

**Bills of Interest, 2010 Legislative Session**  
As of February 3, 2010

**AB 35**            Workforce Development and Career Technical Education  
*Author:*        Furutani  
*Version:*        01/04/2010  
*Location:*       Senate

*Summary:*        This bill would require the California Postsecondary Education Commission, in conjunction with the State Department of Education, the California Workforce Investment Board and representatives from education, business, and labor organizations, to make recommendations for a strategic plan that will connect academic and career technical education at all education levels with workforce development; and report these recommendations to the Governor and Legislature by July 1, 2011.

**Position:**        Support if amended (to specifically include community colleges)

*Question for discussion:*

- Is CPEC the most appropriate agency to serve as the primary agency for developing this strategic plan? Should the bill provide a more specific role for community college representatives since community colleges are such an important element in workforce development?
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**AB 218**            Accountability: Economic Goals for Higher Education  
*Author:*            Portantino  
*Version:*           02/03/2009  
*Location:*         Senate Appropriations Committee

*Summary:*         This bill would establish a statewide accountability framework as the basis for a biennial assessment of the progress made by the state's postsecondary education systems in meeting measurable educational and economic goals. It would require the Legislative Analyst's Office and the Department of Finance to convene a Technical Advisory Committee (TAC) to "coordinate the technical specifications of the summary aggregate indicator data needed to address six state policy questions;" determine the accessibility of indicator data for developing this information while building upon existing data including that required by Education Code § 84754.3 (the ARCC report); and report on the recommended indicator data to be collected and reported for the accountability framework by January 30, 2010. It also would establish legislative intent that, by January 1, 2012, the Governor should appoint a task force including representatives of the Governor, the Secretary of Education, legislative policy committee chairs and vice-chairs, the Superintendent of Public Instruction, a business representative, and three national organizations with experience in accountability as well as an advisory body to the task force including a representatives of each of the three public systems of higher education, the LAO and DOF, legislative policy staff and CPEC. Finally, it would require the CCC and CSU, and urge UC and AICCU, to provide biennial reports to CPEC by August 1 of even-numbered years, beginning in 2010, linking the state accountability reporting structure and segmental accountability efforts; and request the segments to report on that linkage at a joint legislative hearing to be convened by December 30, 2010 and biennially thereafter.

**Position:**        Watch

*Questions for Discussion:*

- Should community colleges have to submit to this when ours is the only segment which already has extensive reporting requirements (the ARCC report) in statute?

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**AB 385**            Community College Funding  
*Author:*            Block  
*Version:*           02/23/2009  
*Location:*         Senate Education Committee

*Summary:*         This bill would revise the community college finance formula to delete the language in current law which limits to 2% the difference between the actual unemployment rate and a rate of 5% when calculating the workload measure.

**Position:**        Support

*Question for Discussion:*

- Is it reasonable to delete the 2% limitation since unemployment in California is over 12% and the colleges have thousands of unfunded students?
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**AB 440**            Transfer AA Degree  
*Author:*            Beall  
*Version:*            07/02/2009  
*Location:*          Senate Education Committee

*Summary:*          This bill would enact the Associate Degree and Recognition of Student Transfer Preparation Act, which would authorize a community college to grant an associate degree “for transfer” in the student’s field of study to a student who has completed 60 transferable semester units or 90 quarter units, including 18 semester/27 quarter units which shall be comprised of coursework in a major or area of emphasis, and meets the minimum requirements for transfer in an approved transfer core curriculum program, approved transfer agreement program or dual admission program or meets the requirements of an alternative path to transfer program including, but not limited to, the Intersegmental General Education Transfer Curriculum (IGETC) or the California Student University General Education Breadth Requirements. The bill would prohibit a community college district from imposing any additional requirements for the granting of an associate degree with the “for transfer” designation and states that these degrees do not guarantee admission to any institution.

**Position:**          Support

*Issues for Discussion:*

- Would allowing districts to offer an associate’s transfer degree improve completion data to better reflect college performance in measuring community college effectiveness?
  - Is this language consistent with the requirements of Title V which require 18 units in a major field before awarding an associate’s degree?
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**AB 492**            Community Colleges: Nursing Faculty  
*Author:*            Conway  
*Version:*            5/7/2009  
*Location:*          Senate Education Committee

*Summary:*          This bill would authorize the employment of a clinical nursing faculty member as a temporary faculty member for a complete school year but not less than a complete semester or quarter during a school year, thereby deleting current law which requires that this exemption is only applicable from July 2007 to June 2014. It also would delete the hiring limitation that prevents an increase in the ratio of part-time to full-time nursing faculty in a community college district; require each district to report to the chancellor of the CCCs and require the chancellor to report to the Legislature and the Governor by September 30, 2012 on the number of districts that have hired faculty under this subdivision, the number of faculty hired, and the ratio of full- to part-time faculty for these districts in each of the three academic years prior to the operation of this subdivision and for each academic year for which the faculty is hired under its provisions.

**Position:**          Support

*Question for Discussion:*

- Can the districts and the chancellor easily calculate the data required by this bill – or would this be too onerous, especially given that the Chancellor’s Office took another significant staffing cut last year?
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**AB 551**            Community College Funding Study  
*Author:*            Furutani  
*Version:*           01/25/2010  
*Location:*         Senate

*Summary:*         This bill would require the Legislative Analyst's Office, by July 11, 2011, to conduct a study that calculates both the amount of General Fund dollars and property tax revenues allocated to the California Community Colleges for the 1989-90 to 2009-10 years, and analyze whether General Fund dollars or property tax revenues provide the most stable funding source for the California Community Colleges.

**Position:**        Watch

*Comment:* Last year's version of this bill proposed to provide property tax payments for 2009-10 to California Community Colleges at 75% of the prior year's property taxes and replace them with approximately \$500 million in increased General Fund payments in 2009-10.

The Governor's Administration proposed this alternative to the traditional "property tax backfill" sought by the system, which was opposed by the Department of Finance due to the unpredictability of property tax estimates and concerns that it could lead to over-appropriation of Proposition 98.

By shifting a greater proportion of system funding to the state's General Fund, a level of certainty might have been created. However, it also might have increased the possibility of greater deferrals or, worse, smaller increases under future governors who do not support a fair community college Proposition 98 split. Finally, tens of millions of local property tax revenues for future basic aid districts would have been redirected over the next twenty years toward non-basic aid K-12 districts, thus creating state general fund savings. Due to these concerns, the League and others urged that the implications of the switch be determined before any changes were legislated.

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**AB 656** Higher Education Endowment Corporation  
*Author:* Torrico  
*Version:* 01/25/2010  
*Location:* Senate

*Summary:* This bill, which would have established the State Higher Education Endowment Corporation (HEEC), funded it with a 12.5% oil and gas severance tax on producers to be continuously appropriated in the state Higher Education Fund, and included a maintenance-of-effort provision, has been gutted and amended to require the Board of Equalization to report annually, by November 1 of each year, to the Legislature, the UC Regents, the CSU Trustees, and the CCC Board of Governors regarding the estimated amount of revenue that would be raised if oil and natural gas severance taxes were to be imposed at the rate of 12.5%. This report also must include a summary of the revenues which would be distributed to institutions in the following proportions if these taxes were to be imposed: 25% to California Community Colleges; 25% to the University of California; and 50% to the California State University.

**Position:** Support

**Comment:** The proposed funding in the earlier version of this bill would have generated approximately \$312 million annually for community colleges.

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**AB 677** Prevailing Wages: Renewable Energy Generation Capacity Projects  
*Author:* Solorio  
*Version:* 07/23/2009  
*Location:* Passed Assembly; in Senate Inactive File

*Summary:* This bill would require school and community college districts to pay the prevailing wage for public works contracts involving the construction, alteration, demolition, installation, or repair work done under private contract when performed in connection with the construction or maintenance of renewable energy generation capacity located on property wholly or partially owned by the school or community college district, or on public property when it is specifically to serve that school or community college district.

**CCCT Position:** Watch

*Issue for Discussion:*

- Would this bill limit the ability of school and community college districts to engage in partnerships with other entities (public and private) that are not subject to prevailing wage requirements for off-site renewable energy projects?
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**AB 867** CSU: Doctor of Nursing Practice Degree  
*Author:* Nava  
*Version:* 07/23/2009  
*Location:* Senate Appropriations Committee

*Summary:* This bill would authorize the California State University to award the Doctor of Nursing Practice degree and distinguish it from the Doctor of Philosophy degree offered at the University of California. The bill would require the CSU Doctor of Nursing Practice programs to be designed to enable professionals to: focus on the preparation of clinical faculty to teach in postsecondary nursing education programs and may also train nurses for advanced nursing practice or nurse leadership, or both, while not replacing or supplanting master's degree nursing programs offered as of January 1, 2010 by CSU. The degree program shall be designed to enable professionals to earn the degree while working full time and shall not be exempt from any review or approval processes, including those performed by the California Postsecondary Education Commission. This bill also would require CSU to report annually to CPEC, the Legislative Analyst and the budget subcommittees of each legislative house on the status of this degree program.

**Position:** Support (and seek amendments to ensure that these programs will not replace or supplant upper-division transfer slots)

*Questions for Discussion:*

- Are the restrictions in this language strong enough to prevent this program from displacing undergraduate students?
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**AB 1008** Basic Skills Assessment  
*Author:* Block  
*Version:* 04/13/2009  
*Location:* Senate Rules Committee

*Summary:* This bill would require the Board of Governors to convene a working group including, but not limited to, representatives of the Legislative Analyst's Office, the Academic Senate for California Community Colleges, and the California Community Colleges Consultation Council, to make findings and recommendations regarding assessments that can be utilized to test basic skills of students entering community college; and would require the working group to present its findings to the Legislature and Governor on or before July 1, 2010.

**Position:** Watch

*Question for discussion:*

- Is this bill necessary since the Academic Senate is already chairing a Consultation Council task force to develop these findings and recommendations for the Board of Governors?
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**AB 1178** Sales, Use, and Corporation Taxes  
*Author:* Block  
*Version:* 1/25/2010  
*Location:* Senate

*Summary:* This bill would provide an exemption for 5% of the sales tax, from July 1, 2011 until January 1, 2015, on the sale of qualified educational textbooks and supplies (including pens, paper, notebooks, art supplies, flashdrives, computer paper and safety equipment) purchased by a student enrolled in a California public institution of higher education at a campus bookstore. This bill would also require multinational corporations that file tax returns based only on income earned inside the United States (known as the “water’s-edge” method), to include, for tax years from July 1, 2011 until July 1, 2014, the income of a related corporation located in a tax haven country.

**Position:** Watch

Comments: This would only exempt students from the 5% (state portion) of the sales tax but continue collection of the local portion. The Franchise Tax Board estimates that the “water’s edge” assessment will yield \$120 million in new revenues, while, according to the Legislative Analyst’s Office, the 5% sales tax elimination will reduce revenues by an equal amount.

*Question for discussion:*

- Would this bill create an extra burden on campus bookstores to determine which items are subject to the exemption and which are not? Should legislation determine the use of additional revenues intended for the colleges or students, or should the funds be forwarded to the system for distribution based on priorities? Should the League become involved in evaluating tax policy? Should the League consider all the possibilities for new revenue before taking a position on one?

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**AB 1436** Live Audio Broadcasts: Governance Board Meetings  
*Author:* Portantino  
*Version:* 01/04/2010  
*Location:* Senate Education Committee

*Summary:* This bill would require the Board of Governors of the California Community Colleges, the Trustees of the California State University, the California Postsecondary Education Commission, and the Student Aid Commission, including any auxiliary organization (and request the Regents of UC) to make available on the Internet a live audio broadcast of each of its meetings that is open to the public.

**Position:** Support

**ACA 5** State General Obligation Bonds  
*Author:* Calderon, Charles  
*Version:* 07/14/2009  
*Location:* Assembly Floor

*Summary:* This constitutional amendment would specify that an initiative measure authorizing the issuance of state general obligation bonds would require approval by 55 percent of the voters.

**Position:** Watch

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**ACA 7** Affirmative Action  
*Author:* Hernandez  
*Version:* 12/22/2008  
*Location:* Assembly Judiciary Committee

*Summary:* This constitutional amendment would delete public education institutions from the areas in which the California Constitution prohibits affirmative action on the basis of race, sex, color, ethnicity, or national origin.

**Position:** Support

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**ACA 23** Public Postsecondary Education: Student Recruitment  
*Author:* Hernandez  
*Version:* 05/04/2009  
*Location:* Assembly Judiciary Committee

*Summary:* This bill would propose a constitutional amendment to provide that the current constitutional prohibition regarding discrimination or preferential treatment would not prevent institutions of higher learning (including community colleges) from implementing student recruitment and selection programs which are permissible under the Equal Protection Clause of the 14th Amendment of the United States Constitution.

**Position:** Support

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**SB 106** Ethics Training: School and Community College Trustees  
*Author:* Local Government Committee  
*Version:* 06/25/2009  
*Location:* Passed Senate; in Assembly Appropriations Committee

*Summary:* This bill would require that school and community college district trustees be added to the list of local agency officials who must receive training in ethics before January 1, 2011, and at least every two years thereafter. The bill would further require that, if curricula for this training is developed by an entity, then the Fair Political Practices Commission and the Attorney General must be “consulted regarding the sufficiency and accuracy of any proposed course content;” and would allow that training course or sets of self-study materials with tests, to be taken at home, in-person, or online.

**Position:** Support

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**SB 182** Nursing  
*Author:* Ashburn  
*Version:* 02/17/2009  
*Location:* Assembly Higher Education Committee

*Summary:* This bill would delete the limitation that temporary clinical nursing faculty be employed for not more than four semesters or six quarters within any period of three consecutive years between July 1, 2007, and June 30, 2014; and would exclude the percentage of hours of credit instruction taught by full- and part-time clinical nursing faculty from the 75-25 calculation.

**Position:** Support

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**SB 330**            Local Agency Status: Nonprofit Entities  
*Author:*            Yee  
*Version:*           12/15/2009  
*Location:*         Assembly

*Summary:*         This bill would revise the Public Records Act (PRA) definition of the term “local agency” to include auxiliary organizations established to provide support services and specialized programs for the general benefit of a community college or an auxiliary organization established by the Board of Governors to benefit the missions of the community colleges. The bill would exempt from disclosure under the Public Records Act the names of individuals who donate to these entities if those individuals request anonymity unless the donor, in a quid pro quo arrangement, receives anything that has more than a nominal value in exchange for the donation; and would also exempt trade secrets and proprietary information from disclosure. The bill would also have established legislative intent that specified organizations be included in the definition of “state agency” solely for the purposes of the California Public Records Act.

*Comment:* Staff has consulted with local community college district attorneys who indicate that this bill would have no effect on most local foundations as they are already subject to, and in compliance with, the PRA by virtue of their inclusion in the Brown Act.

This bill is identical to the final version of SB 218 (Yee); the CEO and CCCT boards had a “Watch” position on SB 218. The 2009 bill was vetoed by the Governor and, in the last set of amendments, included the Foundation for California Community Colleges.

**Position:**        Watch

*Questions for Discussion:*

- The final version of the predecessor bill (SB 218/2009) inserted the Foundation for California Community Colleges as subject to these proposals, and the Foundation is concerned that this bill would divert critical resources away from its primary goal of raising charitable funds to support the Osher scholarship endowment which requires raising \$50 million in matching funds by June 2011. The Board of Governors took an “oppose” position on this bill last year due to these latter provisions but is reconsidering its position due to the author’s acceptance of language regarding the anonymity of donors. Should the League reconsider its position to be supportive of the Foundation?

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**SB 515** Career Technical Education  
*Author :* Hancock  
*Version:* 06/30/2009  
*Location:* Assembly Inactive File

*Summary:* This bill would require, commencing with the 2012-13 fiscal year, as a condition of receiving federal funds provided under the Carl D. Perkins Vocational and Applied Technology Education Act of 1998, and to the extent permitted under federal law, that school districts, regional occupational centers or programs, and community college districts demonstrate that at least one-half of the course sequences offered are linked to high priority workforce needs in the career sectors identified by the state Labor and Workforce Development Agency or the Labor Market Information Division of the Employment Development Department for the State of California, or for the state economic region or county where the regional occupational center or program, community college district, or school district is located. The bill also would encourage school districts, regional occupation centers and programs and community college districts to work with local workforce investment boards and the Labor Market Information Division of the Employment Development Department in the identification of high-priority career sectors.

**Position:** Watch

*Question for Discussion:*

• Is the mandate for assuring that districts provide course sequences in the areas of highest priority an appropriate one?

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**SB 675** Clean Technology and Renewable Energy Training  
*Author:* Steinberg  
*Version:* 04/02/2009  
*Location:* Assembly

*Summary:* This bill would enact the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Act of 2010 and the Clean Technology and Renewable Energy Job Training, Career Technical Education and Dropout Prevention Fund in the State Treasury. The bill would provide that the moneys in the fund would be available, upon appropriation by the Legislature, in the form of competitive grants that would be administered by the State Allocation Board and awarded to qualifying entities (including community colleges) for the purposes of the construction or reconfiguration of facilities to enhance the educational opportunities for program participants and provide them with the skills and knowledge necessary for careers directly related to clean technology, renewable energy, or energy efficiency. The bill would create the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Council comprised of nine members, including the chancellor of the California Community Colleges; require it to issue guidelines to implement this act; and authorize the council to issue and renew negotiable bonds, notes, debentures, or other sources of security of up to an unspecified amount that would be secured by moneys appropriated by the Legislature in the annual Budget Act from the Public Interest Research, Development, and Demonstration Fund (PIRDDF), with proceeds from the sale of bonds, notes, etc to be deposited in the PIRDDF.

**Position:** Support

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**SB 747** Pilot Aerospace Machining Program  
*Author:* Romero  
*Version:* 07/09/2009  
*Location:* Passed Senate; in Assembly Appropriations Committee

*Summary:* This bill would, until January 1, 2015, create 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 in machining and related curriculum that can be applied to various manufacturing industries, including, but not limited to, aerospace manufacturing. The program would take effect when sufficient funds are available, including a combination of private nonprofit and public funds, including specifically federal funds in the form of competitively awarded community-based training grants from the Employment and Training Administration within the Department of Labor as well as funds from the American Recovery and Reinvestment Act of 2009, with the funds to be deposited into the newly-established Machinist Investment Fund. Grants would be competitively awarded to community colleges based on criteria including their ability to address the existing local and regional industry manufacturing needs, while providing “meaningful career technical education opportunities for at-risk youth.” The bill would require the Chancellor’s Office of the CCC system to develop pre-apprenticeship curriculum in aerospace and machining technology and require that this curriculum meet the standard for the awarding of a National Institute for Metalworking Skills (NIMS) certificate; and local community colleges or districts would have the option to adopt the Chancellor’s Office curriculum or an alternative curriculum that meets the standard for program completion.

**Position:** Support

*Issue for Discussion:*

- Would the provision of pre-apprentice training to high school students expose more such students to career technical training opportunities in community colleges?
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**SB 815** Financial Aid: California National Guard  
*Author:* Cogdill  
*Version:* 06/02/2009  
*Location:* Passed Senate; in Assembly Higher Education Committee

*Summary:* This bill would, contingent upon an appropriation of \$3.651 million:

- establish the California National Guard Education Assistance Award Program on behalf of qualifying members of the California National Guard, the State Military Reserve, and the Naval Militia;
- require that each recipient demonstrate financial need;
- require the Student Aid Commission, in consultation with the Military Department, to adopt emergency rules and regulations for the purpose of implementing the program;
- require the Student Aid Commission to report annually to the Legislature regarding program participation, to be followed by a report from the Legislative Analyst by January 1, 2016, to the Legislature; and
- make these provisions operative only if federal funds are available; and
- sunset this program on July 1, 2019.

**Position:** Support

*Question for discussion:*

- Should members of the California National Guard, the State Military Reserve, and the naval Militia have access to financial aid similar to that available to regular members of the military services, especially since many individuals in the reserve units also have served in fields of war?

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**SCA 6** Parcel Taxes  
*Author:* Simitian  
*Version:* 06/08/2009  
*Location:* Senate Floor

*Summary:* This bill would propose a constitutional amendment to lower the vote threshold for the approval of school and community college district parcel taxes from two-thirds (66.7%) to fifty-five percent (55%).

**Position:** Support

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**SJR 2**           Textbook Affordability  
*Author:*       Liu  
*Version:*      02/25/2009  
*Location:*     Assembly Appropriations Committee

*Summary:*      This Senate Joint Resolution would commend Congress and the President of the United States for including the American Opportunity Tax Credit in the American Recovery and Reinvestment Act of 2009 thereby enabling California to make college affordable for students by providing financial relief to students and their families from the soaring costs of a college education; and would call for the State of California, when the state's economic condition improves, to adopt a similar higher education tax credit measure that will support efforts to make college more affordable for all California citizens.

**Position:**     Support