

## **Assembly Bill No. 504**

### **CHAPTER 742**

An act to amend Sections 78220 and 78221 of the Education Code, relating to community colleges.

[Approved by Governor October 13, 2017. Filed with  
Secretary of State October 13, 2017.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 504, Medina. Community colleges: Student Success and Support Program funding.

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law, known as the Seymour-Campbell Student Success Act of 2012, establishes and provides for the funding of the Student Success and Support Program. Existing law requires, as a condition for receiving Student Success and Support Program funding, that the governing board of each community college district maintain a student equity plan, as specified.

Existing law requires the student equity plan to include, for each community college in the community college district, campus-based research as to the extent of student equity by gender and for each of several specified categories of students. Existing law also requires the student equity plan to include whether significant underrepresentation of any of these categories of students is found to exist in terms of access to, and completion of, basic skills, career technical education and workforce training, and transfer courses.

This bill would require the student equity plan to instead include whether that significant underrepresentation of any of these categories of students is found to exist in terms of access and retention, degree and certificate completion, English as a Second Language and basic skills completion, and transfer. The bill would require the Chancellor of the California Community Colleges to establish a standard methodology, for measurement of student equity and disproportionate impact for disaggregated subgroups of the student population of the California Community Colleges, for use in the student equity plans of community college districts, as specified.

(2) Existing law requires the Chancellor of the California Community Colleges to establish a list of eligible and ineligible expenditures and activities to ensure that Student Success and Support Program funding is used to support the implementation of student equity plan goals and the coordination of services for the targeted student populations.

This bill would require that Student Success and Support Program funding be used to support the implementation of student equity plan goals and the

coordination of services for the targeted student population through evidence-based practices.

This bill would incorporate additional changes to Sections 78220 and 78221 of the Education Code proposed by AB 1018 to be operative only if this bill and AB 1018 are enacted and this bill is enacted last.

*The people of the State of California do enact as follows:*

SECTION 1. Section 78220 of the Education Code is amended to read:

78220. (a) As a condition for receiving Student Success and Support Program funding, and in order to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances, the governing board of each community college district shall maintain a student equity plan that includes all of the following for each community college in the community college district:

(1) Campus-based research, as to the extent of student equity by gender and for each of the following categories of students, that uses the methodology established pursuant to subdivision (d) of Section 78221:

(A) Current or former foster youth.

(B) Students with disabilities.

(C) Low-income students.

(D) Veterans.

(E) Students in the following ethnic and racial categories, as they are defined by the United States Census Bureau for the 2010 Census for reporting purposes:

(i) American Indian or Alaska Native.

(ii) Asian.

(iii) Black or African American.

(iv) Hispanic or Latino.

(v) Native Hawaiian or other Pacific Islander.

(vi) White.

(vii) Some other race.

(viii) More than one race.

(2) Goals for access and retention, degree and certificate completion, English as a Second Language and basic skills completion, and transfer for the overall student population and for each population group of high-need or disadvantaged students, and a determination of what activities are most likely to effectively meet those goals.

(3) Whether significant underrepresentation is found to exist pursuant to paragraphs (1) and (2), based on the methodology established pursuant to subdivision (d) of Section 78221, measures for addressing the disparities in those areas, implementation activities designed to attain the goals specified in paragraph (2), including, but not limited to, the adoption of evidence-based models of remediation, implementation of assessment and placement policies that more accurately predict student success and identify students' remedial

needs, and a means of coordinating with, at a minimum, the following student equity-related categorical programs or campus-based programs:

- (A) Students with disabilities.
- (B) Extended Opportunity Programs and Services and Special Services.
- (C) Fund for Student Success.
- (D) Student Success and Support Program.
- (E) Programs for foster youth.
- (F) Programs for veterans.
- (G) Special Services for CalWORKs Recipients.
- (H) Student Financial Aid Administration.
- (I) Student Success for Basic Skills Students.
- (4) Sources of funds for the activities in the plan.
- (5) A schedule and process for evaluation.

(6) An executive summary that includes, at a minimum, the student groups for whom goals have been set, the goals, the initiatives that the community college or community college district will undertake to achieve these goals, the resources that have been budgeted for that purpose, and the community college district official to contact for further information. Commencing with the 2016–17 academic year, the executive summary shall also include a detailed accounting of how funding was expended and an assessment of the progress made in achieving the identified goals.

(b) Student equity plans shall be developed with the active involvement of all groups on campus as required by law, including, but not limited to, the academic senate, academic faculty and staff, student services, and students, and with the involvement of appropriate people from the community.

(c) The plan shall be adopted by the governing board of the community college district and submitted to the Chancellor of the California Community Colleges on or before January 1, 2015, who shall publish all executive summaries, sending copies to the appropriate policy and budget committees of the Legislature, the Department of Finance, every community college and community college district, each consultation group identified in subdivision (b) that so requests, and additional individuals and organizations as deemed appropriate.

(d) The plan shall be updated every three academic years and plan updates shall be submitted to the Chancellor of the California Community Colleges for publication and distribution as provided for in subdivision (c).

SEC. 1.5. Section 78220 of the Education Code is amended to read:

78220. (a) As a condition for receiving Student Success and Support Program funding, and in order to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances, the governing board of each community college district shall maintain a student equity plan that includes all of the following for each community college in the community college district:

(1) Campus-based research, as to the extent of student equity by gender and for each of the following categories of students, that uses the methodology established pursuant to subdivision (d) of Section 78221:

- (A) Current or former foster youth.
- (B) Students with disabilities.
- (C) Low-income students.
- (D) Veterans.

(E) Students in the following ethnic and racial categories, as they are defined by the United States Census Bureau for the 2010 Census for reporting purposes:

- (i) American Indian or Alaska Native.
- (ii) Asian.
- (iii) Black or African American.
- (iv) Hispanic or Latino.
- (v) Native Hawaiian or other Pacific Islander.
- (vi) White.
- (vii) Some other race.
- (viii) More than one race.

(F) Homeless students.

(G) Lesbian, gay, bisexual, or transgender students.

(H) Additional categories of students determined by the governing board of the community college district.

(2) To the extent that student data described in paragraph (1) has been collected, the Office of the Chancellor of the California Community Colleges shall make the data available to community college districts for determining student equity and disproportionate impact.

(3) Goals for access and retention, degree and certificate completion, English as a Second Language and basic skills completion, and transfer for the overall student population and for each population group of high-need or disadvantaged students, and a determination of what activities are most likely to effectively meet those goals.

(4) Whether significant underrepresentation is found to exist pursuant to paragraphs (1) and (3), based on the methodology established pursuant to subdivision (d) of Section 78221, measures for addressing the disparities in those areas, implementation activities designed to attain the goals specified in paragraph (3), including, but not necessarily limited to, the adoption of evidence-based models of remediation, implementation of assessment and placement policies that more accurately predict student success and identify students' remedial needs, and a means of coordinating with, at a minimum, the following student equity-related categorical programs or campus-based programs:

- (A) Students with disabilities.
- (B) Extended Opportunity Programs and Services and Special Services.
- (C) Fund for Student Success.
- (D) Student Success and Support Program.
- (E) Programs for foster youth.
- (F) Programs for veterans.

- (G) Special Services for CalWORKs Recipients.
- (H) Student Financial Aid Administration.
- (I) Student Success for Basic Skills Students.

(5) Sources of funds for the activities in the plan.

(6) A schedule and process for evaluation.

(7) An executive summary that includes, at a minimum, the student groups for whom goals have been set, the goals, the initiatives that the community college or community college district will undertake to achieve these goals, the resources that have been budgeted for that purpose, and the community college district official to contact for further information. Commencing with the 2016–17 academic year, the executive summary shall also include a detailed accounting of how funding was expended and an assessment of the progress made in achieving the identified goals.

(b) Student equity plans shall be developed with the active involvement of all groups on campus as required by law, including, but not limited to, the academic senate, academic faculty and staff, student services, and students, and with the involvement of appropriate people from the community.

(c) The plan shall be adopted by the governing board of the community college district and submitted to the Chancellor of the California Community Colleges on or before January 1, 2015, who shall publish all executive summaries, sending copies to the appropriate policy and budget committees of the Legislature, the Department of Finance, every community college and community college district, each consultation group identified in subdivision (b) that so requests, and additional individuals and organizations as deemed appropriate.

(d) The plan shall be updated every three academic years and plan updates shall be submitted to the Chancellor of the California Community Colleges for publication and distribution as provided for in subdivision (c).

SEC. 2. Section 78221 of the Education Code is amended to read:

78221. The Chancellor of the California Community Colleges shall allocate funds provided for purposes of successfully implementing the activities and goals specified in the student equity plans adopted pursuant to Section 78220, consistent with all of the following:

(a) The chancellor shall ensure a community college district has submitted a student equity plan that is consistent with Section 78220. For purposes of allocating funding appropriated in the 2014–15 Budget Act, a community college district that has not submitted a student equity plan shall provide the chancellor with an outline for the community college district's completion of the student equity plan on or before January 1, 2015.

(b) The chancellor shall ensure that community college districts that serve greater populations of students who are high-need students or disadvantaged students receive greater resources to provide services to students, consistent with the goals and activities specified in their student equity plans.

(c) The chancellor shall establish criteria for calculating the number of high-need and disadvantaged students in a community college district. For

purposes of this article, “high-need students” mean students who have an expected family contribution, as defined in subdivision (g) of Section 69432.7, at any time during those students’ matriculation at the institution, that would qualify those students to receive federal Pell Grants and students from ZIP Codes in the bottom two quintiles of college attainment. The calculation of a student’s expected family contribution shall be based on the Free Application for Federal Student Aid (FAFSA) application or an application determined by the California Student Aid Commission to be equivalent to the FAFSA application submitted by that student. For purposes of this article, the determination of who are “disadvantaged” students shall take into account the college participation rate of the college-aged population of, and the socioeconomic status of, a community college district population.

(d) The chancellor shall establish a standard methodology, including guidelines, for measurement of student equity and disproportionate impact for disaggregated subgroups of the student population of the California Community Colleges. The chancellor shall establish the methodology for use in the student equity plans of community college districts.

(e) (1) The chancellor shall establish a list of eligible and ineligible expenditures and activities to ensure that funding is used to support the implementation of student equity plan goals and the coordination of services for the targeted student populations through evidence-based practices.

(2) On or before March 15, 2016, and on or before March 15 annually thereafter, the chancellor shall report to the Department of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature, on the expenditure of funds for purposes of this article during the previous fiscal year.

SEC. 2.5. Section 78221 of the Education Code is amended to read:

78221. The Chancellor of the California Community Colleges shall allocate funds provided for purposes of successfully implementing the activities and goals specified in the student equity plans adopted pursuant to Section 78220, consistent with all of the following:

(a) The chancellor shall ensure a community college district has submitted a student equity plan that is consistent with Section 78220. For purposes of allocating funding appropriated in the 2014–15 Budget Act, a community college district that has not submitted a student equity plan shall provide the chancellor with an outline for the community college district’s completion of the student equity plan on or before January 1, 2015.

(b) The chancellor shall ensure that community college districts that serve greater populations of students who are high-need students or disadvantaged students receive greater resources to provide services to students, consistent with the goals and activities specified in their student equity plans.

(c) The chancellor shall establish criteria for calculating the number of high-need and disadvantaged students in a community college district. For purposes of this article, “high-need students” mean students who have an expected family contribution, as defined in subdivision (g) of Section 69432.7, at any time during those students’ matriculation at the institution,

that would qualify those students to receive federal Pell Grants and students from ZIP Codes in the bottom two quintiles of college attainment. The calculation of a student's expected family contribution shall be based on the Free Application for Federal Student Aid (FAFSA) application or an application determined by the California Student Aid Commission to be equivalent to the FAFSA application submitted by that student. For purposes of this article, the determination of who are "disadvantaged" students shall take into account the college participation rate of the college-aged population of, and the socioeconomic status of, a community college district population.

(d) The chancellor shall establish a standard methodology, including guidelines, for measurement of student equity and disproportionate impact for disaggregated subgroups of the student population of the California Community Colleges. The chancellor shall establish the methodology for use in the student equity plans of community college districts.

(e) (1) The chancellor shall, consistent with the goal of eliminating any achievement disparities that are identified pursuant to the requirements of Section 78220, provide guidance to community college districts regarding expenditures and activities to ensure that funding is used to support evidence-based practices to implement student equity plan goals and coordinate services for the targeted student populations through evidence-based practices.

(2) On or before March 15, 2016, and on or before March 15 annually thereafter, the chancellor shall report to the Department of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature, on the expenditure of funds for purposes of this article during the previous fiscal year.

SEC. 3. (a) Section 1.5 of this bill incorporates amendments to Section 78220 of the Education Code proposed by both this bill and Assembly Bill 1018. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 78220 of the Education Code, and (3) this bill is enacted after Assembly Bill 1018, in which case Section 1 of this bill shall not become operative.

(b) Section 2.5 of this bill incorporates amendments to Section 78221 of the Education Code proposed by both this bill and Assembly Bill 1018. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2018, (2) each bill amends Section 78221 of the Education Code, and (3) this bill is enacted after Assembly Bill 1018, in which case Section 2 of this bill shall not become operative.