

2010

2009-10 Mid-Session Legislative Update

Assembly Committee on Higher Education

Follow this and additional works at: http://digitalcommons.law.ggu.edu/caldocs_assembly



Part of the [Legislation Commons](#)

Recommended Citation

Assembly Committee on Higher Education, "2009-10 Mid-Session Legislative Update" (2010). *California Assembly*. Paper 177.
http://digitalcommons.law.ggu.edu/caldocs_assembly/177

This Committee Report is brought to you for free and open access by the California Documents at GGU Law Digital Commons. It has been accepted for inclusion in California Assembly by an authorized administrator of GGU Law Digital Commons. For more information, please contact jfischer@ggu.edu.

Assembly Higher Education Committee 2009-10 Mid-Session Legislative Update

Anthony J. Portantino
Chair

Connie Conway
Vice Chair

Marty Block
Paul Cook
Paul Fong
Cathleen Galgiani
Alyson Huber
Fiona Ma
Ira Ruskin
Members

Sandra Fried
Chief Consultant

Laura Metune
Consultant

Melissa Carreon
Committee Secretary

STATE DEPOSITORY

JAN 19 2010

GOLDEN GATE UNIVERSITY
LAW LIBRARY

KFC
22
.L500
H544
2009-10

**2009-10 Legislative Session
Assembly Higher Education Committee**

Chaptered Assembly & Senate Bills

AB 20 (Solorio) *University of California: California State University: contracts.*

Requests the University of California (UC) and requires the California State University (CSU) and the Department of General Services to establish standard contract provisions for research contracts between UC, CSU, and the state by July 1, 2010, and requires those provisions to be used in contracts between the entities unless they mutually agree otherwise.

Status: Chapter 402, Statutes of 2009

AB 37 (Furutani) *Public postsecondary education: honorary degrees.*

Requires the California State University and the California Community Colleges, and requests the University of California, to work with their respective colleges and universities to confer an honorary degree upon each person, living or deceased, who was forced to discontinue his or her postsecondary studies as a result of federal Executive Order 9066, which caused the incarceration of individuals of Japanese ancestry during World War II.

Status: Chapter 213, Statutes of 2009

AB 48 (Portantino) *Private postsecondary education: California Private Postsecondary Education Act of 2009.*

Establishes the Bureau for Private Postsecondary Education (Bureau) within the Department of Consumer Affairs and provides for Bureau oversight and regulation of private postsecondary institutions operating in California.

[See full analysis for detailed information.]

Status: Chapter 310, Statutes of 2009

AB 386 (Ruskin) *Public postsecondary education: instructional materials: disabled students.*

Establishes a process whereby a public postsecondary education institution requests and receives or creates a captioned format of electronic instructional materials for students with hearing impairments.

Status: Chapter 239, Statutes of 2009

AB 573 (Portantino) *California Council on Science and Technology: fellows.*

Adds a section to the Government Code providing an exception to current law that the California Science and Technology Policy Fellows should not be considered a reward, gift, or compensation, and that the fellows are not employees of the Legislature.

This bill also creates two requirements for the fellowship program:

- 1) That the fellows are selected according to criteria and pursuant to a process approved by the Senate Rules Committee, the Assembly Rules Committee, or the Joint Rules Committee.
- 2) That the fellows be subject to a memorandum of understanding executed by the California Council on Science and Technology with the Senate Rules Committee, the Assembly Rules Committee, or the Joint Rules Committee that outlines the "standards of conduct, economic interest disclosure requisites and other requirements specified" or other requirements deemed necessary by the Senate Rules Committee, the Assembly Rules Committee, or the Joint Rules Committee.

Status: Chapter 117, Statutes of 2009

AB 669 (Fong) *Postsecondary education: residency requirements.*

Authorizes the University of California, the California State University, and the California Community Colleges to classify a student as a resident for tuition purposes until he or she has resided in the state for the minimum time needed to become a resident, if the student meets the following criteria:

- 1) Currently resides in California.
- 2) Is 19 years of age and younger.
- 3) Was a ward of the state or was served by California's child welfare system.

Status: Chapter 251, Statutes of 2009

AB 774 (Cook) *Community college districts: transportation fees.*

Expands existing law to allow all California Community College Districts to charge a fee to students or students and employees in order to fund transportation services, if specific requirements are met.

Status: Chapter 253, Statutes of 2009

AB 947 (Brownley) *Community colleges: nonresident tuition: foreign citizens.*

Authorizes a community college district to charge a facilities fee to any nonresident student, in addition to the nonresident tuition fee. Currently, a facilities fee may only be charged to students who are both citizens and residents of a foreign country. The fee amount shall not exceed the amount that was expended by the district for capital purposes in the preceding fiscal year divided by the total full-time equivalent students of the district in the preceding fiscal year. The facilities fees may only be used to fund capital outlay, maintenance and equipment.

Status: Chapter 377, Statutes of 2009

AB 1182 (Brownley) *Public postsecondary education: reporting requirements.*

Eliminates, restructures, and reorganizes various higher education reporting requirements of the state's public universities and colleges to provide for more effective, manageable, and transparent reporting to the Legislature.

Status: Chapter 386, Statutes of 2009

AB 1240 (Davis) *Community colleges: leasing of buildings: sale of district property.*

Authorizes the Los Angeles Community College District to enter into property leases on facilities that are 50,000 square feet or less for five years before complying with the Field Act, until January 1, 2015, and modifies the California Community Colleges bidding processes.

Status: Chapter 390, Statutes of 2009

AB 1295 (Fuller) *Postsecondary education: nursing degree programs.*

Requires the California State University (CSU) Chancellor's Office to implement articulated nursing degree transfer pathways for Associates Degree in Nursing students at California Community Colleges seeking a Bachelor's Degree in Nursing at CSU prior to the commencement of the 2012-2013 academic year, and requires the Legislative Analysts Office to report to the Legislature and the Governor on the status of implementation plans by March 15, 2011.

Status: Chapter 283, Statutes of 2009

AB 1393 (Skinner) *Foster youth.*

Requests the California Community Colleges and the University of California, and requires the California State University, in order to ensure stable housing for current and former foster youth,

to give priority for campus housing to current and former foster youth with first priority for housing open for uninterrupted year-round occupation and next priority for housing open for occupation most days during the calendar year.

Status: Chapter 391, Statutes of 2009

ACR 2 (Hall) *Management of Martin Luther King, Jr. Hospital.*

Makes various findings related to the need for the Los Angeles County, Charles Drew University (Drew University) and the University of California (UC) to jointly operate the Martin Luther King, Jr. (MLK) Harbor Hospital and urges UC to expedite negotiations with the Los Angeles County Board of Supervisors and Drew University regarding the future management of MLK-Harbor Hospital.

Status: Resolution Chapter 75, Statutes of 2009

HR 4 (Portantino) *Federal aid to higher education.*

Calls upon Congress and the President of the United States to enact a "New Deal for a New Millennium for Higher Education" that will enable California and other states to rebuild their higher education systems by providing \$70 billion in federal funds to increase access to postsecondary education and student loan forgiveness for public service.

Status: Adopted

SB 48 (Alquist) *College textbooks: electronic versions.*

Requires publishers that offer textbooks for sale at California postsecondary education institutions, to the extent practicable, to make those textbooks, in whole or in part, available for sale in an electronic format by January 1, 2020.

Status: Chapter 161, Statutes of 2009

SB 147 (DeSaulnier) *California State University: career technical education courses.*

Requires the California State University (CSU) to implement a process whereby high school career technical education (CTE) courses would satisfy a general elective course requirement for purposes of admission to CSU and should CSU fail to comply with these provisions by January 1, 2014, requires CSU to recognize courses that meet the CTE model criteria established by the State Board of Education.

Status: Chapter 168, Statutes of 2009

SB 361 (Runner) *Public postsecondary education: priority registration: Armed Forces and State Military Reserve service.*

Clarifies that only those members or former members of the Armed Forces who have received an honorable or general discharge are eligible, pursuant to current law, for priority enrollment at the California State University or the California Community Colleges within two years of leaving state or federal active duty and expands the eligibility pool for the above benefit to include members for the Armed Forces reserve units and members of the California National Guard.

Status: Chapter 351, Statutes of 2009

SB 511 (Committee on Education) *Education.*

Extends until January 1, 2015, the California State Law Library's authority to charge fees and makes conforming and technical changes to several provisions of the Education Code.

Status: Chapter 187, Statutes of 2009

**2009-10 Legislative Session
Assembly Higher Education Committee**

Vetoed Assembly & Senate Bills

AB 24 (Block) *California State University: feasibility study: Chula Vista.*

Requires the Chancellor of the California State University (CSU) to conduct a study regarding the feasibility of establishing a CSU satellite program and independent campus at Chula Vista, and requires the CSU Chancellor to complete and submit the study to the CSU Trustees within 18 months after the date that the Trustees have certified that sufficient non-state funds are available to conduct the study.

Veto Message: *Nothing under current law prohibits the California State University (CSU) or any other entity to conduct a study regarding the feasibility of establishing another CSU campus in Chula Vista. I appreciate the author's intention to plan for options for the future, and to ensure that any study would be funded with non-State General Fund dollars. I encourage the author to work with the CSU system, local and regional entities, and all other stakeholder groups to see if this objective is viable. However, a state law mandating such a study is unnecessary.*

AB 57 (Price) *University of California hospitals: staffing.*

Requires specified University of California health facilities to report to the Department of Public Health (DPH) regarding specified staffing levels and for DPH to establish a procedure for the collection and review of the staffing data provided.

Veto Message: *I have vetoed similar bills in previous years. The reasons for my veto have not changed.*

AB 690 (Ammiano) *Trustees of the California State University and Regents of the University of California: meetings.*

Authorizes ex officio members of the California State University (CSU) Board of Trustees (BOT), except for the CSU Chancellor, to designate a non-voting representative, as specified, to attend CSU BOT meetings in the ex officio member's absence.

Veto Message: *I vetoed similar legislation previously. As I stated before, it is unnecessary to statutorily authorize a person to attend a board meeting in the absence of an ex-officio member since the meetings are open to anyone from the public to attend and provide comment.*

Moreover, ex officio members serve by virtue of their experience and qualifications in sharing their perspective on issues impacting higher education. Allowing these members to appoint a substitute to attend in their absence creates a disincentive for the member to actually attend the meetings, and diminishes the value of an ex-officio member's contribution to the public discourse.

AB 1222 (Bonnie Lowenthal) *California State University and University of California: alumni: disclosure.*

Removes the January 1, 2011, sunset date on the University of California's (UC) and the California State University's (CSU) ability to participate in affinity programs, thereby allowing UC and CSU to continue to release the names and addresses of their alumni to businesses with whom they have affinity-partner agreements, providing certain privacy requirements are met.

Veto Message: *This bill extends the sunset date on a statute that is not expiring until January 1, 2011. Therefore, this bill is premature and unnecessary.*

AB 1400 (Fong) *Community colleges: expulsion: hearing.*

Authorizes a California Community College District (CCCD) governing board to, under specified circumstances, deny admission to an applicant who has been expelled from a CCCD.

Veto Message: *I am very supportive of the intent of this bill to maintain the safety and well being of all students attending California Community Colleges (CCC). However, as drafted, the bill creates an uneven standard between students who could be denied admission because of criminal acts they may have committed in the past.*

Since I am committed to having community colleges be both safe places for quality education, as well as open institutions of hope for all students, I am asking the CCC Board of Governors to work in collaboration with CCC Chancellor Scott to work on a policy that will most effectively address this issue for the campuses.

SB 86 (Yee) *Public postsecondary education: executive officer compensation.*

Prohibits the California State University (CSU) Board of Trustees from increasing the monetary compensation or approving payment of a bonus for any "executive officer" in any year in which the amount of General Fund monies appropriated to CSU is less than or equal to the amount appropriated in the immediately preceding fiscal year, and also requests the University of California (UC) Board of Regents to comply with comparable provisions.

On September 4, 2009, SB 86 was amended into the jurisdiction of the Assembly Higher Education Committee.

Veto Message: *This bill would limit the ability of the University of California (UC) and the California State University (CSU) to continue to provide a high level of quality education that our students deserve when they choose to attend California public universities. A blanket prohibition limiting the flexibility for the UC and CSU to compete, both nationally and internationally, in attracting and retaining high level personnel does a disservice to those students seeking the kind of quality education that our higher education segments offer. The Regents and the Trustees should be prudent in managing their systems, given the difficult fiscal crisis we face as a state, but it is unnecessary for the State to micromanage their operations.*

Finally, this measure is flawed by failing to adequately specify what appropriations would be considered in triggering its provisions. It is possible that capital outlay appropriations and lease purchase debt appropriations, which have little to do with discretionary instructional program expenditures, could vary considerably from year to year, thereby making the appropriations test specified in this bill ambiguous and subject to legal interpretation.

SB 218 (Yee) *Public records: state agency: auxiliary organizations.*

Includes in the California Public Records Act auxiliary organizations of the University of California, the California State University, and the California Community Colleges, except as specified.

Veto Message: *While I am a firm believer in providing openness and transparency when it involves public entities and public funding, this bill inappropriately defines private auxiliary organizations as a state or local public agency for purposes of the California Public Records Act (CPRA). Subjecting the altruistic activities of private donors and volunteers to the CPRA will have a chilling effect on their support and service, if they believe their personal privacy could be compromised. Hindering private giving of time and resources becomes a detriment to our higher education institutions. Enacting this bill would result in a loss of private donations and volunteer activities supporting California public institutions of higher education, at a time when the University of California, California State University, and Community College campuses are facing significant reductions in state funding during this difficult fiscal situation.*

SB 248 (Oropeza) *Educational equity: Title IX.*

Requires school districts to post the list of rights extended to pupils under Title IX on the district website; requires community colleges and campuses of the California State University to post the list of rights extended to pupils under Title IX in the athletic sport section of the campus Web site; and, requests the chancellor of each campus of the University of California to post the list of rights extended to pupils under Title IX in the athletic sport section of the campus Web site.

Veto Message: *I have previously signed the author's bill into law that required the posting of existing Title IX requirements on school campuses and on the California Department of Education website to help promote greater student and parental awareness of athletic equity*

issues in California schools. This bill is largely duplicative and unnecessary, and would result in costs that are imprudent to incur at this time.

SB 645 (Denham) *Public higher education: training programs at military facilities.*

Allows the University of California, California State University, or the California Community Colleges to coordinate with the United States Armed Forces to establish training programs at military bases.

Veto Message: *While this bill is intended to increase awareness of the opportunities for the military and public colleges and universities to establish partnerships, nothing in current law precludes such agreements.*

2009-10 Legislative Session
Assembly Higher Education Committee

Status of Remaining Assembly & Senate Bills

AB 35 (Furutani) *Education: workforce preparation.*

Declares the intent of the Legislature to develop a strategic plan for workforce preparation, requires the California Postsecondary Education Commission (CPEC) to work in conjunction with the State Department of Education and the California Workforce Investment Board to conduct statewide stakeholder meetings to develop recommendations for a strategic plan for workforce development and career technical education in the public education system, and requires CPEC to report these recommendations to the Legislature.

Status: Assembly Higher Education Committee

AB 36 (Furutani) *Public education: basic skills training.*

Declares the intent of the Legislature to develop a readiness year program in the public education system that provides basic skills, career technical education and workforce training for individuals entering or reentering an educational institution or the workforce and requires the California Postsecondary Education Commission, in consultation with the California Community Colleges Chancellor's Office, to submit a report to the Legislature with recommendations for basic skills training and contextualized learning programs in the public education system.

Status: Assembly Higher Education Committee

AB 38 (Salas) *Postsecondary education: resident classification: veterans.*

Requires that veterans of the armed forces who become students at one of the state's public higher education institutions within one year after moving to California are immediately eligible for in-state tuition and fees, provided that these veterans are also eligible for receiving federal education assistance benefits.

Status: Held under Submission, Assembly Appropriations Committee

AB 69 (Duvall) *Postsecondary education: enrollment growth.*

Requires the California State University and requests the University of California to include specified information pertaining to graduation and retention in their annual enrollment reports and requires the California Department of Finance to base higher education enrollment projects

on the projected number of high school students who are expected to graduate in the ensuing fiscal year.

Status: Assembly Higher Education Committee

AB 78 (Portantino) *Pupils: concurrent enrollment in community college and secondary or elementary school.*

Removes certain restrictions on concurrent enrollment. Specifically, this bill:

- 1) Deletes existing authority for a school district to determine which secondary pupils may participate in concurrent enrollment and instead authorizes school districts to enter into partnerships with California Community College (CCC) districts to provide concurrent enrollment opportunities that include, in addition to currently authorized advanced-scholastic opportunities, career-technical, vocational, or other coursework at a campus of a CCC.
- 2) Deletes current legislative intent that states concurrent enrollment is to provide educational enrichment opportunities for a limited number of eligible pupils rather than to reduce current course requirements of elementary and secondary schools.
- 3) Removes the requirement that a secondary school pupil be recommended by the principal of the pupil's school of attendance in order to attend a CCC and instead requires the principal be notified of the pupil's attendance at a CCC.
- 4) Deletes the existing requirement that, for any particular grade level, a principal may not recommend for CCC attendance more than 5% of the total number of pupils who completed that grade immediately prior to the time of recommendation; deletes the statutory exceptions to that rule; deletes the requirement that the Chancellor of the CCC report to the Department of Finance on the number of pupils enrolled per these statutory exceptions to the 5% rule; and deletes the prohibition against CCC including enrollment growth attributable to these statutory exceptions in its annual budget request.
- 5) Prohibits a CCC district from receiving an allowance or apportionment for an instructional activity for which a school district has been, or shall be, paid an allowance or apportionment.
- 6) Removes the requirement that a CCC district assign a low priority for registration or enrollment for concurrently enrolled students and instead prohibits a CCC district from assigning a high priority for registration or enrollment of concurrently enrolled students.

Status: Held under Submission, Assembly Appropriations Committee

AB 218 (Portantino) *Postsecondary education: Educational and Economic Goals for California Higher Education.*

Requires the state to establish a postsecondary accountability framework to biennially assess and report on the state's system of higher education in meeting certain educational and economic goals. The bill states the intent that both the state's public and private and independent of higher education will report biennially to the Legislature, the Governor, and to the California Postsecondary Education Commission (CPEC) as part of the accountability process. CPEC will serve as the repository for the collection of data for the framework and for making data broadly available, as specified. The Legislative Analyst's Office (LAO) would convene a Technical Advisory Committee that would coordinate the technical specifications of the data needed to address the key issues of accountability. The LAO would also be responsible for assessing the data compiled by CPEC and making policy and budgetary recommendations.

Status: Held under Submission, Senate Appropriations Committee

AB 284 (Garrick) *Charter schools: petitions.*

Allows the president of a campus of the California State University, or the governing board of a community college district to authorize a petition to establish a charter school within the county in which the educational entity maintains a campus and requires these charter schools to be funded directly.

Status: Held under Submission, Assembly Education Committee

AB 317 (Solorio) *Postsecondary education: college textbooks.*

Requires each faculty member or academic department that selects course materials, and each campus bookstore at a public postsecondary educational institution, to provide the Internet address of a college open textbook Internet Web site, as defined.

Status: Assembly Higher Education Committee

AB 336 (Yamada) *Community colleges: nonresident tuition: firefighters exemption.*

Expands existing law allowing a California Community College to exempt from nonresident tuition fees a student hired by a public agency who enrolls in police academy training courses at a community college if specified requirements are met to also include a student hired by a public agency who enrolls in firefighter training courses.

Status: Assembly Higher Education Committee

AB 385 (Block) *Community colleges: funding.*

Eliminates the 2% cap on the amount of unemployment exceeding 5% that the California Community Colleges must use for purposes of calculating its annual state funding request for growth.

Status: Senate Education Committee

AB 440 (Beall) *California Community Colleges: student transfer.*

Authorizes individual community colleges to grant an associate degree in a student's field of study with a designation of "for transfer" to students who meet both of the following requirements:

- 1) Completion of a minimum of 60 transferable units of which a minimum of 18 units consist of coursework in a major or area of emphasis.
- 2) Completion of an approved general education course pattern including but not limited to the California State University General Education Breadth program or the Intersegmental General Education Transfer Curriculum.

Status: Senate Education Committee

AB 464 (Coto) *Postsecondary education: assumption of student loans.*

Increases, for a person who teaches certain subjects in the lowest 60 percentile of, or at a school in the lowest two deciles on the Academic Performance Index rankings, the limit for Assumption Program of Loans for Education from \$5,000,000 to \$5,100,000 in any one academic year

Status: Assembly Higher Education Committee

AB 492 (Conway) *Community colleges: nursing faculty.*

Deletes temporarily (for 3 years) an existing provision of law which prohibits any one California Community College (CCC) district from employing a temporary clinical nursing faculty for more than four semesters in any consecutive three-year period thereby, essentially, allowing CCC districts to employ temporary clinical nursing faculty for an unlimited number of consecutive semesters through June 30, 2014.

Status: Senate Education Committee

AB 500 (Conway) *California State University: feasibility study: high desert campus.*

Requires the Trustees of the California State University, by January 1, 2011, to conduct a study regarding the feasibility of a California State University satellite program, and ultimately, an independent California State University campus, in the high desert, as defined.

Status: Assembly Higher Education Committee

AB 551 (Furutani) *Community colleges: property tax revenues.*

Reduces California Community College (CCC) districts' reliance on property tax revenues, in lieu of General Fund revenues, to achieve base Proposition 98 revenues. Specifically, this bill:

- 1) Provides that commencing with the 2009-10 fiscal year the amount of property tax revenue allocated to each CCC district shall not exceed 75% of the amount allocated in the 2008-09 fiscal year, except for Basic Aid districts, i.e. districts for which state apportionments are not received because the revenues from local property taxes and student fees provide more than the district would receive under state funding formulas.
- 2) Provides that the amount of property tax revenues that are not allocated to a CCC district as a result of this bill shall be deposited in the county Education Revenue Augmentation Fund and allocated to K-12 school districts and county offices of education.
- 3) Requires each Basic Aid CCC district, by December 12, 2009, to notify the Department of Finance in writing that the district will either:
 - a) Continue to retain its current distribution of property tax revenues for the 2009-10 fiscal year and each year thereafter, or,
 - b) Agree to the distribution of property taxes as described in (1) for the 2009-10 fiscal year and each year thereafter.

Status: Assembly Appropriations Committee

AB 555 (Portantino) *Community colleges: attendance by secondary school pupils: partnerships.*

Establishes a pilot project, through January 2015, that removes restrictions on a student's ability to concurrently enroll in a K-12 public school and the Kern, Long Beach, Los Angeles, Los Rios, or San Jose-Evergreen Community College Districts.

Status: Held under Submission, Assembly Appropriations Committee

AB 581 (Torlakson) *Community colleges: salaries of classroom instructors.*

Requires the California Community Colleges (CCC) Chancellor's Office to conduct random audits of five CCC districts each year to encourage and determine compliance with existing law

requiring CCC districts to expend 50% of their expense of education on the salaries of classroom instructors, and makes other technical changes.

Status: Assembly Rules Committee

AB 649 (Nestande) *Contracts: University of California.*

Establishes statutory procedures for administration of change orders and claims on University of California construction projects, for contracts entered into after January 1, 2010.

Status: Held under Submission, Assembly Appropriations Committee

AB 656 (Torrico) *California Higher Education Endowment Corporation: oil and gas severance tax.*

Imposes a 9.9% oil and gas severance tax, effective January 1, 2010, and directs the proceeds of this tax to the California Higher Education Fund (CHEF) to be allocated annually, as specified, to the University of California (UC), the California State University (CSU), and the California Community Colleges (CCC). Specifically, this bill:

- 1) Establishes the California Higher Education Endowment Corporation (CHEEC) with the following responsibilities:
 - a) Disperse CHEF funds accordingly: 60% to CSU, 30% to UC, and 10% to CCC.
 - b) Exclusive control of the investment of CHEF monies, as specified, and requires investment transactions made during closed session to be disclosed and reported at a public meeting within 12 months of the close of the transaction.
 - c) Authority to appoint a chief executive officer, which shall be designated a confidential position exempt from civil service, as specified, and to whom the board may delegate authority, as specified, and to hire employees. The chief executive officer may delegate any duties to his or her designee.
- 2) Establishes the CHEEC oversight board comprised of 11 voting members as specified for four-year terms, unless otherwise specified.
- 3) Includes an urgency clause to take effect immediately.

Status: Assembly Revenue & Taxation Committee

AB 747 (Emmerson) *School facilities: recycling programs.*

Authorizes and encourages school districts and each campus of the University of California, California State University, and the California Community Colleges to establish and maintain a beverage container recycling program in all classrooms, administrative offices, and other areas owned or leased by the school district or college campus where a significant quantity of beverage containers is generated or may be collected.

Status: Senate Rules Committee

AB 867 (Nava) *California State University: Doctor of Nursing Practice degree.*

Authorizes the California State University (CSU) to award a Doctor of Nursing Practice degree. The program would focus on the preparation of clinical faculty to teach in postsecondary nursing education programs and may also train nurses for advanced nursing practice or leadership. If CSU creates a degree pursuant to this bill, it would be required to report annually on the status of the program to the California Postsecondary Education Commission, the Legislative Analyst's Office, and legislative budget subcommittees.

Status: Held under Submission, Senate Appropriations Committee

AB 1008 (Block) *Community colleges: student assessment.*

Requires the Board of Governors of the California Community Colleges (CCC) to convene a working group that includes the Legislative Analyst's Office, the CCC Consultation Council, and the Academic Senate for the CCC, to make findings and recommendations to the Legislature and the Governor, by July 1, 2010, regarding statewide assessments that can be utilized to test the basic skills of students as they enter CCC.

Status: Senate Rules Committee

AB 1089 (Villines) *Public postsecondary education: student financial aid.*

Requires the California State University and the California Community Colleges, and requests the University of California, to provide tuition and fee waivers to qualified members of the California National Guard.

Status: Held under Submission, Assembly Appropriations Committee

AB 1095 (Hill) *Community colleges: full-time instruction.*

Declares legislative intent that, by June 30, 2014, 75% of the hours of credit instruction in every community college district be taught by full-time faculty (75/25 standard) and provides that the Board of Governors of the California Community Colleges may not waive requirements designed to achieve the 75/25 standard if funding is deemed adequate by the board.

Status: Held under Submission, Assembly Appropriations Committee

AB 1157 (Block) *Community colleges: salaries of classroom instructors.*

Defines classroom instructors to include counselors and requires that, commencing with the 2010-11 fiscal year, 52% of each California Community College district's current expense of education be expended for payment of salaries of classroom instructors.

Status: Assembly Higher Education Committee

AB 1180 (Nestande) *University of California: employee compensation: report.*

Requires the University of California regents, on or before July 1 of each year, to submit a report to the Legislature describing expenditures on compensation packages and retirement benefits for employees and officers of the university and identifying the sources of funds for those expenditures.

Expresses the intent of the Legislature that the appropriate policy committee of the Assembly or the Senate, or both, hold a hearing each year regarding the report.

Status: Assembly Higher Education Committee

AB 1207 (Logue) *Exemption from nonresident student tuition.*

Prohibits a person without lawful immigration status from qualifying for resident tuition at the California State University and the California Community Colleges, under the provisions of AB 540 (Firebaugh), Chapter 814, Statutes of 2001.

Status: Assembly Higher Education Committee

AB 1230 (Torrico) *Public postsecondary education: policies prohibiting online harassment.*

Requires the adoption of policies regarding online harassment within the state's public higher education institutions.

Status: Held under Submission, Assembly Appropriations Committee

AB 1420 (V. Manuel Perez) *State government: research.*

Requests the California Council on Science and Technology to undertake an assessment of the state's innovation infrastructure and seek the cooperation of public colleges and universities and other private entities to perform this task.

Status: Assembly Jobs, Economic Development and the Economy Committee

ACA 17 (Nestande) *University of California: severance and early retirement incentives.*

Proposes amending the state Constitution to prohibit an employee of the University of California (UC) who receives any financial benefit exceeding \$50,000 as part of a temporary voluntary separation program (VSP) from UC from ever being employed by, or under contract with, UC, unless the person returns the entire financial benefit to UC.

Defines temporary VSP as a program offered for not more than three years that is not part of the employee's regular compensation or retirement benefits, which is offered to the employee as an inducement to retire or end UC employment.

Status: Held under Submission, Assembly Appropriations Committee

ACA 23 (Hernandez) *Public postsecondary education: student recruitment and retention.*

Establishes an exemption from the California Constitutional prohibition granting preferential treatment to any individual or group on the basis of race, sex, color, ethnicity, or national origin in public education for the purposes of implementing student recruitment and selection programs at public postsecondary education institutions that are permissible under the Equal Protection Clause of the 14th Amendment of the United States Constitution.

Status: Assembly Judiciary Committee

ACR 31 (Ruskin) *California Community Colleges: faculty.*

Expresses the Legislature's intent that community college districts increase their proportion of full-time faculty, consistent with the policy of the Board of Governors, and provide comparable pay and benefits to part-time faculty.

Status: Held under Submission, Assembly Appropriations Committee

ACR 55 (Torlakson) *University of California: workplace bullying: supervisor training.*

Urges the University of California to provide two hours of workplace bullying, abuse, and harassment training and education to all of its supervisory employees by January 1, 2011, and every two years thereafter. The resolution would further urge that this training be incorporated into training for new supervisory employees.

Status: Held under Submission, Senate Appropriations Committee

SB 182 (Ashburn) *Community college nursing faculty.*

Removes several existing statutory employment restrictions related to community college temporary clinical nursing faculty, thereby allowing such faculty who work more than 60% of a full-time assignment to be employed without such restrictions through June 30, 2014.

Status: Assembly Higher Education Committee

SB 217 (Yee) *Public postsecondary education: executive officer compensation.*

Prohibits the California State University (CSU) Board of Trustees from increasing the monetary compensation or approving payment of a bonus for any "executive officer" in any year in which the amount of General Fund monies appropriated to CSU is less than or equal to the amount appropriated in the immediately preceding fiscal year, and also requests the University of California Board of Regents to comply with comparable provisions.

Provisions amended into SB 86 (Yee).

Status: Held under Submission, Assembly Appropriations Committee

SB 599 (Negrete McLeod) *Workforce development.*

Requires the successor agency to the Bureau for Private Postsecondary and Vocational Education to transmit data on school performance to the California Postsecondary Education Commission, extends the California Dental Corps Loan Repayment Program of 2002, and authorizes local workforce investment boards to work directly with institutions of higher education and other training providers to design education and training programs for the purpose of distributing funds provided by the federal American Recovery and Reinvestment Act of 2009.

Status: Senate Floor

SB 747 (Romero) *Career technical education: pilot preapprentice aerospace machining program.*

Establishes a pilot pre-apprentice aerospace machining program, administered by the California Labor and Workforce Development Agency, to provide career technical education to high school pupils until January 1, 2015.

Status: Held under Submission, Assembly Appropriations Committee

SB 815 (Cogdill) *Student financial aid program: California National Guard Education Assistance Award Program.*

Creates the National Guard Education Assistance Award Program to provide financial support for qualifying active members of the California National Guard, the State Military Reserve, or the Naval Militia attending a qualifying postsecondary institution.

Status: Assembly Higher Education Committee

SJR 2 (Liu) *Postsecondary education: college textbook affordability.*

Calls for the state to adopt a higher education tax credit - similar to the federal American Opportunity Tax Credit - once the state's economic conditions improve. The resolution also makes several findings regarding the high cost of textbooks and the resulting burden on students.

Status: Held under Submission, Assembly Appropriations Committee

2009-10 Legislative Session Assembly Higher Education Committee

Failed Passage & Changed Jurisdiction Assembly & Senate Bills

AB 224 (Portantino) *Postsecondary education: public meetings.*

Requires public higher education entities, as specified, to make available on the Internet a live audio broadcast of each of its meetings that is open to the public.

On June 2, 2009, AB 224 was amended out of the jurisdiction of the Assembly Higher Education Committee.

AB 454 (Knight) *Public postsecondary education: exemption from nonresident tuition.*

Prohibits the California State University (CSU) and the California Community Colleges (CCC) from receiving state full-time equivalent student funding for students who qualify for in-state tuition under AB 540 (Firebaugh), Chapter 814, Statutes of 2001, and makes CSU and CCC compliance with AB 540 optional rather than mandatory.

Status: Failed passage, Assembly Higher Education Committee

AB 462 (Price) *Public postsecondary education: systemwide fees: limitations: tax levy.*

Establishes the College Affordability Act (Act) of 2009. Specifically, this bill:

- 1) Prohibits an increase in systemwide tuition and fees for resident undergraduates at the University of California (UC) and the California State University (CSU) for five years, beginning with the 2010-11 fiscal year.
- 2) Limits an increase in statewide tuition and fees for resident undergraduates at UC and CSU to the annual percentage change in the California Consumer Price Index, beginning with the 2015-16 fiscal year.
- 3) Imposes an additional 1% tax on that portion of a taxpayer's taxable income in excess of \$1 million for each taxable year beginning on or after January 1, 2010.
- 4) Requires 60% of the funds raised by the additional tax be deposited in the General Fund and credited to the College Affordability Fund to be used to offset increased costs of educating resident undergraduate students attending UC and CSU, mitigating the need for increases in student tuition and fees.
- 5) Requires the revenues allocated to UC and CSU, pursuant to this section, to equal the ratio of the resident undergraduate statewide mandatory revenue collected by each segment in the 2009-10 academic year and to be used to fund student instructional materials, new technology, student scholarships and grants, libraries, campus safety improvements, and

faculty salaries, among other costs.

- 6) Creates the College Affordability Funding Accountability Panel (Panel), comprised of six members appointed by the Governor for two year terms as follows: two members representing administrators, two members representing faculty, and two members representing resident students from UC and CSU.
- 7) Requires the Panel to annually review the expenditure of funds that UC and CSU receive pursuant to this Act and to provide an accountability update to the public that details the expenditure of these funds on a campus-by-campus basis for the preceding fiscal year and requires UC and CSU to post the accountability update on their Internet Web sites.
- 8) States that the funding provided to UC and CSU pursuant to this Act shall be used to supplement not supplant existing federal, state, and local funding for UC and CSU and shall not be used for any other purpose other than those authorized pursuant to this Act or loaned to any other public entity or fund of that entity.

Status: Failed passage, Assembly Higher Education Committee

AB 552 (Furutani) *California Community Colleges: career technical and vocational education: financing.*

Establishes the Commission on Adequate Funding for Career Technical and Vocational Education at the California Community Colleges, funded through private funds, comprised of specified members with specified powers and duties.

On June 23, 2009, AB 552 was amended out of the jurisdiction of the Assembly Higher Education Committee.

AB 1215 (De La Torre) *Community colleges: temporary and part-time faculty.*

Allows the California Community Colleges to hire temporary part-time clinical nursing faculty to teach up to 67%, rather than 60%, of the hours per week that constitute a regular full-time faculty assignment, and clarifies that in the case of conflicts with existing collective bargaining agreements, this bill will only apply to those contracts upon their expiration, amendment, or renewal.

On September 4, 2009, AB 1215 was amended out of the jurisdiction of the Assembly Higher Education Committee.

AB 1455 (Hill) *San Mateo County Community College District Baccalaureate Partnership Act.*

Establishes the San Mateo County Community College District (SMCCCD) Baccalaureate Partnership Act by authorizing SMCCCD to seek collaborative partnerships with the California State University (CSU) and the University of California (UC) for the purposes of offering baccalaureate degree programs on SMCCCD campuses. This bill also generally finds and

declares that the economic downturn and high unemployment rate is resulting in tens of thousands of unemployed or underemployed individuals entering and returning to college. The rapidly emerging "knowledge economy" demands a well-educated workforce. CCC students who want to transfer to public four-year institutions face a number of challenges. Because of these factors, the state supports the increased use of "university centers" where CSU and UC partner with CCC to deliver baccalaureate degree programs on CCC campuses. This bill specifies that university centers that would be established by partnerships with the SMCCCD are not to be exempt from the requirement for the California Postsecondary Education Commission.

On July 23, 2009, AB 1455 was amended out of the jurisdiction of the Assembly Higher Education Committee.

AB 1569 (Salas) Postsecondary education: tuition: veterans

Conforms state law to federal law by granting a member of the Armed Services or his or her dependents, as specified, entitlement to resident classification for so long as he or she is continuously enrolled.

On July 2, 2009, AB 1569 was amended out of the jurisdiction of the Assembly Higher Education Committee.

SB 388 (Calderon) Educational materials.

- 1) Requires textbook publishers who provide a faculty member with information regarding a college textbook or supplemental material to also disclose whether the college textbook or supplemental material is available in any other format, including paperback or unbound, and the corresponding price.
- 2) Requires textbook publishers to do all of the following:
 - a) Make the price available on the publisher's Internet Web site;
 - b) Charge no more than the price listed on the publisher's Web site on the date that the campus order is received; and,
 - c) If a publisher provides a faculty member with the price of a textbook or supplemental material, and after a price is provided, but before an order is placed, the publisher changes the price of a college textbook or supplemental material, the publisher must make the amount of the change in price, whether the price was increased or decreased, and the date the price was changed available on their Web site.
- 3) Requires textbook publishers that sell bundled course materials to make the college textbook and supplemental material available unbundled and at separate prices.
- 4) Provides that if a faculty member or entity in charge of selecting course materials requests a custom textbook or bundle, the publisher is required to provide, in writing, prior to accepting

the order, the price of the custom textbook or bundle.

- 5) Provides that any publisher that violates any of the aforementioned may be enjoined by any superior court of competent jurisdiction upon action for an injunction.
- 6) Provides that all of the aforementioned shall become operative on July 1, 2010.

On September 4, 2009, SB 388 was amended out of the jurisdiction of the Assembly Higher Education Committee.