

State Policy and Advocacy Update

UNDOCUMENTED STUDENT ACTION WEEK 2022

Our Sixth Annual Undocumented Student Action Week (USAW) will take place October 17-21, 2022. This week is intended to elevate best practices for supporting undocumented student success, promote ways to collaborate across sectors, and advocate for budget and legislative action in support of the long-term success of undocumented students. This year's theme for USAW is "*Juntos Podemos (Together, We Can): Collaborative Ecosystems that Support Undocumented Students.*" Together, we must continue to share how our undocumented students, faculty, and staff are vital and valued members of our communities and campuses.

To promote USAW, the Chancellor's Office, Foundation for California Community Colleges, and Community College League of California, in partnership with many statewide advocacy organizations, have developed a toolkit that includes a Zoom background, posters, graphics, talking points, and other advocacy materials. The toolkit also includes a list of actions and resources for students and campus leaders on navigating community college and developing safe and welcoming institutions. We encourage our colleagues to utilize these materials not just during USAW but continue to highlight the significant contributions of our undocumented students throughout the year and develop strategies for ensuring their success. The toolkit can be found on our [Undocumented Student Action Week website](https://www.cccco.edu/Students/Support-Services/Special-population/Undocumented-Students/Undocumented-Student-Action-Week) (<https://www.cccco.edu/Students/Support-Services/Special-population/Undocumented-Students/Undocumented-Student-Action-Week>).

STATE LEGISLATION OVERVIEW

September 30th marked the end of the second year of the 2021-22 Legislative Session, with Governor Newsom taking final actions on bills approved by the Legislature in 2022. Of the 235 introduced bills related to higher education, the Governor signed 99 into law. The Governor approved one bill sponsored by the Board of Governors; 9 of 13 supported bills; and the only bill opposed by the Chancellor's Office was not enacted. Of the four bills with a "Support" position that failed to advance, two of them were included as part of the 2022 State Budget (Cal Grant Reform and removal of the NextUp district cap). The Chancellor's Office is very grateful to our advocacy partners who helped us lead on student-centered reforms and make this legislative year a success for our students.

Of the 99 bills that were enacted, 37 are classified at Tier 1 and most likely to have a direct impact on the California Community Colleges (CCCs), our faculty, and students. A full Legislative Matrix can be found by visiting the [State Relations page on the Chancellor's Office website](http://www.cccco.edu/About-Us/Chancellors-Office/Divisions/Government-Relations-Policy-in-Action/Policy-in-action/State-Relations/Tracked-Legislation). (www.cccco.edu/About-Us/Chancellors-Office/Divisions/Government-Relations-Policy-in-Action/Policy-in-action/State-Relations/Tracked-Legislation).

With the 2022 legislative session concluded, the Chancellor's Office is beginning advocacy planning for 2023, including advocacy for the new system budget and legislative request. Later this fall, we will also issue our annual chaptered legislation report and update our Legislative Principles to reflect the priorities outlined in the Governor's Roadmap. During

the October Consultation Council meeting, we will lead a discussion on shared advocacy priorities and discuss ways to strengthen our partnership and collaboration.

For additional details on bills, visit the [Legislative Counsel's website](http://leginfo.legislature.ca.gov/) (leginfo.legislature.ca.gov/).

SPONSORED LEGISLATION

SB 1141 (Limón) Public postsecondary education: exemption from payment of nonresident tuition.

Removes the two-year cap on full-time enrollment in credit courses that can be counted towards achieving AB 540 status.

Status: Signed by the Governor on September 23rd.

SJR 9 (Limón) 20th anniversary of the nonresident tuition exemption: American Families Plan: immigration reform.

Recognizes October 12, 2021, as the twentieth anniversary of the passage of AB 540 and calls on Congress to pass the American Families Plan, which would allow undocumented students to qualify for federal financial aid.

Status: Chaptered by the Secretary of State on August 30th.

OTHER BILLS WITH A POLICY POSITION

AB 102 (Holden) College and Career Access Pathways partnerships.

Removes the sunset date of January 1, 2027, for the College and Career Access Pathways (CCAP) program, authorizes a county office of education to enter into a CCAP partnership with a community college district, and removes the 10 percent cap on special admits.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Dual Enrollment**

AB 288 (Calderon) California Ban on Scholarship Displacement Act of 2021.

Prohibits each institution of higher education from reducing certain students' institution-based financial aid award below their financial need beginning in the 2023-2024 academic year.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Financial Aid**

AB 1187 (Irwin) Community colleges: tutoring.

Provides that supervised tutoring for foundational skills and for degree-applicable and transfer-level courses, as authorized pursuant to regulations adopted by the Board of Governors by July 31, 2023, is eligible for state apportionment.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Access**

AB 1232 (McCarty) Nonresident tuition fees: English as a second language courses.

Creates a nonresident tuition exemption for recent immigrants, refugees, and asylees who have settled in California, resided in the state for less than one year, and enrolled in credit ESL courses.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Special Student Populations**

AB 1705 (Irwin) Equitable placement and completion practices and policies.

Prohibits colleges from placing and enrolling students in pretransfer-level math or English coursework except under very limited circumstances, provides clarifying amendments to current equitable placement practices consistent with existing regulations and guidance, and requires colleges to utilize data and local research evidence to inform a student's placement and concurrent support.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Access**

AB 1719 (Ward) Community College Faculty and Employee Housing Act of 2022.

Establishes the Community College Faculty and Employee Housing Act of 2022 with specified requirements to address the housing needs of community college faculty and employees.

Status: Signed by the Governor on September 28th.

Position: **Support**

Principle: **Basic Needs**

AB 1919 (Holden) Transportation: free student transit passes.

Would, upon an appropriation, create the Youth Transit Pass Pilot Program to provide grants to transit agencies to create or expand free fare transit programs for students attending a CCC, California State University (CSU), or University of California (UC).

Status: Vetoed by the Governor on September 13th.

Position: **Support**

Principle: **Basic Needs**

AB 2315 (Arambula) Community colleges: records: preferred or affirmed names.

Requires each community college district to implement a process that allows students, staff, and faculty to declare an affirmed name, gender, or both name and gender identification to be used in records where legal names are not required by law.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Equitable Classroom Environment**

AB 2627 (Bauer-Kahan) Electronically collected personal information: California Community Colleges: memorandum of understanding.

Authorizes a local agency to enter into a memorandum of understanding with a community college district for the purpose of sharing contact information to facilitate outreach and access to support resources, unless the individual has not granted permission for that disclosure.

Status: Signed by the Governor on September 15th.

Position: **Support**

Principle: **Data Sharing**

SB 641 (Skinner) CalFresh for College Students Act.

Requires the Department of Social Services to convene a workgroup that would submit a legislative report on how to improve the CalFresh application process for college students.

Status: Signed by the Governor on September 30th.

Position: **Support**

Principle: **Basic Needs**

CHAPTERED LEGISLATION

AB 1467 (Cervantes) Student safety: sexual assault procedures and protocols.

Requires sexual assault counselors to be independent from the Title IX office, meet certain education and experience qualifications, and provide services regardless of whether a report is made to the Title IX office or law enforcement.

AB 1491 (McCarty) Adult education: consortia: carryover of allocated funds.

Authorizes an adult education consortium to reduce a member's allocation if the consortium makes a finding that the member has excessive carryover for at least two consecutive fiscal years, requires a consortium with 20% carryover to submit a written expenditure plan, and requires the Chancellor's Office and CDE to provide that consortium with technical assistance.

AB 1655 (Jones-Sawyer) State holidays: Juneteenth.

Adds June 19, known as "Juneteenth," to the list of state holidays and require public schools and community colleges to close on that day.

AB 1712 (Medina) Campus safety: online survey tool.

Requires the CCCs, CSU, and UC to develop questions with trauma-informed language for review and approval by the United States Secretary of Education to be incorporated into an online survey tool, and would require the CCCs, CSU, and UC to submit a report on the results of the online survey to specified legislative committees beginning one year after the date on which the online survey becomes available.

AB 1736 (Choi) Community colleges: student government.

Allows a student to be elected as an officer in student government if they are enrolled in an adult education program offered by a community college district or are a disabled student.

AB 1942 (Muratsuchi) Instructional service agreements with public safety agencies.

Requires the Chancellor's Office to issue a recommendation to the Department of Finance and Legislature by December 31, 2024, on the instructional service agreement full-time equivalent students (FTES) apportionment that districts are eligible to claim. This bill also authorizes districts to report specified information on instructional services agreements to the Chancellor's Office.

AB 1958 (M. Fong) Community College Student Access, Retention, and Debt Cancellation Program.

Establishes the Community College Student Access, Retention, and Debt Cancellation Program to support efforts to increase student retention rates and enrollment by

engaging former community college students who may have withdrawn from a community college due to the impacts of the COVID-19 pandemic.

AB 1998 (Smith) Community colleges: nonresident tuition fees: Western Undergraduate Exchange.

Authorizes the Board of Governors to enter into the Western Undergraduate Exchange and allow certain community college districts to exempt certain out-of-state students from the mandatory nonresident fee requirement.

AB 2122 (Choi) Mental health hotlines: student identification cards.

Authorizes the CCCs, CSU, and UC to establish a campus mental health hotline for students to access mental health services remotely and requires each campus with a mental health hotline to print the number of the hotline on student identification cards.

AB 2232 (McCarty) School facilities: heating, ventilation, and air conditioning systems.

Requires all K-12 schools, CCC, CSU, and UC campuses to ensure that facilities that have heating, ventilation, and air condition (HVAC) systems meet specified minimum ventilation rate requirement.

AB 2359 (Gipson) Compton Community College District: personnel commission.

Restores the powers of the Compton Community College District Personnel Commission one year after the district has repaid its loan from the state instead of the current date of 2029.

AB 2413 (Carrillo) Classified school and community college employees: disciplinary hearings: compensation.

Allows a classified community college employee who is not subject to binding arbitration in their collective bargaining agreement to retain their pay during a personnel investigation appeal.

AB 2459 (Cervantes) Student housing: data collection.

Requires UCs, CSUs, and CCCs that provide student housing to post specified data regarding availability of student housing at least twice each academic year and requires each system office to annually report this information to the Legislature.

AB 2482 (Calderon) Student health: pilot program: wellness vending machines.

Creates a pilot program, until July 1, 2029, that requires the CSU and CCCs to establish at least one vending machine that dispenses wellness products, as defined, at five campuses of their respective segments.

AB 2683 (Gabriel) Postsecondary education: sexual violence and harassment: training and resources.

Requires, beginning September 1, 2024, and each year thereafter, a postsecondary institution to annually train its students on sexual violence and sexual harassment, including the differing rates at which students experience sexual harassment and sexual assault based on their race, sexual orientation, disability, gender, and gender identity.

AB 2747 (Nazarian) Tuition and fees: Team USA student athletes.

Entitles, until July 1, 2032, any Team USA athlete who trains in California in an elite level program approved by the United State Olympic and Paralympic Committee to resident classification for tuition purposes.

AB 2810 (Arambula) CalFresh: student eligibility: Federal Application for Student Aid data.

Codifies federal administrative guidance encouraging higher education institutions to use Federal Application for Student Aid (FAFSA) data to inform students of eligibility for CalFresh and requires the CSU and CCCs to use FAFSA data to identify students who meet the income requirements of the CalFresh program.

AB 2881 (Berman) Students with dependent children.

Requires public institutions of higher education to grant priority enrollment to student parents and ensure students have specified information to enroll in the California Special Supplemental Food Program for Women, Infants, and Children (WIC).

AB 2973 (Higher Education) Postsecondary education: omnibus bill.

Makes several technical and conforming changes within the Education Code, including revising the mission of the community colleges to include the provision of instruction and additional learning supports to close learning gaps and updating specified references of “remedial” to “pretransfer-level.”

SB 20 (Dodd) Student eligibility for CalFresh benefits.

Requires the California Student Aid Commission to notify California College Promise Grant students that they may also be eligible for CalFresh benefits.

SB 367 (Hurtado) Opioid overdose reversal medication.

Requires each public higher education institution to provide educational and preventive information regarding opioid overdose as part of established campus orientations and requires each campus health center to apply to use the statewide standing order issued by the State Public Health Officer to distribute dosages of opioid reversal medication.

SB 490 (Caballero) Buy American Food Act.

Requires a public institution that receives federal meal reimbursement funding to provide prepared meals to include in their solicitation for bids and contracts that only the purchase of agricultural food products grown, packed, or processed domestically is authorized.

SB 874 (Cortese) Classified school district and community college employees: probation: promotion.

Clarifies that a classified employee of a merit school district or community college district may return to their previous classification if they are promoted but do not pass the probation for that promotional position.

SB 886 (Wiener) California Environmental Quality Act: exemption: public universities: housing projects.

Exempts from the California Environmental Quality Act a university housing development carried out by a public university on real property owned by the public university if the project meets certain requirements.

SB 893 (Becker) San Mateo County Community College District: California College Promise.

Authorizes the San Mateo County Community College District to use local unrestricted general funds to provide fee waivers and authorizes the district to use existing funds for the implementation of the California College Promise.

SB 1433 (Roth) California Private Postsecondary Education Act of 2009.

Authorizes a public institution of higher education, including those established by another state that provides in-person instruction at a physical location in California, to contract with the Bureau for Private Postsecondary Education to review and act on complaints concerning the institution, thereby allowing California students attending these institutions to access federal financial aid.

VETOED LEGISLATION

AB 1856 (Medina) Community colleges: part-time employees.

Would increase the number of instructional hours that a part-time community college faculty member may teach at one district from 67% to 85% of a full-time assignment.

SB 1144 (Wiener) Water efficiency and quality assessment reports: state buildings and public school buildings.

Would require, by January 1, 2027, state agencies, including the CCCs, and public schools to complete a water efficiency and quality assessment report on their facilities, including testing for lead, Legionella, and other contaminants. If the report identifies noncompliant plumbing fixtures or contaminants, this bill would require the operating agency to remedy the problem, subject to available funding.

ADVOCATES

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