



November 8-9, 2010

Final State Legislative Actions for 2010

Enactment of Transfer Reform Legislation Tops List of Legislative Accomplishments

The deadline for Governor Schwarzenegger to take action on regular session bills reaching his desk was September 30, 2010. The legislation capturing greatest attention in and outside of higher education circles was the signing of two major transfer reform bills -- **SB 1440 by Senator Alex Padilla** and **AB 2302 by Assemblymember Paul Fong**. These bills greatly simplify the community college transfer process to the California State University (CSU) system and guarantee admission to the CSU with junior standing to all community college students who complete the specified transfer degree requirements. The University of California is also asked to complete a study by the end of 2011 examining how they, too, can join in implementing this transfer degree guarantee program.

The Governor signed these two measures into law at a signing ceremony held at Los Angeles Mission College before a large crowd of community college students, the authors of the bills, the co-sponsors of the legislation and key education leaders. Chancellor Jack Scott spoke at the signing ceremony on behalf of the California Community Colleges and reiterated the historic importance of this new law. The enthusiasm of the students in the audience brought home how significant the transfer degree will be in helping students transfer and pursue their dreams to secure a bachelor's degree.

The Community College Board of Governors was one of the sponsors of this legislation, along with the Community College Student Senate, the California State University, the CSU student association, and the Campaign for College Opportunity. This coalition behind this legislation proved to be a powerful model in pursuing an important higher education policy change.

Chancellor Charlie Reed and Chancellor Jack Scott have named an SB 1440 Implementation Task Force to begin the important work of fleshing out the details for smooth implementation beginning in the fall 2011. The Task Force will convene their first meeting on November 2, 2010. For more information, please visit:

http://www.cccco.edu/Portals/4/News/press_releases/2010/SB%201440%20task%20force%20final.pdf

Student Success and Completion

The Governor also signed into law **SB 1143 by Senator Carol Liu**, a measure that directs the Community College Board of Governors to convene a Task Force to study, develop and implement a plan for improving student success and completion by March 2012. This new law reflects California's deep

STATE OF CALIFORNIA

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interest in significantly improving community college student completion. The community college completion agenda has also taken hold nationally. President Barack Obama held the first-ever White House Summit on Community College Success and Completion on October 5, 2010. The major focus of the summit was to improve community college student success and completion as a key strategy to reach the national goal of increasing college degrees by 5 million by the year 2020 (see the Federal Report for more details).

CCC Common Assessment

The Governor vetoed **AB 2682 by Assemblymember Marty Block**, a Board of Governors sponsored bill that would have established a pilot project to provide a common assessment tool to California Community Colleges at a fraction of the cost of what colleges currently expend on administering their own common assessment. The Governor's veto message indicated that the proposed common assessment should not duplicate existing work with the Early Assessment Program. The Chancellor's Office is pursuing conversations to determine how to modify the bill to ensure the concerns raised in the veto message are addressed.

Final Budget Action

On October 8, 2010, Governor Schwarzenegger signed into law the **2010-11 State Budget Act**, making it the most overdue budget in California history. Although the Governor signed the State Budget Act in early October, he just recently took action October 19 on 20 budget trailer bills. The Governor signed 19 of the trailer bills, and vetoed one. Although the Governor signed **AB 1610**, an education finance trailer bill, he line-item vetoed \$25 million for the economic development program, and \$35 million for categorical programs that were included in the bill. The \$48 million for career technical education remains in **AB 1610**.

Matrix

Several other important bills are highlighted in this report that deal with a variety of issues that affect the community colleges. The report provides a brief summary of the bill and current status in the Legislature. Attached, you also will find the legislative tracking matrix, which provides a comprehensive list of all community college bills monitored by the Chancellor's Office. The bills are organized as Tier 1 or Tier 2 bills. Tier 1 bills are high priority measures on which the Chancellor's Office has taken a position. Tier 2 bills significant to the community colleges, but the Chancellor's Office has not yet taken a formal position.

COMMUNITY COLLEGE BILLS OF INTEREST (Organized by Issue)

COORDINATION AND EFFICIENCY

AB 1713 (Furutani) California Community Colleges: Reporting Requirements (Sponsor/Support)

Analysis/Summary: This bill consolidates the concurrent enrollment reporting requirements, moves the report for career development courses from March to July, and deletes the outdated reporting requirement on adult education and noncredit data collection.

Location: Signed by Governor, Chapter 236 Statutes of 2010.

Position: Support/Sponsor

CTE/GREEN JOBS/ENERGY/JOBS

SB 675 (Steinberg) Partnership Academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program

Analysis/Summary: SB 675 would have required the California Energy Commission to set aside \$8 million annually over five years to fund start-up of an estimated 200 new academies in the growing job sectors of clean technology and renewable energy.

Veto message (in part):

...SB 675 would allocate funds from the California Energy Commission's (Commission) Energy Resource Programs Account (ERPA) to the California Department of Education (CDE) for developing and maintaining programs that focus on employment and training for energy or water conservation, renewable energy, pollution reduction, or similar technologies.

Nonetheless, given the current uses of the ERPA account at the Commission and the precariously low balance in that fund, this bill would require the Commission to increase the surcharge on electricity users throughout California to pay for its provisions.

...If the program included in this bill was wholly funded using Proposition 98 dollars and a greater role was given to the Commission to develop guidelines in cooperation with the Department of Education, I would sign it.

Location: SB 675 was vetoed.

Position: No position

SB 1332 (Dutton) Radiologic Technology

Analysis/Summary: SB 1332 requires the Department of Public Health (DPH) to approve schools that meet the Joint Review Committee of Education in Radiologic Technology (JRCERT) standards. The bill also requires the department to adopt the standards through a specified process before approving schools. Since 1996, JRCERT standards have been accepted in lieu of the California Department of Public Health's Title 17 regulations that were established in 1985. SB 1332 would preclude DPH from suddenly enforcing outdated regulations and use the JRCERT accreditation process utilized by the state over the past 14 years, rather than the 1985 regulations.

Location: Signed by Governor, Chapter 525 Statutes of 2010.

Position: Support

EXECUTIVE COMPENSATION AND DISCLOSURE

AB 194 (Torricono) Retirement: Local Employees

Analysis/Summary: AB 194 would have capped retirement compensation for employees hired after January 1, 2011 under either the State Teachers' Retirement System or Public Employees' Retirement System for any employee at 125% of the compensation of the Governor in 2009 which was \$173,987 (125% equals \$217,483). The cap would not have placed a limit on salary levels, but on pensionable salary.

Veto message (in part):

...While this two tiered cap that would be created by this bill would make a very small dent in the pension problem California faces, it cannot be considered real pension reform. I am still hopeful that the Legislature will pass an acceptable bill that addresses the real cost issues that have driven up the liability in public pension systems.

Location: This bill was vetoed.

Position: No position

AB 827 (De La Torre) Local Public Employees Contracts

Analysis/Summary: AB 827 would have prohibited a local agency contract for "excluded employees" executed or renewed on or after January 1, 2011 from containing:

- An automatic contract renewal.
- An automatic compensation increase that exceeds a cost of living adjustment.
- An automatic compensation increase that is linked to a third-party contract, including agreements under the Meyers-Milias-Brown Act or the Education Code's employee relations provisions.
- A severance payment greater than the amount allowed by current law.

The bill also would have required that the results of the performance review for exempt employees be summarized in an open session of the governing board before a compensation increase greater than the consumer price index is approved (any raise after January 1, 2011).

Veto message (in part):

...Assembly Bill 827 presents good public policy in that it provides transparency with regards to some municipal personnel contracts, but it should be applied to all public employees, including labor union members and state employees. I encourage the Legislature to enact thoughtful and meaningful solutions rather than a rushed proposal that is severely limited in its application.

Location: This bill was vetoed.

Position: No position

AB 1955 (De La Torre) Brown Act: Salary and Compensation Disclosures

Analysis/Summary: This bill would have required a local government (including community college districts) to publicly post the compensation and benefits of any employee reporting directly to the

governing board at least seven days before action by the governing board. Further, final action on the employee's compensation and ratification of contracts would have to be made in open session.

Location: This bill failed passage in the Senate.

Position: No position

AB 1987 (Ma) Public Retirement: Final Compensation: Retirees

Analysis/Summary: AB 1987 would have established minimum standards and requirements for all public retirement systems in California with respect to final compensation, ongoing audits with penalties for noncompliance, and prohibitions against a retiree from immediately returning to employment with the public employer on a part-time or contract basis. The bill also limited what can be included in calculations that determine final retirement compensation.

Veto message (in part):

... California does need a consistent standard that is transparent, understandable, and implementable throughout the state. While this bill purports to address this issue by segregating out some of the factors that have allowed pension spiking, in some instances it still allows local pension boards to determine what is ultimately counted in an employee's pension calculation. This does not provide a consistent treatment of all employees. The taxpayers of California deserve better. I am still hopeful that the Legislature can send me acceptable pension reform legislation.

Location: This bill was vetoed.

Position: No position

SB 501 (Correa) Local government: Salary Disclosures

Analysis/Summary: SB 501 would have required local government officers to submit a compensation disclosure form to the Secretary of State. Each local government will also be required to post the information from those forms on their website.

Location: This bill failed passage in the Senate.

Position: No position

SB 1425 (Simitian) Public Retirement: Final Compensation

Analysis/Summary: This bill would have prohibited members of Public Employees' Retirement System (PERS) or State Teachers' Retirement System (STRS) who retire after January 1, 2012 from working (including part-time or under contract) for a PERS/STRS employer for 180 days after retirement. This bill also made statutory changes to bring the provisions of the Teachers' Retirement Law and the Public Employees' Retirement Law into compliance with the new requirements imposed on all public retirement systems by this bill.

Veto message (in part):

The enactment of this bill is contingent upon the enactment of Assembly Bill (AB) 1987 (Ma). I am vetoing AB 1987 because it does not provide real pension reform. I am still hopeful that the Legislature will pass an acceptable bill that really addresses California's pension problem.

Location: This bill was vetoed.

Position: No position

FINANCE/FUNDING/FACILITIES

AB 185 (Buchanan) Education: Federal Funds

Analysis/Summary: This bill appropriates \$903,845,000 from the Federal Trust Fund (Fund) to the Board of Governors of the California Community Colleges (CCC), State Department of Education, University of California, and the California State University for the 2010-11 fiscal year. The CCC will be appropriated \$5,000,000 from the Fund.

Location: Signed by Governor, Chapter 221 Statutes of 2010.

Position: Support

SB 1143 (Liu) Community College Funding

Analysis/Summary: SB 1143 has been amended to direct the Board of Governors of the California Community Colleges (BOG) to convene a task force to examine best practices and models throughout the nation for gauging, promoting and improving student success within California's Community Colleges. The BOG is required to report to the Legislature no later than March 1, 2012 on its proposed plan to improve student success and completion.

Location: Signed by Governor, Chapter 409 Statutes of 2010.

Position: Support

SB 1473 (Wyland) School Facilities Bond Proceeds: Performance Audits

Analysis/Summary: SB 1473 would mandate that all Proposition 39 mandatory performance and financial audits conform to the Generally Accepted Government Auditing Standards (GAGAS). GAGAS standards are promulgated under the leadership of the Comptroller General of the United States, who heads the U.S. General Accounting Office.

Location: Signed by Governor, Chapter 294 Statutes of 2010.

Position: Support

NURSING

AB 2385 (J. Perez) Community Colleges: Accelerated Nursing and Allied Health Care Pilot Program

Analysis/Summary: This bill establishes a pilot community college program under the direction of the California Community College Chancellor's Office, which may establish pilot sites at up to five campuses to facilitate the development of innovative models to expand the state's capacity to prepare a qualified health care workforce. The bill requires the Chancellor's Office to secure support funding from a variety of sources, and collect data on the pilot programs to evaluate the effectiveness of the programs for a report to the Legislature. Campus implementation is contingent on the availability of supplemental funds to support an expansion of services and students.

Location: Signed by Governor, Chapter 679 Statutes of 2010.

Position: Support

OTHER

SB 82 (Hancock) Community Colleges: Parking and Transportation Fees

Analysis/Summary: This bill would increase the limits on the parking services fee. Increases in parking and transportation fees will be determined by the Implicit Price Deflator for State and Local Government Purchases of Goods and Services published by the United States Department of Commerce. The bill would also repeal the provisions that prohibit a governing board from entering into, or extending a contract for, transportation services provided by a common carrier or municipally owned transit system unless approved by a vote of the students.

Location: Signed by Governor, Chapter 619 Statutes of 2010.

Position: No position

SB 330 (Yee) Public Records: State Agency: Auxiliary Organizations

Analysis/Summary: SB 330 would have added CCC, CSU, and UC foundations to the Public Records Act and adds provisions protecting the confidentiality of fundraising strategies and work-product that could be used by competitors. The bill would have been exempted from disclosure under the act the names, addresses, and telephone numbers of persons who volunteer services or donate to specified entities if those persons request anonymity. This exemption would not apply if a volunteer or donor met specified conditions.

Veto message (in part):

...While the bill attempts to provide a veil of protection for donors requesting anonymity, as crafted, it will not provide sufficient protection for many who rightfully deserve a level of privacy as part of their giving. Often times, these generous private citizen donors do not want to be in the glare of publicity, and I cannot support a bill that makes it more difficult for our public universities to raise private funds to maintain the quality educational experience ...

Location: This bill was vetoed.

Position: None

STUDENT FEES/AFFORDABILITY

AB 1413 (Fuentes and Coto) Student Financial Aid: Eligibility

Analysis/Summary: AB 1413 would have established the California Dream Act of 2010 for purposes of permitting AB 540 students to apply for the Cal Grant student aid program if they meet requirements for nonresident tuition exemption. AB 1413 specifies that these students would only be able to receive a Competitive Cal Grant A or B award, if funding remains after all other eligible non-AB 540 students have received grants. The bill also broadens the definition of nonresident tuition students eligible for an AB 540 exemption to include graduates of adult education and technical schools provided the individual spent at least one year in a California high school. Enactment of AB 1413 was contingent upon SB 1460 (Cedillo) being signed into law.

Veto message (in part):

... Given the difficult decisions that are yet to be made to enact a state budget, I am still hopeful that the funding level that I have proposed for higher education will still be enacted. However, with that

uncertainty coupled with the ongoing fiscal liabilities California will continue to face in the coming years, the State needs to be especially cautious in even considering enacting a measure like this.

Location: This bill was vetoed.

Position: No position

AB 1997 (Portantino) California Community Colleges: Student Financial Aid Programs (Support)

Analysis/Summary: AB 1997 would have required the Chancellor's Office to implement a voluntary pilot program at up to 10 community colleges to identify strategies and best practices that increase student participation in both state and federal financial aid programs and report the results to the Legislative Analyst's Office, who would then report to the Legislature by January 10, 2013.

Veto message (in part):

..This bill is unnecessary. Nothing under current law prohibits the California Community College Chancellor's Office from working with local community colleges to meet the objectives of this bill. Furthermore, the annual budget act was augmented several years ago to provide the community colleges an additional \$34.2 million for financial aid outreach efforts that were expected to assist students with maximizing federal and state financial aid.

Location: This bill was vetoed.

Position: Support

AB 2086 (Coto) Public Postsecondary Education: Federal Assistance: Publication of Professional Licensure Examination Passage Rates

Analysis/Summary: AB 2086 would require postsecondary institutions to provide information regarding where the public may access license examination passage rates for the most recently available year, if that data is electronically available through an Internet website of a state licensing or regulatory agency. Postsecondary institutions are permitted to place an Internet website address with the required data on the institution's enrollment, application, and/or program information materials. Responsibility for certification of compliance rests with the postsecondary institution.

Location: Signed by Governor, Chapter 248 Statutes of 2010.

Position: No position

AB 2203 (Solario) Public Postsecondary Education: College Textbooks

Analysis/Summary: The most recent amendments to this bill remove all references to the California Community Colleges Board of Governors. AB 2203 now requires the California State University Trustees and encourages the University of California to review internal transfer policies and revise transfer policies to ensure that textbooks selected for transfer or general education courses may be used by the student for as long as the information in the textbook is current and reflects contemporary thinking in the discipline.

Location: Signed by Governor, Chapter 549 Statutes of 2010.

Position: No position

AB 2297 (Brownley) Community Colleges: Nonresident Fees

Analysis/Summary: This bill would allow local CCC governing boards to adopt a nonresident fee that is no greater than the average of nonresident fees of public community colleges in 12 states with

comparable costs of living, based on a cost-of-living index as determined by the United States Department of Labor or a cooperating government agency.

Location: Signed by Governor, Chapter 259 Statutes of 2010.

Position: No position

SB 957 (Price) Student Financial Aid: Cal Grant C Awards

Analysis/Summary: SB 957 would have required the California Student Aid Commission to give priority for Cal Grant C awards to students pursuing training in fields with high employment need, high salary or wage projections, or high employment growth. It also called for a review and update to the areas of occupational and technical training for which students may utilize Cal Grant C awards at least every five years. The Legislative Analyst's Office would have been 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, 2014.

Veto message (in part):

..I am concerned that this bill could limit choices students or eliminate the possibility of an award for lower income students, simply because the occupational areas that they have chosen to pursue was not deemed a priority by the state.

Location: This bill was vetoed.

Position: No position

SB 1460 (Cedillo) Student Financial Aid: Eligibility

Analysis/Summary: AB 1460 would have established the California Dream Act of 2010 and would have provided that a person who is eligible under AB 540 provisions is limited to eligibility to apply for institutional financial aid and scholarships derived from non-state funds, beginning January 1, 2011. AB 540 students would not be eligible to apply for state aid, i.e. the Cal Grant program. Under AB 540, non-resident fees are waived for students who have attended a California school three or more years, one of these years must be in high school, and graduated from a California secondary school.

Veto message:

See AB 1413 veto message

Location: This bill was vetoed.

Position: No position

AB 2551 (Hernandez) Pharmacy Technicians: Scholarship and Loan Repayment Program

Analysis/Summary: The latest amendments delete language that would have established within the Health Professions Education Foundation the California Pharmacy Technician Scholarship and Loan Repayment Program. The current version of AB 2551 contains an urgency measure that would have enacted the California Health Workforce Development Act of 2010. The California Workforce Investment Board (CWIB) and the Office of Statewide Health Planning and Development (OSHPD) would have been required to establish a Health Workforce Development Council to develop a strategic health workforce initiative.

Location: The bill failed passage on Senate floor.

Position: No position

STUDENT SUCCESS

AB 2682 (Block) Community Colleges: Student Assessments: Pilot Project

Analysis/Summary: This bill would have required the Board of Governors to establish a pilot project with the goal of creating a set of centralized common assessments in English, Math, and English as a Second Language. The online common assessment would be available to the colleges at a fraction of the cost of their current assessments.

Veto message (in part):

.. I have concerns that this bill creates a duplication of the efforts that resulted from the expansion of the existing Early Assessment Program (EAP), which evaluates the college-readiness of high school students. I signed into law in 2008 the bill that expanded the use of the EAP operated by the California State Universities, to include community colleges. Therefore, it is unclear why this bill is necessary.

Location: This bill was vetoed.

Position: Sponsor/Support

TRANSFER

AB 2302 (Fong) Postsecondary Education: Student Transfer

Analysis/Summary: AB 2302 is intended to complement the transfer pathway program that would be established through SB 1440 (Padilla). The bill asks the University of California to examine the feasibility of implementing the transfer degree guarantee program established in SB 1440 by the end of 2011 and requires the Chancellor's Office of the California Community Colleges (CCC) and the California State University (CSU) to collaboratively develop the most effective methods of advising students, college advisors, and parents of the new transfer pathway.

Location: Signed by Governor, Chapter 427 Statutes of 2010.

Position: Support

SB 1440 (Padilla) California Community Colleges: Student Transfer

Analysis/Summary: SB 1440 establishes the Student Transfer Achievement Reform (STAR) Act. SB 1440 requires a community college district to grant an associate degree for transfer to a student in that student's field of study once a student has met degree and transfer requirements for a particular major. Upon completion of the transfer associate degree, the student is eligible for transfer with junior standing into the California State University (CSU) system. Students will be given priority consideration when applying to a particular program that is similar to the student's community college area of emphasis. The bill prohibits a community college district or campus from adding local course requirements in addition to requirements of the STAR Act, and prohibits the CSU from requiring a transferring student to repeat courses similar to those taken at the community college that counted toward their associate degree for transfer.

Location: Signed by Governor, Chapter 428 Statutes of 2010.

Position: Sponsor/Support

VETERANS

SB 1075 (Correa) Military Service: Benefits

Analysis/Summary: SB 1075 provides that if a student is called to active, full-time military duty that interrupts the individual's course of study, the institution is required to make arrangements to reasonably accommodate and assist the student in meeting all coursework requirements that he or she may have missed due to compulsory military service. This would apply to both private and public postsecondary institutions.

Comments: This bill is sponsored by the California National Guard.

Location: Signed by Governor, Chapter 284 Statutes of 2010.

Position: No position

*Prepared by the Government Relations Division
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