



THE LEAGUE LEGISLATIVE UPDATE

SEPTEMBER 16, 2009

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

IN THIS UPDATE:

- End of 2009 Legislative Year 1
- Legislation..... 1
- Governor Schwarzenegger Calls Two Special Sessions..... 2
- Select Committee on Community Colleges..... 3
- 2010 Legislative Program for Community Colleges 4
- Budget News..... 4
- The Master Plan for Higher Education at 50 Years..... 5
- New Community College Policy Center..... 5
- Commission on the Future of UC 6
- Research Reports 6
- Staff Changes 8
- CEO Changes..... 8

End of 2009 Legislative Year

The last days of the legislative year are typically filled with long floor sessions, last minute efforts to address major policy issues facing the State of California, and political maneuvers between the Legislature and the Governor.

Bills not enacted by the Legislature this year become 2-year bills. Bills that remain in the “house of origin” have until January 31st of next year to pass from house of origin while bills that moved out of house of origin must be enacted by September 1, 2010.

Hundreds of bills are held in the Assembly or Senate Appropriations Committees due to fiscal concerns because of the budget crisis that faces the State of California.

The last day of session included bills that addressed a variety of budget-related issues, such as the decentralization of CAL Grants, deferral of payments to colleges and local government, and re-appropriation of funds for vetoed or unfunded legislative priorities. Several bills requiring a 2/3 vote failed on the Senate floor when Republican members withheld their votes.

Legislation

The two bills on the BOG 2009 Legislative Program – AB 386 (Ruskin): Disabled Students: audio captioning; and AB 669 (Fong) Foster Youth: higher education residency requirements, were enacted by the Legislature and sent to the governor’s desk. Last minute opposition from

Department of Finance jeopardized the bills, but amendments carefully negotiated by the authors and CCCCO were made with anticipation of approval by the governor. Local college advocates are requested to send letters of support to Governor Schwarzenegger asking for approval of AB 386 and AB 669.

Other bills enacted by the Legislature and moving to the governor are:

AB 37 (Furutani): Honorary degrees
AB 381 (Block): Unemployment disability benefits- part-time faculty
AB 774 (Cook): Community college transportation fees
AB 947 (Brownley): Community college nonresident tuition/ capital outlay
AB 1031 (Blumenfield): Renewable energy: community college solar
AB 1240 (Davis): Community college leasing of buildings
AB 1295 (Fuller): Nursing degree programs: transfer students
AB 1393 (Skinner): Foster Youth-postsecondary housing
AB 1400 (Fong): Community college student expulsion hearings
ACR 65 (Ruskin): Master Plan for Higher Education
AJR 10 (Torlakson): Social Security retirement benefits and public employees (repeal of Government Pension Offset and Windfall Elimination Provisions)
SB 48 (Alquist): College textbooks: electronic
SB 218 (Yee): California Public Records Act- postsecondary auxiliary organization
SB 248 (Oropeza): Title IX-posting student rights
SB 361 (Runner): Postsecondary enrollment preference: veterans
SB 410 (Ducheny): Workforce Investment-federal funding
SB 511 (Senate Education Committee): Postsecondary education- temporary nursing faculty

The Governor signed, SB 786 (Yee) Chapter 65 of 2009 - Civil procedure: attorney's fees and costs. The bill prohibits a prevailing defendant from recovering attorney's fees and costs whenever it is made to appear by verified petition that certain public records are improperly withheld from the public.

Governor Schwarzenegger Calls Two Special Sessions

Governor Schwarzenegger called two special sessions for the recommendations of the Commission on the 21st Century and Education (Race to the Top).

The Senate Budget and Education committees held a Race to the Top joint hearing regarding legislation and administrative actions necessary to enable California to be eligible for federal dollars, including longitudinal data to connect student success with teachers. The League will monitor further deliberations and legislation for related connections to higher education accountability.

Speaker Karen Bass named the following members to the Assembly's 5th Extraordinary Session Committee on Education:

Assemblywoman Julia Brownley, D-Santa Monica (chair)
Assemblyman Brian Nestande, R-Palm Desert (vice-chair)

Assemblyman Tom Ammiano, D-San Francisco
Assemblyman Juan Arambula, I-Fresno
Assemblywoman Joan Buchanan, D-Alamo
Assemblywoman Wilmer Carter, D-Rialto
Assemblyman Wesley Chesbro, D-Arcata
Assemblyman Mike Eng, D-Monterey Park
Assemblyman Ted Gaines, R-Roseville
Assemblyman Martin Garrick, R-Solana Beach
Assemblyman Isadore Hall, D-Compton
Assemblyman Dan Logue, R-Linda
Assemblywoman Bonnie Lowenthal, D-Long Beach
Assemblyman Jeff Miller, R-Corona
Assemblyman John A. Pérez, D-Los Angeles
Assemblyman Jose Solorio, D-Santa Ana
Assemblyman Tom Torlakson, D-Antioch

The Assembly Committee on Education for the 5th Extraordinary Session schedule of hearings are as follows:

- September 29, 2009 (Sacramento) - Overview of the American Recovery and Reinvestment Act of 2009 with emphasis on competitive grant programs under the “Race to the Top Fund”
- October 28, 2009 (Sacramento) - Overview of the reforms that are the foundation of the specific requirements proposed by the U.S. Department of Education for the areas of “Standards and Assessment” and “Data Systems to Support Instruction”
- November 18, 2009 (Los Angeles) - Overview of reform areas such as “Great Teachers and Leaders” and Turning around Struggling Schools”
- December 16, 2009 (Sacramento) - Presentations on the nature of the Final Notice issued by the U.S. Department of Education

Select Committee on Community Colleges

The Select Committee on Community Colleges chaired by Assemblymember Hayashi held a hearing on Federal Economic Stimulus Funding and Workforce Development and plans to hold additional hearings throughout the fall. Items discussed at the hearing:

- K-16 articulation – hearing of the Assembly Select Committee on K-16 Articulation, Access, and Affordability will be held in Chula Vista on September 30th
- Review of fees
- Community College Caucus (Furutani)
- CCCCCO provided an update on implementation of the federal stimulus funds for workforce development. Focus on collaboration and partnerships, allied health (Governor’s discretionary funds 15%). Extra points will be given to RFP applicants with partnerships. Funds must be spent by 2011. WIBs are permitted to contract directly with local community colleges.
- Apprenticeship programs provide high wage jobs
- Model partnership programs for green jobs

2010 Legislative Program for Community Colleges

Each year the BOGCCC adopts the State Legislative Program, which contains bills recommended for BOGCCC sponsorship and guides advocacy efforts of the System for the upcoming year. The Chancellor's Office is now forming a new State Legislative Task Force for the purpose of developing the 2010 State Legislative Program, which will be presented to the BOGCCC in January 2010 for approval. Proposals for legislation are due to the Chancellor's Office by September 25th and will be reviewed by the Task Force on October 8th.

Budget News

The academic year has begun and the somber reality of \$840 million of cuts to community colleges is being felt at every district.

The federal American Recovery and Reinvestment Act (ARRA) computation is a formula driven calculation administered by the Department of Finance. Since the Administration revised the State of California's initial application to include community colleges, we have waited to learn the exact amount set aside for community colleges. The figure is now available – \$37 million dollars – roughly 28 percent of the original \$130 million estimate. This lower figure is a disappointment; however, the primary reason for the lower dollar amount was because the community colleges did not take the proposed \$85 million unallocated cut in the 2008-09 fiscal year.

It is anticipated the Administration will soon send the federal government an application to draw down the final \$1.7 billion of these funds, which must be liquidated by September 30, 2011.

At the same time the lower dollar figure was shared, the Department of Finance at the 11th hour, declared that while the Legislature sought to backfill each general fund categorical cut with federal resources, such a strategy is inconsistent with ARRA guidelines. The funds must be distributed to districts as "unrestricted" resources. According to the Department of Finance, the regulations governing ARRA stipulate the expenditure of funds must be determined by local boards and any attempt to require districts to backfill categorical cuts could jeopardize the entire \$4.9 billion of Education Stabilization ARRA funds the state received.

In contrast to the manner in which the community colleges budget schedule was crafted by the Legislature – K-12, UC, and CSU all received their Education Stabilization funds as an unrestricted allocation.

In addition to the revelations noted above, the Department of Finance is pursuing "clean-up" legislation related to the 2009-2010 community college budget. The revisions include: removing Career Technical Education from the "flexible" cohort of categorical programs; providing authority to the Chancellor's Office to exclude statewide grants from the categorical flexibility provisions; and clearly scheduling out by categorical program the \$37 million of ARRA resources.

While official legislative action may not occur by the deadline, it is important to recognize that the Legislature and Governor can revise the 2009-10 budget at any time before July 1, 2010. Thus, we encourage districts to follow the intent of legislative action to the extent possible.

For the most recent budget updates please click the link below to go to the League's Budget Advocacy Center.

<http://www.ccleague.net/act>

The Master Plan for Higher Education at 50 Years

The Public Policy Institute of California (PPIC) is planning to engage in a Master Plan review and is currently determining their research questions.

The Legislature has approved and sent to enrollment ACR 65 (Ruskin), establishing a Joint Higher Education Master Plan Committee. The expectation is that hearings would begin in Fall, with Assemblymember Ruskin as the likely chair.

New Community College Policy Center

The Education Commission of the States, the Academy for Educational Development (AED) and Iowa State University have joined together to reconstitute the Community College Policy Center, with Dr. Katherine Boswell as Executive Director, as “ a national policy clearinghouse that will provide critical support to state and federal policymakers and community college leaders as a one-stop resource for information and policy research focused on how states can fully leverage their community colleges as engines of economic development and educational opportunity.”

<http://www.communitycollegepolicy.org/>

The CCPC will be a “critical resource for state policymakers, community college leaders, policy analysts and researchers as they seek to fully leverage community colleges as critical mechanisms for achieving college attainment and workforce development goals.” The Center is expected to work closely with policymakers and institutional leaders “to better position community colleges to meet state and regional economic and education needs by:

- Providing just-in-time, high quality information and analysis on community college data and policy in a central web-based location;
- Enhancing the impact of critical innovations in community college policy by ensuring that investments made by philanthropic foundations and state agencies are widely disseminated and accessible to policymakers;
- Convening community college leaders, researchers and policymakers to explore the latest innovations in community college policy and assist policymakers as they adapt these efforts to their states;
- Utilizing information technology to create a network of policymakers and a one -stop Web site with the latest research and best practices in community college policy;
- Delivering high quality technical assistance to states; and
- Developing and implementing projects that support outstanding community college policy and practice.”

Commission on the Future of UC

The University of California has established the *Commission on the Future of UC*, to be co-chaired by the UC Board of Regents Chair Russell Gould and President Mark Yudof. The commission, which will be composed of approximately two dozen UC, and a few non-UC, members including financier Warren Hellman and Art Pulaski of the California Labor Federation, plans to hold seven public meetings before delivering its final report in March 2010. Its charge includes the following:

- What is the right size and shape of the university going forward? Where should it grow or should it?
- What educational delivery models will both maintain quality and improve efficiency for UC's future?
- How can UC maximize traditional and alternative revenue streams in support of the mission?

Reports on this commission will be available at: www.universityofcalifornia.edu

Research Reports

Ready or Not, Here They Come: Community College Enrollment Demand Projections, 2009-2019. Wilson, Stacy, Ryan Fuller and Mallory Angeli. California Postsecondary Education Commission (CPEC), September 2009.

This new report from CPEC estimates that, in fall 2016, enrollment demand for California's community colleges will exceed two million students. CPEC staff indicate that this is a conservative estimate and express concern that, even though enrollment is projected to grow more slowly than in previous decades when the baby boomers and their children entered college, the community college system will not be able to accommodate all who wish to enroll.

In making their projections, CPEC also did not account for "pent-up demand" which the League estimates at 250,000 students in this year alone who will not be able to obtain the classes they need.

Crafting a Student-Centered Transfer Process in California: Lessons from Other States. Colleen Moore, Nancy Shulock and Cristy Jensen. Institute for Higher Education Leadership and Policy, CSU Sacramento. August 2009.

http://www.csus.edu/ihe/PDFs/R_Transfer_Report_08-09.pdf

In this report, the IHELP staff critique the transfer process in California and recommend:

- Development at the CCCs of associate degrees for transfer that entitle students to admission to a public university and a guaranteed transfer of all degree credits;
- Development of standardized general education and major preparation requirements across all segments for a common set of majors to serve as requirements for an associate degree for transfer in that field and transfer into that major, with allowances for minimal variations across institutions;
- A guarantee that students with an associate degree for transfer with major preparation are admitted as juniors, with allowance for the UC and the CSU to require additional lower division major preparation courses if necessary after transfer;

- Development of a degree audit system to allow counselors and students to determine how the courses students have completed match up to requirements for a degree or transfer and to allow the CCCs to automatically issue associate degrees to students who have completed all requirements; and
- Authority for the CCC to continue to award non-transfer terminal associate degrees or applied associate degrees.

League staff will be working with members of the Academic Senate, the Chancellor's Office and others to develop "talking points" in response to this report.

Transforming America's Community Colleges: A Federal Policy Proposal To Expand Opportunity and Promote Economic Prosperity, Sara Goldrick-Rab, Douglas Harris, Christopher Mazzeo, and Gregory Kienzl. Institute for Higher Education Policy, Brookings Institute, May 2009.

http://www.brookings.edu/reports/2009/0507_community_college_goldrick_rab.aspx

This study proposes that the new administration and Congress should transform community colleges into "engines of opportunity and prosperity" by targeting new investments to those colleges that will help their students succeed. To that end, the federal government should:

- Establish national postsecondary goals and create a performance measurement system to support the effective use of federal resources;
- Double its current level of support in order to account for more than 10 percent of community colleges' budgets, ultimately awarding three-quarters of these funds based on colleges' performance in meeting key goals around student credit, credential, and degree completion;
- Stimulate instructional innovations and practices to increase the quality of community college education, by devoting half of the administration's proposed \$2.5 billion state-federal partnership fund to improve and evaluate practices enhancing sub-baccalaureate education; and
- Support the improvement of student data systems necessary to measure and track college student outcomes, guide funding, improve accountability, and promote continuous improvement in educational quality.

Setting Up Success in Developmental Education: How State Policy Can Help Community Colleges Improve Student Success Outcomes, Michael Lawrence Collins, Jobs for the Future, 2009. http://www.jff.org/Documents/AtD_brief_success_060809.pdf

The large number of students entering community college needing developmental education, combined with the low number of students who complete their developmental requirements and meet college-ready standards within the first academic year, have made this area an *Achieving the Dream* priority for influencing state policies. *Achieving the Dream*, a national initiative to improve student success in community colleges, has taken a multipronged approach to improving outcomes in developmental education. This issue brief describes how the 15 participating states have concentrated their policy efforts on four key areas:

- *Preventative Strategies*: States must define and align standards and expectations for "college ready" transitions from K-12 into community college.

- *Assessment and Placement*: A carefully thought-out placement/assessment policy is critical to improving outcomes for developmental education students.
- *Implementation and Evaluation of Program Innovation*: States should redouble efforts to identify strategies and interventions that can increase student and institutional performance in developmental education.
- *Performance Measurement and Incentives*: States must develop accurate indicators of how well community colleges are performing, including intermediate measures of success and reward institutions for high performance.

Staff Changes

• Anne McKinney, Assistant Vice-Chancellor for Federal Relations in the Chancellor's Office, has accepted a gubernatorial appointment to the position of Deputy Secretary for K-16 Education for the Office of Secretary of Education, effective August 2009.

CEO Changes

• Lori Gaskin, vice president of academic affairs and student services for the last eight years at Lake Tahoe Community College, has been appointed president of West Valley College, effective August 3. She replaces Phil Hartley who has retired.

• Thom Armstrong is the new superintendent/president for Barstow CCD, beginning July 2009.

• Deborah Travis, vice president of instruction at Sacramento City College since 2002 and interim president of Sacramento City College from 2007 to 2008, has been named president of Cosumnes River Community College, effective July 1. She replaces Francisco Rodriguez who left his post as CRC president to serve as superintendent of the Mira Costa Community College District.

• Kay Adkins, provost of Columbus State Community College, is the new president of Yuba College, July 1. She replaces Paul Mendoza, who retired.

• Tyree Wieder, who retired last summer after 14 years as president of LA Valley College, has been named interim chancellor of the LACCD.

• Linda Lacy, vice-chancellor of student services and operations at Riverside CC, has been named superintendent/president of Cerritos CCD, effective September 1.

• Robert Garber, president of Pierce College since 2005, has resigned, effective August 1, to care for his ailing adult son.

• Lisa Sugimoto, vice president for Students and Learning Services at Pasadena Area CCD, is the interim superintendent/president of the district, effective August 2009. She replaces Paulette Perfumo who is serving as a consultant for the district prior to retirement.