

State Policy and Advocacy Update

STATE ADVOCACY OVERVIEW

The Legislature adjourned for the second year of the 2021-22 legislative session on August 31st. Of the approximately 2,100 two-year and newly introduced bills, the Assembly and Senate sent over 1,200 to Governor Newsom.

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. As mentioned in previous updates, 14 Senators and 25 Assemblymembers have termed out, resigned, or will not seek reelection, including Assemblymember Jose Medina (D-Riverside), Chair of the Assembly Higher Education Committee, and Senator Connie Leyva (D-Chino), Chair of the Senate Education Committee. We thank these allies for their critical roles in advancing student-centered equity reforms that are at the core of the *Vision for Success*, most notably equitable reform of the Cal Grant program.

STATE LEGISLATION OVERVIEW

We have identified 121 bills that have an impact on higher education or the Chancellor's Office. Of these bills, 39 are classified at Tier 1 and most likely to have a direct impact on the California Community Colleges (CCCs), our faculty, and students. Additionally, the Governor has already signed 5 Tier 1 bills and will have until September 30th to sign or veto remaining legislation. A full Legislative Matrix and a list of all Tier 1 bills 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).

The following policy positions are in alignment with the 2022 Legislative Guiding Principles, which authorizes the Chancellor's Office to adopt official positions on legislation if it meets the goals established in the *Vision for Success*, advances the priorities established in the 2022-23 Students First Budget and Legislative Proposal, and is consistent with Board of Governors policy. A summary of how these bills are aligned to the Legislative Principles is included as part of this update. Overall, we have a **Sponsor** position on two bills and a **Support** position on 10 bills.

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.

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

Status: Referred to the Governor's desk.

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.

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

Status: Referred to the Governor's desk.

Position: **Support**

Principle: **Dual Enrollment**

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

Would prohibit 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Financial Aid**

AB 1187 (Irwin) Community colleges: tutoring.

Would provide 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Access**

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

Would create 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Special Student Populations**

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

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

Status: Referred to the Governor's desk.

Position: **Support**

Principle: **Access**

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

Would establish 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: Referred to the Governor's desk.

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: Referred to the Governor's desk.

Position: **Support**

Principle: **Basic Needs**

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

Would require 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Equitable Classroom Environment**

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

Would authorize 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Data Sharing**

SB 641 (Skinner) CalFresh for College Students Act.

Would require 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: Referred to the Governor's desk.

Position: **Support**

Principle: **Basic Needs**

CHAPTERED LEGISLATION

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.

Status: Signed by the Governor on July 1st.

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.

Status: Signed by the Governor on August 26th.

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.

Status: Signed by the Governor on August 22nd.

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.

Status: Signed by the Governor on August 29th.

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.

Status: Referred to the Governor's desk.

OTHER HIGH-PRIORITY LEGISLATION

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

Would require 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.

Status: Referred to the Governor's desk.

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

Would authorize 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, require a consortium with 20% carryover to submit a written expenditure plan, and require the Chancellor's Office and CDE to provide that consortium with technical assistance.

Status: Referred to the Governor's desk.

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

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

Status: Referred to the Governor's desk.

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

Would require 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.

Status: Referred to the Governor's desk.

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.

Status: Referred to the Governor's desk.

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

Would require 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 would also authorize districts to report specified information on instructional services agreements to the Chancellor's Office.

Status: Referred to the Governor's desk.

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

Would establish 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.

Status: Referred to the Governor's desk.

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

Would authorize 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.

Status: Referred to the Governor's desk.

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

Would require 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.

Status: Referred to the Governor's desk.

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

Would restore 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.

Status: Referred to the Governor's desk.

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

Would allow 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.

Status: Referred to the Governor's desk.

AB 2459 (Cervantes) Student housing: data collection.

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

Status: Referred to the Governor's desk.

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

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

Status: Referred to the Governor's desk.

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

Would, beginning September 1, 2024, and each year thereafter, require 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.

Status: Referred to the Governor's desk.

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

Would, until July 1, 2032, entitle 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.

Status: Referred to the Governor's desk.

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

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

Status: Referred to the Governor's desk.

AB 2881 (Berman) Students with dependent children.

Would require 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).

Status: Referred to the Governor's desk.

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

Would make 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."

Status: Referred to the Governor's desk.

SB 490 (Caballero) Buy American Food Act.

Would require 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.

Status: Referred to the Governor's desk.

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

Would exempt 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.

Status: Referred to the Governor's desk.

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

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

Status: Referred to the Governor's desk.

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.

Status: Referred to the Governor's desk.

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

Would authorize 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.

Status: Referred to the Governor's desk.

ADVOCATES

If you have not already subscribed to the Government Relations listserv, where information is routinely distributed, you are welcome to join. To subscribe, send an e-mail to LISTSERV@LISTSERV.CCCNEXT.NET and put SUBSCRIBE ADVOCATES in the body of a BLANK, NON-HTML e-mail. NO SUBJECT OR SIGNATURES.