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Bills Survive Suspense File

Both Assembly and Senate Appropriations committees met May 31, 2007, acting to either approve, or hold in committee, bills that were on their respective suspense files due to fiscal impact either to the State of California or local entities.

The following bills of interest to community college were passed by the Assembly Appropriations Committee and immediately transmitted to the Assembly Floor for action, as soon as Monday, June 4. Many of the bills were amended significantly prior to passage from the suspense file.

- AB 577 (Ruskin): Open Education Resource Center
- AB 668 (Portantino): Financial Aid
- AB 767 (Walters): Student Financial Aid: Veterans and Dependents
- AB 906 (Eng): Salaries of Community College Instructors: 50 % law compliance: random audits
- AB 962 (Houston): Community College Speech Language Pathologist Training Programs
- AB 1168 (Jones): Social Security Numbers
- AB 1409 (Portantino): Community College Concurrent Enrollment
- AB 1540 (Bass): Student Financial Aid: Cash for College Program: foster youth
- AB 1548 (Solorio): Postsecondary Education Textbooks
- AB 1578 (Leno): Foster Youth Higher Education Preparation Act

Passing the Senate Appropriation Committee:

- SB 18 (Perata): Public Works Labor Compliance Programs
- SB 139 (Scott): Nursing Education
- SB 166 (Negrete-McLeod): Emergency Preparedness: Community Colleges
- SB 325 (Scott): Education and Economic Goals for Higher Education: Accountability
- SB 413 (Scott): Community College Inmate Education
- SB 823 (Perata): Private Postsecondary Education Act of 2007: Accreditation
- SB 854 (Ridley-Thomas) : Student Voter Registration for Students
- SB 890 (Scott); Early College Commitment Program
- SB 946 (Scott): Community College Early Assessment Pilot Program

Mandatory 75/25% Requirements

A B 1305 (Calderon), legislation establishing the 75% full-time faculty as a mandate rather than as a goal, was held in the Assembly Appropriations Committee. AB 1305 would have required districts to use reserve funds above the 5% level regardless of whether the funds were restricted or unrestricted. The League thanks local colleges for opposition contacts that stopped the bill in the Assembly Appropriations Committee. While the bill's sponsors attempted to show that reserves held by colleges would fund the requirements of the bill, the technical assistance and information provided by many Chief Business Officers gave legislators a clear picture of the real fiscal effect of the legislation and its potential for creating undue pressure on state and local community college budgets. AB 1305 was sponsored by CTA.

Other bills which were opposed by the League and held in the Assembly Appropriations Committee include:

- AB 1343 (Mendoza) : The Faculty and College Excellence Act, which would have required the California Community College and California State University systems to have at least 75% of their full-time faculty tenured or on the tenure track by the fall of the 2014-15 academic year. Among other provisions, the bill required the systems to provide health benefits and to establish salary goals for part-time and temporary faculty equivalent to that of full-time, tenured faculty.
- AB 591 (Dymally): This bill would have modify the "60 percent law", mandated prorata pay and benefits; and required that at least 50 percent of full-time hires be from the pool of qualified temporary faculty.
- AB 1423 (Davis): This bill would have required a uniform (i.e., statewide) salary schedules for all academic employees.

The bills held in committee automatically become "two-year" bills.

Textbook Costs

While the State of California retained low enrollment fees for community college students and provided fee waivers for those in financial need, the costs of college textbooks continue to increase beyond the resources of students and their families. There are multiple costs factored into the price of textbooks. As the costs of college textbooks continue to climb, these costs pose a greater threat to access than student fees. Two bills are progressing through the State Legislature to address the costs of textbooks.

- **SB 832 (Corbett)** passed the Senate, and now in the Assembly, would establish the College Textbook Affordability Act and require textbook publishers to provide prospective purchasers, defined as college faculty choosing textbooks to be assigned to students, with an array of specified information pertinent to the cost and publication of each textbook. The League supports SB 832.
- **AB 1548 (Solario)**, pending vote on the Assembly floor, establishes the Transparency in College Textbook Publishing Practices Act that prohibits a public postsecondary education institution from buying, selling, or allowing the sale on its campus of a textbook unless the publisher posts specified information about the textbook either on its internet web site or in another manner acceptable to the governing body of the segment. The bill also authorizes the Attorney General, a district attorney or any affected resident to bring a civil action to enforce the law. The League's position is "Support if amended." Amendments are sought to protect the academic freedom of faculty to select textbooks

appropriate for curricular needs, especially for specialty or advanced courses. The bill was substantially amended in committee, but amendments are not yet in print.

Brown Act—SB 964 (Romero)

This bill, sponsored by the California News Publishers Association, would prohibit a majority of members of a local legislative body (including community college governing boards) from using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any items of business within the subject matter jurisdiction of the board. SB 964 also declares that the Legislature disapproves of the holding of the court in *Wolfe vs. City of Fremont* as it interprets the prohibition on serial meetings, and further states legislative intent that the bill supersedes the court ruling. The League opposes SB 964 as the bill could be interpreted so broadly as to seriously impact the ability of community college personnel and staff to communicate with individual members of a governing board. Broad interpretation of this legislation could prevent staff and consultants from providing information or engage in information exchange with any member of the district governing board.

Prison Reform Legislation Increases Role of community colleges.

- **AB 900 (Solario)**, touted as the legislative solution to prison reform and signed into law by Governor Schwarzenegger, includes a role for education and the community colleges in the rehabilitation of prisoners and training of personnel. The bill requires the Department of Corrections and Rehabilitation to develop and implement plans for inmate rehabilitation including plans to enter into agreements with community colleges to accelerate training and the education of rehabilitation and treatment personnel. The bill also establishes the California Rehabilitation Oversight Board, with the Chancellor of the California Community Colleges specified as a board member. Any new prison facilities will be required to include classroom space for the education of inmates.
- **SB 413 (Scott)** would waive the open course requirements for inmate classes in city, county, state and federal correctional facilities, and allow community colleges to receive credit apportionment at the marginal rate for education in these facilities. The League supports SB 413 to help address the inadequate educational attainment among inmates and increase employment opportunities for inmates upon release back to society.

Budget Conferees Named

The Senate has named its budget conferees: Denise Ducheny, Mike Machado, and Dennis Hollingsworth; the Assembly conferees will be: John Laird (chair), Mark Leno, and Roger Niello. Attached with this report are the May Revise updates #5, 6 and 7 plus a table of the current status of the budget for community colleges. These three updates include additional detail on the May Revise, the community college system proposal, and actions taken last week by the Assembly and Senate budget subcommittees.

Regulations Revision Progresses

The System Office has established a task force to review a large set of regulations; upon initial discussion in Consultation, fifteen specific items were cited for further review. Consequently, the Board of Governors will hold a first reading on the major set in July with approval likely for September on the non-controversial items, while the fifteen items controversial items (including simultaneous enrollment and overlapping courses, allowance for shorter term, withdrawal, remedial coursework limit, minimum requirements for the Associate degree, career development and college preparation, short-term vocational program providing 288 hours or more of instruction, other noncredit programs providing 288 hours or more of instruction, adult high school diploma programs, noncredit certificates, courses offered in the territory of another

district, distance education, instruction in non-district territory, instruction offered outside district prior to July 1, 2007, and apportionment for course repetition) will be discussed by interested parties and recommendations about them will be made separately. The next meeting of the regulations revision task force is scheduled for June 4.

Recent Reports

Improving State Nursing Programs, Legislative Analyst's Office, May 2007

This report discusses the state's role in training registered nurses and the challenges to further expanding their supply to meet projected future demand. Among the recommendations of the Analyst are the following: (1) supplemental funding for nurses for a limited time period until enrollment growth for nurses is more in line with overall enrollment growth; (2) expansion of the state's nursing faculty loan forgiveness program to attract and retain more educators; (3) temporary exemptions for community college nursing faculty from certain hiring restrictions (including the full-time ratio goal and the limitation on the number of terms temporary faculty can teach within a three-year period); (4) linking new funding for nursing programs to "more efficient" use of facilities, such as through non-traditional scheduling; (5) provision of "completion bonuses" to community colleges that improve student outcomes; (6) targeting new discretionary Proposition 98 funds towards nursing; and (7) implementing a merit-based admissions policy for community college nursing programs to address attrition concerns.

This report can be accessed at: www.lao.ca.gov/2007/nursing/nursing_052907.pdf

California Community College Transfer Rates: What Is Counted Makes a Difference, Laura Horn and Stephen Lew. MPR Research Brief, 5/22/2007.

This report compared transfer rates using six different possible denominators (including those used by the PPIC and the CSUS authors as well as those more commonly used within the community college system). Their findings reveal that transfer rates are increasing systematically over time using any of the methodologies; and they suggest that the choice of denominator "depends on what is being measure and from what perspective." In a subsequent brief, the authors intend to investigate further why so many transfer-ready students do not transfer and examine the characteristics and course-taking patterns of all transfer students.

The report is available at:

www.mprinc.com/products_and_publications/recent_publications.aspx?pubID=

Building a Culture of Evidence for Community College Student Success: Early Progress in the Achieving the Dream Initiative, Thomas Brock, Davis Jenkins, et. al.

This is a progress report on a multiyear national initiative called Achieving the Dream: Community Colleges Count, to help students stay in school and succeed. The initiative is focused particularly on students who have faced the most barriers to success including low income student and those of color. Currently, 82 institutions in 15 states are participating.

The key findings are:

- Institutional measures reveal low rates of success (only 30% of student who were referred to introductory college English completed the course within three years; and 20 did so in introductory math.)
- The colleges embraced the goal of building a "culture of evidence," with presidents generally showing strong leadership, and every college including a team to plan and implement this project.
- About half the colleges identified problems but were unsure about how to respond to them due to understaffed research offices or weak computer systems.

- Colleges implemented a wide array of strategies to improve student success, including strengthening academic advising and orientation programs, revamping developmental education, and offering professional development for faculty and staff.
- Six colleges showed signs of institutionalizing “a culture of evidence” after only one year. Most other colleges showed signs of progress.

The evaluation team will return to the colleges over the next few years to determine what further progress they have made; a final report is scheduled for 2010.

The report can be accessed at: www.mdrc.org/publications/452/overview.html

Can California Import Enough College Graduates to Meet Workforce Needs? Hans P. Johnson and Deborah Reed, Public Policy Institute of California

This report indicates that California should increase efforts to raise college entrance and graduation rates in order to deal with a looming shortage of skilled labor. The study found that California will not be able to count on workers moving to California from other states and countries to address its workforce needs, so it needs to either increase college entrance and completion rates or lower expectations about what the economy will look like in 20 years.

The report can be downloaded free of charge at: www.ppic.org/main/publication.asp?i=750

CEO Changes

- Joel Kinnamon, vice president for Education Services and Planning at Chabot-Las Positas CCD, will be the new chancellor of the district, effective July 1.
- Judy Walters, president of Berkeley City College, has been appointed president of Diablo Valley College.
- Jerry Patton, vice president for administrative affairs at College of the Desert, has been named superintendent/president of the district, effective August 1.
- William Duncan, vice president for administrative affairs at West Kern CCD, has been appointed interim president at Taft College.
- Thomas Mohr, who has been interim president of Canada College since 2005, has been selected as the president of that college.
- Mark Drummond, chancellor of the California Community Colleges, will return to his former position as chancellor of the Los Angeles CCD in August.
- Mary Retterer, interim president of Cerro Coso since June 2006, has been appointed president of the college, effective July 1.
- Sunita Cooke has been appointed president of Grossmont College, effective July 9, 2007.
- Robert Kratochvil, vice president of business services at Las Positas College, is the new interim president at that college, effective July 1.
- Willard Lewallen, vice president for student services at Victor Valley College, will become president of West Hills College on July 1.