



August 19, 2013

### OVERVIEW

After recesses taken at different time periods, both houses of the State Legislature have returned to the Capitol facing the next key deadline on August 30, 2013, when bills with a fiscal effect must pass out of the Appropriations Committees in the second house. Bills that do not pass the Appropriations Committees by August 30 no longer move forward this calendar year. Many bills will pass with amendments from the Appropriations Committees but the amendments may not be immediately available at the close of the hearing. Soon all of the scheduled policy committees will be over and the work of the fiscal committees will become the priority of Capitol staff and the Department of Finance. During this time period we also find legislation may be completely revised to a different subject to address an emergent concern or to pass a procedural hurdle such as being held in the Appropriations Committee because the legislative deadlines apply to the bill number, not the substance of a bill. These bills are known as gut-and-amends, and to allow for public testimony and input, hearings may be added to the legislative calendar.

### BILLS OF INTEREST

The attached matrix is in priority order, and brief summaries are provided below for selected measures in our top level, Tier 1. For details and copies of any bill, please visit the Legislative Counsel's website at: <http://www.leginfo.ca.gov>.

### ACCOUNTABILITY

- **SB 195 (Liu) California Postsecondary Education: State Goals.** SB 195 states the intent of the Legislature to set three goals for higher education for budget and policy decisions. The Governor's Office would determine an appropriate educational administrative body to convene a working group to measure progress on the goals through metrics. The bill provides that the metrics measure 11 specified areas such as graduation and transfer rates, etc. The bill also states that progress on the metrics be considered in the state budget process.
  - **Status:** SB 195 passed the Senate, and passed in the Assembly Committee on Higher Education on Wednesday August 14, 2013. SB 195 will next be heard in the Assembly Appropriations Committee.

### ACADEMIC PROGRAMS

- **AB 955 (Williams) Community College Intersession Programs.** AB 955 adds a section to the Education Code to authorize community college districts to offer an extension program for credit courses during summer and winter intersessions under certain requirements. These requirements include:

- Requiring the Chancellor to review pilot programs, monitor compliance with the requirements of the bill's provisions, and has the authority to rescind a campuses' participation in the pilot program if the Chancellor determines non-compliance with the bill's provisions.
- The bill also authorizes extension program fees sufficient to cover the administrative costs incurred by the Chancellor's Office for providing oversight of the pilot program.
- For the two immediately prior academic years, a district must have served student enrollment equal to or greater than its funding limit.
- The program must be self-supporting and subject to collective bargaining agreements.
- Enrollment must be open to the public and only courses leading to certificates, degrees, or transfer preparation shall be offered.
- Extension courses cannot supplant state-funded courses; compliance of which must be certified annually by board action.
- Adds additional conditions for eligibility to participate in the pilot program and reporting requirements.

AB 955 also authorizes the local board to charge extension fees sufficient to cover costs based on the district's nonresident fee rate. AB 955 requires districts to encourage participation and support for Board of Governors fee waivers, and requires that one-third of the revenue collected from extension course fees will be used to provide financial assistance to students eligible for BOG fee waivers.

- **Position:** Oppose
- **Status:** AB 955 passed the Senate Committee on Education and was sent to the Suspense File in the Senate Appropriations Committee.

- **SB 440 (Padilla) Public Postsecondary Education Student Transfer Achievement Reform (STAR) Act.** Senate Bill 440 expands the STAR Act of 2010 and sets implementation timelines to establish Transfer Model Curriculum (TMC) and TMC-aligned associate degrees for transfer. A key provision of the bill requires, prior to the 2015-16 academic year, California Community Colleges (CCC) to create associate degrees for transfer in every major that has an approved TMC. Additionally, the bill specifies that an associate degree for transfer is required to meet the criteria of an approved TMC. Timelines included in the bill require a community college to create an associate degree for transfer in every major and area of emphasis offered by that college for any established TMC approved subsequent to the 2013-14 academic year, and within 18 months of the approval of the TMC. The CCC are required to develop at least two TMCs in areas of emphasis prior to the 2015-16 academic year, and at least two more TMCs in areas of emphasis prior to the 2016-17 academic year.

The bill requires the California State University (CSU) to guarantee admission with junior status to a community college student who completed an associate degree for transfer with admission to a program or major or concentration that is similar to the student's community college degree, or completed 60 semester units of study beyond the TMC-aligned associate degree for transfer with completion ability determined by the CSU campus to which the student is admitted. The bill includes a section on outreach and marketing, and requires the CCC and the CSU in consultation with key stakeholders to develop a communication and marketing strategy to increase the visibility of the associate degree for transfer pathway that includes:

- Outreach to high school students and first-year CCC students developing an educational plan.

- Information about the pathway prominently displayed at CCC counseling and transfer centers, and targeted outreach to first-year students through campus orientations and existing student support services programs that may include, but not be limited to, First Generation Experience, MESA, and Puente.
    - Information about the pathway prominently displayed in CCC course catalogs and on the websites of CCC and CSU, and the CaliforniaColleges.edu websites.
  - **Status:** SB 440 passed in the Senate and was heard in the Assembly Committee on Appropriations on August 14, 2013 and was referred to the Suspense File.
- **SB 490 (Jackson) Early Assessment Program: Common Core Academic Content Standards.** SB 490 amends statute regarding the Early Assessment Program to encourage courses to be sequenced to the common core standards.
  - **Status:** SB 490 passed the Senate and was sent to the Assembly Committee on Higher Education.
- **SB 520 (Steinberg) Online Incentive Grant Program.** SB 520 creates the California Online Student Access Incentive Grant Program. The bill establishes a separate grant program for each of the three segments, to be administered in consultation with their respective academic senates. The three programs shall provide incentive grants to faculty to facilitate partnerships for the development of online courses for selected lower division courses. Approved courses would be placed in the California Virtual Campus for enrollment by students.
  - **Status:** SB 520 was sent to the Assembly Higher Education Committee and is not scheduled to be heard, it is now a two-year bill.

## ADULT EDUCATION

- **SB 173 (Liu) Education Funding: Noncredit/Adult Ed - Health and Safety Education.** SB 173 reduces the categories of adult education courses that are authorized to receive state funding. SB 173 requires the California State Department of Education (SDE) and the California Community Colleges Chancellor's Office (CCCCO) to coordinate and issue assessment policy guidelines for course placement purposes. SB 173 also requires the SDE and CCCCCO to jointly develop and issue policy guidelines and recommendations to the Legislature by January 1, 2015 regarding a comprehensive performance accountability system for adult education. SB 173 restates authorization for community colleges to charge fees for adult education courses when state apportionment funds are not available to cover the cost of providing the course. Finally, the bill contains intent language stating that beginning with the 2015-16 fiscal year the Legislature will evaluate the performance accountability guidelines and consider allocating adult education funds to providers on the basis of a combination of enrollment and performance in courses.
  - **Status:** SB 173 passed the Senate and was heard in the Assembly Committee on Higher Education on August 14, 2013. The discussion led to a recommendation by the committee to make SB 173 a two-year bill and the author accepted.

## ENERGY (PROPOSITION 39)

- **AB 114 (Salas) Proposition 39 Implementation: Workforce Development.** AB 114 uses Proposition 39 funds for job training and workforce development. The bill also requires the

California Conservation Corps, and other existing workforce programs to give higher priority to disadvantaged youth and veterans in economically distressed areas. Recent amendments now require Proposition 39 grant recipients for job training and workforce development awarded by the California Workforce Investment Board (CWIB) to report on demographics, any credentials or certificates awarded and job placements six months after the training is completed. \$3 million was appropriated to CWIB for these purposes in the state budget.

- **Status:** AB 114 passed the Assembly, the Senate Labor and Industrial Relations Committee and the Senate Energy, Utilities and Communications Committee, and was sent to the Senate Appropriations Committee.
- **SB 39 (De León) Energy Efficiency: School Facilities.** SB 39 extends the operation of the State Energy Conservation Assistance Account to January 1, 2022. This account provides grants and loans to local governments and public institutions to maximize energy use savings. Recent amendments to SB 39 deleted language related to the creation of a new grant and loan program for schools to build energy efficiency projects.
  - **Status:** SB 39 passed the Senate and was sent to the Assembly Natural Resources Committee, but has not been scheduled for a hearing.

#### **FACILITIES, BONDS, LOCAL OPERATIONS**

- **AB 182 (Buchanan) Bonds: School Districts and Community College Districts.** AB 182 places a 25 year limit on the length of a capital appreciation bond issued by school districts and community colleges, and requires local entities to limit the ratio of total debt service to principal for each bond series to 4:1. The bill would require each capital appreciation bond maturing more than 10 years after its date of issuance to be subject to mandatory tender for purchase or redemption before its fixed maturity date, as specified, beginning no later than the 10th anniversary of the date the capital appreciation bond was issued. AB 182 requires that, if the sale includes capital appreciation bonds on the agenda for approval by the local board, then the governing board of the school district or community college district must be presented with an analysis containing the overall cost of the capital appreciation bonds, a comparison to the overall cost of current interest bonds, the reason capital appreciation bonds are being recommended, and a copy of a certain disclosure made by the underwriter. Recent amendments authorize a school district or community college district that issued a Bond Anticipation Note (BAN) prior to December 31, 2013, to seek from the State Board of Education or the Chancellor of the California Community Colleges, as applicable, a one-time waiver from specified requirements.
  - **Status:** AB 182 passed the Senate Committee on Governance and Finance and is awaiting a vote on the Senate floor.

#### **FINANCE AND FUNDING**

- **AB 1199 (Fong) Community Colleges Funding (Stabilization/Accreditation).** AB 1199 provides an additional year of declining enrollment revenue relief for a college that is subject to probation or a “show cause” accreditation sanction. Current law allows for one year of stabilization funding whereby the district’s revenue based on enrollment remains the same even though enrollment has declined. The district must pay back the second year of

declining enrollment revenue. AB 1199 requires the district to show cause or probation to identify a new funding source for the full payment of any fund liability.

- **Status:** AB 1199 passed the Assembly with an *urgency clause* on reconsideration and was sent to the Senate Education Committee. With an urgency clause, the bill needs a vote of two-thirds of the Legislature to pass, and takes effect immediately upon signature by the Governor. AB 1199 was scheduled to be heard in the Senate Education Committee on July 3, 2013, but was dropped from the agenda.
- **ACA 2 (Nestande) Education Payments.** ACA 2 would place a measure on the ballot for approval by the voters to amend the Constitution to eliminate the practice of deferring state apportionments.
  - **Status:** ACA 2 is not scheduled to be heard.
- **SB 284 (De León) Income Taxes: Credits: Contributions to Education Funds.** SB 284 creates a new tax credit and special fund in the State Treasury called the College Access Tax Credit (CATC) Fund. The CATC Fund allows taxpayers to receive an income or franchise tax credit for a percentage of cash contributions made to the Fund for the purpose of increasing Cal Grant B Entitlement Access awards. In a separate measure, SB 285 (De Leon), the author proposes to increase the maximum award in the Cal Grant B Entitlement Access Program from \$1,551 to \$5,000 annually.
  - **Status:** SB 284 passed the Senate and will be heard in the Assembly Committee on Appropriations in August.
- **SB 682 (Lara) California State University: Student Enrollment.** SB 682 appropriates \$22,000,000 from the state General Fund to the California State University (CSU) for purposes of enrolling additional students. The bill states it is the intent of the Legislature to use these funds to enroll community college transfer students in the 2014 spring semester or quarter, and make annual appropriations to provide access to classes and support services for community college transfer students and future students. According to CSU, these funds would support an increase of 6,000 California Community College transfer students at CSU campuses for the spring 2014 academic term. The CSU estimates that as many as 10,000 transfer eligible students will be denied admission to the CSU for fall 2013 because of lack of funding.
  - **Status:** SB 682 was a two-year bill but is now a “gut and amend” bill. Previously, SB 682 was authored by Senator Steinberg concerning K-12 instructional materials. The August 15, 2013 version of the bill contains new subject matter and identifies Senator Lara as the new author.
- **SCA 11 (Hancock) Local Government: Special Taxes: Voter Approval.** SCA 11 places a measure on the ballot for approval by the voters to amend the Constitution to authorize the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition.
  - **Status:** SCA 11 passed in the Senate Governance and Finance Committee and the Senate Committee on Elections and Constitutional Amendments, and was sent to the Senate Rules Committee.

## MISCELLANEOUS

- **SB 361 (Padilla) Elections: Voter Registration.** SB 361 requires the Secretary of State to work with each community college and CSU campus that has an automated class registration system to ensure that the system conforms to the provisions on paperless voter registration. SB 361 encourages the University of California to comply with these provisions. SB 361 adds a number of requirements for community colleges to provide voter registration services which may result in significant costs. According to the Appropriations Committee, this bill will be amended prior to being heard, and amendments will be shared to provide a more accurate cost evaluation. The Secretary of State's Office indicated that the amendments are expected to reduce responsibilities and costs to the colleges, but are not yet in print.
  - **Status:** SB 361 passed the Senate and was heard, and passed in the Assembly Elections and Redistricting Committee on August 13, 2013.
- **SB 576 (Block) Teacher Credentialing: Commission on Teacher Credentialing.** SB 576 amends statute to require the Board of Governors of the California Community Colleges to appoint an ex officio member to the Commission on Teacher Credentialing instead of the California Postsecondary Education Commission.
  - **Position:** Sponsor/Support
  - **Status:** SB 576 passed the Senate and the Assembly Committees, and is awaiting a vote on the Assembly Floor.
- **SCA 3 (Leno) Public Information.** SCA 3 was introduced as a bill to reduce the threshold to pass a local parcel tax, but was gutted and amended to a bill to place a measure on the ballot for approval by the voters to require that all local agencies comply with the California Public Records Act. It would also remove the state reimbursement for compliance.
  - **Status:** SCA 3 passed in the Senate Committee on Elections and Constitutional Amendments and Senate Committee on Appropriations. It is currently on the Senate Floor.

## STUDENTS

- **AB 447 (Williams) Community College Districts: Governing Boards, Nonvoting Student Member.** AB 447 requires a district to provide a fee waiver to nonvoting student board members while they are on the Board. It also requires that if the student is eligible for the fee waiver, that the student is provided a stipend while on the board in the amount of the fee waiver. AB 447 also authorizes the student to vote in an advisory capacity and the advisory votes must also be recorded.
  - **Status:** AB 447 passed the Assembly and was sent to the Senate Education Committee.
- **AB 595 (Gomez) Community Colleges Priority Enrollment.** AB 595 provides priority enrollment to disabled students and students in the Extended Opportunity Programs and Services program. Recent amendments place a sunset date of January 1, 2017 on the priority enrollment, and require students to comply with the requirements of SB 1456 (Lowenthal) the Student Success Act of 2012.

- Status: AB 595 passed the Senate Committee on Education and was sent to the Senate Appropriations Committee.
- **AB 1358 (Fong) Student Body Association: Student Representation Fee.** AB 1358 amends statute authorizing a student representation fee of \$1 per semester, increasing it to \$2, and requires 1/2 of the student representation fee to be spent to establish and support the operations of an independent statewide community college student organization, recognized by the Board of Governors of the California Community Colleges.
  - **Status:** AB 1358 passed in the Assembly Appropriations Committee.

## TUITION, FEES, FINANCIAL AID

- **AB 233 (Wieckowski) Wage Garnishment: Exempt Earnings.** AB 233 prohibits wage garnishment orders on student loans not made, insured, or guaranteed by the United States government.
  - **Status:** AB 233 passed the Assembly and Senate Committees and was sent to the Senate Floor.
- **AB 606 (Williams) Financial Aid: Community Colleges.** AB 606 requires the Chancellor's Office to establish a voluntary pilot program to increase student participation in state and federal financial aid programs and in the federal American Opportunity Tax Credit.
  - **Status:** AB 606 passed the Assembly and was heard in the Senate Committee on Appropriations and referred to the Suspense file.
- **AB 1162 (Frazier) Student Financial Aid: Debit Cards.** AB 1162 requires the Board of Governors of the California Community Colleges and the Trustees of the California State University, and requests the Regents of the University of California and the governing bodies of accredited private nonprofit and for-profit postsecondary educational institutions, to adopt policies for negotiating contracts between their postsecondary educational institutions and banks and other financial institutions to disburse a student's financial aid award and other refunds onto a debit card, prepaid card, or preloaded card.
  - **Status:** AB 1162 failed passage in the Senate Committee on Banking and Financial Institutions.
- **AB 1241 (Weber) Student Financial Aid: Cal Grant Program.** Beginning with the 2015-16 award year, AB 1241 extends the period of eligibility for the Cal Grant A and B Entitlement program by one year. Applicants would be allowed to apply no later than two years after high school graduation.
  - **Position:** Support
  - **Status:** AB 1241 passed the Assembly and was heard in the Senate Committee on Appropriations and referred to the Suspense file.
- **AB 1287 (Quirk-Silva) Student Financial Aid: Cal Grant Program.** AB 1287 eliminates Cal Grant asset and income requirements for renewal applicants. The bill also clarifies that recipients disqualified from the Cal Grant program due to household income changes shall be eligible to re-apply for a Cal Grant under the same award status, Entitlement or Competitive, as was granted at the time initial eligibility was established for the program. Prior to 2011 Cal Grant recipients were only required to meet income and asset eligibility criteria as first-time

applicants, and were not required to meet these criteria for renewal purposes. In addition, prior to 2011 students were only required to meet the income and asset criteria.

- **Position:** Support
  - **Status:** AB 1287 passed the Assembly and was heard in the Senate Committee on Appropriations and referred to the Suspense file.
  
- **AB 1364 (Ting) Student Financial Aid: Cal Grant Program.** AB 1364 increases the maximum amount of the Cal Grant B access award from \$1,551 to \$1,710, beginning in the 2014-15 academic year, and provides for its annual increase based upon the California Consumer Price Index. Currently, the specific authority to adjust the amount of the access award is in the annual Budget Act.
  - **Position:** Support
  - **Status:** AB 1364 passed the Assembly and was heard in the Senate Committee on Appropriations and referred to the Suspense file.
  
- **SB 141 (Correa) College Education Benefits: Children of Deported Parents.** SB 141 exempts a student from nonresident tuition at the California Community Colleges and the California State University if certain requirements are met.
  - The parent was deported.
  - The student was forced to move and currently lives abroad as a result of the parental deportation.
  - The student is a United States citizen.
  - The student was a California resident immediately prior to moving abroad.
  - **Position:** Support
  - **Status:** SB 141 passed in the Senate and was heard in the Assembly Committee on Appropriations and referred to the Suspense file.
  
- **SB 150 (Lara) Concurrent Enrollment.** SB 150 exempts concurrently enrolled high school students from nonresident tuition if they attended school in California for one year. Currently, these students would not be eligible for in-state tuition because they have yet to graduate from a California high school. With the exception of graduation from a California high school, these students meet all other requirements contained in AB 540. This bill is sponsored by the Los Angeles Community College District.
  - **Status:** SB 150 was returned to the Senate for concurrence and is again on Assembly Floor.
  
- **SB 285 (De León) Student Financial Aid: Cal Grant Program.** This bill provides for the use of funds from the College Access Tax Credit (CATC) Fund to be established if SB 284 by Senator de Leon is enacted to create the CATC. The purpose of creating the CATC Fund is to increase the amount of the Cal Grant B Access Award up to a maximum of \$5000 per award per academic year. The Cal Grant B Entitlement Program provides awards for access costs, defined as living expenses and expenses for transportation, supplies, and books, in an amount not to exceed \$1,551.
  - **Status:** SB 285 passed the Senate and was heard in the Assembly Committee on Appropriations on August 14, 2013 and was referred to the Suspense File.
  
- **SB 595 (Calderon) Postsecondary Education: Financial Aid.** SB 595 prohibits any California Community College or California State University, and requests the University of California from entering into contracts with any entity that require students to open an account as a

condition of receiving financial aid disbursement. The bill also requires each campus of the California Community Colleges and the California State University, and requests the University of California to call for each of their campuses to offer students the option of receiving checks or direct deposits of financial aid disbursements according to similar timeframes for financial aid disbursements offered by banks or financial institutions in partnership with campuses.

- **Status:** SB 595 passed in the Senate and was sent to the Assembly Committee on Higher Education.

## VETERANS

- **AB 13 (Chávez) Nonresident Tuition Exemption: Veterans.** This bill eliminates the requirement that a student veteran must be stationed in California to receive the nonresident tuition exemption. The intent of the bill is to assist student veterans regardless of their current state of residency or where they were last stationed. It requires the student to be discharged within the prior year to receive the exemption. The Senate Education Committee recommended amendments to the bill to require veterans in any segment of higher education receiving this benefit to file an affidavit that they would establish residency. The bill currently only asks community college students to file the affidavit. The Senate Education Committee also recommended that the bill be amended to require that the veteran is stationed in California within a year prior to separation. The author refused the committee amendments and the measure passed with the Chair voting no. AB 13 was also heard in the Senate Appropriations Committee and was sent to the Suspense File. The analysis recommends that the measure be amended to limit the benefit to undergraduate students.
  - **Position:** Support
  - **Status:** Passed the Assembly and was the Senate Education Committee, and is on the Suspense File in the Senate Appropriations Committee.
- **SB 290 (Knight) Nonresident Tuition Exemption: Veterans.** This bill would exempt all students who were members of the Armed Forces discharged within the immediately prior 2 years from paying nonresident tuition for one year, except former members of the Armed Forces who received a dishonorable or bad conduct discharge. The student must file an affidavit stating it is their intent to establish residency in California. The current version of SB 290 does not provide additional benefits to veterans attending community colleges. SB 290 provides the same benefit to veterans attending California State University campuses as provided by last year's AB 2478 (Hayashi) that only affected veterans attending community colleges.
  - **Position:** Support
  - **Status:** SB 290 passed the Senate and the Assembly Committee on Higher Education. It will be heard next in the Assembly Veterans Committee and the Assembly Appropriations Committee.

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