



April 21, 2011

State Legislative Update

Overview

The Legislature and Governor continue to be at an impasse in adopting a balanced state budget. Many Democratic legislators and the Governor have fanned out around the state during the Spring Legislative Recess to communicate the dire effects of passing an all cuts budget and the need for a balanced solution. Implicit in this message is a heavy push for extending current taxes that are set to expire at the end of this fiscal year. The May Revise is expected to be the next critical juncture in the budget process.

The Legislature is also in the midst of convening policy and fiscal committee hearings and reviewing several substantive community college issues this year. Both the Assembly Higher Education Committee and the Senate Education Committee are in the process of hearing major bills that deal with issues, such as community college extension courses and fees, concurrent enrollment, priority enrollment, distance education, adult education, faculty compensation issues, facilities requirements and the Dream Act. There is a growing interest in the Legislature to not conduct business as usual and revisit ongoing issues that may lend themselves to new solutions.

This is the first year of a two year session. Many bills introduced may be candidates for two-year bills, especially if they deal with complex issues. Additionally, some of these bills attempt to address issues that are currently under consideration by the BOG Student Success Task Force. The Chancellor's Office will continue working with Legislators and their staff to convey community college priorities and provide feedback on the many community college bills introduced this year.

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;

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CALIFORNIA COMMUNITY COLLEGES CHANCELLOR'S OFFICE

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- permits a student to concurrently enroll in a community college during any session or term upon notification of the high school principal; current law requires the student to seek permission from the principal before concurrently enrolling in a community college;
- requires a student to exercise this option only after all other options to enroll in an equivalent course at his/her local K-12 facilities have been exhausted;
- repeals the summer 5% cap on K-12 concurrent enrollment, along with related requirements and exemptions in current law; and
- strikes existing law assigning low priority to concurrent enrollment students to ensure that regularly admitted students are not displaced, and replaces this with a provision that prohibits a community college district from assigning any enrollment priority to these students.

Comments: The author pulled AB 160 from the April 13th hearing in the Assembly Education Committee to work out amendments in response to concerns that the community colleges cannot accommodate additional concurrent enrollment students.

Location: In Assembly Education Committee, set for Wednesday, April 27, 2011.

Position: Oppose

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: In Assembly Education Committee, set for Wednesday April 27, 2011.

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 and sent to the Senate.

Position: Support

AB 515 (Brownley) Postsecondary Education: Community Colleges

Analysis / Summary: AB 515 authorizes the governing board of any community college district, without approval of the Board of Governors, to establish and maintain an extension program offering credit courses. Recent amendments clarify that: 1) CCC district governing boards are prohibited from expending General Fund moneys to establish and maintain extension courses; 2) CCC district governing boards are allowed to charge students enrolled in extension classes such fees as they deem appropriate; 3) the program shall be subject to district collective bargaining agreements; 4) program enrollment shall be open to the public; 5) extension credit courses shall not supplant courses funded with state apportionment; and 6) degree credit courses offered as extension courses are required to meet all of the requirements of Title 5 of the California Code of Regulations, which governs the development and approval of new curriculum for CCC credit courses.

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: Passed to the Assembly Appropriations Committee.

AB 532 (Hernandez) Advanced placement program

Analysis / Summary: AB 532 would require the governing board of a community college district and the California State University to give a student who scored 5, 6, or 7 on the International Baccalaureate (IB) high school examination the same amount of credit given to students who scored 4 or 5 on the equivalent advanced placement examination. By requiring the governing board of community colleges to give eligible students these credits, the bill would impose a state-mandated local program.

Comments: Although not yet in print, this bill will be significantly amended to encourage the Academic Senates to continue their efforts to adopt consistent systemwide guidelines for the acceptance of and granting of IB credit.

Location: Passed to the Assembly Appropriations Committee, no set date.

AB 661 (Block) Baccalaureate Degree Pilot Program for San Diego Community College District

Analysis / Summary: Currently, this bill specifies that the San Diego Community College District (SDCCD) may establish a baccalaureate degree pilot program. The BA 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. The governing board of the SDCCD may charge BA degree seeking students a fee that covers the additional costs imposed by the program. This 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 author's intent is to provide more BA degree opportunities in San Diego County. Last year the author introduced AB 2400, which would have authorized a BA pilot program for 3 specified CCC districts, and it was held in committee. The author's office is working on amendments to broaden the bill, but the amendments are not available for review at this time.

Location: In Assembly Committee on Higher Education, set for Tuesday, May 3, 2011.

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: In Assembly Appropriations Committee, set for Wednesday, May 4, 2011.

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: In Assembly Committee on Appropriations, set for Wednesday, May 4, 2011.

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: Sent to the Assembly Appropriations Suspense File.

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: Remains in the Assembly Committee on Higher Education, AB 24 is now a two-year bill.

AB 743 (Block) Common Assessment

Analysis / Summary: AB 743 creates 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. CCCCO staff estimates that this measure could potentially save between \$3 and \$4 million in assessment costs by reducing duplication among campuses.

Comments: Amendments are being developed to reduce the costs of the measure by providing that existing tests can be used, rather than developed from scratch. This makes sense in light of possible changes that could be made to college readiness standards with the adoption of the common core standards.

Location: Sent to the Assembly Appropriations Suspense File.

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 Senate Education Committee, set for Wednesday, April 27, 2011.

SB 885 (Simitian) Public Education Accountability

Analysis / Summary: SB 885 is still in spot bill form, but the intent is to develop a comprehensive data base for students from preschool through higher education.

Comments: Per the author's staff, this bill is sponsored by the author, Senator Simitian, based on his interest in developing a comprehensive data base for P-20. The current version of the bill was intended to have the bill referred to Senate Education and "start the conversation" so that eventually the segments of higher education can coordinate their data systems with K-12 and each other.

Location: In Senate Education Committee, and set for Wednesday, April 27, 2011.

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: Referred to the Assembly Education Committee, no set date.

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: Referred to the Assembly Committee on Higher Education, no set date.

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: Passed the Assembly Committee on Education and will be heard in the Assembly Committee on Higher Education on Tuesday, May 3, 2011.

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: Sent to the Assembly Appropriations Suspense File.

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: Sent to the Assembly Appropriations Committee 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: Passed to the Assembly Appropriations Committee, no set date.

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: Referred to the Assembly Committee on Revenue and Taxation, no set date.

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: In Senate Governance and Finance Committee, set for Wednesday, April 27, 2011.

Position: Support

Campus Safety

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

Analysis / Summary: 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 and sexual orientation. The bill also specifies that campuses develop professional development training programs for faculty, campus public safety officers, and financial aid staff to address the needs of lesbian, gay, bisexual, and transgender (LGBT) students. Campuses would also be required to designate an employee at each campus to address the needs of LGBT students, and to provide CPEC with demographic information they collect regarding sexual orientation, gender identity, and gender expression. CPEC would be required to conduct an assessment of the campuses, develop recommendations, and publish their recommendations on their web site.

Comments: A June 2009 CPEC study entitled "Access & Equity for all Students: Meeting the Needs of LGBT Students", found that LGBT students have unique challenges that could be addressed through additional campus services and resources. The Assembly Appropriations Committee analysis notes that the estimated costs to implement this measure by CCC, CSU, UC, and CPEC could make this measure prohibitive in the current fiscal environment.

Location: Sent to the Assembly Appropriations Committee Suspense File.

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: Assembly Governmental Organization Committee held in 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: Passed to the Assembly Committee on Labor and Employment, no set date.

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 those 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: Referred to the Committee on Labor and Industrial Relations, no set date.

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: Passed the Appropriations Committee, sent to the Assembly Floor, to third reading.
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: Sent to Assembly Appropriations Suspense File.
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: In Assembly Committee on Higher Education, set for Tuesday, May 3, 2011.

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: Heard in Assembly Committee on Higher Education and remains in Committee, no set date.

AB 852 (Fong) Community Colleges

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: In Assembly Appropriations Committee, set for Wednesday, May 4, 2011.

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: Assigned to the Assembly Committee on Higher Education, no set date.

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: In Senate Appropriations Committee, set for hearing on May 2, 2011.

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 Senate Education Committee, set for Wednesday, April 27, 2011.

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: In Senate Governance and Finance Committee, set for Wednesday, April 27, 2011.

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: Sent to the Senate Appropriations Suspense File.

Other

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

Analysis / Summary: SB 8 would apply the California Public Records Act (CPRA) to auxiliary organizations at UC, CSU, and any auxiliary established by California Community College Board of Governors. The CPRA already applies to auxiliary bodies established by local community college districts. The bill permits that the foundations can request anonymity of donors if their donation is \$500 or less. The bill

reaffirms existing exemptions to the CPRA for propriety information, trade secrets, or other documents that have an economic value (actual or potential economic value such as prospective donor lists).

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.

Location: Passed Senate Judiciary and referred to Senate Education Committee, no set date.

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: In Senate Appropriations Committee, set for hearing on Monday, May 2, 2011.

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: Sent to Assembly Appropriations Suspense File.

AB 970 (Fong) Cal Grant B Awards: Award Amount

Analysis/Summary: AB 970 would increase the percentage of new Cal Grant B recipients eligible for payments for tuition or fees in addition to the access grant in the first year. The percentage of students who could get tuition and fees covered in first year would increase from the current 2% to 25% by 2012–13, 50% by 2013–14, and 75% by 2014–15. The bill further provides that commencing with 2015–16 all new Cal Grant B recipients enrolling in college for the first time would be eligible for payments for access costs, tuition, fees, or both during their first academic year.

Comments: There are two types of Cal Grants: Cal Grant A awards pay for full systemwide tuition and fees at the UC, CSU and private/independent colleges, and Cal Grant B awards pay up to \$1,551 for "access costs". Access costs are statutorily defined as living expenses and expenses for transportation,

supplies, and books. Currently, Cal Grant B only pays for system wide tuition and fees commencing with the recipient's second year of attendance, with the exception of the 2% provision. Existing law specifies that not more than 2% of new Cal Grant B recipients who are first year students be eligible for payments for tuition or fees, or both in addition to access costs.

Location: Sent to Assembly Appropriations Suspense File.

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: From Senate Committee on Appropriations sent to the Senate Floor without further hearing.

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: Passed the Assembly and sent to the Senate.

Position: Support

AB 1056 (Fong) Electronic Transcripts

Analysis / Summary: 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.

Location: In the Assembly Committee on Higher Education, set for hearing on Tuesday, May 3, 2011.

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 pursuant to the act 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: Re-referred to the Senate Committee on Education, no set date.

Position: Support

Veterans Issues

AB 372 (Hernandez) Public Postsecondary Education

Analysis / Summary: Requires the California State University and each community college district to develop criteria for granting academic credit for the military training received by any member or former member of the Armed Forces of the United States before January 1, 2012.

Comments: The author is drafting amendments that are not in print to add language in the matriculation services section.

Location: In Assembly Committee on Higher Education, set for Tuesday, May 3, 2011.

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: In Assembly Committee on Higher Education, set for Tuesday, May 3, 2011.

Position: Support

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 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. AB 636 requires the student to use the credit within 3 years after being released from military service, or on request, receive a refund of the amount paid.

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: In Assembly Committee on Higher Education, set for Tuesday, May 3, 2011.

Position: Support

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

Analysis/ Summary: AB 649 would modify the current priority registration requirement for veterans 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.

Location: Passed to Assembly Appropriations Consent File.

Position: Support

AB 853 (Blumenfield) 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: In Assembly Committee on Veterans Affairs, set for Tuesday, April 26, 2011.

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: In Senate Second Reading 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. AB 649 increases the total time period for a veteran student to receive priority registration from two years to four years.

Location: In Senate Second Reading File.