
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

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Bill No: AB 3255 **Hearing Date:** June 13, 2018
Author: Committee on Higher Education
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Urgency: No **Fiscal:** Yes
Consultant: Lynn Lorber

Subject: Postsecondary education: omnibus bill.

SUMMARY

This bill makes numerous technical, conforming, and non-controversial changes related to postsecondary education.

BACKGROUND

Existing law:

- 1) Requires the Commission on Teacher Credentialing (CTC) to maintain for public record and authorizes the CTC to disclose, only the following information relating to the credentials, certificates, permits, or other documents that it issues: the document number, title, term of validity, subjects, authorizations, effective dates, renewal requirements, and restrictions. Specifies that the CTC, in order to expedite the application process for the benefit of applicants for credentials, certificates, permits, or other documents issued by the CTC, the CTC may receive from, or transmit to, the agency that submitted the application, either electronically or by printed copy, the information set forth in that application. (Education Code § 44230)
- 2) Requires, among other provisions, institutions of higher education to designate a Homeless and Foster Youth Student Liaison and provides that homeless youth are eligible for specific financial aid, enrollment priority, and other services. Specifies that students' status as homeless must be verified by one of the following: (1) a homeless services provider; (2) the director of a federal TRIO or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a designee of that director; or (3) a financial aid administrator for an institution of higher education. (EC § 66025.9)
- 3) Specifies that a student who is a member of the Armed Forces of the United States stationed in this state on active duty, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. Additionally, existing law specifies that if that member of the Armed Forces of the United States who is in attendance at an institution is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, the member shall not lose resident classification so long as the member remains continuously enrolled at that institution. (EC § 68075)

- 4) Establishes student residency requirements for postsecondary education; and authorizes a community college district to accept the determination of another community college district as to a student's residency classification, if specified conditions are satisfied. (EC § 68000, et seq. and § 68101)
- 5) Exempts specified California nonresidents from paying nonresident tuition at the University of California (UC), California State University (CSU), and California Community College (CCC), also known as the AB 540 nonresident tuition waiver, if they meet all of the following:
 - a) Attended or attained credits at a California high school, an adult school, a CCC campus, or a combination of these entities, for the equivalent of three or more years; or completed three or more years of full-time high school coursework, and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of such elementary and secondary schools.
 - b) Graduated from a California high school or attained an equivalent degree; attained a CCC associate degree; or fulfilled the minimum transfer requirements from a CCC campus to a UC or CSU campus.
 - c) Registered or attended an accredited California higher education institution beginning after fall of the 2001-02 academic year.
 - d) If a person without lawful immigration status has filed an affidavit stating that the student has filed an application to legalize his or her immigration status or will file such an application as soon as he or she is eligible to so do. (EC § 68130.5)
- 6) Defines "access costs" to mean living expenses and expenses for transportation, supplies, and books; and specifies that Cal Grant C awards may be used for institutional fees, charges, and other costs, including tuition, plus training-related costs, such as special clothing, local transportation, required tools, equipment, supplies, books, and living expenses (EC § 69432.7 and § 69439)
- 7) Requires the California Student Aid Commission (CSAC) to establish a 12-member project grant advisory committee relating to California Student Opportunity and Access Program (Cal-SOAP), to advise project directors and CSAC on the development and operation of the projects, and consisting of the following:
 - a) Three representatives of outreach programs, representing the UC, the CSU, and the CCC, appointed by their respective governing boards.
 - b) One representative of private colleges and universities, appointed by the Association of California Independent Colleges and Universities.
 - c) One representative of the California Postsecondary Education Commission, appointed by the commission.

- d) Two secondary school staff, appointed by the Superintendent of Public Instruction.
 - e) Two persons representing the general public, one appointed by the Speaker of the Assembly and the other by the Senate Rules Committee.
 - f) Two postsecondary students, both appointed annually by the California Postsecondary Education Commission.
 - g) One college campus financial aid officer, appointed by the commission. (EC § 69562)
- 8) Requires the nonresident tuition fee to be set by the governing board of each community college district not later than February 1 of each year for the succeeding fiscal year and requires each governing board to provide students with notice of nonresident tuition fee changes during the spring term before the fall term in which the change will take effect. (EC § 76140)
- 9) Requires the Chancellor of the California Community Colleges (CCC) to prepare and submit to the Department of Finance and the Legislature, on or before July 1 of each year, a report that details, at a minimum, both of the following:
- a) The amount of full-time equivalent students claimed by each community college district for career development and college preparation courses and classes.
 - b) The specific certificate programs and course titles of career development and college preparation courses and classes receiving additional funding pursuant to this section, as well as the number of those courses and classes receiving additional funding. (EC § 84760.5).

ANALYSIS

This bill makes numerous technical, conforming, and non-controversial changes related to postsecondary education. Specifically, this bill:

- 1) Authorizes the California Commission on Teacher Credentialing (CTC) to provide the California State University (CSU) and the California Department of Education the data it collects regarding credentialed teachers. See Comment # 2.
- 2) Designates a homeless and foster student liaison at a campus of the University of California, the CSU, or a CCC district, to be an authorized individual to verify a student's status as homeless.
- 3) Aligns the definition of "Armed Forces of the United States" with the definition throughout the Education Code.

- 4) Authorizes the California Community College (CCC) Chancellor's Office to establish a process for community college districts to use when determining residency classification. See Comment # 2.
- 5) Clarifies that for specified students to be eligible for in-state tuition, they must have three or more years of full-time high school coursework in California, and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of California elementary and secondary schools. See Comment # 2.
- 6) Adds the term "technology" to the definition of "access costs" when referring to specified Cal Grant Access Award dollars.
- 7) Changes the composition of the California Student Opportunity and Access Program (Cal-SOAP) Advisory Committee, as established by the California Student Aid Commission. See Comment # 2.
- 8) Changes the date that the governing board of each community college district shall adopt its nonresident tuition fee (each board will have to adopt its nonresident tuition fee not later than March 1 of each year for the succeeding fiscal year, instead of currently February 1 of each year for the succeeding fiscal year).
- 9) Changes the due date of the Career Development and College Preparation report by the CCC Chancellor to the Department of Finance and the Legislature, from July 1 of each year to November 1 of each year.

STAFF COMMENTS

- 1) ***Omnibus bill.*** This bill is the higher education omnibus bill, which seeks to provide various and necessary changes to the Education Code.
- 2) ***Rationale for inclusion in the omnibus bill.*** This omnibus measure makes several changes to the Education Code, below is the rationale for why some of these changes are included:
 - a) ***Evaluation of Teacher Preparation Programs.*** The California State University (CSU) Center for Teacher Quality is charged with data collection, evaluation, and reporting on CSU teacher preparation programs. The purpose of this evaluation is to enable CSU academic administrators and campus faculties to monitor the effectiveness of, and make needed improvements in, the preparation of K-12 teachers for California's public schools. The evaluation provides information on employment outcomes for recent graduates of professional preparation programs on CSU campuses and evidence about the extent to which graduates are prepared effectively for their most important teaching responsibilities.

Currently, much of the data in this report comes from surveys of program graduates. The reliability and usefulness of the evaluation hinges on the

number of new teachers and job supervisors who provide survey responses and feedback on the quality and effectiveness of our programs. The California State University's (CSU) current approach for identifying a new teacher's school assignment involves requesting this information from the human resources department of every school district in California, supplemented with email requests to each CSU credential program graduate and manual searches of school district websites. In addition to strengthening the reliability of alumni surveys and employer surveys, comprehensive information currently held by the Commission on Teacher Credentialing (CTC) about the employment outcomes for credential program graduates would provide extremely useful information for informing teacher education recruitment efforts and strengthening partnerships between university-based preparation programs and the schools and school districts they serve.

Authorizing CTC to share its data, in a way that is compliant with the Family Educational Rights and Privacy Act), will allow CSU and the California Department of Education to have more data and provide better reports.

- b) *Verifying Homeless Students.* Among other provisions, AB 801 (Bloom, Chapter 432, Statutes of 2016) requires institutions of higher education to designate a Homeless and Foster Youth Student Liaison and provides that homeless youth are eligible for specific financial aid, enrollment priority, and other services. Under the provisions of the bill, a student's status as homeless must be verified by one of the following: (1) a homeless services provider; (2) the director of a federal TRIO or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a designee of that director; or (3) a financial aid administrator for an institution of higher education.

Some of the entities currently authorized to verify the status of a homeless student are overburdened with other duties; in some cases, homeless students are not being verified in a timely manner, causing them to not be fully aware of programs specific to helping them succeed and persist in their higher education. Designating a homeless and foster student liaison to be authorized to verify a student's status as homeless, will assist in ensuring students are notified of specified resources available to them in a more timely manner.

- c) *Residency Determination Across Districts.* Existing law establishes student residency requirements for postsecondary education (for purposes of determining eligibility for paying resident fees). Pursuant to these provisions, each public postsecondary education institution is required to classify each student as a resident or nonresident. For community college students, the requirement that each college determine residency for a student before admitting them to the college is problematic. Numerous reports have highlighted the phenomena of "student swirl" – community college students taking courses at more than one college.

The Chancellor's Office of the California Community Colleges (CCC) has received questions and complaints from students who have encountered inconsistencies and delays in establishing residency as necessary to enroll in a course, even after they have been determined a resident at their home college. Authorizing the Chancellor's Office to establish a process for community college districts to use when determining residency classification will simplify the process for community college districts and students.

- d) *Cleanup to SB 68 (Lara, Chapter 496, Statutes of 2017).* SB 68 was amended near the end of the legislative process to accommodate concerns raised by the Administration. In the haste of drafting those amendments, there was a drafting error that was not able to be corrected in time. Reference to the completion of high school level coursework "in California" was omitted from the narrow circumstances under which students can qualify for in-state tuition; currently, the section could be read to allow students who fall in this specific category to complete their high school coursework outside of California. This was never the intent of the author.
- e) *California Student Opportunity and Access Program (Cal-SOAP) Advisory Committee.* Cal-SOAP is instrumental in improving the flow of information about postsecondary education and financial aid while raising the achievement levels of low-income, elementary and secondary school students or geographic regions with documented low-eligibility or college participation rates, and who are first in their families to attend college.

Existing law requires the California Postsecondary Education Commission (CPEC) to appoint some members to the Cal-Soap Advisory Committee. The state eliminated CPEC several years ago, and therefore the Cal-Soap Advisory Committee has not had a full committee of 12 members. This bill adds a second member who is to be a college campus financial aid officer. Changing the composition of the Cal-SOAP Advisory Committee will allow the Cal-SOAP Advisory Committee to have a full Committee of 12 members.

- 3) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would impose minor and absorbable costs to affected departments. The state would need to reimburse these costs to the CCCs, if the Commission on State Mandates determines the bill's requirements to be a reimbursable state mandate.

SUPPORT

California State University

OPPOSITION

None received