532 (Hernandez) Advanced Placement Program**

**Analysis / Summary:** AB 532 encourages the Academic Senate for the California Community Colleges, the Academic Senate of the California State University, and the Academic Senate of the University of California to continue their efforts to adopt consistent systemwide guidelines for the acceptance and granting of credit for International Baccalaureate Diploma Program courses taken by students while they are in high school.

**Location:** The bill was referred to the Assembly Committee on Education. No hearing date has been set.

**AB 661 (Block) Baccalaureate Degree Pilot Programs**

**Analysis / Summary:** AB 661 authorizes the Grossmont - Cuyamaca Community College District (in San Diego County) and the San Mateo County Community College District (located between San Francisco and Silicon Valley) to establish *one baccalaureate degree pilot program per campus* as a pilot program. The baccalaureate degrees offered shall be limited to those subject areas that involve meeting unmet workforce needs in the local community, and shall not duplicate existing programs at nearby public postsecondary educational institutions. Districts that offer baccalaureate degree programs must have the resources and expertise to offer a specific degree. The bill does not appropriate state funds. The pilot project shall sunset after 8 years. The district shall report to the Legislature one year prior to the expiration of the project on the success of the program.

**Comments:** The intent is that start-up funding would be underwritten by private workforce partners, and that the districts would charge students a fee that covers the costs imposed by the program.

**Location:** AB 661 was placed on the Assembly Inactive File, and will not move forward this year. It is now a "two year" bill and may be pursued in 2012.

**AB 851 (Nestande) Distance Learning**

**Analysis / Summary:** AB 851 adds a new section to the California Distance Learning Policy in the Education Code which makes several provisions regarding distance learning. First, the bill defines distance learning as a course where a majority of the instruction is delivered through technology and where the student and instructor are in different locations for the purposes of data collection and reporting. Second, the bill requires the Board of Governors of the CCC (and CSU and requests UC), to report to the Legislature on workload and performance data on distance learning courses starting on January 1, 2014 and every two years thereafter. Finally, the bill specifies that the LAO convene a task force to identify steps needed to establish a Western Governors University (WGU) in California. (WGU is a national online university offering Bachelor's and Master's degrees in professions such as teaching, business, IT, and health.) The task force is to consult with UC, CSU, CCC and CPEC.

**Comments:** According to the author's office, this bill was prompted by the October 2010 LAO report entitled "The Master Plan at 50: Using Distance Education to Increase College Access and Efficiency."

**Location:** Passed the Assembly (76 - 2) and awaiting committee assignment in the Senate.

**AB 1029 (Lara) Stand Alone Course Approval**

**Analysis / Summary:** As amended, this bill will extend the authority provided to community college districts to approve instructional courses that are not a part of established educational programs by one year. These courses are known as "stand-alone" courses because they fall outside the traditional groupings of credit courses that culminate in degrees. Examples of these courses include: Literacy Skills I, Fundamentals of Fiber Optics, Piping Systems, Soil Testing and Inspection, etc. The courses are part of a new sequence that are not yet part of the academic program but could be included in the future.

**Comments:** The authority provided to districts was established in 2006 by AB 1943 (Nava). Prior to AB 1943, the California Community Colleges Chancellor's Office reviewed and approved courses. Without extending the sunset, the approval for stand-alone courses will revert back to the Chancellor's Office, a costly and less efficient change. AB 1029 was amended in Committee to extend the sunset for one more year, at which time the Chancellor's Office would be required to submit a report on the number and type of courses approved.

**Location:** The bill passed the Assembly (70-0) and was assigned to the Senate Committee on Education, hearing date set for June 15.

**Position:** Sponsor/Support

## ***Accountability / Intersegmental / Coordination and Efficiency***

### **AB 2 (Portantino) Postsecondary Education: Accountability**

AB 2 would repeal existing higher education accountability requirements and instead establish a new statewide postsecondary accountability framework to biennially assess and report on the state's system of higher education in meeting certain educational and economic goals. The framework would include 6 statewide policy questions to measure postsecondary performance.

**Comments:** The intent of AB 2 is to provide a basis for state and local decision makers to establish goals for California's higher education and a framework to assess and measure whether the state is achieving its goals for an educated workforce.

**Location:** Passed the Assembly (61-15) and set for hearing in Senate Education Committee on June 22.

**Position:** Support

### **AB 24 (Block) Feasibility Study: Chula Vista**

**Analysis/ Summary:** AB 24 would require the California Postsecondary Commission (CPEC) to complete a study and make a recommendation concerning the feasibility of establishing and expanding postsecondary education opportunities in Chula Vista, California.

**Comments:** AB 24 is similar to AB 24 (Block) of 2010 which would have required the Chancellor of the California State University to complete and submit to the trustees a study about the feasibility of a CSU satellite program, and ultimately, an independent CSU campus in Chula Vista. A fiscal analysis of AB 24 of 2010 estimated that the cost of CPEC to perform a study could be up to \$600,000.

**Location:** In the Assembly Committee on Higher Education, and was not heard. Because this bill did not meet the deadline for this year to pass out of the policy committee, this bill is now a two-year bill.

### **AB 743 (Block) Common Assessment**

**Analysis / Summary:** AB 743 establishes a statewide common assessment system to place community college students in English, Mathematics, and English as a Second Language courses. This measure would avoid duplication of assessments at different campuses and would allow students to take their test scores with them to any California Community College. It would also create a pre-test application where students can take practice tests so that they are better prepared for their assessments and can consequently take transfer level courses sooner. CCCCCO staff estimates that this measure could potentially save between \$3 and \$4 million in assessment costs by reducing duplication among campuses.

**Comments:** Amendments were taken to reduce the costs of the measure by providing that existing tests can be used, rather than being developed from scratch. Amendments also specified that the provisions are contingent upon receipt of state, federal or philanthropic funding.

**Location:** Passed out of the Assembly (68-6) and set for Senate Education Committee on June 22.

**Position:** Sponsor/Support

**SB 721 (Lowenthal) Educational and Economic Goals**

**Analysis / Summary:** SB 721 would require an undesignated state entity to establish a new accountability framework for the state's postsecondary education system to achieve educational and economic goals. An assessment shall be provided every two years. At this point no dates are specified in the bill.

**Comments:** According to the author's office, the intent of this bill will be to articulate goals for higher education. This bill is similar to AB 2 (Portantino) of this year but does not contain many details at this point.

**Location:** In the Senate Education Committee, and was not heard. Because this bill did not meet the deadline for this year to pass out of the policy committee, this bill is now a two-year bill.

**SB 885 (Simitian) Public Education Accountability**

**Analysis / Summary:** SB 885 authorizes the Community College Chancellor's Office, CSU, UC, CPEC, the Department of Education, the State Board of Education, the Commission on Teacher Credentialing, the Employment Development Department, and the CA School Information Services to enter into a Joint Powers Authority (JPA) to develop a comprehensive data base for students from preschool through higher education (P-20).

**Comments:** This bill is sponsored by the author, Senator Simitian, based on his interest in developing a comprehensive data base for P-20. The purpose of the bill is to bring the parties together so that the segments of higher education can coordinate their data systems with K-12 and each other. The creation of a JPA through SB 885 is the result of a suggestion by a LAO-convened working group established by SB 1298 (Simitian) of 2008 which sought to create a plan for a linked education data system.

**Location:** Passed the Senate Floor (38-0) and set for hearing in the Assembly Education Committee on June 22.

## ***Bonds***

**AB 331 (Brownley) Kindergarten-University Public Education Facilities Bond Act of 2012**

**Analysis / Summary:** This bill states the intent of the Legislature to enact legislation that would create the Kindergarten-University Public Education Facilities Bond Act of 2012 to provide funds to construct and modernize education facilities, if approved by the voters at the next statewide general election.

**Comments:** This is a placeholder bill should there be movement to put an education bond on the November 2012 ballot. No bond amounts are specified in this measure.

**Location:** In the Assembly Education Committee and was not heard. Because this bill did not meet the deadline for this year to pass out of the policy committee, this bill is now a two-year bill.

**Position:** Support

**AB 822 (Block) Public Postsecondary Education Facilities**

**Analysis / Summary:** AB 822 would enact the Kindergarten-University Public Education Facilities Bond Act of 2012. It would authorize an unspecified sum of state General Obligation bonds to aid the California Community Colleges, CSU, UC, and Hastings College of the Law to construct and modernize education facilities. It would only become operative if approved by voters at the November 6, 2012 statewide general election.

**Comments:** This measure is more focused on higher education facilities than AB 331 (Brownley), which is targeted more toward K-12 facilities. According to the author's office, there is a higher education working group consisting of representatives of CCC, CSU, and UC who are following this issue.

**Location:** In the Assembly Committee on Higher Education, and was not heard. Because this bill did not meet the deadline for this year to pass out of the policy committee, this bill is now a two-year bill.

**SB 911 (De Leon) Local Agencies: Bond Reporting**

**Analysis/ Summary:** SB 911 would require a local agency to provide a report with information for each expenditure of bond funds over \$5,000. It would also prevent a local agency from spending local bond funds if they have not filed this report or if the local citizens' oversight committee has not produced its required report.

**Comments:** This bill is in response to the problems in Los Angeles Community College District that were highlighted by a recent series of stories in the Los Angeles Times. Some of the specific issues were: contractors marking up costs, conflict of interests among district officials and contractors and a lack of oversight by the citizen's oversight committee. The bill will be substantially amended to remove the citizen's oversight committee provision and increase the dollar amount to be reported on.

**Location:** Passed Senate Floor (37-0) and referred to the Assembly Local Government Committee.

## ***Budget / Finance / Facilities***

**AB 85 (Mendoza) Community College Facilities: Security Locks**

**Analysis / Summary:** AB 85 would require that all plans for construction or alteration (including modernization) of community college facilities contain security locks that conform to Title 24 of the California Code of Regulations (i.e., locks that lock from the inside).

**Comments:** This bill is sponsored by CFT to increase campus safety by requiring locks that can be locked from the inside so that in case of a violent intruder, the teacher or students will have the ability to keep the intruder out. AB 85 was drafted to address safety concerns expressed by faculty in both K-12 schools and community colleges and the experiences of the author, a former K-12 teacher. AB 85 is similar to AB 211, a bill signed into law last year that required K-12 to install locks. The estimated cost of AB 211 was \$160,000 to \$320,000. The cost of AB 85 may be much higher since AB 85 has a broad scope and would apply to construction and modernization projects, whereas AB 211 applied only to new construction. By amending the Field Act statutes, AB 85 triggers reviews of all projects by the Division of the State Architect, which could mean that any project would be required to comply with the new provisions. CFT and the author's office has reached out to the Chancellor's Office staff and we are reviewing options to address safety concerns, taking into account the fiscal climate and the enforcement of Title 24 building standards.

**Location:** The bill was heard in Assembly Appropriations Committee and referred to the Suspense File.

**AB 216 (Swanson) Inmate Education Programs**

**Analysis / Summary:** AB 216 would allow community colleges to receive full funding for credit courses offered in correctional institutions. Specifically, it would waive "open course" provisions for community college courses offered in state correctional facilities and would allow attendance hours generated by credit courses at all correctional facilities to be funded at the full credit rate.

**Comments:** The bill is intended to increase educational attainment for inmates, thus reducing high recidivism rates.

**Location:** The bill passed the Assembly (77-0) and was assigned to the Senate Committee on Education, hearing date set for June 22.

**Position:** Support

**AB 285 (Furutani) Community Colleges: Property Tax Backfill**

**Analysis / Summary:** AB 285 provides community colleges with an automatic funding backfill of property taxes, similar to the one currently in place for K-12 school districts. AB 285 removes funding uncertainty and avoids mid-year cuts to base programs when property tax revenues come in lower than the estimate provided for community colleges in the budget.

**Comments:** This bill provides greater funding stability and averts the need to make mid-year cuts to academic programs and student support services, all actions that directly affect a student's ability to persist and complete their education in a timely fashion.

**Location:** The bill was heard in the Assembly Appropriations Committee and referred to the Suspense File.

**Position:** Sponsor/Support

**AB 478 (Hernandez) Community Colleges: Funding**

**Analysis / Summary:** AB 478 would amend existing law that requires the Board of Governors to develop criteria for their annual budget request that is based on specified criteria, including the positive difference between the state unemployment rate and a rate of 5%. The bill would increase the community colleges annual statutory growth rate calculation by removing the 2% cap.

**Comments:** Currently, the law requires that we receive growth to accommodate new students based on two factors: 1) The year-to-year percentage change in California's adult population; and 2) the statewide unemployment rate above 5% and capped at 2%. This bill would amend statute by removing the 2% cap.

**Location:** The bill passed the Assembly (77-0) and was assigned to the Senate Committee on Education, hearing date set for June 22.

**Position:** Support

**AB 1079 (Beall) Personal Income Taxes: Credit: Higher Education**

**Analysis / Summary:** Beginning on or after January 1, 2011 AB 1079 would allow a credit of up to \$500 per student for college costs paid or incurred by a taxpayer for the taxpayer, spouse, or dependent. The credit would be limited for all taxable years to a total of \$2,000 per eligible student. This bill would take effect immediately as a tax levy.



**Location:** In the Assembly Committee on Revenue and Taxation. Because this bill was not heard, it is now a two year bill.

**SCA 5 (Simitian) Taxation: Educational Entities: Parcel Tax**

**Analysis / Summary:** SCA 5 authorizes school districts, community college districts, or county offices of education to impose a parcel tax on real property by a 55% vote of the voters in the district or county. It defines "parcel tax" as a special tax imposed upon real property at a rate determined without regard to the property's value.

**Comments:** Currently it takes a two-thirds vote to impose parcel tax changes.

**Location:** Passed the Senate Government and Finance Committee, and referred to Senate Committee on Elections and Constitutional Amendments. No set hearing date.

**Position:** Support

## ***Campus Safety***

**AB 620 (Block) Nondiscrimination and Training, Sexual Orientation and Gender Identity**

**Analysis / Summary:** In its current form, AB 620 requires the BOG and CSU, and requests the UC Regents, to establish policies on harassment, intimidation, and bullying to be included in the rules of student conduct related to gender identity, gender expression, and sexual orientation. Campuses would be asked to designate an employee at each campus to be a point of contact to address the needs of LGBT students. Campuses would also be requested to provide CPEC with demographic information they collect regarding sexual orientation, gender identity, and gender expression. CPEC would be encouraged to conduct an assessment of the campuses, develop recommendations, and publish their recommendations on their web site.

**Comments:** The California Community Colleges Chancellor's Office staff is working with the author's office to amend the bill to address concerns regarding mandates for local community college district governing boards. This bill was introduced in response to a June 2009 CPEC study entitled "Access & Equity for all Students: Meeting the Needs of LGBT Students", which found that LGBT students have unique challenges that could be addressed through additional campus services and resources.

**Location:** Passed out of the Assembly (51-24) and set for hearing in the Senate Education Committee on June 22.

**AB 795 (Block) Smoke-free Campuses**

**Analysis/ Summary:** AB 795 expands language to mandate that the California Community Colleges post signs denoting where smoking tobacco is prohibited and where it is permitted. AB 795 also grants the governing boards of the CCC's the authority to enact enforcement procedures, impose a fine for a first, second, or third offense and those that may occur thereafter as well as requiring that students and staff be informed of smoking related policies. Finally, AB 795 makes it illegal to sell tobacco products on the campuses of a community college.

**Comments:** As amended, this bill would impose a state-mandated local program.

**Location:** Passed the Assembly (54-23) and was set to be heard on June 15 in the Senate Education Committee.

**ACR 17 (Fong) Campus Safety Month**

**Analysis/ Summary:** ACR 17 designates March as campus safety month, as well as encourages citizens to visit the web site of the California Postsecondary Education Commission for more information about safety on all public and private college campuses.

**Location:** Chaptered by Secretary of State Resolution, Chapter 11, Statutes of 2011.

## ***CTE / Green Jobs / Energy / Workforce Preparation***

**AB 554 (Atkins) Employment: Workforce Services**

**Analysis / Summary:** This bill directs the California Workforce Investment Board and its local boards to develop a policy that establishes collaboration with community colleges to develop pre-apprenticeship and apprenticeship programs in the geographic area.

**Comments:** According to the author's office, this bill is sponsored by State Building and Trades.

**Location:** The bill passed the Senate Labor Committee and referred to the Senate Appropriations Committee.

**AB 848 (Campos) Apprenticeships**

**Analysis/ Summary:** AB 848 would require the Chancellor's Office to collect data on credits attained by apprentices. This requirement would only apply to building and construction trades programs that receive Reimbursement for Supplies and Instruction funds.

**Comments:** The bill is sponsored by multiple labor organizations. The goal is to provide potential apprentices with information and encourage more apprenticeship programs to offer credit. Chancellor's Office staff has indicated that a survey of the apprenticeship programs already exists and could be modified to meet requirements of the bill.

**Location:** The bill passed the Assembly (54-25) and was assigned to the Senate Committee on Education, hearing date set for June 22.

**AB 1115 (Lara) Local Workforce Investment Boards**

**Analysis / Summary:** AB 1115 establishes statewide standards for local workforce investment boards. One new standard would allow the local workforce investment board to create a list of approved training providers. Community college CTE programs would automatically be placed on this list.

**Location:** Passed the Assembly Floor and referred to the Senate Labor Committee.

**Position:** Support

**AB 1137 (V. Manuel Perez) Economic Development**

**Analysis / Summary:** This measure makes changes to Government Code with respect to international trade to provide authority to the Business, Transportation and Housing Agency (BTH) for specified

programs. AB 1137 authorizes the establishment of the California Export Promotion and Gap Financing Program (Export Assistance Program), within BT&H, and states that the BT&H may apply for federal program funding for the state trade and export program.

**Comments:** Through the Economic and Workforce Development Program, the Community Colleges operate Centers for International Trade and Development (CITD). These Centers provide assistance to small and medium sized businesses and have been designated by the Governor to apply for the State Trade and Export Program (STEP) grant funding through the US Small Business Program. Provisions of AB 1137 may prevent the CITDs from competing for and using the STEP grant. The Chancellor's Office will seek amendments to remove provisions that prohibit the colleges from applying for the STEP grant.

**Location:** AB 1137 passed the Assembly and is assigned to the Senate Business, Professions, and Economic Development Committee. No hearing date has been set.

**AB 1310 (Furutani) State Strategic Plan: Career Technical Education and Workforce Development**

**Analysis / Summary:** This bill would require the Chancellor's Office, California Workforce Investment Board, CSU, UC, CDE and other agencies to coordinate on the development of a strategic plan for connecting education and workforce development.

**Comments:** Similar to AB 35 from last year, this bill shifts the responsibility for developing the strategic plan from the California Workforce Investment Board to the Chancellor's Office without shifting CWIB federal funds currently used to support this effort.

**Location:** The bill passed the Assembly (63-13) and was sent to the Senate.

**SB 698 (Lieu) Workforce Development: High Performance Boards**

**Analysis / Summary:** This bill would require the Governor to establish, through the CA Workforce Investment Board, a process by which to identify high performing local boards. Only designated high performing boards would be eligible to receive state discretionary funds and grants. High performing local boards shall, among other things, demonstrate that the local planning process take into account the entire work force training pipeline for the local economy, including the local community college system.

**Comments:** This bill is sponsored by the State Building and Trades Council and the CA Labor Federation.

**Location:** The bill passed off the Senate Floor (39-0) and is awaiting committee assignment from the Senate Rules Committee.

## ***Dream Act / Immigration Issues/Registration Requirements***

**AB 130 (Cedillo) Student Financial Aid: Eligibility: California Dream Act of 2011**

**Analysis/Summary:** This bill would provide persons who are exempt from paying nonresident tuition eligibility for student financial aid.

**Comments:** The bill was amended to delete the language that specified the process and procedures for applying for aid; the procedures were shifted to AB 131 (Cedillo). The bill was also amended to remove the provision from AB 130 that allowed persons attending and graduating from California technical

schools and adult schools, as well as high schools, to be included in the exemption for nonresident tuition; this provision was also shifted to AB 131 (Cedillo). These amendments were taken to reduce the fiscal impact of the bill.

**Location:** The bill passed the Senate Education Committee and was referred to Senate Committee on Appropriations, no set hearing.

**Position:** Support

**AB 131 (Cedillo) Student Financial Aid**

**Analysis/Summary:** As amended, this bill changes existing law to require the Trustees of California State University and the Board of Governors of the California Community Colleges, and to request the Regents of the University of California, to establish procedures and forms that enable persons who are exempt from paying nonresident tuition to apply for, and participate in, all student financial aid programs administered by these segments. This bill also would require the Student Aid Commission to establish procedures and forms that enable persons who are exempt from paying nonresident tuition to apply for all student financial aid programs administered by the State of California to the full extent permitted by federal law, except for Competitive Cal Grant A and B Awards unless funding remains available after all eligible California students who are not exempt receive Competitive Cal Grant A and B Awards. The bill would also require community college districts to waive the fees of persons who are exempt from nonresident tuition. Lastly, the bill would allow persons attending and graduating from California technical schools and adult schools, as well as high schools, to be included in the exemption for nonresident tuition.

**Comments:** This bill is similar to last year's AB 1413 (Fuentes-Coto), which was vetoed by Governor Schwarzenegger. This bill was amended to include the establishment of procedures for applying for aid and to allow persons attending and graduating from California technical schools and adult schools, as well as high schools, to be included in the exemption for nonresident tuition; wording was directly shifted from AB 130 (Cedillo).

**Location:** The bill passed the Assembly (50-27) and was sent to the Senate.

**Position:** Support

**AB 844 (Lara) Student Government: Students Qualifying for Exemption from Nonresident Tuition**

**Analysis/Summary:** This bill would add a provision to the Donahue Higher Education Act that would provide that a student who is exempt from paying nonresident tuition is eligible to serve in any capacity in student government at the California State University or the California Community Colleges and to receive any compensation, as defined, that is connected with that service to the full extent consistent with federal law.

**Comments:** Late last year the CSU Fresno Student Body President was identified as serving in student government as an AB 540 student. He had waived his compensation for the roughly \$800/month Presidents receive.

**Location:** The bill passed the Assembly (49-25) and was assigned to the Senate Committee on Education, hearing date set for June 15.

## ***Faculty***

### **AB 383 (Portantino) Postsecondary Education: Community Colleges: Faculty**

**Analysis / Summary:** This bill would provide a one-time stipend, an undetermined amount, to a California Community College (CCC) district that enters into a collective bargaining agreement that prohibits a full-time instructor from teaching overload or extra assignments in excess of 50% of a full-time workload in any semester that commences on or after January 1, 2012.

**Comments:** The purpose of this bill is to provide an incentive for community college districts to limit full-time faculty overload assignments exceeding 50% of a full-time workload.

**Location:** In the Assembly Committee on Higher Education, held in committee. Because this bill was not heard, it is now a two year bill.

### **AB 852 (Fong) Community Colleges: Faculty**

**Analysis / Summary:** This bill would provide that temporary community college faculty members have a right of first refusal for teaching assignments. This provision, however, would be superseded by any greater rights that could be provided in a collective bargaining agreement.

**Comments:** AB 852 is sponsored by FACCC. This bill is similar to AB 1807 (Fong) from last year, which was held in the Assembly Appropriations Committee.

**Location:** The bill passed off the Assembly Floor (51-27) and is awaiting committee assignment from the Assembly Rules Committee.

### **AB 965 (Dickinson) Community Colleges: Full-time Faculty Hiring**

**Analysis / Summary:** AB 965 requires community colleges that have less than 75% of their hours of credit instruction taught by full time faculty to use funds allocated for growth to move toward meeting the 75% goal based on a specified formula.

**Comments:** In current statute, community college districts that do not meet the 75% goal/standard are required to use a percentage of their program improvement funds towards meeting the 75% goal/standard. However, the state no longer provides "program-improvement" funds. AB 965 "notwithstands" Education Code requiring the use of program improvement funds towards meeting the 75% goal/standard, and adds a section requiring the use of growth funds for this purpose.

**Location:** In the Assembly Committee on Higher Education and because it was not heard before the deadline is now a two year bill.

### **SB 114 (Yee) Community College Part-time Faculty Salary**

**Analysis / Summary:** As written, SB 114 would require community college districts to determine the compensation of part-time faculty using a salary schedule that places part-time faculty on comparable salary steps as full-time faculty with similar education and experience. The bill would require part-time faculty to be paid in a manner similar to the placement of full-time faculty on the schedule.

**Comments:** SB 114 is sponsored by the California Federation of Teachers (CFT). CFT representatives state that the bill language will be revised and the intent is to provide guidance to local colleges to help ensure that part-time faculty salaries are equitable to full-time faculty salaries for comparable instruction.

**Location:** The bill was heard in the Senate Appropriations Committee and referred to the Suspense File.

**SB 189 (Anderson) Community Colleges Faculty**

**Analysis/ Summary:** SB 189 amends Education Code affecting part-time faculty to state that dual enrollment shall not be used for calculating eligibility for contract or regular status for persons employed to teach adult or community college classes as part-time faculty.

**Comments:** This bill was introduced to address local high school and Mt. San Jacinto Community College concerns that the temporary contract status (67% law) of faculty who teach community college coursework at the high school is altered by their assignment to these classes.

**Location:** In the Senate Education Committee and because it was not heard, it is now a two year bill.

## ***Local Administration***

**SB 46 (Correa) Compensation Disclosure**

**Analysis / Summary:** SB 46 requires local government officers and employees who file economic interest statements to annually file a compensation disclosure form which includes the following items: annual salary or stipend; local agency payments to the filer's deferred compensation or defined benefit plans; automobile and equipment allowances; supplemental incentive and bonus payments; and any local agency payments to the filer that are in excess of standard benefits for other employees. SB 46 would include, among others, elected or appointed officers of community college districts, community college presidents, community college vice presidents, and community college deputy vice presidents.

**Comments:** This bill was prompted by the scandal involving public employees from the City of Bell.

**Location:** The bill was amended to become an urgency measure requiring a 2/3 vote. The bill is on the Senate Floor.

## ***Pensions***

**SB 27 (Simitian) Public Retirement: Final Compensation: Computation: Retirees**

**Analysis / Summary:** This bill would prohibit members of Public Employees' Retirement System (PERS) or State Teachers' Retirement System (STRS) who retire after January 1, 2013 from working (including part-time or under contract) for a PERS/STRS employer for 6 months after retirement. This bill specifies that if a STRS retiree earns compensation in violation of this requirement, his or her retirement allowance will be reduced by the amount of compensation earned in the prohibited period. This bill becomes operative for all active and future members of the retirement systems beginning July 1, 2012.

**Comments:** This bill institutes uniform laws for PERS and STRS retirement systems that will help to curtail an individual from taking extraordinary steps to enhance their retirement benefits also known as *spiking*. This provision would eliminate 'revolving door' practices in which some public employees retire on a Friday and return to the same job on Monday as a retired worker.

**Location:** The bill passed off the Senate Floor (39-0) and is awaiting committee assignment from the Assembly Rules Committee.

## ***Other***

### **AB 684 (Block) Community College Districts: Trustee Elections**

**Analysis/ Summary:** This bill would allow community college districts that wish to switch from at-large trustee elections to trustee area elections to do so via a waiver process. The waiver would be approved by the California Community Colleges Board of Governors.

**Comments:** This bill is sponsored by the League of California Community Colleges. The intent is to assist districts to comply with the California Voting Rights Act (CVRA) in a cost effective manner. The CVRA makes it difficult for districts to maintain at large elections. A district can be challenged under the CVRA and spend millions defending their election system and if they lose they will spend more to trustee area elections. The waiver process will allow districts to avoid costly litigation and consulting fees. The State Board of Education already approves similar waivers for K-12 districts.

**Location:** The bill passed off the Assembly Floor (72-3) and will be heard in the Senate Education Committee on June 22<sup>nd</sup>.

### **SB 8 (Yee) Public Records State Agency: Auxiliary Organizations**

**Analysis / Summary:** SB 8 would apply provisions of the California Public Records Act (CPRA) to auxiliary organizations of the University of California and the California State University, as well local CCD auxiliaries, and the official auxiliary to the Chancellor's Office, the Foundation for California Community Colleges.

**Comments:** This bill is similar to SB 330 (Yee) of 2010 and SB 218 (Yee) of 2009, both of which were vetoed by Governor Schwarzenegger. UC and CSU were strongly opposed to prior versions of the bill, but have removed their opposition after negotiating amendments with the author and sponsor to protect donor anonymity. Proposed amendments for the Assembly Higher Education Committee will include the same protections for donors provided to the UC and CSU auxiliaries for local community college district auxiliaries, and the Foundation for California Community Colleges. According to the sponsor, and several CCDs, the CPRA applies to auxiliary bodies established by local community college districts, and the local foundations have been operating under the CPRA.

**Location:** SB 8 passed the Senate (38-1) with Senator Blakeslee the lone no vote in the Senate Education and Judiciary Committees, and on the floor. SB 8 will be heard in the Assembly Higher Education Committee on June 21, 2011.

### **SB 238 (De León) Athlete Agents**

**Analysis / Summary:** This bill would protect student athletes, colleges, and universities from unscrupulous athlete agents by implementing a new penalty for violating the Miller-Ayala Athlete Agents Act. This bill would require athlete agents who are convicted of violating the Miller-Ayala Athlete Agents Act to disgorge all gross revenues that they are owed or received in connection with the violation and will require the courts to suspend or revoke the business privileges of convicted athlete agents.

**Location:** This bill was assigned to the Assembly Committee on Judiciary, hearing date set for June 14.  
**Position:** Support

**SB 405 (Solorio) Community Colleges: Joint Use Facilities**

**Analysis / Summary:** This bill would require the Board of Governors to establish the California Community College Joint Use Program, to support the creation of joint use facilities on community college campuses. The program will be for the creation of new and/or renovated facilities that are governed by a joint use agreement between a community college district and a third-party public agency. The establishment of the program is subject to the availability of funding.

**Location:** The bill was heard in the Assembly Appropriations Committee and referred to the Suspense File.

## ***State Operations***

**SB 629 (Lowenthal) Board of Governors: Vice Chancellor Appointments**

**Analysis / Summary:** This bill expands the definition for the state classification of “career executive assignment” (CEA). SB 629 authorizes the Chancellor to appoint a vice chancellor or assistant vice chancellor as a CEA who has a minimum of five years of work experience at a local community college, a higher education policy position, or in a technical or occupation capacity for which there is a shortage of qualified workers. Current statute limits CEA positions to civil servants, former civil servants, current or former gubernatorial appointees and legislative staff.

**Location:** Held on the Senate Floor.  
**Position:** Sponsor/Support

## ***Student Fees and Affordability***

**AB 91 (Portantino) Community Colleges: Student Financial Aid**

**Summary / Analysis:** This bill requires the Office of the Chancellor of the California Community Colleges to establish a voluntary pilot program to increase student participation in state and federal financial aid programs. It also requires the Chancellor to provide specified information to the Legislative Analyst’s Office, which the office would be required to use to report to the Legislature on the results of the program, and make recommendations for statewide expansion of the pilot program.

**Comments:** It is estimated that AB 91 would create minor increased costs for the Chancellor’s Office for administering the pilot project. Local costs for implementation at the campus level are undetermined.

**Location:** The bill passed the Assembly (79-0) and was sent to the Senate.

**SB 451 (Price) Student Financial Aid: Cal Grant C Awards**

**Analysis / Summary:** SB 451 requires the California Student Aid Commission (Commission) to develop areas of occupational and technical training for which students may use Cal Grant C awards. The Commission would then give priority in granting Cal Grant C awards to students pursuing training in fields



that meet two of the three following criteria: high employment need, high salary or wage projections, or high employment growth. It also calls for a review and update of these designated occupational areas at least every five years beginning in 2012. The Legislative Analyst's Office would be required to submit a report to the Governor and Legislature on the outcomes of the Cal Grant C program every other year beginning April 1, 2015.

**Comments:** The Appropriations Committee deemed this bill of minor or no fiscal impact to the State.

**Location:** Referred to the Assembly Committee on Higher Education. No set hearing date.

**SB 760 (Alquist) Postsecondary Education: The Cal Grant Program**

**Analysis / Summary:** This bill clarifies and defines the annual reporting requirements, required under SB 70 (Chapter 7, 2011) for all institutions that voluntarily choose to participate in the Cal Grant program.

**Comments:** Chapter 7, Statutes of 2011 (SB 70, the Education Budget Trailer Bill) began the process of requiring the reporting of enrollment, persistence, graduation, and job placement data of institutions participating in the Cal Grant program. The bill is intended clarify new data reporting requirements from SB 70 related to Cal Grant participating institutions by aligning data elements as much as possible with those already required for federal Title IV financial aid eligibility. The Chancellor's Office staff is working with the author on amendments.

**Location:** The bill passed the Senate (30-9) and was sent to the Assembly.

## ***Student Success and Transfer***

**AB 194 (Beall) Public Postsecondary Education: Priority Enrollment: Foster Youth**

**Analysis / Summary:** This bill would require the California State University and California Community College districts, and requests the University of California, to grant priority registration for enrollment to foster youth or former foster youth. The bill defines foster youth as any person currently in foster youth care and former or emancipated foster youth up to age 24. This bill would impose a state-mandated local program.

**Location:** The bill passed the Senate Committee on Education and was referred to the Senate Committee on Appropriations. No set hearing date.

**Position:** Support

**AB 1056 (Fong) Electronic Transcripts**

**Analysis / Summary:** This bill would create an incentive to have all colleges utilize electronic transcripts by December 2012. AB 1056 expedites the process for community colleges to convert from paper-based transcripts to an electronic based system by December 31, 2012 by leveraging one-time external funding for this purpose. Implementation of this bill is contingent upon receipt of federal funds or outside philanthropic grants.

**Comments:** Mailing paper-based transcripts from one institution of higher education to another is timely and not cost-effective. Currently, paper-based transcripts can take weeks to be delivered to a college or university, thereby delaying the student's enrollment in classes. Converting from a paper-based transcript

to an e-Transcript system can save the college \$4 to \$10 per transcript by reducing paper consumption, operating costs, and postage. E-transcripts also allow the student to view their transcripts online. Recent amendments will sunset the bill in 2015 if sufficient funding cannot be acquired and assigns the Chancellor's Office as the designee for the dispersing of funds.

**Location:** The bill passed the Assembly (77-1) and was sent to the Senate.

**Position:** Sponsor/Support

**SB 292 (Padilla) Community Colleges: Transfers**

**Analysis / Summary:** Amends the Student Transfer Achievement Reform Act by requiring that students admitted to the California State University receive priority enrollment over all other community college transfer students, excluding community college students who have entered into a transfer agreement between a community college and the California State University prior to the fall term of the 2012-13 academic year.

**Location:** The bill was referred to the Assembly Committee on Higher Education. No set hearing date.

**Position:** Support

## ***Veterans Issues***

**AB 372 (Hernandez) Public Postsecondary Education**

**Analysis / Summary:** AB 372 Requires California Community Colleges (CCC) faculty to provide military service personal and veterans an assessment of college-level learning gained in non-academic settings as part of the matriculation process according to the standards of the American Council on Education (ACE), Council for Adult and Experiential Learning, or other equivalent standard for awarding academic credits, and requires CCC districts to implement these provisions only to the extent that reimbursement for the prior learning experience assessment is provided by the federal Department of Veterans Affairs pursuant to provisions of the Post-9/11 Veterans Educational Assistance Act of 2008 or any other federal act establishing veterans education benefits.

**Comments:** Fifty California Community Colleges are members of a consortium that uses the ACE guidelines. Prior versions of the bill would have created a state mandate for the sixty-two colleges that are not part of the consortium. Recent amendments to remove/reduce the costs associated with the bill provide that the assessment would be paid through the veteran's benefits. Currently, community colleges provide a process for credit by exam and charge the student. This process is for all students and the student veteran may use their GI Bill benefits to pay for the credit by exam. Existing college processes provide the authority for colleges to use the ACE guidelines, and credit by exam. AB 372 highlights concerns expressed by student veterans who are seeking college credit for instruction in a military setting. As previously noted, to support our veteran students, the Academic Senate for the Community Colleges recently approved a resolution encouraging the use of the ACE guidelines

**Location:** This bill passed off the Assembly Floor (76-0) and is awaiting committee assignment from the Senate Rules Committee

**Position:** Support, if amended

**AB 635 (Knight) Veterans' Benefits: Public Postsecondary Education: Mandatory Educational Fees**

**Analysis / Summary:** For the purposes of veterans' benefits, AB 635 amends the Military and Veterans Code to authorize the University of California, California State University and the Board of Governors of the California Community Colleges to designate mandatory educational fees as tuition.

**Comments:** This bill is sponsored by the author in response to concerns by student veterans who stated that they are prevented from using their post 9/11 GI bill education benefits to pay for costs labeled as "fees." By authorizing public universities to define fees (e.g., lab fees) as part of the tuition, veterans will be able to fully use their education benefits. The author recognizes that the UC and CSU systems have addressed the definition of fees and tuition for GI Bill education benefits through administrative action. However, the author wants to ensure the definition is placed in statute.

**Location:** Passed the Assembly Veterans Committee and sent to the Assembly Committee on Higher Education. Because this bill was not heard, it is now a two year bill.

**AB 636 (Knight) Military Service: Veterans Benefits**

**Analysis/ Summary:** Current Military and Veterans Code requires colleges to provide military students the option of a refund of tuition and fees paid for the subsequent academic term due to a military leave of absence, provided the student withdraws before the withdrawal date established by the college. AB 636 would eliminate the requirement that the student withdraw by a specified date. AB 636 also requires that any credit toward a subsequent academic term must be equal to 100% of the cost of the subsequent tuition and fees paid to the institution for the current academic term.

**Comments:** National Guard, active duty and veteran students may be called to service and deployed by the Governor or the President of the United States at a moment's notice. This deployment may interrupt their education and cost the student money and disrupt their education. This bill assists the student by taking into consideration deployments and expanding their options upon their return to the college.

**Location:** This bill passed off the Assembly Floor (78-0) and will be heard in the Senate Education Committee and the Senate Veterans' Affairs Committee.

**Position:** Support

**AB 649 (Harkey) Postsecondary Education: Veteran's Enrollment**

**Analysis/ Summary:** AB 649 would modify the current priority registration requirement for veterans (who are also California residents) by granting veterans an additional three years of priority registration entitlement after leaving active duty. This would bring the total time period within which a veteran student may receive increased priority registration for their service from two years to five years.

**Comments:** AB 649 amends current statute granting veteran's priority enrollment. This bill was amended to limit priority for class registration to veterans who are California residents.

**Location:** AB 649 was held in the Senate Education Committee and the author has agreed to support SB 813.

**Position:** Support

**AB 853 (Blumenfeld) Veterans: Tuition and Fees**

**Analysis/ Summary:** AB 853 would amend state law bringing California into compliance with Federal law which requires that a member of the armed forces or their dependants are entitled to resident

classification for the purposes of calculating tuition and fees for the duration of their enrollment in a public institution of higher education.

**Location:** Will be heard in the Senate Education Committee.

**Position:** Support

**SB 251 (Correa) Vehicles Drivers License: Selective Service**

**Analysis / Summary:** SB 251 requires the Department of Motor Vehicles to include a notice to males between 18 and 26 years old that they are registering for Selective Service by applying for or renewing their drivers license. The DMV then forwards information to the US Selective Service System to register the applicant.

**Comments:** The author and sponsor (US Selective Service System) have received thousands of letters, mainly from students who were unaware of their obligation to register for Selective Service until they were denied financial aid. The author's office estimates that California loses over \$100 million in lost student financial aid, job training and employment based on letters sent to the US Selective Service System.

**Location:** The bill was heard in the Senate Appropriations Committee and referred to the Suspense File.

**Position:** Support

**SB 813 (Veterans Affairs Committee) Priority Enrollment for Veterans**

**Analysis / Summary:** SB 813 is similar to AB 649. This bill amends statute to grant veterans an additional two years of priority registration after leaving active duty. Both bills increase the total time period for a veteran student to receive priority registration from two years to four years.

**Location:** Passed the Senate Floor (39-0) and referred to Senate Education Committee and Senate Veterans' Affairs Committee.

**Position:** Support