



THE LEAGUE LEGISLATIVE UPDATE

AUGUST 11, 2010

ON THE WEB: WWW.CCLEAGUE.ORG > GOVERNMENT RELATIONS

IN THIS UPDATE:

- Legislation..... 1
- Legislation Introduced to Extend the MPHE Committee 2
- Assemblyman de la Torre Introduces Legislation to Reform the Bidding Process for Roofing Projects and to Amend the Brown Act 2
- Budget Report 3
- Initiative to Eliminate Constitutional Guarantee for CCs Fails 3
- Research Report 3

Legislation

On August 2nd, the Legislature returned from their summer recess. Several key bills affecting community colleges and students are awaiting hearing in the Assembly Appropriations Committee, Senate Appropriations Committee, and on the Assembly and Senate Floors. Both the Assembly and Senate Appropriations Committees will deal with their respective “Suspense Files” on August 12th. The end-of-session always produces last minute amendments, often in the form of “gut and amend,” whereby the contents of a bill are struck and another topic inserted. This year is no exception. League staff is carefully monitoring all bills to determine if recent amendments will have a possible impact on community colleges and students. The 2009-2010 Legislative Session ends on August 31st.

Some key bills that are moving in the Legislature next week are:

Assembly Appropriations Committee:

- SB 968 (Negrete-McLeod) Unemployment Insurance/Training Benefits – suspense file
- SB 1143 (Liu) Student Success and Completion – suspense file
- SB 1440 (Padilla) Community College AA/CSU Transfer
- SB 1460 (Cedillo) California Dream Act – suspense file

Pending Assembly Floor vote:

- SB 82 (Hancock) Community College Parking and Transit Fees
- SB 330 (Yee) California Public Records Act: College Auxiliary Organizations and Foundations
- SB 623 (Ashburn) Local Government Bonds: Prohibitions
- SB 972 (Wolk) Indemnity: Design Professionals
- SB 1473 (Wyland) Facilities Bond Proceeds: Performance Audits
- SB 1332 (Dutton) Radiological Tech Education
- AB 1713 (Furutani) Reporting Requirements – concurrence (BOGCCC sponsored)

Senate Appropriations Committee:

- AB 35 (Furutani) Career Education and Workforce Development – suspense file

- AB 218 (Portantino) Educational and Economic Goals for Higher Education – suspense file
- AB 635 (De La Torre) Public Contracting: Roofing Projects
- AB 1702 (Swanson) Community Colleges: Inmate Education – suspense file
- AB 1997 (Portantino) Community Colleges; Student Financial Aid Program – suspense file
- AB 2058 (Block) Unemployment Insurance: Retraining Benefits – suspense file
- AB 2302 (Fong) Student Transfer – suspense file
- AB 2385 (J Perez) Community College Accelerated Nursing and Health Care Professionals – suspense file
- AB 2402 (Block) CSU: Admissions – suspense file
- AB 2682 (Block) Community Colleges: Student Assessments – suspense file
- ACR 138 (Nava) Community Colleges: Part-time Faculty

Pending Senate Floor vote:

- SCA 6 (Simitian) Taxation: Educational Entities: Parcel Tax
- AB 2297 (Brownley) Community Colleges: Nonresident fees: Formula
- AB 2203 (Solorio) College textbooks: Transfer policies
- AB 2086 (Coto) Cal Grant: Licensing Exam Passage Rates
- AB 2203 (Solorio) College Textbooks

Legislation Introduced to extend the MPHE Committee

During the final weeks of the session, Assemblymember Marty Block introduced ACR 184 which would extend the Master Plan for Higher Education committee through November 2012.

Assemblyman de la Torre Introduces Legislation to Reform the Bidding Process for Roofing Projects and to Amend the Brown Act

AB 635 (de la Torre), as gutted and amended August 5th, adds new requirements to the public contracting laws for the replacement or repairs of schools and community colleges, CSU, and state agencies. Although the bill's intent is to increase competition and minimize costs, school and college facilities experts testified that costs will increase on each bid by adding a second layer of consultant oversight as called for in the bill. The bill is pending in the Senate Appropriation Committee.

AB 1955 (de la Torre) was introduced August 11th that would make amendments to the Brown Act relating to the compensation of public employees that report directly to public agency governing boards. Because it amends the Brown Act, the bill affects community colleges. Specifically, the bill would require that all compensation and benefits of any employee reporting directly to the district governing board be publicly posted on the district's web site and in a publicly viewable area (such as is required for agendas) at least 7 days before action by the governing board. Further, final action on the employee's compensation and ratification of contracts would have to be made in open session. For most districts, this would only affect the district CEO, although if you have an inspector general or general counsel that reports directly to

the governing board, they would be covered as well. The bill is pending action in the Senate Local Government Committee.

Budget Update

For the most recent updates on the governor's proposed 2010-11 budget, including talking points and budget charts, please click on the link below.

<http://www.ccleague.org/i4a/pages/index.cfm?pageid=3320>

Initiative to Eliminate Constitutional Guarantee for CCs Fails

An initiative petition has been circulated throughout the state over the past few months to remove community colleges from the constitutional guarantees contained in Proposition 98. The Secretary of State's office reported in July that this initiative failed to receive enough signatures to qualify for inclusion on the next statewide ballot.

Research Report

After the FAFSA: How Red Tape Can Prevent Eligible Students from Receiving Financial Aid, The Institute for College Access and Success (TICAS), July 2010.

<http://ticas.org/files/pub/AfterFAFSA.pdf>

The authors of this report surveyed 13 California community colleges to determine where there might be barriers and/or additional steps which lead to denial of federal aid for eligible students, especially those in the lowest income categories. The report identified "red tape" encountered by students even after they submit their applications.

Among the instances of "red tape" are:

- There was an increased likelihood that applicants whose forms were selected for "verification" (i.e., audit) were less likely to receive grants than those who were not selected, even though students selected for audit were those with the lowest incomes;
- 12 of the 13 colleges studied subjected more students (100%) to verification than they are required to under federal law (30%), at an additional cost of \$1.7 to \$2.5 million.
- When students were told that their Free Application for Federal Student Aid (FAFSA) was missing key pieces of information (such as required signatures or Social Security numbers), 20 percent did not re-submit the required information. Administrators believed that many students do not realize that this must be resolved for them to receive aid.
- More than half of the colleges surveyed collected student information not required by the federal government as part of the financial aid-application process
- The US Department of Education proposal to remove the 30 percent cap on verifications should be opposed because the additional verifications are likely to lead to more costs than benefits.

The conclusion of the authors is that the attempt to protect the Pell Grant program from fraud or other misappropriation has yielded unintended consequences for the neediest students, creating a barrier between them and federal funding for college study at a time when students need help more than ever.