

**Governor's Actions
First Year 2015-16 Legislative Session
League Tracked Bills**

Governor's Actions on Bills Tracked by the League:

Position	Signed by Governor	Vetoed by Governor
Support	9	4
Support if Amended	0	1
Watch	8	1
Oppose/Concern	0	2
TOTAL	17	8

Academic Affairs

[AB 798](#) ([Bonilla D](#)) College Textbook Affordability Act of 2015.

Chapter No.: 633

Location: 10/8/2015-A. CHAPTERED

Position: Support

CCLC Analysis: This bill will create the Open Educational Resources Adoption Incentive Fund (AIF) to provide incentives and reward campus, staff, and faculty efforts to accelerate the adoption of open educational resources (OER). The bill will require that moneys in the fund be used by campuses to create and support faculty and staff professional development, OER curation activities, curriculum modification, or for technology support for faculty, staff, and students. The bill will require the local academic senate of a campus of the California State University or the California Community Colleges to: (1) adopt a local campus resolution, in collaboration with students and the administration, demonstrating its commitment to increase student access to high-quality OER; and (2) upon adoption of the resolution, develop a plan that describes evidence of the campus' commitment and readiness to spend these funds to support faculty adoption of OER. The bill will also:

- Declare that if a local campus faculty Academic Senate passes a resolution stating its intent to increase student access to OER they will be eligible for an initial AIF grant to plan a strategy for accelerating the adoption of OER;
- Designate that each year thereafter for up to three years, the local campus will receive an AIF grant for meeting established performance benchmarks;
- Specify that the AIF grant shall be used for faculty professional development, digital or OER curation activities, and/or technology support for the faculty;
- Create a sunset date of January 1, 2021.

This bill is seeking to address the high cost of books, which are often a key barrier to our students. It is estimated that the cost of textbooks comprises 40% of the cost of attendance at community colleges. Timely development is a key issue for digital educational material. Another key consideration is the accessibility of these educational resources for all students.

Accreditation

[AB 404](#) (Chiu D) Community colleges: accreditation.

Chapter No.: 623

Location: 10/8/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: This bill directs the Board of Governors (BOG) of the California Community Colleges to survey districts, faculty and classified personnel to create a system wide evaluation of the agency which accredits California's community colleges, and to forward the results of this survey onto the United States Department of Education prior to the Department's evaluation of the accrediting agency's effectiveness.

Bonds and Facilities

[AB 653](#) (Levine D) Postsecondary education: community college contracting practices.

Chapter No.: 366

Location: 9/30/2015-A. CHAPTERED

Position: Support

CCLC Analysis: This bill will permit community college districts to make purchases through existing UC or CSU contracts.

Campus Safety

[AB 636](#) (Medina D) Postsecondary education: student safety.

Chapter No.: 697

Location: 10/9/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: Current law requires any report by a victim of a Part 1 violent crime, sexual assault, or hate crime received by a campus security authority and made by the victim for purposes of notifying the institution or law enforcement, to be immediately, or as soon as practicably possible, disclosed to the appropriate local law enforcement agency without identifying the victim, unless the victim consents to being identified. This bill would authorize the identification of the alleged assailant, even if the victim does not consent to being identified, if the institution determines that the alleged assailant represents a serious and ongoing threat to the safety of persons or the institution and the immediate assistance of police is necessary to contact or detain the assailant. The bill only applies to community colleges that receive public funds for student financial assistance.

[AB 913](#) (Santiago D) Student safety.

Chapter No.: 701

Location: 10/9/2015-A. CHAPTERED

Position: Support

CCLC Analysis: The Kristin Smart Campus Safety Act of 1998 requires the governing boards of each community college district, the Trustees of the California State University, the Regents of the University of California, and the governing boards of independent postsecondary institutions, to adopt rules requiring each of their respective campuses to enter into a written agreement with local law enforcement agencies relating to certain violent crimes. This bill will add hate crimes and sexual assault to the list of crimes in those agreements and will require these written agreements to designate the law enforcement agency that will have responsibility for the investigation of each sexual assault or hate crime.

SB 186 (Jackson D) Community college districts: removal, suspension, or expulsion.

Chapter No.: 232

Location: 9/1/2015-S. CHAPTERED

Position: Watch

CCLC Analysis: This bill will authorize, but not mandate, the governing board of a community college district to remove, suspend, or expel a student for sexual assault or sexual exploitation, regardless of the victim's affiliation with the community college, even if the offense is not related to college activity or attendance; and expand the definition of "good cause" for purposes of suspension or expulsion. Specifically it will:

- 1) Add the offenses of sexual assault or sexual battery.
- 2) Specify the offense must be "good cause" regardless of the victim's affiliation with the community college.
- 3) Make an exception to the prohibition against removal, suspension or expulsion of a student unless the conduct resulting in the disciplinary action is related to college activity or attendance if the conduct is sexual assault or sexual battery;
- 4) Clarify that the offenses, which may result in disciplinary action, must occur while the individual is enrolled as a student;
- 5) Define sexual assault consistent with guidance and definitions issued to colleges by the White House Task Force to Protect Students from Sexual Assault; and
- 6) Clarify the continuing applicability of federal law.

SB 707 (Wolk D) Firearms: gun-free school zone.

Chapter No.: 766

Location: 10/10/2015-S. CHAPTERED

Position: Watch

CCLC Analysis: This bill will delete the exemption that allows a person holding a valid license to carry a concealed firearm, or a retired peace officers authorized to carry a concealed or loaded firearm, to possess a firearm on the campus of a university or college. By expanding the scope of an existing crime, this bill would create a state-mandated local program.

Financial Aid and Fees

AB 25 (Gipson D) Financial aid: Cal Grant program: renewal.

Chapter No.: 613

Location: 10/8/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: This bill requires the California Student Aid Commission (CSAC) to establish an appeals process for an institution that fails to satisfy the 3-year cohort default rate and graduation rate requirements. During the appeals process, CSAC would be directed to consider the socioeconomic status of the population within the cohort.

[AB 721](#) ([Medina D](#)) Student financial aid: private student loans.

Chapter No.: 632

Location: 10/8/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: This bill requires that institutions that do not participate in the federal student loan program notify their students that they could be eligible for federal loans at other colleges. They would be required to post this information to their website along with a list of other institutions that participate in the program. Additionally this bill requires all colleges (except community colleges) that certify private loans to provide information related to the debt load and demographics of students who take out loans.

[AB 1091](#) ([Garcia, Eduardo D](#)) Student financial aid: Cal Grant Program.

Chapter No.: 637

Location: 10/8/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: This bill authorizes the California Student Aid Commission (CSAC) to require verification of high school graduation to be electronically submitted for those who have graduated from public schools in the prior academic year. Additionally it would declare legislative intent that CSAC make available to each school district a list of seniors who have not completed a FAFSA or Dream Act application.

[AB 1401](#) ([Baker R](#)) Veterans: student financial aid.

Chapter No.: 254

Location: 9/3/2015-A. CHAPTERED

Position: Support

CCLC Analysis: This bill requests the Office of the Adjutant General to provide copies of, and assistance to complete, the Board of Governors' fee waiver and the FAFSA to each member of the California National Guard.

[SB 605](#) ([Gaines R](#)) Community colleges: exemption from nonresident tuition fee: Lake Tahoe Community College District.

Chapter No.: 657

Location: 10/8/2015-S. CHAPTERED

Position: Sponsor

CCLC Analysis: This bill permits Nevada residents in the Lake Tahoe area to pay in-state tuition at Lake Tahoe Community College. This bill will only take effect if a comparable policy is passed by the governing board of the Nevada System of Higher Education for California residents in Tahoe studying in Nevada.

Human Resources

[AB 215](#) ([Alejo D](#)) **Local agency employment contracts: maximum cash settlement.**

Chapter No.: 240

Location: 9/2/2015-A. CHAPTERED

Position: Watch

CCLC Analysis: This bill caps the maximum cash settlement that can be paid to a district superintendent of schools by a school district (if a contract is terminated) to 12 times the monthly salary of an employee, or if the superintendent was terminated for cause, 6 months. While this bill does not apply to community colleges, this legislation could serve as precedent for future action.

[AB 963](#) ([Bonilla D](#)) **Teachers' Retirement Law.**

Chapter No.: 782

Location: 10/11/2015-A. CHAPTERED

Position: Support

CCLC Analysis: Two years ago, the California State Teachers' Retirement System (CalSTRS) declared that those in certain positions were not performing creditable service and were, therefore, ineligible for the retirement system. This bill would allow current members in CalSTRS to be "grandfathered" into the system, removing concerns that they may be expelled from their retirement system in the future. The legislation also seeks to clarify the Education Code regarding placement of educational administrators in either CalSTRS or CalPERS. Finally, the legislation would consider positions that perform CalSTRS creditable service for a certain portion of their time as full CalSTRS members.

K-12 Partnerships

[AB 288](#) ([Holden D](#)) **Public schools: College and Career Access Pathways partnerships.**

Chapter No.: 618

Location: 10/8/2015-A. CHAPTERED

Governor's Message:

To the Members of the California State Assembly: Assembly Bill 288 expands opportunities for high school students to be concurrently enrolled at community colleges, pursuant to an agreement by the respective local governing boards. This bill is an example of how K-12 and higher education institutions can work together on a local level to solve problems - in this case, how to create better pathways to college and career for students who are struggling or are underrepresented in higher education. I believe these flexible, locally based arrangements will be useful, and I encourage local governing boards to consider these dual enrollment partnerships as they work to improve student success and time to degree.

Position: Sponsor

CCLC Analysis: This bill will authorize the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district located within its service area with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. This bill contains other related provisions.

Transfer

[AB 1016](#) **[\(Santiago D\)](#)** **Public postsecondary education: Student Transfer Achievement Reform Act.**

Chapter No.: 437

Location: 10/2/2015-A. CHAPTERED

Position: Support

CCLC Analysis: Would require the Office of the Chancellor of the California Community Colleges to report to the Legislature, on or before March 1, 2016, the status of each community college's compliance with the Student Transfer Achievement Reform Act's provisions related to creating associate degrees for transfer. To the extent this reporting requirement would place additional requirements on community college districts, it would impose a state-mandated local program.

Additionally, this bill would require the California State University to submit two reports to the Legislature on campus acceptance of transfer model curricula by concentration, on or before March 1, 2016, and on or before March 1, 2017, respectively. The bill would also require the California State University, commencing November 1, 2018, to annually post publicly available data on the extent to which the California State University admitted associate degree transfer students to the students' first choice campus and to a program that is similar to their transfer degree, and to post data concerning associate degree transfer student outcomes.

Veterans

[AB 1401](#) **[\(Baker R\)](#)** **Veterans: student financial aid.**

Chapter No.: 254

Location: 9/3/2015-A. CHAPTERED

Position: Support

CCLC Analysis: This bill requests the Office of the Adjutant General to provide copies of, and assistance to fill out, the Board of Governor's fee waiver and the FAFSA to each member of the California National Guard.

Total Chaptered Bills: 17

Vetoed

[AB 80](#) **[\(Campos D\)](#)** **Interagency Task Force on the Status of Boys and Men of Color.**

Location: 10/10/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 80 without my signature. This bill would establish the Interagency Task Force on the Status of Boys and Men of Color. How state policy can be tailored to promote the well-being of boys

and men of color is profoundly important. These issues, however, are best addressed through concrete actions, not another non-binding commission. The Legislature and the Administration are working on the critical issues raised by this bill, such as the Local Control Funding Formula, healthcare expansion and criminal justice reform. Much more can be done, and I am committed to advancing this work.

Position: Support

Subject: Human Resources

CCLC Analysis: This bill would create the Interagency Task Force on the Status of Boys and Men of Color, a multiagency advisory body that would serve as a mechanism to support state agencies and system leaders by taking coordinated action in meeting some of the complex challenges facing boys and men of color in California. It would also assist the respective departments and agencies in more successfully improving life outcomes for this population. The membership of the task force would include members of the Legislature, as well as representatives of specified agencies, departments, and private entities. The task force shall be comprised of 21 members, including the Chancellor of the California Community Colleges, or his or her designee.

[AB 176](#) (Bonta D) Data collection.

Location: 10/7/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 176 without my signature. Assembly Bill 176 would require the Regents of the University of California, the Trustees of the California State University, the Board of Governors of the California Community Colleges and the Department of Managed Health Care to collect and report demographic information for Asians, Native Hawaiians and Pacific Islanders by specified ethnic categories after the next census. To be sure, there is value in understanding data on race, ethnicity, gender and other aspects of identity. On a broad level, these demographic data can signal important changes in society. On a practical level, they can help elucidate how our laws and programs can be shaped to reflect a changing population. Despite this utility, I am wary of the ever growing desire to stratify. Dividing people into ethnic or other subcategories may yield more information, but not necessarily greater wisdom about what actions should follow. To focus just on ethnic identity may not be enough. CSU, community colleges, and UC already provide many ways in which to self-identify, including choosing among several ethnic identities. In the case of CSU, there are 50 choices for API applicants alone. Codifying the collection and reporting of at least 12 API groups several years into the future appears unnecessary, or at least premature.

Position: Support

Subject: Governance

CCLC Analysis: This bill would have mandated community colleges to disaggregate their Asian Pacific Islander demographic data into 22 different ethnic or national groups. Currently the system disaggregates the data into 11 different groups including: Indian, Cambodian, Chinese, Filipino, Japanese, Korean, Laoation, Vietnamese, Guamanian, Hawaiian or Samoan. In addition to making the collection of data about the previous sub-groups a state mandate, this bill will also mandate that colleges gather data on Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Fijian and Tongan groups.

[AB 340](#) (Weber D) Postsecondary education: campus climate: report.

Location: 10/11/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 340 without my signature. The bill would require the California State University Trustees and the California Community Colleges Board of Governors to submit a report on campus climate every two years, and would request the University of California to do the same. While I understand the desire to create a more vibrant, intellectually serious and inclusive campus environment at UC, CSU and the community colleges, each of their governing boards has already taken steps aimed at

achieving these important goals. I believe the leaders of these institutions are committed to providing updates on current and future developments. Codifying a biennial report, as provided in this bill, is not necessary.

Position: Watch

Subject: Campus Safety

CCLC Analysis: This bill would require the Board of Governors and the CSU Trustees, and encourage the Regents, to each generate a report once every two years, commencing with the 2017–18 Regular Session, that includes information related to the segment's campus climate, post the report on its website, and submit that report to the Governor, Attorney General, and certain legislative policy committees. Campus climate is defined in the bill as "a measure of an individual's experience within a learning environment, specifically focusing on the current attitudes, practices, policies, and behaviors of campus life that impact the success and retention of all members of a campus community."

AB 573 (Medina D) Higher education: campus closures: Corinthian Colleges.

Location: 10/8/2015-A. VETOED

Governor's Message:

Assembly Bill 573 would extend Cal Grant eligibility for former students of Heald College and create a grant program within the Attorney General's office to fund nonprofit organizations providing free legal services to former students of Corinthian Colleges. I am sympathetic to the many students who were enrolled at Corinthian Colleges when the company abruptly shuttered its doors earlier this year. I signed SB 150, which prevents students whose loans have been discharged from being penalized a second time with a significant tax bill on the value of the loan discharge, which they can ill afford to pay. The U.S. Department of Education has taken the matter of loan discharge seriously. In recent months, it has greatly eased the burden of filings for many students, and its work to provide a simple, swift and fair process for students continues. As such, it appears premature to create an attorney grant program, especially one that provides little direction on how funds should be used. While the bill's provisions to extend Cal Grant eligibility for Heald students are well-intentioned, I am not comfortable creating new General Fund costs outside of the budget process, particularly given the Cal Grant augmentations already included in this year's budget. For these reasons, I am returning this bill without my signature.

Position: Support

Subject: Financial Aid and Fees

CCLC Analysis: This bill would have raised the cap for the Student Tuition Recovery Fund from \$25 million to \$30 million. This bill would have appropriated the sum of \$1.3 million from the Student Tuition Recovery Fund to the Attorney General for the purposes of providing grants to eligible nonprofit community service organizations to assist eligible students affected by the closure of Corinthian Colleges, Inc. with loan discharge and tuition recovery-related claims. This bill would have partially exempted from the four years of full-time attendance limitation on Cal Grant awards a student who was enrolled and received a Cal Grant award at a California campus of Heald College, and who was unable to complete an educational program due to its closure.

AB 967 (Williams D) Postsecondary education: sexual assault cases.

Location: 10/11/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 967 without my signature. This bill would require public and independent postsecondary institutions that receive student financial aid from the state to adopt and implement uniform disciplinary processes for sexual assault and to apply consistent standards for expulsion, suspension, loss of institutional aid or scholarship, loss of privileges and removal from student housing. Additionally, this bill

would require annual reporting of data and recommend a minimum period of suspension, or expulsion, for the most egregious violations of sexual assault policies. College campuses must deal with sexual assault fairly and with clear standards of process. It is eminently reasonable to expect that discipline shall not vary based on a student's status as an athlete or a declared area of study. This bill, however, could deprive professionals from using their better judgment to discipline according to relevant circumstances. Moreover, it creates an expectation that the state should recommend minimum penalties for violations of specific campus policies. Last year, I signed Senate Bill 967, making California the first state in the country to define the terms of sexual consent for college students, so that our higher education institutions could better prevent sexual violence on campuses. This year, I signed AB 913 to ensure that existing jurisdictional agreements between postsecondary institutions and local law enforcement include responsibility for investigating sexual assaults and hate crimes. Given these actions, I don't think it is necessary at this point for the state to directly insert itself into the disciplinary and governing processes of all private nonprofit and public colleges in California.

Position: Support if Amended

Subject: Campus Safety

CCLC Analysis: This bill will mandate that community colleges and other higher education institutions shall adopt and carry out uniform processes for disciplinary proceedings relating to any claims of sexual assault. Additionally each public university or college in California shall report annually on:

- (1) The number of assault cases investigated by the institution.
- (2) The number of assault cases referred for a disciplinary proceeding at the institution.
- (3) The number of assault cases referred to local or state law enforcement.
- (4) The number of alleged perpetrators who were found responsible at the disciplinary proceedings of the institution.
- (5) A description and the number of final sanctions imposed by the institution for each offense perpetrated.
- (6) The number of disciplinary proceedings at the institution that closed without resolution.

[AB 968](#) [\(Williams D\)](#) **Postsecondary education: transcripts.**

Location: 10/9/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 968 without my signature. The bill would require all public and private postsecondary educational institutions to note suspension or expulsion on a student's transcript for the period of time the student is ineligible to reenroll at the institution. Colleges currently have the ability to make a notation if a student is suspended or expelled, and community colleges already may deny or conditionally admit a student who has previously been expelled or is under expulsion proceedings. If further protection is needed to screen transfer applications, that is something best left to individual colleges themselves. Campus safety is a serious issue one that has received much attention and led to several changes in law and policy. Increased vigilance may still be necessary, but I would caution against overcorrections that could result in some individuals being marked for the rest of their lives. While the desire to provide students with safe campuses is well-intentioned, I am not prepared to support this mandate.

Position: Concern

Subject: Campus Safety

CCLC Analysis: This bill would mandate all systems of higher education to indicate on each student's transcript if he/she has been suspended or expelled due to violation of the student code of conduct, specifically regarding sexual assault.

[AB 1361](#) [\(Burke D\)](#) **Student financial aid: Cal Grant Program: veterans.**

Location: 10/8/2015-A. VETOED

Governor's Message:

I am returning Assembly Bill 1361 without my signature. This bill authorizes a current or former member of the United States Armed Forces to receive a California Community College Transfer Cal Grant entitlement award, even if the student is over 28 years of age unless the student received a dishonorable discharge. While the bill is well intentioned, our California veterans are provided with many different educational benefits including federal Montgomery GI benefits and eligibility to pay California residence fees for both themselves and their dependents at the University of California, the California State University and California Community Colleges. I am not comfortable creating new General Fund costs outside of the budget process, particularly given the Cal Grant augmentations already included in this year's budget.

Position: Support

Subject: Financial Aid and Fees, Veterans

CCLC Analysis: This bill would have removed the age cap of 28 for receiving a Cal Grant Transfer award for veterans who delayed entering into college due to their service in the United States military.

[SB 42](#) ([Liu D](#)) Postsecondary education: Office of Higher Education Performance and Accountability.

Location: 10/7/2015-S. VETOED

Governor's Message:

I am returning Senate Bill 42 without my signature. This bill would establish an Office of Higher Education Performance and Accountability to advise the Governor and Legislature on state goals and priorities for higher education. The bill would also create an advisory board consisting of legislators and others to be appointed by the Legislature to annually review the performance of this office, which would sunset by the end of 2020. The call to improve postsecondary educational outcomes is laudable. The goals established by SB 195 in 2013 improving access and success, aligning degrees and credentials with the state's economic, workforce and civic needs, and ensuring the effective and efficient use of resources are still important measures that should guide us in developing higher education policies for the state. While there is much work to be done to improve higher education, I am not convinced we need a new office and an advisory board, especially of the kind this bill proposes, to get the job done.

Position: Concern

Subject: Governance

CCLC Analysis: This bill would have revised the statute establishing the California Postsecondary Education Commission and instead create the Office of Higher Education Performance and Accountability under the Office of the Governor. The bill would have provided for the appointment by the Governor, subject to confirmation by a majority of the membership of the Senate, of an executive director of the office. The bill would establish a 6-member advisory board to the office for the purpose of reviewing and commenting on any recommendations made by the office to the Governor and the Legislature. The bill would appoint the Assembly Higher Education Chair and the Senate Education Chair to the advisory board.

Total Vetoed Bills: 8