



California Community Colleges
Government Relations
Legislative Update
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Legislative Update for July 2009

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This Legislative Update provides an overview of the legislative dynamic affecting work in the State Capitol and highlights key legislation of interest to the California Community Colleges.

The Legislature remains gridlocked and has failed to reach an agreement in approving a balanced, *revised* state budget for 2009-10. The dynamics of this challenging environment have spilled into the Legislature's ability to conduct other legislative business. Both houses of the Legislature have postponed policy committee hearings in anticipation of a budget vote. As a result, several bills are being heard past the July 10th policy committee deadline, requiring rule waivers to complete the work of committees. Further, the Governor has threatened to veto all bills unless a budget is signed. Legislative leadership has stressed the need to hold bills in committee that have a fiscal impact or are considered non-essential.

The Chancellor's Office of Government Relations has focused this year's legislative efforts on a small number of priority bills that address important community college policy issues and have no fiscal impact to the system or state. Included in this group of bills, are the Board of Governors' two sponsored bills – **AB 386 (Ruskin)** and **AB 669 (Fong)**.

AB 386, as amended June 25, 2009, provides deaf and hearing impaired college students with access to audio visual materials in a captioned format. The latest version of the bill reflects a negotiated agreement between the publishing industry, the Community College Chancellor's Office and the author and was recently approved by the Senate Education Committee on an 8-0 vote. The bill will be heard next in the Senate Appropriations Committee. If approved, California will be the first state in the country to require publishers to provide captioned audio visual materials or grant permission to higher education institutions to do the captioning themselves.

AB 669 (Fong) is another significant bill that addresses a critical issue for recently emancipated foster youth. Currently, foster youth are emancipated on the day they turn 18 years old. To be eligible for in-state community college fees, the student must demonstrate California residency for one-year and one day. This is problematic for foster youth who often do not have contact with their biological parents. The bill waives this residency requirement for one year and one day until the emancipated foster youth is able to establish their own residency in the state. The bill has moved through the legislature without any no votes. The bill will be heard July 13th in the Senate Appropriations Committee and may face additional scrutiny concerning potential cost pressure.

Additionally, the Chancellor's Office has been actively engaged in pursuing changes to bills that could be problematic for the community colleges. One such bill, **AB 440 (Beall)**, has been amended to authorize a community college to grant an Associate's degree in a student's field of study with a designation "for transfer" to students who meet the minimum transfer requirements and complete a minimum of 18 units of coursework in a major or area of emphasis. Retaining the 18 units in a major or area of emphasis for this degree was a critical change for both the Academic Senate for Community Colleges and the Chancellor's Office. The bill will be heard in the Senate Education Committee July 15th. **SB 388 (Calderon)** was a last minute gut-and-amend bill that was extremely problematic for the community colleges. This bill attempts to address the rising cost of textbooks for students. However, the approach addressed in the bill has several problems. The Committee approved amendments to remove a 20 percent cap on bookstore markups and added the requirement that textbook publishers post all textbook and supplemental

educational material prices on their internet website. These amendments were welcomed, but other concerns remain. The community colleges will continue to seek an additional amendment to impose a six month freeze on textbook price increase once a price has been quoted to a faculty or bookstore. Unless this amendment is taken, the bill faces significant opposition from the higher education segments, and several community college stakeholder groups. The Chancellor's Office will continue monitoring this bill closely.

Many bills monitored by the Chancellor's Office this year are now two-year bills because of their fiscal impact. Some of these issues dealt with veteran's financial aid, concurrent enrollment, and green technology and career technical programs. These are issues that are likely to resurface next year or when the state's economic conditions improve.

Finally, a high priority for the Chancellor's Office this legislative session was to secure Senate Confirmation of four members of the Board of Governors. On June 25, 2009, the Senate voted 33 – 0 to confirm the reappointment of President Lance Izumi and member Gary Reed, and to confirm the new appointments of members Scott Himelstein and Geoffrey Baum. On June 10th, the Senate Rules Committee unanimously approved each of the board members and acknowledged the critical role the community colleges play in educating California's skilled workforce and stimulating the economy. Chancellor Jack Scott along with several legislators acknowledged the fine work and commitment of each of the four board members up for Confirmation.

The following provides a summary and status of significant bills moving through the legislative process.

For a status update on all bills tracked by the Chancellor's Office, go to:

<http://www.cccco.edu/SystemOffice/Divisions/GovRelations/LegislativeUpdates/tabid/561/Default.aspx>

Click on matrix, PDF.

Board of Governors Sponsored Bills:

AB 386 (Ruskin) Public Postsecondary Education: Instructional Materials: Disabled Students

Summary: AB 386 clarifies that publishers of audiovisual instructional materials for colleges and universities must provide captioning or other alterations to make these materials accessible to students with disabilities. The latest version of the bill reflects a negotiated agreement between the publishing industry, the Community College Chancellor's Office and the author. The bill requires a publisher or copyright holder of instructional materials to either: 1) provide a captioned format of audio visual instructional materials directly to the student, the instructor or the institution; or 2) provide the higher education institution an electronic format, if available, of the instructional material, as specified. If the publisher or copyright holder does provide access or respond to a request for captioned material within a specified period of time, the institution is deemed to have received a license to caption the material. The bill also specifies a variety of copyright protections for use of the covered material.

Status: Passed Senate Education Committee (8-0) on July 1, sent to Appropriations.

AB 669 (Fong) Postsecondary Education: Residency Requirements – Foster Youth

Summary: AB 669 creates an exception to the uniform residency requirement and allows emancipated foster youth who are age 19 and under to pay California resident in-state tuition and fees. This bill allows a student to maintain the California residency status he or she had as a minor until the time they can establish residency on their own. AB 669 makes it easier for former foster youth to establish residency for purposes of attending college, paying in-state tuition, and applying for financial aid.

Status: Passed Senate Education Committee (9-0) on June 17, will be heard in Appropriations on July 13, 2009.

Assembly Bills:

[AB 37 \(Furutani\)](#) Public Postsecondary Education: Honorary Degrees

Summary: The bill would require the Trustees of the California State University and the Board of Governors of the California Community Colleges, and would request the Regents of the University of California, to work with their respective colleges and universities to confer an honorary degree upon each person, living or deceased, who was forced to leave his or her postsecondary studies as a result of federal Executive Order 9066 which caused the incarceration of individuals of Japanese ancestry during World War II.

Status: Passed Senate Education Committee (8-0) on June 17, will be heard in Appropriations on July 13, 2009.

[AB 218 \(Portantino\)](#) Postsecondary Education: Educational and Economic Goals for California Higher Education

Summary: This bill requires the state to establish a statewide accountability framework to biennially assess and report on the collective progress made by the four system's of postsecondary education in meeting state educational and economic policy goals. This bill is virtually the same as a bill, SB 325 (Scott), approved by the Legislature in 2008, but vetoed by the Governor. Members of the Committee asked the author to address the concerns of the Administration as expressed in the Governor's veto message last year.

Status: Passed the Assembly (74-5) passed the Senate Education Committee (8-1) on July 8, 2009.

[AB 440 \(Beall\)](#) California Community Colleges: Student Transfer

Summary: The bill would enact the Community College Associate degree and Recognition of Transfer Preparation Act, which would authorize a community college to grant an Associate's degree in a student's field of study with a designation "for transfer" to students who meet the minimum transfer requirements and complete a minimum of 18 units of coursework in a major or area of emphasis.

Status: Passed the Assembly (66-8), and will be heard by the Senate Education Committee on July 15, 2009.

[AB 492 \(Conway\)](#) Community colleges: nursing faculty

Summary: Amends existing law to allow temporary clinical nursing faculty at California Community Colleges to teach an unlimited number of semesters or quarters within any period of three consecutive years until June 30, 2014. Current law limits temporary clinical nursing faculty at CCC to teaching four semesters or six quarters in any three-year period until June 30, 2014. AB 492 authorizes a community college district to employ temporary clinical nursing faculty even if the hiring of such faculty results in an increase in the ratio of part-time to full-time nursing faculty in that community college district. AB 492 is similar to SB 182 (Ashburn), in that both would amend Education Code Section 87482 which refers to the hiring of clinical nursing faculty. SB 182 goes further and amends Sections 87482.6 and 87482.7 on the ration of full-time/part-time instruction.

Status: Passed the Assembly (54-11), will be heard in Senate Education on July 15, 2009.

[AB 867 \(Nava\)](#) California State University: Doctor of Nursing Practice degree.

Summary: AB 867 would authorize the California State University to award a Doctor of Nursing Practice under certain conditions specified in the bill. The bill would distinguish the Doctor of Nursing Practice degree from the doctor of philosophy degree offered at the University of California. The bill would require the Doctor of Nursing Practice degree program to be designed to enable professionals to earn the degree

while working full time, train nurses for advanced practice, and prepare clinical faculty to teach in postsecondary nursing programs.

Status: Passed the Assembly (71-7), will be heard in Senate Education on July 15, 2009.

AB 1008 (Block) Community Colleges: Student Assessment

Summary: The bill would require the Board of Governors to convene a working group including representatives of the Legislative Analyst's Office, the Academic Senate for California Community Colleges, and the California Community Colleges Consultation Council to make findings and recommendations regarding assessments that can be utilized to test basic skills of students entering community college. The bill would require the working group to present its findings to the Legislature and Governor on or before July 1, 2010.

Status: Passed the Assembly (54-23), and sent to the Senate Rules Committee for assignment.

AB 1295 (Fuller) Postsecondary Education: Nursing Degree Programs

Summary: This bill establishes a working group comprised of representatives from the California Community Colleges and the California State University to address issues that streamline the transfer pathway for community college students who earn their Associates Degree in Nursing (ADN), are licensed as a registered nurse and who apply to a California State University to complete a Bachelor of Science in Nursing (BSN). This bill seeks to reduce unnecessary coursework and to create a more efficient ADN to BSN transfer pathway.

Status: Passed the Assembly (76-0), and will be heard by the Senate Education Committee on July 15, 2009.

AB 1394 (Bass) California Workforce Investment Board: Green Collar Jobs Council

Summary: AB 1394 authorizes the Green Collar Jobs Council to accept any revenues, moneys, grants, goods, or services from federal and state governmental entities, local philanthropic organizations, and other sources, to be used for purposes relating to the administration and implementation of the strategic initiative. The bill would require the Council to confer with appropriate state and local agencies to coordinate the award of specified federal grant funds and green workforce training funds received by the state, and to make a finding that a proposed program or expenditure is consistent with the purposes of the initiative, prior to authorizing the expenditure of funds made available to the state pursuant to the Federal American Recovery and Reinvestment Act of 2009.

Status: Passed the Senate Appropriations Committee (8-3).

Senate Bills:

SB 182 (Ashburn) Community College Nursing Faculty

Summary: SB 182 removes existing statutory employment restrictions related to community college temporary clinical nursing faculty through June 30, 2014. The goal of this bill is to delete any statutory limits on the employment of full-time or part-time clinical nursing faculty. SB 182 also removes the hours of credit instruction provided by part-time and full-time clinical nursing faculty from a district's calculation of its full-time and part-time faculty ratio. This measure is similar to SB 1620 (Ashburn, 2008), which was held in Assembly Appropriations Committee. The intent of this measure is the same as AB 492 (Conway). Both measure would amend Education Code Section 87482 which refers to the hiring of clinical nursing faculty. SB 182 goes further and amends Sections 87482.6 and 87482.7 on full-time instruction.

Status: Passed the Senate (26-5), and held in the Assembly Committee on Higher Education.

[SB 361 \(Runner\)](#) Public Postsecondary Education: Priority Registration: Armed Forces and State Military

Summary: This bill makes changes to existing law giving veterans priority registration at a California State University or California Community Colleges, by prohibiting priority registration to those who received a “dishonorable” or “bad conduct” discharge. SB 361 adds the California National Guard to the applicant pool for priority registration.

Status: Passed the Assembly Committee on Higher Education (9-0) on June 30, and the Assembly Committee on Veterans (9-0) on June 23, and sent to the Assembly Appropriations Committee.

[SB 388 \(Calderon\)](#) Educational materials.

Summary: This bill would enact the Accountability in College Textbook Publishing Practices Act, a bill that requires textbook publishers to provide specified information to faculty about college textbooks or supplemental materials and display various pricing information on the publisher’s Internet website. If after a price is provided, but before an order is placed by the bookstore or faculty, the publisher changes the prices, the publisher is required to list the price change on the Internet website. The bill was amended to remove a 20 percent cap on bookstore markups and added the requirement that textbook publishers post all textbook and supplemental educational material prices on their internet website. The community colleges will continue to seek an additional amendment to impose a six month freeze on textbook price increase once a price has been quoted to a faculty or bookstore.

Status: Passed, as amended in the Assembly Committee on Higher Education on July 7, 2009.

[SB 747 \(Romero\)](#) Career Technical Education: Aerospace

Summary: This bill establishes a pilot pre-apprenticeship program, to be implemented by the California Community Colleges to prepare high school pupils to work in the aerospace industry. The implementation of this program is contingent upon the receipt of federal funds.

Status: Passed the Assembly Committee on Higher Education (9-0) on July 7, 2009.

[SB 815 \(Cogdill\)](#) Student Financial Aid Program: California National Guard Education Assistance Award Program

Summary: This bill creates a state program to provide financial aid to members of the California National Guard, Naval Militia and State Military Reserves. The aid would be awarded by the Adjutant General of the California National Guard and administrative support would be provided by the California Student Aid Commission. This will be a two-year bill.

Status: Passed Assembly Committee on Veterans on June 30, 2009 and referred to the Assembly Committee on Higher Education.