



THE LEAGUE LEGISLATIVE UPDATE

JANUARY 13, 2009

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2009 Legislative Program

The System Office developed and solicited legislative proposals that were presented to a Consultation Council Task Force for review and inclusion in the 2009 State Community College Legislative Program. The Consultation Council received recommendations from the Task Force at the November 2008 meeting. The 2009 Community College Legislative Program will be presented to the BOGCCC for approval at the BOGCCC January 12, 2009 meeting. If approved by the BOGCCC for sponsorship, the Chancellor’s Office would seek authors for the following legislative proposals:

- **Property Tax Backfill** – This statutory change would provide community colleges with an automatic backfill of property taxes, similar to the one currently in place for K-12 school districts.
- **Eliminate Reporting Requirements** – This bill would modify the statutes to limit the required distribution to the Legislative Analyst’s Office, the Department of Finance, and appropriate committees in the Legislature; and emphasize electronic distribution to reduce operations costs (printing and mailing).
- **Foster Youth/ Residency** – This California residency legislative solution would state that foster youth who were in the child welfare system until age 18 and who have not yet established their own residency (are not yet 19) would retain their established minor residency (California) until the age of 19 or until they establish residency on their own behalf.
- **Captioning for Students with Disabilities** - The California Association on Postsecondary Education and Disability (CAPED) wishes to pursue legislation to allow what they believe “to be the intent of the ‘fair use’ provisions of copyright law” to be put into statute.

Issues for Further Development:

Additional proposals were reviewed by the Task Force but were not recommended to move forward at this time. However, System staff will continue to follow up on concepts and issues that may be developed into legislation in the future. The System Office believes that these issues are of concern to legislators; and therefore, legislation may be introduced without necessarily receiving input from the community colleges. The System Office recommends that community colleges be prepared with solutions and amendments to improve legislation introduced in the following areas.

- **Nursing/Transfer** – This would provide a transfer path for nursing students with an ADN to obtain their BSN although this might not require legislation.
- **Green Jobs/Tax Credit** – Work must be done to determine resources, viable proposals, and possible application of previous legislation.
- **Veterans Issues** – The System Office is pursuing funding for counseling and assistance at the federal level and is in consultation with the Department of Veterans’ Affairs.
- **Textbooks** –In addition to the review of best practices and innovative approaches (textbook leasing and developing online education resources), the System Office may pursue federal funding, since state resources are unavailable.

Legislation

Recent Legislation Introduced:

AB 78 (Portantino) – Concurrent enrollment partnerships between K-12 and community colleges.

ACA 7 (Hernandez) – State Constitution amendment deleting community colleges and other segments of education from the scope of Proposition 209.

SB 45 (Padilla) – Public Works: State Public Works Enforcement Fund. This bill would require the Director of Industrial Relations to assess a fee on all bonds issued by the state to fund public works projects to cover administrative expenses for the enforcement of prevailing wage and apprenticeship requirements on public works projects funded by the bonds.

Important Legislative Dates:

January 15th – Governor’s State of State Address

January 30th – Last day to submit bill requests to Legislative Counsel

February 27th – Last day for bills to be introduced

Legislative Committees

Senate President Steinberg announced his legislative committee assignments on January 13th. Members of the Senate Education and the Senate Budget Subcommittees are listed below:

Senate Education Committee

Senators: Romero (Chair), Huff (Vice Chair), Simitian, Alquist, Padilla, Hancock, Liu, Wyland, Maldonado

Senate Budget Subcommittee #1: Education

Senators: Romero (Chair), Huff, Liu

For a complete list of Senate committee assignments, please go to:

<http://www.sacbee.com/static/weblogs/capitolalertlatest/018504.html>

Budget Update

Talking Points on the Governor's Budget Proposal:

- In his proposal, Governor Schwarzenegger recognizes California's community colleges as the safety net for job training and higher education in California. With unemployment currently at 8.4% and expected to rise to 9.4% by 2010, **keeping the doors open to community colleges is essential for California's economic recovery.**
- The budget provides **funding for 36,000 new full-time students in 2009-10**, which would bring funded FTES enrollment to an all-time high of 1.22 million students. The governor's budget includes funding for enrollment growth for selected categorical programs, including EOPS, CARE, DSPS, Matriculation and Student Financial Aid Administration.
- The governor's proposal to eliminate the statutory cost-of-living adjustment in the 2008-09 and 2009-10 fiscal year will result in a **cut to per-student funding of 11%, or a cut of over \$600 per student.** This is leading to increased class sizes, and fewer instructional and student services necessary for student success. If this budget plan is enacted, over a three year period, **community colleges will have been cut by over \$750 million** from the level approved by the voters in Proposition 98 at a time of rapidly growing enrollment and increased career technical education demands. While community colleges continue to tighten their belts, it is essential that community colleges be given the same ability provided to K-12 schools to restore this purchasing power when the state's budget situation improves.
- **We applaud the governor's signal that he is supportive of ending the longstanding uncertainty created by property tax shortfalls**, and look forward to seeing legislative language to provide this protection. We are concerned that the budget does not recognize a growing current year shortfall.
- We encourage the Legislature to consider the governor's strategy of legally reducing the state's appropriations to community colleges without programmatic cuts, so long as language is provided that gives the Chancellor discretion to consider district financial health when allocating the deferral among colleges.

Competitive Cal Grants

- We are disappointed that the governor again proposes eliminating the state's Competitive Cal Grant program, **which provides over 44,600 community colleges students with an average income of less than \$14,000 financial assistance necessary to succeed in college**, in favor of students attending more expensive institutions with lower GPAs and higher incomes.

Other Budgetary Impacts

- The proposal to cut K-12 schools by \$1.6 billion in the current year, which is expected to lead to a reduction of class days from 180 to 175 and elimination of course requirements for graduation, **will heighten the basic skills crisis and negatively impact community colleges.**
- The depth of cuts to other programs, including social services programs that enable students to attend community college to increase their earning potential, is staggering. The Legislature and governor should work together to mitigate these cuts to avoid exacerbating the state's economic downturn by eliminating services that contribute to educational opportunity.

For more budget information, please go to our website at www.ccleague.org.

Legislative Conference

The Community College League of California's Legislative Conference is scheduled for January 25-26, 2009 at the Sheraton Grand Hotel in Sacramento. This conference provides an excellent opportunity to learn about new members of legislative committees, legislative proposals affecting colleges and student learning, bold initiatives proposed by the Governor, timely information on the proposed State Budget, and advocacy strategies for the legislative year. For more information or to register online, please go to our website at: www.ccleague.org.

Commission on the 21st Century Economy

The following members have been named to the Commission on the 21st Century Economy which was created Nov. 2008 by Executive Order S-12-08 "to re-examine and modernize California's out-of-date revenue-gathering laws that contribute to our feast-or-famine state budget cycles":

Chair: **Gerald Parsky**, 66, Rancho Santa Fe, Republican, chairman, Aurora Capital Group (a private investment firm);

Members: **Ruben Barrales**, 46, Del Mar, Republican, president and CEO, San Diego Regional Chamber of Commerce;

Michael Boskin, 63, Portola Valley, Republican, senior fellow, Hoover Institution and T.M. Friedman Professor of Economics, Stanford University;

John Cogan, 61, Portola Valley, Republican, senior fellow, Hoover Institution and professor in the public policy program, Stanford University;

Becky Morgan, 70, Los Altos Hills, decline-to-state, founder and president, Morgan Family Foundation and former legislator;

Curt Pringle, 49, Anaheim, Republican, mayor, City of Anaheim and president, Curt Pringle and Associates, and former legislator;

Christopher Edley, dean and professor of law, Boalt Hall School of Law;

George Halvorson, chairman and CEO, Kaiser Foundation Health Plan and Kaiser Foundation Hospitals;

Jennifer Ito, research, training and policy education director of SCOPE, a community-based organization dedicated to reducing and eliminating structural barriers to social and economic opportunities for poor and working class communities;

Fred Keeley, treasurer, Santa Cruz County; political science professor, San Jose State University, and former legislator;
Monica Lozano, publisher and CEO, La Opinion and senior vice president, ImpreMedia;
Richard Pomp, Alva P. Loiselle Professor of Law, University of Connecticut and consultant to the United Nations.

Supreme Court Review of AB 540 Students

On December 23, 2008, the California Supreme Court granted review in [Martinez v. Regents \(S167791\)](#), which will determine the validity of California Education Code Section 68130.5, commonly referred to as “AB 540.” AB 540 provides a waiver of the non-resident tuition fees at California’s public colleges and universities for all – including undocumented -- students – who have completed three years at a California high school and have either a high school diploma or its equivalent. The California Supreme Court will review a ruling that was issued by a state appeals court in Fall 2008, which held that providing the AB 540 waiver to undocumented immigrant students conflicts with federal law. Parties to this action will now file briefs with the Supreme Court. Meanwhile, AB 540 remains in effect pending the resolution of this case, and students who are eligible under its provisions should continue to receive the tuition waiver.

Fast Facts 2009

The League will be publishing the updated Fast Facts 2009 this month, with information on comparative higher education fees and enrollments, as well as transfers both in and out of state, and degrees and certificates awarded during 2007-08.

Reports

The Condition of Latinos in Education: 2008 Factbook, Deborah A. Santiago, Excelencia in Education, December 2008.

http://www.edexcelencia.org/pdf/publications/Excelencia-2008_FactbookV2mm.pdf

This “factbook” contains data including the numbers of Latinos at all levels of education – including the top 25 community colleges enrolling Latinos; the top 25 institutions awarding associate degrees to Latinos; the top 25 awarding associate degrees to Latinos in business and in Engineering and Technology; the list of Hispanic-Serving Institutions (HSIs) and of emerging HSIs; comparisons of Latino parents’ participation in education and in paying for college; Latino faculty in higher education; and males in higher education compared with other ethnic groups.

Student Aversion to Borrowing: Who Borrows and Who Doesn’t. Excelencia in Education and the Institute for Higher Education Policy (IHEP), Dec 2008.

http://www.edexcelencia.org/pdf/publications/aversion_to_borrowing/Aversion_to_Borrowing_2008.pdf

For millions of students, the increasing cost of a college education, combined with lower rates of growth in grant aid, have resulted in additional reliance on student loans to pay for college. This new report highlights the borrowing patterns of students who choose to enroll in college and provides suggestions about why certain students may not borrow, even when borrowing might appear to be a logical choice.

Strengthening Pre-Collegiate Education in Community Colleges: Project Summary and Recommendations, (Rose Asera, Project Director), The Carnegie Foundation for the Advancement of Teaching, 2008.

http://www.carnegiefoundation.org/dynamic/downloads/file_1_641.pdf

This report calls for community colleges to provide incentives to full-time faculty to teach basic skills classes in math and literacy and to reshape curriculum and the measurement of student progress. The study, which resulted from work with eleven community colleges in California, focused on teaching methods for underprepared students, since three-quarters of entering community college students in California arrive underprepared for college coursework. At one campus in the Carnegie Foundation program, only 8 of 177 students from one semester's developmental English course had completed a college-level English course three years later. The study also indicated that many community colleges feel the teaching of basic skills are secondary to their mission and do not recognize how challenging basic skills are to teach and learn.

A Qualitative Study of Two-to-Four Year Transfer Practices in California Community Colleges: An Analysis of Seven Case Studies Featuring Colleges with Consistently Higher-than-Expected Transfer Rates. RP Group Transfer Leadership Center (Andreea Serban, principal investigator), Fall 2008.

<http://www.rpgroup.org/css/TransferLeadershipCenter.html>

The RP Group's Center for Student Success has just released this qualitative study that identifies transfer-promoting factors found at colleges with consistently higher-than-expected transfer rates. Seven case studies, as well as a cross-case analysis, are available. The cross-case findings include matrices that colleges can use to compare their own transfer-promoting strategies and approaches to those found at the high-transfer colleges.

The study highlights the need for transfer to permeate every aspect of the college so that students are encouraged to consider transfer in the classroom, when they access support services, in meetings with students who already have transferred, in counseling, in speeches made by the president and administrative leadership, at the orientation session, in student success courses, and in highly visible visits from four year colleges. Moreover, efforts to advance transfer should be coordinated and connected in order to create a system of integrated activities, rather than a series of individual and unconnected efforts.

This study, which was funded by the Chancellor's Office, is part of the Transfer Leadership Center (TLC), the most comprehensive study to date of community college to four-year college transfer in California

CEO Changes

- Jan Muto, currently assistant chancellor for the Kentucky Community and Technical College System, has been appointed president of Riverside CC, effective January 5th.
- Francisco Rodriguez, president of Cosumnes River College since 2003, will begin his new position as superintendent/president of Mira Costa CCD on March 1st.