



October 20, 2011

## State Legislative Update

### *Governor Signs Key Community College Bills*

The Governor completed his review of bills approved in the 2011 Legislative Session and took final actions up until the October 9 midnight deadline. He signed several key community college measures, including two California Community College Board of Governors sponsored bills – **AB 743 (Block)** Common Assessment and **AB 1056 (Fong)** Electronic Transcripts. He also signed **AB 194 (Beall)** a bill that grants priority registration to foster youth and recently emancipated foster youth and **AB 684 (Block)** a measure that provides community college districts a new option for switching from district-wide elections to area elections to help facilitate compliance with the California Voting Rights Act.

We also learned a lot about the Governor's style and priorities for signing or vetoing legislation. While the Governor raised concerns about the number of unnecessary bills reaching his desk, he signed over 700 of the 870 bills sent to him. His percentage of bills vetoed was a little over 14 percent, which is high compared to his previous terms as governor but much lower than Governor Schwarzenegger. The Governor, however, took many unpredictable actions on bills and did not play to any one particular constituency. The Governor took actions that both gratified and disappointed labor, business, Republicans, Democrats, and social justice groups, to name a few.

The Governor also was reported to have delved deeply into many of the policy details with senior staff and issued veto or signing messages that sent strong messages to various groups. For example, when signing **SB 707 by Senator Anthony Cannella**, the Governor drew a comparison between the fee on olive trees that the bill established and the lack of support for his tax extensions among Republicans. The Governor also scrutinized each bill assessing whether we absolutely needed the proposed statute or whether the bill added any new costs or cost pressure.

This report highlights final actions on key legislation organized by subject area. In addition, a legislative matrix is attached that tracks legislative activity for more than 100 community college-related bills. You can also get up-to-date information on legislative activity at the Community Chancellor's Office Government Relations web site at <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:** Assembly Bill 160 allows a school district to enter into a formal partnership with a community college district to determine local concurrent enrollment and priority registration policies. The bill also permits a school district to authorize students, from partnership and non-partnership districts, upon the recommendation of a Career Technical Education (CTE) dean or other appropriate community college administrator, to enroll in CTE courses at the college.

**Location:** VETOED

**Position:** Support

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

**Analysis / Summary:** Assembly Bill 288 authorizes a community college governing board to deny, permit, or place conditions on the enrollment of an individual who has been expelled from a community college within the preceding five years, or who is undergoing expulsion procedures. The district governing board is required to hold a hearing before taking any action on such an individual.

The Governor's veto message directs the Chancellor's Office to work with the local districts to craft a cost effective approach to sharing critical information on student expulsions.

**Location:** VETOED

**Position:** Support

### **AB 851 (Nestande) Distance Learning**

**Analysis / Summary:** Assembly Bill 851 specifies a definition for distance learning courses and requires the Chancellor's Office to report on distance learning workload and performance data every two years. AB 851 requires the LAO to convene a work group to evaluate the establishment of a California Western Governors University.

**Location:** Assembly Bill 851 was held in the Senate Suspense File and is now a 2-year bill.

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

**Analysis / Summary:** This bill, sponsored by the BOG, extends the authority of community college districts to continue to approve instructional courses that are not part of established educational programs until January 1, 2014.

**Location:** Assembly Bill 1029 was signed by the Governor, Chapter 112, Statutes of 2011.

**Position:** Sponsor/Support

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

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

**Analysis / Summary:** AB 2 establishes 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.

**Location:** Assembly Bill 2 was held in the Senate Suspense File and is now a 2-year bill.

**Position:** Support

**AB 743 (Block) Common Assessment**

**Analysis / Summary:** Assembly Bill 743 establishes a statewide common assessment system to place community college students in English, Mathematics, and English as a Second Language courses, and creates a pre-test application where students can take practice tests so that they are better prepared for their assessments.

The Governor's signing messages encourages the Chancellor's Office to seek federal or private funds to implement AB 743's provisions.

**Location:** Assembly Bill 743 was signed by the Governor, Chapter 615, Statutes of 2011.

**Position:** Sponsor/Support

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

**Analysis / Summary:** Senate Bill 885 authorizes the Community College Chancellor's Office, CSU, UC, the 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 longitudinal education data system for students from preschool through higher education (P-20).

**Location:** Senate Bill 885 was held on the Assembly Floor and is now a 2-year bill.

**Position:** Support

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

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

**Analysis / Summary:** Assembly Bill 216 authorizes community colleges to receive full funding for credit courses offered in correctional institutions. Specifically, it waives "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.

**Location:** Assembly Bill 216 was held in the Senate Suspense File and is now a 2-year bill.

**Position:** Support

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

**Analysis / Summary:** Assembly Bill 285 provides community colleges with an automatic funding backfill of property taxes, similar to the one currently in place for K-12 school districts.

**Location:** Assembly Bill 285 was held in the Senate Suspense File and is now a 2-year bill.

**Position:** Sponsor/Support

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

**Analysis / Summary:** Assembly Bill 478 amends 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 increases the community

colleges annual statutory growth rate calculation by removing the 2% cap.

**Location:** Assembly Bill 478 was held in the Senate Suspense File and is now a 2-year bill.

**Position:** Support

**ABX1 32 (Blumenfield) Education Finance**

**Analysis / Summary:** This bill delays implementing the \$10 per unit student fee increase from winter term to the summer term of the 2011-12 academic year. ABX1 32 states that college districts should, to the extent possible, make every effort to implement reductions in a manner that will minimize the impact on course offerings and programs needed by students to achieve their basic skills, workforce training, or transfer goals.

**Location:** Assembly Bill X1 32 was signed by the Governor, Chapter 15, Statutes of 2011, First Extraordinary Session

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

**Analysis / Summary:** This bill 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.

**Location:** SCA 5 was held in the Senate Committee on Elections and Constitutional Amendments, and is now a 2-year bill.

**Position:** Support

## ***Campus Safety***

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

**Analysis / Summary:** Assembly Bill 620 promotes the needs of LGBT (Lesbian, Gay, Bisexual, & Transgender) students by adding the attributes of sexual orientation, gender identity, and gender expression to existing nondiscrimination laws affecting higher educational institutions. AB 620 also requests that UC, CSU, and community college districts establish and post policies on harassment, intimidation, and bullying to be included in the rules of student conduct related to LGBT students.

**Location:** Assembly Bill 620 was signed by the Governor, Chapter 637, Statutes of 2011.

**Position:** Support

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

**Analysis / Summary:** Assembly Bill 795 provides community college districts the authority to enforce, by citation and fine, any regulations prohibiting public employees or members of the public from smoking on campus property and to post signs advising the public of tobacco use policies.

**Location:** Assembly Bill 795 was signed by the Governor, Chapter 617, 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.

**Location:** Assembly Bill 554 was signed by the Governor, Chapter 499, Statutes of 2011.

### **AB 848 (Campos) Apprenticeships**

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

**Location:** Assembly Bill 848 passed the Assembly, was heard in the Senate Committee on Appropriations, and held in the Senate Suspense File.

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

**Analysis / Summary:** This bill requires the Secretary of Labor and Workforce Development to collaborate with the Chancellor's Office, California Workforce Investment Board, CSU, UC, CDE and other agencies on the development of a strategic plan for connecting education and workforce development.

**Location:** VETOED

### **AB 1330 (Furutani) CTE Course Requirements**

**Analysis / Summary:** This bill gives high school students the option of using a career technical education (CTE) course to fulfill the existing high school requirement to take a course in visual or performing arts or foreign language, as specified.

**Location:** Assembly Bill 1330 was signed by the Governor, Chapter 621, Statutes of 2011.

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

**Analysis / Summary:** This bill requires the Governor to establish a process by which to identify high performing local WIBs, and only these WIBs would be eligible to receive state discretionary funds. One of the high performing WIB criteria would be collaboration with community colleges.

**Location:** Assembly Bill 698 was signed by the Governor, Chapter 497, Statutes of 2011.

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

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

**Analysis/Summary:** Effective January 1, 2012, AB 130 requires that "AB 540 students" are eligible to receive a scholarship derived from non-state funds, and provides community colleges from the imposition of any award of money damages, tuition refunds or waivers, or other retroactive relief if the courts should find these provisions to be unlawful.

**Location:** Assembly Bill 130 was signed by the Governor, Chapter 93, Statutes of 2011.

**Position:** Support

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

**Analysis/Summary:** Effective January 1, 2013, AB 131 provides that "AB 540 students" are eligible to apply for, and participate in, any student financial aid program administered by the State of California to the full extent permitted by federal law. Students eligible under these provisions are not eligible to receive Competitive Cal Grant A and B Awards unless specific conditions are met.

**Location:** Assembly Bill 131 was signed by the Governor, Chapter 604, Statutes of 2011.

**Position:** Support

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

**Analysis / Summary:** Assembly Bill 844 authorizes students who are exempt from paying nonresident tuition and are eligible to serve in any capacity in student government to receive any compensation to the full extent consistent with federal law at the California State University or the California Community Colleges.

**Location:** Assembly Bill 844 was signed by the Governor, Chapter 619, Statutes of 2011.

## ***Local Administration***

**SB 46 (Correa) Compensation Disclosure**

**Analysis / Summary:** Senate Bill 46 requires local government officers and employees who file economic interest statements to annually file a compensation disclosure form. This includes elected or appointed officers of community college districts, presidents, vice presidents, and deputy vice presidents.

**Location:** Senate Bill 46 passed the Senate and Assembly Committees, and was referred to the Assembly Floor where it was held at the Desk.

## ***Pensions***

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

**Analysis / Summary:** This bill prohibits 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.

**Location:** Senate Bill 27 passed the Senate, was heard in the Assembly Committee on Appropriations, and held in the Assembly Suspense File.

**SB 827 (Simitian) Public Employee Pension Reform: Conference Committee**

**Analysis / Summary:** Senate Bill 827 states the Legislature's intent to form a conference committee for the purposes of developing responsible, comprehensive legislation to reform state and local pension systems. The conference committee was established without legislation and will meet during the recess.

**Location:** Senate Bill 827 passed the Assembly and returned to its house of origin where the Senate refused to concur in Assembly amendments.

## ***Other***

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

**Analysis/ Summary:** This bill authorizes a community college district to change to a trustee area election system through a waiver process. The bill requires a district to secure a board resolution supporting the change and approval of the Board of Governors of the California Community Colleges. An urgency measure, AB 684 was effective immediately upon signature.

**Location:** Assembly Bill 684 was signed by the Governor, Chapter 614, Statutes of 2011.

**Position:** Support

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

**Analysis / Summary:** Senate Bill 8 applies provisions of the California Public Records Act to auxiliary organizations of the University of California and the California State University, as well local CCD auxiliaries, and the official auxiliary to the Chancellor's Office, the Foundation for California Community Colleges.

**Location:** Senate Bill 8 was signed by the Governor, Chapter 247, Statutes of 2011.

**Position:** Support

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

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

**Analysis / Summary:** Assembly Bill 91 requires the Chancellor's Office of the California Community Colleges to establish a voluntary pilot program to increase student participation in state and federal financial aid programs.

The Governor's veto message states that this is a matter for each district to handle on its own.

**Location:** VETOED

**Position:** Support

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

**Analysis / Summary:** Senate Bill 451 requires the California Student Aid Commission to identify high demand occupational and technical training fields that are updated every five years beginning in 2012, and grant priority for Cal Grant C awards to students pursuing these fields. The Legislative Analyst's Office is to submit a report to the Governor and Legislature every other year beginning April 1, 2015.

**Location:** Senate Bill 451 was signed by the Governor, Chapter 627, Statutes of 2011.

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

**Analysis / Summary:** Senate Bill 760 authorizes the California Student Aid Commission (CSAC) to clarify reporting requirements for higher education institutions participating in the Cal Grant and Pell Grant programs through the CSAC regulatory process.

**Location:** Senate Bill 760 was placed on the Assembly Inactive File.

**Position:** Support

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

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

**Analysis / Summary:** This bill requires 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 up to age 24.

**Location:** Assembly Bill 194 was signed by the Governor, Chapter 458, Statutes of 2011.

**Position:** Support

**AB 1056 (Fong) Electronic Transcripts**

**Analysis / Summary:** Assembly Bill 1056 creates an incentive for community colleges to convert to electronic transcripts by December 2012. AB 1056 expedites the process of converting from paper-based transcripts to an electronic based system by leveraging one-time external funding to support initial start-up costs.

**Location:** Assembly Bill 1056 was signed by the Governor, Chapter 620, Statutes of 2011.

**Position:** Sponsor/Support

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

**Analysis / Summary:** Senate Bill 292 language was completely removed and amended with new language regarding a Los Angeles sports stadium.

**SB 940 (Senate Education Committee) Omnibus Education Bill**

**Analysis / Summary:** Senate Bill 940 includes an amendment to SB 1440 (Padilla), Chapter 428, Statutes of 2010, clarifying that student veteran continue to have priority enrollment.

**Location:** Senate Bill 940 was signed by the Governor, Chapter 349, Statutes of 2011.

## ***Veterans Issues***

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

**Analysis / Summary:** Assembly Bill 372 requires the community colleges to provide academic credit for prior college-level learning gained through military training, and to implement these provisions only if reimbursement for the necessary assessment testing is provided through federal veteran's benefits.

**Location:** Assembly Bill 372 was held in the Senate Committee on Appropriations Suspense File.

**Position:** Support, if amended

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

**Analysis / Summary:** Assembly Bill 636 eliminates the requirement that a student withdraw by a specified date in order to receive a refund of fees paid in the event that the student is called to services.

**Location:** Assembly Bill 636 was signed by the Governor, Chapter 293, Statutes of 2011.

**Position:** Support

**AB 882 (Cook and Blumenfield) Priority Enrollment for Veterans**

**Analysis / Summary:** Assembly Bill 882 brings California into compliance with federal law. The bill entitles members of the armed forces or their dependents to resident status when they are stationed in the state on active duty, and they continue in that status as long as they remain continuously enrolled in a public institution of higher education.

**Location:** Assembly Bill 882 was signed by the Governor, Chapter 730, Statutes of 2011.

**Position:** Support

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

**Analysis / Summary:** Senate Bill 813 amends statute to increase the total time period for a veteran student, who is a California resident, to receive priority registration from two years to four years after leaving active duty.

**Location:** Senate Bill 813 was signed by the Governor, Chapter 375, Statutes of 2011.

**Position:** Support