As anticipated, numerous new bills were recently introduced just in time to meet the February 24 bill introduction deadline. Close to 2000 new bills were introduced. Because this is the second year of a two-year session, all bills must be acted upon by the end of session or else they fail.

Several new bills were introduced that directly affect community colleges. Many of these bills address popular themes, such as improving college affordability, expanding the use of E-Textbooks and online education, strengthening higher education oversight and transparency, and building greater support for student veterans. Senate and Assembly Republicans also introduced four bills that would implement the Governor’s 12-point pension reform plan released last fall. These bills include SCA 18 (Huff), SB 1176 (Huff), ACA 22 (Smyth) and AB 2224 (Smyth).

**BOG Sponsored Legislation**

The Board of Governors’ sponsored legislation was recently introduced: 1) SB 1456 (Lowenthal), the Student Success Act of 2012; 2) SB 1062 (Liu), a bill to strengthen the Chancellor’s Office; and 3) SB 1402 (Lieu), reauthorization of the Community College Economic and Workforce Development Program. These bills are now in print and will likely be heard in the middle of April.

**Tax Initiatives**

There will be significant attention focused on various revenue generating initiatives proposed to be placed on the November 2012 ballot. There are three major tax initiatives proposed that earmark funding for education.

- The Governor’s tax proposal would impose a temporary tax increase on high-income earners and would increase the sales tax rate by one-half cent. These tax increases, if approved by the voters in November, would generate $6.9 billion that would be used to help close the 2012-13 budget deficit and provide additional revenues for K-12 and higher education. This initiative would generate approximately $6.9 billion each year until 2016, when the taxes expire.

- The “Millionaire’s tax” proposal adds new tax rates on the highest-income earners in the state on a permanent basis. This proposal is sponsored by the California Federation of Teachers (CFT). The Legislative Analyst’s Office and the Department of Finance estimates vary on how much new revenue this tax would generate and range between $4 billion and $9.5 billion. These funds would be allocated based on a specified formula to K-12 education, higher education, counties for children’s and senior services, public safety and roads and bridges.
• The “Munger” proposal, sponsored by the Advancement Project co-director, Molly Munger, includes two tax measures that would increase personal income rates for all California taxpayers. The new rates would be progressive. It is estimated that this tax would generate from $10 to $11 billion in 2013-14 and about half that amount in 2012-13. The bulk of the new revenues generated by these initiatives, if approved by the voters in November, would go to fund K-12 education, with a lesser amount being earmarked for early childhood development and education.

There are significant discussions taking place to determine whether one or more of the initiatives will be placed on the November ballot and what strategy increases the likelihood for voter approval of new taxes that generate new revenues for the state and education.

Recent Higher Education Hearings

The Assembly Higher Education Committee and the Assembly Budget Subcommittee 2 on Education Finance convened an informational hearing on February 22 titled “Improving Higher Education Oversight and Governance.” The purpose of the hearing was to review whether there is a need for greater oversight and coordination of higher education issues in light of recent actions to eliminate the California Postsecondary Education Commission (CPEC). The hearing also focused attention on how to meet federal requirements for legal authority to maintain and access to the data resources previously maintained by CPEC. The former executive director of CPEC and a representative from the LAO discussed the many challenges for the state posed by eliminating CPEC.

The California Student Aid Commission held a two-day meeting on February 23 and 24 to examine whether the Cal Grant program should consider the quality and cost of distance learning programs when making Cal Grant awards to students. There was significant discussion and debate about how to measure quality and whether financial aid policies should be revised to reflect the growing number of students enrolling in online educational programs.

The Assembly Higher Education Committee and the Assembly Veterans Committee held an informational hearing on February 28 on services to student veterans enrolled in California higher education institutions. Several veteran students testified about the challenges they face in transitioning to civilian life and postsecondary education. A community college student veteran spoke eloquently about his personal struggles in college and what has helped him succeed. Community College program experts, along with other segmental representatives also discussed the needs of student veterans and what they are doing to provide support and guidance to help veterans succeed in their educational pursuits.

This report provides a brief summary of significant community college related bills introduced in the Legislature and is organized by topic. We are continuing to analyze newly introduced bills and their impact on the community colleges and/or the Chancellor’s Office. Attached also is the Chancellor’s Office legislative tracking matrix.
Academic Affairs

AB 2171 (Fong) Public Postsecondary Education: Community Colleges: Expulsion Hearing
Analysis/Summary: AB 2171 would authorize community college boards of trustees or their designee(s) to deny, permit, or place conditions on the enrollment of a student applicant who has been expelled from a community college within the preceding five years, if the board determines that the person poses a risk to the safety of others. The student may appeal the ruling to the governing board.

Comments: AB 2171 is nearly identical to AB 288 (Fong) from 2011 which was vetoed by Governor Brown, and AB 1400 (Fong) of 2009 which was vetoed by Governor Schwarzenegger.

Location: Introduced in the Assembly.

SB 1561 (Anderson) Community College: Student Expulsion: Dropped Courses
Analysis/Summary: SB 1561 would require the governing board of a community college district to expel a student if he or she drops more than three courses in one semester or quarter and would also require that the expulsion be accompanied by a prompt hearing.

Location: Introduced in the Senate.

Accountability / Intersegmental / Coordination and Efficiency

AB 1741 (Bonilla) Accountability System and Reporting
Analysis/Summary: AB 1741 requires the current community college accountability information system to add metrics that include regional work force needs and student participation in career readiness programs. It also requires information on the ratio of full-time to part-time faculty and student access to faculty office hours.

Location: Introduced in the Assembly.

AB 2190 (J. Perez) Postsecondary Education: Oversight and Coordination
Analysis/Summary: Assembly Bill 2190 expresses legislative intent to enact legislation to create a postsecondary education oversight and coordinating commission to accomplish prescribed outcomes relating to the goals and operations of the postsecondary education segments.

Comments: The California Postsecondary Education Commission (CPEC) was responsible for coordinating public, independent, and private postsecondary education in this state and providing independent policy analyses and recommendations to the Legislature and the Governor on postsecondary education issues. The Budget Act of 2011 deleted funding and personnel from CPEC.

Location: Introduced in the Assembly.

SB 885 (Simitian) Public Education Accountability
Analysis/Summary: SB 885 authorizes the California Community Colleges Chancellor’s Office, CSU, UC, the California Department of Education, State Board of Education, Commission on Teacher Credentialing, Employment Development Department, and CA School Information Services to enter into a Joint Powers Authority to develop a comprehensive database for students from preschool through higher education (P-20).
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**Location:** SB 885 passed the Senate and the Assembly Committee on Appropriations, and was sent to the Assembly Floor.

**Position:** Support

**SB 1138 (Liu) Educational Data:**

**State Department of Education: California Postsecondary Education Commission**

**Analysis/Summary:** This bill requires, on and after January 1, 2013, the State Department of Education in coordination with the State Board of Education to assume data management responsibilities of the CPEC comprehensive database. In addition, commencing with the 2012-13 academic year the California State University (CSU) Trustees and the University of California (UC) Regents are required to provide reports on expenditures and financial aid to the Legislature. The bill also requires the California Department of Education to enter into an interagency agreement with the California Community College Chancellor’s Office to administer the comprehensive database. These provisions apply to UC only to the extent that the regents act by resolution to make them applicable. The bill also requires the Legislative Analyst's Office to annually review and report to the Legislature its findings, conclusions, or recommendations regarding UC and CSU reports.

**Location:** Introduced in the Senate.

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**Budget / Finance / Facilities**

**AB 1441 (Beall) Personal Income Tax Credit for Higher Education Costs**

**Analysis/Summary:** This bill would, for each taxable year beginning on or after, January 1, 2012 and before January 1, 2017, 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.

**Comments:** AB 1441 is nearly identical to AB 1709 (Beall) of 2011, which failed passage in the Assembly Committee on Revenue and Taxation.

**Location:** Introduced in the Assembly.

**AB 1500 (J. Perez) Budget Higher Education: Middle Class Scholarship Fund**

**Analysis/Summary:** For taxable years beginning on or after January 1, 2012, this bill repeals current tax law regarding multistate businesses and requires them to calculate their California income tax liability based on the percentage of their sales in California. This formula is referred to as a “single factor formula”. AB 1500 is an urgency bill and double-joined with AB 1501, which specifies that the proceeds from this taxation would be deposited in the Middle Class Scholarship Fund (MCSF) established in AB 1501.

**Comments:** The intent of SB 1500 is to raise taxes on out-of-state corporations and generate enough revenue to cut college tuition and fees by two-thirds for middle-income college students in California. The plan to accomplish this goal is contained in two pieces of legislation, AB 1500 and AB 1501. It’s estimated the tax code change would generate close to a $1 billion in additional state revenues.

**Location:** Will be heard in the Assembly Revenue and Taxation Committee.
**AB 1501 (J. Perez) Budget Higher Education: Middle Class Scholarship Program**

**Analysis/Summary:** Assembly Bill 1501 provides $150 million to the Chancellor’s Office for allocation to community college districts, based on full-time equivalent students. It provides the community colleges with local discretion to allocate the funds to meet individual needs, including expanding the use of fee waivers or providing grants to cover the costs of books, transportation, or other educational expenses. The bill also provides that undergraduate students enrolled at California public four-year colleges and universities whose annual family income does not exceed $150,000 would receive a scholarship that when combined with other financial aid awarded to the student would cover at least two-thirds of the amount charged for annual systemwide fees.

**Location:** Will be heard in the Assembly Higher Education Committee.

**AB 1917 (Dickinson) Education Finance: Acquisition of Food Services**

**Analysis/Summary:** AB 1917 would require the California Community College system to adopt policies and procedures requiring contractors that providing auxiliary services to California Community College districts to disclose to the campuses all discounts, rebates, allowances, incentives, etc. received from suppliers. Further AB 1917 would require these contractors to pay the full amount of these discounts or applicable credits to the campus during a mutually agreed upon timeframe and record these transactions for auditing purposes.

**Location:** Introduced in the Assembly.

**SB 1560 (Anderson) Community College Funding: Funding Based on Completion**

**Analysis/Summary:** SB 1560 would require the Board of Governors to calculate FTES enrollment using the average active enrollment in a course as of the census date at one-fifth point and at course completion.

**Comments:** SB 1560 is similar to earlier versions of Senator Liu’s SB 1143 from 2010.

**Location:** Introduced in the Senate.

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

**SB 1070 (Steinberg) Community Colleges Economic and Workforce Development**

**Analysis/Summary:** SB 1070 is a spot bill to reauthorize SB 70 (Scott) from 2005 that provided grants for career technical education partnerships with K-12 districts. SB 1133 (Torlakson, 2006) which established the Quality in Education and Investment Act provides funding for SB 70 projects through 2013-14.

**Location:** Introduced in the Senate.

**Position:** Sponsor/Support

**SB 1402 (Lieu) Economic Development: California Community Colleges EWD**

**Analysis / Summary:** SB 1402 reauthorizes the California Community Colleges Economic Workforce Development program.

**Location:** Introduced in the Senate.

**Position:** Sponsor/Support
SB 1550 (Wright) Community Colleges: Extension Courses
Analysis/Summary: Senate Bill 1550 authorizes the governing board of any community college district, without the approval of the Board of Governors, to establish and maintain career technical education and workforce development extension courses for credit and charge students the full cost of this instruction.

Comments: This bill is similar to AB 515 (Brownley) of 2011, which was referred to the Assembly Committee on Appropriations and sent to the Suspense File.

Location: Introduced in the Senate.

Faculty

AB 2132 (Lara) Public Postsecondary Education: Tenure Policy
Analysis/Summary: The bill would require the Board of Governors, CSU Trustees and request the UC Regents, to consult with the academic senate and student and community organizations in the development of criteria for faculty tenure that encourages and rewards participation in community service by giving favorable consideration to candidates for tenure who successfully participate in service activities.

Location: Will be heard in the Assembly Higher Education Committee.

Other

AB 1434 (Feuer) Child Abuse Reporting: Mandated Reporters
Analysis/Summary: The bill adds employees of public or private higher education institutions as “mandated reporters” who are charged with reporting child abuse or neglect that occur on the institution’s grounds.

Comments: Assembly Bill 1434 was introduced in reaction to the Penn State scandal. This bill may be duplicative of existing law. Penal Code §11165.7 lists teachers, teacher’s aids, and classified employees of public schools as “mandated reporters”. The Chancellor’s Office Legal Affairs Division (Legal Opinion 02-03 Child Reporting) and California Attorney General (72ops.ca.atty.gen216 of 1989) apply the broad interpretation of these definitions to include community college staff and faculty.

Location: Introduced in the Assembly.

AB 1684 (Eng) California Community Colleges: Chancellors Compensation
Analysis/Summary: AB 1684 limits the compensation of a chancellor of a community college district from exceeding two times the compensation of the most highly compensated faculty member in the community college district. The bill would apply this prohibition on or after January 1, 2013, for new contracts and renewal.

Location: Will be heard in the Assembly Higher Education Committee.
SB 1264 (Vargas) Child Abuse Reporting: Mandated Reporters

Analysis/Summary: SB 1264 adds any athletic coach, assistant coach and graduate assistant involved in coaching to the list individuals who are mandated reporters at a public or private postsecondary institution.

Location: Introduced in the Senate.

Student Fees and Financial Aid


Analysis/Summary: This bill requires that students admitted to the United States as refugees who are victims of human trafficking, domestic violence, and other serious crimes shall be exempt from paying nonresident tuition at the California State University and the California Community Colleges. It also requires that these students be eligible for all student financial aid programs and scholarships administered by a public postsecondary educational institution or the State of California.

Comments: The number of affected students is small, an estimated 75 to 100 students per year. These students do not meet criteria contained in the recently passed Dream Act, and consequently cannot take advantage of the benefits of the Dream Act. Assembly Bill 1899 ensures that crime survivors can continue their education uninterrupted while they secure lawful status, and that any disincentive to cooperate with law enforcement in prosecuting the perpetrators of crimes against them is minimized. The bill is sponsored by MALDEF and the California Immigrant Policy Center.

Location: Introduced in the Assembly.

AB 2093 (Skinner) Foster Youth Higher Education Preparation and Support Act of 2012

Analysis/Summary: Assembly bill 2093 establishes the Foster Youth Higher Education Preparation and Support Act of 2012. It requires the California State University and the California Community Colleges, and the University of California is requested to, establish foster youth campus support programs that provide comprehensive support and outreach to current and former foster youth. The bill also requires the campuses to designate a foster youth campus support program coordinator using new or existing resources.

Location: Introduced in the Assembly.

Student Success and Transfer

AB 2202 (Block) Postsecondary Education: Expanding Access

Analysis/Summary: AB 2202 requires the Legislative Analyst’s Office to conduct a study and make recommendations to increase access to postsecondary education in underserved areas.

Location: Introduced in the Assembly.

AB 2471 (Lara) Postsecondary Education E-Textbooks

Analysis/Summary: AB 2471 requires community college districts, the CSU and requests the UC to adopt policies to prohibit the use of e-textbooks unless they are: 1) offered with pricing tiers that include, at a minimum, a “rental price” and a “lifetime purchase” price; 2) offered with cloud storage access; and 3) include a refund policy.
Location: Introduced in the Assembly.

**SB 721 (Lowenthal) State Goals for Higher Education**

Analysis/Summary: Senate Bill 721 establishes an overarching higher education accountability framework that includes statewide goals for higher education. The Legislative Analyst’s Office (LAO) would be required to convene a working group which would include one representative from each segment of higher education, among others, to establish metrics, measure progress towards these goals, and report annually to the Legislature.

Location: Will be heard in the Assembly Higher Education Committee.

Position: Support

**SB 1052 (Steinberg) California Open Educational Resources Council**

Analysis/Summary: SB 1052 establishes the California Open Education Resources Council (composed of three faculty senate members from each of the segments), which would determine a list of the 50 most popular lower division courses to develop into open source materials. The council would also establish a competitive request for proposal process in which interested parties can apply for funds to produce the 50 textbooks.

Comments: Findings and declaration language suggests a $25 million state led investment for this purpose, based on a $500,000 ball-park estimate for the development of each textbook.

Location: Will be heard in the Senate Education Committee.

**SB 1053 (Steinberg) California Digital Open Source Library**

Analysis/Summary: SB 1053 would establish the California Digital Open Source Library (under the joint administration of the three segments) to house open source materials and provide free or low cost online access to these materials for students, faculty and staff. Materials shall bear a creative commons attribution license. The bill states intent that the segments provide incentives to faculty to choose open source textbooks.

Location: Will be heard in the Senate Education Committee.

**SB 1062 (Liu) California Community Colleges: Board of Governors**

Analysis/Summary: SB 1062 amends the Education Code to allow the Board of Governors to appoint a person without permanent civil service status to the classification of Career Executive Assignment (CEA) for the positions of Vice Chancellor or assistant Vice Chancellor, if the person meets specified education and relevant work experience requirements. The CEA classification currently can be used to fill Vice Chancellor positions, if the candidate has permanent civil service status, has worked in the Legislature or Executive branch for a specified period of time. SB 1062 also streamlines the Department of Finance from oversight of Title 5 regulations.

Location: Introduced in the Senate.

Position: Sponsor/Support
SB 1153 (Calderon) Community College Extended Opportunity Programs and Services: Student Eligibility
Analysis/Summary: Senate Bill 1153 extends the maximum time a student is eligible to participate in the Extended Opportunity Programs or Services from six consecutive semester terms or nine quarters terms, to eight semesters or 12 quarters.
Location: Introduced in the Senate.

SB 1316 (Hancock) School Attendance: Early College High School
Analysis/Summary: Senate Bill 1316 exempts an Early College High School from the 240-minute minimum school day. The bill provides that a day of attendance for students participating in an Early College High School be reduced to 180 minutes if the student is a special part-time student enrolled in a community college, or the student is in grades 11 and 12 and is also enrolled part time in classes of the California State University or the University of California.
Location: Introduced in the Senate.

SB 1328 (De Leon) Postsecondary Education Textbooks
Analysis/Summary: SB 1328 would require a publisher to provide information about textbooks, including the ISBN number, in a specified order. It would also require that this information be submitted to the Multimedia Educational Resource for Learning and Online Teaching (MERLOT) program at CSU and be available for public use.
Location: Introduced in the Senate.

SB 1456 (Lowenthal) Student Success Act of 2012
Analysis/Summary: SB 1456 is the “centerpiece” legislation resulting from the 2011 Student Success Task Force recommendations and is sponsored by the Board of Governors. The bill revises the Seymour-Campbell Matriculation Act of 1986 to reflect the recommendations of the Student Success Act of 2012. Specifically, the bill would target matriculation funds for student orientation, assessment, and education planning and require entering students at campuses receiving matriculation funds to participate in those services once approved by the BOG. The bill would also require participating campuses to establish a campus scorecard and use a common assessment system. Finally, the bill establishes new requirements and conditions for students to continue receiving a Board of Governors fee waiver.
Location: Introduced in the Senate.
Position: Sponsor/Support

Veterans Issues

AB 1832 (Silva) Public Postsecondary Education: Credit for Military Training
Analysis/Summary: Similar to AB 2598, AB 1832 is a spot bill expressing legislative intent to enact legislation to grant academic credit to students for similar training and experience experienced during the military.
Location: Introduced in the Assembly.
AB 2133 (Blumenfield) Veterans: Priority Registration and Resident Classification
Analysis/Summary: AB 2133 would require the California Community College system to grant priority enrollment to veterans who served in Iraq or in Afghanistan for any academic term, in all degree programs. Further, AB 2133 would confer resident status for the purpose of paying in-state tuition rates within six months of having residence in the State of California.

Location: Introduced in the Assembly.

AB 2250 (B. Gaines) Public Postsecondary Education: Nonresident Tuition: Military Members
Analysis/Summary: AB 2250 exempts a student, or spouse of a student, who is an active member of the Armed Forces, Reserve, or who is a veteran of the Armed Forces, from paying nonresident tuition.

Location: Introduced in the Assembly.

AB 2478 (Hayashi) Student Residency Requirements: Veterans
Analysis/Summary: AB 2478 amends the Education Code to provide resident status for former members of the Armed Forces who served on active duty in California for more than one year prior to being discharged. Resident status would be provided to the veteran for up to four years.

Location: Introduced in the Assembly.

AB 2598 (Fuentes) Military Service: Academic Credit
Analysis/Summary: AB 2598 is a spot bill expressing legislative intent to support a demonstration project for granting academic credit for military education and experience.

Location: Introduced in the Assembly.

SB 1355 (Runner) Veterans: Academic Leave
Analysis/Summary: SB 1355 adds provisions to the Military and Veterans Code to provide credit or reimbursement to a student who is requesting academic leave due to a documented disability or disorder that resulted from military service. The tuition and fees the student paid shall be credited toward a subsequent academic term or be refunded to the student. SB 1355 also provides that the student may take legal action if their tuition and fees are not reimbursed or future credit is provided.

Location: Introduced in the Senate.

SB 1375 (Alquist) Student Veterans: Services
Analysis/Summary: SB 1375 encourages the California Community College, California State University, and University of California systems to offer on campus counseling services to veterans through existing veterans offices. SB 1375 also encourages the California Community College and California State University systems to create a one unit online course, designed specifically for veterans, to aid their transition to collegiate life and provide other pertinent information.

Location: Introduced in the Senate.