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# SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

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**Bill No:** AB 1504 **Hearing Date:** June 5, 2019  
**Author:** Medina  
**Version:** March 19, 2019  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Olgalilia Ramirez

**Subject:** Community colleges: student representation fee: statewide community college student organization: goals.

## SUMMARY

This bill modifies the process for adopting the student representation fee at a community college. Specifically, the bill eliminates the authorization to hold a campus election to establish the fee or terminate the fee assessed on students and instead requires direct collection of that fee for purposes prescribed by current law.

## BACKGROUND

Existing law:

- 1) Authorizes the governing board of a community college district to authorize the students of a college to organize a student body association (Education Code (EC) § 76060).
- 2) Authorizes the governing body of an established student association to hold an election for the purpose of establishing a student representation fee of \$2 per semester. Specifies, that the affirmative vote of a majority of the California community college (CCC) students voting in the election shall be sufficient to establish the fee, but the number of students who vote must equal or exceed the average number of students who voted in the previous three student body elections. Requires that \$1 of every \$2 fee collected shall be expended to establish and support the operations of a statewide community college student organization, recognized by the CCC Board of Governors, with effective student representation and participation in state-level community college shared governance and with governmental affairs representatives to advocate before the Legislature and other state and local governmental entities. Specifies that the additional fees collected, as aforementioned, only apply to student representation fees adopted on or after January 1, 2014. Specifies students may refuse to pay the fee for religious, political, financial or moral reasons. Specifies that the community college district may retain a portion of the fees collected and deposited, that is equal to the actual cost of administering the fees up to, but not more than 7 percent (EC § 76060.5).

## ANALYSIS

This bill modifies the manner in which a student representation is adopted. Specifically, it:

- 1) Eliminates the authorization for the governing body of the local student association at a community college to order an election for the purposes of establishing a student representation fee of \$2 per semester and removes the requirement that an affirmative vote of a majority of the student electorate be sufficient to establish the fee, as specified.
- 2) Deletes provisions that authorize the termination or revision of the representation fee by a majority vote of the students voting in an election, as specified.
- 3) Requires the officials at a community college, if a student body association has been established at the college, to collect a student representation fee of \$2 at the time of registration.
- 4) Modifies provisions that designate \$1 of every \$2 to operation costs for the statewide community college student organization for fees adopted after 2014 and instead makes the designation applicable to student representation fees regardless of date of adoption.
- 5) Adds, *supporting student participation and engagement in statewide higher education policy and advocacy activities*, to current law requirements relative the underlying goals included for a statewide community college student organization.
- 6) Makes other various technical and conforming changes.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “the Student Representation Fee by statute is to be the primary source of income for the Student Senate for California Community Colleges (SSCCC). However, only 11 of 114 campuses have implemented the fee. The current method of implementation requires each one of the 114 community colleges to hold an election to collect the \$2 fee. This election must have at least the average of the number of participants that voted in the previous three elections for the results to count.

As each of the 114 community college campuses have their own burdensome elections procedures and requirements to get items placed on the ballot, it is extremely difficult to get the \$2 fee implemented. The current fee implementation method unfortunately leaves the SSCCC unable to function effectively as an organization. The SSCCC works with less than \$0.03 per student, compared to the California State University and University of California which operate with \$3.12 and \$3.38 respectively.”

- 2) ***Is this the appropriate solution?*** Current law allows a \$2 representation fee to be levied on CCC students that is subject to an affirmative majority vote of community colleges’ students. In addition, current law permits a portion of the fee revenue to be used to support a statewide community college student organization. This bill seeks to streamline collection of the fee from the general student body at each CCC to support representatives of local or statewide student organizations’ advocacy activities and operations. However, in so doing it

eliminates the student electorate's ability to adopt the fee by a majority vote. Greater statewide student advocacy and uniform representation continues to be a reasonable goal however; the committee may wish to consider whether elimination of the local decision making process is the appropriate solution.

The Student Senate for California Community colleges (SSCCC), the recognized statewide student organization for the CCC system, contend that without staff the current requirements are overly burdensome with over 114 community colleges having varying elections procedures and requirements for items to be placed on a campus ballot the task is unmanageable. Unlike the SSSCCC, both organizations representing the University of California (UC) students and California State University (CSU) students respectively, UC Student Association (UCSA) and California State Student Association (CSSA), employ professional staff. UCSA is funded in part by membership dues assessed on each campus and similar to the community college student association, CSSA draws its revenue from the student involvement and representation fee implemented in 2015.

- 3) ***Can a student opt-out from paying the fee?*** Current law provides each student with an option to "refuse to pay," or opt out. It provides that a student may refuse to pay for religious, political, financial or moral reasons refuse to pay and that refusal be submitted in writing. This process appears burdensome particularly when the ability to cast a vote to affirm the fee is no longer an option. Staff recommends that the bill be amended to simplify opt-out procedures for students as follows:

*76060.5 (f) A student may, for religious, political, financial, or moral reasons, refuse to pay the student representation fee established under this section. ~~The refusal shall be submitted in writing to the community college officials at the time the student pays other fees collected by the community college officials.~~ A student shall be provided a means to refuse to pay. The refusal shall be submitted on the same form that is used for collection of fees as provided by the community college, which, as determined by the community college, shall be as nearly as practical in the same form as a model form prescribed by regulations of the Board of Governors of the California Community Colleges.*

## SUPPORT

California Community Colleges Chancellor's Office  
 California State Student Association  
 Faculty Association of California Community Colleges  
 Public Advocates Inc.  
 Student Senate for California Community Colleges (Sponsors)  
 The Education Trust - West  
 The Institute for College Access & Success  
 University Of California Student Association

## OPPOSITION

None received

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