

COMMUNITY COLLEGE UPDATE

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Top Legislative Issues for 2017—July 14, 2017

As we approach the second policy committee deadline (July 21, 2017), bills that faced resistance in the first house slow in their progress. If sufficient concerns are raised, an author will often park the bill in the second house and work on the issues before submitting the bill to a policy committee that may be unwilling to approve it in its current form. Other bills that were introduced to address budgetary issues have been resolved—in one way or another—by the 2017-18 State Budget.

Affordability

Assembly Bill (AB) 17 (Holden, D-Pasadena) Transit Pass Pilot Program: Free or Reduced-Fare Transit Passes. As amended on May 30, 2017, this bill would appropriate \$20 million to the California Department of Transportation (Caltrans) to implement a pilot program to provide free or reduced-fare transit passes to low-income students, including community college students who qualify for a waiver of student fees.

The bill would require Caltrans to develop performance measures and reporting requirements to evaluate the effectiveness of the program. The bill would require Caltrans to develop guidelines that describe the application process and selection criteria for awarding the monies made available for the program, and would exempt the development of those guidelines from the Administrative Procedure Act.

On Tuesday, July 11, 2017, AB 17 passed the Senate Transportation and Housing Committee on a 12-1 vote and will head to the Senate Appropriations Committee. The bill faces no registered opposition and is being sponsored by Move LA, the Student Senate for California Community Colleges, and Transform with registered support from numerous health, transit, and community college organizations.

AB 19 (Santiago, D-Los Angeles) Community Colleges: Enrollment Fee Waiver. As amended, July 7, 2017, this bill would waive for one academic year the \$46 per unit California Community College (CCC) student fee for any CCC student who meets the following requirements:

- first-time student,
- full time (12 units or more),
- submit either a Free Application for Federal Student Aid or a California Dream Act application,
- enrolled at a CCC district that partners with one or more school districts and one or more California State University (CSU) or University of California (UC) campuses to establish or expand a program that adheres to certain practices and principles relative to student preparation for college and/or transfer to a public postsecondary university.

On Wednesday, July 12, 2017, AB 19 passed out of the Senate Education Committee and will now head to the Senate Appropriations Committee. The bill faces no registered opposition and is being supported by California Teachers Association (CTA), the California Federation of Teachers (CFT), the Faculty Association of California Community Colleges (FACCC), and numerous community college districts.

Senate Bill (SB) 769 (Hill, D-San Mateo)—Baccalaureate Degree Pilot Program. This bill would extend the operation of the statewide baccalaureate degree pilot program until July 1, 2028. Previous versions of the bill, in addition to extending the pilot program date, would have increased the maximum number of district baccalaureate degree pilot programs from 15 to 25. However, in order for the UC and CSU to remove their opposition to the bill the author agreed to eliminate the expansion provisions from the legislation.

SB 769 is strongly supported by numerous community colleges, community college districts (CCD), and community college associations including the Association of California Community College Administrators (ACCCA). However, despite the amendments taken by the author the bill still has registered opposition from CTA, the California Faculty Association, and FACCC. On Tuesday, July 11, 2017, the bill passed out of the Assembly Higher Education Committee on a 12-1 vote and will now head to the Assembly Appropriations Committee.

Employees

AB 568 (Gonzalez-Fletcher, D-San Diego)—School and Community College Employees: Paid Maternity Leave. This bill would require the governing board of a school district, the governing body of a charter school, and the governing board of a CCD to provide at least six weeks of a leave of absence with full pay for a certificated employee, or an academic employee, of the district or charter school who is required to be absent from duties because of pregnancy, miscarriage, childbirth, and recovery therefrom. The bill would authorize the paid leave to begin before and continue after childbirth, provided that the employee is actually disabled by pregnancy, childbirth, or a related condition. This leave would not diminish the employee's right to other leaves of absence such as disability leave, sick leave, bonding leave, vacation leave, and pregnancy leave under the California Fair Employment and Housing Act.

On Monday, July 10, 2017, AB 568 was referred to the Senate Appropriations Suspense File where it will undergo further financial scrutiny before being passed to the Senate floor or being held in the committee as a two-year bill. The bill is being cosponsored by CFT and the Service Employees International Union. The registered list of supporters include labor associations such as CTA, while the list of opposition includes administration and business associations such as ACCCA and the California Association of School Business Officials (CASBO). ACCCA and CASBO have signed on to a joint opposition letter with other statewide administration and business associations.

AB 1651 (Reyes, D-San Bernardino)—Community Colleges: Academic Employees: Involuntary Administrative Leave and Investigations. The current version of this bill would require that a community college academic employee, at least two days before being placed on involuntary paid administrative leave, be provided a copy of each written complaint related to the proposed administrative leave or, if there is no written complaint, a notification in writing of the details of the allegations of misconduct. The pre-notification requirements do not apply in the

event of serious risk of physical danger or other documented necessity arising from the specific allegations, and the employee may immediately be placed on involuntary administrative leave and will instead be provided with, at minimum, the general nature of the accusations made, within five business days after being placed on administrative leave.

The bill would also require that the employee, at least five business days before being subject to an investigatory interview or other interrogation related to an allegation of misconduct, be provided a copy of each written complaint being investigated, or if there is no written complaint, a notification in writing of the details of the allegation(s) upon which the decision to conduct the interview or interrogation is based. An employer may withhold providing a complaint to the employee under investigation if the employer demonstrates, on a case-by-case basis, that revealing the complaint would result in danger of relevant evidence being destroyed or testimony being fabricated; reasonable danger of violence; or when confidentiality has been requested by law enforcement due to a relevant investigation; or is a violation of law.

The bill stipulates that parties to a collective bargaining agreement shall be entitled to negotiate additional policies and procedures relating to investigations or involuntary paid administrative leave of an academic employee, if as much notice as required in this bill is provided, and that the identity of the complainants shall be disclosed unless otherwise prohibited.

AB 1651 passed out of the Senate Education Committee on June 21, 2017, on a 5-1 vote. Since the bill was keyed nonfiscal it went directly to the Senate floor where it is currently awaiting a vote from the full Senate. The bill is being cosponsored by the California Community College Independents and FACCC with registered support from CTA and CFT. The bill is being opposed by the Community College League of California and ACCCA.

Instruction

AB 705 (Irwin, D-Thousand Oaks)—Seymour-Campbell Student Success Act of 2012: Matriculation: Assessment. As amended on May 30, 2017, this bill requires CCD's to maximize the probability that a student will enter and complete coursework in math and English within a one-year time frame by utilizing multiple measures to achieve this goal. The bill would authorize the Board of Governors to establish regulations governing the use of measures, instruments, and placement models to ensure that these measures, instruments, and placement models achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and mathematics within a one-year time frame.

The bill would prohibit a CCD or college from requiring students to enroll in remedial coursework that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework shows that those students are highly unlikely to succeed in transfer-level coursework. The bill would authorize a CCD or college to require students to enroll in additional concurrent support during the same semester that they take the transfer-level English or mathematics course, but only if it is determined that the support will increase their likelihood of passing the transfer-level English or mathematics course.

On Wednesday, July 12, 2017, AB 705 passed out of the Senate Education Committee and will head to the Senate Appropriations Committee where its fiscal implications will be scrutinized. The

bill faces no registered opposition and is being supported by the California Community Colleges Chancellor's Office (CCCCO), the Community College League of California, a number of community colleges, and a handful of advocacy organizations such as the Education Trust-West.

SB 577 (Dodd, D-Napa)—Public Postsecondary Education: Community College Districts: Teacher Credentialing Programs of Professional Preparation. As amended on May 26, 2017, this bill would authorize the California Community Colleges Board of Governors (BOG), in consultation with the CSU and the UC, to authorize up to five CCD's to offer a teacher credentialing program. The program would be accredited by the Commission on Teacher Credentialing's Committee on Accreditation. The CCD would be required to identify and document unmet teaching workforce needs in the local community or region of the district and design the district's teacher credentialing program of professional preparation to train qualified teachers to meet those needs. If the BOG authorizes such a program, it would be required to develop, and adopt by regulation, a funding model for the support of teacher credentialing programs of professional preparation that is based on a calculation of the number of full-time equivalent students enrolled in all district teacher credentialing programs of professional preparation and would not exceed those charged at a comparable program of the CSU.

Despite SB 577 receiving broad bipartisan support the author decided to pull the bill from the July 11, 2017, Assembly Higher Education Committee agenda. Since the bill is keyed fiscal and will not pass out of policy committee by the July 14, 2017, deadline it will become a two-year bill and can't be taken up again until 2018.

Student Services

SB 478 (Portantino, D-La Cañada Flintridge)—Public Postsecondary Education: Transfer of Community College Students to the California State University or University of California. As amended June 19, 2017, this bill would require each CCD to (1) identify those students who have completed an associate degree for transfer, (2) notify those students of their completion of the degree requirements, (3) automatically award the student with the degree, and (4) add the student to an identification system maintained at the end of each academic year that the CCCCCO shall maintain and that can be accessed electronically by the CSU and the UC enrollment systems. The bill would also require that steps (1) to (3) be completed at the end of each academic term. The bill would authorize a student to affirmatively exercise an option to not receive an associate degree for transfer or to be included in the identification system.

On Tuesday, July 11, 2017, the bill passed unanimously out of the Assembly Higher Education Committee and will now head to the Assembly Appropriations Committee. The bill has no registered opposition and is being supported by the CCCCCO, the California State Student Association, and the Campaign for College Opportunity.

2017 Legislative Calendar—Upcoming Holidays and Deadlines

July 14—Last day for policy committees to hear and report fiscal bills to fiscal committees.

July 21—Last day for policy committees to hear and report bills. Summer Recess upon adjournment.

August 21—Legislature reconvenes from Summer Recess.