

Top Legislative Issues for 2015

The Legislature is officially on Summer Recess, having met the deadline for policy committees to hear bills introduced in the opposite house.

Upon returning from Summer Recess on August 17, 2015, the Legislature will have less than one month to move bills through the Appropriations Committees and to final floor votes. The last day for each house to pass bills to the Governor is September 11. During the year, the Governor has 12 days to act on a piece of legislation upon receiving the measure, but with a flood of bills at the end of session, the Governor is given 30 days to act.

With the Legislature on break, we will be taking a holiday from "Top Legislative Issues." Our next issue will be posted on August 21, 2015, one week from the deadline for bills to be approved by the Appropriations Committees.

Approved by the Legislature

Assembly Bill (AB) 304 (Chapter 67/2015) This bill, as signed by the Governor on July 13, 2015, amends provisions of the Healthy Workplace Healthy Families Act of 2014 (Act) related to eligibility. AB 304 cleans up certain aspects of the Act and, most notably, would exclude retirees of public retirement systems that have returned to work without reinstatement from the accrual of sick leave. Among numerous provisions, AB 304 also specifies:

- The Act applies to an employee who works in California "for the same employer" for 30 or more days within a year
- An employer may use a different accrual method, other than providing one hour per every 30 hours worked, if the accrual is on a regular basis so that an employee has no less than 24 hours of accrued sick leave or paid time off by the 120th calendar day of employment. An employer is not required to reinstate accrued paid time off to a rehired employee that was paid out at the time of termination, resignation, or separation of employment

As an urgency statute, the bill is effective immediately.

Concurrent Enrollment

AB 288 (Holden, D-Pasadena) Public Schools: College and Career Access Pathways Partnerships-As amended on July 13, 2015, this bill would authorize the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district. The bill would require the partnership agreement to outline the terms of the partnership and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses. The bill would authorize high school pupils to enroll in up to 15 units if those units are required for these pupils' partnership programs.

The bill would prohibit a district from receiving a state allowance or apportionment for which

the partnering district has been, or will be, paid an allowance or apportionment under a concurrent enrollment partnership agreement. The bill would require, for each partnership agreement entered into under the bill, the affected community college district and school district to provide an annual report, to the office of the Chancellor of the California Community Colleges.

A community college district shall not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists or is established, between those community college districts authorizing that CCAP partnership.

Recent amendments cap the statewide number of full-time equivalent students claimed as special admits at 10% of the total number of full-time equivalent students claimed statewide and add a sunset date of January 1, 2022.

SSC Comment:

This bill is cosponsored by the Community College League of California and the Chancellor of the California Community Colleges. The California Teachers Association, whose opposition has been an impediment to passage of similar measures in the past, has now taken a support position on Assembly Bill 288.

Campus Safety

AB 340 (Weber, D-San Diego) Postsecondary Education: Campus Climate: Report-As amended on July 8, 2015, this bill would require the California Community College Board of Governors (BOG) to generate a report once every legislative session, commencing with 2017-18, that includes specified information related to the segment's campus climate, post the report on its Internet website, and submit that report to the Governor, the Attorney General, and the appropriate policy committees of the Legislature.

Recent amendments require the governing board of each community college, if they expend funds to support activities related to campus climate to adopt and publish policies on harassment, intimidation, and bullying to be included within the rules and regulations governing student behavior.

"Campus climate" is defined 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.

Accreditation

AB 1385 (Ting, D-San Francisco) Community Colleges: Accreditation-As amended on July 8, 2015, this bill would prohibit the community college accrediting agency from imposing a special assessment to pay for the accrediting agency's legal fees for any lawsuit unless there has been an affirmative vote of the majority of the chief executive officers, or their designees, of all of the community colleges.

The bill would excuse compliance if the Chancellor of the California Community Colleges determines that the accrediting agency's compliance would violate federal law.

AB 1397 (Ting) Community Colleges: California Community Colleges Fair

Accreditation Act of 2015-As amended July 8, 2015, this bill would require "an appropriate percentage" of each visiting community college accreditation team be composed of "academics," which are defined as a person who is currently, or has recently, directly engaged in a significant manner in postsecondary teaching or research.

The bill would require the community college accrediting agency to conduct the meetings of its decision making body in a way that ensures the ability of the public to attend. The bill would require the accrediting agency to preserve all documents generated during an accreditation related review. The bill would require the agency's accreditation-related decisions to be based on written, published standards in accordance with state and federal statutes and regulations.

The bill would authorize an institution to submit an appeal of a decision by the accrediting agency to subject that institution to a sanction of probation or a more serious sanction. The bill would require a member of a panel that would hear one of these appeals to file a specified disclosure form under penalty of perjury.

Affordability**AB 1366 (Lopez, D-San Fernando) Public Postsecondary Education: Dream Resource**

Centers-As amended on July 8, 2015, this bill would require the California Community Colleges and the California State University, and would request the University of California, to create Dream Resource Centers on certain campuses to assist Assembly Bill 540 students by streamlining access to all available financial aid and academic opportunities for those students.

The bill would require each campus that is not required to have a Dream Resource Center to ensure that it has a designated staff person who is knowledgeable in available financial aid, services, and academic opportunities for certain students, including undocumented students. This bill would authorize the board of governors to seek and accept on behalf of the state any gift, bequest, devise, or donation whenever the gift and the terms and conditions thereof will aid in the creation and operation of Dream Resource Centers for their system.

State-Level Issues**AB 1016 (Santiago, D-Los Angeles) Public Postsecondary Education: Student Transfer**

Achievement Reform Act-As amended on July 8, 2015, this bill would require the Chancellor of the California Community Colleges to report to the Legislature, on or before December 1, 2016, the status of each community college's compliance with the Student Transfer Achievement Reform Act provisions related to creating associate degrees for transfer. Additional report requirements would also be placed on the California State University regarding student transfers under the Student Transfer Achievement Reform Act.

Senate Bill 42 (Liu, D-La Canada Flintridge) Postsecondary Education: Office of Higher

Education Performance and Accountability-As significantly amended on July 14, 2015, this bill would establish the Office of Higher Education Performance and Accountability as the statewide postsecondary education and planning entity. The bill would provide 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 specify the functions and responsibilities of the office, which would include participation in the identification and periodic revision of state goals and priorities for higher education, acting as a clearinghouse for postsecondary education information and as a primary source of information for the Legislature, the Governor, and other agencies, and reviewing all proposals for changes in eligibility pools for admission to public institutions and segments of postsecondary education.

The bill would authorize the Office to require public postsecondary education institutions to submit data on plans and programs, costs, selection and retention of students, enrollments, plant capacities, and other matters pertinent to effective planning, policy development, and articulation and coordination.

2015 Regular Session Calendar-Upcoming Holidays and Deadlines

August 17-Legislature reconvenes from Summer Recess

August 28-Last day for fiscal committees to meet and report bills to the Floor