



# ***THE LEAGUE LEGISLATIVE UPDATE***

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## **New CC Funding Formula**

Governor Schwarzenegger signed SB 361, the funding formula reform, on Friday, September 29, 2006. Secretary of Education Alan Bersin will hold a press conference related to the bill signing on Tuesday, October 3rd at Glendale Community College.

In anticipation to the Governor's signature, the System Office convened an [SB 361] Implementation Task Force group comprised of community college business officials to provide recommendations and evaluate the transition to the new funding formula. The System Office is expected to apply the new formula to distribute funds contained in the budget at the First Principal Apportionment (P1) in February 2007.

In addition, a task force on the "enhanced noncredit" (as proposed in SB 361) has met over the last few months to assist the Board of Governors with the adoption of criteria and standards for the career development and college preparation courses outlined in SB 361. A [preliminary draft](#) of criteria and standards was discussed at the Consultation Council meeting on September 21, and it is expected that a preliminary draft of regulations will be prepared for the Consultation Council meeting on November 30.

## **Fiscal Legislation**

- **SB 1131** - On July 19, 2006 Governor Schwarzenegger signed AB 1802 (the education trailer bill) into law and vetoed one-time funds contained in the bill for professional development (\$5,000,000), electronic transcript exchange (\$700,000), and strategic planning implementation (\$500,000). The AB 1802 veto message indicated that the Governor would entertain subsequent legislation which would re-appropriate these funds for career technical education.

Through an interesting turn of events, the same funds vetoed by Governor Schwarzenegger have now been appropriated in SB 1131, signed on September 20. Essentially, SB 1131 provides one-time funds for the following programs: \$5,000,000 for Professional

Development; \$700,000 Electronic Transcript Exchange; \$500,000 System Office Strategic Plan Implementation.

- **SB 1133** – This bill resolves the lawsuit brought by the California Teachers Association vs. Governor Schwarzenegger regarding the 2004-05 suspension of the Proposition 98 guarantee. SB 1133 appropriates \$320 million to community colleges over seven years. The bill appropriates \$32 million in the 2007-08 fiscal year for career technical education. Beginning in 2008-09, community colleges will receive \$38 million for career technical education and \$10 million for scheduled maintenance and special repairs; instructional equipment and library materials; technology infrastructure; hazardous substance abatement; and architectural barrier removal projects.

### **The Community College Initiative**

Californians for Community Colleges embarked upon an effort to gather 1,000,000 signatures by January 22, 2007 in order to qualify the initiative for the June 2008 ballot. Of those 1,000,000 signatures, Californians for Community Colleges endeavor to gather 250,000 volunteer signatures and rely on paid signature gatherers for the remaining 750,000 signatures. [Christine Chavez](#) (granddaughter of Cesar Chavez) has been hired by the League to lead the volunteer signature gathering effort. Information about the initiative can be obtained by going to [www.signforccc.org](http://www.signforccc.org); individuals may request petitions and obtain instructions should they wish to donate to the campaign.

### **Legislation Signed by Governor Schwarzenegger**

- **MOU between the System Office and DSA**  
AB 162 (Leslie) implements the Memorandum of Understanding (MOU) reached by the Division of the State Architect (DSA) and the System Office. This MOU is an alternative, voluntary, and collaborative process which involves “the early and full participation of all parties in the development, plan review, construction, and certification of facilities projects.” This bill requires DSA, in consultation with community college districts, to establish model statewide timeframe goals by February 1, 2007, and requires DSA to submit a preliminary report to the Legislature by July 1, 2008 and a final report by July 1, 2009, that indicates whether implementation of this collaborative process has assisted districts in meeting their timeframe goals.
- **Stand-Alone Course of Instruction**  
AB 1943 (Nava) until January 1, 2013, implements the agreement reached in Consultation and approved by the Board of Governors to allow local community college districts to approve stand-alone credit courses; and would require the System Office to submit to the Legislature, by January 1, 2012, a report describing “the results of the [Chancellor’s] monitoring and the extent to which community college districts have complied with applicable regulations of the Board of Governors” for approving these courses.
- **Transportation Fee**  
AB 1968 (Leslie) permits the Los Rios and Rio Hondo community college districts the option of charging a transportation fee to students and employees using services provided by a common carrier or municipally-owned transit system; it allows them the option to charge either a full or partial fee to BOG-fee waiver recipients; and specifies that these

two community college districts cannot extend, or enter into, a contract for transportation services until the majority of the students of each district approve the fee payment in an election held at least 10 years.

- **Cal Grant: Age Increased**  
AB 2813 (De La Torre) increases the age limit for California Community College Transfer Cal Grant entitlement awards from 24 to 27, specifically by stipulating that the applicant cannot be 28 years of age or older before December 31 of the award year for which he/she is applying.
- **Capitol Facilities Fees**  
AB 2951 (Goldberg) authorizes a public agency utility to charge public agency customers rates or charges on the same basis as comparable non-public users, including for “capital facilities fees” (which are one-time charges to recover the costs necessary to establish new, or expand existing, public utility service to a public agency) and indicate that these fees need no longer be negotiated with schools, public higher education institutions (including community colleges) or state agencies.
- **Digital Infrastructure and Video Competition Act of 2006**  
AB 2987 (Nuñez) establishes the Digital Infrastructure and Video Competition Act of 2006 that according to the Governor “will add another significant player into the cable television marketplace and help speed the spread of new and innovative technologies across the state.” This bill requires that public, educational, and governmental (PEG) channels be carried at the basic service tier; and that the PEG signal be receivable by all subscribers, “without the need for any equipment other than the equipment necessary to receive the lowest cost tier of service.”
- **UC Transfer**  
SB 652 (Scott) requests the University of California (UC) and requires the California Community Colleges (CCC), in consultation with its Academic Senate, to facilitate articulation, by January 1, 2008, of the lower-division, baccalaureate-level courses at each community college that meet the lower division transfer path (LDTP) requirements for at least the 20 highest-demand undergraduate majors at UC, and for the UC Academic Senate to notify the CCC when an articulation request has been declined.
- **Concurrent Enrollment**  
SB 1303 (Runner) will, until January 1, 2009, ease the 5% concurrent enrollment limitation by expanding the exemptions for students recommended for enrollment during summer session, if the high school principal making the recommendation provides data to the System Office, for courses that are: 1) credit, lower-division, college-level courses designated as part of IGETC or applicable to the general education (GE) breadth requirements of CSU; 2) credit, college-level occupational courses as part of a sequence of courses leading to a vocational degree or certificate; or 3) necessary to assist students who have not passed the California High School Exit Examination (CAHSEE).

It also requires the System Office to provide an annual report, starting on November 1, 2007, to the Department of Finance on the number of students “who enroll in community college summer session courses and who receive a passing grade.”

- **Conversion of Private or Government Buildings**  
SB 1304 (Runner) authorizes local community college districts to acquire existing government- or privately-owned buildings and use state funds for converting them to community college use. It also specifies that these buildings shall be subject to the annual prioritization process of the Board of Governors of the California's Community Colleges with no higher priority for state funding than other projects, and that funding for instructional equipment shall be available in the same manner as for other community college facilities.
- **Nursing Education**  
SB 1309 (Scott) establishes the CCC Nursing Faculty Recruitment and Retention Program to facilitate the recruitment and retention of qualified nursing faculty at community colleges, and to disburse grants to participating community college districts; requires community college districts that employ faculty pursuant to this program, to provide certain data, by June 30, 2012, to the System Office.

The Governor's [signing message](#) indicates his continued support "of efforts to expand and strengthen nursing programs to address critical shortages in this occupational area."

- **Student Financial Aid Eligibility without Diploma**  
Effective immediately, SB 1383 (Ortiz) establishes Cal Grant eligibility for students who have met the requirements for a high school diploma, or its equivalent, by December 31 of the academic year immediately following the date of application. It specifies that students will not receive a Cal Grant award for a term that begins prior to satisfying all requirements for obtaining a high school diploma or its equivalent.
- **Registered Dental Assistants**  
SB 1541 (Ducheny) allows a dentist with a valid, active license to train and educate his/her employees only after that employee's application has been approved by the Committee on Dental Auxiliaries. This training serves for licensure in lieu of completion of the Dental Board of California-approved coursework and allows an applicant for a registered dental assistant's license to perform the duties of that assistant without licensure if he/she has: "completed the didactic and preclinical training, that includes non-patient training on typodonts [models of proper teeth] and other laboratory models as prescribed in regulations;" and had 1600 hours of dental experience and is in the presence of a dentist.

The Governor indicated in his [signing message](#) concerns that would prompt clean-up legislation for next year.

### **Legislation Vetoed by Governor Schwarzenegger**

- **Student Fees**  
AB 473 (Liu) would have required the BOG CCC to develop a "rational and transparent student affordability policy" including recommending appropriate adjustments in student financial aid levels and mandatory statewide resident student fees to the Governor and the Legislature; and increased the audit fee from \$15 per unit to 150 percent of the systemwide enrollment fee level (\$39 at the existing fee level; \$30 as of January 2007).

Governor Schwarzenegger indicated in his [veto message](#) that he was “very pleased to have approved the student fee decrease for community college students from \$26 per unit down to \$20 per unit... The development of a long-term student fee policy, if determined to be in the best interests of the state, should benefit from the input of all the segments of higher education, the Legislature, the Administration, the state’s agencies focused on higher education issues, the business community and other stakeholders. This bill focuses solely on the Board of Governors and the CCC Chancellor without taking into account a larger state interest.”

- **Student Aid Eligibility for “540” Students**

SB 160 (Cedillo) would have established the California Dream Act, which would have required the Board of Governors of California Community Colleges and the Trustees of California State University, and requested the Regents of the University of California, to establish procedures and forms that enable “AB 540” students to apply for and receive all state student aid programs including the Board of Governors’ fee waiver.

Governor Schwarzenegger, in his [veto message](#), mentioned that California has limited funds to subsidize these students seeking financial aid. And that in doing so, “this bill would penalize students here legally by reducing the financial aid they rely on to allow them to go to college and pursue their dreams.” The Governor also provided a [veto message in Spanish](#).

- **Standards for Community College Facilities**

SB 1290 (Ducheny) would have required each school building constructed, reconstructed, modified, or expanded on or after January 1, 2007, on a community college campus to be built in accordance with either the Field Act or the California Building Standards Code, as adopted by the California Building Standards Commission.

The Governor mentioned in his [veto message](#) that SB 1290 was not necessary because “the provisions in this bill are already contained in the education bond measure that will appear on the November 2006 ballot, and will become operative if the electorate passes the measure.”

It has become extremely important for community colleges to endorse Proposition 1D (Kindergarten-University Public Education Facilities Bond Act of 2006) by adopting a resolution in favor. For more information and to find the list of “endorsers” go to [www.yeson1d.com](http://www.yeson1d.com).

- **Community College Early Assessment Pilot Program and Cal-PASS**

SB 1563 (Escutia) would have established the Community College Early Assessment Pilot Program for five academic years, commencing in the 2007-08, to be administered by the BOG to provide students, at the end of their 11<sup>th</sup> grade, “with an indicator of their readiness for transfer-level English and mathematics.”

The Governor indicated in his [veto message](#) that SB 1563 “would be redundant to create a new pilot program to assess college readiness specifically for prospective community college students when the California State University (CSU) already has a system that can be used for that purpose.”

### **CCCT Legislator of the Year Award: Nominations**

As you know, during the CCCT Conference in May, Senator Jack Scott and Assembly Member John Laird received the 2006 CCCT Legislator of the Year Award. As we look towards 2007, community colleges are encouraged to nominate legislators who meet the criteria established by the CCCT Board for its Legislator of the Year Award:

1. Legislative package: Has the legislator introduced legislation consistent with the CCCT's legislative goals?
2. Voting record: Has the legislator consistently voted for the interests of community colleges in general, and more specifically in support of a strong, bilaterally governed community college system that maintains the maximum degree permissible of local control and authority?
3. Leadership on community college issues: Has the legislator taken the lead on community college issues, particularly in a manner that might have required special focus or difference with the leadership of his or her caucus?

Although the criterion does not indicate a formal action, it is strongly encouraged that local district's nominee(s) be determined through the adoption and recommendation of local trustees during a board meeting. The CCCT will gather the recommendations and the award(s) will be presented at the League's 2007 Legislative Conference in January. The board will determine the awardees at its November meeting.

### **The Spellings Commission**

On September 26, the U.S Secretary of Education Margaret Spellings discussed the recommendations highlighted in the final report of the Commission on the Future of Higher Education. She announced plans to make U.S higher education "more affordable, accessible, and consumer friendly". The [U.S. Department of Education's](#) website has access to the event's archived webcast.

### **Staff Changes**

- Joan E. Smith, executive vice president of student learning at Ventura College, has been appointed president of Columbia College effective December; Smith will replace Jim Riggs who is returning to teaching.