



LEGISLATION FOR DISCUSSION – CONSULTATION COUNCIL
May 21, 2009

1. BOG SPONSORED LEGISLATION

[AB 386\(Ruskin\)](#) Public postsecondary education: instructional materials: disabled students.
Location: Approved by Assembly to be heard in Senate Education Committee.

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. This bill addresses a gap in current law that creates a conflict between copyright and equal access provisions in statute. This bill requires publishers to respond in a reasonable time period to requests for captioning of audiovisual material. If a community college does not receive a response from a publisher within a specified time period, this bill allows the college to provide closed captioning of the material period so that it will be accessible to students with disabilities.

[AB 669\(Fong\)](#) Postsecondary education: residency requirements.
Location: Approved by Assembly to be heard in Senate Education Committee.

Summary: This bill makes it easier for former foster youth to establish residency for purposes of attending college, paying in-state tuition, and applying for financial aid. This bill would allow former foster youth to maintain the California residency status they had as a minor until the time they can establish residency on their own. For purposes of applying to college and determining whether the student is eligible for in-state tuition, it takes one year and one day (19 years of age) before a student can establish his or her own residency. Until that time the student's residency is based on that of his or her parents. For foster youth this gap represents a problem, because as wards of the State of California, they may or may not be in contact with their biological parents or their biological parents may no longer reside in California.

2. ALLIED HEALTH CARE/NURSING

[AB 1295\(Fuller\)](#) Postsecondary education: nursing degree programs.
Location: Approved by Assembly to be heard in Senate Education Committee.

Summary: AB 1295 establishes a Community College and California State University working group to streamline the transfer pathway for community college students who earn their associate 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 duplication and to create a more efficient ADN to BSN transfer pathway.

3. Finance and Funding

[AB 551\(Furutani\)](#) Community colleges: property tax revenues.
Location: Assembly Appropriations Committee Suspense File.

Summary: This bill would provide greater stability in funding for the California Community Colleges by insulating the colleges against shortfalls in local property taxes. The bill would accomplish this by reducing by 25 percent the total amount of local property taxes allocated to the CCCs in the state budget and providing instead an equal amount of State General Fund dollars. The net effect of this funding swap would be neutral to the colleges. The bill would then redirect the local property taxes that have been removed from the CCC budget and provide them to K-12 school districts. This action would offset required state spending on K-12 schools, thus rendering the swap cost neutral to the state as well.



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4. Human Resources/Business/Facilities

[SB 218\(Yee\)](#) Public records: state agency: nonprofit entity.

Location: Approved by Senate Judiciary Committee now on Senate Floor.

Summary: This bill would make a nonprofit corporation, that receives public funds or performs a governmental function on behalf of the California Community Colleges, the California State University, or the University of California subject to the California Public Records Act (CPRA).

[SB 271\(Ducheny\)](#) Higher Education Facilities Bond Act of 2010.

Location: Held in Assembly Appropriations Committee on the Suspense File.

Summary: Would enact the Higher Education Facilities Bond Act of 2010, to become operative only if approved by the voters at the November 2, 2010, statewide general election. The bond act would provide for the issuance of \$8.63 billion in G.O. bonds, to construct and modernize education facilities at public higher education institutions. \$4.1 billion shall be deposited in the 2010 California Community College Capital Outlay Bond Fund created by this bill.

5. Other

[AB 37\(Furutani\)](#) Public postsecondary education: honorary degrees.

Location: Approved by Assembly to be heard in Senate Education Committee.

Summary: AB 37 seeks recognition for college students who were forced to abandon their studies in 1942 as a result of the federal government's incarceration of Japanese-American citizens. Current language in AB 37 requests public higher education systems, including the California State University (CSU) and the California Community Colleges (CCC), and requests the University of California (UC), to confer an honorary degree to each person who was unable to continue and complete his or her education as a result of the internment of Japanese Americans in 1942. Amendments were proposed in committee to include private institutions.

6. Student Fees

[SB 217\(Yee\)](#) Public postsecondary education: executive officer compensation.

Location: Approved by Senate Education Committee now on Senate Floor.

Summary: Would prohibit the California State University Trustees from increasing the monetary compensation, as defined, of, or approving a monetary bonus for, any executive officer of the California State University in any fiscal year in which the General Fund appropriation to the California State University in the annual Budget Act is less than, or equal to, the General Fund appropriation to the university in the annual Budget Act for the immediately preceding fiscal year. The bill would request the regents to not increase the monetary compensation of, or approve a monetary bonus for, any executive officer, as defined, of the University of California, in any fiscal year in which the General Fund appropriation to the University of California in the annual Budget Act is less than, or equal to, the General Fund appropriation to the university in the annual Budget Act for the immediately preceding fiscal year. The Community Colleges were amended out of the bill.



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7. TEXTBOOKS

[SB 386\(Runner\)](#) Postsecondary education: textbooks.

Location: Assembly Appropriations Committee Suspense File.

Summary: SB 386 requires that the CSU and CCC faculty, if they have adopted a new textbook within three years of the previous adoption, to complete an analysis that contains the following:

- 1) A justification for changing the textbook.
- 2) A comparison of the differences between the new and old editions of the textbook.
- 3) Disclosure of any financial interest relating to the new edition.

The justification would be submitted to the Academic Senate, student government, and administration.

8. TRANSFER AND ARTICULATION

[AB 440\(Beall\)](#) California Community Colleges: student transfer.

Location: Approved by Assembly to be heard in Senate Education Committee.

Summary: This bill establishes the College Student Success Act that authorizes a community college district to grant an associate in arts degree in transfer studies or an associate in arts degree in an equivalent program to a student meeting both of the following requirements:

- Completes a minimum of 60 semester units;
- Meets the minimum requirements for transfer to a campus of the California State University or the University of California.

The bill further requires that a degree granted pursuant to this measure recognize the completion of lower division general education requirements. The bill also specifies that a degree granted pursuant to this article does not guarantee admission to any institution.

9. VETERANS

[SB 815\(Cogdill\)](#) Student financial aid program: California National Guard Education Assistance Award Program.

Location: Held in Senate Appropriations Committee on Suspense File.

Summary: SB 815 creates a state program that would provide financial aid to members of the California National Guard, Naval Militia and Reserves. The aid which will not have a means test, would be awarded by the Adjutant General of the California National Guard and administrative support would be provided by the California Student Aid Commission.

10. OTHER

[SB 195\(Florez\)](#) Equity in Higher Education Act.

Location: Approved by Senate Judiciary and Education Committee, waiting to be heard in Senate Appropriations Committee.

Calendar: 05/26/09 11 a.m. - Room (4203)

Summary: Amends current law to require a postsecondary education institution that receives any state financial assistance or state student financial aid to provide assurance to the agency administering the funds that the institution is in compliance with federal law, in addition to state law, in not engaging in discriminatory practices on the basis of sex. The bill also clarifies that this assurance include, but not be limited to academic and athletic programs. The bill requires specific information to be included in the assurance.



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The bill also imposes a civil penalty not to exceed \$50,000 on a person who knowingly falsifies this information and would authorize any person to bring a civil action in the public interest to recover the civil penalty. The bill would require 50% of a civil penalty collected pursuant to these provisions to be deposited in the General Fund and 50% of the penalty to be paid to the person who brought the civil action. Because this bill would impose new requirements on community college districts under the act, it would constitute a state-mandated local program.