



Legislative Update

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This Legislative Update is provided by the Governmental Relations Division and the Legal Affairs Office and focuses on new legislation enacted in 2017 affecting California Community Colleges and their students.

AFFORDABILITY

Community colleges: California College Promise (AB 19, Santiago)

This bill added Article 3 (commencing with Section 76396) to Chapter 2 of Part 47 of Division 7 of Title 3 of the Education Code.

AB 19 establishes the California College Promise to be administered by the California Community Colleges Chancellor's Office, which must establish a funding formula and distribute funding upon appropriation by the Legislature. Appropriated funds will be distributed to community colleges that have adopted the following practices: (1) an Early Commitment to College Program to provide assistance to K-12 students and families; (2) evidence-based practices to improve high school student preparation for college; (3) evidence-based assessment and placement practices, including multiple measures; and (4) participation in Guided Pathways; and (5) maximizing student access to need-based financial aid through completion of the Free Application for Federal Student Aid or California Dream Application and by leveraging the Board of Governor's fee waiver known as the California Promise Grant. Appropriated funds should be used by colleges to meet specified goals around increasing certificate, degree and transfer completion and closing achievement gaps, colleges may use funding to waive some or all fees for first-time full-time (12 or more semester units or the equivalent) community college students for one academic year.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB19

For the bill summary and questions/answers, please see:

<http://californiacommunitycolleges.cccco.edu/Portals/0/GovRelations/inacted-bills/ab-19-summary.pdf>

Postsecondary education: student hunger (AB 214, Weber)

This bill amended Section 66025.93 and added Section 69519.3 to the Education Code, and amended Section 18901.11 of the Welfare and Institutions Code.

This bill reflects a legislative intent to reduce hunger and homelessness among college students by improving access to federal anti-hunger benefits for low-income college students by simplifying the

administration of CalFresh. Under existing law, Section 66025.93 of the Education Code, colleges located in counties that have a Restaurant Meals Program are required to apply to become a vendor if they have a qualifying food facility (which does not include a food truck).

AB 214 also adds section 69519.3, providing that a student, for purposes of federal regulations regarding the Supplemental Nutrition Assistance Program (SNAP) student eligibility, shall be determined to be attending at least half-time during any semester or term in which he or she enrolls in school at least half of the required number of credits needed each semester or term in order to graduate within four years of enrollment as a first-time freshmen, or within two years of enrollment as a transfer student, unless prohibited by federal law.

This bill amends Section 18901.11 of the Welfare and Institutions Code to require the California Department of Social Services to maintain and update a list of postsecondary programs that qualify for an exemption to CALFRESH work requirements. This section also clarifies that students on work-study and anticipating work-study are eligible for the work requirement exemption.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB214

Child care services: eligibility (AB 273, Aguilar-Curry)

This bill amends Section 8263 of the Education Code.

AB 273 makes parents who are engaged in an educational program for English language learners or to attain a high school diploma or general educational development certificate eligible for state subsidized childcare.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB273

Personal income taxes: exclusion: forgiven student loan debt (AB 461, Muratsuchi)

This bill amends Section 17132.11 of the Revenue and Taxation Code.

For the calendar years 2017 through 2021, AB 461 excludes from gross income, for state income tax purposes, student loan debt that is cancelled under income contingent repayment plans for public service and other employees administered by the United States Secretary of Education.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB461

Taxation: credits: College Access Tax Credit (AB 490, Quirk-Silva)

This bill amends Sections 12207, 17053.87, and 23687 of the Revenue and Taxation Code.

AB 490 extends by five years the sunset date for the College Access Tax Credit (CATC), making the credit operative for taxable years until January 1, 2023. The maximum aggregate amount of credit that may be allocated over the lifetime of the CATC credit remains unchanged at \$500 million.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB490

Student Opportunity and Access Program: Orange County (AB 584, Quirk-Silva)

This bill adds Section 69564.3 to the Education Code.

AB 584 requires the California Student Aid Commission to ensure that at least one California Student Opportunity and Access Program (Cal SOAP) consortium is established in Orange County.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB584

Personal income taxes: exclusion: loan discharge. (SB 141, Nguyen)

This bill amends Section 17144.7 of the Revenue and Taxation Code.

SB 141 replaces the reference to the William D. Ford Federal Direct Loan Program Borrower's Rights and Responsibilities Statement with more specific references to the Code of Federal Regulations, Sections 685.206 (Defense to Repayment) and 685.214 (Closed School), related to the exclusion of gross income for discharged student loans.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB141

BASIC SKILLS

Student Success Act of 2012: matriculation: assessment (AB 705, Irwin)

This bill amends Section 78213 of the Education Code.

AB 705 requires community college districts to maximize the probability of students entering and completing transfer-level coursework in math and English within a one-year timeframe by using multiple measures to achieve this goal. The bill requires the use of high school performance information to determine a student's readiness for transfer-level English and math.

The bill prohibits the colleges from requiring a student to enroll in remedial coursework unless the student is highly unlikely to succeed in transfer-level courses. It authorizes a college to require students to enroll in additional concurrent support during the same semester that a transfer-level English or mathematics course is taken, if it is determined that the support will increase the likelihood of students passing the transfer-level course.

This measure authorizes the Board of Governors of the California Community Colleges to establish regulations governing the use of assessment instruments and placement models.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB705

For the bill summary and questions/answers, please see:

<http://californiacommunitycolleges.cccco.edu/Portals/0/GovRelations/inacted-bills/ab-705-summary.pdf>

EQUITY

Community colleges: Student Success and Support Program funding (AB 504, Medina)

This bill amends Sections 78220 and 78221 of the Education Code.

AB 504 requires the California Community Colleges Chancellor's Office to establish a standard methodology for measurement of student equity and disproportionate impact on disaggregated subgroups of the student population for use in student equity plans. It requires community colleges to utilize the methodology provided by the Chancellor's Office.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB504

For guidance issued by the Chancellor's Office, please see:

<http://californiacommunitycolleges.cccco.edu/Portals/0/GovRelations/inacted-bills/ab-504-summary.pdf>

Community colleges: student equity plans (AB 1018, Reyes)

This bill amends Sections 78220 and 78221 of the Education Code.

AB 1018 adds homeless and lesbian, gay, bisexual, and transgender students to the categories of students in student equity plans (SEPs). The bill authorizes each community college governing board to create additional student categories in a district SEP.

It requires the California Community Colleges Chancellor's Office to provide data for purposes of equity planning when that data is available, and to provide guidance to community college districts regarding expenditures and activities that support evidence-based practices when implementing SEP goals and coordinating services for the targeted student populations.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1018

Priority registration for Tribal TANF recipients (SB 164, McGuire)

This bill amends Section 66025.92 of the Education Code.

AB 86 (Committee on Budget) in 2013 granted priority enrollment to students who are CalWORKs recipients. SB 164 grants priority enrollment to students who are recipients of Tribal TANF (Temporary Aid to Needy Families).

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB164

FOSTER YOUTH

Foster youth: California State University and Community Colleges (AB 766, Friedman)

This bill added Section 66021.5 to the Education Code, amended Section 11402 of, and added Section 11402.7 to, the Welfare and Institutions Code.

AB 766 allows a minor who is living independently in a college dormitory to receive Aid to Families with Dependent Children-Foster Care (AFDC-FC) and requires districts to disregard the AFDC-FC payments when determining eligibility for financial aid.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB766

Higher Education Outreach and Assistance Act for Foster Youth (AB 1567, Holden)

This bill amends Education Code Sections 89340, 89341, 89342, 89344, 89345, and 89346.

AB 1567 requires that when a student enrolled at or applying to a community college is a current or former foster youth and is eligible for financial aid, the community college will notify that student about appropriate campus support programs that may include, but are not necessarily limited to, EOPS, and the Cooperating Agencies Foster Youth Educational Support, notify that student of his or her eligibility for financial aid, and, provide the student with instructions for accessing the benefits for which he or she has qualified. This bill also permits notification of students to be accomplished by letters of acceptance sent to foster youth who have been admitted to those campuses.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201720180AB1567

Foster youth: postsecondary education: financial aid assistance (SB 12, Beall)

This bill amends Sections 79220, 79221, and 79226 of, and added Section 69516 to, the Education Code.

SB 1023 (Liu) in 2014, authorized the Chancellor for the California Community Colleges to enter into agreements with 10 community college districts (as selected by the California Community Colleges Board of Governors) to provide services to foster youth students through the Cooperating Agencies Foster Youth Educational Support Program (CAYFES). SB 12 allows the Board of Governors to expand CAYFES from 10 districts to up to 20 districts.

This bill also requires the California Student Aid Commission (CSAC) to work with the California Department of Social Services (DSS) to develop an automated system to verify a student's status as a foster youth for the purposes of processing applications for state or federal financial aid, and requires the county child welfare case plan, for a youth who is at least 16 years of age, to identify the person who is to be responsible for assisting the youth with applications for postsecondary education and related financial aid.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB12

FACILITIES

School property: school district advisory committees: teacher and school district employee housing: property tax exemption (AB 1157, Mullin)

This bill amends Sections 17391 and 17456 of the Education Code, and amends Section 202 of the Revenue and Taxation Code.

Assembly Bill 1157 specifies that the exemption of taxation of property for schools, colleges, or universities applies to an interest in property, including a possessory interest belonging to the state, county, city, school district, community college district, or any combination that is used to provide rental housing for employees of one or more public school districts or community college districts.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1157

Public bodies: bonds: public notice (SB 450, Hertzberg)

This bill adds Section 5852.1 to the Government Code.

Senate Bill 450 requires the governing body of a county, city, city and county, public district, authority and corporation, nonprofit corporation or other statutorily constituted public entity authorized to issue bonds to obtain and disclose specified information in a meeting open to the public prior to authorizing the issuance of bonds with a term greater than 13 months. Prior to authorizing the issuance of bonds, the public body must disclose: (1) the true interest cost of the bonds; (2) the finance charge of the bonds; (3) an accounting of the proceeds from the bond sale; and (4) the total payment amount.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB450

Local Agency Public Construction Act: job order contracting: school districts: community college districts (AB 618, Low)

This bill amends Sections 20219.21, 20919.23, and 20919.24 of, and adds and repeals Article 41.5 (commencing with Section 20665.20) of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code.

AB 618 adds 12 new sections to the Public Contract Code that authorize the use of and establish guidelines for community college districts related to job order contracting. With the job order contract, the contractor agrees to a fixed period and fixed unit price for an indefinite quantity of public works for maintenance projects.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB618

MISCELLANEOUS

DNA evidence (AB 41, Chiu)

This bill adds Section 680.3 to the Penal Code.

AB 41 requires law enforcement agencies to report information regarding rape kit evidence, within 120 days of the collection, to the Department of Justice. The bill would additionally require a public DNA laboratory, or a law enforcement agency contracting with a private laboratory, to provide a reason for not testing a sample every 120 days the sample is untested, except as specified. These provisions apply to kits collected on or after January 1, 2018.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB41

Workers' compensation: medical treatment: terrorist attacks: workplace (AB 44, Reyes)

This bill adds Section 4600.05 to the Labor Code.

AB 44 requires employers to provide nurse case manager services to employees injured in the course of employment as a result of domestic terrorism. Such services include assisting claimants with obtaining medically necessary treatments, consistent with workers compensation laws. The bill's provision are applicable only if the Governor declares a state of emergency in connection with the act of domestic terrorism.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB44

Vehicles: parking violations: registration or driver's license renewal (AB 503, Lackey)

This bill amends Sections 4760, 21107.8, 40215, and 40220 of, and to repeal Section 12808.1 of, the Vehicle Code.

Section 40220 of the Vehicle Code establishes procedures for local agencies (including community colleges) on collecting unpaid parking penalties. AB 503 amends this section to require a community college district to adopt a payment plan policy for unpaid parking penalties by August 1, 2018. Such a policy shall waive late fees if individual follows terms of the payment plan, prohibit the district from turning over individual to California Department of Motor Vehicles as terms of payment plan are being met, and require the district to post its payment plan on its website.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB503

Elections: local bond measures: tax rate statement (AB 1194, Dababneh)

This bill amends Section 9401 of the Elections Code.

Existing law requires local government agencies, when submitting for voter approval bond measures that will be supported by a local tax, to provide the voters with a sample ballot and a statement that includes detailed information about the bond measure. This information includes estimates of tax rates and debt service in connection with the measure, and estimates of the tax rates required to fund the bond issue during the first fiscal year after the first sale of the bonds and the first fiscal year after the last sale of the bonds. Assembly Bill 1194 requires these statements to include an estimate of the average annual tax rate required to fund the proposed bond measure for the duration of its debt service. The bill also requires the statements to identify the final fiscal year in which the tax is anticipated to be collected.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1194

Community colleges: Compton Community College District (AB 1299, Gipson)

This bill adds Section 74295.2 to the Education Code.

This bill provides that a student who is enrolled at El Camino College Compton Center six months before the change in control of that institution from El Camino CCD to Compton CCD shall be subject to special conditions regarding courses earned, enrollment priorities, and minimum residence requirements. This

bill also exempts Compton CCD from the requirement to expend, during each fiscal year, 50% of the district's current expense of education for payment of classroom instructors' salaries, for academic years 2018–19 to 2021–22, inclusive.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1299

Pupil Instruction: California College Promise Partnership Act (AB 1533, O'Donnell)

This bill amends Sections 48811 and 76003 and repeals Section 48814 of the Education Code.

AB 1533 deletes the June 30, 2017, operative date and the January 1, 2018, sunset date of the Long Beach College Promise Partnership Act, thereby extending the operation of the program indefinitely.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1533

Community colleges: academic employees: involuntary leave (AB 1651, Reyes)

This bill added add Section 87623 to the Education Code.

AB 1651 requires that an academic employee who is accused of misconduct be provided with the general nature of the accusations made against him or her at least two business days before the employee is placed on involuntary paid administrative leave. The bill also requires that the employer should complete its investigation of the accused misconduct and initiate disciplinary proceedings against, or reinstate the academic employee within 90 days of placing the employee on involuntary paid administrative leave.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1651

Apprenticeships: training funds: audits. (AB 1731, Committee on Jobs, Economic Development, and the Economy)

This bill amends Section 88600 of the Education Code.

This bill requires the California Community Colleges Chancellor's Office to provide guidance to local educational agencies on the allocation and oversight of apprenticeship training funds.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB1731

Alcoholic beverage control: public schoolhouses (SB 228, Dodd)

This bill amends Section 25608 of the Business and Professions Code.

Business and Professions Code Section 25608 prohibits the sale and use of alcohol in a public schoolhouse with various exceptions. SB 228 removes this prohibition for beer produced by a bonded brewery owned or operated as part of an instructional program in brewing.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB228

Governing board elections: Los Angeles Community College District (SB 628, Lara)

This bill amends Sections 5225 and 72031 of, and repeals Sections 5224 and 5224.1 of the Education Code.

SB 628 deletes the requirement that the Los Angeles Community College District (LACCD) members be elected at large, and instead authorizes the members to be elected by trustee area.

For the text of this bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB628

ONLINE EDUCATION

Community colleges: cross-enrollment in online education (AB 637, Medina)

This bill adds Section 68101 to, and to add Chapter 9.7 (commencing with Section 66770) to Part 40 of Division 5 of Title 3 of the Education Code.

AB 637 establishes the Online Education Initiative (OEI) Course Exchange in statute, and authorizes a California Community Colleges (CCC) student who meets specified requirements to enroll in an online course provided by another CCC campus (referred to as a teaching college) through the OEI Consortium. This measure authorizes a participating community college district to accept the determination of a student's residency classification under certain conditions. The bill also requires the CCC Chancellor's Office to establish an online methodology that allows students to access the online cross-enrollment option and simultaneously enroll in both home and teaching colleges, and provides for an electronic consent option to transfer relevant enrollment data to the teaching college.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB637

UNDOCUMENTED STUDENTS

Postsecondary education: Access to Higher Education for Every Student (AB 21, Kalra)

This bill adds Article 11 (commencing with Section 66093) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code.

AB 21 requires the governing boards of community college districts, Trustees of the California State University, colleges of the Association of Independent California Colleges and Universities, and requests the University of California, consistent with state and federal law, to refrain from disclosing personal information concerning students, faculty, and staff.

The bill requires an institution to provide guidance concerning local policies under state and federal immigration laws, including campus responses to a federal immigration order. For purposes of verifying administrative warrants or subpoenas, the bill requires students, faculty, and staff to notify the president or his/her designee if immigration enforcement officers enter the campus. It requires the college administration to assign staff who can serve as a point of contact for individuals who are subject to an immigration order. AB 21 also requires the colleges to allow undocumented students who dropped out due to immigration enforcement issues to re-enroll, continue to receive financial aid, exemption from nonresident tuition fees, housing stipends or services, or other benefits if they are able to return to

campus. Colleges must maintain a list of available pro bono legal services, adopt and implement by March 1, 2019, model policies developed by the California Attorney General, and make reasonable efforts to assist students to retain eligibility for financial aid in the event of deportation or detention.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB21

Emergency Assistance for Dreamers (AB 134, Committee on Budget)

This bill amended the Budget Act of 2017 (Chapter 14 of the Statutes of 2017) by amending Items 6440-001-0001, 6610-001-0001, and 6870-101-0001, and added Item 3900-101-3228 to, Section 2.00.

Among other provisions unrelated to higher education, AB 134 an additional \$10 million in financial aid for Dreamers in the California Community Colleges, California State University, and University of California systems. The community college allocation is \$7 million to campuses for emergency financial aid resources to students affected by President Trump’s decision to rescind the DACA program.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB134

Additional information regarding this program is available here:

<http://extranet.cccco.edu/Divisions/StudentServices/FinancialAid/FinancialAidPrograms/eda.aspx>

Postsecondary education: holders of certain special immigrant visas (AB 343, McCarty)

This bill adds Section 68075.6 to the Education Code.

AB 343 exempts California Community College students who are refugees or special immigrant visa holders, who upon entering the United States settled in California, from paying nonresident student fees. The bill also authorizes a community college district to claim these students for apportionment purposes.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB343

Law enforcement: sharing data (SB 54, De Leon)

This bill amends Sections 7282 and 7282.5 of, adds to Chapter 17.25 to Division 7 of Title 1 of, the Government Code, and repeals Section 11369 of the Health and Safety Code.

SB 54 establishes restrictions on the use of state agency or department money or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB54

Public postsecondary education: exemption from nonresident tuition (SB 68, Lara)

This bill amends Section 68130.5 of the Education Code.

SB 68 expands eligibility for the exemption from paying nonresident tuition at California’s public postsecondary institutions, as established under AB 540 (Firebaugh, Chapter 814, Statutes of 2001), to

students who attended, or attained credits earned while in California, equivalent to three or more years at an elementary school, secondary school, adult school and/or California Community College. The bill also allows a student to combine attendance or credits earned at these institutions to meet the statutory requirements for the nonresident tuition exemption.

For the text of this bill, please see:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB68

VETERAN STUDENTS

Residency determination: dependents of armed forces members (AB 172, Chavez)

This bill amends Section 68074 of the Education Code.

Education Code 68074 provides the dependents of military personnel with exemptions from nonresident tuition. AB 172 clarifies that this exemption applies to students admitted to a college.

For the text of the bill, please see:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB172