

AMENDED IN ASSEMBLY JUNE 12, 2018

SENATE BILL

No. 843

Introduced by Committee on Budget and Fiscal Review

January 10, 2018

~~An act relating to the Budget Act of 2018.~~ *An act to amend Sections 8152, 8154, 19104.5, 52523, 66021.1, 66027.8, 68075.6, 69432, 69433.6, 69435.3, 70023, 70900, 70901, 72506, 76004, 76300, 76350, 78401, 79149.3, 79149.5, 82542, 84040.5, 84750.5, 84751, 84810.5, 84900, 84901, 84906, 84913, 84916, 99151, 99152, 99153, 99154, and 99162 of, to amend the heading of Article 9 (commencing with Section 84900) of Chapter 5 of Part 50 of Division 7 of Title 3 of, to amend and repeal Sections 84750.6, 84750.7, and 88912.5 of, to add Sections 66749.6, 66749.7, 78222, 79148.1, 79149.7, 84750.4, and 84750.41 to, to add Article 10 (commencing with Section 54800) to Chapter 9 of Part 29 of Division 4 of Title 2 of, to add Part 46.5 (commencing with Section 75000), Part 52.7 (commencing with Section 88670), and Part 54.82 (commencing with Section 88930) to Division 7 of Title 3 of, to add Article 2.5 (commencing with Section 92010) to Chapter 1 of Part 57 of Division 9 of Title 3 of, to add and repeal Section 89290.5 of, to repeal Sections 88910, 88912, and 88913 of, and to repeal and add Section 79149.1 of, the Education Code, to add Sections 22874.7 and 22958.4 to, and to add Article 7 (commencing with Section 65059.1) to Chapter 1.5 of Division 1 of Title 7 of, the Government Code, to amend Section 33492.78 of the Health and Safety Code, to amend Section 95 of the Revenue and Taxation Code, to add Section 18928 to the Welfare and Institutions Code, and to amend the Budget Act of 2017 by amending Item 6870-101-0001 of Section 2.00 of that act, relating to education, and making an appropriation therefor, to take effect immediately, bill related to the budget.*

LEGISLATIVE COUNSEL'S DIGEST

SB 843, as amended, Committee on Budget and Fiscal Review. ~~Budget Act of 2018. Higher education trailer bill.~~

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the 3 segments of public postsecondary education in this state.

Existing law authorizes the board of governors, to the extent that funds are available, to establish certain internship training programs and to actively support apprenticeship training programs in collaboration with the Division of Apprenticeship Standards of the Department of Industrial Relations. Existing law requires the Chancellor of the California Community Colleges to allocate funds for approved apprenticeship programs in good standing and, upon appropriation by the Legislature, to allocate funds solely for the purposes of reimbursing community colleges.

This bill would authorize, if reimbursement is not claimed pursuant to the above provision relating to apprenticeship program reimbursement, the attendance of apprentices enrolled in any class offered for community college credit by a community college in collaboration with an apprenticeship program sponsor to be reimbursed, as prescribed, as part of a specified budget formula developed by the board of governors. The bill would require, for each community college receiving reimbursement for apprenticeship hours pursuant to this provision, the affected community college district to report to the chancellor specified information for each apportionment period. To the extent that this provision would impose additional duties on community college districts, the bill would impose a state-mandated local program.

The bill would require the chancellor to report specified information relating to apprenticeship program reimbursements to the California Apprenticeship Council and to consult with the council in annually reviewing reimbursement funding. The bill would require the chancellor and the Division of Apprenticeship Standards of the Department of Industrial Relations, in consultation with the council and the Superintendent of Public Instruction, to develop standard reporting protocols applicable to participating community colleges and local educational agencies contracting with apprenticeship program sponsors that include metrics to measure program efficiency and success.

(2) Existing law provides, until January 1, 2019, that the board of trustees, common council, or other legislative body of a city or the board of trustees of a library district in which a withdrawal from the county free library system becomes effective on or after January 1, 2012, shall comply with specified requirements before entering into a contract to operate the city's or library district's library or libraries with a private contractor that will employ library staff to achieve cost savings, subject to specified exceptions.

This bill would delete the repeal date for these provisions, thereby extending operation of these provisions indefinitely.

(3) Existing law establishes a system of public elementary and secondary schools in this state and authorizes local educational agencies throughout the state to operate schools and provide instruction to pupils in kindergarten and grades 1 to 12, inclusive. Existing law establishes in the State Department of Education a division known as the California State Library.

This bill would create the California Student Author Project as a grant program for the benefit of public school age children from extremely low-income communities. The bill would require the California State Library to provide grant awards to nonprofit organizations, public libraries, and local educational entities, as specified. The bill would require a grant recipient, during the 2019–20 and 2020–21 school years, to establish a literacy program for public school age children who are eligible for free and reduced cost lunch. The bill would require a grant recipient to establish a student author program to provide the participants an opportunity to write, edit, and promote a short story or other forms of literature, and would require a grant recipient to provide regular, sequential student author workshops that parallel or complement school calendars with specified components. The bill would require grant recipients to collect and provide information to the California State Library and require the California State Library, not later than January 1, 2022, to report to the Legislature on the outcomes of the California Student Author Program.

(4) Existing law establishes the California State University, under the administration of the Board of Trustees of the California State University, and the University of California, under the administration of the Regents of the University of California, as 2 of the segments of public postsecondary education in this state. Existing law requires the California State University, and requests the University of California,

to annually report to the Legislature on their respective institutional financial aid programs and to provide preliminary reports on or before January 10 of each year and the final reports on or before March 31 of each year. Existing law requires the preliminary reports to include, among other things, the average and 90th percentile parental income level, expected family contribution, and the financial need of undergraduate need-based student institutional gift aid recipients for the prior 2 academic years.

This bill would delete those preliminary reports and would instead require that the reports due on or before March 31 of each year include the data and information required in those preliminary reports, except for the average and 90th percentile parental income level, expected family contribution, and financial need data, which the bill would delete. The bill would require the reports to include additional information, as specified.

(5) Existing law establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and independent institutions of higher education as the 4 segments of postsecondary education in this state. Existing provisions of the Donahoe Higher Education Act set forth the missions and functions of these 4 postsecondary educational segments. The Student Transfer Achievement Reform Act encourages community colleges to facilitate the acceptance of credits earned at other community colleges toward the associate degree for transfer. The act also requires the California State University to guarantee admission with junior status to a community college student who meets the requirements for the associate degree for transfer, and provides that admission to the California State University under these provisions does not guarantee admission for specific majors or campuses. Existing law recognizes that the University of California has been working with the California Community Colleges to seek improvements to the transfer process and states the intent of the Legislature that the University of California consider various viable pathways to transfer, including the development of an associate degree for transfer granted by community college districts, as part of this endeavor.

This bill would add provisions to the Student Transfer Achievement Reform Act that apply to a private nonprofit postsecondary education

institution that chooses to accept students with an associate degree for transfer. The bill would require the Chancellor's Office of the California Community Colleges and the private nonprofit postsecondary educational institutions that choose to commit to accept a student with an associate degree for transfer, in consultation with specified parties, to develop a student-centered communication and marketing strategy in order to increase the visibility of the associate degree for transfer pathway for all students in California. To the extent that this provision would create new duties for community college districts, it would constitute a state-mandated local program.

(6) Existing law establishes the maximum tuition award amount for each Cal Grant A and B award for new recipient students attending private nonprofit postsecondary educational institutions at \$9,084 for the 2015–16, 2016–17, and 2017–18 award years and \$8,056 for the 2018–19 award year and each award year thereafter.

This bill would retain the maximum tuition award amount for each Cal Grant A and B award for new recipient students attending private nonprofit postsecondary educational institutions at \$9,084 for the 2018–19 award year. Beginning with the 2019–20 award year, the maximum tuition award would either be \$9,084 or \$8,056, depending upon whether the number of new unduplicated transfer students accepted by private nonprofit postsecondary educational institutions who have been given associate degree for transfer commitments, as defined, in the prior award year meet or exceed specified targets.

(7) Existing law states the intent of the Legislature that private nonprofit and for-profit postsecondary educational institutions with students receiving Cal Grant awards make good faith efforts to (1) increase the number of low-income resident students enrolled, (2) make the process for transferring from the California Community Colleges easier for resident students, and (3) expand high-quality online education for resident students, as specified.

This bill would instead state the intent of the Legislature that a private nonprofit postsecondary educational institution make a good faith effort to make the process for transferring from the California Community Colleges easier for resident students and a decision determining the maximum award amounts made pursuant to the program for students attending a private nonprofit postsecondary educational institution will be made with consideration of the effort of the institution to make that process easier.

(8) Existing law establishes the California State University, the California Community Colleges, and the University of California as the 3 segments of public postsecondary education in this state. Existing law exempts students who have been granted special immigrant visas pursuant to a specified federal statute, or are refugees admitted to the United States under a specified federal statute, and who, upon entering the United States, settled in California, from paying nonresident tuition at the California Community Colleges. Existing law authorizes a community college district to report a student, who is exempt from nonresident tuition under this provision and who is enrolled as a student of that district, as a full-time equivalent student for apportionment purposes.

This bill would exempt students granted special immigrant visas pursuant to an additional federal statute from paying nonresident tuition at the California Community Colleges. To the extent that this bill would place additional requirements on community college districts to exempt those students from nonresident tuition, the bill would impose a state-mandated local program.

(9) Existing law establishes the maximum tuition award amounts for each Cal Grant A and B award for new recipients attending private for-profit postsecondary educational institutions beginning with the 2013–14 award year at \$4,000.

Beginning with the 2018–19 award year, the bill would establish a maximum tuition award of \$9,084 for attending private for-profit postsecondary educational institutions accredited by the Western Association of Schools and Colleges, unless otherwise specified in the Budget Act of 2018.

(10) Existing law provides that any California resident is entitled to a Cal Grant B Entitlement award, and requires the commission to allocate that award, if certain criteria are met, including that the student submit a complete financial aid application, submitted or postmarked no later than March 2 of the academic year of high school graduation or its equivalent for the award year immediately following the academic year of high school graduation or its equivalent, or no later than March 2 of the academic year following high school graduation or its equivalent for the 2nd award year following the year of high school graduation or its equivalent.

This bill would provide alternative deadlines for submitting a complete financial aid application for a student who is a current or former foster youth, who is attending a qualifying institution that offers baccalaureate

degrees or is attending a California community college, and has not yet reached 26 years of age as of July 1 of the initial award year.

Existing law authorizes the renewal of Cal Grant B awards for a total of the equivalent of 4 years of full-time attendance in an undergraduate program, provided that minimum financial need, as defined, continues to exist, subject to certain exceptions.

This bill would authorize the renewal of Cal Grant B awards, for a current or former foster youth, for a total of the equivalent of 8 years of full-time attendance in an undergraduate program, provided that minimum financial need continues to exist.

(11) Under existing law, the Middle Class Scholarship Program provides that an undergraduate student enrolled at the University of California or the California State University, or enrolled in upper division coursework in a community college baccalaureate program, and meeting certain requirements, is eligible for a scholarship award that, combined with other federal, state, and institutionally administered grants and fee waivers, totals up to 40% of the systemwide tuition and fees.

Existing law transfers \$74,000,000 from the General Fund to the Middle Class Scholarship Fund for the 2016–17 fiscal year, \$96,000,000 from the General Fund to the Middle Class Scholarship Fund for the 2017–18 fiscal year, \$117,000,000 from the General Fund to the Middle Class Scholarship Fund for the 2018–19 fiscal year and each fiscal year thereafter, and appropriates those sums to the Student Aid Commission for purposes of the scholarship program.

The bill would decrease the existing appropriation for the 2016–17 fiscal year from \$74,000,000 to \$71,244,000, would increase the existing appropriation for the 2017–18 fiscal year from \$96,000,000 to \$99,797,000, would decrease the existing appropriation for the 2018–19 fiscal year from \$117,000,000 to \$101,380,000, and would maintain the existing appropriation for the 2019–20 fiscal year and each fiscal year thereafter at \$117,000,000.

(12) Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires the partnership agreement to outline the terms of the partnership, as

specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses. These provisions are repealed on January 1, 2022.

This bill would authorize the governing body of a charter school to enter into a CCAP partnership agreement with the governing board of a community college district pursuant to these provisions.

Existing law authorizes a community college district to limit enrollment in a community college course solely to eligible high school pupils if the course is offered at a high school campus, as provided.

This bill would authorize a community college district to limit enrollment in a community college course solely to eligible high school pupils if the course is offered at a high school campus, either in person or using an online platform, as provided.

Existing law requires each CCAP partnership affected community college district and school district to annually report specified information to the office of the Chancellor of the California Community Colleges.

This bill would require this report to include the total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

Existing law provides that attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to a CCAP is authorized attendance for which the community college shall be credited or reimbursed, as provided. Existing law requires a charter school to offer, at minimum, a specified number of minutes to pupils in kindergarten and grades 1 to 12, inclusive.

This bill would provide that, for purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80% of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the schoolsite, and the charter school shall require the attendance of a pupil for a minimum of 50% of the minimum instructional time required to be offered, as specified, if the pupil is also a special part-time student enrolled in a community college pursuant to the partnership agreement and the pupil will receive academic credit upon satisfactory completion of enrolled courses.

(13) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary

education in this state. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges. Existing law establishes community college districts, administered by governing boards, throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts.

Upon appropriation by the Legislature for its purposes, this bill would establish a grant program, under the administration of the Chancellor of the California Community Colleges, to create new and innovative apprenticeship opportunities in priority and emerging industry sectors or areas in which apprenticeship training is not fully established or does not exist.

(14) Existing law requires, except where provided, the governing board of a community college district to grant without charge the use of any college facility or grounds under its control, when an alternative location is not available, to nonprofit organizations and clubs and associations organized for general character building or welfare purposes. Existing law requires, for entertainment or a meeting where an admission fee is charged or a contribution is solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the district or for charitable purposes, a charge of equal to fair rental value for the use of the college facilities, property, and grounds, as determined by the governing board of the district.

This bill would instead require that, for entertainment or a meeting where an admission fee is charged or a contribution is solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the district or for charitable purposes, a charge of not less than fair rental value is to be levied for the use of the college facilities, property, and grounds as determined by the governing board of the district.

(15) Existing law requires that the accounting system used to record the financial affairs of a community college district be in accord with the definitions, instructions, and procedures published in the California Community Colleges Budget and Accounting Manual as approved and furnished by the Board of Governors of the California Community Colleges. Existing law requires the governing board of each community college district to provide for an annual audit of all funds, books, and accounts of the district in accordance with regulations of the board of governors. Existing law requires the board of governors, in cooperation

with, and upon approval by, the Department of Finance, to prescribe the statements and other information to be included in the audit reports filed with the state and to develop audit procedures relative to specified formal actions taken by community college districts with respect to encouraging the retirement of academic employees and the granting of service credits.

This bill would strike the requirement that the Department of Finance cooperate and provide approval when the board of governors prescribes the statements and other information to be included in audit reports and develops audit procedures.

(16) Existing law requires that adult schools and evening high schools consist of classes for adults. Existing law authorizes minors to be admitted into those classes pursuant to policies adopted by the governing board of the school district if those minors meet certain eligibility requirements.

Existing law creates the Adult Education Block Grant Program under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. Under this program, the chancellor and Superintendent, with the advice of the executive director of the State Board of Education, are required to divide the state into adult education regions and approve one adult education consortium in each adult education region. Existing law also requires, as a condition of receipt of an apportionment of funds from this program for a fiscal year, that members of a consortium approve an adult education plan, as specified.

This bill instead would require, commencing with the 2019–20 fiscal year, as a condition of receipt of an apportionment of funds from the program for a fiscal year, that members of a consortium approve a consortium-approved 3-year adult education plan that addresses a 3-year fiscal planning cycle. The bill would require the plan to be updated at least once each year, as specified. The bill also would also provide, for the 2018–19 fiscal year, as a condition of receipt of an apportionment of funds from the program, the members of a consortium to have a consortium-approved adult education plan that meets specified requirements.

(17) Existing law establishes the Adult Education Block Grant Program under the administration of the Chancellor of the California Community Colleges and the Superintendent of Public Instruction. Under this program, the chancellor and Superintendent, with the advice of the executive director of the State Board of Education, are required

to divide the state into adult education regions and approve one adult education consortium in each adult education region. Existing law requires funds apportioned for the program to be used only for the support of specified programs, including, among others, programs in elementary and secondary basic skills and programs for adults that are primarily related to the entry or reentry into the workforce.

This bill would additionally include the indirect costs of the program's consortium members, as specified, among the purposes that funds apportioned for the program may be used.

(18) Existing law establishes a system of public elementary and secondary education in this state. Under this system, local educational agencies throughout the state provide instruction to pupils in kindergarten and grades 1 to 12, inclusive. Existing law also establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law authorizes the California Community Colleges to grant associate degrees.

This bill would establish a grant program as a public-private partnership between school districts, community college districts, and private businesses for purposes of preparing California students for high-skill jobs of the future in the STEM field. The bill would specify the core benefits of the program for participating students in grades 9 to 14, including an opportunity to earn an associate of science degree in a high-tech field or an associate degree for transfer in a STEM field.

This bill would appropriate \$10,000,000 from the General Fund to the chancellor's office for this program.

(19) Existing law establishes the California State University, under the administration of the Board of Trustees of the California State University, as one of the 3 segments of public postsecondary education in California. Existing law requires the trustees to appoint a chief executive officer, known as the Chancellor of the California State University.

This bill would require the Office of the Chancellor of the California State University to require each California State University campus to prepare an annual report on student admissions and impact policies, as specified. The bill would require the chancellor's office to compile each of these reports and submit a systemwide report to the Legislature and the Department of Finance on or before May 1, 2020, and each

May 1 annually thereafter. The bill would make its provisions inoperative on July 1, 2023.

(20) Existing law establishes the University of California as one of the segments of public postsecondary education in this state. The California Constitution provides that the University of California constitutes a public trust administered by the regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes.

This bill would request the University of California, by April 1 of each year, to report to the Legislature on the systemwide and presidential initiatives of the university, including a description of each initiative and a justification for the initiative that explains how it furthers the mission of the university, and the total expenditures and revenue sources for each initiative.

(21) Existing law requires a test sponsor or test agency, as defined, to provide data and information, with respect to the administration of standardized tests for purposes of postsecondary education, to the California Postsecondary Education Commission.

This bill would instead require the test sponsor or test agency to provide that data and information to the appropriate state agency or make that data or information available on the test sponsor or test agency's Internet Web site.

(22) Existing law requires, as a condition of receiving federal funds provided under the Carl D. Perkins Vocational and Applied Technology Education Act of 1998, or a successor of that act, and to the extent permitted under federal law, that school districts, regional occupational centers or programs, and community college districts comply with specified requirements relating to the development of course sequences.

This bill would authorize the Office of the Chancellor of the California Community Colleges to distribute funds provided by the federal Carl D. Perkins Vocational Education Act, the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, and any acts amending or succeeding those acts, to community college districts using the principal apportionment payment schedule.

(23) The Public Employees' Medical and Hospital Care Act authorizes an employee or annuitant, as those terms are defined, of the state to enroll in a health benefit plan approved or maintained by the Board of Administration of the Public Employees' Retirement System. The act generally requires the state and each employee or annuitant to

contribute a portion of the cost of providing the benefit coverage afforded under the approved health benefit plan in which the employee or annuitant is enrolled. The act prohibits specified employees from receiving an employer contribution for these benefits for annuitants unless the person is credited with 10 or more years, or 15 or more years, of state service, depending on date of first hire.

The State Employees' Dental Care Act authorizes the state, through the Department of Human Resources, the Trustees of the California State University, or the Regents of the University of California, to contract with carriers for dental care plans for employees, annuitants, and eligible family members, as provided. The act generally authorizes a person who was enrolled in a dental care plan at the time he or she became an annuitant under state or federal provisions to continue his or her enrollment. The act prohibits specified employees from receiving an employer contribution for these benefits for annuitants unless the person is credited with 10 or more years, or 15 or more years, of state service, depending on date of first hire.

This bill, with respect to both the Public Employees' Medical and Hospital Care Act and the State Employees' Dental Care Act, would additionally prohibit an employee of the California State University who is first employed by the California State University and becomes a member of the California Public Employees' Retirement System on or after July 1, 2018, and who is represented by California State University Bargaining Unit 1, 2, 4, 5, 6, 7, 9, or 10, from receiving any portion of the employer contribution for these benefits for annuitants unless the employee has 10 years of credited state service at the time of retirement. The bill would limit its application to employees of the California State University who retire for service. The operation of these provisions would be contingent upon their adoption by regulation of the trustees or, if required, in a memorandum of understanding reached pursuant to specified law.

(24) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. The board appoints a chief executive officer known as the Chancellor of the California Community Colleges. Under existing law, community college districts are authorized, among other things, to maintain and operate campuses, employ faculty and other employees, and provide instruction to students.

Existing law establishes the Community College Completion Grant Program, which, commencing with the 2017–18 academic year, requires participating community colleges to award grants to their students who meet specified requirements. Existing law requires the chancellor to report to the Legislature, on or before April 1, 2019, regarding grant award recipients for the 2017–18 award year, as specified.

This bill would repeal the existing Community College Completion Grant Program and instead, commencing with the 2018–19 academic year, would establish a new grant program, which would require participating community colleges to award grants to their students who meet specified requirements, contingent on funding being made available. The bill would require the chancellor to report to the Legislature, on or before April 1, 2020, regarding grant award recipients for the 2018–19 award year, as specified. The bill would make other conforming changes.

(25) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law, known as the Seymour-Campbell Student Success Act of 2012, establishes and provides for the funding of the Student Success and Support Program. Existing law requires, as a condition for receiving Student Success and Support Program funding, that the governing board of each community college district maintain a student equity plan, as specified.

Existing law requires the student equity plan to include, for each community college in the community college district, campus-based research as to the extent of student equity by gender and for each of several specified categories of students. Existing law also requires the student equity plan to include whether significant underrepresentation of any of these categories of students is found to exist in terms of access to, and completion of, basic skills, career technical education and workforce training, and transfer courses. Existing law requires a community college district to update the plan every 3 academic years.

This bill would establish the Student Equity and Achievement Program and would state the intent of the Legislature that funds for the program support the California Community Colleges in implementing activities and practices pursuant to the California Community College Guided Pathways Grant Program and activities and practices that advance the systemwide goal to eliminate achievement gaps for students from traditionally underrepresented groups. The bill would require a district,

as a condition of the receipt of funds under the Student Equity and Achievement Program, to comply with specified requirements, including maintain a student equity plan to ensure equal educational opportunities and promote student success for all students, regardless of race, gender, age, disability, or economic circumstances.

(26) This bill would establish the California Online Community College, under the administration of the board of governors, for purposes of creating an organized system of accessible, flexible, and high-quality online content. The bill would specify the guiding principles of the California Online Community College, and would specify the arrangements and procedures for governance of the online college, including the appointment, by the board of governors, of a chief executive officer of the college. The bill would authorize the college to establish an affordable fee structure, as specified. The bill would identify various milestones that the college is expected to meet by specified dates. The bill would enact other related provisions.

(27) Existing law prohibits adult education programs, courses, and classes from being used to supplant the regular high school curriculum for high school pupils enrolled in adult education programs, courses, and classes.

This bill would require an adult school to assign an enrolled student a statewide student identifier consistent with the identifiers assigned to pupils in K–12 education programs, if the student is not already identified, as specified, and to share the assigned identifier with the California Community Colleges for inclusion in the student data system.

Existing law authorizes the governing board of any community college to establish and maintain classes for adults for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical, and general education.

This bill would, commencing with the 2019–20 fiscal year, require the chancellor’s office and the State Department of Education to coordinate so that an adult enrolled in the specified classes is assigned a student identifier consistent with the identifiers assigned to pupils in K–12 education programs, if the student is not already identified, as specified, and for the chancellor’s office to include these students in the Adult Education Program data system.

Existing law establishes the Adult Education Block Grant Program under the administration of the chancellor and the Superintendent of Public Instruction.

This bill would change the name of the program to the Adult Education Program. This bill would also require an entity receiving funds for specified programs or from specified allocations, commencing with the 2019–20 fiscal year, to be a member of a consortium program, as specified, and would require a consortium to use fiscal year 2018–19 as a planning year to engage with members and participants located within the boundaries of the adult education region that receive funding from designated sources, and to include those entities in planning activities related to the consortium’s 3-year plan, as specified.

To the extent that the bill would impose additional duties on community college districts, it would constitute a state-mandated local program.

(28) Proposition 30, known as the Schools and Local Public Safety Protection Act of 2012, was approved by the voters at the November 6, 2012, statewide general election and, among other things, increases personal income tax and sales and use tax rates and provides revenue for public elementary and secondary schools and community colleges. Proposition 55, was approved by the voters at the November 8, 2016, statewide general election, and, among other things, extends the increases to personal income tax rates and continues to provide revenue for elementary and secondary schools and community colleges through the 2030–31 fiscal year.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law requires the board of governors to develop criteria and standards, in accordance with specified statewide minimum requirements, for the purposes of making the annual budget request for the California Community Colleges to the Governor and the Legislature, and allocating state general apportionment revenues. Those statewide minimum requirements include, among other things, a requirement that the calculations of each community college district’s revenue level for each fiscal year be based on specified criteria, with revenue adjustments being made for increases or decreases in full-time equivalent students and for other specified purposes.

This bill would revise and recast those provisions providing for allocating state general apportionment revenues, except for allocating

revenues provided pursuant to Proposition 55 and computing allocations for noncredit instruction and career development and college preparation full-time equivalent students (FTES), to community college districts by, among other things, (1) setting new rates for the base allocations, (2) providing supplemental allocations based on the number of students served that receive Board of Governor fee waivers, are exempt from nonresident tuition pursuant to specified provisions, or receive financial aid under the Federal Pell Grant program, (3) providing student success allocations, as prescribed, and (4) establishing hold harmless provisions to ensure a minimum level of funding to community college districts, as provided, including provisions to allocate different apportionments to the San Francisco Community College District and the Compton Community College District through the 2023–24 fiscal year. The bill would require the governing board of each community college district to certify it will, no later than January 1, 2019, (A) adopt goals for the community college district that meet specified requirements, (B) include in the written agenda, for the meeting when the goals are considered for adoption, an explanation of how the goals are consistent and aligned with the systemwide goals, and (C) submit the written item and summary of action to the Office of the Chancellor of the California Community Colleges. The bill would require each community college district to align its comprehensive plan with the adopted local goals and align its budget with the comprehensive plan. By imposing additional duties on community college districts, the bill would impose a state-mandated local program. The bill would require the chancellor’s office, on or before October 15, 2019, and each year thereafter, to report to the Legislature on the course sections and FTES added at each community college that received apportionment growth funding in the prior fiscal year, including the number of course sections and if any course sections and FTES were added that are within the primary missions of the segment, as defined, and those that are not within the primary missions of the segment. The bill would require the chancellor’s office, on or before July 1, 2022, to report to the Legislature and the Department of Finance a description on how community college districts are making progress on advancing the goals outlined in the system’s strategic vision plan. The bill would establish the Community Colleges Student Success Funding Formula Oversight Committee for the purpose of continuously evaluating and reviewing the implementation of the student success funding formula described above. The bill would provide that the committee is composed of fifteen

unspecified members, and would express the intent of the Legislature to further define the membership, duties, and the responsibilities of the oversight committee before the end of the 2018–19 Regular Session.

For the 2018–19 fiscal year, this bill would appropriate \$35,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community colleges districts in support of apportionments to community college districts pursuant to the provisions described above. The bill would provide that funds appropriated by the bill for these purposes would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution for the 2017–18 fiscal year.

This bill also would make nonsubstantive and conforming changes.

(29) Existing law requires the trustees and the governing board of participating community college districts, and encourages the regents, to designate as a “hunger free campus” each of its respective campuses that meet specified criteria. Upon appropriation by the Legislature, existing law, commencing with the 2018–19 academic year, provides that each campus that receives the designation shall receive a funding incentive. The bill would repeal these provisions on January 1, 2022.

This bill would require each campus that receives the “hunger free campus” designation and the funding incentive to submit a report to the Office of the President of the University of California, the Office of the Chancellor of the California Community Colleges, or the Office of the Chancellor of the California State University, as applicable, and would require these offices to compile each of their respective campus-based reports, prepare a systemwide report, and submit the report to the budget committees of the Legislature no later than February 15, 2019. The bill would require the State Department of Social Services to consult with specified stakeholders with the goals of improving coordination between the segments of public postsecondary education and CalFresh administering agencies and improving access to CalFresh for low-income public postsecondary students.

(30) Existing law establishes the Office of Planning and Research in the Governor’s Office that constitutes the comprehensive state planning agency and serves the Governor and his or her Cabinet as staff for long-range planning or research.

This bill would establish the California Education Learning Laboratory, to be administered by the Office of Planning and Research, to increase learning outcomes and to close equity and achievement

gaps, using technologies involving learning science and adaptive learning, as defined, in online or hybrid college-level lower division courses in science, technology, engineering, and mathematics (STEM) and other disciplines. The bill would authorize the office to receive nonstate funds for purposes of the learning lab. The bill would require the office to issue calls for, evaluate, and annually award funds to, competitive grant proposals from intersegmental faculty teams that apply principles of learning science and adaptive learning technologies in online or hybrid course series in STEM and other disciplines, as specified.

The bill would require the office to recruit an expert selection committee to score proposals and to recommend proposals to the office. The bill would authorize the office, beginning January 1, 2020, to also award funds for professional development to faculty interested in adopting a successful course or course series developed or redesigned through the learning lab, and to curate a “best of” learning science library of online and hybrid courses and course series. The bill would require the office to annually submit a report to the Legislature that provides a summary of awarded funds and to submit evaluations of completed proposal projects to the Legislature.

(31) This bill would appropriate \$13,500,000 from the General Fund to the Board of Governors of the California Community Colleges to support technology advancements and innovations in financial aid processing and management systems at the community colleges in order to streamline financial aid verification and to enable the community colleges to more efficiently process state and federal financial aid grants. The bill would provide that funds appropriated by the bill for these purposes would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(32) This bill would appropriate \$10,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts. The bill would provide that at least \$9,750,000 of this appropriation be used to provide a funding incentive to each community college district that is designated as a “hunger free campus” pursuant to existing law and up to \$250,000 of the appropriation be used for a systemwide study related to student hunger, housing, and basic needs issues. The bill would provide that funds appropriated by the bill for these purposes would be applied toward the minimum funding requirements for school districts and

community college districts imposed by Section 8 of Article XVI of the California Constitution.

(33) Existing law requires the governing board of a community college district to establish rules for the examination of students within the district to ensure proper care of the students, as specified.

This bill would appropriate \$10,000,000 from the General Fund to the Board of Governors of the California Community Colleges to support mental health services and training. The bill would authorize the board of governors to allocate grants to community colleges to support various activities relating to mental health and would also authorize the board of governors to allocate funds to a community college district to provide training to community colleges throughout the state on specified matters relating to mental health. The bill would provide that funds appropriated pursuant to those provisions would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(34) Existing law appropriates \$5 million from the General Fund to the Board of Governors of the California Community Colleges to support a one-time Veterans Resource Center grant program for the purpose of establishing or enhancing on-campus veterans resource centers that provide support services for students who are current or former members of the Armed Forces of the United States who are enrolled, or are attempting to enroll, at a community college. Existing law requires the Chancellor's Office of the California Community Colleges to administer the one-time grant program and distribute grants to applicant California community colleges that satisfy certain requirements. Existing law provides that these appropriated funds would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

This bill would appropriate \$6,244,000 from the General Fund to the board of governors to support the Veterans Resource Center grant program. The bill also would provide that funds appropriated by the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(35) A specified item of the Budget Act of 2017 appropriated \$4,143,737,000 from the General Fund to the Board of Governors of the California Community Colleges for local assistance.

This bill would decrease that appropriation to the Board of Governors of the California Community Colleges to \$4,019,619,000.

(36) This bill would appropriate \$5,000,000 from the General Fund to the Board of Governors of the California Community Colleges to provide support for a one-time reentry grant program for the 2018–19 fiscal year. Under the bill, the board of governors would allocate grants, on a competitive basis, to community colleges to provide support for currently and formerly incarcerated students. The bill would specify the activities and services that could be supported by the reentry grants. The bill would require the Chancellor’s Office of the California Community Colleges to report to the Legislature and the Department of Finance on the use of these funds on or before July 31, 2022. The funds allocated to community college districts pursuant to the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(37) This bill would appropriate \$6,000,000 from the General Fund to the Board of Governors of the California Community Colleges for the 2018–19 fiscal year for allocation to the Academic Senate for the California Community Colleges to support the development of, and the expansion of the use of, open educational resources for the California Community Colleges. The bill would require the Academic Senate for the California Community Colleges to submit a report to the Legislature and the Department of Finance on or before February 1, 2022, including specified data related to the progress of supporting and expanding the use of open educational resources pursuant to the bill. The bill would specify that the funds allocated to community college districts pursuant to this bill for the above specified purposes would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(38) This bill would appropriate \$10,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to a community college district to contract with the State Department of Social Services in order to contract with specified organizations to provide immigrant legal services and support to persons on California community college campuses, as specified. The bill would provide that these funds shall be available for encumbrance until June 30, 2020, and liquidation until June 30, 2024, and that use of these funds shall be included in updates provided to the Legislature

on the State Department of Social Service's immigration programs. Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(39) This bill would appropriate \$15,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to the community college district operating the Online Education Initiative for the Online Education Initiative to provide competitive grants to community college districts to develop online programs and courses that either lead to short-term, industry-valued certificates, credentials, or programs or enable a student in a pathway developed by the California Online Community College to continue his or her education in a career pathway offered by an existing community college. The bill would require the Online Education Initiative to submit a report, containing specified information relating to these grants, to the Legislature on or before April 1, 2020. The funds allocated to community college districts pursuant to the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(40) This bill would appropriate, for the 2018–19 fiscal year, and in accordance with a prescribed schedule, the sum of \$36,455,000 from the General Fund to the Board of Governors of the California Community Colleges to reimburse local educational agencies for unfunded related and supplemental instruction hours with respect to designated apprenticeship programs for the 2013–14 fiscal year to the 2017–18 fiscal year, inclusive. The funds allocated to local educational agencies pursuant to the bill would be applied, as specified, toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(41) This bill would appropriate \$30,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts in support of the Community College Part-Time Faculty Office Hours Program. Funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(42) This bill would appropriate \$5,000,000 from the General Fund to the Board of Governors of the California Community Colleges for

allocation to a community college district or districts participating in a Strong Workforce Program regional consortium to provide one-time grants in support of refugee career pathways. The bill would provide that the chancellor's office would allocate grants to community college districts that partner with eligible organizations, as defined, and that provide career readiness training to eligible participants, as defined, pursuant to specified federal statutes, to include persons with special immigrant visas and persons who are refugees admitted to the United States.

The funds allocated to community college districts pursuant to the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(43) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(44) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

~~*This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2018.*~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 8152 of the Education Code is amended*
- 2 *to read:*
- 3 8152. (a) The reimbursement rate ~~for related and supplemental~~
- 4 *instruction reimbursed pursuant to this article* shall be established
- 5 in the annual Budget Act and the rate shall be commonly applied
- 6 to all providers of instruction specified in subdivision (d).
- 7 (b) For purposes of this section, each hour of teaching time may
- 8 include up to 10 minutes of passing time and breaks.

1 (c) This section also applies to isolated apprentices, as defined
2 in Section 3074 of the Labor Code, for which alternative methods
3 of instruction are provided.

4 (d) The Chancellor of the California Community Colleges shall
5 make the reimbursements specified in this section for teaching
6 time provided by local educational agencies.

7 (e) The hours for related and supplemental instruction derived
8 from funds appropriated pursuant to subdivision (b) of Section
9 8150 shall be allocated by the Chancellor of *the* California
10 Community Colleges directly to participating local educational
11 agencies that contract with apprenticeship programs pursuant to
12 subdivision (f).

13 (f) Reimbursements may be made under this section for related
14 and supplemental instruction provided to indentured apprentices
15 only if the instruction is provided by a program approved by the
16 Division of Apprenticeship Standards of the Department of
17 Industrial Relations in accordance with Chapter 4 (commencing
18 with Section 3070) of Division 3 of the Labor Code.

19 (g) The initial allocation of hours made pursuant to subdivision
20 (e) for related and supplemental instruction at the beginning of a
21 fiscal year, when multiplied by the hourly reimbursement rate,
22 shall equal 100 percent of the total appropriation for
23 apprenticeships. The Chancellor of the California Community
24 Colleges shall notify participating local educational agencies of
25 the initial allocation within 30 days of the enactment of the annual
26 Budget Act.

27 (h) *(1)* If funds remain from the appropriation pursuant to
28 subdivision (b) of Section 8150, the Chancellor of the California
29 Community Colleges shall reimburse local educational agencies
30 for unfunded related and supplemental instruction hours from any
31 of the three previous fiscal years, in the following order:

32 ~~(1)~~

33 (A) Reported related and supplemental instruction hours, as
34 described in subdivision (b) of Section 8154, that were paid at a
35 rate less than the hourly rate specified in the Budget Act.

36 ~~(2)~~

37 (B) Reported related and supplemental instruction hours that
38 were not reimbursed.

1 (2) *The Chancellor of the California Community Colleges shall*
2 *notify the California Apprenticeship Council of any reimbursements*
3 *made pursuant to paragraph (1).*

4 (i) The Chancellor of the California Community Colleges shall
5 report to the California Apprenticeship Council within 30 days of
6 each apportionment period the following information for each
7 participating local educational agency:

8 (1) The number of related and supplemental instruction hours
9 allocated to the local educational agency.

10 (2) The number of related and supplemental instruction hours
11 reported by the local educational agency.

12 (3) At the final or recalculation apportionment, the hourly rate
13 paid for related and supplemental instruction hours reported above
14 the local educational agency's initial allocation of hours for related
15 and supplemental instruction.

16 *SEC. 2. Section 8154 of the Education Code is amended to*
17 *read:*

18 8154. (a) The Chancellor of the California Community
19 Colleges, in consultation with the Division of Apprenticeship
20 Standards of the Department of Industrial ~~Relations~~ *Relations*, the
21 *California Apprenticeship Council*, and the Superintendent, shall
22 annually review the amount of state funding necessary to provide
23 the reimbursements specified in Section 8152, and shall include
24 an estimate of required funds in its budget for each fiscal year.

25 (b) If the amounts appropriated in any fiscal year are insufficient
26 to provide full reimbursement, the hourly rate specified pursuant
27 to Section 8152 shall be reduced on a pro rata basis only for
28 reported hours that are in excess of the number of hours allocated
29 at the beginning of the fiscal year so that the entire appropriation
30 is allocated.

31 (c) If the amount appropriated is in excess of the amounts needed
32 for full reimbursement pursuant to subdivision (h) of Section 8152,
33 any excess shall be allocated to local educational agencies to be
34 used for the purpose of the state general apportionment.

35 *SEC. 3. Section 19104.5 of the Education Code is amended to*
36 *read:*

37 19104.5. (a) The board of trustees, common council, or other
38 legislative body of a city or the board of trustees of a library district
39 in which a withdrawal from the county free library system becomes
40 effective on or after January 1, 2012, shall comply with all of the

1 following requirements before entering into a contract to operate
2 the city's or the district's library or libraries with a private
3 contractor that will employ library staff to achieve cost savings:

4 (1) At least once a week for four consecutive weeks before
5 taking any action, the board of trustees, common council, or other
6 legislative body of the city or the board of trustees of the library
7 district shall publish, in a newspaper designated by it and circulated
8 throughout the city or library district, notice of the contemplated
9 action, giving the date and place of the meeting at which the
10 contemplated action is proposed to be taken.

11 (2) The board of trustees, common council, or other legislative
12 body of a city or the board of trustees of a library district shall
13 clearly demonstrate that the contract will result in actual overall
14 cost savings to the city or library district for the duration of the
15 entire contract as compared with the city's or library district's
16 actual costs of providing the same services, provided that, in
17 comparing costs, all of the following occur:

18 (A) The city's or library district's additional cost of providing
19 the same services as proposed by the contract shall be included.
20 These additional costs shall include the salaries and benefits of
21 additional staff that would be needed and the cost of additional
22 space, equipment, and materials needed to perform the necessary
23 functions of the library.

24 (B) The city's or library district's indirect overhead costs shall
25 not be included unless those costs can be attributed solely to the
26 function in question and would not exist if that function was not
27 performed by the city or library district. For purposes of this
28 subparagraph, "indirect overhead costs" means the pro rata share
29 of existing administrative salaries and benefits, rent, equipment
30 costs, utilities, and materials.

31 (C) The cost of a contractor providing a service for any
32 continuing city or library district costs that would be directly
33 associated with the contracted function shall be included.
34 Continuing city or library district costs shall include, but not be
35 limited to, costs for inspection, supervision, and monitoring.

36 (3) The contract shall not be approved solely on the basis that
37 savings will result from lower contractor pay rates or benefits.
38 Contracts shall be eligible for approval if the contractor's wages
39 are at the industry's level and do not undercut city or library district
40 pay rates.

1 (4) The contract shall not cause an existing city or library district
2 employee to incur a loss of his or her employment or employment
3 seniority, a reduction in wages, benefits, or hours, or an involuntary
4 transfer to a new location requiring a change in residence.

5 (5) The contract shall be awarded through a publicized,
6 competitive bidding process.

7 (6) The contract shall include specific provisions pertaining to
8 the qualifications of the staff that will perform the work under the
9 contract, as well as assurances that the contractor's hiring practices
10 meet applicable nondiscrimination standards.

11 (7) The contract shall provide that it may be terminated at any
12 time by the city or library district without penalty if there is a
13 material breach of the contract and notice is provided within 30
14 days of termination.

15 (8) If the contract is for library services in excess of one hundred
16 thousand dollars (\$100,000) annually, all of the following shall
17 occur:

18 (A) The city or library district shall require the contractor to
19 disclose all of the following information as part of its bid,
20 application, or answer to a request for proposal:

21 (i) A description of all charges, claims, or complaints filed
22 against the contractor with any federal, state, or local administrative
23 agency during the prior 10 years.

24 (ii) A description of all civil complaints filed against the
25 contractor in any state or federal court during the prior 10 years.

26 (iii) A description of all state or federal criminal complaints or
27 indictments filed against the contractor, or any of its officers,
28 directors, or managers, at any time.

29 (iv) A description of any debarments of the contractor by any
30 public agency or licensing body at any time.

31 (B) The city or library district shall include in the contract
32 specific, measurable performance standards and provisions for a
33 performance audit by the city or library district, or an independent
34 auditor approved by the city or library district, to determine
35 whether the performance standards are being met and whether the
36 contractor is in compliance with applicable laws and regulations.
37 The city or library district shall not renew or extend the contract
38 before receiving and considering the audit report.

39 (C) The contract shall include provisions for an audit by the
40 city or library district, or an independent auditor approved by the

1 city or library district, to determine whether and to what extent the
2 anticipated cost savings have actually been realized. The city or
3 library district shall not renew or extend the contract before
4 receiving and considering the audit report.

5 (9) The term of the contract shall not be more than five years
6 from the date on which the board of trustees, common council, or
7 other legislative body of a city or the board of trustees of a library
8 district approves the contract.

9 (b) This section does not preclude a city, library district, or local
10 government from adopting more restrictive rules regarding the
11 contracting of public services.

12 (c) This section shall not apply to contracts between a city or
13 library district and a nonprofit organization if both of the following
14 requirements are met:

15 (1) The nonprofit organization shall not be a parent or subsidiary
16 of a for-profit entity.

17 (2) The contract shall prohibit the nonprofit organization from
18 subcontracting the obligation to operate the library or libraries and
19 to employ and supervise library staff.

20 (d) This section shall not apply to a library or libraries that are
21 funded only by the proceeds of a special tax imposed by the city
22 or library district pursuant to Article 3.5 (commencing with Section
23 50075) of Chapter 1 of Part 1 of Division 1 of Title 5 of the
24 Government Code.

25 ~~(e) This section shall remain in effect only until January 1, 2019,~~
26 ~~and as of that date is repealed, unless a later enacted statute, that~~
27 ~~is enacted before January 1, 2019, deletes or extends that date.~~

28 *SEC. 4. Section 52523 of the Education Code is amended to*
29 *read:*

30 52523. Adult education programs, courses, and classes shall
31 not be used to supplant the regular high school curriculum for high
32 school pupils enrolled in adult education. Adult education shall
33 supplement and enrich the high school pupil's educational
34 experiences. Therefore, adult education, at a minimum, shall meet
35 the following criteria:

36 (a) All programs, courses, and classes conducted as adult
37 education shall be open to adults and listed in the district's catalog
38 of adult education classes provided to the public and shall be under
39 the supervision and jurisdiction of the adult education administrator
40 as determined by the school district governing board. Adults shall

1 have priority over other students for admission to any adult
2 education class if those adults enroll not later than the regular
3 enrollment period for those classes. The enrollment period shall
4 be published in the course catalog. No course required by the
5 school district for high school graduation or necessary for pupils
6 to maintain satisfactory academic progress shall be offered
7 exclusively through the adult education program. An adult for
8 purposes of this section is a person 18 years of age or older or
9 other person who is not concurrently enrolled in a regular high
10 school program.

11 (b) Each adult education teacher, whether part time or full time,
12 under contract status or in an hourly position, shall be part of the
13 adult school faculty and shall be under the direct supervision of
14 the authorized adult education administrator.

15 (c) Enrollment of high school pupils shall be voluntary on the
16 part of the pupil taking the class. Prior to enrollment by a high
17 school pupil in an adult education program, class, or course, the
18 pupil shall have documentation of the counseling session held
19 pursuant to subdivision (b) of Section 52500.1.

20 (d) Enrollment of a high school pupil in an adult education
21 program, course, or class shall be for sound educational purposes,
22 including, but not limited to, the following:

23 (1) The adult education program, course, or class is not offered
24 in the regular high school curriculum.

25 (2) The adult education program, course, or class is needed by
26 the pupil to make up deficient credits for graduation from high
27 school.

28 (3) The adult education program, course, or class allows the
29 pupil to gain vocational and technical skills beyond that provided
30 by the regular high school's vocational and technical education
31 program.

32 (4) The adult education program, course, or class, supplements
33 and enriches the high school pupil's educational experience.

34 (e) A high school pupil shall not be enrolled for apportionment
35 purposes in an adult education program, course, or class that would
36 be considered any of the following:

37 (1) Physical education.

38 (2) Driver's training and education.

39 (3) Visual and performing arts.

40 (4) Band.

1 (5) Preparation of a school yearbook or school newspaper.

2 (6) Training for, or participation in, athletic camps, cheerleading
3 or spirit organizations, student government, or extracurricular
4 student clubs.

5 The Superintendent of Public Instruction shall issue a program
6 advisory that further defines the purposes set forth in subdivision
7 (d) and the courses set forth in subdivision (e). The superintendent
8 is authorized to issue, at any time, rules and regulations instead of
9 the program advisory.

10 (f) *Students enrolled in adult education programs, courses, and*
11 *classes shall be assigned a statewide student identifier consistent*
12 *with the identifiers assigned to pupils in K–12 education programs,*
13 *if the student is not already identified by a social security number*
14 *in the data system of the adult school or other local educational*
15 *agency providing the adult education programs, courses, or*
16 *classes. Adult schools shall share the assigned identifiers with the*
17 *California Community Colleges for inclusion in the student data*
18 *system.*

19 SEC. 5. Article 10 (commencing with Section 54800) is added
20 to Chapter 9 of Part 29 of Division 4 of Title 2 of the Education
21 Code, to read:

22
23 Article 10. California Student Author Program
24

25 54800. The Legislature finds and declares all of the following:

26 (a) *The trend of low-income youth struggling to become*
27 *proficient in reading and writing is a narrative that is passed down*
28 *from era to era.*

29 (b) *According to The Literacy Project, there are currently 45*
30 *million Americans who are functionally illiterate and unable to*
31 *read above a 5th grade level. In California, 25 percent of the*
32 *state's 6 million pupils are unable to perform basic reading skills.*

33 (c) *According to the organization DoSomething.org, nearly 85*
34 *percent of the juveniles who face trial in the juvenile court system*
35 *are functionally illiterate, proving that there is a close relationship*
36 *between illiteracy and crime.*

37 (d) *Over half of California pupils failed to meet English*
38 *standards based on Spring 2017 standardized test results, a*
39 *performance that remained essentially flat compared to the*
40 *previous year.*

1 (e) About 49 percent of pupils statewide met or exceeded English
2 standards on the California Assessment of Student Performance
3 and Progress in 2017, which is administered to public school
4 pupils at certain grade levels each year. The same proportion of
5 California pupils met English standards in 2016.

6 (f) For decades, generational illiteracy has hindered the careers,
7 futures, and hopes of many pupils and their families.

8 54801. There is hereby established the California Student
9 Author Program to accomplish all of the following for public
10 school age children from extremely low-income communities:

11 (a) Improve English language skills.

12 (b) Improve academic performance.

13 (c) Build healthy relationships with the community.

14 (d) Equip participants with critical life skills.

15 (e) Promote positive life choices.

16 (f) Increase literacy, reading, and writing among program
17 participants.

18 54802. (a) Any organization that is a grant recipient pursuant
19 to Section 54804 shall implement the literacy program described
20 in this section in the 2019–20 and 2020–21 school years.

21 (b) A grant recipient shall provide the literacy program
22 described in this section to public school-age children who are
23 eligible for free and reduced cost lunch.

24 (c) A grant recipient shall establish a student author program
25 to provide the participants an opportunity to write, edit, and
26 promote a short story or other forms of literature. A grant recipient
27 should provide regular, sequential student author workshops that
28 parallel or complement school calendars, such as quarterly,
29 semester, or summer and vacation-intensive programs that include,
30 but are not limited to, the following components:

31 (1) Writing and editing, including instruction in the skills
32 necessary for creative writing.

33 (2) Publishing an anthology.

34 (3) Marketing, media, and community relations, including
35 instruction in book brand development and entrepreneurship.

36 (4) Individual and group presentations.

37 (5) Community-based book signing events.

38 (d) Grant recipients are expected to implement programming
39 that does all of the following:

40 (1) Fosters critical thinking in student authors.

1 (2) *Teaches students to practice effective problem solving.*

2 (3) *Instructs students on creating an outline for their writing*
3 *project.*

4 (4) *Teaches students to develop promotional and advertising*
5 *tools.*

6 (5) *Provides students with an understanding of how to create*
7 *a literary character and an engaging plot.*

8 (e) *A grant recipient shall collect and provide to the California*
9 *State Library, on a reporting schedule set by the California State*
10 *Library, any information sought by the library, including achieving*
11 *the outcomes listed in Section 54801 and the reporting data*
12 *described in Section 54803.*

13 54803. (a) *Not later than January 1, 2022, the California State*
14 *Library shall report to the Legislature on the outcomes of the*
15 *California Student Author Program. The report shall include, but*
16 *is not limited to, all of the following information:*

17 (1) *The extent to which the project accomplished the outcomes*
18 *described in Section 54801.*

19 (2) *Demographic data about program participants,*
20 *disaggregated by race, gender, foster youth, and English learners.*

21 (b) (1) *The requirement for submitting a report imposed under*
22 *subdivision (a) is inoperative on January 1, 2026, pursuant to*
23 *Section 10231.5 of the Government Code.*

24 (2) *The report prepared pursuant to subdivision (a) shall be*
25 *submitted in compliance with Section 9795 of the Government*
26 *Code.*

27 54804. (a) (1) *The California State Library shall provide*
28 *grant awards for purposes of this article to nonprofit organizations,*
29 *public libraries, and local educational entities that have*
30 *demonstrated experience in providing similar literacy programs*
31 *to children in extremely low-income communities.*

32 (2) *The California State Library shall select grant recipients*
33 *for the California Student Author Program with the participation*
34 *goal of at least 1,000 public school-age students, cumulatively,*
35 *over the course of the 2019–20 and 2020–21 school years.*

36 (b) *A grant recipient shall use the funds awarded pursuant to*
37 *this article only for the purposes described in this article.*

38 (c) *The California State Library may use up to 3 percent of the*
39 *funds appropriated for the purposes of this article for*
40 *administrative costs.*

1 *SEC. 6. Section 66021.1 of the Education Code is amended to*
2 *read:*

3 66021.1. (a) For purposes of this ~~section “student” includes~~
4 ~~undergraduate, graduate, and professional degree students. section,~~
5 *the following terms shall have the following meanings:*

6 (1) *“Institutional financial aid” means all institutional grant*
7 *aid, including institutional student need-based and merit-based*
8 *aid.*

9 (2) *“Students” means California residents who are*
10 *undergraduate students at the University of California or the*
11 *California State University.*

12 (b) The California State University shall, and the University of
13 California is requested to, report annually to the Legislature on
14 their respective institutional financial aid programs. The California
15 State University shall, and the University of California is requested,
16 to provide ~~preliminary reports on or before January 10 of each~~
17 ~~year, and final reports on or before March 31 of each year.~~

18 (c) The ~~preliminary~~ reports shall include all of the following:

19 (1) A description of the goals, terms, and policies of each of the
20 university’s institutional aid programs, including eligibility criteria,
21 allocation of financial aid awards, fee waivers, and other relevant
22 information.

23 (2) A description and explanation of any changes the university
24 has made to any of these policies since the prior year, and any
25 changes the university intends to make for the next academic year.

26 (3) The total amount the university expended on institutional
27 aid for ~~students, disaggregated by student level, students,~~ for the
28 two prior academic years, the current year, and a projection for
29 the next year, and the average and 90th percentile undergraduate
30 institutional aid award amount provided per recipient for the prior
31 two academic years and the current academic year.

32 ~~(4) The average and 90th percentile parental income level,~~
33 ~~expected family contribution, and the financial need of~~
34 ~~undergraduate need-based student institutional gift aid recipients~~
35 ~~for the prior two academic years.~~

36 (4) *By parental income level or expected family contribution*
37 *deciles, both of the following information for the prior academic*
38 *year:*

39 (A) *Net price, which shall be the balance of the total cost of*
40 *attendance minus all grant aid.*

1 (B) *The percentage of students receiving institutional aid and*
2 *the average dollar amount of that institutional aid.*

3 (5) For the prior *academic* year, the current *academic* year, and
4 the budget year, an analysis identifying the estimated number of
5 undergraduates with financial need; their aggregate cost of
6 attendance and aggregate expected federal parent contribution; the
7 aggregate amount of financial aid, including federal gift aid, state
8 gift aid, institutional need-based aid, institutional merit-based aid,
9 other institutional gift aid, and private gift aid, received by these
10 students; the aggregate remaining amount to be met by work,
11 borrowing, or other means; and an explanation of the estimated
12 change in aggregate student need in the budget year resulting from
13 changes in the cost of attendance, and other factors, including any
14 fee increases proposed by the university in its fall budget proposal.
15 The explanation shall include an estimate of the extent to which
16 cost increases will be offset by federal, state, and institutional
17 financial aid programs. *The explanation shall also include an*
18 *explanation of how year-to-year non-tuition cost increases were*
19 *calculated.*

20 (6) The typical financial aid package for a typical dependent
21 undergraduate student with a parent income of twenty thousand
22 dollars (\$20,000), forty thousand dollars (\$40,000), sixty thousand
23 dollars (\$60,000), eighty thousand dollars (\$80,000), and one
24 hundred thousand dollars (\$100,000).

25 ~~(d) The final report shall include all of the following for the~~
26 ~~prior academic year:~~

27 ~~(1)~~

28 (7) An aggregate summary of financial aid awarded to students,
29 including scholarships, grants, waivers, loans, and work-study
30 awards from federal, state, institutional, and private ~~sources~~.
31 *sources for the prior academic year.*

32 ~~(2)~~

33 (8) Indicators of the effectiveness of the university's aid
34 programs in achieving the university's stated goals related to
35 financial aid.

36 ~~(e)~~

37 (9) *Information on students who submit a Free Application for*
38 *Federal Student Aid, or Dream Act Application, but do not receive*
39 *a Cal Grant or institutional financial aid for the prior academic*

1 year. This information shall be disaggregated by race, ethnicity,
2 expected family contribution deciles, and dependency status.

3 (10) The California State University shall include information
4 on the number of students who are eligible for a grant pursuant
5 to the State University Grant Program but do not receive it or
6 receive a partial award for the prior academic year. This
7 information shall be disaggregated by race, ethnicity, and campus
8 of attendance.

9 (11) The University of California is requested to include
10 information on the average undergraduate student financial
11 self-help level. This information shall be disaggregated by race,
12 ethnicity, and campus of attendance.

13 (d) To the extent the university provides the information
14 requested in subdivision (c) ~~or (d)~~ in reports to its governing board
15 or in other university publications, those reports or publications
16 may be submitted to the Legislature to satisfy this request.

17 SEC. 7. Section 66027.8 of the Education Code is amended to
18 read:

19 66027.8. (a) For the purposes of this section, “program” means
20 a student meal plan donation program.

21 (b) The Trustees of the California State University shall, and
22 the Regents of the University of California are encouraged to,
23 designate as a “hunger free campus” each of its respective
24 campuses that have all of the following:

25 (1) A campus employee designated to help ensure that students
26 have the information that they need to enroll in CalFresh.

27 (2) An on-campus food pantry or regular food distributions on
28 campus. The campus may partner with a local food bank or food
29 pantry to meet the requirement established by this paragraph if the
30 food distributions occur on campus.

31 (3) A meal sharing program that allows students to voluntarily
32 donate their unused meal plan credits to be distributed for use by
33 students in need to access dining halls or to support an on-campus
34 food pantry. Each campus shall establish the parameters of their
35 meal sharing program and make them publicly available to students
36 and interested parties. The program information made publicly
37 available shall include, but not be limited to, all of the following:

38 (A) How a student may donate his or her unused meal plan
39 credits.

1 (B) How a low-income student can apply to receive donated
2 meal plan credits.

3 (C) The methodology for determining how unused meal plan
4 credits that are not used by a student in need or how food purchased
5 using these unused meal plan credits will be donated to support
6 the on-campus food pantry, which shall be established by campus
7 officials in consultation with pantry staff and volunteers, including
8 student volunteers.

9 (D) The campus employee designated pursuant to paragraph
10 (4).

11 (4) A campus employee designated annually as a
12 point-of-contact to work with student volunteers for the program
13 described in paragraph (3) to assist students.

14 (c) The governing board of each community college district that
15 chooses to participate shall designate as a “hunger free campus”
16 each of its campuses that have both of the following:

17 (1) A campus employee designated to help ensure that students
18 have the information that they need to enroll in CalFresh.

19 (2) An on-campus food pantry or regular food distributions on
20 campus. The campus may partner with a local food bank or food
21 pantry to meet the requirement established by this paragraph if the
22 food distributions occur on campus.

23 (d) (1) Each campus that receives a “hunger free campus”
24 designation pursuant to subdivision (b) or (c) shall receive a
25 funding incentive upon appropriation by the Legislature.

26 (2) *Each campus that receives a funding incentive pursuant to*
27 *paragraph (1) shall submit a report to the Office of the President*
28 *of the University of California, the Office of the Chancellor of the*
29 *California Community Colleges, or the Office of the Chancellor*
30 *of the California State University, as applicable. These offices*
31 *shall compile each of their respective campus-based reports,*
32 *prepare a systemwide report, and submit the report to the budget*
33 *committees of the Legislature no later than February 15, 2019.*
34 *Each campus-based and systemwide report shall include, but not*
35 *necessarily be limited to, all of the following information:*

36 (A) *The hours of operation for any on-campus food pantry and*
37 *the unduplicated count of the number of people served.*

38 (B) *The names of the local community-based pantry or pantries,*
39 *food bank or banks, or soup kitchen or kitchens that partner with*
40 *the campus food pantry or deliver an on-campus food distribution.*

1 (C) *The unduplicated number of students, faculty, and staff who*
2 *donated a campus meal through an on-campus meal sharing*
3 *program.*

4 (D) *The unduplicated number of students who received a*
5 *donated meal through an on campus meal sharing program.*

6 (E) *The name of on-campus restaurants or qualifying food*
7 *vendors that have been approved to participate in the CalFresh*
8 *Restaurant Meals Program (RMP).*

9 (F) *A list of on-campus point of sale (POS) locations that accept*
10 *electronic benefit transfer (EBT) payments.*

11 (G) *The estimated unduplicated count of the number of students*
12 *assisted with a CalFresh application.*

13 (H) *The number of staff serving the campus with informed*
14 *CalFresh referral and information or other anti-hunger services.*

15 (I) *Whether the campus has designated a “basic needs center,”*
16 *and, if so, information about the accessibility and the hours of*
17 *operations of the center. For the purposes of this paragraph, a*
18 *“basic needs center,” means a central location on campus where*
19 *basic needs resources, services, and staff are made available to*
20 *students.*

21 (J) *A description of how the campus is serving the specific needs*
22 *of students who are foster youth or former foster youth.*

23 (e) *This section shall remain in effect only until January 1,*
24 *2022, and as of that date is repealed, unless a later enacted statute*
25 *that is enacted before January 1, 2022, deletes or extends that date.*

26 SEC. 8. *Section 66749.6 is added to the Education Code, to*
27 *read:*

28 66749.6. (a) (1) *A private nonprofit postsecondary educational*
29 *institution that chooses to accept an associate degree for transfer*
30 *does not guarantee admission to a particular campus or program.*

31 (2) *A private nonprofit postsecondary educational institution*
32 *that chooses to accept an associate degree for transfer, shall*
33 *guarantee admission with junior status to a community college*
34 *student who meets all of the requirements of Section 66746, with*
35 *admission to a program or major and concentration, as applicable,*
36 *that meets either of the following:*

37 (A) *Is similar to the student’s community college transfer model*
38 *curriculum-aligned associate degree for transfer, as determined*
39 *by the private nonprofit postsecondary educational institution to*
40 *which the student is admitted.*

1 (B) May be completed with not more than 68 additional semester
2 units for majors at institutions requiring 128 semester units or not
3 more than 102 quarter units at institutions requiring 192 quarter
4 units for a degree. A private nonprofit postsecondary educational
5 institution admitting a community college student with an associate
6 degree for transfer may require the student to take additional
7 courses at the institution as long as the student is not required to
8 take any more than the additional semester units or quarter units
9 specified in this subparagraph. High unit majors and additional
10 campus-specific courses or requirements that an institution
11 requires for graduation by all undergraduate students, and that
12 would not otherwise be considered an educational requirement at
13 a public institution, shall be exempt from this subparagraph.

14 (b) Community college transfer units shall not be applicable to
15 upper division requirements at a private nonprofit postsecondary
16 educational institution, unless agreed upon by the local academic
17 senates of the private nonprofit postsecondary educational
18 institutions and the California Community Colleges, and the
19 transferred units do not exceed the required 68 semester units or
20 102 quarter units, pursuant to subparagraph (B) of paragraph (2)
21 of subdivision (a).

22 (c) A private nonprofit postsecondary educational institution
23 shall not require students transferring pursuant to this article to
24 repeat courses that are similar to those taken at the community
25 college that counted toward the associate degree for transfer.

26 (d) Discussions concerning the associate degree for transfer
27 program, including the development of new majors, shall include
28 participation by the association representing the largest number
29 of private nonprofit postsecondary educational institutions.

30 SEC. 9. Section 66749.7 is added to the Education Code, to
31 read:

32 66749.7. The Chancellor's Office of the California Community
33 Colleges and those private nonprofit postsecondary educational
34 institutions that choose to commit to accept a student with an
35 associate degree for transfer, in consultation with students, faculty,
36 student service administrators, the State Department of Education,
37 the California Education Round Table, and other key stakeholders,
38 shall develop a student-centered communication and marketing
39 strategy in order to increase the visibility of the associate degree

1 *for transfer pathway for all students in California that may include,*
2 *but is not necessarily limited to, all of the following:*

3 *(a) Outreach to high schools relative to the associate degree*
4 *for transfer pathway that build upon existing high school outreach*
5 *programs and activities performed by the California State*
6 *University and the University of California.*

7 *(b) Pathway information that may be prominently displayed in*
8 *all community college counseling offices and transfer centers.*

9 *(c) Pathway information that may be provided to all first-year*
10 *community college students developing an education plan to aid*
11 *them in making informed educational choices.*

12 *(d) Targeted outreach on the pathway that may be provided to*
13 *first-year community college students through campus orientations*
14 *and student support services programs offered by the campus that*
15 *may include, but are not necessarily limited to, Federal TRIO*
16 *Programs, First-Generation Experience, MESA, and Puente.*

17 *(e) Information on the pathway that may be prominently*
18 *displayed in community college course catalogs.*

19 *(f) Information on the pathway that may be prominently*
20 *displayed on the Internet Web sites of each community college and*
21 *private nonprofit postsecondary educational institution that choose*
22 *to commit to accept a student with an associate degree for transfer,*
23 *and on the California Colleges Internet Web site,*
24 *californiacolleges.edu.*

25 *SEC. 10. Section 68075.6 of the Education Code is amended*
26 *to read:*

27 68075.6. (a) The Legislature finds and declares all of the
28 following:

29 (1) The wars in Afghanistan, Iraq, Syria, and other countries
30 have displaced many families, causing many of them to flee their
31 homes in search of a better life. Between 2011 and March 2017,
32 more than 36,000 refugees entered California, with nearly 8,000
33 of them entering in 2016.

34 (2) Under the National Defense Authorization Act for Fiscal
35 Year 2006, certain Afghan and Iraqi nationals were provided
36 special immigrant status in the United States. Through the end of
37 2015, more than 37,000 individuals were granted special immigrant
38 visa (SIV) status under this program. Between 2011 and March
39 2017, 9,200 SIV holders resettled in California.

1 (3) *Under the federal Afghan Allies Protection Act of 2009,*
2 *certain Afghan nationals were provided special immigrant status*
3 *in the United States.*

4 ~~(3)~~

5 (4) Many of these families have escaped war and persecution
6 in order to improve the lives of their families, but encounter
7 numerous barriers, such as the cost of higher education, when
8 assimilating into the United States. Access to institutions of higher
9 education will ensure that students from these families are able to
10 pursue their educational goals and rebuild and improve their lives
11 and the lives of their families.

12 (b) Notwithstanding any other law:

13 (1) A student of the California Community Colleges who has
14 a special immigrant visa that has been granted a status under
15 Section 1244 of Public Law ~~110-181~~ *or 110-181*, under Public
16 Law 109-163, *or under Section 602(b) of Title VI of Division F of*
17 *Public Law 111-8*, or is a refugee admitted to the United States
18 under Section 1157 of Title 8 of the United States Code, and who,
19 upon entering the United States, settled in California, shall be
20 exempt from paying the nonresident tuition fee required by Section
21 76140 for the length of time he or she lives in this state up to the
22 minimum time necessary to become a resident.

23 (2) A community college district may report a student, who is
24 exempt from nonresident tuition pursuant to this section and who
25 is enrolled as a student in that district, as a full-time equivalent
26 student for apportionment purposes.

27 *SEC. 11. Section 69432 of the Education Code is amended to*
28 *read:*

29 69432. (a) (1) Cal Grant Program awards shall be known as
30 “Cal Grant A Entitlement Awards,” “Cal Grant B Entitlement
31 Awards,” “California Community College Transfer Entitlement
32 Awards,” “Competitive Cal Grant A and B Awards,” “Cal Grant
33 C Awards,” and “Cal Grant T Awards.”

34 (2) *For purposes of this section, “associate degree for transfer*
35 *commitment” means a commitment by a private nonprofit*
36 *educational institution that chooses to accept the California*
37 *Community College associate degree for transfer pursuant to*
38 *Section 66749.6.*

39 (b) Maximum award amounts for students at independent
40 institutions and for Cal Grant C and T awards shall be identified

1 in the annual Budget Act. Maximum award amounts for Cal Grant
2 A and B awards for students attending public institutions shall be
3 referenced in the annual Budget Act.

4 (c) (1) Notwithstanding subdivision (b), and subdivision (c) of
5 Section 66021.2, commencing with the 2013–14 award year, the
6 maximum tuition award amounts for Cal Grant A and B awards
7 for students attending private for-profit—and—nonprofit
8 ~~postsecondary educational institutions shall be as follows:~~
9 *postsecondary educational institutions shall be four thousand*
10 *dollars (\$4,000).*

11 ~~(A) Four thousand dollars (\$4,000) for new recipients attending~~
12 ~~private for-profit postsecondary educational institutions.~~

13 (2) *Notwithstanding paragraph (1) of this subdivision,*
14 *subdivision (b) of this section, and subdivision (c) of Section*
15 *66021.2, commencing with the 2018–19 award year, the maximum*
16 *tuition award amounts for Cal Grant A and B awards for students*
17 *attending private for-profit postsecondary educational institutions*
18 *accredited by the Western Association of Schools and Colleges*
19 *shall be nine thousand eight-four dollars (\$9,084) for new*
20 *recipients, unless otherwise specified in the Budget Act of 2018.*

21 (d) *Notwithstanding subdivision (b) of this section, and*
22 *subdivision (c) of Section 66021.2, the maximum tuition award*
23 *amounts for Cal Grant A and B awards for students attending*
24 *private nonprofit postsecondary educational institutions shall be*
25 *as follows:*

26 ~~(B)~~

27 (1) *For the 2015–16, 2016–17, and 2017–18 2017–18, and*
28 *2018–19 award years, nine thousand eighty-four dollars (\$9,084)*
29 *for new recipients attending private nonprofit postsecondary*
30 *educational institutions. For the 2018–19 award year and each*
31 *award year thereafter, eight thousand fifty-six dollars (\$8,056) for*
32 *new recipients attending private nonprofit postsecondary*
33 *educational institutions: recipients.*

34 (2) *For the 2019–20 award year:*

35 (A) (i) *If the number of new unduplicated transfer students*
36 *accepted by private nonprofit postsecondary educational*
37 *institutions who have been given associate degree for transfer*
38 *commitments in the 2018–19 academic year meets or exceeds a*
39 *target of 2,000, nine thousand eighty-four dollars (\$9,084) for new*
40 *recipients.*

1 (ii) *The first cohort, Fall 2018, shall be reported showing*
2 *progress towards the annual goal by April 2019. The association*
3 *representing the largest number of independent colleges and*
4 *universities shall provide, by April 2019, a list of campuses that*
5 *have adopted, or are in the process of adopting, the associate*
6 *degree for transfer pathway.*

7 (B) *If the number of new unduplicated transfer students accepted*
8 *by private nonprofit postsecondary educational institutions who*
9 *have been given associate degree for transfer commitments in the*
10 *2018–19 academic year is fewer than 2,000, eight thousand fifty-six*
11 *dollars (\$8,056) for new recipients.*

12 (3) *For the 2020–21 award year:*

13 (A) *If the number of new unduplicated transfer students accepted*
14 *by private nonprofit postsecondary educational institutions who*
15 *have been given associate degree for transfer commitments in the*
16 *prior award year meets or exceeds a target of 3,000, nine thousand*
17 *eighty-four dollars (\$9,084) for new recipients.*

18 (B) *If the number of new unduplicated transfer students accepted*
19 *by private nonprofit postsecondary educational institutions who*
20 *have been given associate degree for transfer commitments in the*
21 *prior award year is fewer than 3,000, eight thousand fifty-six*
22 *dollars (\$8,056) for new recipients.*

23 (4) *For the 2021–22 award year:*

24 (A) *If the number of new unduplicated transfer students accepted*
25 *by private nonprofit postsecondary educational institutions who*
26 *have been given associate degree for transfer commitments in the*
27 *prior award year meets or exceeds a target of 3,500, nine thousand*
28 *eighty-four dollars (\$9,084) for new recipients.*

29 (B) *If the number of new unduplicated transfer students accepted*
30 *by private nonprofit postsecondary educational institutions who*
31 *have been given associate degree for transfer commitments in the*
32 *prior award year is fewer than 3,500, eight thousand fifty-six*
33 *dollars (\$8,056) for new recipients.*

34 (5) *For the 2022–23 award year and each award year*
35 *thereafter:*

36 (A) *If the number of new unduplicated transfer students accepted*
37 *by private nonprofit postsecondary educational institutions who*
38 *have been given associate degree for transfer commitments in the*
39 *prior award year meets or exceeds the target specified in*

1 *subdivision (h), nine thousand eighty-four dollars (\$9,084) for*
2 *new recipients.*

3 *(B) If the number of new unduplicated transfer students accepted*
4 *by private nonprofit postsecondary educational institutions who*
5 *have been given associate degree for transfer commitments in the*
6 *prior award year is less than the target specified in subdivision*
7 *(h), eight thousand fifty-six dollars (\$8,056) for new recipients.*

8 ~~(2)~~

9 *(e) The renewal award amount for a student whose initial award*
10 *is subject to a maximum award amount specified in this subdivision*
11 *section shall be calculated pursuant to paragraph (2) of subdivision*
12 *(a) of Section 69433.*

13 ~~(3) Notwithstanding subparagraph (A) of paragraph (1), new~~
14 ~~recipients attending private for-profit postsecondary educational~~
15 ~~institutions that are accredited by the Western Association of~~
16 ~~Schools and Colleges as of July 1, 2012, shall have the same~~
17 ~~maximum tuition award amounts as are set forth in subparagraph~~
18 ~~(B) of paragraph (1).~~

19 ~~(d)~~

20 *(f) It is the intent of the Legislature that: that a private nonprofit*
21 *postsecondary educational institution make a good faith effort to*
22 *make the process for transferring from the California Community*
23 *Colleges easier for resident students and a decision determining*
24 *the maximum award amounts made pursuant to this section for*
25 *students attending a private nonprofit postsecondary educational*
26 *institution will be made with consideration of the effort of the*
27 *institution to make that process easier.*

28 ~~(1) The postsecondary educational institutions within the scope~~
29 ~~of this section make a good faith effort to do all of the following:~~

30 ~~(A) Increase the number of low-income resident students~~
31 ~~enrolled.~~

32 ~~(B) Make the process for transferring from the California~~
33 ~~Community Colleges easier for resident students.~~

34 ~~(C) Expand high-quality online education for resident students.~~

35 ~~(2) Any decisions about the maximum award amounts for~~
36 ~~students attending the institutions described in this section shall~~
37 ~~be made with consideration of the effort of the institutions in the~~
38 ~~areas described in paragraph (1).~~

39 ~~(e) Each postsecondary educational institution within the scope~~
40 ~~of this section~~

(g) *The association representing the largest number of private nonprofit postsecondary educational institutions shall submit a report related to the areas described in paragraph (1) of subdivision (d) relative to the implementation of this section to the Department of Finance and the Legislature, in conformity with Section 9795 of the Government Code, on or before March 15 of each year.*

(h) *For the 2022–23 award year and each award year thereafter, the target number of new unduplicated recipients accepted by private nonprofit postsecondary educational institutions who have been given associate degree for transfer commitments shall be equal to the number of new transfer students attending private nonprofit postsecondary educational institutions who were given associate degree for transfer commitments in the prior award year, adjusted by the percentage change in the total number of new transfer students from the year two years prior, compared to the prior year.*

SEC. 12. *Section 69433.6 of the Education Code is amended to read:*

69433.6. (a) *Except as otherwise provided in this section, Cal Grant A awards and Cal Grant B awards may be renewed for a total of the equivalent of four years of full-time attendance in an undergraduate program, provided that minimum financial need need, as defined in paragraph (3) of subdivision (b) of Section 69432.9 69432.9, continues to exist. Commencing with the 2001–02 academic year, the total number of years of eligibility for grants pursuant to this section shall be based on the student's educational level in his or her course of study as designated by the institution of attendance when the recipient initially receives payment for a grant.*

(b) (1) *Commencing with the 2014–15 academic year, a recipient who was determined to be ineligible for a renewal award in the 2012–13 or 2013–14 academic year because he or she exceeded the maximum household income or asset level established by subdivision (k) of Section 69432.7, or failed to meet the minimum need threshold established by paragraph (3) of subdivision (b) of Section 69432.9, shall be eligible to receive a renewal award if the recipient meets all program eligibility requirements for the program from which he or she was previously disqualified and the recipient has remaining renewal award eligibility. For purposes of determining a student's remaining*

1 renewal award eligibility, an academic year during which a student
2 was ineligible shall reduce his or her renewal award eligibility by
3 one full-time equivalent year.

4 (2) Commencing with the 2015–16 academic year, a recipient
5 who is determined to be ineligible for a renewal award because,
6 during the immediately preceding academic year, he or she
7 exceeded the maximum household income or asset level established
8 by subdivision (k) of Section 69432.7, or failed to meet the
9 minimum need threshold established by paragraph (3) of
10 subdivision (b) of Section 69432.9, shall be eligible to receive a
11 renewal award if the recipient meets all program eligibility
12 requirements for the program from which he or she was previously
13 disqualified and the recipient has remaining renewal award
14 eligibility. For purposes of determining a student's remaining
15 renewal award eligibility, an academic year during which a student
16 was ineligible shall reduce his or her renewal award eligibility by
17 one full-time equivalent year.

18 (c) For a student enrolled in an institutionally prescribed
19 five-year undergraduate program, Cal Grant A awards and Cal
20 Grant B awards may be renewed for a total of five years of full-time
21 attendance, provided that minimum financial need, as defined in
22 paragraph (3) of subdivision (b) of Section 69432.9, continues to
23 exist.

24 (d) (1) A Cal Grant Program award recipient who has completed
25 a baccalaureate degree, and who has been admitted to and is
26 enrolled in a program of professional teacher preparation at an
27 institution approved by the California Commission on Teacher
28 Credentialing is eligible for, but not entitled to, renewal of a Cal
29 Grant Program award for an additional year of full-time attendance,
30 if minimum financial need, as defined in paragraph (3) of
31 subdivision (b) of Section 69432.9, continues to exist.

32 (2) Payment for an additional year is limited to only those
33 courses required for an initial teaching authorization. An award
34 made under this subdivision may not be used for other courses.

35 (3) A student's Cal Grant Program renewal eligibility shall not
36 have lapsed more than 15 months before the payment of an award
37 for purposes of this subdivision.

38 (e) (1) *For a current or former foster youth, Cal Grant B*
39 *awards may be renewed for a total of the equivalent of eight years*
40 *of full-time attendance in an undergraduate program, provided*

1 *that minimum financial need, as defined in paragraph (3) of*
2 *subdivision (b) of Section 69432.9, continues to exist.*

3 *(2) For purposes of this subdivision, “current or former foster*
4 *youth” means a person whose dependency was established or*
5 *continued by the court on or after the date on which the person*
6 *reached 13 years of age.*

7 *SEC. 13. Section 69435.3 of the Education Code is amended*
8 *to read:*

9 69435.3. (a) Any California resident is entitled to receive a
10 Cal Grant B award, and the commission shall allocate that award
11 pursuant to Section 66021.2, if all of the following criteria are met:

12 (1) (A) The student has submitted, pursuant to Section 69432.9,
13 a complete financial aid application, submitted or postmarked no
14 later than March 2 of the academic year of high school graduation
15 or its equivalent for the award year immediately following the
16 academic year of high school graduation or its equivalent, ~~or~~ no
17 later than March 2 of the academic year following high school
18 graduation or its equivalent for the second award year following
19 the year of high school graduation or its ~~equivalent~~. *equivalent,*
20 *or, if applicable to the student, pursuant to the following dates:*

21 (i) *No later than March 2 of the academic year immediately*
22 *prior to the year for which funds would be applied, if the student*
23 *is a current or former foster youth, is attending a qualifying*
24 *institution that offers baccalaureate degrees, and has not yet*
25 *reached 26 years of age as of July 1 of the initial award year.*

26 (ii) *No later than September 2 of the academic year for which*
27 *funds would be applied, if the student is a current or former foster*
28 *youth, is attending a California community college, and has not*
29 *yet reached 26 years of age as of July 1 of the initial award year.*

30 (B) *For purposes of this section, “current or former foster*
31 *youth” has the same meaning as specified in paragraph (2) of*
32 *subdivision (e) of Section 69433.6.*

33 (2) The student demonstrates financial need pursuant to Section
34 69433.

35 (3) The student attains a high school grade point average of at
36 least 2.0 on a four-point scale.

37 (4) The student’s household has an income and asset level that
38 does not exceed the level for Cal Grant B recipients as set forth in
39 Section 69432.7.

1 (5) The student is pursuing an undergraduate academic program
2 of not less than one academic year that is offered by a qualifying
3 institution.

4 (6) The student is enrolled at least part time.

5 (7) The student meets the general Cal Grant eligibility
6 requirements set forth in Article 1 (commencing with Section
7 69430).

8 (8) The student graduated from high school or its equivalent
9 during or after the 2000–01 academic year.

10 (b) A student, including a community college student
11 participating in upper division coursework in a baccalaureate
12 degree program pursuant to Article 3 (commencing with Section
13 78040) of Chapter 1 of Part 48 of Division 7, who meets the Cal
14 Grant B Entitlement Program or Competitive Program criteria
15 specified in this article shall receive a Cal Grant B award for access
16 costs and tuition and fees, as applicable, pursuant to Section
17 66021.2.

18 *SEC. 14. Section 70023 of the Education Code is amended to*
19 *read:*

20 70023. (a) For each academic year, the commission shall
21 determine an amount sufficient, when combined with other federal,
22 state, or institutionally administered student grants or fee waivers
23 received by eligible students from other sources, to provide
24 scholarships to eligible students in the amounts described in
25 paragraphs (2) and (3) of subdivision (a) of Section 70022. The
26 University of California, the California State University, and the
27 Office of the Chancellor of the California Community Colleges
28 shall provide the commission with any financial aid data that are
29 necessary for the determination of these amounts.

30 (b) The commission shall annually determine if the amounts
31 appropriated under this section in each fiscal year are sufficient to
32 cover the costs of the scholarships as projected to be awarded
33 pursuant to the program. If those amounts are not sufficient for
34 this purpose, the scholarships shall be reduced proportionately by
35 an equal percentage for all recipients of scholarships under this
36 article.

37 (c) The commission may adopt regulations necessary to carry
38 out the purposes of this article under subdivision (b) as emergency
39 regulations in accordance with Chapter 3.5 (commencing with
40 Section 11340) of Part 1 of Division 3 of Title 2 of the Government

Code. For purposes of the Administrative Procedure Act, including Section 11349.6 of the Government Code, the adoption of those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare, notwithstanding subdivision (e) of Section 11346.1 of the Government Code. Notwithstanding subdivision (e) of Section 11346.1 of the Government Code, any regulation adopted pursuant to this section shall not remain in effect more than 180 days unless the commission complies with all provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, as required by subdivision (e) of Section 11346.1 of the Government Code.

(d) The unencumbered balance, as of June 30 of each fiscal year, of the amount appropriated from the Middle Class Scholarship Fund pursuant to paragraph (1) of subdivision (e) shall revert to the General Fund.

(e) (1) Upon order of the Director of Finance, the following amounts shall be transferred from the General Fund to the Middle Class Scholarship Fund, and are hereby appropriated to the commission for allocation pursuant to this article:

(A) For the 2014–15 fiscal year, one hundred seven million dollars (\$107,000,000).

(B) For the 2015–16 fiscal year, eighty-two million dollars (\$82,000,000).

(C) For the 2016–17 fiscal year, ~~seventy-four million dollars (\$74,000,000)~~; *seventy-one million two hundred forty-four thousand dollars (\$71,244,000)*.

(D) For the 2017–18 fiscal year, ~~ninety-six million dollars (\$96,000,000)~~; *ninety-nine million seven hundred ninety-seven thousand dollars (\$99,797,000)*.

(E) For the 2018–19 fiscal year ~~and for each fiscal year thereafter, one hundred seventeen million dollars (\$117,000,000)~~; *year, one hundred one million three hundred eighty thousand dollars (\$101,380,000)*.

(F) *For the 2019–20 fiscal year and for each fiscal year thereafter, one hundred seventeen million dollars (\$117,000,000)*.

(2) An annual appropriation to the commission is hereby established in the amounts and for the fiscal years described in paragraph (1) to carry out the purposes of this section and Section 70022.

(3) It is the intent of the Legislature that any savings realized from changes made to the allocations under this subdivision by a bill providing for appropriations related to the Budget Bill for the 2015–16 fiscal year shall be used to support higher education.

(4) The funds transferred and appropriated pursuant to paragraph (1) shall only be available for encumbrance in the fiscal year in which they are transferred, and the General Fund shall have no liability or any obligation beyond the transfers explicitly authorized in paragraph (1) unless a subsequent transfer or allocation is required pursuant to statute.

(5) In any fiscal year, additional appropriations may be enacted pursuant to statute to carry out the purposes of this article.

(6) (A) Beginning with the Governor’s Budget proposal for the 2014–15 fiscal year, and in the Governor’s Budget for each fiscal year thereafter, the Department of Finance shall include a fund condition statement for the Middle Class Scholarship Fund for the fiscal year of the proposed budget and the two immediately preceding fiscal years prepared in accordance with existing law.

(B) Upon order of the Director of Finance and commencing with the 2013–14 fiscal year, if the May Revision projects a budget deficit for the next fiscal year, the amount specified in paragraph (1) for the fiscal year for which the budget deficit is projected may be reduced by up to 33 percent.

(f) Subject to an appropriation in the annual Budget Act for its purposes, the commission may begin implementation of, and establish outreach services relating to, this article.

SEC. 15. Section 70900 of the Education Code is amended to read:

70900. There is hereby created the California Community Colleges, a postsecondary education system consisting of community college districts heretofore and hereafter established pursuant to law and the Board of Governors of the California Community Colleges. The board of governors shall carry out the functions specified in Section ~~70901~~ and 70901, local districts shall carry out the functions specified in Section ~~70902~~. 70902, *and the California Online Community College shall carry out the functions specified in Section 75003.*

SEC. 16. Section 70901 of the Education Code is amended to read:

1 70901. (a) The Board of Governors of the California
2 Community Colleges shall provide leadership and direction in the
3 continuing development of the California Community Colleges as
4 an integral and effective element in the structure of public higher
5 education in the state. The work of the board of governors shall at
6 all times be directed to maintaining and continuing, to the
7 maximum degree permissible, local authority and control in the
8 administration of the California Community Colleges.

9 (b) Subject to, and in furtherance of, subdivision (a), and in
10 consultation with community college districts and other interested
11 parties as specified in subdivision (e), the board of governors shall
12 provide general supervision over community college districts, and
13 shall, in furtherance of those purposes, perform the following
14 functions:

15 (1) Establish minimum standards as required by law, including,
16 but not limited to, the following:

17 (A) Minimum standards to govern student academic standards
18 relating to graduation requirements and probation, dismissal, and
19 readmission policies.

20 (B) Minimum standards for the employment of academic and
21 administrative staff in community colleges.

22 (C) Minimum standards for the formation of community colleges
23 and districts.

24 (D) Minimum standards for credit and noncredit classes.

25 (E) Minimum standards governing procedures established by
26 governing boards of community college districts to ensure faculty,
27 staff, and students the right to participate effectively in district and
28 college governance, and the opportunity to express their opinions
29 at the campus level and to ensure that these opinions are given
30 every reasonable consideration, and the right of academic senates
31 to assume primary responsibility for making recommendations in
32 the areas of curriculum and academic standards.

33 (2) Evaluate and issue annual reports on the fiscal and
34 educational effectiveness of community college districts according
35 to outcome measures cooperatively developed with those districts,
36 and provide assistance when districts encounter severe management
37 difficulties.

38 (3) Conduct necessary systemwide research on community
39 colleges, and provide appropriate information services, including,
40 but not limited to, definitions for the purpose of uniform reporting,

1 collection, compilation, and analysis of data for effective planning
2 and coordination, and dissemination of information.

3 (4) (A) Provide representation, advocacy, and accountability
4 for the California Community Colleges before state and national
5 legislative and executive agencies.

6 (B) In order to wholly engage in the recognition review process
7 of an accrediting agency pursuant to subdivision (c) of Section
8 72208, conduct a survey of the community colleges, including
9 consultation with representatives of both faculty and classified
10 personnel, to develop a report to be transmitted to the United States
11 Department of Education and the National Advisory Committee
12 on Institutional Quality and Integrity that reflects a systemwide
13 evaluation of the regional accrediting agency based on the criteria
14 used to determine an accreditor's status.

15 (5) (A) Administer state support programs, both operational
16 and capital outlay, and those federally supported programs for
17 which the board of governors has responsibility pursuant to state
18 or federal law. In so doing, the board of governors shall do the
19 following:

20 (i) (I) Annually prepare and adopt a proposed budget for the
21 California Community Colleges. The proposed budget shall, at a
22 minimum, identify the total revenue needs for serving educational
23 needs within the mission, the amount to be expended for the state
24 general apportionment, the amounts requested for various
25 categorical programs established by law, the amounts requested
26 for new programs and budget improvements, and the amount
27 requested for systemwide administration.

28 (II) The proposed budget for the California Community Colleges
29 shall be submitted to the Department of Finance in accordance
30 with established timelines for development of the annual Budget
31 Bill.

32 (ii) To the extent authorized by law, establish the method for
33 determining and allocating the state general apportionment.

34 (iii) Establish space and utilization standards for facility planning
35 in order to determine eligibility for state funds for construction
36 purposes.

37 (B) The board of governors may enter into a direct contract with
38 the Academic Senate for the California Community Colleges for
39 the purpose of supporting statewide initiatives, projects, and
40 programs within the purview of the Academic Senate for the

1 California Community Colleges. If the board of governors elects
2 to enter into a direct contract with the Academic Senate for the
3 California Community Colleges, the contract shall specify the
4 objectives and the expected outcomes of the contract.

5 (6) (A) Establish minimum conditions entitling districts to
6 receive state aid for support of community colleges. In so doing,
7 the board of governors shall establish and carry out a periodic
8 review of each community college district to determine whether
9 it has met the minimum conditions prescribed by the board of
10 governors.

11 (B) In determining whether a community college district satisfies
12 the minimum conditions established pursuant to this section, the
13 board of governors shall review the regional accreditation status
14 of the community colleges within that district.

15 (7) Coordinate and encourage interdistrict, regional, and
16 statewide development of community college programs, facilities,
17 and services.

18 (8) Facilitate articulation with other segments of higher
19 education with secondary education.

20 (9) Review and approve comprehensive plans for each
21 community college district. The plans shall be submitted to the
22 board of governors by the governing board of each community
23 college district.

24 (10) Review and approve all educational programs offered by
25 community college districts and all courses that are not offered as
26 part of an educational program approved by the board of governors.

27 (11) Exercise general supervision over the formation of new
28 community college districts and the reorganization of existing
29 community college districts, including the approval or disapproval
30 of plans therefor.

31 (12) Notwithstanding any other provision of law, be solely
32 responsible for establishing, maintaining, revising, and updating,
33 as necessary, the uniform budgeting and accounting structures and
34 procedures for the California Community Colleges.

35 (13) Establish policies regarding interdistrict attendance of
36 students.

37 (14) Advise and assist governing boards of community college
38 districts on the implementation and interpretation of state and
39 federal laws affecting community colleges.

1 (15) Contract for the procurement of goods and services, as
2 necessary.

3 (16) Carry out other functions as expressly provided by law.

4 (c) Subject to, and in furtherance of, subdivision (a), the board
5 of governors shall have full authority to adopt rules and regulations
6 necessary and proper to execute the functions specified in this
7 section as well as other functions that the board of governors is
8 expressly authorized by statute to regulate.

9 (d) Wherever in this section or any other statute a power is
10 vested in the board of governors, the board of governors, by a
11 majority vote, may adopt a rule delegating that power to the
12 chancellor, or any officer, employee, or committee of the California
13 Community Colleges, or community college district, as the board
14 of governors may designate. However, the board of governors
15 shall not delegate any power that is expressly made nondelegable
16 by statute. Any rule delegating power shall prescribe the limits of
17 delegation.

18 (e) In performing the functions specified in this section, the
19 board of governors shall establish and carry out a process for
20 consultation with institutional representatives of community college
21 districts so as to ensure their participation in the development and
22 review of policy proposals. The consultation process shall also
23 afford community college organizations, as well as interested
24 individuals and parties, an opportunity to review and comment on
25 proposed policy before it is adopted by the board of governors.

26 (f) (1) *The board of governors shall administer the online*
27 *community college established pursuant to subdivision (a) of*
28 *Section 75001. In its capacity as the governing board of the online*
29 *community college, the board of governors shall carry out the*
30 *functions specified in Section 75003. Members of the board of*
31 *governors shall receive their actual and necessary traveling*
32 *expenses while on official business. Each member shall also receive*
33 *one hundred dollars (\$100) for each day he or she is attending to*
34 *official business.*

35 (2) (A) *The board of governors shall contract with a community*
36 *college district board of trustees for purposes of establishing a*
37 *separate collective bargaining agreement with employees of the*
38 *online community college pursuant to the Educational Employment*
39 *Relations Act established in Chapter 10.7 (commencing with*
40 *Section 3540) of Division 4 of Title 1 of the Government Code.*

1 *The Chancellor of the California Community Colleges shall*
2 *designate the contract community college district. Employees*
3 *represented by the collective bargaining agreement established*
4 *pursuant to this paragraph shall be recruited, recommended for*
5 *hire, and assigned and directed by the chief executive officer of*
6 *the online community college appointed pursuant to subdivision*
7 *(d) of Section 75005.*

8 *(B) Notwithstanding subdivision (d) of Section 75007, the*
9 *contract entered into pursuant to subparagraph (A) shall be exempt*
10 *from any provision of law relating to competitive bidding, and*
11 *shall be exempt from the review or approval of any division of the*
12 *Department of General Services. For only the contract, or*
13 *contracts, applicable to subparagraph (A) the chancellor's office*
14 *shall also be exempt from the requirements of Article 6*
15 *(commencing with Section 999) of Chapter 6 of Division 4 of the*
16 *Military and Veterans Code and Part 2 (commencing with Section*
17 *10100) of Division 2 of the Public Contract Code.*

18 *(C) The chief executive officer of the online college or his or*
19 *her designee shall participate in the collective bargaining process*
20 *pursuant to subparagraph (A).*

21 *(3) The chief executive officer of the online college shall clarify*
22 *the identity of the employer of record for all staff of the online*
23 *college.*

24 *SEC. 17. Section 72506 of the Education Code is amended to*
25 *read:*

26 *72506. (a) Action taken by any governing board of a*
27 *community college district to procure insurance shall be governed*
28 *by the authority of ~~Section 70902~~ Sections 70902 and 75003 and,*
29 *where applicable, by Sections 989 to 991.2, inclusive, of the*
30 *Government Code. However, the governing board of any*
31 *community college district shall ensure against all of the following:*

32 *(1) The liability, other than a liability which may be insured*
33 *against under Division 4 (commencing with Section 3200) of the*
34 *Labor Code, of the district for damages for death, injury to person,*
35 *or damage or loss of property.*

36 *(2) The personal liability of the members of the board and of*
37 *the officers and employees of the district for damages for death,*
38 *injury to a person, or damage or loss of property caused by the*
39 *negligent act or omission of the member, officer or employee when*
40 *acting within the scope of his or her office or employment.*

(b) The insurance may be written by any insurance company authorized to transact the business of insurance in the state, or by a nonadmitted insurer to the extent, and subject to the conditions, prescribed by Section 1763 of the Insurance Code.

(c) Notwithstanding paragraph (2) of subdivision (a), the governing board of any community college district may provide for persons authorized by the governing board to perform volunteer services for the district, insurance coverage which is the same as, or comparable to, that provided for employees of the district including coverage under Division 4 (commencing with Section 3200) of the Labor Code.

(d) The governing board of a community college district may provide protection from its own funds for the purpose of covering the liability of the district, its officers, agents, and employees, in lieu of carrying insurance in insurance companies, as provided in this section. The governing board may also provide protection against ~~such~~ *the* liability partly by means of its own funds and partly by means of insurance written by insurance companies, as provided in this section.

SEC. 18. Part 46.5 (commencing with Section 75000) is added to Division 7 of Title 3 of the Education Code, to read:

**PART 46.5. CALIFORNIA ONLINE COMMUNITY COLLEGE
ACT**

75000. (a) This part shall be known, and may be cited, as the California Online Community College Act.

(b) The Legislature finds and declares all of the following:

(1) According to the United States Census Bureau, 2011–15 American Community Survey data, there are 2.5 million Californians between 25 and 34 years of age whose highest educational attainment is either high school or some college. Of this group, 80 percent are working, and nearly half are Hispanic. The public segments of higher education have traditionally not offered courses that are readily accessible to these Californians. Working adults should have access to high-quality, affordable, and flexible opportunities to pursue postsecondary education that does not conflict with their work and familial obligations.

(2) California recognizes the dedication of every faculty member, classified staff member, manager, and administrator in

1 *the Community College system toward supporting the success of*
2 *California's community college students. As dedicated leaders,*
3 *innovators, and educators, faculty will be integral to the success*
4 *of the California Online Community College and improving the*
5 *economic prosperity of numerous Californians.*

6 *(3) Flexible educational options are also critical to those*
7 *displaced by job loss triggered by recessions. Californians have*
8 *generally had a difficult time recovering from the Great Recession,*
9 *but those with an associate's degree earned higher wages and*
10 *fared better in the recovery than those with only a high school*
11 *degree or some college. Labor force participation remains low*
12 *among the working age population, and economists believe this*
13 *is partially due to a skills mismatch. Furthermore, according to*
14 *the Economic Policy Institute, 60 percent of jobs created during*
15 *the economic recovery from 2010 to 2014 went to men versus 40*
16 *percent of jobs that went to women.*

17 *(4) Immigrants, military veterans, and incarcerated or formerly*
18 *incarcerated individuals could also benefit from the flexibility*
19 *created by an affordable, high-quality online education that would*
20 *allow them to improve their skills and advance their employment*
21 *opportunities or stay relevant in their careers.*

22 *(5) Online education is showing a trend of improving course*
23 *success rates over time. Research indicates the importance of*
24 *institutional factors, such as course design, institutional support,*
25 *effective student orientation and support services, and the*
26 *development of strategies to promote regular interaction, in*
27 *contributing to online course success. Studies also indicate that*
28 *older students generally perform better in online courses than*
29 *younger students.*

30 *(6) The cost for Californians to access online credentials,*
31 *certificates, and associate's degrees at nonpublic or out-of-state*
32 *institutions is typically much higher—as much as seven to nine*
33 *times higher per unit—than at a California community college.*
34 *An affordable, high-quality, and flexible public online college*
35 *provides an important alternative to other nonpublic online*
36 *education options.*

37 *(7) According to the Public Utilities Commission, approximately*
38 *95 percent of California households have wired broadband*
39 *availability. Recent legislation authorized additional funding for*
40 *broadband and establishment of regional goals intended to reduce*

1 urban-rural disparities in broadband access. Additionally, the
2 budget provides funding for public libraries to expand access to
3 broadband.

4 (8) To ensure the future economic resiliency of California's
5 communities, the existing higher education infrastructure must be
6 augmented with learning options that are focused on working
7 learners, including options that are affordable, designed to be
8 flexible for the schedule of working adults, and competency-based
9 to facilitate portability of employable skills. With an open access
10 mission, the California Community Colleges are positioned to
11 work with a diverse population to increase wages and improve
12 economic and social mobility in a rapidly changing economy.

13 75001. (a) (1) The California Online Community College is
14 hereby established.

15 (2) The California Online Community College shall be under
16 the administration of the board of governors.

17 (3) The California Online Community College shall fulfill the
18 purposes of this part, which includes the creation of an organized
19 system of accessible, flexible, and high-quality online content,
20 courses, and programs focused on providing industry-valued
21 credentials compatible with the vocational and educational needs
22 of Californians who are not currently accessing higher education.
23 These courses and programs shall lead to a pathway offered at a
24 traditional community college.

25 (4) The college shall be considered a district and community
26 college within the California Community Colleges system and the
27 state's public system of higher education.

28 (5) For purposes of Section 14 of Article IX and Sections 8 and
29 8.5 of Article XVI of the California Constitution, "community
30 college districts" shall include the California Online Community
31 College established pursuant to paragraph (1).

32 (b) The college shall be guided by principles and procedures
33 developed by the chancellor's office and established by the board
34 of governors. These guiding principles shall include all of the
35 following:

36 (1) Offering working adults additional access to affordable,
37 quality higher education opportunities with labor market value,
38 especially industry-valued credentials based on competencies
39 leading to employment, earnings gain, or upward mobility in the
40 workplace, and not just courses leading to degrees and certificates.

1 (2) *Providing working adults with the necessary conditions for*
2 *success with flexible course scheduling, start and stop-off times,*
3 *technology-enabled support communities to deepen engagement*
4 *and foster social belonging, and short-term credentials as*
5 *demonstrations of academic progress.*

6 (3) *Supporting student success by developing and implementing*
7 *innovative teaching and student support methodologies and*
8 *technologies, including leveraging student data to improve teaching*
9 *and learning and to support individual student progression,*
10 *providing quality onboarding of students to support their career*
11 *exploration, goal-setting, educational planning, and support needs,*
12 *and leveraging relevant technology resources where possible.*

13 (4) *Enhancing systemwide student success efforts by using the*
14 *college's innovative teaching and student support methodologies*
15 *and technologies to inform professional development opportunities*
16 *available to the rest of the community college system.*

17 (5) *Ensuring faculty roles are based on the skills needs of the*
18 *college, such as online instructors, course developers, assessment*
19 *developers, student mentors, reviewers, and 24-hour virtual*
20 *classroom support, and ensuring flexible hiring processes that*
21 *emphasize use of part-time and full-time faculty with field expertise*
22 *to support emerging programs and shifts in labor market demand.*

23 (6) *Addressing barriers faced by working adult students to*
24 *access higher education, including, but not necessarily limited to,*
25 *financial aid support, dealing with working learners' prior*
26 *educational debts that may impede release of transcripts and*
27 *credits, pathway navigational help, contextualized academic*
28 *preparation, navigation of family needs and other supports, and*
29 *coaching and mentoring.*

30 (7) *Aligning the college's efforts with the broader goals outlined*
31 *in the California Community Colleges system's Vision for Success,*
32 *or other strategic visions outlined by the board of governors, and*
33 *holding the college accountable for its students' outcomes and*
34 *ensuring improved data collection on employment outcomes.*

35 (8) *Offering working adults additional access to affordable,*
36 *high-quality higher education opportunities with labor market*
37 *value that lead to additional educational opportunities provided*
38 *by either the California Online Community College or by another*
39 *California community college.*

1 (c) *The college may collaborate and work closely with other*
2 *agencies, industry partners, and experts to ensure the success of*
3 *the college, including, but not necessarily limited to, all of the*
4 *following:*

5 (1) *Students the college serves, to ensure the college meets their*
6 *needs.*

7 (2) *Community-based organizations, to provide student outreach*
8 *to working learners across California.*

9 (3) *Statewide public agencies, such as the State Department of*
10 *Social Services, the California Labor and Workforce Development*
11 *Agency, and the Department of Corrections and Rehabilitation,*
12 *to incorporate strategies to provide immigrants and other groups*
13 *with barriers to employment with educational opportunities.*

14 (4) *Representatives from the labor community, to provide higher*
15 *wage jobs for journey-level workers or augment apprenticeship*
16 *training.*

17 (5) *Industry and employer partners, including statewide public*
18 *agency employers, state associations, large employers, and*
19 *regional consortia of employers, to inform content that is driven*
20 *by the demands of the labor market and relevant to regional*
21 *workforce needs.*

22 (6) *The California Community Colleges, to leverage their*
23 *existing career technical education regional consortia, the Strong*
24 *Workforce Program regional consortia, and adult education*
25 *regional consortia.*

26 (7) *Two-year and four-year institutions or a consortia, to*
27 *promote recognition of student skills and knowledge toward degree*
28 *pathways as well as a way to increase student access and transfers*
29 *to additional higher educational opportunities.*

30 (d) *The college shall conduct all of the following activities:*

31 (1) *The college shall offer at least three program pathways*
32 *within the first three years of program implementation, developed*
33 *exclusively to serve the population of students not yet accessing*
34 *postsecondary education or without their first industry-valued*
35 *credential. The college shall create new programs that are not*
36 *duplicative of programs offered at other local community colleges.*

37 (2) *To ensure student success, the college shall also do all of*
38 *the following:*

39 (A) *Establish competency-based educational opportunities that*
40 *recognize students' prior learning and help students advance*

1 toward a credential. Competencies shall be established with the
2 advice of appropriate faculty and employers, and shall be focused
3 on knowledge and skills a student must demonstrate to pass a
4 course and to earn a credential. Examples of prior learning include
5 prior military service, registered apprenticeship training,
6 industry-recognized certifications, or experience from other
7 careers. Assessments shall be developed to enable students to
8 demonstrate mastery and shall be mapped to the competencies.

9 (B) Supplement registered apprenticeship programs and the
10 California Apprenticeship Initiative training as appropriate, and
11 create apprenticeship instructor upskilling training, courses, and
12 programs that are valued by the labor and employer communities.

13 (C) Identify opportunities to develop short-term, stackable
14 credentials and industry certifications with labor market value.
15 The college shall also leverage existing articulation agreements
16 and develop new articulation agreements with other California
17 Community Colleges, the California State University, the
18 University of California, and other accredited public and
19 independent institutions to facilitate stackability into credit-bearing
20 courses and pathways.

21 (D) Develop, adapt, or apply technology to meet the ongoing
22 needs of students.

23 (E) Develop a Research and Development Unit that utilizes
24 current and future learning sciences technology, assesses data
25 metrics within the college's technological infrastructure to gauge
26 student progress in a course or pathway, informs instructional
27 and support strategies, and improves the functionality of the
28 underlying technology used by the college.

29 (F) Redesign transcripts in a digital, verifiable format that links
30 coursework, credentials, and competencies to track a student's
31 entire body of learning in one document. Any redesigned transcript
32 technology shall be a part of the integrated technology portfolio
33 of the chancellor's office and made available to any campus of
34 the California Community Colleges.

35 (G) Identify shortcomings in the student experience for unserved
36 and underserved students and develop technological and
37 programmatic solutions to address the gap.

38 (H) Distribute gains in data and learning science and effective
39 technology-enabled tools and resources throughout the California
40 Community Colleges.

1 (3) *The college shall utilize and leverage, where appropriate,*
2 *the programs and activities of the chancellor's office, including*
3 *the Online Education Initiative and the Zero-Textbook-Cost Degree*
4 *Grant Program and Open Educational Resources, the Strong*
5 *Workforce Program, and the Guided Pathways Program*
6 *framework. This shall include both of the following activities and*
7 *practices:*

8 (A) *Organize newly developed content, courses, programs, and*
9 *students supports, consistent with the Guided Pathways Program*
10 *framework, that lead to a pathway at a traditional community*
11 *college.*

12 (B) *Utilize the Online Education Initiative's existing social and*
13 *technological infrastructure for students, instructors, and*
14 *administrators, including all of the following:*

15 (i) *Contribute to the Initiative's common course management*
16 *platform for online content and classes.*

17 (ii) *Utilize and develop comprehensive, specialized student*
18 *supports that are technology-enabled for scale and focused on the*
19 *student experience, including, but not limited to, pathway*
20 *navigation, online tutoring, online mentoring, and online help desk*
21 *support. These supports, as well as the instructional delivery, shall*
22 *be made available during nontraditional working hours to promote*
23 *student success for the focus population.*

24 (iii) *Leverage free or low-cost, high-quality online educational*
25 *materials for students through Open Educational Resources and*
26 *the Zero-Textbook-Cost Degree Grant. The college shall ensure*
27 *any open educational resources that are developed are available*
28 *for use by any California community college through the system's*
29 *common learning management platform.*

30 (iv) *Enhance systemwide student success efforts by using the*
31 *College's innovative teaching and student support methodologies*
32 *and technologies to inform professional development opportunities*
33 *available to the rest of the system through the Online Education*
34 *Initiative and the Institutional Effectiveness Partnership Initiative.*

35 (e) *The college shall not enter into College and Career Access*
36 *Pathways partnerships pursuant to Section 76004.*

37 (f) (1) *It is the intent of the Legislature that the California*
38 *Online Community College create unique content and deliver it*
39 *in a manner that is not duplicative of programs offered at other*
40 *local community colleges.*

1 (2) *For each new program created, the chancellor's office shall*
2 *notify the Legislature and Department of Finance on how the*
3 *program is not duplicative of programs offered at other community*
4 *colleges.*

5 (g) *Upon the establishment of an Academic Senate for the*
6 *California Online Community College, the faculty shall review*
7 *the Online Education Initiative Protocols for online content and*
8 *adopt as appropriate.*

9 75002. *For purposes of this part, the following terms have the*
10 *following meanings:*

11 (a) *"Board of governors" means the Board of Governors of the*
12 *California Community Colleges.*

13 (b) *"Chancellor's office" means the Office of the Chancellor*
14 *of the California Community Colleges.*

15 (c) *"College" means the California Online Community College*
16 *established under this part.*

17 (d) *"Competency-based education" means systems of*
18 *instruction, assessment, grading, and academic reporting that are*
19 *based on students demonstrating that they have learned the*
20 *knowledge and skills they are expected to learn as they progress*
21 *through their education.*

22 (e) *"Guided Pathways Program" means a program that includes*
23 *the activities and practices established pursuant to Section 88921.*

24 (f) *"Industry" means trade associations or those firms that*
25 *produce similar products or provide similar services using*
26 *somewhat similar business processes.*

27 (g) *"Stackable credential" means a part of a sequence of*
28 *credentials that can be accumulated over time and move an*
29 *individual along a career pathway or up a career ladder.*

30 75003. (a) *The California Online Community College*
31 *established pursuant to subdivision (a) of Section 75001 shall be*
32 *under the administration of the board of governors.*

33 (b) *In furtherance of subdivision (a), the board of governors*
34 *shall do all of the following:*

35 (1) *Establish policies for, and approve, current and long-range*
36 *academic and facilities plans and programs and promote orderly*
37 *growth and development of the California Online Community*
38 *College. In so doing, the board of governors shall, as required by*
39 *law, establish policies for, develop, and approve comprehensive*
40 *plans.*

1 (2) *Establish policies for and approve courses of instruction*
2 *and educational programs.*

3 (3) *Establish academic standards, probation, dismissal, and*
4 *readmission policies, and graduation requirements not inconsistent*
5 *with the minimum standards adopted by the board of governors.*

6 (4) *Employ and assign all personnel not inconsistent with the*
7 *minimum standards adopted by the chief executive officer*
8 *appointed pursuant to subdivision (d) of Section 75005, and*
9 *establish employment practices, salaries, and benefits for all*
10 *employees not inconsistent with the laws of this state.*

11 (5) *To the extent authorized by law, determine and control the*
12 *college's operational and capital outlay budgets.*

13 (6) *Manage and control the college's property. The board of*
14 *governors may contract for the procurement of goods and services*
15 *as authorized by law.*

16 (7) *Establish procedures that are consistent with minimum*
17 *standards otherwise established by the board of governors to*
18 *ensure faculty, staff, and students have the opportunity to express*
19 *their opinions at the campus level, to ensure that these opinions*
20 *are given every reasonable consideration, to ensure the right to*
21 *participate effectively in college governance, and to ensure the*
22 *right of the college's academic senate to make recommendations*
23 *in the areas of curriculum and academic standards. The California*
24 *Online Community College may establish procedures enabling*
25 *the use of a digital format, or formats.*

26 (8) *Establish rules and regulations governing student conduct.*

27 (9) *Establish student fees as it is required to establish by law,*
28 *and, in its discretion, fees as it is authorized to establish by law.*

29 (10) *In its discretion, receive and administer gifts, grants, and*
30 *scholarships.*

31 (11) *Provide auxiliary services as deemed necessary to achieve*
32 *the purposes of the community college.*

33 (12) *Within the general framework provided by law, determine*
34 *the college's academic calendar, including the holidays it will*
35 *observe. Notwithstanding Section 84890, the college may enable*
36 *the offering of courses under a flexible calendar. Notwithstanding*
37 *any other law, in recognition of the ability to adopt a flexible*
38 *academic calendar, the board of governors shall also have the*
39 *flexibility to utilize an alternative definition of "academic year"*
40 *for purposes of this part.*

1 (13) *Hold and convey property for the use and benefit of the*
2 *college.*

3 (14) *Participate in the consultation process otherwise*
4 *established by the board of governors for the development and*
5 *review of policy proposals.*

6 (c) *In carrying out the powers and duties specified in subdivision*
7 *(b) or other provisions of statute, the board of governors shall*
8 *have full authority to adopt rules and regulations that are*
9 *necessary and proper to executing these prescribed functions and*
10 *may, as applicable, use a digital format, or formats. Any action*
11 *taken pursuant to this subdivision by the board of governors is*
12 *exempt from the Administrative Procedure Act, as defined in*
13 *Section 11370 of the Government Code.*

14 (d) *Wherever in this section or any other statute a power is*
15 *vested in the board of governors, the board of governors, by*
16 *majority vote, may adopt a rule delegating the power to the*
17 *college's chief executive officer or any other employee or*
18 *committee as the board of governors may designate. However, the*
19 *board of governors shall not delegate any power that is expressly*
20 *made nondelegable by statute. Any rule delegating authority shall*
21 *prescribe the limits of the delegation.*

22 75003.1. (a) *It is the intent of the Legislature that all students*
23 *with disabilities enrolled in the California Online Community*
24 *College be entitled to receive support services and educational*
25 *accommodations so that they can participate in and benefit from*
26 *the California Online Community College equal to those students*
27 *without disabilities. It is the further intent that all support services*
28 *and educational accommodations made available to students with*
29 *disabilities at the other community colleges be made equally*
30 *available to students with disabilities enrolled in the California*
31 *Online Community College.*

32 (b) *The board of governors shall do all of the following:*

33 (1) *Ensure the College is in compliance with statutory provisions*
34 *regarding access for individuals with disabilities, including, but*
35 *not necessarily limited to, Chapter 14 (commencing with Section*
36 *67300) of Part 40 of Division 5, and Section 84850. This duty shall*
37 *include, but not necessarily be limited to, the creation of a Disabled*
38 *Students Programs and Services program within the California*
39 *Online Community College with staff able to assist students with*
40 *disabilities who are eligible for academic adjustments, auxiliary*

1 *aids, services, and instruction that may be necessary for equal*
2 *access to the general activities, programs, and classes offered by*
3 *the California Online Community College and any other services*
4 *specified in Section 67311.*

5 (2) *Ensure the California Online Community College's use of*
6 *electronic technology is in compliance with the accessibility*
7 *requirements of state and federal electronic and information*
8 *technology policy and statutes, including Sections 7405 and 11135*
9 *of the Government Code; Section 508 of the federal Rehabilitation*
10 *Act of 1973 (29 U.S.C. Sec. 794d), as amended and the regulations*
11 *implementing that act set forth in Part 1194 of Title 36 of the Code*
12 *of Federal Regulations and Appendices A, C, and D of that part;*
13 *and the federal Americans with Disabilities Act of 1990 (42 U.S.C.*
14 *Sec. 12101 et seq.), no later than December 31, 2020. In carrying*
15 *out this duty, the board of governors shall ensure electronic*
16 *technology used by the California Online Community College has*
17 *undergone user testing by persons with disabilities for the purpose*
18 *of assessing compliance with the aforementioned requirements.*

19 (3) *Ensure that the California Online Community College's use*
20 *of instructional resources, including, but not necessarily limited*
21 *to, textbooks and other digital or printed course materials, is in*
22 *compliance with Sections 66406, 66406.7, 66406.9, 67302, and*
23 *67302.5, and any other provisions regarding the accessibility,*
24 *availability, and affordability of such materials.*

25 (4) *Establish a complaint procedure for disabled California*
26 *Online Community College employees, students, and members of*
27 *the public to register complaints about accessibility services*
28 *required pursuant to this section and for resolving the complaints.*
29 *In any case where a complaint is founded on the failure of the*
30 *California Online Community College to meet the compliance*
31 *requirements of this section, the California Online Community*
32 *College shall provide, upon request of the complainant, an*
33 *immediate accommodation to meet the needs of the complainant*
34 *caused by the compliance failure. The California Online*
35 *Community College shall maintain a summary of the complaints*
36 *received and the resolution of the complaints including any*
37 *accommodations made due to the lack of compliance.*

38 (5) *Report to the Legislature and the Department of Finance*
39 *on compliance with this section at each reporting interval specified*

1 *for start-up milestones specified in subdivision (b) of Section*
2 *75011.*

3 *(c) Nothing in this section shall limit the rights of any person*
4 *to pursue any remedies or causes of action that they may have*
5 *under any state or federal law to enforce compliance with those*
6 *laws or the obligations stated in subdivision (b).*

7 *75004. (a) Notwithstanding Section 72000, the California*
8 *Online Community College may sue and be sued, and shall act in*
9 *accordance with Section 75003.*

10 *(b) Notwithstanding Section 72000, the name of the California*
11 *Online Community College is the property of the board of*
12 *governors. No person shall, without permission of the board, use*
13 *the name, or any abbreviation of the name, or any name of which*
14 *these words are a part, in any of the following ways:*

15 *(1) To designate any business, social, political, religious, or*
16 *other organization, including, but not necessarily limited to, any*
17 *corporation, firm, partnership, association, group, activity or*
18 *enterprise.*

19 *(2) To imply, indicate or otherwise suggest that any*
20 *organization, or any product or service of the organization is*
21 *connected or affiliated with, or is endorsed, favored or supported*
22 *by, or is opposed by one or more California community colleges,*
23 *the board of governors, or the chancellor's office.*

24 *(3) To display, advertise, or announce these names publicly at*
25 *or in connection with any meeting, assembly, or demonstration,*
26 *or any propaganda, advertising, or promotional activity of any*
27 *kind which has for its purpose or any part of its purpose the*
28 *support, endorsement, advancement, opposition or defeat of any*
29 *strike, lockout, or boycott or of any political, religious,*
30 *sociological, or economic movement, activity, or program.*

31 *(c) Nothing in this section shall interfere with or restrict the*
32 *right of any person to make a true and accurate statement in the*
33 *course of stating his or her experience or qualifications for any*
34 *academic, governmental, business, or professional credit or*
35 *enrollment, or in connection with any academic, governmental,*
36 *professional or other employment whatsoever.*

37 *(d) Meetings conducted by the board of governors on items that*
38 *are related to the California Online Community College shall be*
39 *conducted separately from the other statutory functions of the*

1 *board of governors, and shall be subject to the same public meeting*
2 *requirements as apply to community college districts.*

3 *75005. (a) The requirements of Article 3 (commencing with*
4 *Section 72022) of Chapter 1 of Part 45 shall not apply to the board*
5 *of governors in fulfilling its duties related to the California Online*
6 *Community College.*

7 *(b) The Legislature declares that the board of governors, in*
8 *carrying out its duties pursuant to Section 70901 and Article 2*
9 *(commencing with Section 71020.5) of Part 44, is expressly*
10 *determined to not have a conflict of interest in the administration*
11 *of the California Online Community College.*

12 *(c) Notwithstanding Chapter 1.5 (commencing with Section*
13 *78100) of Part 48, the board of governors may instead provide*
14 *access to Internet-based library services and materials or by*
15 *contractual arrangements with other entities.*

16 *(d) (1) Notwithstanding any other law, the board of governors*
17 *may authorize the chancellor, or designate members with the*
18 *appropriate skills and experience, including those necessary to*
19 *guide the formation of a new entity, to exercise any powers or*
20 *responsibilities or to take any official actions with respect to the*
21 *management of the college, including any of the college's assets,*
22 *contracts, expenditures, facilities, funds, personnel, or property.*

23 *(2) If the board of governors exercises this authority, the*
24 *chancellor, or the designees of the board of governors, may appoint*
25 *a chief executive officer to manage the California Online*
26 *Community College. The chief executive officer shall have served*
27 *in a similar capacity prior the establishment of the California*
28 *Online Community College and shall have expertise in the*
29 *development and operation of online offerings at a public or*
30 *nonprofit institution, or shall have relevant qualifications to serve*
31 *as the chief executive officer of the California Online Community*
32 *College. The chief executive officer shall meet the minimum*
33 *qualifications for service as an academic administrator in the*
34 *California Community Colleges.*

35 *(3) A chief executive officer appointed under this subdivision*
36 *shall serve at the pleasure of the board of governors.*

37 *(4) A chief executive officer appointed pursuant to this section*
38 *is authorized to do all of the following:*

39 *(A) Develop fiscal policies and practices for the operation of*
40 *the California Online Community College.*

1 (B) Enter into agreements on behalf of the California Online
2 Community College.

3 (C) In consultation with the Chancellor of the California
4 Community Colleges, establish an advisory council process to
5 advise the chief executive officer on issues related to the California
6 Online Community College. The advisory process shall involve
7 representatives from boards of trustees of community college
8 districts, represented employees of the California Online
9 Community College, and students attending the online college. A
10 participant in the advisory process shall not receive any
11 compensation or benefits for his or her services.

12 (D) Consistent with the requirements of the terms of the contract
13 established pursuant to subparagraph (A) of paragraph (2) of
14 subdivision (f) of Section 70901, hire sufficient staff, with
15 appropriate preparation and experience, to provide the functions
16 necessary to support the college's mission and purpose.

17 (E) Hire sufficient numbers of qualified faculty that meet the
18 minimum qualifications established by the college, with appropriate
19 preparation and experience to provide online instructional design
20 and technology-supported student supports to achieve the college's
21 mission and purpose.

22 (F) Manage and control the operations of the college.

23 (5) In the event of a vacancy in the chief executive officer
24 position, the chancellor shall temporarily assume all of the powers
25 and duties of the chief executive officer until another chief executive
26 officer can be appointed pursuant to this section.

27 (6) The board of governors, or its authorized designees, may
28 contract with the Foundation for California Community Colleges
29 for the purpose of providing administrative support for the
30 college's start-up functions.

31 75007. (a) The college shall be developed and guided by
32 principles and procedures established by the chancellor's office,
33 as referenced in Section 75001.

34 (b) (1) The college shall seek accreditation and meet
35 requirements for students to become eligible for federal and state
36 financial aid.

37 (A) The college shall provide the Department of Finance and
38 the Legislature with all of the following:

39 (i) An accreditation plan that, at a minimum, identifies an
40 accrediting agency recognized by the United States Department

1 of Education from which the college will seek accreditation, and
2 outlines the process by which the college will achieve accreditation
3 candidacy or preaccreditation by April 1, 2022, and full
4 accreditation by April 1, 2025. This plan shall be provided on or
5 before April 1, 2021.

6 (ii) Evidence of having achieved accreditation candidacy or
7 preaccreditation from an accrediting agency recognized by the
8 United States Department of Education on or before April 1, 2022.

9 (iii) Evidence of having obtained full accreditation from an
10 accrediting agency recognized by the United States Department
11 of Education on or before April 1, 2025.

12 (2) While the college is seeking accreditation, the Workforce
13 Development Board and the Employment Development Department
14 shall determine whether the programs offered by the online college
15 have job market value to California industries by utilizing existing
16 programmatic review processes.

17 (3) The college shall explore a process for allowing students to
18 retroactively obtain credit units upon demonstrated mastery of
19 competencies for programs completed while the college was
20 seeking accreditation. It is the intent of the Legislature that the
21 college reimburse students for any fees charged if the college fails
22 to meet accreditation standards.

23 (4) The college shall inform potential and enrolled students
24 regarding the implications of taking courses prior to accreditation
25 and how the college will help students rectify this issue in the
26 future.

27 (c) In meeting the requirements of paragraph (4) of subdivision
28 (b) of Section 75003, the California Online Community College
29 shall comply with collective bargaining pursuant to paragraph
30 (2) of subdivision (f) of Section 70901. It is the intent of the
31 Legislature that faculty recruitment efforts for the college will
32 focus on California residents who meet the minimum qualifications
33 to be employed at a California community college, or individuals
34 with experience within the California Community Colleges system.

35 (d) The college shall be subject to the same competitive bidding
36 and state contracting requirements that apply to California
37 community college districts.

38 (e) Curricular issues, such as establishment of enrollment caps
39 for courses, shall be subject to the same approval processes that
40 apply to California community college districts. The curriculum

1 *developed by the California Online Community College and its*
2 *faculty shall have the same protections granted to all curriculum*
3 *developed by other California Community Colleges.*

4 *(f) It is the intent of the Legislature that any general-purpose*
5 *apportionment apportioned to the college be subject to the*
6 *regulatory frameworks of shared governance pursuant to*
7 *paragraph (7) of subdivision (b) of Section 70902 and the*
8 *Full-Time Faculty Obligation Number established in Section 51025*
9 *of Title 5 of the California Code of Regulations.*

10 75008. *(a) The college shall develop a Research and*
11 *Development Unit that is student-centered and focused on the*
12 *science of learning to ensure that the technology used by the*
13 *college is working for the communities it is intended to serve.*

14 *(b) The Research and Development Unit shall be focused on*
15 *leveraging current and future learning sciences technology,*
16 *assessing data metrics within the technological infrastructure to*
17 *gauge student progress in a course or pathway, informing*
18 *instructional and support strategies, and improving on the*
19 *functionality of the underlying technology.*

20 *(c) The Research and Development Unit shall focus on using*
21 *technology, data science, behavioral science, machine learning,*
22 *and artificial intelligence to build out student supports, such as,*
23 *but not limited to, a virtual help desk which uses technology to*
24 *respond to commonly asked questions from students at any hour*
25 *of the day and week.*

26 *(d) The Research and Development Unit shall share the data,*
27 *metrics, and findings with the college's faculty, administrators,*
28 *and technologists to inform and evolve better teaching and student*
29 *support practices.*

30 *(e) The Research and Development Unit shall regularly*
31 *collaborate with the Digital Innovation and Infrastructure Division*
32 *of the chancellor's office to ensure integration, interoperability,*
33 *and, where possible, use open standards.*

34 *(f) Insights from the Research and Development Unit shall be*
35 *shared across the California Community Colleges through existing*
36 *professional development channels to support campuses in*
37 *accelerated adoption of demonstrated advancements in teaching,*
38 *learning, and student supports throughout the system.*

39 75009. *(a) By July 1, 2019, the college shall be expected to,*
40 *at a minimum, meet the following milestones:*

1 (1) Fully develop a seven-year implementation plan, validate
2 a business plan, and develop three program pathways designed
3 in partnership with employers and industry groups.

4 (2) Develop internal business processes and personnel policies,
5 such as hiring, salaries, and evaluations, and establish outcomes
6 goals including the classifications necessary to support
7 instructional development, and activities and other elements of
8 the student experience.

9 (3) Map the student experience, including, but not necessarily
10 limited to, recruiting, onboarding, transcriptions, instructional
11 experience, billing, entry into internship if applicable to the
12 student's programs, and entry into jobs.

13 (4) Develop an accreditation plan.

14 (5) Create a statewide outreach plan, which includes working
15 with immigrant groups and community-based organizations to
16 reach the target population of working learners and help design
17 educational opportunities that work for these learners.

18 (6) Define the duties for instructional support, program
19 development, and other student experience activities.

20 (7) Establish a process for the recognition of prior learnings
21 into the student onboarding experience.

22 (8) Plan to begin enrolling students by the last quarter of 2019.

23 (b) By July 1, 2021, the college shall be expected to, at a
24 minimum, meet all of the following milestones:

25 (1) Incorporate student feedback to improve the college's
26 instruction, technology, and student support services.

27 (2) Design and validate at least three additional program
28 pathways, including coordinating the creation of new content.

29 (3) Apply for accreditation from an accreditor recognized by
30 the United States Department of Education.

31 (c) By July 1, 2023, the college shall be expected to, at a
32 minimum, meet all of the following milestones:

33 (1) Enroll students into the college's program pathways.

34 (2) Incorporate student feedback to improve the college's
35 instruction, technology, and student support services.

36 (3) Design and validate at least 10 additional program
37 pathways, including coordinating the creation of new content.

38 (4) For every 10 pathways offered by the college, at least one
39 pathway shall be developed in collaboration with a traditional
40 community college.

1 (d) By July 1, 2025, the college shall be expected to, at a
2 minimum, meet the following milestones:

3 (1) Enroll students into the college's program pathways.

4 (2) Incorporate student feedback to improve the college's
5 instruction, technology, and student support services.

6 75010. (a) Notwithstanding any other law, the college may
7 establish an affordable fee structure. The college shall establish
8 a fee structure that is equivalent to or less than the fees charged
9 by traditional community colleges. The chief executive officer of
10 the college shall notify, in writing, the Director of Finance and
11 the Legislature, not less than 60 days prior to the effective date of
12 any fee structure established under this subdivision. The
13 notification shall contain, but not necessarily be limited to, the
14 amount or amounts of the fees proposed to be charged. Notification
15 to the Legislature under this subdivision shall comply with Section
16 9795 of the Government Code.

17 (b) (1) Regardless of the college's fee structure, enrolled
18 students shall be eligible for fee waivers that are consistent with
19 the fee waiver goals of the California College Promise Grants
20 authorized pursuant to Article 1 (commencing with Section 76300)
21 of Chapter 2 of Part 47 and California College Promise fee waivers
22 authorized pursuant to Article 3 (commencing with Section 76396)
23 of Chapter 2 of Part 47.

24 (2) Regardless of the college's fee structure, students exempt
25 from nonresident tuition pursuant to Article 9 (commencing with
26 Section 76140) of Chapter 1 of Part 47 shall be eligible for tuition
27 and fee waivers pursuant to paragraph (1).

28 (c) It is the intent of the Legislature that students enrolled in
29 the college be eligible to participate in the Cal Grant program if
30 the student otherwise meets the applicable statutory and regulatory
31 requirements of the program.

32 (d) (1) One-time funds appropriated in Section 2.00 of the
33 Budget Act of 2018 in support of the college shall be expended to
34 support the college's start-up costs. Start-up costs may include
35 support for activities, including, but not necessarily limited to, all
36 of the following:

37 (A) Roadmap development and capital investments for scalable
38 technology infrastructure development to support the college's
39 instruction, technological support, continuous improvement
40 modeling, and administrative functions.

1 (B) Design and development of the Research and Development
2 Unit that may include fully-supported virtual and mobile labs in
3 order to assess learning science, as well as demonstration pilots
4 to test and refine technology and program development to ensure
5 greater effectiveness and scalability.

6 (C) Establishment of key partnerships with entities with physical
7 presence to provide in-person supports, such as libraries and
8 community college labs and facilities.

9 (D) Support for the development of core functions, such as
10 mapping the student experience, developing and testing a new and
11 experimental fee model, establishing a student outreach plan, and
12 establishing key employer partners.

13 (E) Development of a seven-year business plan with key
14 milestones, indicators, and outcomes.

15 (F) Preparation for and development of applications to seek
16 accreditation.

17 (G) Establishment of business processes, legal support,
18 development of initial and long-term staffing plan, personnel
19 policies and procedures, establishment of responsive metrics, and
20 indicators driving student success to inform design.

21 (H) Scaling efforts over the seven-year startup period.

22 (2) Ongoing funds appropriated in the annual Budget Act in
23 support of the college shall be expended to support the college's
24 ongoing operations. Ongoing costs may include support for
25 activities, including, but not necessarily limited to, all of the
26 following:

27 (A) Licensing and maintenance for use of technology and related
28 tools.

29 (B) Professional development and training, particularly for
30 faculty and staff in student-facing support roles.

31 (C) Continued assessment of student program pathways,
32 including validation, content development and improvements, and
33 partnership development.

34 (D) Ongoing costs associated with salaries and benefits,
35 facilities, supplies, and incidentals.

36 (E) Other administrative functions of the college.

37 (e) The California Online Community College shall be eligible
38 to claim general apportionment funding pursuant to the formula
39 established in Section 84750.5 or any successor section.

1 (1) Consistent with the Student-Focused Funding Formula
2 established pursuant to Section 84750.4, the district would be
3 eligible for supplemental grants and student success incentive
4 grants.

5 (2) For the first three years in which the district claims
6 apportionments funding, the district's student success incentive
7 grant metrics may be based on the statewide average for all other
8 community college districts.

9 (3) For purposes of computing the District's apportionments
10 funding, growth in enrollment for the district will be computed
11 separately from the other California Community Colleges. It is
12 the intent of the Legislature that apportionments for enrollment
13 growth funding for the district be appropriated separately from
14 apportionments enrollment growth funding appropriated in support
15 of all other California Community Colleges.

16 (f) Of the funds appropriated in support of the college, no
17 Proposition 98 General Fund moneys shall be used to support the
18 state operations of the Chancellor's Office.

19 75011. (a) The college shall be held to at least the same
20 accountability measures and key performance indicators developed
21 by the Board of Governors of the California Community Colleges
22 and the Chancellor's Office of the California Community Colleges
23 that are applicable to all other campuses of the California
24 Community Colleges.

25 (b) In addition, the college shall report to the Legislature and
26 the Department of Finance on all of the following measures:

27 (1) The college shall report on startup milestones, including
28 the number of designed program pathways, by August 1, 2019.

29 (2) The college shall report on startup milestones, including
30 student enrollment and the number of designed program pathways,
31 by August 1, 2020.

32 (3) The college shall report on startup milestones, including
33 student enrollment, the number of designed program pathways,
34 and student outcomes, by August 1, 2021. This report shall serve
35 as a comprehensive status report on the college's activities and
36 outcomes, including information on student employment and
37 earning gains after completion of programs, other student success
38 metrics identified by the Research and Development Unit, the
39 number of faculty and staff employed by the college, and a

1 *qualitative description of the college's efforts and progress to*
2 *reach and serve working adults.*

3 *(4) The college shall report on startup milestones, including*
4 *student enrollment, the number of designed program pathways,*
5 *student outcomes, progress on transition planning for the scaling*
6 *phase, and a qualitative description of any innovative teaching*
7 *and student support practices and technologies developed by the*
8 *college's faculty and staff, by August 1, 2022, and August 1 of*
9 *each year thereafter.*

10 *(c) By January 1, 2026, the college shall also be assessed by*
11 *an independent evaluator contracted by the board of governors.*
12 *The independent evaluator shall assess the progress of program*
13 *production, relationships with industry partners, student success,*
14 *and the like.*

15 *75012. (a) The chancellor's office shall conduct a review of*
16 *the process used to calculate noncredit and career development*
17 *college preparation rates, and make recommendations to the board*
18 *of governors on or before January 1, 2019, on how that process*
19 *may be modified to encourage the use and development of*
20 *competency-based courses and programs.*

21 *(b) The chancellor's office shall conduct a review of the*
22 *statewide approval process to offer online courses under a flexible*
23 *calendar, and make recommendations to the board of governors*
24 *on or before January 1, 2019.*

25 *SEC. 19. Section 76004 of the Education Code is amended to*
26 *read:*

27 *76004. Notwithstanding Section 76001 or any other law:*

28 *(a) The governing board of a community college district may*
29 *enter into a College and Career Access Pathways (CCAP)*
30 *partnership with the governing board of a school district for the*
31 *purpose of offering or expanding dual enrollment opportunities*
32 *for ~~students~~ pupils who may not already be college bound or who*
33 *are underrepresented in higher education, with the goal of*
34 *developing seamless pathways from high school to community*
35 *college for career technical education or preparation for transfer,*
36 *improving high school graduation rates, or helping high school*
37 *pupils achieve college and career readiness.*

38 *(b) A participating community college district may enter into a*
39 *CCAP partnership with a school district partner that is governed*
40 *by a CCAP partnership agreement approved by the governing*

boards of both districts. As a condition of, and before adopting, a CCAP partnership agreement, the governing board of each district, at an open public meeting of that board, shall present the dual enrollment partnership agreement as an informational item. The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed agreement.

(c) (1) The CCAP partnership agreement shall outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school ~~students~~ *pupils* to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those ~~students~~; *pupils*; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses. The CCAP partnership agreement shall also establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses.

(2) The CCAP partnership agreement shall identify a point of contact for the participating community college district and school district partner.

(3) A copy of the CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership. The chancellor may void any CCAP partnership agreement it determines has not complied with the intent of the requirements of this section.

(d) A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school pupils pursuant to this section or any other course opportunities that do not assist in the attainment of at least one of the goals listed in subdivision (a).

(e) A community college district shall not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

1 (f) A high school pupil enrolled in a course offered through a
2 CCAP partnership shall not be assessed any fee that is prohibited
3 by Section 49011.

4 (g) A community college district participating in a CCAP
5 partnership may assign priority for enrollment and course
6 registration to a pupil seeking to enroll in a community college
7 course that is required for the pupil's CCAP partnership program
8 that is equivalent to the priority assigned to a pupil attending a
9 middle college high school as described in Section 11300 and
10 consistent with middle college high school provisions in Section
11 76001.

12 (h) The CCAP partnership agreement shall certify that any
13 community college instructor teaching a course on a high school
14 campus has not been convicted of any sex offense as defined in
15 Section 87010, or any controlled substance offense as defined in
16 Section 87011.

17 (i) The CCAP partnership agreement shall certify that any
18 community college instructor teaching a course at the partnering
19 high school campus has not displaced or resulted in the termination
20 of an existing high school teacher teaching the same course on that
21 high school campus.

22 (j) The CCAP partnership agreement shall certify that a qualified
23 high school teacher teaching a course offered for college credit at
24 a high school campus has not displaced or resulted in the
25 termination of an existing community college faculty member
26 teaching the same course at the partnering community college
27 campus.

28 (k) The CCAP partnership agreement shall include a certification
29 by the participating community college district of all of the
30 following:

31 (1) A community college course offered for college credit at
32 the partnering high school campus does not reduce access to the
33 same course offered at the partnering community college campus.

34 (2) A community college course that is oversubscribed or has
35 a waiting list shall not be offered in the CCAP partnership.

36 (3) Participation in a CCAP partnership is consistent with the
37 core mission of the community colleges pursuant to Section
38 66010.4, and that pupils participating in a CCAP partnership will
39 not lead to enrollment displacement of otherwise eligible adults
40 in the community college.

1 (l) The CCAP partnership agreement shall certify that both the
2 school district and community college district partners comply
3 with local collective bargaining agreements and all state and federal
4 reporting requirements regarding the qualifications of the teacher
5 or faculty member teaching a CCAP partnership course offered
6 for high school credit.

7 (m) The CCAP partnership agreement shall specify both of the
8 following:

9 (1) Which participating district will be the employer of record
10 for purposes of assignment monitoring and reporting to the county
11 office of education.

12 (2) Which participating district will assume reporting
13 responsibilities pursuant to applicable federal teacher quality
14 mandates.

15 (n) The CCAP partnership agreement shall certify that any
16 remedial course taught by community college faculty at a
17 partnering high school campus shall be offered only to high school
18 ~~students~~ *pupils* who do not meet their grade level standard in math,
19 English, or both on an interim assessment in grade 10 or 11, as
20 determined by the partnering school district, and shall involve a
21 collaborative effort between high school and community college
22 faculty to deliver an innovative remediation course as an
23 intervention in the ~~student's~~ *pupil's* junior or senior year to ensure
24 the ~~student~~ *pupil* is prepared for college-level work upon
25 graduation.

26 (o) (1) A community college district may limit enrollment in
27 a community college course solely to eligible high school ~~students~~
28 *pupils* if the course is offered at a high school ~~campus~~ *campus*,
29 *either in person or using an online platform*, during the regular
30 school day and the community college course is offered pursuant
31 to a CCAP partnership agreement.

32 (2) For purposes of allowances and apportionments from Section
33 B of the State School Fund, a community college district
34 conducting a closed course on a high school campus pursuant to
35 paragraph (1) of subdivision (p) shall be credited with those units
36 of full-time equivalent students attributable to the attendance of
37 eligible high school pupils.

38 (p) A community college district may allow a special part-time
39 student participating in a CCAP partnership agreement established

1 pursuant to this article to enroll in up to a maximum of 15 units
2 per term if all of the following circumstances are satisfied:

3 (1) The units constitute no more than four community college
4 courses per term.

5 (2) The units are part of an academic program that is part of a
6 CCAP partnership agreement established pursuant to this article.

7 (3) The units are part of an academic program that is designed
8 to award students both a high school diploma and an associate
9 degree or a certificate or credential.

10 (q) The governing board of a community college district
11 participating in a CCAP partnership agreement established pursuant
12 to this article shall exempt special part-time students described in
13 subdivision (p) from the fee requirements in Sections 76060.5,
14 76223, 76300, 76350, and 79121.

15 (r) A district shall not receive a state allowance or apportionment
16 for an instructional activity for which the partnering district has
17 been, or shall be, paid an allowance or apportionment.

18 (s) (1) The attendance of a high school pupil at a community
19 college as a special part-time or full-time student pursuant to this
20 section is authorized attendance for which the community college
21 shall be credited or reimbursed pursuant to Section 48802 or 76002,
22 provided that no school district has received reimbursement for
23 the same instructional activity.

24 (2) *For purposes of calculating classroom-based average daily*
25 *attendance for classroom-based instruction apportionments, at*
26 *least 80 percent of the instructional time offered by a charter*
27 *school pursuant to an authorized CCAP partnership agreement*
28 *shall be at the schoolsite, and the charter school shall require the*
29 *attendance of a pupil for a minimum of 50 percent of the minimum*
30 *instructional time required to be offered pursuant to paragraph*
31 *(1) of subdivision (a) of Section 47612.5, if the pupil is also a*
32 *special part-time student enrolled in a community college pursuant*
33 *to this section and the pupil will receive academic credit upon*
34 *satisfactory completion of enrolled courses.*

35 (t) (1) For each CCAP partnership agreement entered into
36 pursuant to this section, the affected community college district
37 and school district shall report annually to the office of the
38 Chancellor of the California Community Colleges all of the
39 following information:

1 (A) The total number of high school pupils by schoolsite
2 enrolled in each CCAP partnership, aggregated by gender and
3 ethnicity, and reported in compliance with all applicable state and
4 federal privacy laws.

5 (B) The total number of community college courses by course
6 category and type and by schoolsite enrolled in by CCAP
7 partnership participants.

8 (C) The total number and percentage of successful course
9 completions, by course category and type and by schoolsite, of
10 CCAP partnership participants.

11 (D) The total number of full-time equivalent students generated
12 by CCAP partnership community college district participants.

13 *(E) The total number of full-time equivalent students served*
14 *online generated by CCAP partnership community college district*
15 *participants.*

16 (2) On or before January 1, 2021, the chancellor shall prepare
17 a summary report that includes an evaluation of the CCAP
18 partnerships, an assessment of trends in the growth of special
19 admits systemwide and by campus, and, based upon the data
20 collected pursuant to this section, recommendations for program
21 improvements, including, but not necessarily limited to, both of
22 the following:

23 (A) Any recommended changes to the statewide cap on special
24 admit full-time equivalent students to ensure that adults are not
25 being displaced.

26 (B) Any recommendation concerning the need for additional
27 student assistance or academic resources to ensure the overall
28 success of the CCAP partnerships.

29 (3) The chancellor shall ensure that the number of full-time
30 equivalent students generated by CCAP partnerships is reported
31 pursuant to the reporting requirements in Section 76002.

32 (u) The annual report required by subdivision (t) shall also be
33 transmitted to all of the following:

34 (1) The Legislature, in compliance with Section 9795 of the
35 Government Code.

36 (2) The Director of Finance.

37 (3) The Superintendent.

38 (v) A community college district that violates this article,
39 including, but not necessarily limited to, any restriction imposed
40 by the board of governors pursuant to this article, shall be subject

1 to the same penalty as may be imposed pursuant to subdivision
2 (d) of Section 78032.

3 (w) The statewide number of full-time equivalent students
4 claimed as special admits shall not exceed 10 percent of the total
5 number of full-time equivalent students claimed statewide.

6 (x) Nothing in this section is intended to affect a dual enrollment
7 partnership agreement existing on the effective date of this section
8 under which an early college high school, a middle college high
9 school, or California Career Pathways Trust existing on the
10 effective date of this section is operated. An early college high
11 school, middle college high school, or California Career Pathways
12 Trust partnership agreement existing on the effective date of this
13 section shall not operate as a CCAP partnership unless it complies
14 with the provisions of this section.

15 (y) *The governing body of a charter school may enter into a*
16 *CCAP partnership agreement with the governing board of a*
17 *community college district pursuant to this section. That CCAP*
18 *partnership agreement shall comply with all applicable*
19 *requirements of this section.*

20 ~~(y)~~

21 (z) This section shall remain in effect only until January 1, 2022,
22 and as of that date is repealed, unless a later enacted statute, that
23 is enacted before January 1, 2022, deletes or extends that date.

24 *SEC. 20. Section 76300 of the Education Code is amended to*
25 *read:*

26 76300. (a) The governing board of each community college
27 district shall charge each student a fee pursuant to this section.

28 (b) (1) The fee prescribed by this section shall be forty-six
29 dollars (\$46) per unit per semester, effective with the summer term
30 of the 2012 calendar year.

31 (2) The board of governors shall proportionately adjust the
32 amount of the fee for term lengths based upon a quarter system,
33 and also shall proportionately adjust the amount of the fee for
34 summer sessions, intersessions, and other short-term courses. In
35 making these adjustments, the board of governors may round the
36 per unit fee and the per term or per session fee to the nearest dollar.

37 (c) For the purposes of computing apportionments to community
38 college districts pursuant to Section 84750.4 or 84750.5, as
39 applicable, the board of governors shall subtract, from the total

1 revenue owed to each district, 98 percent of the revenues received
2 by districts from charging a fee pursuant to this section.

3 (d) The board of governors shall reduce apportionments by up
4 to 10 percent to any district that does not collect the fees prescribed
5 by this section.

6 (e) The fee requirement does not apply to any of the following:

7 (1) Students enrolled in the noncredit courses designated by
8 Section 84757.

9 (2) California State University or University of California
10 students enrolled in remedial classes provided by a community
11 college district on a campus of the University of California or a
12 campus of the California State University, for whom the district
13 claims an attendance apportionment pursuant to an agreement
14 between the district and the California State University or the
15 University of California.

16 (3) Students enrolled in credit contract education courses
17 pursuant to Section 78021, if the entire cost of the course, including
18 administrative costs, is paid by the public or private agency,
19 corporation, or association with which the district is contracting
20 and if these students are not included in the calculation of the
21 full-time equivalent students (FTES) of that district.

22 (f) The governing board of a community college district may
23 exempt special part-time students admitted pursuant to Section
24 76001 from the fee requirement.

25 (g) (1) The fee requirements of this section shall be waived for
26 any student who meets all of the following requirements:

27 (A) Meets minimum academic and progress standards adopted
28 by the board of governors, which fulfill the requirements outlined
29 in this paragraph and paragraphs (2) to (5), inclusive. Any
30 minimum academic and progress standards adopted pursuant to
31 this section shall be uniform across all community college districts
32 and campuses. These standards shall not include a maximum unit
33 cap, and community college districts and colleges shall not impose
34 requirements for fee waiver eligibility other than the minimum
35 academic and progress standards adopted by the board of governors
36 and the requirements of subparagraph (B).

37 (B) Meets one of the following criteria:

38 (i) At the time of enrollment, is a recipient of benefits under the
39 Temporary Assistance for Needy Families program, the

1 Supplemental Security Income/State Supplementary Payment
2 Program, or a general assistance program.

3 (ii) Demonstrates eligibility according to income standards
4 established by regulations of the board of governors.

5 (iii) Demonstrates financial need in accordance with the
6 methodology set forth in federal law or regulation for determining
7 the expected family contribution of students seeking financial aid.

8 (iv) At the time of enrollment, is a homeless youth as defined
9 in subdivision (b) of Section 66025.9.

10 (2) (A) The board of governors, in consultation with students,
11 faculty, and other key stakeholders, shall consider all of the
12 following in the development and adoption of minimum academic
13 and progress standards pursuant to subparagraph (A) of paragraph
14 (1):

15 (i) Minimum uniform academic and progress standards that do
16 not unfairly disadvantage financially needy students in pursuing
17 their education.

18 (ii) Criteria for reviewing extenuating circumstances and
19 granting appeals that, at a minimum, take into account and do not
20 penalize a student for circumstances outside his or her control,
21 such as reductions in student support services or changes to the
22 economic situation of the student.

23 (iii) A process for reestablishing fee waiver eligibility that
24 provides a student with a reasonable opportunity to continue or
25 resume his or her enrollment at a community college.

26 (B) To ensure that students are not unfairly impacted by the
27 requirements of subparagraph (A) of paragraph (1), the board of
28 governors shall establish a reasonable implementation period that
29 commences no sooner than one year from adoption of the minimum
30 academic and progress standards, or any subsequent changes to
31 these standards, pursuant to subparagraph (A) of paragraph (1)
32 and that is phased in to provide students adequate notification of
33 this requirement and information about available support resources.

34 (3) It is the intent of the Legislature that minimum academic
35 and progress standards adopted pursuant to subparagraph (A) of
36 paragraph (1) be implemented only as campuses develop and
37 implement the student support services and interventions necessary
38 to ensure no disproportionate impact to students based on ethnicity,
39 gender, disability, or socioeconomic status. The board of governors
40 shall consider the ability of community college districts to meet

1 the requirements of this paragraph before adopting minimum
2 academic and progress standards, or any subsequent changes to
3 these standards, pursuant to subparagraph (A) of paragraph (1).

4 (4) It is the intent of the Legislature to ensure that a student shall
5 not lose fee waiver eligibility without a community college campus
6 first demonstrating a reasonable effort to provide a student with
7 adequate notification and assistance in maintaining his or her fee
8 waiver eligibility. The board of governors shall adopt regulations
9 to implement this paragraph that ensure all of the following:

10 (A) Students are provided information about the available
11 student support services to assist them in maintaining fee waiver
12 eligibility.

13 (B) Community college district policies and course catalogs
14 reflect the minimum academic and progress standards adopted
15 pursuant to subparagraph (A) of paragraph (1) and that appropriate
16 notice is provided to students before the policies are put into effect.

17 (C) A student does not lose fee waiver eligibility unless he or
18 she has not met minimum academic and progress standards adopted
19 pursuant to subparagraph (A) of paragraph (1) for a period of no
20 less than two consecutive academic terms.

21 (5) The board of governors shall provide notification of a
22 proposed action to adopt regulations pursuant to this subdivision
23 to the appropriate policy and fiscal committees of the Legislature
24 in accordance with the requirements of paragraph (1) of subdivision
25 (a) of Section 70901.5. This notification shall include, but not be
26 limited to, all of the following:

27 (A) The proposed minimum academic and progress standards
28 and information detailing how the requirements of paragraphs (1)
29 to (4), inclusive, have been or will be satisfied.

30 (B) How many students may lose fee waiver eligibility by
31 ethnicity, gender, disability, and, to the extent relevant data is
32 available, by socioeconomic status.

33 (C) The criteria for reviewing extenuating circumstances,
34 granting appeals, and reestablishing fee waiver eligibility pursuant
35 to paragraph (2).

36 (h) The fee requirements of this section shall be waived for any
37 student who, at the time of enrollment, is a dependent or surviving
38 spouse who has not remarried, of any member of the California
39 National Guard who, in the line of duty and while in the active
40 service of the state, was killed, died of a disability resulting from

1 an event that occurred while in the active service of the state, or
2 is permanently disabled as a result of an event that occurred while
3 in the active service of the state. “Active service of the state,” for
4 the purposes of this subdivision, refers to a member of the
5 California National Guard activated pursuant to Section 146 of
6 the Military and Veterans Code.

7 (i) The fee requirements of this section shall be waived for any
8 student who is the surviving spouse or the child, natural or adopted,
9 of a deceased person who met all of the requirements of Section
10 68120.

11 (j) The fee requirements of this section shall be waived for any
12 student in an undergraduate program, including a student who has
13 previously graduated from another undergraduate or graduate
14 program, who is the dependent of any individual killed in the
15 September 11, 2001, terrorist attacks on the World Trade Center
16 and the Pentagon or the crash of United Airlines Flight 93 in
17 southwestern Pennsylvania, if that dependent meets the financial
18 need requirements set forth in Section 69432.7 for the Cal Grant
19 A Program and either of the following applies:

20 (1) The dependent was a resident of California on September
21 11, 2001.

22 (2) The individual killed in the attacks was a resident of
23 California on September 11, 2001.

24 (k) A determination of whether a person is a resident of
25 California on September 11, 2001, for purposes of subdivision (j)
26 shall be based on the criteria set forth in Chapter 1 (commencing
27 with Section 68000) of Part 41 of Division 5 for determining
28 nonresident and resident tuition.

29 (l) (1) “Dependent,” for purposes of subdivision (j), is a person
30 who, because of his or her relationship to an individual killed as
31 a result of injuries sustained during the terrorist attacks of
32 September 11, 2001, qualifies for compensation under the federal
33 September 11th Victim Compensation Fund of 2001 (Title IV
34 (commencing with Section 401) of Public Law 107-42).

35 (2) A dependent who is the surviving spouse of an individual
36 killed in the terrorist attacks of September 11, 2001, is entitled to
37 the waivers provided in this section until January 1, 2013.

38 (3) A dependent who is the surviving child, natural or adopted,
39 of an individual killed in the terrorist attacks of September 11,

1 2001, is entitled to the waivers under subdivision (j) until that
2 person attains 30 years of age.

3 (4) A dependent of an individual killed in the terrorist attacks
4 of September 11, 2001, who is determined to be eligible by the
5 California Victim Compensation and Government Claims Board,
6 is also entitled to the waivers provided in this section until January
7 1, 2013.

8 (m) (1) It is the intent of the Legislature that sufficient funds
9 be provided to support the provision of a fee waiver for every
10 student who demonstrates eligibility pursuant to subdivisions (g)
11 to (j), inclusive.

12 (2) From funds provided in the annual Budget Act, the board
13 of governors shall allocate to community college districts, pursuant
14 to this subdivision, an amount equal to 2 percent of the fees waived
15 pursuant to subdivisions (g) to (j), inclusive. From funds provided
16 in the annual Budget Act, the board of governors shall allocate to
17 community college districts, pursuant to this subdivision, an
18 amount equal to ninety-one cents (\$0.91) per credit unit waived
19 pursuant to subdivisions (g) to (j), inclusive. It is the intent of the
20 Legislature that funds provided pursuant to this subdivision be
21 used to support the determination of financial need and delivery
22 of student financial aid services, on the basis of the number of
23 students for whom fees are waived. It also is the intent of the
24 Legislature that the funds provided pursuant to this subdivision
25 directly offset mandated costs claimed by community college
26 districts pursuant to Commission on State Mandates consolidated
27 Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15
28 (Enrollment Fee Waivers). Funds allocated to a community college
29 district for determination of financial need and delivery of student
30 financial aid services shall supplement, and shall not supplant, the
31 level of funds allocated for the administration of student financial
32 aid programs during the 1992–93 fiscal year.

33 (n) The board of governors shall adopt regulations implementing
34 this section.

35 ~~(o) This section shall become operative on May 1, 2012, only~~
36 ~~if subdivision (b) of Section 3.94 of the Budget Act of 2011 is~~
37 ~~operative.~~

38 *SEC. 21. Section 76350 of the Education Code is amended to*
39 *read:*

1 76350. Except as provided in Section 3074.7 of the Labor
2 Code, no charges or fees shall be required to be paid by a resident
3 or nonresident apprentice, or by his or her parent or guardian, for
4 admission or attendance in any course of activity *or community*
5 *college course* that is offered pursuant to Section 3074 of the Labor
6 Code in accordance with the instructional hours requirements *and*
7 *course requirements* specified in ~~subdivision (d)~~ of Section 3078
8 of the Labor Code.

9 *SEC. 22. Section 78222 is added to the Education Code, to*
10 *read:*

11 78222. (a) (1) *The Student Equity and Achievement Program*
12 *is hereby established.*

13 (2) *It is the intent of the Legislature that funds for the Student*
14 *Equity and Achievement Program support the California*
15 *Community Colleges in implementing activities and practices*
16 *pursuant to the California Community College Guided Pathways*
17 *Grant Program and activities and practices that advance the*
18 *systemwide goal to eliminate achievement gaps for students from*
19 *traditionally underrepresented groups.*

20 (b) *As a condition of the receipt of funds for purposes of this*
21 *section, a district shall comply with all of the following:*

22 (1) *Maintain a student equity plan pursuant to Section 78220*
23 *to ensure equal educational opportunities and to promote student*
24 *success for all students, regardless of race, gender, age, disability,*
25 *or economic circumstances.*

26 (2) *Provide student matriculation services pursuant to Section*
27 *78212, including implementation of orientation, counseling and*
28 *advising, and other education planning services needed to assist*
29 *a student in making informed decisions about his or her*
30 *educational goal and course of study and in developing an*
31 *education plan. The Office of the Chancellor of the California*
32 *Community Colleges shall establish guidelines on student*
33 *matriculation services, including, but not limited to, the*
34 *development of an education plan leading to a course of study.*

35 (3) *Adopt and implement placement policies consistent with the*
36 *requirements of Section 78213.*

37 (4) *Provide all students with an education plan, which identifies*
38 *courses, a sequence of courses, key progress milestones, and other*
39 *requirements the student must complete to earn an associate*
40 *degree, career technical education certificate, other community*

1 college certificate, or meet transfer requirements. Notwithstanding
2 any other provision of law, students who are exempted from having
3 an education plan under subdivision (b) of Section 55532 of Title
4 5 of the California Code of Regulations are not subject to the
5 requirement of this paragraph.

6 (c) (1) If the total amount of funds appropriated for purposes
7 of this section is equal to or greater than the amount of funds
8 appropriated in the 2017–18 fiscal year for the Student Success
9 and Support Program pursuant to Section 78212, the student equity
10 plans pursuant to Section 78221, and the Student Success for Basic
11 Skills program pursuant to Section 88815, the chancellor shall
12 allocate to each district an amount equal to or great than the
13 amount allocated in the 2017–18 fiscal year.

14 (2) If the total amount of funds appropriated for purposes of
15 this section is less than the amount of funds appropriated in the
16 2017–18 fiscal year for the Student Success and Support Program
17 pursuant to Section 78212, the student equity plans pursuant to
18 Section 78221, and the Student Success for Basic Skills program
19 pursuant to Section 88815, the chancellor shall allocate to each
20 district the pro rata share of the amount appropriated based on
21 the amount allocated to each district in the 2017–18 fiscal year.

22 (3) The chancellor may allocate up to 5 percent of the total
23 funds appropriated for the purposes of this program for state
24 administrative operations to carry out the intent of this section.

25 (4) Up to 1 percent of the total funds allocated to a district for
26 the purposes of this program may be used by the district for faculty
27 and staff development to improve curriculum, instruction, student
28 services, and program practices in basic skills and English as a
29 second language programs pursuant to Section 88815.

30 SEC. 23. Section 78401 of the Education Code is amended to
31 read:

32 78401. (a) The governing board of any community college
33 district shall have power with the approval of the board of
34 governors to establish and maintain classes for adults for the
35 purpose of providing instruction in civic, vocational, literacy,
36 health, homemaking, technical and general education.

37 (b) Classes for adults shall conform to any course of study and
38 graduation requirements otherwise imposed by law or under the
39 authority of law.

1 (c) Classes for adults shall be open for the admission of adults
2 and of any minors who, in the judgment of the governing board,
3 may be qualified for admission thereto.

4 (d) The board of governors shall establish standards, including
5 standards of attendance, curriculum, administration, and guidance
6 and counseling service for classes for adults as a basis for the
7 several apportionments of state funds provided herein for the
8 support of these classes.

9 (e) The governing board of any community college district
10 maintaining an adult school shall prescribe the requirements for
11 the granting of diplomas.

12 (f) *Commencing with the 2019–20 fiscal year, the Chancellor’s*
13 *Office of the California Community Colleges and the State*
14 *Department of Education shall coordinate so that students enrolled*
15 *in classes established pursuant to subdivision (a) shall be assigned*
16 *a statewide student identifier consistent with the identifiers*
17 *assigned to pupils in K–12 education programs, if the student is*
18 *not already identified by a social security number in a community*
19 *college district’s data system. For students who formerly attended*
20 *a California public school in kindergarten or any of grades 1 to*
21 *12, inclusive, or participated in another adult education program,*
22 *the same statewide student identifier utilized for that student in*
23 *the past programs shall be assigned. The chancellor’s office shall*
24 *collect and maintain the identifiers of adult school students in the*
25 *Adult Education Program data system.*

26 SEC. 24. Section 79148.1 is added to the Education Code, to
27 read:

28 79148.1. (a) *The California Apprenticeship Initiative (CAI)*
29 *New and Innovative Grant Program is hereby established, under*
30 *the administration of the Chancellor of the California Community*
31 *Colleges, to create new and innovative apprenticeship*
32 *opportunities in priority and emerging industry sectors or areas*
33 *in which apprenticeship training is not fully established or does*
34 *not exist.*

35 (b) *The chancellor shall adopt, as necessary, application*
36 *procedures, forms, administrative guidelines, and other*
37 *requirements for purposes of implementing and administering the*
38 *California Apprenticeship Initiative (CAI) New and Innovative*
39 *Grant Program.*

1 (c) Notwithstanding Section 16304 of the Government Code,
2 funds appropriated for the California Apprenticeship Initiative
3 (CAI) New and Innovative Grant Program shall be available to
4 the chancellor for five fiscal years beginning with the fiscal year
5 upon which the funds are appropriated.

6 (d) The operation of this section is contingent upon an
7 appropriation in the annual Budget Act for purposes of the
8 California Apprenticeship Initiative (CAI) New and Innovative
9 Grant Program.

10 SEC. 25. Section 79149.1 of the Education Code is repealed.

11 ~~79149.1. Attendance of apprentices enrolled in any class~~
12 ~~maintained by a community college, pursuant to Section 3074 of~~
13 ~~the Labor Code, shall be reimbursed pursuant to Section 79149.3~~
14 ~~only if reported separately to the Chancellor of the California~~
15 ~~Community Colleges. Attendance reported pursuant to this section~~
16 ~~shall be used only for purposes of calculating allowances pursuant~~
17 ~~to Section 79149.3.~~

18 SEC. 26. Section 79149.1 is added to the Education Code, to
19 read:

20 79149.1. (a) Attendance of apprentices enrolled in any class
21 offered for community college credit by a community college in
22 collaboration with an apprenticeship program sponsor, pursuant
23 to Section 3074 of the Labor Code, may be reimbursed as part of
24 the budget formula developed pursuant to paragraph (2) of
25 subdivision (d) of Section 84750.5 or its successor section if such
26 attendance is not reported pursuant to Section 79149.3. Attendance
27 for an apprenticeship class reimbursed as part of the budget
28 formula developed pursuant to paragraph (2) of subdivision (d)
29 of Section 84750.5 or its successor section shall be reported
30 separately to the Chancellor of the California Community Colleges.

31 (b) Attendance of apprentices reimbursed pursuant to
32 subdivision (a) shall be reimbursed based on the number of hours
33 of instruction provided to indentured apprentices. The attendance
34 hours generated by credit apprenticeship courses shall be funded
35 at the marginal credit rate determined pursuant to paragraph (2)
36 of subdivision (d) of Section 84750.5 or its successor section.

37 (c) For purposes of this section, each hour of teaching time may
38 include up to 10 minutes of passing time and breaks.

39 (d) The attendance hours funded pursuant to subdivision (b)
40 shall be allocated by the Chancellor of the California Community

1 *Colleges directly to participating community college districts that*
2 *have a college or colleges that contract with apprenticeship*
3 *programs pursuant to subdivision (e).*

4 *(e) Reimbursements may be made under this section for*
5 *instruction provided to indentured apprentices only if the*
6 *instruction is provided by a program approved by the Division of*
7 *Apprenticeship Standards of the Department of Industrial Relations*
8 *in accordance with Chapter 4 (commencing with Section 3070) of*
9 *Division 3 of the Labor Code.*

10 *(f) A community college that funds a class for the training of*
11 *apprentices taught by an apprenticeship instructor other than a*
12 *community college faculty member shall not claim reimbursement*
13 *as part of the budget formula developed pursuant to paragraph*
14 *(2) of subdivision (d) of Section 84750.5 or its successor section*
15 *in accordance with subdivision (a) and instead shall claim*
16 *reimbursement pursuant to Section 79149.3.*

17 *(g) A community college may limit enrollment in a community*
18 *college course or course section reimbursed pursuant to this*
19 *section solely to apprentices if that course or course section is*
20 *required for those students as a part of a registered apprenticeship*
21 *program with the Division of Apprenticeship Standards of the*
22 *Department of Industrial Relations.*

23 *(h) For each community college receiving reimbursement for*
24 *apprenticeship hours pursuant to this section, the affected*
25 *community college district shall report to the Chancellor of the*
26 *California Community Colleges all of the following information,*
27 *for each apportionment period:*

28 *(1) The total number of full-time equivalent students generated*
29 *by apprentices enrolled in community college apprenticeship*
30 *courses that are reimbursed pursuant to this section.*

31 *(2) The total number of hours reimbursed for apprenticeship*
32 *instruction pursuant to subdivision (b).*

33 *(3) The total amount of apportionment received for*
34 *apprenticeship instruction reimbursed pursuant to this section.*

35 *(i) The Chancellor of the California Community Colleges shall*
36 *report to the California Apprenticeship Council within 30 days of*
37 *each apportionment period the following information, for each*
38 *community college receiving reimbursement for apprenticeship*
39 *instruction pursuant to this section:*

1 (1) *The number of apprenticeship instructional hours reported*
2 *by and reimbursed to the community college as part of the budget*
3 *formula developed pursuant to paragraph (2) of subdivision (d)*
4 *of Section 84750.5 or its successor section.*

5 (2) *At the final or recalculation apportionment, the hourly rate*
6 *equivalent of per full-time equivalent student funding paid for*
7 *instructional hours reimbursed to the community college as part*
8 *of the budget formula developed pursuant to paragraph (2) of*
9 *subdivision (d) of Section 84750.5 or its successor section.*

10 (3) *The information reported to the Chancellor of the California*
11 *Community Colleges pursuant to subdivision (h).*

12 (j) *The Board of Governors of the California Community*
13 *Colleges shall include instructions necessary to enforce this section*
14 *in the audit report required by Section 84040. The instructions*
15 *shall include, but not necessarily be limited to, procedures for*
16 *verifying if the hours for apprenticeship instruction reported to*
17 *each community college district by each community college*
18 *receiving reimbursements for apprenticeship hours, pursuant to*
19 *this section, are eligible for reimbursement pursuant to this section.*

20 (k) *When a community college contracts with an apprenticeship*
21 *program sponsor in the building and construction trades, pursuant*
22 *to subdivision (e), the apprenticeship program sponsor must*
23 *approve any decision to seek reimbursement for classes pursuant*
24 *to this section rather than pursuant to Section 79149.3. A*
25 *community college may not condition its willingness to contract*
26 *with an apprenticeship program sponsor in the building and*
27 *construction trades, or to grant community college credit for a*
28 *class provided by such a program, on whether reimbursement may*
29 *or will be sought pursuant to this section rather than pursuant to*
30 *Section 79149.3.*

31 SEC. 27. *Section 79149.3 of the Education Code is amended*
32 *to read:*

33 79149.3. (a) *The reimbursement rate for related and*
34 *supplemental instruction reimbursed pursuant to this article shall*
35 *be established in the annual Budget Act and the rate shall be*
36 *commonly applied to all providers of instruction specified in*
37 *subdivision~~(d)~~ (e).*

38 (b) *Attendance of apprentices enrolled in any class maintained*
39 *by a community college, pursuant to Section 3074 of the Labor*
40 *Code, shall be reimbursed pursuant to this section only if reported*

1 *separately to the Chancellor of the California Community Colleges*
2 *and not reported pursuant to Section 79149.1. Attendance reported*
3 *pursuant to this section shall be used only for purposes of*
4 *calculating allowances pursuant to this section.*

5 ~~(b)~~

6 (c) For purposes of this section, each hour of teaching time may
7 include up to 10 minutes of passing time and breaks.

8 ~~(e)~~

9 (d) This section also applies to isolated apprentices, as defined
10 in Section 3074 of the Labor Code, for which alternative methods
11 of instruction are provided.

12 ~~(d)~~

13 (e) The Chancellor of the California Community Colleges shall
14 make the reimbursements specified in this section for teaching
15 time provided by community colleges.

16 ~~(e)~~

17 (f) The hours for related and supplemental instruction derived
18 from funds appropriated pursuant to subdivision (b) of Section
19 79149 shall be allocated by the Chancellor of the California
20 Community Colleges directly to participating community colleges
21 that contract with apprenticeship programs pursuant to subdivision
22 ~~(f)~~; (g).

23 ~~(f)~~

24 (g) Reimbursements may be made under this section for related
25 and supplemental instruction provided to indentured apprentices
26 only if the instruction is provided by a program approved by the
27 Division of Apprenticeship Standards of the Department of
28 Industrial Relations in accordance with Chapter 4 (commencing
29 with Section 3070) of Division 3 of the Labor Code.

30 ~~(g)~~

31 (h) The initial allocation of hours for related and supplemental
32 instruction pursuant to subdivision ~~(e)~~ (f) at the beginning of any
33 fiscal year when multiplied by the hourly rate established in the
34 Budget Act for that year shall equal 100 percent of total
35 appropriation for apprenticeships. The Chancellor of the California
36 Community Colleges shall notify participating community colleges
37 of the initial allocation within 30 days of the enactment of the
38 annual Budget Act.

39 ~~(h)~~

1 (i) (I) If funds remain from the appropriation pursuant to
2 subdivision (b) of Section 79149, the Chancellor of the California
3 Community Colleges shall reimburse community colleges for
4 unfunded related and supplemental instruction hours from any of
5 the three previous fiscal years, in the following order:

6 ~~(1)~~

7 (A) Reported related and supplemental instruction hours as
8 described in subdivision (b) of Section 79149.5 that were paid at
9 a rate less than the hourly rate specified in the Budget Act.

10 ~~(2)~~

11 (B) Reported related and supplemental instruction hours that
12 were not reimbursed.

13 (2) *The Chancellor of the California Community Colleges shall*
14 *notify the California Apprenticeship Council of any reimbursements*
15 *made pursuant to paragraph (1).*

16 ~~(i)~~

17 (j) The Chancellor of the California Community Colleges shall
18 report to the California Apprenticeship Council within 30 days of
19 each apportionment period the following information for each
20 participating community college:

21 (1) The number of related and supplemental instruction hours
22 allocated to the community college.

23 (2) The number of related and supplemental instruction hours
24 reported by the community college.

25 (3) At the final or recalculation apportionment, the hourly rate
26 paid for related and supplemental instruction hours reported above
27 the community college's initial allocation of hours for related and
28 supplemental instruction.

29 ~~(j)~~

30 (k) The Board of Governors of the California Community
31 Colleges shall include instructions necessary to enforce this article
32 in the audit report required by Section 84040. The instructions
33 shall include, but not necessarily be limited to, procedures for
34 verifying if the hours for related and supplemental instruction
35 reported to each community college district by a participating
36 apprenticeship program sponsor, pursuant to this section, are
37 eligible for reimbursement pursuant to this section.

38 SEC. 28. *Section 79149.5 of the Education Code is amended*
39 *to read:*

1 79149.5. (a) The Chancellor of the California Community
2 Colleges, in consultation with the Division of Apprenticeship
3 Standards of the Department of Industrial ~~Relations~~ *Relations, the*
4 *California Apprenticeship Council*, and the Superintendent, shall
5 annually review the amount of state funding necessary to provide
6 the reimbursements specified in Section 79149.3, and shall include
7 an estimate of required funds in its budget for each fiscal year.

8 (b) If the amounts appropriated in any fiscal year are insufficient
9 to provide full reimbursement, the hourly rate specified in Section
10 79149 shall be reduced on a pro rata basis only for reported hours
11 that are in excess of the number of hours allocated at the beginning
12 of the fiscal year so that the entire appropriation is allocated.

13 (c) If the amount appropriated is in excess of the amounts needed
14 for full reimbursement pursuant to subdivision (h) of section
15 79149.3, any excess shall be allocated to community college
16 districts to be used for the purpose of the state general
17 apportionment.

18 *SEC. 29. Section 79149.7 is added to the Education Code, to*
19 *read:*

20 *79149.7. The Chancellor of the California Community Colleges*
21 *and the Division of Apprenticeship Standards of the Department*
22 *of Industrial Relations, in consultation with the California*
23 *Apprenticeship Council and the Superintendent, shall develop*
24 *standard reporting protocols applicable to participating community*
25 *colleges and local educational agencies contracting with*
26 *apprenticeship program sponsors that include metrics to measure*
27 *program efficiency and success. For programs contracting with*
28 *community colleges, the reporting protocols shall include metrics*
29 *to evaluate the impact of funding-related and supplemental*
30 *instruction hours with full-time equivalent students pursuant to*
31 *Section 79149.1 and training of apprentices funded with a*
32 *noncredit rate pursuant to Section 79149.3.*

33 *SEC. 30. Section 82542 of the Education Code, as amended*
34 *by Section 127 of Chapter 303 of the Statutes of 2015, is amended*
35 *to read:*

36 82542. (a) Except as provided in subdivision (b), the governing
37 board of a community college district shall grant without charge
38 the use of any college facilities or grounds under its control,
39 pursuant to the requirements of this article, when an alternative
40 location is not available, to nonprofit organizations and clubs and

1 associations organized for general character building or welfare
2 purposes, such as:

- 3 (1) Student clubs and organizations.
- 4 (2) Fundraising entertainments or meetings where admission
5 fees charged or contributions solicited are expended for the welfare
6 of the students of the district.
- 7 (3) Parent-teachers' associations.
- 8 (4) School-community advisory councils.
- 9 (5) Camp Fire Girls, Girl Scout troops, and Boy Scout troops.
- 10 (6) Senior citizens' organizations.
- 11 (7) Other public agencies.
- 12 (8) Organizations, clubs, or associations organized for cultural
13 activities and general character building or welfare purposes, such
14 as folk and square dancing.
- 15 (9) Groups organized for the purpose specified in subdivision
16 (k).

17 (b) The governing board may charge those organizations and
18 activities listed in subdivision (a) an amount not to exceed the
19 following:

- 20 (1) The cost of opening and closing the facilities, if no college
21 employees would otherwise be available to perform that function
22 as a part of their normal duties.
- 23 (2) The cost of a college employee's presence during the
24 organization's use of the facilities, if the governing board
25 determines that the supervision is needed, and if that employee
26 would not otherwise be present as part of his or her normal duties.
- 27 (3) The cost of janitorial services, if the services are necessary,
28 and would not have otherwise been performed as part of the
29 janitor's normal duties.
- 30 (4) The cost of utilities directly attributable to the organization's
31 use of the facilities.

32 (c) The governing board may charge an amount not to exceed
33 its direct costs or not to exceed fair rental value of college facilities
34 and grounds under its control, and pursuant to the requirements of
35 this article, for activities other than those specified in subdivision
36 (a). A governing board that decides to levy these charges shall first
37 adopt a policy specifying which activities shall be charged an
38 amount not to exceed direct costs and which activities shall be
39 charged an amount not to exceed fair rental value.

1 (d) (1) As used in this section, “direct costs” to the district for
2 the use of college facilities or grounds includes all of the following:

3 (A) The share of the costs of supplies, utilities, janitorial
4 services, services of any other district employees, and salaries paid
5 to community college district employees to operate and maintain
6 college facilities or grounds that is proportional to the
7 organization’s use of the college facilities and grounds of the
8 district under this section.

9 (B) The share of the costs for maintenance, repair, restoration,
10 and refurbishment, proportional to the use of the college facilities
11 or grounds by the organization using the college facilities or
12 grounds under this section. For purposes of this subparagraph,
13 “college facilities” shall be limited to only nonclassroom space,
14 and “grounds” shall include, but not be limited to, playing fields,
15 athletic fields, track and field venues, tennis courts, and outdoor
16 basketball courts.

17 (2) The share of the costs for maintenance, repair, restoration,
18 and refurbishment shall not apply to either of the following:

19 (A) Classroom-based programs that operate after school hours,
20 including, but not limited to, after school programs, tutoring
21 programs, or child care programs.

22 (B) Organizations retained by the college or community college
23 district to provide instruction or instructional activities to students
24 during school hours.

25 (3) Funds collected pursuant to this subdivision shall be
26 deposited into a special fund that shall only be used for purposes
27 of this section.

28 (e) By December 31, 2015, the Chancellor of the California
29 Community Colleges shall develop, and the Board of Governors
30 of the California Community Colleges shall adopt, regulations to
31 be used by a governing board of a community college district in
32 determining the proportionate share and the specific allowable
33 costs that a community college district may include as direct costs
34 for the use of its college facilities or grounds.

35 (f) As used in this section, “fair rental value” means the direct
36 costs to the district, plus the amortized costs of the college facilities
37 or grounds used for the duration of the activity authorized.

38 (g) The governing board of a community college district that
39 authorizes the use of college facilities or grounds for the purpose
40 specified in subdivision (h) shall charge the church or religious

1 denomination an amount at least equal to the fair rental value of
2 the facilities or grounds.

3 (h) The governing board of a community college district may
4 grant the use of college facilities or grounds to any church or
5 religious organization for the conduct of religious services for
6 temporary periods where the church or organization has no suitable
7 meeting place for the conduct of these services upon the terms and
8 conditions as the board deems proper, and subject to the limitations,
9 requirements, and restrictions set forth in this article. The governing
10 board shall charge the church or religious organization using the
11 property for the conduct of religious services a fee as specified in
12 subdivision (g).

13 (i) For entertainment or a meeting where an admission fee is
14 charged or a contribution is solicited and the net receipts of the
15 admission fees or contributions are not expended for the welfare
16 of the students of the district or for charitable purposes, a charge
17 ~~equal to~~ *not less than* fair rental value shall be levied for the use
18 of the college facilities, property, and grounds, as determined by
19 the governing board of the district.

20 (j) The governing board may permit the use, without charge,
21 by organizations, clubs, or associations organized for senior citizens
22 and for cultural activities and general character building or welfare
23 purposes, when membership dues or contributions solely for the
24 support of the organization, club, or association, or the
25 advancement of its cultural, character building, or welfare work,
26 are accepted.

27 (k) The governing board of a community college district may
28 grant the use of college facilities, grounds, and equipment to public
29 agencies, including the American Red Cross, for mass care and
30 welfare shelters during disasters or other emergencies affecting
31 the public health and welfare, and may cooperate with these
32 agencies in furnishing and maintaining services deemed by the
33 governing board to be necessary to meet the needs of the
34 community.

35 (l) This section shall remain in effect only until January 1, 2020,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before January 1, 2020, deletes or extends that date.

38 *SEC. 31. Section 84040.5 of the Education Code is amended*
39 *to read:*

1 84040.5. (a) The board of ~~governors, in cooperation with, and~~
2 ~~upon approval by, the Department of Finance,~~ *governors* shall
3 prescribe the statements and other information to be included in
4 the audit reports filed with the state and shall develop audit
5 procedures for carrying out the purposes of this section. The
6 Department of Finance may make audits, surveys, and reports
7 which, in the judgment of the department will serve the best interest
8 of the state.

9 (b) A review of existing audit procedures, statements, and other
10 information required to be included in the audit reports shall be
11 conducted periodically by the board of ~~governors, in cooperation~~
12 ~~with the Department of Finance.~~ *governors*. Standards shall be
13 updated periodically.

14 (c) For the audit of community colleges electing to take formal
15 action pursuant to Sections ~~22714, 22714.5, 87488, and 87488.1,~~
16 ~~22714 and 87488,~~ the audit standards shall require any information
17 as is prescribed by the chancellor, including, but not limited to,
18 the following:

- 19 (1) The number and type of positions being vacated.
20 (2) The age and service credit of the retirees receiving the
21 additional service credit provided by Sections 22714 and 87488.
22 (3) A comparison of the salary and benefits of each retiree
23 receiving the additional service credit with the salary and benefits
24 of the replacement employee, if any.

25 (4) The resulting retirement costs, including interest, if any, and
26 postretirement healthcare benefits costs, incurred by the employer.

27 (d) The chancellor shall annually prepare a cost analysis, based
28 upon the information included in the audit reports for the prior
29 fiscal year, to determine the net savings or costs resulting from
30 formal actions taken by community college districts pursuant to
31 Sections ~~22714, 22714.5, 87488, and 87488.1,~~ *22714 and 87488,*
32 and shall report the results of the cost analysis to the Governor and
33 the Legislature by April 1 of each year.

34 (e) All costs incurred by the board of governors to implement
35 subdivision (c) shall be absorbed by the board of governors.

36 (f) At the request of the Department of Finance, each community
37 college district that elects to take formal action pursuant to Sections
38 ~~22714, 22714.5, 87488, and 87488.1~~ *22714 and 87488,* shall
39 reimburse the Department of Finance for any related administrative
40 costs incurred by the Department of Finance.

1 SEC. 32. Section 84750.4 is added to the Education Code,
2 immediately preceding Section 84750.5, to read:

3 84750.4. (a) (1) The board of governors, in accordance with
4 this section, and in consultation with institutional representatives
5 of the California Community Colleges and statewide faculty and
6 staff organizations, so as to ensure their participation in the
7 development and review of policy proposals, shall develop criteria
8 and standards for the purpose of making the annual budget request
9 for the California Community Colleges to the Governor and the
10 Legislature, and for the purpose of allocating the state general
11 apportionment revenues.

12 (2) It is the intent of the Legislature in enacting this section to
13 adopt a formula for general purpose apportionments that
14 encourages access for underrepresented students, provides
15 additional funding in recognition of the need to provide additional
16 support for low-income students, rewards colleges' progress on
17 improving student success metrics, and improves overall equity
18 and predictability so that community college districts may more
19 readily plan and implement instruction and programs.

20 (3) It is the intent of the Legislature to determine the amounts
21 appropriated for purposes of this section through the annual
22 Budget Act. Nothing in this section shall be construed as limiting
23 the authority of either the Governor to propose, or the Legislature
24 to approve, appropriations for the California Community Colleges
25 programs or purposes.

26 (b) Commencing with the 2018–19 fiscal year, and each fiscal
27 year thereafter, the chancellor's office shall annually calculate a
28 base allocation, a supplemental allocation, and a student success
29 allocation for each community college district in the state pursuant
30 to this section. This calculation shall only apply to the allocation
31 of credit revenue. Noncredit instruction, and instruction in career
32 development and college preparation full-time equivalent students
33 (FTES) shall be funded pursuant to the requirements of paragraphs
34 (3) and (4), respectively, of subdivision (d) of Section 84750.5, as
35 that section read on January 1, 2018.

36 (c) For purposes of computing the base allocation, the marginal
37 funding rate for credit revenue per FTES shall be no less than the
38 following:

39 (1) Three thousand seven hundred twenty-seven dollars (\$3,727)
40 for the 2018–19 fiscal year.

1 (2) *Three thousand three hundred eighty-seven dollars (\$3,387)*
2 *for the 2019–20 fiscal year adjusted for changes in cost-of-living*
3 *and other base adjustments.*

4 (3) *Three thousand forty-six dollars (\$3,046) for the 2020–21*
5 *fiscal year adjusted for changes in cost-of-living and other base*
6 *adjustment in the prior year and the cost-of-living and other base*
7 *adjustments for the 2020–21 fiscal year.*

8 (4) *Commencing with the 2021–22 fiscal year, the rate specified*
9 *in paragraph (3) adjusted for changes in cost-of-living and other*
10 *base adjustments in subsequent annual budget acts.*

11 (d) (1) *The base allocation shall be computed for each*
12 *community college district as follows:*

13 (A) *Each community college district shall receive a basic*
14 *allocation based on the number of colleges and comprehensive*
15 *centers in the community college district that is consistent with*
16 *the basic allocation formula established by the board of governors*
17 *pursuant to paragraph (2) of subdivision (d) of Section 84750.5*
18 *as of the 2015–16 fiscal year.*

19 (B) *Unless otherwise specified in subparagraph (C), each*
20 *community college district shall receive an allocation based on*
21 *credit base revenues associated with funded FTES as computed*
22 *pursuant to subparagraph (A) of paragraph (2) at the rate pursuant*
23 *to subdivision (c).*

24 (C) (i) *Notwithstanding the rate in subdivision (c), for*
25 *community college districts that had higher rates used to calculate*
26 *their 2017–18 general purpose apportionments, the following rates*
27 *shall be used to calculate their base allocations for the 2018–19*
28 *fiscal year:*

29 (I) *For Foothill-De Anza Community College District, the rate*
30 *shall be no less than three thousand seven hundred forty-five*
31 *dollars (\$3,745).*

32 (II) *For Lake Tahoe Community College District, the rate shall*
33 *be no less than three thousand eight hundred eighteen dollars*
34 *(\$3,818).*

35 (III) *For Lassen Community College District, the rate shall be*
36 *no less than three thousand seven hundred ninety-four dollars*
37 *(\$3,794).*

38 (IV) *For Marin Community College District, the rate shall be*
39 *no less than four thousand two hundred sixty-one dollars (\$4,261).*

1 (V) *For MiraCosta Community College District, the rate shall*
2 *be no less than three thousand seven hundred thirty-four dollars*
3 *(\$3,734).*

4 (VI) *For San Francisco Community College District, the rate*
5 *shall be no less than three thousand seven hundred fifty-six dollars*
6 *(\$3,756).*

7 (VII) *For San Jose-Evergreen Community College District, the*
8 *rate shall be no less than three thousand seven hundred forty-four*
9 *dollars (\$3,744).*

10 (VIII) *For Santa Monica Community College District, the rate*
11 *shall be no less than three thousand seven hundred seventy-six*
12 *dollars (\$3,776).*

13 (IX) *For South Orange Community College District, the rate*
14 *shall be no less than three thousand eight hundred twenty-six*
15 *dollars (\$3,826).*

16 (X) *For West Kern Community College District, the rate shall*
17 *be no less than four thousand nine hundred thirty-four dollars*
18 *(\$4,934).*

19 (ii) *Notwithstanding the rate in subdivision (c), for community*
20 *college districts that had higher rates used to calculate their*
21 *2017–18 general purpose apportionments, the following rates*
22 *shall be used to calculate their base allocations for the 2019–20*
23 *fiscal year:*

24 (I) *For Foothill-De Anza Community College District, the rate*
25 *shall be no less than three thousand four hundred three dollars*
26 *(\$3,403) adjusted for changes in cost-of-living and other base*
27 *adjustments.*

28 (II) *For Lake Tahoe Community College District, the rate shall*
29 *be no less than three thousand four hundred sixty-nine dollars*
30 *(\$3,469) adjusted for changes in cost-of-living and other base*
31 *adjustments.*

32 (III) *For Lassen Community College District, the rate shall be*
33 *no less than three thousand four hundred forty-seven dollars*
34 *(\$3,447) adjusted for changes in cost-of-living and other base*
35 *adjustments.*

36 (IV) *For Marin Community College District, the rate shall be*
37 *no less than three thousand eight hundred seventy-two dollars*
38 *(\$3,872) adjusted for changes in cost-of-living and other base*
39 *adjustments.*

1 (V) For MiraCosta Community College District, the rate shall
2 be no less than three thousand three hundred ninety-two dollars
3 (\$3,392) adjusted for changes in cost-of-living and other base
4 adjustments.

5 (VI) For San Francisco Community College District, the rate
6 shall be no less than three thousand four hundred thirteen dollars
7 (\$3,413) adjusted for changes in cost-of-living and other base
8 adjustments.

9 (VII) For San Jose-Evergreen Community College District, the
10 rate shall be no less than three thousand four hundred one dollars
11 (\$3,401) adjusted for changes in cost-of-living and other base
12 adjustments.

13 (VIII) For Santa Monica Community College District, the rate
14 shall be no less than three thousand four hundred thirty-one dollars
15 (\$3,431) adjusted for changes in cost-of-living and other base
16 adjustments.

17 (IX) For South Orange Community College District, the rate
18 shall be no less than three thousand four hundred seventy-six
19 dollars (\$3,476) adjusted for changes in cost-of-living and other
20 base adjustments.

21 (X) For West Kern Community College District, the rate shall
22 be no less than four thousand four hundred eighty-three dollars
23 (\$4,483) adjusted for changes in cost-of-living and other base
24 adjustments.

25 (iii) Notwithstanding the rate in subdivision (c), for community
26 college districts that had higher rates used to calculate their
27 2017–18 general purpose apportionments, the following rates
28 shall be used to calculate their base allocations for the 2020–21
29 fiscal year:

30 (I) For Foothill-De Anza Community College District, the rate
31 shall be no less than three thousand sixty dollars (\$3,060) adjusted
32 for changes in cost-of-living and other base adjustments in the
33 prior year and the cost-of-living and other base adjustments for
34 the 2020–21 fiscal year.

35 (II) For Lake Tahoe Community College District, the rate shall
36 be no less than three thousand one hundred twenty dollars (\$3,120)
37 adjusted for changes in cost-of-living and other base adjustments
38 in the prior year and the cost-of-living and other base adjustments
39 for the 2020–21 fiscal year.

1 (III) For Lassen Community College District, the rate shall be
2 no less than three thousand one hundred dollars (\$3,100) adjusted
3 for changes in cost-of-living and other base adjustments in the
4 prior year and the cost-of-living and other base adjustments for
5 the 2020–21 fiscal year.

6 (IV) For Marin Community College District, the rate shall be
7 no less than three thousand four hundred eighty-two dollars
8 (\$3,482) adjusted for changes in cost-of-living and other base
9 adjustments in the prior year and the cost-of-living and other base
10 adjustments for the 2020–21 fiscal year.

11 (V) For MiraCosta Community College District, the rate shall
12 be no less than three thousand fifty-one dollars (\$3,051) adjusted
13 for changes in cost-of-living and other base adjustments in the
14 prior year and the cost-of-living and other base adjustments for
15 the 2020–21 fiscal year.

16 (VI) For San Francisco Community College District, the rate
17 shall be no less than three thousand sixty-nine dollars (\$3,069)
18 adjusted for changes in cost-of-living and other base adjustments
19 in the prior year and the cost-of-living and other base adjustments
20 for the 2020–21 fiscal year.

21 (VII) For San Jose-Evergreen Community College District, the
22 rate shall be no less than three thousand fifty-nine (\$3,059)
23 adjusted for changes in cost-of-living and other base adjustments
24 in the prior year and the cost-of-living and other base adjustments
25 for the 2020–21 fiscal year.

26 (VIII) For Santa Monica Community College District, the rate
27 shall be no less than three thousand eighty-six dollars (\$3,086)
28 adjusted for changes in cost-of-living and other base adjustments
29 in the prior year and the cost-of-living and other base adjustments
30 for the 2020–21 fiscal year.

31 (IX) For South Orange Community College District, the rate
32 shall be no less than three thousand one hundred twenty-six dollars
33 (\$3,126) adjusted for changes in cost-of-living and other base
34 adjustments in the prior year and the cost-of-living and other base
35 adjustments for the 2020–21 fiscal year.

36 (X) For West Kern Community College District, the rate shall
37 be no less than four thousand thirty-two dollars (\$4,032) adjusted
38 for changes in cost-of-living and other base adjustments in the
39 prior year and the cost-of-living and other base adjustments for
40 the 2020–21 fiscal year.

1 (iv) Commencing with the 2021–22 fiscal year, the rates in
2 clause (iii) shall be adjusted for changes in the cost-of-living and
3 other base adjustments in subsequent annual budget acts.

4 (2) To calculate the base allocation for each community college
5 district, the chancellor's office shall calculate the three-year rolling
6 average comprised of funded FTES from the current year, the prior
7 year, and the year prior to the prior year, as follows:

8 (A) Commencing with the 2018–19 fiscal year, the chancellor's
9 office shall compute the sum of annually funded credit FTES from
10 the current year, the prior year, and the year prior to the prior
11 year, and divide the sum by three.

12 (B) (i) In computing the three-year average pursuant to
13 subparagraph (A), credit FTES associated with enrollment growth
14 proposed in the annual Budget Act shall be excluded from the
15 three-year average and shall instead be added to the computed
16 three-year rolling average.

17 (ii) In computing the three-year average pursuant to
18 subparagraph (A), credit FTES generated by students who meet
19 the requirements of subdivision (a) of Section 84810.5 and special
20 admit students pursuant to Sections 76002, 76003, and 76004 shall
21 be excluded.

22 (C) The sum of a community college district's computed
23 three-year FTES rolling average and current year funded FTES
24 growth shall be multiplied by a community college district's
25 applicable base allocation funding rate pursuant to subdivision
26 (c), or subparagraph (C) of paragraph (1), as applicable, to
27 compute a community college district's base allocation.

28 (D) Community college districts shall be entitled to the
29 restoration of any reductions in their base allocation due to
30 decreases in FTES during the three years following the initial year
31 of decrease if there is a subsequent increase in FTES.

32 (3) In addition to the amounts computed pursuant to paragraphs
33 (1) and (2), each community college district shall receive an
34 allocation based on credit base revenues associated with funded
35 FTES generated by students who meet the requirements of
36 subdivision (a) of Section 84810.5 and special admit students
37 pursuant to Sections 76002, 76003, and 76004. FTES generated
38 by students who meet the requirements of subdivision (a) of Section
39 84810.5 and special admit students pursuant to Sections 76002,
40 76003, and 76004 shall be multiplied by a community college

1 district's applicable credit revenue rate computed for the 2017–18
2 fiscal year pursuant to Section 84750.5, as that section read on
3 January 1, 2018, as adjusted for 2018–19 fiscal year cost-of-living
4 adjustment and other base adjustments, and adjusted for the
5 changes in the cost-of-living and other base adjustments in
6 subsequent annual budget acts.

7 (4) The chancellor shall allocate any funding appropriated in
8 the Budget Act for enrollment growth to support the following:

9 (A) First, for the stated percentage of enrollment growth in the
10 Budget Act and consistent with the growth formula used by the
11 board of governors in the 2015–16 fiscal year.

12 (B) Second, for the amount of uncapped growth attributable to
13 increases in the amount of a community college district's
14 supplemental allocation.

15 (C) Third, for the amount of uncapped growth attributable to
16 increases in the amount of a community college district's student
17 success allocation.

18 (e) Commencing with the 2018–19 fiscal year, a supplemental
19 allocation shall be computed for each community college district
20 based on the total points calculated for each community college
21 district in accordance with all of the following:

22 (1) The marginal funding rate per point for computing a
23 supplemental allocation shall be nine hundred nineteen dollars
24 (\$919) and, commencing with the 2019–20 fiscal year, that rate
25 shall be adjusted for changes in the cost-of-living adjustment and
26 other base adjustments in subsequent annual budget acts.

27 (2) Each community college district shall be granted one point
28 for each student who is a recipient of financial aid under the
29 Federal Pell Grant program (20 U.S.C. Sec. 1070a) based on
30 headcount data of students in the prior year.

31 (3) Each district shall be granted one point for each student
32 who is granted an exemption from nonresident tuition pursuant to
33 Section 68130.5, based on headcount data of students in the prior
34 year.

35 (4) Each district shall be granted one point for each student
36 who receives a fee waiver pursuant to Section 76300, based on
37 headcount data of students in the prior year.

38 (5) For the purposes of calculating the supplemental allocation,
39 the number of students shall be defined as the number of students
40 served by the community college district.

1 (6) *It is the intent of the Legislature that the annual Budget Act*
2 *fully fund increases in the supplemental allocations computed*
3 *under this section.*

4 (f) *Commencing with the 2018–19 fiscal year, a student success*
5 *allocation shall be computed for each community college district*
6 *based on the total points calculated for each community college*
7 *district in accordance with all of the following:*

8 (1) (A) *The marginal funding rate per point for computing*
9 *student success allocation revenue shall be as follows:*

10 (i) *For the 2018–19 fiscal year, four hundred and forty dollars*
11 *(\$440).*

12 (ii) *For the 2019–20 fiscal year, six hundred sixty dollars (\$660)*
13 *adjusted for changes in cost-of-living and other base adjustments*
14 *specified for the 2019–20 fiscal year.*

15 (iii) *For the 2020–21 fiscal year, eight hundred eighty dollars*
16 *(\$880) adjusted for changes in cost-of-living and other base*
17 *adjustment in the prior year and the cost-of-living and other base*
18 *adjustments specified for the 2020–21 fiscal year.*

19 (iv) *Commencing with the 2021–22 fiscal year, the rate specified*
20 *in clause (iii) adjusted for changes in cost-of-living and other base*
21 *adjustments specified in subsequent annual budget acts.*

22 (B) *Each community college district shall be granted three*
23 *points for each chancellor’s office approved associate degree or*
24 *approved baccalaureate degree granted, excluding an associate*
25 *degree for transfer granted pursuant to Article 3 (commencing*
26 *with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based*
27 *on prior year data.*

28 (C) *Each community college district shall be granted four points*
29 *for each chancellor’s office approved associate degree for transfer*
30 *degree granted pursuant to Article 3 (commencing with Section*
31 *66745) of Chapter 9.2 of Part 40 of Division 5, based on prior*
32 *year data.*

33 (D) (i) *Each community college district shall be granted two*
34 *points for each chancellor’s office approved credit certificate*
35 *requiring 18 or more units granted, based on prior year data.*

36 (ii) *Chancellor’s office approved credit certificates requiring*
37 *16 or more units granted may be used to compute these points if*
38 *the chancellor’s office adopts regulations authorizing the approval*
39 *and issuance of certificates requiring 16 or more units.*

1 (E) Each community college district shall be granted two points
2 for each student who successfully completes both transfer-level
3 mathematics and English courses within the student's first
4 academic year of enrollment, based on prior year data.

5 (F) (i) Each community college district shall be granted one
6 and a half points for each student who successfully transfers to a
7 four-year university, based on prior year data.

8 (ii) The chancellor's office may reduce a community college
9 district's transfer points if a community college district enters into,
10 or expands, a transfer partnership with a private for-profit college
11 that has not demonstrated a track record of providing its students
12 with a baccalaureate degree that leads to a majority of the private
13 for-profit college's baccalaureate degree program students
14 obtaining a regional living wage within one year of completing
15 their degree program.

16 (iii) The chancellor's office may reduce a community college
17 district's transfer points if a community college district enters into,
18 or expands, a transfer partnership with a private for-profit college
19 that does not meet the qualifications to offer its students federal
20 financial aid.

21 (G) Each community college district shall be granted one point
22 for each student who successfully completes nine or more career
23 technical education units, based on prior year data.

24 (H) Each community college district shall be granted one point
25 for each student who obtains a regional living wage within one
26 year of community college completion, based on prior year data.

27 (2) (A) Each community college district shall also be granted
28 additional points for an equity component of the student success
29 allocation. The marginal funding per point for the equity
30 component of the student success allocation revenue shall be as
31 follows:

32 (i) For the 2018–19 fiscal year, one hundred eleven dollars
33 (\$111).

34 (ii) For the 2019–20 fiscal year, one hundred sixty-seven dollars
35 (\$167) adjusted for changes in cost-of-living and other base
36 adjustments specified for the 2019–20 fiscal year.

37 (iii) For the 2020–21 fiscal year, two hundred twenty-two dollars
38 (\$222) adjusted for changes in cost-of-living and other base
39 adjustment specified for the prior year and the cost-of-living and
40 other base adjustments specified for the 2020–21 fiscal year.

1 (iv) *Commencing with the 2021–22 fiscal year, the rate specified*
2 *in clause (iii) adjusted for changes in cost-of-living and other base*
3 *adjustments specified in subsequent annual budget acts.*

4 (B) *In computing this allocation, each community college district*
5 *shall receive points for a student who received a fee waiver*
6 *pursuant to Section 76300 and generated points for any of the*
7 *metrics described in paragraph (1), based on prior year data. For*
8 *each student identified pursuant to this subparagraph, the*
9 *community college district shall receive the number of points equal*
10 *to the number of points that the student generated for each of the*
11 *metrics described in paragraph (1).*

12 (C) *In computing this allocation, each community college district*
13 *shall receive points for a student who received financial aid under*
14 *the Federal Pell Grant program (20 U.S.C. Sec. 1070a) and*
15 *generated points for any of the metrics described in paragraph*
16 *(1), based on prior year data. For each student identified pursuant*
17 *to this subparagraph, the community college district shall receive*
18 *the number of points equal to the following:*

19 (i) *Four and one-half points for each chancellor’s office*
20 *approved associate degree or approved baccalaureate degree*
21 *granted, excluding an associate degree for transfer granted*
22 *pursuant to Article 3 (commencing with Section 66745) of Chapter*
23 *9.2 of Part 40 of Division 5, based on prior year data.*

24 (ii) *Six points for each chancellor’s office approved associate*
25 *for transfer degree granted pursuant to Article 3 (commencing*
26 *with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based*
27 *on prior year data.*

28 (iii) *Three points for each chancellor’s office approved credit*
29 *certificate requiring 16 or more units granted, based on prior year*
30 *data.*

31 (iv) *Three points for each student who successfully completes*
32 *transfer-level mathematics and English courses within the student’s*
33 *first academic year of enrollment, based on prior year data.*

34 (v) *Two and one-quarter points for each student who*
35 *successfully transfers to a four-year university, based on prior*
36 *year data.*

37 (vi) *One and one-half points for each student who successfully*
38 *completes nine or more career technical education units, based*
39 *on prior year data.*

1 (vii) *One and one-half points for each student who obtains a*
2 *regional living wage within one year of community college*
3 *completion, based on prior year data.*

4 (3) *It is the intent of the Legislature that the annual Budget Act*
5 *fully fund increases in the student success allocations computed*
6 *under this section.*

7 (g) *To establish a hold harmless protection for community*
8 *college districts pursuant to the funding allocation established in*
9 *this section, a minimum funding level for all community college*
10 *districts shall be computed as follows:*

11 (1) *For the 2018–19 and 2019–20 fiscal years, a level of funding*
12 *to ensure that all community college districts receive at a minimum*
13 *the total computational revenue the district received in the 2017–18*
14 *fiscal year, defined as a district’s final entitlement for general*
15 *purpose apportionment based on FTES and the number of colleges*
16 *and comprehensive centers the district operates.*

17 (2) *Commencing with the 2020–21 fiscal year, and each year*
18 *thereafter, community college districts shall receive the higher of*
19 *(A) the funding level determined by the formula established in this*
20 *section, or (B) the level of funding determined by multiplying the*
21 *community college district’s new FTES by the associated credit,*
22 *noncredit, and career development and college preparation rate*
23 *received by the district in the 2017–18 fiscal year. The level of*
24 *funding shall be adjusted to include a basic allocation based on*
25 *the number of colleges and comprehensive centers in the district*
26 *consistent with the basic allocation rates used in the 2017–18*
27 *fiscal year.*

28 (3) (A) *From the 2019–20 fiscal year to the 2023–24 fiscal*
29 *year, inclusive, for the San Francisco Community College District*
30 *and the Compton Community College District, the rates for*
31 *computing the hold harmless provisions pursuant to paragraphs*
32 *(1) and (2) shall be multiplied each year by the cost-of-living*
33 *adjustment identified in the annual Budget Act and adjusted for*
34 *increases to FTES. The level of funding for the San Francisco*
35 *Community College District and the Compton Community College*
36 *District shall be adjusted to include a basic allocation based on*
37 *the number of colleges and comprehensive centers in the district*
38 *consistent with the basic allocation rates used in the 2017–18*
39 *fiscal year multiplied by the 2018–19 fiscal year cost-of-living*
40 *adjustment, and adjusted for changes in the cost-of-living in*

subsequent annual budget acts. The intent of these adjustments is to provide the San Francisco Community College District and the Compton Community College District with the greater of the amount that would have been calculated pursuant to the requirements of Section 84750.5, as that section read on January 1, 2018, adjusted for annual changes in the cost-of-living adjustment identified in the annual Budget Act and adjusted for increases in FTES, or the amount computed pursuant to the funding formula established in this section.

(B) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the 2017–18 fiscal year, the San Francisco Community College District shall be entitled to restoration of any reduction in apportionment revenue due to decreases in FTES, up to the level of attendance of FTES funded in the 2012–13 fiscal year, if there is a subsequent increase in FTES.

(C) (i) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the fiscal year the Compton Community College District is accredited under the governing authority of the Board of Trustees of the Compton Community College District, the board of governors shall provide allocations to the Compton Community College District in an amount not less than the total amount that the district would receive if the level of attendance of FTES was the same level of attendance as in the 2017–18 fiscal year. The amount shall be adjusted to reflect cost-of-living adjustments, deficits in apportionments, or both, as appropriate for the applicable fiscal years.

(ii) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the fiscal year the Compton Community College District is accredited under the governing authority of the Board of Trustees of the Compton Community College District, the Compton Community College District shall be entitled to restoration of any reduction in apportionment revenue due to decreases in FTES, up to the level of attendance of FTES funded in the 2017–18 fiscal year, if there is a subsequent increase in FTES.

(iii) In computing statewide entitlements to funding based upon the attendance of FTES, the Compton Community College District

1 *shall not be credited with more FTES than were actually enrolled*
2 *and in attendance.*

3 *(4) Decreases in a community college district's total revenue*
4 *computed pursuant to the sum of subdivisions (d), (e), and (f), or*
5 *computed pursuant to this subdivision shall result in the associated*
6 *reduction beginning in the year following the initial year of*
7 *decreases.*

8 *(h) For the fiscal years 2018–19 to 2020–21, inclusive, each*
9 *community college district whose increase in 2017–18 general*
10 *purpose apportionment funding computed pursuant to Section*
11 *84750.5, compared to apportionment funding computed pursuant*
12 *to this section, is less than the year-over-year cost-of-living*
13 *adjustments applicable to those fiscal years, shall receive*
14 *discretionary resources in an amount needed to ensure the*
15 *community college district receives no less than their 2017–18*
16 *general purpose apportionment funding computed pursuant to*
17 *Section 84750.5 adjusted for annual year-over-year cost-of-living*
18 *adjustments.*

19 *(i) The board of governors shall develop the criteria and*
20 *standards within the statewide minimum requirements established*
21 *pursuant to this section.*

22 *(j) (1) Except as specifically provided in statute, regulations*
23 *of the board of governors for determining and allocating the state*
24 *general apportionment to the community college districts shall*
25 *not require community college district governing boards to expend*
26 *the allocated revenues in specified categories of operation.*

27 *(2) Except as otherwise provided by statute, current categorical*
28 *programs providing direct services to students, including extended*
29 *opportunity programs and services, and disabled student programs*
30 *and services, shall continue to be funded separately through the*
31 *annual Budget Act, and shall not be assumed under the budget*
32 *formula otherwise specified by this section.*

33 *(k) It is the intent of the Legislature to allow for changes to the*
34 *criteria and standards developed pursuant to subdivisions (a) and*
35 *(h) in order to recognize increased operating costs and to improve*
36 *instruction.*

37 *(l) Notwithstanding Subchapter 1 (commencing with Section*
38 *51000) of Chapter 2 of Division 6 of Title 5 of the California Code*
39 *of Regulations and Section 84751, the chancellor shall allocate*
40 *the ongoing funds first appropriated to paragraph (1) of*

subdivision (e) of provision (2) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2015 (Chapters. 10 and 11 of the Statutes of 2015) to all community college districts, including districts that have offsetting local revenues that exceed the funding calculated pursuant to the district's budget formula, on a per FTES basis by modifying each district's budget formula pursuant to this section. Any revisions to the budget formula made for the purposes of this subdivision shall be made and reported consistent with the requirements of subdivision (i).

(m) (1) (A) The governing board of each community college district shall certify it will do all the following, no later than January 1, 2019:

(i) Adopt goals for the community college district that meet the following requirements:

(I) Are aligned with the systemwide goals identified in the Vision for Success, which were adopted by the Board of Governors of the California Community Colleges in 2017.

(II) Are measurable numerically.

(III) Specify the specific timeline for achievement.

(ii) For the meeting when the goals are considered for adoption, include in the written agenda an explanation of how the goals are consistent and aligned with the systemwide goals.

(iii) Submit the written item and summary of action to the chancellor's office.

(B) The chancellor's office shall make available guidance to assist governing boards of community college districts in meeting the requirements of this section. The funds apportioned to a community college district pursuant to this section, and for excess tax districts, the Student Equity and Achievement Program, shall be available to implement the activities required pursuant to this paragraph.

(2) Each community college district shall align its comprehensive plan pursuant to paragraph (9) of subdivision (b) of Section 70901 with the adopted local plan goals and align its budget with the comprehensive plan. The funds apportioned to a community college district pursuant to this section, and for excess tax districts, the Student Equity and Achievement Program, shall be available to implement the activities required pursuant to this paragraph.

1 (3) *If a community college district is identified as needing further*
2 *assistance to make progress towards achieving specified goals,*
3 *the chancellor's office, with the approval from the board of*
4 *governors, may direct the community college district to use up to*
5 *1 percent of the district's apportionments allocation on technical*
6 *assistance and professional development to support efforts to meet*
7 *the district's efforts towards their goals.*

8 (4) (A) *The chancellor's office shall develop processes to*
9 *monitor the approval of new awards, certificates, and degree*
10 *programs. The chancellor's office shall also develop a process to*
11 *monitor the number of students who transfer to for-profit*
12 *postsecondary educational institutions and report on the growth*
13 *of transfer to these institutions compared to four-year public*
14 *postsecondary educational institutions.*

15 (B) *The chancellor's office shall also develop minimum*
16 *standards, in consultation with the oversight committee established*
17 *pursuant to Section 84750.41, for the approval of certificates and*
18 *awards that would count towards the funding formula pursuant*
19 *to this section.*

20 (C) *The board of governors shall include instructions in the*
21 *audit report required by Section 84040 related to the*
22 *implementation of the funding formula pursuant to this section.*
23 *The chancellor may require a community college district to repay*
24 *any funding associated with an audit exception identified in a*
25 *community college district's audit report pursuant to this*
26 *subparagraph.*

27 (5) *Notwithstanding Section 10231.5 of the Government Code,*
28 *on or before October 15, 2019, and each year thereafter, the*
29 *chancellor's office shall report to the Legislature, consistent with*
30 *Section 9795 of the Government Code, on the course sections and*
31 *FTES added at each community college that received*
32 *apportionment growth funding in the prior fiscal year, including*
33 *the number of course sections and if any course sections and FTES*
34 *were added that are within the primary missions of the segment*
35 *and those that are not within the primary missions of the segment.*

36 (6) (A) *On or before July 1, 2022, the chancellor's office shall*
37 *report to the Legislature and the Department of Finance, consistent*
38 *with Section 9795 of the Government Code, a description on how*
39 *community college districts are making progress on advancing*
40 *the goals outlined in the system's strategic vision plan.*

1 (B) *The requirement for submitting a report imposed under*
2 *subparagraph (A) is inoperative on July 1, 2026, pursuant to*
3 *Section 10231.5 of the Government Code.*

4 (n) *For purposes of this section, the following terms have the*
5 *following meanings:*

6 (1) *“Career development and college preparation” means*
7 *courses in programs that conform to the requirements of Section*
8 *84760.5.*

9 (2) *“Chancellor’s office” means the Office of the Chancellor*
10 *of the California Community Colleges.*

11 (3) *“Primary missions of the segment” means credit courses*
12 *and those noncredit courses specified in paragraphs (2) to (6),*
13 *inclusive, of subdivision (a) of Section 84757.*

14 SEC. 33. *Section 84750.41 is added to the Education Code,*
15 *immediately following Section 84750.4 added by Section 2 of this*
16 *Act, to read:*

17 84750.41. (a) *There is hereby established the Community*
18 *College Student Success Funding Formula Oversight Committee*
19 *for the purpose of continuously evaluating and reviewing the*
20 *implementation of the student success funding formula established*
21 *pursuant to Section 84750.4. The committee shall consist of 15*
22 *members.*

23 (b) *It is the intent of the Legislature that the membership, duties,*
24 *and responsibilities of the oversight committee be further refined*
25 *and determined through the legislative process, with final decisions*
26 *made before the end of the 2018–19 Regular Session.*

27 (c) *At a minimum, one of the duties of the oversight committee*
28 *shall be developing an implementation plan, including a timeline,*
29 *for collecting data on the number of first-generation college*
30 *students enrolled at community colleges for the purpose of*
31 *including this information in the student success metrics by the*
32 *2022–23 fiscal year.*

33 SEC. 34. *Section 84750.5 of the Education Code is amended*
34 *to read:*

35 84750.5. (a) *The board of governors, in accordance with the*
36 *statewide requirements contained in paragraphs (1) to (9), inclusive,*
37 *of subdivision (d), and in consultation with institutional*
38 *representatives of the California Community Colleges and*
39 *statewide faculty and staff organizations, so as to ensure their*
40 *participation in the development and review of policy proposals,*

1 shall develop criteria and standards for the purpose of making the
2 annual budget request for the California Community Colleges to
3 the Governor and the Legislature, and for the purpose of allocating
4 the state general apportionment revenues.

5 (b) In developing the criteria and standards, the board of
6 governors shall use and strongly consider the recommendations
7 and work product of the “System Office Recommendations Based
8 on the Report of the Work Group on Community College Finance”
9 that was adopted by the board at its meeting of March 7, 2005.

10 The board of governors shall complete the development of these
11 criteria and standards, accompanied by the necessary procedures,
12 processes, and formulas for using its criteria and standards, by
13 March 1, 2007, and shall submit on or before that date a report on
14 these items to the Legislature and the Governor.

15 (c) (1) It is the intent of the Legislature in enacting this section
16 to improve the equity and predictability of general apportionment
17 and growth funding for community college districts in order that
18 the districts may more readily plan and implement instruction and
19 related programs, more readily serve students according to the
20 policies of the state’s master plan for higher education, and enhance
21 the quality of instruction and related services for students.

22 (2) It is the intent of the Legislature to determine the amounts
23 to be appropriated for purposes of this section through the annual
24 Budget Act. Nothing in this section shall be construed as limiting
25 the authority either of the Governor to propose, or the Legislature
26 to approve, appropriations for California Community Colleges
27 programs or purposes.

28 (d) The board of governors shall develop the criteria and
29 standards within the following statewide minimum requirements:

30 (1) The calculations of each community college district’s
31 revenue level for each fiscal year shall be based on the level of
32 general apportionment revenues, state and local, the community
33 college district received for the prior year plus any amount
34 attributed to a deficit from the adopted standards to be developed
35 pursuant to this section, with revenue adjustments being made for
36 increases or decreases in full-time equivalent students (FTES), for
37 equalization of funding per credit FTES, for necessary alignment
38 of funding per FTES between credit and noncredit programs, for
39 inflation, and for other purposes authorized by law.

(2) Commencing with the 2006–07 fiscal year, the funding mechanism developed pursuant to this section shall recognize the need for community college districts to receive an annual allocation based on the number of colleges and comprehensive centers in the community college district. In addition to this basic allocation, the marginal amount of credit revenue allocated per FTES shall be funded at a rate not less than four thousand three hundred sixty-seven dollars (\$4,367), as adjusted for the change in the cost-of-living in subsequent annual budget acts.

(A) To the extent that the Budget Act of 2006 contains an appropriation of one hundred fifty-nine million four hundred thirty-eight thousand dollars (\$159,438,000) for community college equalization, the Legislature finds and declares that community college equalization for credit FTES has been effectively accomplished as of March 31, 2007.

(B) The chancellor shall develop criteria for the allocation of one-time grants for those community college districts that would have qualified for more equalization under prior law than pursuant to this section and the Budget Act of 2006, and for those community college districts that would have qualified for more funding under a proposed rural college access grant than pursuant to this section and the Budget Act of 2006, as determined by the chancellor. Appropriations for the one-time grants shall be provided pursuant to paragraph (24) of subdivision (a) of Section 43 of Chapter 79 of the Statutes of 2006.

(3) Noncredit instruction shall be funded at a uniform rate of two thousand six hundred twenty-six dollars (\$2,626) per FTES, as adjusted for the change in the cost of living provided in subsequent annual budget acts.

(4) Funding for instruction in career development and college preparation, as authorized pursuant to Section 84760.5, shall be provided as follows:

(A) (i) Beginning in the 2006–07 fiscal year, career development and college preparation FTES may be funded at a rate of three thousand ninety-two dollars (\$3,092) per FTES for courses in programs that conform to the requirements of Section 84760.5. This rate shall be adjusted for the change in the cost of living or as otherwise provided in subsequent annual budget acts.

(ii) Beginning in the 2015–16 fiscal year, career development and college preparation FTES shall be funded at the same level as

1 the credit rate specified in paragraph (2). This rate shall be adjusted
2 for the change in the cost of living or as otherwise provided in
3 subsequent annual budget acts.

4 (iii) The Legislative Analyst shall report to the Legislature on
5 or before March 1, 2017, regarding the change in funding specified
6 in clause (ii), including whether community colleges offered
7 additional classes or programs related to career development or
8 college preparation, and whether there was any change in FTES.

9 (iv) (I) The requirement for submitting a report imposed under
10 clause (iii) is inoperative on March 30, 2019, pursuant to Section
11 10231.5 of the Government Code.

12 (II) A report submitted pursuant to clause (iii) shall be submitted
13 in compliance with Section 9795 of the Government Code.

14 (B) Changes in career development and college preparation
15 FTES shall result in adjustments to revenues as follows:

16 (i) Increases in career development and college preparation
17 FTES shall result in an increase in revenues in the year of the
18 increase and at the average rate per career development and college
19 preparation FTES, including any cost-of-living adjustment
20 authorized by statute or by the annual Budget Act.

21 (ii) Decreases in career development and college preparation
22 FTES shall result in a revenue reduction in the year following the
23 decrease at the average rate per career development and college
24 preparation FTES.

25 (5) Except as otherwise provided by statute, current categorical
26 programs providing direct services to students, including extended
27 opportunity programs and services, and disabled students programs
28 and services, shall continue to be funded separately through the
29 annual Budget Act, and shall not be assumed under the budget
30 formula otherwise specified by this section.

31 (6) For credit and noncredit instruction, changes in FTES shall
32 result in adjustments in community college district revenues as
33 follows:

34 (A) Increases in FTES shall result in an increase in revenues in
35 the year of the increase and at the amount per FTES provided for
36 in paragraph (2) or (3), as appropriate, including any cost-of-living
37 adjustment authorized by statute or by the annual Budget Act.

38 (B) Decreases in FTES shall result in revenue reductions
39 beginning in the year following the initial year of decrease in FTES,
40 and at the district's marginal funding per FTES.

1 (C) Community college districts shall be entitled to the
2 restoration of any reductions in apportionment revenue due to
3 decreases in FTES during the three years following the initial year
4 of decrease in FTES if there is a subsequent increase in FTES.

5 (7) Revenue adjustments shall be made to reflect cost changes,
6 using the same inflation adjustment as required for school districts
7 pursuant to paragraph (2) of subdivision (d) of Section 42238.02.
8 These revenue adjustments shall be made to the college and center
9 basic allocations, credit and noncredit FTES funding rates, and
10 career development and college preparation FTES funding rates.

11 (8) The statewide requested increase in budgeted workload
12 FTES shall be based, at a minimum, on the sum of the following
13 computations:

14 (A) Determination of an equally weighted average of the rate
15 of change in the state's population of persons between the ages of
16 19 and 24 and the rate of change in the state's population of persons
17 between the ages of 25 and 65, both as determined by the
18 Department of Finance's Demographic Research Unit as
19 determined for the preceding fiscal year.

20 (B) To the extent the state's unemployment rate exceeds 5
21 percent for the most recently completed fiscal year, that positive
22 difference shall be added to the rate computed in subparagraph
23 (A). In no event shall that positive difference exceed 2 percent.

24 (C) The chancellor may also add to the amounts calculated
25 pursuant to subparagraphs (A) and (B) the number of FTES in the
26 areas of transfer, vocational education, and basic skills that were
27 unfunded in the current fiscal year. For this purpose, the following
28 computation shall be determined for each community college
29 district, and a statewide total shall be calculated:

30 (i) Establish the base level of FTES earned in the prior fiscal
31 year for transfer courses consisting of courses meeting the
32 California State University breadth or Intersegmental General
33 Education Transfer Curriculum requirements or major course
34 prerequisites accepted by the University of California or the
35 California State University.

36 (ii) Establish the base level of FTES earned in the prior fiscal
37 year for vocational education courses consisting of courses defined
38 by the chancellor's office Student Accountability Model codes A
39 and B that are consistent with the courses used for measuring

1 success in this program area under the accountability system
2 established pursuant to Section 84754.5.

3 (iii) Establish the base level of FTES in the prior fiscal year for
4 basic skills courses, both credit and noncredit.

5 (iv) Add the sum of FTES for clauses (i) to (iii), inclusive.

6 (v) Multiply the result of the calculation made under clause (iv)
7 by one plus the community college district's funded growth rate
8 in the current fiscal year. This figure shall represent the
9 maintenance of effort level for the budget year.

10 (vi) FTES in transfer, vocational education, and basic skills that
11 are in excess of the total calculated pursuant to clause (v), shall be
12 considered in excess of the maintenance of effort level, and shall
13 be eligible for overcap growth funding if the community college
14 district exceeds its overall funded FTES.

15 (vii) In no event shall the amount calculated pursuant to clause
16 (vi) exceed the total unfunded FTES for that fiscal year. To the
17 extent the computation specified in subdivision (c) requires the
18 reporting of additional data by community college districts, that
19 reporting shall be a condition of the receipt of apportionment for
20 growth pursuant to this section and those funds shall be available
21 to offset any and all costs of providing the data.

22 (9) Except as specifically provided in statute, regulations of the
23 board of governors for determining and allocating the state general
24 apportionment to the community college districts shall not require
25 community college district governing boards to expend the
26 allocated revenues in specified categories of operation or according
27 to the workload measures developed by the board of governors.

28 (e) (1) The Chancellor of the Community Colleges shall
29 develop, and the board of governors shall adopt, a revised
30 apportionment growth formula for use commencing with the
31 2015–16 fiscal year. The chancellor shall allocate apportionments
32 pursuant to the revised formula only after the revised formula, and
33 any formulas for adjustment pursuant to paragraph (2), have been
34 adopted by the board of governors. The revised apportionment
35 growth formula shall support the primary missions of the segment,
36 and shall be based on each community's need for access to the
37 community colleges, as determined by local demographics. In
38 developing the revised formula, the chancellor shall consider
39 multiple factors in determining need; however, the primary factors
40 shall be:

1 (A) (i) The number of persons under 25 years of age without
2 a college degree, within a community college district's boundaries,
3 and the number of persons 25 to 64 years of age, inclusive, without
4 a college degree, within a community college district's boundaries.

5 (ii) Notwithstanding clause (i), the chancellor may use
6 alternative age ranges depending on the availability of data.

7 (B) The number of persons who are unemployed, have limited
8 English skills, who are in poverty, or who exhibit other signs of
9 being disadvantaged, as determined by the chancellor, within a
10 community college district's boundaries.

11 (2) Beginning with the 2016–17 fiscal year, the chancellor shall
12 adjust upward the need determination based on each community
13 college's effectiveness in serving residents of neighborhoods,
14 within or outside of the community college district's boundaries,
15 that exhibit the highest levels of need in the state.

16 (3) The chancellor shall calculate each community college
17 district's proportionate share of the statewide need for access to
18 the community colleges based on the application of this formula
19 described in paragraph (1), as adjusted pursuant to paragraph (2).

20 (4) The chancellor shall calculate the difference between each
21 community college district's proportionate share of the statewide
22 need for access to the community colleges, as calculated pursuant
23 to paragraph (3), and its current proportionate share of statewide
24 enrollment in the community colleges.

25 (5) (A) Until a community college district reaches its highest
26 level of apportionment revenues previously received, its
27 apportionment revenues shall be eligible to increase by the lesser
28 of 1 percent of its current apportionment base, or one-half of the
29 statewide growth allocation on a proportionate basis, regardless
30 of need.

31 (B) After a community college district reaches its highest level
32 of apportionment revenues previously received, it is eligible to
33 increase its apportionment revenues by the lesser of one-half of 1
34 percent of its current apportionment base, or one-quarter of the
35 statewide growth allocation on a proportionate basis, regardless
36 of its need.

37 (6) The remainder of the apportionment growth funding shall
38 be allocated to allow each community college district to grow its
39 apportionment revenues based on its relative share of the difference
40 between the amounts calculated in paragraph (4), up to a maximum

1 of its apportionment base for the preceding fiscal year appropriate
2 to ensure that community college district is advancing the primary
3 missions of the segment. The maximum established by the
4 chancellor shall not be less than 5 percent nor greater than 10
5 percent of a community college district's apportionment base for
6 the preceding fiscal year.

7 (7) Unless otherwise agreed upon by the board of governors,
8 apportionment reductions shall be allocated proportionally based
9 on the most recent levels of apportionment revenues.

10 (8) (A) It is the intent of the Legislature, consistent with
11 direction provided in the 2014–15 Budget Act, that apportionment
12 growth funding be expended for purposes of increasing the number
13 of FTES in courses or programs that support the primary missions
14 of the segment.

15 (B) (i) Notwithstanding Section 10231.5 of the Government
16 Code, on or before October 15, 2015, and each year thereafter, the
17 chancellor shall report to the Legislature on the course sections
18 and FTES added at each community college that received
19 apportionment growth funding in the prior fiscal year, including
20 the number of course sections and if any course sections and FTES
21 were added that are within the primary missions of the segment
22 and those that are not within the primary missions of the segment.

23 (ii) A report submitted to the Legislature pursuant to clause (i)
24 shall be submitted in compliance with Section 9795 of the
25 Government Code.

26 (C) For purposes of this section, “primary missions of the
27 segment” means credit courses and those noncredit courses
28 specified in paragraphs (2) to (6), inclusive, of subdivision (a) of
29 Section 84757.

30 (f) (1) It is the intent of the Legislature to allow for changes to
31 the criteria and standards developed pursuant to subdivisions (a)
32 to (d), inclusive, in order to recognize increased operating costs
33 and to improve instruction.

34 (2) (A) If the annual budget act identifies funds appropriated
35 specifically for the purposes of this subdivision, the chancellor
36 shall adjust the budget request formula to allocate those funds
37 without altering any of the adjustments described in subdivision
38 (d). At least 30 days before allocating any state general
39 apportionment revenues using a budget request formula revised
40 pursuant to this subdivision, the chancellor shall submit to the

1 Department of Finance and the Legislature a description of the
2 specific adjustments made to the budget request formula.

3 (B) A report to the Legislature pursuant to subparagraph (A)
4 shall be submitted in compliance with Section 9795 of the
5 Government Code.

6 (g) *Notwithstanding Subchapter 1 (commencing with Section*
7 *51000) of Chapter 2 of Division 6 of Title 5 of the California Code*
8 *of Regulations and Section 84751, the chancellor shall allocate*
9 *the ongoing funds first appropriated pursuant to paragraph (1) of*
10 *subdivision (e) of provision (2) of Item 6870-101-0001 of Section*
11 *2.00 of the Budget Act of 2015 (Chapters. 10 and 11, Statutes of*
12 *2015) to all community college districts, including districts that*
13 *have offsetting local revenues that exceed the funding calculated*
14 *pursuant to the district's budget formula, on a per FTES basis by*
15 *modifying each district's budget formula pursuant to this section.*
16 *Any revisions to the budget formula made for the purposes of this*
17 *subdivision shall be made and reported consistent with the*
18 *requirements of subdivision (f).*

19 (h) *Commencing with the 2018–19 fiscal year, this section shall*
20 *only be used to allocate revenue pursuant to subparagraph (A) of*
21 *paragraph (3) of subdivision (e) of Section 36 of Article XIII of*
22 *the California Constitution, to compute allocations for noncredit*
23 *instruction and career development and college FTES, and to*
24 *compute allocations to community college districts for fiscal years*
25 *prior to the 2018–19 fiscal year.*

26 SEC. 35. *Section 84750.6 of the Education Code is amended*
27 *to read:*

28 84750.6. (a) Notwithstanding Section 84750.5, the board of
29 governors shall provide the San Francisco Community College
30 District with revenues, as specified in subdivision (b), if, on the
31 effective date of the act that adds this section, both of the following
32 conditions are satisfied:

33 (1) The board of governors finds that the community college
34 district or a campus of the community college district is in
35 imminent jeopardy of losing its accreditation.

36 (2) The board of governors has exercised its authority pursuant
37 to Section 84040 of this code and Section 58312 of Title 5 of the
38 California Code of Regulations as that regulation read on April
39 15, 2014.

(b) If the number of full-time equivalent students (FTES) of the community college district decreases from the number in the 2012–13 fiscal year, the board of governors shall provide revenues to the community college district, as follows:

(1) For the 2014–15 fiscal year, an amount not less than the total amount that the community college district would receive if the level of attendance of FTES was the same level of attendance as in the 2012–13 fiscal year.

(2) For the 2015–16 fiscal year, an amount not less than 95 percent of the total amount that the community college district would receive if the level of attendance of FTES was the same level of attendance as in the 2012–13 fiscal year.

(3) (A) For the 2016–17 fiscal year, an amount not less than 90 percent of the total amount that the community college district would receive if the level of attendance of FTES was the same level of attendance as in the 2012–13 fiscal year.

(B) Funds shall be provided under this paragraph only if the Fiscal Crisis Management Assistance Team makes a finding no sooner than April 1, 2016, that the San Francisco Community College District is meeting or exceeding all of the following benchmarks:

(i) Effective fiscal controls and systems are in place.

(ii) The City College of San Francisco has, and is adhering to, prudent fiscal policies and practices, as corroborated by an analysis of multiyear projections of no less than three fiscal years commencing with the 2016–17 fiscal year.

(iii) The City College of San Francisco is applying resources in accordance with a budget plan approved by the special trustee.

(iv) The City College of San Francisco is maintaining appropriate fiscal reserves.

(v) The City College of San Francisco has, and is adhering to, a viable plan to address long-term liabilities including, but not necessarily limited to, “other postemployment benefits,” as that term is used in accordance with generally accepted accounting principles defined by the Governmental Accounting Standards Board as of April 15, 2014.

(c) The amounts calculated in paragraphs (1) to (3), inclusive, of subdivision (b) shall be adjusted by the chancellor to reflect cost-of-living adjustments, deficits in apportionments, or both, as appropriate for the applicable fiscal years.

1 (d) Subdivision (b) shall only be used to determine the
2 apportionment funding to be allocated to the San Francisco
3 Community College District. In computing statewide entitlements
4 to funding based upon the attendance of FTES, the San Francisco
5 Community College District shall not be credited with more FTES
6 than were actually enrolled and in attendance.

7 (e) Subdivision (b) shall only be operative for a fiscal year in
8 which the San Francisco Community College District is in
9 compliance with Section 51016 of Title 5 of the California Code
10 of Regulations as that regulation read on April 15, 2014.

11 (f) It is the intent of the Legislature that any amounts necessary
12 to make the apportionments required pursuant to subdivision (b)
13 be drawn from the state general apportionment revenues for
14 community college districts.

15 (g) (1) The Chancellor of the City College of San Francisco
16 shall submit all of the following to the appropriate policy and fiscal
17 committees of the Legislature, the office of the Governor, the
18 Legislative Analyst's Office, and the Department of Finance on
19 or before April 15, 2015:

20 (A) An overview of the college's current accreditation status,
21 including a description of any identified accreditation deficiencies
22 and activities underway to address those deficiencies.

23 (B) Enrollment totals for the current and prior years.

24 (C) Updated enrollment projections for the two subsequent fiscal
25 years.

26 (D) The number of course sections offered in the current and
27 prior fiscal years.

28 (E) A thorough explanation of the district's level of budgetary
29 reserves and sources of revenue.

30 (F) A thorough multiyear budget plan that explains, at a
31 minimum, both revenue sources and areas of expenditure.

32 (2) The Chancellor of the City College of San Francisco shall
33 submit updates to the report submitted under paragraph (1) on or
34 before the following dates:

35 (A) October 15, 2015.

36 (B) April 15, 2016.

37 (C) October 15, 2016, but only if funding is provided pursuant
38 to paragraph (3) of subdivision (b).

39 (D) April 15, 2017, but only if funding is provided pursuant to
40 paragraph (3) of subdivision (b).

(h) For five fiscal years beginning in the 2017–18 fiscal year, the San Francisco Community College District shall be entitled to restoration of any reduction in apportionment revenue due to decreases in FTES, up to the level of attendance of FTES funded in the 2012–13 fiscal year, if there is a subsequent increase in FTES.

(i) *Commencing with the 2018–19 fiscal year, this section shall no longer be used to compute allocations to the San Francisco Community College District.*

(j) *This section shall become inoperative on July 1, 2021, and, as of January 1, 2022, is repealed.*

SEC. 36. *Section 84750.7 of the Education Code is amended to read:*

84750.7. (a) Notwithstanding Section 84750.5, the board of governors shall provide the Compton Community College District with revenues, as specified in subdivision (b), if both of the following conditions are met:

(1) Compton College is accredited by an accrediting agency recognized by the United States Department of Education.

(2) The Compton Community College District is under the governing authority of the Board of Trustees of the Compton Community College District.

(b) If the number of full-time equivalent students (FTES) of the community college district decreases from the number in the 2017–18 fiscal year, the board of governors shall provide revenues to the community college district, as follows:

(1) For the first fiscal year Compton College is accredited under the governing authority of the Board of Trustees of the Compton Community College District, an amount not less than the total amount that the community college district would receive if the level of attendance of FTES was the same level of attendance as in the 2017–18 fiscal year.

(2) For the second fiscal year after Compton College is accredited under the governing authority of Compton Community College District Board of Trustees, an amount not less than 95 percent of the total amount that the community college district would receive if the level of attendance of FTES was the same level of attendance as in the 2017–18 fiscal year.

(3) For the third fiscal year after Compton College is accredited under the governing authority of Compton Community College

1 District, an amount not less than 90 percent of the total amount
2 that the community college district would receive if the level of
3 attendance of FTES was the same level of attendance as in the
4 2017–18 fiscal year.

5 (4) For the fourth fiscal year after Compton College is accredited
6 under the governing authority of Compton Community College
7 District, an amount not less than 85 percent of the total amount
8 that the community college district would receive if the level of
9 attendance of FTES was the same level of attendance as in the
10 prior 2017–18 year.

11 (c) The amounts calculated pursuant to subdivision (b) shall be
12 adjusted by the chancellor to reflect cost-of-living adjustments,
13 deficits in apportionments, or both, as appropriate for the applicable
14 fiscal years.

15 (d) Subdivision (b) shall only be used to determine the
16 apportionment funding to be allocated to the Compton Community
17 College District. In computing statewide entitlements to funding
18 based upon the attendance of FTES, the Compton Community
19 College District shall not be credited with more FTES than were
20 actually enrolled and in attendance.

21 (e) Subdivision (b) shall only be operative for a fiscal year in
22 which the Compton College is in compliance with Section 70902.

23 (f) It is the intent of the Legislature that any amounts necessary
24 to make the apportionments required pursuant to subdivision (b)
25 be drawn from the state general apportionment revenues for
26 community college districts.

27 (g) *Commencing with the 2018–19 fiscal year, this section shall*
28 *no longer be used to compute allocations to the Compton*
29 *Community College District.*

30 (h) *This section shall become inoperative on July 1, 2021, and,*
31 *as of January 1, 2022, is repealed.*

32 SEC. 37. *Section 84751 of the Education Code is amended to*
33 *read:*

34 84751. (a) In calculating each community college district's
35 revenue level for each fiscal year pursuant to *Section 84750.4 or*
36 *subdivision (a) of Section 84750.5, as applicable,* the board of
37 governors shall subtract, from the total revenues owed, all of the
38 following:

39 (1) The local property tax revenue specified by law for general
40 operating support, exclusive of bond interest and redemption.

(2) Ninety-eight percent of the fee revenues collected pursuant to Section 76300.

(3) Timber yield tax revenues received pursuant to Section 38905.1 of the Revenue and Taxation Code.

(4) Any amounts received pursuant to Section 33492.15, 33607.5, or 33607.7 of the Health and Safety Code, and Section 33676 of the Health and Safety Code, as amended by Section 2 of Chapter 1368 of the Statutes of 1990, that are considered to be from property tax revenues pursuant to those sections for purposes of community college revenue levels, except those amounts that are allocated exclusively for educational facilities.

(b) Notwithstanding subdivision (a), for the 2013–14 fiscal year, revenues received pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code after April 15, 2014, shall be counted as revenues received in the 2014–15 fiscal year.

(c) Notwithstanding subdivision (a), for the 2014–15 fiscal year, revenues received pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code after April 15, 2015, shall be counted as revenues received in the 2015–16 fiscal year.

(d) Notwithstanding subdivision (a), for the 2015–16 fiscal year, revenues received pursuant to Sections 34177, 34179.5, 34179.6, and 34188 of the Health and Safety Code after April 15, 2016, shall be counted as revenues received in the 2016–17 fiscal year.

SEC. 38. Section 84810.5 of the Education Code is amended to read:

84810.5. (a) (1) Open course provisions in statute or regulations of the board of governors shall be waived for any governing board of a community college district for classes the district provides to inmates of any city, county, or city and county jail, road camp, farm for adults, or state or federal correctional facility. This section does not authorize the waiver of open course provisions in any context or situation other than those that are specifically authorized by this section. Subject to limitations set forth in subdivision (b), the board of governors may include the units of full-time equivalent students (FTES) generated in those classes for purposes of state apportionments.

(2) The attendance hours generated by credit courses shall be funded at the marginal credit rate determined pursuant to *paragraph (1) of subdivision (c) of Section 84750.4 or paragraph (2) of subdivision (d) of Section-84750.5: 84750.5, as applicable.*

1 The attendance hours generated by noncredit courses shall be
2 funded at the noncredit rate pursuant to *paragraph (2) of*
3 *subdivision (c) of Section 84750.4 or paragraph (3) of subdivision*
4 *(d) of Section 84750.5: 84750.5, as applicable.* The attendance
5 hours generated by instruction in career development and college
6 preparation shall be funded at the rate determined pursuant to
7 *paragraph (3) of subdivision (c) of Section 84750.4 or paragraph*
8 *(4) of subdivision (d) of Section 84750.5: 84750.5, as applicable.*

9 (b) (1) A community college district shall not claim, for
10 purposes of state apportionments under this section, any class to
11 which either of the following applies:

12 (A) The district receives full compensation for its direct
13 education costs for the conduct of the class from any public or
14 private agency, individual, or group of individuals.

15 (B) The district has a contract or instructional agreement, or
16 both, for the conduct of the class with a public or private agency,
17 individual, or group of individuals that has received from another
18 source full compensation for the costs the district incurs under that
19 contract or instructional agreement.

20 (2) In reporting a claim for apportionment to the Chancellor of
21 the California Community Colleges under this section, the district
22 shall report any partial compensation it receives from the sources
23 described in subparagraphs (A) and (B) of paragraph (1) during
24 the period for which the claim is made. The chancellor shall
25 subtract the amount of any partial compensation received from the
26 total apportionment to be paid.

27 (c) This section does not provide a source of funds to shift,
28 supplant, or reduce the costs incurred by the Department of
29 Corrections and Rehabilitation in providing inmate education
30 programs.

31 *SEC. 39. The heading of Article 9 (commencing with Section*
32 *84900) of Chapter 5 of Part 50 of Division 7 of Title 3 of the*
33 *Education Code is amended to read:*

34
35 Article 9. Adult Education ~~Block-Grant~~ Program
36

37 *SEC. 40. Section 84900 of the Education Code is amended to*
38 *read:*

39 84900. The Adult Education ~~Block-Grant~~ Program is hereby
40 established under the administration of the Chancellor of the

1 California Community Colleges and the Superintendent of Public
2 Instruction.

3 *SEC. 41. Section 84901 of the Education Code is amended to*
4 *read:*

5 84901. For purposes of this article, the following definitions
6 shall apply, unless otherwise specified:

7 (a) “Adult” means a person 18 years of age or older.

8 (b) “Consortium” means an adult education consortium approved
9 pursuant to this article.

10 (c) “Executive director” means the executive director of the
11 State Board of Education.

12 (d) “Program” means the Adult Education ~~Block Grant~~ Program
13 established by Section 84900.

14 *SEC. 42. Section 84906 of the Education Code is amended to*
15 *read:*

16 84906. (a) ~~As (1) Commencing with the 2019–20 fiscal year,~~
17 *as a condition of receipt of an apportionment of funds from this*
18 *program for a fiscal year, the members of a consortium shall have*
19 ~~approved an a consortium-approved three-year adult education~~
20 *plan that addresses that fiscal year, a three-year fiscal planning*
21 *cycle. The plan shall be updated at least once each year based on*
22 *available data pertaining to the requirements of subdivision (b).*

23 (2) *For the 2018–19 fiscal year, as a condition of receipt of an*
24 *apportionment of funds from this program, the members of a*
25 *consortium shall have a consortium-approved adult education*
26 *plan that satisfies subdivision (c).*

27 (b) An adult education plan shall include all of the following:

28 (1) An evaluation of the educational needs of adults in the
29 region.

30 (2) A list of the following:

31 (A) Entities that provide education and workforce services to
32 adults in the region.

33 (B) Entities that are impacted by, or that have a fundamental
34 interest in, the provision of those services.

35 (3) A description of the services provided by entities listed
36 pursuant to paragraph (2).

37 (4) An evaluation of current levels and types of education and
38 workforce services for adults in the region.

39 (5) An evaluation of the funds available to the members of the
40 consortium and the entities listed pursuant to paragraph (2),

1 including funds other than those apportioned pursuant to this
2 article.

3 (6) Actions that the members of the consortium will take to
4 address the educational needs identified pursuant to paragraph (1).

5 (7) Actions that the members of the consortium will take to
6 improve the effectiveness of their services.

7 (8) Actions that the members of the consortium, the entities
8 listed pursuant to paragraph (2), and other interested parties will
9 take to improve integration of services and to improve transitions
10 into postsecondary education and the workforce, including actions
11 related to all of the following:

12 (A) Placement of adults seeking education and workforce
13 services into adult education programs.

14 (B) Alignment of academic standards and curricula for programs
15 across entities that provide education and workforce services to
16 adults.

17 (C) Qualifications of instructors, including common standards
18 across entities that provide education and workforce services to
19 adults.

20 (D) Collection and availability of data.

21 (9) A description of the alignment of adult education services
22 supported by this program with those described in other education
23 and workforce plans guiding services in the region, including plans
24 pertaining to the building of career pathways and the employment
25 of workforce sector strategies and those required pursuant to the
26 federal Workforce Innovation and Opportunity Act (Public Law
27 113-128).

28 (10) A description of the ways in which each of the entities
29 identified in paragraph (2) contributed to the development of the
30 plan.

31 ~~(e) The members of a consortium shall approve an adult~~
32 ~~education plan at least once every three years. The plan shall be~~
33 ~~updated at least once each year based on available data.~~

34 ~~(d)~~

35 (c) For the 2015–16, 2016–17, ~~and 2017–18~~ 2017–18, and
36 2018–19 fiscal years, a regional plan developed pursuant to Section
37 84830 shall satisfy the requirements of this section.

38 *SEC. 43. Section 84913 of the Education Code is amended to*
39 *read:*

1 84913. (a) Funds apportioned for the program shall be used
2 only for support of the following:

3 (1) Programs in elementary and secondary basic skills, including
4 programs leading to a high school diploma or high school
5 equivalency certificate.

6 (2) Programs for immigrants eligible for educational services
7 in citizenship, English as a second language, and workforce
8 preparation.

9 (3) Programs for adults, including, but not limited to, older
10 adults, that are primarily related to entry or reentry into the
11 workforce.

12 (4) Programs for adults, including, but not limited to, older
13 adults, that are primarily designed to develop knowledge and skills
14 to assist elementary and secondary school children to succeed
15 academically in school.

16 (5) Programs for adults with disabilities.

17 (6) Programs in career technical education that are short term
18 in nature and have high employment potential.

19 (7) Programs offering preapprenticeship training activities
20 conducted in coordination with one or more apprenticeship
21 programs approved by the Division of Apprenticeship Standards
22 for the occupation and geographic area.

23 (8) (A) *Indirect costs of the program's consortium members.*

24 (B) *For purposes of this paragraph, "indirect costs" means*
25 *either of the following:*

26 (i) *For consortium members that are school districts and county*
27 *offices of education, the lesser of the member's prior year indirect*
28 *cost rate, as approved by the department, or no more than 5*
29 *percent of the total funding received from the program.*

30 (ii) *For community college consortium members, the lesser of*
31 *the member's prior year negotiated indirect cost rate or no more*
32 *than 5 percent of the total funding received from the program.*

33 (b) A consortium may use no more than 5 percent of funds
34 allocated in a given fiscal year for the sum of the following:

35 (1) The costs of administration of these programs.

36 (2) The costs of the consortium.

37 SEC. 44. *Section 84916 of the Education Code is amended to*
38 *read:*

39 ~~84916. In order to maximize the benefits derived from public~~
40 ~~funds provided for the purpose of addressing the educational needs~~

1 of adults and to ensure the efficient and coordinated use of
2 resources, it is the intent and expectation of the Legislature that
3 any community college district, school district, or county office
4 of education, or any joint powers authority consisting of community
5 college districts, school districts, county offices of education, or
6 a combination of these, located within the boundaries of the adult
7 education region shall be a member of a consortium pursuant to
8 this article if it receives funds from any of the following programs
9 or allocations:

10 84916. Commencing with the 2019–20 fiscal year, any
11 community college district, school district, or county office of
12 education or any joint powers authority consisting of community
13 college districts, school districts, county offices of education, or
14 a combination of these entities, that receives funds from any of the
15 following programs or allocations, shall be a member of a
16 consortium pursuant to this article and any other entity that
17 receives funds from any of the following programs or allocations
18 shall participate in a consortium pursuant to this article. Each
19 consortium shall use the 2018–19 fiscal year as a planning year
20 to engage with members and participants located within the
21 boundaries of the adult education region that receive funding from
22 the following list, and shall include those entities in planning
23 activities related to the consortium’s three-year plan, as adopted
24 pursuant to Section 84906:

- 25 (a) The Adults in Correctional Facilities program.
- 26 (b) The federal Adult Education and Family Literacy Act (Title
27 II of the federal Workforce Innovation and Opportunity Act).
- 28 (c) The federal Carl D. Perkins Career and Technical Education
29 Act (Public Law 109-270).
- 30 (d) Local control funding formula apportionments received for
31 students who are 19 years of age or older.
- 32 (e) Community college apportionments received for providing
33 instruction in courses in the areas listed in subdivision (a) of
34 Section 84913.
- 35 (f) State funds for remedial education and job training services
36 for participants in the CalWORKs program.
- 37 (g) State funds for adult literacy or career online high school
38 programs.

39 SEC. 45. Part 52.7 (commencing with Section 88670) is added
40 to Division 7 of Title 3 of the Education Code, to read:

1
2 *PART 52.7. CALIFORNIA STEM PATHWAYS GRANT PROGRAM*

3
4 88670. (a) *For the 2018–19 fiscal year, the sum of ten million*
5 *dollars (\$10,000,000) is hereby appropriated from the General*
6 *Fund to the Chancellor’s Office of the California Community*
7 *Colleges for a grant program that supports public-private*
8 *partnerships that will prepare California students for high-skill*
9 *jobs of the future in technology, manufacturing, and health care.*

10 (b) *The grant program shall deliver five core benefits to*
11 *students:*

12 (1) *A rigorous, relevant, and cost-free education in grades 9 to*
13 *14, inclusive, focused on the knowledge and skills that students*
14 *need for science, technology, engineering, and mathematics*
15 *(STEM) careers.*

16 (2) *Workplace learning that includes mentoring by industry*
17 *professionals, worksite visits, speakers, and internships.*

18 (3) *Intensive, individualized, academic support by both K–12*
19 *and postsecondary faculty within an extended academic year or*
20 *school day that enables students to progress through the program*
21 *at their own pace.*

22 (4) *An opportunity to earn an associate in science degree in a*
23 *high-tech field or an associate degree for transfer in a STEM field.*

24 (5) *A commitment to students who complete the program to be*
25 *first in line for a job with participating business partners following*
26 *completion of the program.*

27 88671. (a) *The chancellor shall award grants to be expended*
28 *over a six year period, to applicants that meet, at a minimum, all*
29 *of the following conditions:*

30 (1) *Applicants are parties to an approved College and Career*
31 *Access Pathways (CCAP) partnership pursuant to Section 76004*
32 *of the Education Code that will govern the delivery of the academic*
33 *program to students and allocation of funding between the local*
34 *educational agency and the community college district.*

35 (2) *Applicants shall demonstrate that the curriculum in grades*
36 *9 to 14, inclusive, shall lead to an associate in science degree in*
37 *a high-tech field or an associate degree for transfer in a STEM*
38 *field.*

39 (3) *Applicants have a signed memorandum of understanding*
40 *between the CCAP partnership and one or more private businesses*

1 *in technology, manufacturing, or health care that obligates the*
2 *businesses to all of the following:*

3 *(A) Committing to place every student who successfully*
4 *completes the program first in line for a job.*

5 *(B) Identifying a mentor for every participating student.*

6 *(C) Creating an up-to-date skills map for the industry or sector*
7 *that identifies essential job requirements.*

8 *(D) Collaborating with the CCAP partnership to identify the*
9 *postsecondary two-year degree that will ensure participating*
10 *students meet industry expectations and to validate the proposed*
11 *scope and sequence.*

12 *(E) Providing workplace visits, speakers, internships, and*
13 *apprenticeships for participating students.*

14 *(F) Collaborating with the CCAP partnership staff to align*
15 *technical skills and workplace competencies with curriculum,*
16 *course offerings, and other resources.*

17 *(G) Providing dedicated staff to work on the initiative, including*
18 *an industry liaison who has the authority to coordinate with the*
19 *CCAP partnership on the business partners' behalf.*

20 *(4) Students will attend classes from grades 9 to 14, inclusive,*
21 *on a single campus.*

22 *(b) The chancellor shall prioritize applicants that will serve*
23 *students who:*

24 *(1) Have been identified as academically or economically at*
25 *risk for not successfully completing high school or not enrolling*
26 *in, or succeeding in, college.*

27 *(2) Belong to populations that have historically not had access*
28 *to, or success in, higher education, such as students with*
29 *disabilities or English language learners.*

30 *(c) The chancellor shall award grants in a geographically*
31 *diverse manner, to the extent possible, and shall not award more*
32 *than one grant per county.*

33 *(d) The chancellor shall require applicants to submit enrollment,*
34 *performance, and employment data.*

35 *(e) The chancellor shall develop and provide guidance to the*
36 *program, including, but not limited to, appropriate uses of program*
37 *funds and the manner in which the program will report data to*
38 *meet the requirements of subdivision (h).*

1 (f) *The chancellor shall develop a request for proposal (RFP)*
2 *process to determine grant awardees. The RFP process shall*
3 *comply with the requirements of this section.*

4 (g) *For the purposes of this section, an applicant is comprised*
5 *of a regional consortium that includes one or more of each of the*
6 *following:*

7 (1) *A school district or charter school.*

8 (2) *A community college district.*

9 (h) *No later than January 10, 2025, the Chancellor shall submit*
10 *a report to the Director of Finance and the appropriate budget*
11 *and policy committees of the Legislature. The report shall include,*
12 *but not necessarily be limited to, the following:*

13 (1) *The degree to which grant recipients achieved the objectives*
14 *in subdivision (a).*

15 (2) *The number and percentage of students enrolled in the*
16 *program who earned a two-year associates degree within four,*
17 *five, and six years.*

18 (3) *The number and percentage of students enrolled in the*
19 *program who earned an industry-recognized certificate or*
20 *credential within four, five, and six years.*

21 (4) *The number and percentage of students enrolled in the*
22 *program who gained full time employment in their area of study*
23 *or training upon completion of the program.*

24 (5) *A range of the starting salaries of program graduates that*
25 *gained full-time employment.*

26 (6) *The number and percentage of students enrolled in the*
27 *program that enrolled in a four-year degree program upon*
28 *completion of the program.*

29 (7) *It is the intent of the Legislature that the report disaggregate*
30 *results by student subgroup as identified by Section 52052.*

31 (i) *For purposes of making the computations required by Section*
32 *8 of Article XVI of the California Constitution, the appropriations*
33 *made by subdivision (a) shall be deemed to be “General Fund*
34 *revenues appropriated for community college districts,” as defined*
35 *in subdivision (d) of Section 41202, for the 2017–18 fiscal year,*
36 *and included within the “total allocations to school districts and*
37 *community college districts from General Fund proceeds of taxes*
38 *appropriated pursuant to Article XIII B,” as defined in subdivision*
39 *(e) of Section 41202, for the 2017–18 fiscal year.*

40 SEC. 46. *Section 88910 of the Education Code is repealed.*

1 88910. For purposes of this part, the following terms have the
2 following meanings:

3 (a) “Academic year” means the total of two consecutive
4 semesters or three quarters, commencing with the opening of the
5 fall term. Each semester or quarter is approximately the same
6 length.

7 (b) “Associate degree for transfer” means an associate degree
8 established according to the criteria established in Section 66746.

9 (c) “Award year” means one academic year plus one summer
10 term, or the equivalent, of attendance at a qualifying institution.

11 (d) “Cost of attendance” means the student’s tuition and fees,
12 books and supplies, room, board, transportation expenses,
13 including, but not limited to, purchasing regional transit passes,
14 and other student expenses used to calculate a student’s financial
15 need for federal student financial aid programs under Title IV of
16 the federal Higher Education Act of 1965, as amended (20 U.S.C.
17 Sec. 1070 et seq.).

18 (e) “Financial need” means a student’s financial need calculated
19 pursuant to the federal financial need methodology, as established
20 by Title IV of the federal Higher Education Act of 1965, as
21 amended (20 U.S.C. Sec. 1070 et seq.).

22 *SEC. 47. Section 88912 of the Education Code is repealed.*

23 88912. (a) Commencing with the 2017–18 academic year,
24 each participating community college shall provide a grant award
25 to a student pursuant to subdivision (b). The purpose of the grant
26 award is to provide the student with additional financial aid to help
27 offset his or her total cost of community college attendance.

28 (b) A student attending a community college may receive a
29 grant award pursuant to this section if the student meets all of the
30 following requirements:

31 (1) The student has received an award under the Full-Time
32 Success Grant program established pursuant to Schedule (1) of
33 Item 6870-102-0001 of the Budget Act of 2016 for each term in
34 which he or she receives an award under this section.

35 (2) The student is enrolled in a program of study and has
36 completed an education plan identifying courses, sequence of
37 courses, key progress milestones, and other requirements the
38 student must complete to earn an associate degree, career technical
39 education certificate, or other community college certificates, or
40 meet university transfer requirements.

~~(3) The student is not incarcerated.~~

~~(4) The student is not in default on any student loan and has not failed to repay a federal or state student grant when required to do so.~~

~~(5) (A) The student maintains a grade point average of at least 2.0 and complies with any one of the following:~~

~~(i) Enrolls in 15 or more credit units per semester, or the equivalent number of units per quarter, to be considered on track to obtain an associate degree for transfer or an associate degree, or to otherwise transfer to a four-year university, within two academic years, or within three academic years if a student is required to take basic skills courses by the community college.~~

~~(ii) Enrolls in a sufficient number of units per semester, quarter, or summer term, as determined by the community college, to be considered on track to receive a certificate for a career technical education program or other community college certificates within the published length of time, or within the published length of time plus one academic year if a student is required to take basic skills courses by the community college.~~

~~(iii) Enrolls in intersession or summer coursework after enrolling in 12 or more credits per the primary semester, or the applicable number of units per quarter, as applicable, to be considered on track to receive an associate degree for transfer or an associate degree, or to otherwise transfer to a four-year university, within two academic years, or within three academic years if a student is required to take basic skills courses by the community college.~~

~~(iv) Enrolls in a sufficient number of units per semester, quarterly equivalent, or summer term, as determined by the community college, to be considered on track to receive a baccalaureate degree authorized pursuant to Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7 within the published length of time, or within the published length of time plus one academic year if a student is required to take basic skills courses by the community college.~~

~~(B) For the purposes of subparagraph (A), credits earned while participating in a dual enrollment program shall count towards the requisite number of units required.~~

~~(6) The student earns a sufficient number of credits per award year to be considered on track to complete one of the following:~~

1 ~~(A) An associate degree for transfer or an associate degree, or~~
2 ~~to otherwise transfer to a four-year university, within two academic~~
3 ~~years, or within three academic years if a student is required to~~
4 ~~take basic skills courses by the community college.~~

5 ~~(B) A career technical education certificate within the published~~
6 ~~time for the career technical education program, or complete any~~
7 ~~other community college certificate within the published length~~
8 ~~of time for the certificate program, or within the published length~~
9 ~~of time plus one academic year if a student is required to take basic~~
10 ~~skills courses by the community college.~~

11 ~~(C) A baccalaureate degree authorized pursuant to Article 3~~
12 ~~(commencing with Section 78040) of Chapter 1 of Part 48 of~~
13 ~~Division 7, within the published length of time for the degree, or~~
14 ~~within the published length of time plus one academic year if a~~
15 ~~student is required to take basic skills courses by the community~~
16 ~~college.~~

17 ~~(7) The student is a California resident or is exempt from paying~~
18 ~~nonresident tuition under Section 68130.5 or 76140.~~

19 ~~(e) (1) To the extent practicable, a grant award shall be awarded~~
20 ~~at the same time as a recipient's overall financial aid package.~~

21 ~~(2) The grant award shall be two thousand dollars (\$2,000)~~
22 ~~annually, with a maximum one thousand dollar (\$1,000) award~~
23 ~~per semester, or quarterly equivalent, shall be considered a~~
24 ~~supplemental grant, and shall not supplant any other grant, fee~~
25 ~~waiver, or scholarship aid received by the student, including, but~~
26 ~~not necessarily limited to, federal grants, Cal Grant awards,~~
27 ~~institutional grants, merit-based scholarships, athletic scholarships,~~
28 ~~and full-time student success grants.~~

29 ~~(3) The grant award shall be based upon the financial need of~~
30 ~~the applicant, and shall not exceed the calculated financial need~~
31 ~~for any individual applicant. The minimum level of financial need~~
32 ~~of applicants shall be determined by the commission pursuant to~~
33 ~~Section 69432.9.~~

34 ~~(4) The grant award identified in paragraph (2) shall be~~
35 ~~proportionally reduced if the amount of funding appropriated in~~
36 ~~the annual Budget Act for this purpose is insufficient to fully fund~~
37 ~~the total number of students awarded a grant.~~

38 ~~(d) Each participating community college shall administer the~~
39 ~~grant award pursuant to the requirements of this section.~~

~~(e) This section shall not be operative in a fiscal year unless funding has been provided for this section for that fiscal year in the annual Budget Act or another statute.~~

SEC. 48. *Section 88912.5 of the Education Code is amended to read:*

88912.5. (a) On or before April 1, 2019, the chancellor shall report to the Legislature all of the following for the 2017–18 award year:

(1) The number of grant award recipients who met the requirements of paragraph (5) of subdivision (b) of Section 88912.

(2) The number of grant award recipients who met the requirements of paragraph (6) of subdivision (b) of Section 88912, disaggregated by recipients who are pursuing an associate degree for transfer, an associate degree, or a career technical education certificate or other community college certificate, and further disaggregated by the type of certificate.

(3) The number of grant award recipients who enrolled in and successfully completed a transfer-level mathematics or English course, or an equivalent course to earn a career technical education certificate, that is required for their academic program during their first year of enrollment.

(4) The number of grant award recipients who enrolled in and successfully completed at least nine units in their major during their first year of enrollment.

(5) The average grade point average of grant award recipients.

(b) Student information reported pursuant to subdivision (a) shall be disaggregated by race, ethnicity, gender, and socioeconomic status.

(c) (1) The requirement for submitting a report imposed under subdivision (a) is inoperative on April 1, 2023, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(d) This section shall apply only to awards provided to students during the 2017–18 academic year pursuant to the former Section 88912, as that section read on June 1, 2018.

(e) This section shall become inoperative on June 1, 2023, and, as of January 1, 2024, is repealed.

SEC. 49. *Section 88913 of the Education Code is repealed.*

~~88913. The board of governors may adopt regulations to administer the Community College Completion Grant Program.~~

SEC. 50. Part 54.82 (commencing with Section 88930) is added to Division 7 of Title 3 of the Education Code, to read:

**PART 54.82. COMMUNITY COLLEGES STUDENT SUCCESS
COMPLETION GRANT**

88930. For purposes of this part, “academic year” means the total of two consecutive semesters or three quarters, commencing with the opening of the fall term. Each semester or quarter is approximately the same length.

88931. (a) Commencing with the 2018–19 academic year, each participating community college shall provide a grant award to a student pursuant to subdivision (b). The purpose of the grant award is to provide the student with additional financial aid to help offset his or her total cost of community college attendance.

(b) A student attending a community college may receive a grant award pursuant to this section if the student meets all of the following requirements:

(1) The student receives a Cal Grant B or C award pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5.

(2) The student is making satisfactory academic progress at the college under criteria required by the applicable federal standards published in Title 34 of the Code of Federal Regulations.

(3) The student is a California resident or is exempt from paying nonresident tuition under Section 68130.5 or 76140.

(c) (1) The students who meet the applicant criteria pursuant to subdivision (b) shall be eligible for the following grant amounts:

(A) Six hundred forty-nine dollars (\$649) per semester, or quarterly equivalent, for eligible students who enroll in 12, 13, or 14 units per semester, or the quarterly equivalent number of units.

(B) Two thousand dollars (\$2,000) per semester, or quarterly equivalent, for eligible students who enroll in 15 units per semester, or the quarterly equivalent number of units.

(2) (A) If funding is available after making awards to students in the primary terms, a community college may grant additional awards to students who take a sufficient number of units during the summer term to bring their total number of academic units to

1 24 units or more for the academic year. The chancellor's office
2 shall work with colleges to determine the summer grant amounts
3 based on available funds.

4 (B) It is the intent of the Legislature that the available grants
5 would be prorated to allocate a larger amount to students who
6 take a sufficient number of units for a total of 30 units or more for
7 the academic year.

8 (d) (1) To the extent practicable, a grant award shall be
9 awarded at the same time as a recipient's overall financial aid
10 package.

11 (2) The grant award shall be considered a supplemental grant,
12 and shall not supplant any other grant, fee waiver, or scholarship
13 aid received by the student, including, but not necessarily limited
14 to, federal grants, Cal Grant awards, institutional grants,
15 merit-based scholarships, and athletic scholarships.

16 (3) The grant award shall be based upon the financial need of
17 the applicant, and shall not exceed the calculated financial need
18 for any individual applicant. The minimum level of financial need
19 of applicants shall be determined by the commission pursuant to
20 Section 69432.9.

21 (4) The grant award identified in subdivision (c) shall be
22 proportionally reduced if the amount of funding appropriated in
23 the annual Budget Act for this purpose is insufficient to fully fund
24 the total number of students awarded a grant.

25 (e) (1) Each participating community college shall administer
26 the grant award pursuant to the requirements of this section.

27 (2) It is the intent of the Legislature that a student is enrolled
28 in a program of study and has completed an education plan
29 identifying courses, a sequence of courses, key progress of
30 milestones, and other requirements the student must complete to
31 earn an associate degree, career technical education certificate,
32 other community college certificate, or meet transfer requirements.

33 (3) Each participating community college shall encourage
34 students to enroll in a sufficient number of units per semester,
35 quarter, or summer term to be considered on track to obtain a
36 certificate, associate degree for transfer, or associate degree or
37 transfer to a four-year university within two academic years or
38 within three academic years if a student is required to take basic
39 skill courses by the community college.

1 (f) *This section shall not be operative in a fiscal year unless*
2 *funding has been provided for this section for that fiscal year in*
3 *the annual Budget Act or another statute.*

4 88932. (a) *On or before April 1, 2020, the chancellor shall*
5 *report to the Legislature all of the following for the 2018–19 award*
6 *year:*

7 (1) *The number of grant award recipients who met the*
8 *requirements of Section 88931, disaggregated by recipients who*
9 *are pursuing an associate degree for transfer, an associate degree,*
10 *or a career technical education certificate, or other community*
11 *college certificate, and further disaggregated by the type of*
12 *certificate.*

13 (2) *The number of grant award recipients who met the*
14 *requirements of Section 88931 and received a grant disaggregated*
15 *by the number of units the recipients were enrolled in each term*
16 *during the academic year.*

17 (3) *The number of grant award recipients who met the*
18 *requirements of Section 88931 considered on track to complete*
19 *their educational program within two academic years, within three*
20 *academic years if a student is required to take basic skill courses*
21 *by the community college, within the published length of time, or*
22 *within the published length of time plus one year if a student is*
23 *required to take basic skill courses by the community college.*

24 (4) *The average grade point average of grant award recipients.*

25 (b) *Student information reported pursuant to subdivision (a)*
26 *shall be disaggregated by race, ethnicity, gender, and*
27 *socioeconomic status.*

28 (c) (1) *The requirement for submitting a report imposed under*
29 *subdivision (a) is inoperative on April 1, 2024, pursuant to Section*
30 *10231.5 of the Government Code.*

31 (2) *A report to be submitted pursuant to subdivision (a) shall*
32 *be submitted in compliance with Section 9795 of the Government*
33 *Code.*

34 88933. *The board of governors may adopt regulations to*
35 *administer this part.*

36 SEC. 51. *Section 89290.5 is added to the Education Code, to*
37 *read:*

38 89290.5. (a) *The Office of the Chancellor of the California*
39 *State University shall require each campus in the university's*
40 *system to prepare an annual report on student admissions and*

1 *impaction policies. The chancellor’s office shall compile each of*
2 *these campus reports and submit a systemwide summary report*
3 *to the Legislature and the Department of Finance on or before*
4 *May 1, 2020, and on or before May 1 of each year thereafter. The*
5 *campus and systemwide reports on student enrollment shall include*
6 *all the following:*

7 *(1) A description of the change to campus policies to provide*
8 *local students additional admissions preference to impacted*
9 *programs beginning with the 2019–20 academic year, and a*
10 *description of the campus specific advantage priority that was*
11 *applied.*

12 *(2) How the changes determined pursuant to paragraph (1) are*
13 *being communicated to prospective students.*

14 *(3) Information on the number of applicants who were eligible*
15 *for admission at a campus, and how many of those applicants were*
16 *denied admission to the campus, for the prior academic year and*
17 *the most recent fall term. The applicant information shall be*
18 *disaggregated by local area status, county of residence, and race*
19 *and ethnicity as reported in the Integrated Postsecondary*
20 *Education Data System (IPEDS). For purposes of this paragraph,*
21 *an applicant who was “eligible for admission at a campus” is*
22 *defined as an applicant who met minimum systemwide eligibility*
23 *requirements.*

24 *(4) An analysis of how the change described in paragraph (1)*
25 *impacted admission for local students and historically underserved*
26 *students.*

27 *(5) Information on the applicants who were offered redirection*
28 *and who were redirected to an alternate campus during the*
29 *admissions process. This applicant information shall be*
30 *disaggregated by county of residence and race and ethnicity. This*
31 *information shall also include the number, percentage, and*
32 *demographic characteristics of students who accepted admission*
33 *and enrolled at an alternate campus.*

34 *(b) This section shall become inoperative on July 1, 2023, and,*
35 *as of January 1, 2024, is repealed.*

36 *SEC. 52. Article 2.5 (commencing with Section 92010) is added*
37 *to Chapter 1 of Part 57 of Division 9 of Title 3 of the Education*
38 *Code, to read:*

Article 2.5. Systemwide and Presidential Initiatives

92010. (a) By April 1 of each year, the University of California is requested to report to the Legislature on the systemwide and presidential initiatives of the university. The report is requested to include all of the following:

(1) A description of each initiative and a justification for the initiative that explains how it furthers the mission of the university.

(2) The total expenditures from the previous fiscal year for each initiative, including carryover funds.

(3) The revenue sources for each initiative.

(b) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 53. Section 99151 of the Education Code is amended to read:

99151. (a) “Admissions data assembly service” means any summary or report of grades, grade point averages, standardized test scores, or any combination of grades and test scores, of a test subject used by any test score recipient.

~~(b) “Commission” means the California Postsecondary Education Commission.~~

~~(c)~~

(b) “Standardized test” or “test” means any test administered in California at the expense of the test subject which is used for the purposes of admission to, or class placement in, postsecondary educational institutions or their programs, or any test used for preliminary preparation for those tests.

“Standardized test” or “test” includes, but is not limited to, the Preliminary Scholastic Aptitude Test, the Scholastic Aptitude Test, the College Board Achievement Tests and Advanced Placement Tests, the ACT Assessment, the Graduate Record Examination, the Medical College Admission Test, the Law School Admission Test, the Dental Admission Testing Program, the Graduate Management Admission Test, and the Miller Analogies Test.

The standardized test does not include a test, or part of a test, which has been in use for less than five years, or which is administered to a selected group of individuals principally for research, pre-test, equating, guidance, counseling, or for the

1 purposes of meeting graduation requirements of secondary schools
2 and postsecondary educational institutions.

3 Tests which are administered as supplements or auxiliaries to
4 another test, or which form a specialized component of a test, may
5 be combined for the purposes of this chapter.

6 ~~(d)~~

7 (c) “Secure test” means any test which contains items not
8 available to the public and which, to allow the further use of test
9 items and to protect the validity and reliability of the test, is subject
10 to special security procedures in its publication, distribution, and
11 administration.

12 ~~(e)~~

13 (d) “Test subject” or “subject” means an individual who takes
14 a standardized test.

15 ~~(f)~~

16 (e) “Test sponsor” or “test agency” means an individual,
17 partnership, corporation, association, company, firm, institution,
18 society, trust, or joint stock company which develops, sponsors,
19 or administers standardized tests.

20 ~~(g)~~

21 (f) “Testing year” means the 12 calendar months which the test
22 agency considers either its operational cycle or its fiscal year.

23 ~~(h)~~

24 (g) “Test score” or “score” means the value given to the test
25 subject’s performance on a standardized test, administered by the
26 test agency, whether reported in numerical, percentile, or any other
27 form.

28 ~~(i)~~

29 (h) “Test score recipient” means any person, organization,
30 association, corporation, postsecondary education institution, or
31 governmental agency or subdivision to which the test subject
32 requests or designates that a test agency report a test score.

33 ~~(j)~~

34 (i) “Score reporting service” means the reporting of a test
35 subject’s standardized score to a test score recipient by a test
36 agency.

37 ~~(k)~~

38 (j) “Test preparation course” means any curriculum, course of
39 study, plan of instruction, or method of preparation given for a fee

1 which is specifically designed or constructed to prepare or improve
2 a test subject's score on a standardized test.

3 (f)

4 (k) "Test program" means all of the administrations of a test of
5 the same name during a testing year.

6 SEC. 54. Section 99152 of the Education Code is amended to
7 read:

8 99152. Each test sponsor shall report the closing date of its
9 testing year to the ~~commission~~ *appropriate state agency or make*
10 *the closing date publicly available on the test sponsor's Internet*
11 *Web site* by February 1, 1985, or within 90 days after it first
12 becomes a test sponsor, whichever is later. Each test sponsor shall
13 report any change in the closing date of its testing year within 90
14 days after the change.

15 SEC. 55. Section 99153 of the Education Code is amended to
16 read:

17 99153. On or before November 15 of each year, the test sponsor
18 shall submit to the ~~commission~~ *appropriate state agency or make*
19 *publicly available on the test sponsor's Internet Web site* all of the
20 following data and information:

21 (a) Three copies of each version of the test which was disclosed
22 in the prior testing year, along with the corresponding acceptable
23 answers, and the methods used to convert raw scores into the test
24 scores reported to test subjects and test score recipients, together
25 with an explanation of that method.

26 (b) The dates of major or national administration of each test
27 administered by the test agency during the testing year.

28 (c) The total number of test subjects who have taken the test
29 once, who have taken it twice, and who have taken it more than
30 twice during the testing year.

31 (d) The total number of test subjects who registered for, but did
32 not take, the test.

33 (e) The total amount of fees received from test subjects by the
34 test agency for the test for that testing year.

35 (f) The expenses to the test sponsor of the test, as follows:

36 (1) Those expenses which are directly attributable to the test.

37 (2) Those expenses which are indirectly attributable to the test.

38 However, if the test sponsor also sponsors another test or related
39 activities, it shall be sufficient for compliance with this section for
40 the test sponsor to list indirectly attributable expenses, to the extent

1 that they are identifiable, as they are proportionately related to the
2 test. The test sponsor shall also list expenses indirectly attributable
3 to all activities of the test's sponsor, including expenses not
4 identifiable as attributable to a test.

5 The financial disclosure required by this section shall be
6 submitted within 135 days after the close of the testing year and
7 in sufficient detail to indicate the major categories of revenues and
8 expenses associated with the test. Except as provided in this
9 section, the information for different tests administered by the
10 same test sponsor shall be reported separately and by individual
11 test.

12 (g) A copy of all documents, pamphlets, and literature provided
13 to the test subject and the test score recipient.

14 (h) Where applicable, the national average test scores, state
15 average test scores, the standard error of measurement, and any
16 other existing information relevant to a comparison of the test
17 scores of the state's test subjects with test scores of previous test
18 subjects of the past five years.

19 (i) For those tests used to predict academic performance, the
20 most recent national or regional aggregation of data concerning
21 the predictive validity of all of the following:

- 22 (1) Academic record or grades alone.
23 (2) Standardized test score alone.
24 (3) Academic record and test score combined.
25 (4) Standardized test scores over and above the predictive
26 validity of academic record alone.

27 (j) Using available data, the racial, ethnic, and sex breakdown
28 of all test subjects taking each test during the testing year.

29 (k) If a separate fee is charged test subjects for admissions data
30 assembly service, the test sponsor shall report information
31 concerning the data assembly service in substantially the same
32 form as would be required for a test under this section.

33 (l) The test sponsor shall also supply to the ~~commission~~
34 *appropriate state agency* any other information mutually identified
35 by the ~~commission~~ *appropriate state agency* and the test sponsor
36 that will be reasonably available and helpful in either (1) assessing
37 the state's progress in increasing the number of Hispanic, Black,
38 or American Indian students who graduate from high school
39 eligible to enroll in either the University of California or the
40 California State University or (2) developing strategies to involve

1 the testing companies in cooperative actions with schools, colleges,
2 and universities to expand access to college for Hispanic, Black,
3 and American Indian students.

4 (m) This section shall not be construed to require any test agency
5 to submit to the ~~commission~~ *appropriate state agency or make*
6 *publicly available on the test sponsor's Internet Web site* any
7 reports or documents containing information relating to any
8 individual test subject. Any information relating to any individual
9 test subject shall be deleted or obliterated from any reports or
10 documents filed with the ~~commission~~ *appropriate state agency or*
11 *made publicly available on the test sponsor's Internet Web site*
12 pursuant to this section.

13 (n) This section shall not apply to any standardized test which
14 is administered to fewer than 3,000 test subjects in California
15 during a testing year.

16 SEC. 56. Section 99154 of the Education Code is amended to
17 read:

18 99154. (a) Within 90 days of the close of each testing year,
19 the test sponsor shall file with the ~~commission~~ *appropriate state*
20 *agency or make publicly available on the test sponsor's Internet*
21 *Web site* standard technical data sufficient to describe the
22 psychometric quality of the test.

23 For purposes of compliance with this section, it is sufficient to
24 deposit with the ~~commission~~ *appropriate state agency* information
25 conforming to the guidelines specified in the Standards for
26 Educational and Psychological Tests of the American
27 Psychological Association, which were in effect 180 days prior to
28 the testing year, and which are appropriate to the particular test
29 and its uses.

30 (b) Data, reports, or other documents submitted *to the*
31 *appropriate state agency or made available on the test sponsor's*
32 *Internet Web site* pursuant to this section shall be accompanied by
33 a description of the test, including, but not limited to, the title,
34 purpose or purposes of the test, and when and where the test was
35 administered in the state.

36 (c) Data, reports, or other documents submitted *to the*
37 *appropriate state agency or made available on the test sponsor's*
38 *Internet Web site* pursuant to this chapter shall not contain
39 information in a form identifiable with individuals or particular
40 postsecondary educational institutions.

1 *SEC. 57. Section 99162 of the Education Code is amended to*
2 *read:*

3 99162. Any information or report required to be submitted to
4 ~~the commission~~ *appropriate state agency or made publicly*
5 *available on the test sponsor's Internet Web site* pursuant to this
6 chapter shall be public record subject to disclosure under the
7 provisions of Chapter 3.5 (commencing with Section 6250) of
8 Division 7 of Title 1 of the Government Code.

9 Nothing in this section shall be construed to diminish or authorize
10 the infringement of any rights protected by law relating to
11 copyright, to the protection of trade secrets, or other proprietary
12 rights.

13 *SEC. 58. Section 22874.7 is added to the Government Code,*
14 *to read:*

15 22874.7. (a) *Notwithstanding Section 22870, an employee*
16 *who is first employed by the California State University and*
17 *becomes a member of the system on or after July 1, 2018, and is*
18 *represented by California State University Bargaining Unit 1, 2,*
19 *4, 5, 6, 7, 9, or 10 shall not receive any portion of the employer*
20 *contribution payable for annuitants unless the person has 10 years*
21 *of credited state service at the time of retirement.*

22 (b) *This section shall apply only to employees of the California*
23 *State University who retire for service.*

24 (c) *This section shall become operative only if it is specifically*
25 *adopted by regulation of the Trustees of the California State*
26 *University or, if required, provided for in a memorandum of*
27 *understanding reached pursuant to Chapter 12 (commencing with*
28 *Section 3560) of Division 4 of Title 1.*

29 *SEC. 59. Section 22958.4 is added to the Government Code,*
30 *to read:*

31 22958.4. (a) *Notwithstanding Sections 22953 and 22957, an*
32 *employee who is first employed by the California State University*
33 *and becomes a member of the system on or after July 1, 2018, and*
34 *is represented by California State University Bargaining Unit 1,*
35 *2, 4, 5, 6, 7, 9, or 10 shall not receive any portion of the employer*
36 *contribution payable for annuitants unless the person has 10 years*
37 *of credited state service at the time of retirement.*

38 (b) *This section shall apply only to employees of the California*
39 *State University who retire for service.*

1 (c) *This section shall become operative only if it is specifically*
2 *adopted by regulation of the Trustees of the California State*
3 *University or, if required, provided for in a memorandum of*
4 *understanding reached pursuant to Chapter 12 (commencing with*
5 *Section 3560) of Division 4 of Title 1.*

6 SEC. 60. *Article 7 (commencing with Section 65059.1) is added*
7 *to Chapter 1.5 of Division 1 of Title 7 of the Government Code,*
8 *to read:*

9
10 Article 7. *California Education Learning Laboratory*

11
12 65059.1. *For purposes of this article, the following definitions*
13 *shall apply:*

14 (a) *“Adaptive learning” means a technology-mediated*
15 *environment in which the learner’s experience is adapted to learner*
16 *behavior and responses.*

17 (b) *“Learning lab” means the California Education Learning*
18 *Laboratory established in Section 65059.2.*

19 (c) *“Office” means the Office of Planning and Research.*

20 (d) *“STEM” means science, technology, engineering, and*
21 *mathematics.*

22 65059.2. (a) *The California Education Learning Laboratory*
23 *is hereby established as a program under the Office of Planning*
24 *and Research. The purpose of the learning lab is to increase*
25 *learning outcomes and to close equity and achievement gaps, using*
26 *learning science and adaptive learning technologies in online or*
27 *hybrid college-level lower division courses in science, technology,*
28 *engineering, and mathematics (STEM) and other disciplines.*

29 (b) (1) *In administering the learning lab, the office shall issue*
30 *calls for, evaluate, and annually award funds to, competitive grant*
31 *proposals from intersegmental faculty teams that apply principles*
32 *of learning science and adaptive learning technologies in online*
33 *or hybrid course series in STEM and other disciplines, based on,*
34 *but not limited to, all of the following criteria:*

35 (A) *The potential for reducing achievement and equity gaps in*
36 *the particular discipline that is the subject of the call for proposals.*

37 (B) *The depth and breadth of expertise in the particular*
38 *discipline and deployment of learning science or adaptive learning*
39 *technologies across the proposal’s team members.*

1 (C) *The prospects for increasing equity and accessibility in*
2 *quality STEM education and other disciplines that show high initial*
3 *failure or dropout rates, including scaling access to a newly*
4 *developed or redesigned course or course series in the future.*

5 (D) *The potential to incorporate real-time learning outcome*
6 *data to improve the curriculum.*

7 (E) *The potential to utilize a common technology platform to*
8 *deliver the course or course series.*

9 (F) *The representation of all three public higher education*
10 *segments on the proposal's faculty team.*

11 (G) *The inclusion of career education and workforce pathways*
12 *in the proposal.*

13 (H) *Opportunities to leverage nonstate funding.*

14 (I) *The quality of the concrete metrics and goals identified in*
15 *the proposal.*

16 (2) *The office shall monitor the progress of proposals awarded*
17 *funds and evaluate them upon their completion.*

18 (3) (A) *The office shall recruit an expert selection committee*
19 *to score proposals and to recommend proposals to the office.*

20 (B) *Members of the selection committee shall be deemed to not*
21 *be interested in any contract, including any recommendation to*
22 *award funds by the committee, formed pursuant to this section.*

23 (C) *The selection committee shall comply with the Bagley-Keene*
24 *Open Meeting Act (Article 9 (commencing with Section 11120) of*
25 *Chapter 1 of Part 1 of Division 3 of Title 2), except during the*
26 *deliberative process as it relates to scoring, reviewing, and ranking*
27 *proposals and to making final recommendations to the office.*

28 (c) *The office shall create, and post on a publicly available*
29 *Internet Web site, guidelines for awarding funds pursuant to*
30 *subdivision (b). The guidelines shall include, but are not limited*
31 *to, all of the following:*

32 (1) *A competitive, merit-based application process that allows*
33 *faculty from public higher education institutions to submit*
34 *proposals. For the first three years that proposals are accepted,*
35 *the office shall select STEM disciplines from which to award*
36 *proposals. The office may limit the number of submissions per*
37 *higher education campus.*

38 (2) *A comprehensive peer-reviewed proposal selection process.*

39 (3) *Eligibility requirements, which shall include, but not be*
40 *limited to, all of the following provisions:*

1 (A) At least two of the three public higher education segments
2 must be represented by each proposal's faculty team members.

3 (B) All faculty team members must commit to teaching and
4 evaluating the codeveloped or jointly redesigned curriculum during
5 the grant period.

6 (C) A proposal may include team members from private
7 nonprofit institutions or nonfaculty, as appropriate.

8 (4) Requirements regarding the use of awarded funds, including,
9 but not limited to, a cap on indirect cost rates.

10 (5) Requirements regarding the use and sharing of research
11 data and findings.

12 (6) Requirements for the protection of privacy and personal
13 information.

14 (d) (1) Beginning January 1, 2020, the office may, in addition
15 to the funds awarded under subdivision (b), do both of the following
16 as part of the learning lab:

17 (A) Award funds for professional development to faculty
18 interested in adopting a successful course or course series
19 developed or redesigned through the learning lab.

20 (B) Curate a "best of" learning science library of online and
21 hybrid courses and course series, including proposals that have
22 demonstrated successful outcomes.

23 (2) The office shall create, and post on a publicly available
24 Internet Web site, guidelines for the awarding of funds pursuant
25 to subparagraph (A) of paragraph (1).

26 (e) The office shall solicit public, nonprofit, and private sector
27 input on any additional guidelines for the awarding of funds
28 pursuant to subdivisions (c) and (d).

29 (f) The office shall establish terms and conditions that require
30 learning lab courses and course series, and technology and
31 technology platforms developed or redesigned with learning lab
32 funds, to be available as open education resources.

33 (g) (1) The office shall annually submit a report to the
34 Legislature that provides a summary of awarded funds. The office
35 shall also submit evaluations of completed proposal projects to
36 the Legislature. Multiple project evaluations may be submitted
37 under one report.

38 (2) A written report submitted pursuant to paragraph (1) shall
39 be made in compliance with Section 9795.

1 (h) The office may receive nonstate funds to support the
2 operations of the learning lab, to make additional funds available,
3 or to increase the amount of funds previously awarded to a
4 learning lab proposal.

5 (i) Up to 5 percent of any amount appropriated to the office for
6 the learning lab may be used by the office for administrative costs.

7 (1) The evaluation of a project pursuant to subdivision (g) shall
8 not be considered an administrative cost for purposes of this
9 section.

10 (2) The curation of the learning science library pursuant to
11 subdivision (d) shall not be considered an administrative cost for
12 purposes of this section.

13 (j) Notwithstanding the rulemaking provisions of the
14 Administrative Procedure Act (Chapter 3.5 (commencing with
15 Section 11340) of Part 1 of Division 3 of Title 2), the office may
16 implement or interpret this article without taking any regulatory
17 action.

18 (k) The office may enter into an agreement with a public entity,
19 or with a nonprofit or not-for-profit organization, or a consortium
20 of those organizations, for the purpose of administering or jointly
21 administering the learning lab, or administering any provision of
22 this article.

23 65059.3. It is the intent of the Legislature that the office award
24 learning lab funds in compliance with all of the following:

25 (a) The funds are awarded to public higher education
26 institutions located in California.

27 (b) Awarded funds may be used to include private nonprofit
28 higher education institutions located in California.

29 (c) Recipients of awarded funds include, but are not limited to,
30 public higher education institutions in both northern and southern
31 California.

32 SEC. 61. Section 33492.78 of the Health and Safety Code is
33 amended to read:

34 33492.78. (a) Section 33607.5 does not apply to an agency
35 created pursuant to this article. For purposes of Sections 42238.02,
36 84750.4, 84750.5, and 84751 of the Education Code, funds
37 allocated pursuant to this section shall be treated as if they were
38 allocated pursuant to Section 33607.5.

39 (1) This section applies to each redevelopment project area
40 created pursuant to a redevelopment plan that contains the

provisions required by Section 33670 and is created pursuant to this article. All the amounts calculated pursuant to this section shall be calculated after the amount required to be deposited in the Low and Moderate Income Housing Fund pursuant to Sections 33334.2, 33334.3, and 33334.6, as modified by Section 33492.76, has been deducted from the total amount of tax-increment funds received by the agency in the applicable fiscal year.

(2) The payments made pursuant to this section are in addition to any amounts the school district or districts and community college district or districts receive pursuant to subdivision (a) of Section 33670. The agency shall reduce its payments pursuant to this section to an affected school or community college district by any amount the agency has paid, directly or indirectly, pursuant to Section 33445, 33445.5, or 33446, or any provision of law other than this section for, or in connection with, a public facility owned or leased by that affected school or community college district.

(3) (A) Of the total amount paid each year pursuant to this section to school districts, 43.9 percent shall be considered to be property taxes for the purposes of paragraph (1) of subdivision (j) of Section 42238.02 of the Education Code, and 56.1 percent shall not be considered to be property taxes for the purposes of that section, and shall be available to be used for educational facilities.

(B) Of the total amount paid each year pursuant to this section to community college districts, 47.5 percent shall be considered to be property taxes for the purposes of Section 84751 of the Education Code, and 52.5 percent shall not be considered to be property taxes for the purposes of that section, and shall be available to be used for educational facilities.

(C) Of the total amount paid each year pursuant to this section to county offices of education, 19 percent shall be considered to be property taxes for the purposes of paragraph (1) of subdivision (c) of Section 2575 of the Education Code, and 81 percent shall not be considered to be property taxes for the purposes of that section, and shall be available to be used for educational facilities.

(D) Of the total amount paid each year pursuant to this section to special education, 19 percent shall be considered to be property taxes for the purposes of paragraph (1) of subdivision (j) of Section 42238.02 of the Education Code, and 81 percent shall not be considered to be property taxes for the purposes of that section, and shall be available to be used for educational facilities.

1 (4) Local educational agencies that use funds received pursuant
2 to this section for educational facilities shall spend these funds at
3 schools that are any one of the following:

4 (A) Within the project area.

5 (B) Attended by students from the project area.

6 (C) Attended by students generated by projects that are assisted
7 directly by the redevelopment agency.

8 (D) Determined by a local educational agency to be of benefit
9 to the project area.

10 (b) Commencing with the first fiscal year in which the agency
11 receives tax increments, and continuing through the last fiscal year
12 in which the agency receives tax increments, a redevelopment
13 agency created pursuant to this article shall pay to each affected
14 school and community college district an amount equal to the
15 product of 25 percent times the percentage share of total property
16 taxes collected that are allocated to each affected school or
17 community college district, including any amount allocated to each
18 district pursuant to Sections 97.03 and 97.035 of the Revenue and
19 Taxation Code times the total of the tax increments received by
20 the agency after the amount required to be deposited in the Low
21 and Moderate Income Housing Fund has been deducted.

22 (c) Commencing with the 11th fiscal year in which the agency
23 receives tax increments and continuing through the last fiscal year
24 in which the agency receives tax increments, a redevelopment
25 agency created pursuant to this article shall pay to each affected
26 school and community college district, in addition to the amounts
27 paid pursuant to subdivision (b), an amount equal to the product
28 of 21 percent times the percentage share of total property taxes
29 collected that are allocated to each affected school or community
30 college district, including any amount allocated to each district
31 pursuant to Sections 97.03 and 97.035 of the Revenue and Taxation
32 Code times the total of the first adjusted tax increments received
33 by the agency after the amount required to be deposited in the Low
34 and Moderate Income Housing Fund has been deducted. The first
35 adjusted tax increments received by the agency shall be calculated
36 by applying the tax rate against the amount of assessed value by
37 which the current year assessed value exceeds the first adjusted
38 base year assessed value. The first adjusted base year assessed
39 value is the assessed value of the project area in the 10th fiscal
40 year in which the agency receives tax increment.

(d) Commencing with the 31st fiscal year in which the agency receives tax increments and continuing through the last fiscal year in which the agency receives tax increments, a redevelopment agency shall pay to the affected school and community college districts, in addition to the amounts paid pursuant to subdivisions (b) and (c), an amount equal to 14 percent times the percentage share of total property taxes collected that are allocated to each affected school or community college district, including any amount allocated to each district pursuant to Sections 97.03 and 97.035 of the Revenue and Taxation Code times the total of the second adjusted tax increments received by the agency after the amount required to be deposited in the Low and Moderate Income Housing Fund has been deducted. The second adjusted tax increments received by the agency shall be calculated by applying the tax rate against the amount of assessed value by which the current year assessed value exceeds the second adjusted base year assessed value. The second adjusted base year assessed value is the assessed value of the project area in the 30th fiscal year in which the agency receives tax increments.

(e) (1) The Legislature finds and declares both of the following:

(A) The payments made pursuant to this section are necessary in order to alleviate the financial burden and detriment that affected school and community college districts may incur as a result of the adoption of a redevelopment plan, and payments made pursuant to this section will benefit redevelopment project areas.

(B) The payments made pursuant to this section are the exclusive payments that are required to be made by a redevelopment agency to affected school and community college districts during the term of a redevelopment plan.

(2) Notwithstanding any other law, a redevelopment agency shall not be required, either directly or indirectly, as a measure to mitigate a significant environmental effect or as part of any settlement agreement or judgment brought in any action to contest the validity of a redevelopment plan pursuant to Section 33501, to make any other payments to affected school or community college districts, or to pay for public facilities that will be owned or leased to an affected school or community college district.

(f) As used in this section, a “local educational agency” includes a school district, a community college district, or a county office of education.

1 *SEC. 62. Section 95 of the Revenue and Taxation Code is*
2 *amended to read:*

3 95. For purposes of this chapter:

4 (a) “Local agency” means a city, county, and special district.

5 (b) (1) (A) “Jurisdiction” means a local agency, school district,
6 community college district, or county superintendent of schools.

7 ~~A~~

8 (B) A jurisdiction as defined in this subdivision is a “district”
9 for purposes of Section 1 of Article XIII A of the California
10 Constitution.

11 ~~For~~

12 (2) *For* jurisdictions located in more than one county, the county
13 auditor of each county in which that jurisdiction is located shall,
14 for the purposes of computing the amount for that jurisdiction
15 pursuant to this chapter, treat the portion of the jurisdiction located
16 within that county as a separate jurisdiction.

17 (c) “Property tax revenue” includes the amount of state
18 reimbursement for the homeowners’ exemption. “Property tax
19 revenue” does not include the amount of property tax levied for
20 the purpose of making payments for the interest and principal on
21 either of the following:

22 (1) General obligation bonds or other indebtedness approved
23 by the voters prior to July 1, 1978, including tax rates levied
24 pursuant to Part 10 (commencing with Section 15000) of Division
25 1 of, and Sections 39308 and 39311 and former Sections 81338
26 and 81341 of the Education Code, and Section 26912.7 of the
27 Government Code.

28 (2) Bonded indebtedness for the acquisition or improvement of
29 real property approved by two-thirds of the voters on or after June
30 4, 1986.

31 (d) “Taxable assessed value” means total assessed value minus
32 all exemptions other than the homeowners’ and business inventory
33 exemptions.

34 (e) (1) “Jurisdictional change” includes any change of
35 organization, as defined in Section 56021 of the Government Code
36 and a reorganization, as defined in Section 56073 of the
37 Government Code. “Jurisdictional change” also includes any
38 change in the boundary of those special districts that are not under
39 the jurisdiction of a local agency formation commission.

40 ~~“Jurisdictional~~

1 (2) “*Jurisdictional* change” also includes a functional
2 consolidation where two or more local agencies, except two or
3 more counties, exchange or otherwise reassign functions and any
4 change in the boundaries of a school district or community college
5 district or county superintendent of schools.

6 (f) “School entities” means school districts, community college
7 districts, the Educational Revenue Augmentation Fund, and county
8 superintendents of schools.

9 (g) (1) Except as otherwise provided in this subdivision, “tax
10 rate area” means a specific geographic area all of which is within
11 the jurisdiction of the same combination of local agencies and
12 school entities for the current fiscal year.

13 ~~In~~

14 (2) *In* the case of a jurisdictional change pursuant to Section
15 99, the area subject to the change shall constitute a new tax rate
16 area, except that if the area subject to change is within the same
17 combinations of local agencies and school entities as an existing
18 tax rate area, the two tax rate areas may be combined into one tax
19 rate area.

20 ~~Existing~~

21 (3) *Existing* tax rate areas having the same combinations of local
22 agencies and school entities may be combined into one tax rate
23 area. For the combination of existing tax rate areas, the factors
24 used to allocate the annual tax increment pursuant to Section 98
25 shall be determined by calculating a weighted average of the annual
26 tax increment factors used in the tax rate areas being combined.

27 (h) “State assistance payments” means:

28 (1) For counties, amounts determined pursuant to subdivision
29 (b) of Section 16260 of the Government Code, increased by the
30 amount specified for each county pursuant to Section 94 of Chapter
31 282 of the Statutes of 1979, with the resultant sum reduced by an
32 amount derived by the calculation made pursuant to Section 16713
33 of the Welfare and Institutions Code.

34 (2) For cities, 82.91 percent of the amounts determined pursuant
35 to subdivisions (b) and (i) of Section 16250 of the Government
36 Code, plus for any city an additional amount equal to one-half of
37 the amount of any outstanding debt as of June 30, 1978, for
38 “museums” as shown in the Controller’s “Annual Report of
39 Financial Transactions of Cities for Fiscal Year 1977–78.”

(3) For special districts, 95.24 percent of the amounts received pursuant to Chapter 3 (commencing with Section 16270) of Part 1.5 of Division 4 of Title 2 of the Government Code, Section 35.5 of Chapter 332 of the Statutes of 1978, and Chapter 12 of the Statutes of 1979.

(i) “City clerk” means the clerk of the governing body of a city or city and county.

(j) “Executive officer” means the executive officer of a local agency formation commission.

(k) “City” means any city whether general law or charter, except a city and county.

(l) “County” means any chartered or general law county. “County” includes a city and county.

(m) “Special district” means any agency of the state for the local performance of governmental or proprietary functions within limited boundaries. “Special district” includes a county service area, a maintenance district or area, an improvement district or improvement zone, or any other zone or area, formed for the purpose of designating an area within which a property tax rate will be levied to pay for a service or improvement benefiting that area. “Special district” includes the Bay Area Air Quality Management District. “Special district” does not include a city, a county, a school district, or a community college district. “Special district” does not include any agency that is not authorized by statute to levy a property tax rate. However, any special district authorized to levy a property tax by the statute under which the district was formed shall be considered a special district. Additionally, a county free library established pursuant to Article 1 (commencing with Section 19100) of Chapter 6 of Part 11 of Division 1 of Title 1 of the Education Code, and for which a property tax was levied in the 1977–78 fiscal year, shall be considered a special district.

(n) “Excess tax school entity” means an educational agency for which the amount of the state funding entitlement determined under subdivision (e), (f), or (g) of Section 2575, or Section ~~84750.5~~ 84750.4, 84750.5, or 84751 of the Education Code, as appropriate, is zero, and as described in subdivision (o) of Section 42238.02 of the Education Code, as implemented by Section 42238.03 of the Education Code.

SEC. 63. Section 18928 is added to the Welfare and Institutions Code, to read:

18928. For the purpose of maximizing the anti-hunger impact of Section 66027.8 of the Education Code, the department shall consult with stakeholders, including legislative staff, representatives of counties, CalFresh eligibility workers, representatives from each segment of public postsecondary education, advocates for CalFresh recipients, and other stakeholders as identified by the department, with the goals of improving coordination between the segments of public postsecondary education and CALFresh administering agencies and improving access to CalFresh for low-income public postsecondary students. To the extent possible, this consultation shall take place through existing workgroups convened by the department.

SEC. 64. The Chancellor's Office of the California Community Colleges may distribute funds provided by the federal Carl D. Perkins Vocational Education Act (Public Law 98-524), the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (Public Law 101-392; 20 U.S.C. Sec. 2301 et seq.), and any acts amending or succeeding those acts, to community college districts using the principal apportionment payment schedule.

SEC. 65. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2017, as amended by Chapter 254 of the Statutes of 2017, is amended to read:

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98).....	4,143,737,000
	4,019,619,000
Schedule:	
(1) 5670015-Appportionments.....	2,631,924,000
	2,507,806,000
(2) 5670019-Apprenticeship.....	32,745,000
(3) 5670023-Apprenticeship Training and Instruction.....	22,127,000
(4) 5675015-Student Success for Basic Skills Students.....	50,037,000

1	(5) 5675019-Student Financial Aid Admin-	
2	istration.....	72,775,000
3	(6) 5675027-Disabled Students.....	117,188,000
4	(7) 5675031-Student Services for Cal-	
5	WORKs Recipients.....	44,260,000
6	(8) 5675035-Foster Care Education Pro-	
7	gram.....	5,254,000
8	(9) 5675039-Student Success and Support	
9	Program.....	557,363,000
10	(10) 5675061-Academic Senate for the	
11	Community Colleges.....	768,000
12	(11) 5675069-Equal Employment Opportu-	
13	nity.....	2,767,000
14	(12) 5675073-Part-Time Faculty Health In-	
15	surance.....	490,000
16	(13) 5675077-Part-Time Faculty Compensa-	
17	tion.....	24,907,000
18	(14) 5675081-Part-Time Faculty Office	
19	Hours.....	12,172,000
20	(15) 5675099-Telecommunications and	
21	Technology Infrastructure.....	33,890,000
22	(16) 5675119-Economic Development.....	270,929,000
23	(17) 5675123-Transfer Education and Artic-	
24	ulation.....	698,000
25	(18) 5675023-Extended Opportunity Pro-	
26	grams and Services.....	125,111,000
27	(19) 5675115-Fund for Student Success.....	8,658,000
28	(20) 5675150-Campus Childcare Tax	
29	Bailout.....	3,437,000
30	(21) 5675156-Nursing Program Support.....	13,378,000
31	(22) 5670035-Expand the Delivery of	
32	Courses through Technology.....	23,000,000
33	(23) 5675174-Higher Education Innovation	
34	Awards.....	20,000,000
35	(24) 5675133-Physical Plant and Instruction-	
36	al Support.....	69,859,000
37	Provisions:	
38	1. The funds appropriated in this item are for transfer by	
39	the Controller during the 2017–18 fiscal year to Sec-	
40	tion B of the State School Fund.	

- 1 2. (a) The funds appropriated in Schedule (1) shall be
2 allocated using the budget formula established
3 pursuant to Section 84750.5 of the Education
4 Code. The budget formula shall be adjusted to
5 reflect the following:
6 (1) Of the funds appropriated in Schedule (1),
7 \$57,794,000 shall be used to increase
8 statewide growth of full-time equivalent stu-
9 dents (FTES) by 1.00 percent.
10 (2) Of the funds appropriated in Schedule (1),
11 \$97,573,000 shall be used to reflect a cost-
12 of-living adjustment of 1.56 percent.
13 (3) Notwithstanding paragraph (1), the Chancel-
14 lor's Office may allocate unused growth
15 funding to backfill any unanticipated short-
16 falls in the total amount of funding appropri-
17 ated to support the budget formula estab-
18 lished pursuant to Section 84750.5 of the
19 Education Code.
20 (b) Funds allocated to a community college district
21 from funds included in Schedule (1) shall directly
22 offset any mandated costs claimed for the Mini-
23 mum Conditions for State Aid (02-TC-25 and 02-
24 TC-31) program or any costs of complying with
25 Section 84754.5 of the Education Code.
26 (c) Of the funds appropriated in Schedule (1):
27 (1) \$100,000 is for a maintenance allowance,
28 pursuant to Section 54200 of Title 5 of the
29 California Code of Regulations.
30 (2) Up to \$500,000 is to reimburse colleges for
31 the costs of federal aid repayments related to
32 assessed fees for fee waiver recipients. This
33 reimbursement only applies to students who
34 completely withdraw from college before the
35 census date pursuant to Section 58508 of Ti-
36 tle 5 of the California Code of Regulations.
37 (d) Of the funds appropriated in Schedule (1),
38 \$183,615,000 shall be used to adjust the budget
39 formula pursuant to Section 84750.5 of the Edu-

- 1 cation Code to recognize increases in operating
2 expenses.
- 3 3. (a) The funds appropriated in Schedule (2) shall be
4 available pursuant to Article 3 (commencing with
5 Section 79140) of Chapter 9 of Part 48 of Division
6 7 of Title 3 of the Education Code.
- 7 (b) Pursuant to Section 79149.3 of the Education
8 Code, the reimbursement rate shall be \$5.90 per
9 hour.
- 10 (c) Of the funds appropriated in Schedule (2),
11 \$15,000,000 shall be used for the California Ap-
12 prenticeship Initiative pursuant to Section 79148
13 of the Education Code. Funds appropriated pur-
14 suant to this subdivision shall be available for
15 encumbrance or expenditure until June 30, 2020.
- 16 4. (a) The funds appropriated in Schedule (3) shall be
17 available pursuant to Article 8 (commencing with
18 Section 8150) of Chapter 1 of Part 6 of Division
19 1 of Title 1 of the Education Code.
- 20 (b) Pursuant to Section 8152 of the Education Code,
21 the reimbursement rate shall be \$5.90 per hour.
- 22 5. Of the funds appropriated in Schedule (4):
- 23 (a) Up to \$2,502,000 shall be used for faculty and
24 staff development to improve curriculum, instruc-
25 tion, student services, and program practices in
26 basic skills and English as Second Language
27 programs pursuant to Section 88815 of the Educa-
28 tion Code.
- 29 (b) Remaining funding shall be allocated by the
30 chancellor to community college districts to im-
31 prove outcomes of students who enter college
32 needing to complete at least one course in English
33 as a Second Language or basic skills pursuant to
34 Section 88815 of the Education Code.
- 35 6. (a) Of the funds appropriated in Schedule (5):
- 36 (1) Not less than \$16,049,000 is available to
37 provide \$0.91 per unit reimbursement to
38 community college districts for the provision
39 of board of governors (BOG) fee waiver
40 awards pursuant to paragraph (2) of subdivi-

sion (m) of Section 76300 of the Education Code.

(2) Not less than \$16,226,000 is available for the Board Financial Assistance Program to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of BOG fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.

(3) (A) \$5,300,000 shall be allocated to a community college district to conduct a statewide media campaign to promote the following message: (i) the California Community Colleges are affordable, (ii) financial aid is available to cover fees and help with books and other costs, and (iii) an interested student should contact his or her local community college financial aid office. The campaign should target efforts to reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult regularly with the chancellor and the Student Aid Commission.

(B) Of the amount identified in subparagraph (A), \$2,500,000 shall be allocated to expand: (i) outreach for students from non-English speaking households and bilingual households, (ii) marketing and outreach aimed at baccalaureate degree pilot programs, and (iii) marketing and outreach aimed at increasing current and future student awareness of the Board of Governors Fee Waiver. Bilingual efforts shall target areas of the state that meet at least one of the following conditions: (i) have concentrations of non-English speaking and bilingual households, or (ii) have underserved popula-

- 1 tions and/or a history of declining com-
2 munity college attendance.
- 3 (4) Not more than \$35,200,000 shall be for direct
4 contact with potential and current financial
5 aid applicants. Each California Community
6 College campus shall receive a minimum al-
7 location of \$50,000. The remainder of the
8 funding shall be allocated to campuses based
9 upon a formula reflecting FTES weighted by
10 a measure of low-income populations
11 demonstrated by BOG fee waiver program
12 participation within a district.
- 13 (5) Funds allocated to a community college dis-
14 trict pursuant to paragraphs (1) and (2) shall
15 supplement, not supplant, the level of funds
16 allocated for the administration of student
17 financial aid programs during the 2001–02
18 or 2006–07 fiscal year, whichever is greater.
- 19 (6) Funding allocated to a community college
20 district pursuant to paragraphs (1) and (2)
21 shall directly offset any costs claimed by that
22 district for any of the following mandates:
23 Enrollment Fee Collection (99-TC-13), En-
24 rollment Fee Waivers (00-TC-15), Cal Grants
25 (02-TC-28), and Tuition Fee Waivers (02-
26 TC-21).
- 27 (7) Notwithstanding subdivision (m) of Section
28 76300 of the Education Code or any other
29 provision of law, the amount of funds appro-
30 priated for the purpose of administering fee
31 waivers for the 2017–18 fiscal year shall be
32 determined in this act.
- 33 7. (a) The funds appropriated in Schedule (6) shall be
34 used to assist districts in funding the excess direct
35 instructional cost of providing special support
36 services or instruction, or both, to disabled stu-
37 dents enrolled at community colleges and for state
38 hospital programs, as mandated by federal law.
- 39 (b) Of the amount appropriated in Schedule (6):

- 1 (1) At least \$3,945,000 shall be used to address
- 2 deficiencies identified by the United States
- 3 Department of Education Office for Civil
- 4 Rights.
- 5 (2) At least \$943,000 shall be used to support
- 6 the High Tech Centers for activities includ-
- 7 ing, but not limited to, training of district
- 8 employees, staff, and students in the use of
- 9 specialized computer equipment for the dis-
- 10 abled.
- 11 (3) At least \$9,600,000 shall be allocated to
- 12 community college districts for sign language
- 13 interpreter services, real-time captioning
- 14 equipment, or other communication accom-
- 15 modations for hearing-impaired students. A
- 16 community college district is required to
- 17 spend \$1 from local or other resources for
- 18 every \$4 received pursuant to this paragraph.
- 19 (4) \$1,000,000 shall be allocated for state hospi-
- 20 tal adult education programs at the hospitals
- 21 served by the Coast and Kern Community
- 22 College Districts.
- 23 8. (a) The funds appropriated in Schedule (7) shall be
- 24 allocated pursuant to Article 5 (commencing with
- 25 Section 79200) of Chapter 9 of Part 48 of Division
- 26 7 of Title 3 of the Education Code.
- 27 (b) Of the amount appropriated in Schedule (7):
- 28 (1) \$9,188,000 is for child care, except that a
- 29 community college district may request that
- 30 the chancellor approve the use of funds for
- 31 other purposes.
- 32 (2) No less than \$4,900,000 shall be used to
- 33 provide direct workstudy wage reimburse-
- 34 ment for students served under this program,
- 35 and \$613,000 is available for campus job
- 36 development and placement services.
- 37 (c) A community college district is required to spend
- 38 \$1 from local or other resources for every \$1 re-
- 39 ceived pursuant to this provision, except for any

1 funds received pursuant to paragraph (1) of subdivi-
2 sion (b).

- 3 9. (a) The funds appropriated in Schedule (8) shall be
4 allocated to community college districts to provide
5 foster and relative/kinship care education and
6 training pursuant to Article 8 (commencing with
7 Section 79420) of Chapter 9 of Part 48 of Division
8 7 of Title 3 of the Education Code. A community
9 college district shall ensure that education and
10 training required pursuant to Sections 1529.1 and
11 1529.2 of the Health and Safety Code and Section
12 16003 of the Welfare and Institutions Code re-
13 ceive priority.

- 14 10. (a) The funds appropriated in Schedule (9) shall be
15 used for the purposes of Article 1 (commencing
16 with Section 78210) of Chapter 2 of Part 48 of
17 Division 7 of Title 3 of the Education Code.

- 18 (b) Of the amount included in Schedule (9):

- 19 (1) \$285,183,000 shall be allocated pursuant to
20 Section 78216 of the Education Code.

- 21 (2) (A) \$160,000,000 shall be allocated to com-
22 munity college districts to implement student
23 equity plans pursuant to Article 1.5 (com-
24 mencing with Section 78220) of Chapter 2
25 of Part 48 of Division 7 of Title 3 of the Ed-
26 ucation Code. These plans shall be coordinat-
27 ed with the Student Success and Support
28 Program plans, pursuant to Section 78216 of
29 the Education Code, and the Student Success
30 Scorecard, pursuant to Section 84754.5 of
31 the Education Code.

- 32 (B) These funds shall be allocated by the
33 chancellor to community college districts
34 using a methodology that ensures that
35 districts with a greater proportion or
36 number of students who have high needs
37 receive more resources to provide ser-
38 vices to these students. The chancellor
39 shall ensure that the allocation method-
40 ology reflects the inclusion of foster

youth within the proportion or number of high-needs students.

(C) Consistent with the intent of Chapter 771 of the Statutes of 2014 and within the funds allocated to community college districts pursuant to this paragraph, the chancellor shall enter into agreements with up to 10 community college districts to provide additional services in support of postsecondary education for foster youth. Up to \$15,000,000 of the funds allocated to community college districts pursuant to this paragraph shall be prioritized for services pursuant to Chapter 771 of the Statutes of 2014. Further, the chancellor shall ensure that the list of eligible expenditures developed pursuant to subdivision (d) of Section 78221 of the Education Code includes expenditures that are consistent with the intent of Chapter 771 of the Statutes of 2014.

(D) Nothing in this provision prevents existing student-equity related categorical programs or campus-based programs from accessing student equity plan funds.

(E) Increased services for high-needs students may include the development of open educational resources and zero-textbook-cost degrees that reduce costs for students. Community college districts utilizing resources for this purpose are encouraged to first develop open educational resources and zero-textbook-cost degrees for courses that are transferable to the California State University and the University of California and for approved associates degrees for transfer. Open educational resources and zero-

1 textbook-cost degrees developed by a
2 community college district pursuant to
3 this provision shall make the applicable
4 course materials and curriculum avail-
5 able to all community college districts
6 through the online clearinghouse of in-
7 formation identified in Provision 10
8 (b)(4)(B) of this item.

9 (F) Community college districts shall ensure
10 that veterans and programs for veterans
11 are appropriately reflected in their stu-
12 dent equity plan goals and in the coordi-
13 nation of services for the targeted student
14 populations.

15 (G) \$5,000,000 of the funds allocated pur-
16 suant to this paragraph shall be for sup-
17 port of Veteran Resource Centers.

18 (i) By January 1, 2018, the Chancellor
19 of the California Community Colleges
20 shall develop a set of minimum stan-
21 dards that are associated with high-
22 functioning veterans resource centers.
23 These standards should consider the dif-
24 ferent needs, size, and capacity of com-
25 munity colleges across the state. Further,
26 these standards should balance the desire
27 to have a highly effective and supportive
28 veterans resource center with the goal
29 of expanding veterans resource centers
30 across the state.

31 (ii) To the extent funding is provided in
32 the annual Budget Act, the chancellor
33 shall only allocate funding to community
34 colleges that commit to either meeting
35 and/or making progress towards meeting
36 the minimum standards developed in
37 subparagraph (i).

38 (3) (A) \$7,500,000 may be used by the chancel-
39 lor to provide technical assistance to commu-
40 nity college districts that demonstrate low

performance in any area of operations. It is the intent of the Legislature that technical assistance providers be contracted in a cost-effective manner, that they primarily consist of experts who are current and former employees of the California Community Colleges, and that they provide technical assistance consistent with the vision for the California Community Colleges.

(B) Technical assistance funded pursuant to this paragraph that is initiated by the chancellor may be provided at no cost to the district. If a community college district requests technical assistance, the district is required to spend at least \$1 from local or other resources for every \$2 received as determined by the chancellor.

(4) (A) \$20,000,000 may be used by the chancellor to provide regional and online workshops and trainings to community college personnel to promote statewide priorities, including, but not limited to, strategies to improve student achievement; strategies to improve community college operations; and system leadership training to better coordinate planning, implementation, and outcomes of statewide initiatives. To the extent possible, the chancellor shall partner with existing statewide initiatives with proven results of improving student success and institutional effectiveness. Each fiscal year, the chancellor shall submit a report on the use of funds appropriated pursuant to paragraphs (3) and (4) of this provision in the prior year to the Department of Finance and the Joint Legislative Budget Committee no later than December 31 of each year. This report shall include information regarding California Community Colleges' participation in the activities fund-

1 ed pursuant to paragraphs (3) and (4) of this
2 provision, and the California Community
3 Colleges' progress toward their goals for each
4 of the institutional effectiveness indicators.

5 (B) Funding available pursuant to this para-
6 graph may be utilized by the chancellor
7 to coordinate with community college
8 districts to develop and disseminate ef-
9 fective practices through the establish-
10 ment of an online clearinghouse of infor-
11 mation. The development of effective
12 practices shall include, but not be limited
13 to, statewide priorities such as the devel-
14 opment of educational programs or
15 courses for the incarcerated adults in
16 prisons and jails, and the formerly incar-
17 cerated, educational programs or courses
18 for California Conservation Corps
19 members, and other effective practices.
20 The online clearinghouse of information
21 shall also reflect effective practices,
22 guidance, policies, curriculum, courses,
23 and programs developed by local com-
24 munity colleges in support of the Strong
25 Workforce Program established pursuant
26 to Part 54.5 (commencing with Section
27 88820) of Division 7 of Title 3 of the
28 Education Code.

29 (C) It is the intent of the Legislature to en-
30 courage the chancellor to facilitate the
31 development of local community college
32 courses for the California Conservation
33 Corps and the incarcerated adults in
34 prisons and jails, and the formerly incar-
35 cerated. The Department of Corrections
36 and Rehabilitation and the California
37 Conservation Corps are encouraged to
38 partner with the chancellor's office in
39 the development and dissemination of
40 local community college courses and

effective practices pursuant to this subparagraph and subparagraph (B).

(5) (A) \$63,618,000 shall be used on a one-time basis to support the Guided Pathways Grant Program pursuant to Part 54.8 (commencing with Section 88920) of Division 7 of Title 3 of the Education Code. Of the amounts appropriated in this subparagraph and in Section 41207.43 of the Education Code, up to 10 percent may be used to augment subparagraph (A) of paragraph (4) of this subdivision to provide specialized training to support guided pathways.

(B) Funds appropriated pursuant to this paragraph shall be available for encumbrance or expenditure until June 30, 2022.

(6) Up to \$14,000,000 may be used for e-transcript, e-planning, and common assessment tools. Any remaining funds shall be used pursuant to paragraph (1).

(c) Of the amount included in Schedule (9), up to \$7,000,000 shall be available for distribution to California Community Colleges to provide emergency student aid to students with identified need who are exempt from paying nonresident tuition under Section 68130.5 of the Education Code and who apply for financial aid using the application established by the Student Aid Commission pursuant to subdivision (b) of Section 69508.5 of the Education Code, known as the Dream Act Application. The Office of the Chancellor of the California Community Colleges shall distribute funds to community colleges that request funding for this purpose. The funds shall be distributed based on the number of students enrolled at the community college who are exempt from paying nonresident tuition under Section 68130.5 of the Education Code. Community colleges that receive funding pursuant to this paragraph shall report to the chancellor's office regard-

ing the number of students served and the amount of financial aid provided. Any funds not needed for this purpose shall instead be available for purposes of subparagraph (A) of paragraph (2) of subdivision (b) of this provision. The chancellor's office shall develop administrative guidance to clarify the requirements of this subdivision.

11. The funds in Schedule (13) shall be allocated to increase compensation for part-time faculty. Funds shall be allocated to districts based on the total actual number of FTES in the previous fiscal year, with an adjustment to the allocations provided to small districts. These funds shall be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through collective bargaining in each community college district. If a community college district achieves parity between compensation for full-time faculty and part-time faculty, funds received pursuant to this provision may be used for any other educational purpose.

12. Of the funds provided in Schedule (15):

(a) \$27,890,000 shall be allocated by the chancellor on a competitive basis, for the following purposes:

- (1) Provision of access to statewide multimedia hosting and delivery services for state colleges and districts.
- (2) Provision of systemwide Internet, audio bridging, data security, and telephony.
- (3) Technical assistance and planning, cooperative purchase agreements, and faculty and staff development.
- (4) Ongoing support for the California Virtual Campus Distance Education Program.
- (5) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California.
- (6) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy

- 1 of scale of the technology investments of the
2 community college system toward improving
3 learning outcomes.
- 4 (7) Ongoing support of the California Partnership
5 for Achieving Student Success (Cal-PASS)
6 program.
- 7 (b) \$6,000,000 shall be used to develop an Integrated
8 Library System. These funds shall be available
9 for encumbrance until June 30, 2019.
- 10 (c) The remaining funds shall be available for alloca-
11 tions to districts to maintain technology capabili-
12 ties.
- 13 13. Of the funds appropriated in Schedule (16):
- 14 (a) \$22,929,000 is available for the following purpos-
15 es:
- 16 (1) Up to 10 percent may be allocated for state-
17 level technical assistance, including statewide
18 network leadership, organizational develop-
19 ment, coordination, and information and
20 support services.
- 21 (2) All remaining funds shall be allocated for
22 programs that target investments in priority
23 and emergent sectors, including statewide
24 and/or regional centers, hubs, collaborative
25 communities, advisory bodies, and short-term
26 grants. Short-term grants may include indus-
27 try-driven regional education and training,
28 Responsive Incumbent Worker Training, and
29 Job Development Incentive Training. Funds
30 allocated pursuant to this provision may be
31 used to provide substantially similar services
32 in support of the Strong Workforce Program.
- 33 (3) Funds applied to performance-based training
34 shall be matched by a minimum of \$1 con-
35 tributed by private businesses or industry for
36 each \$1 of state funds. The chancellor shall
37 consider the level of involvement and finan-
38 cial commitments of business and industry
39 in making awards for performance-based
40 training.

- 1 (b) \$248,000,000 shall be available to support the
2 Strong Workforce Program pursuant to Part 54.5
3 (commencing with Section 88820) of Division 7
4 of Title 3 of the Education Code.
- 5 14. (a) The funds appropriated in Schedule (17) shall be
6 used to support transfer and articulation projects
7 and common course numbering projects.
- 8 (b) Funding provided to community college districts
9 shall directly offset any costs claimed by commu-
10 nity college districts to be mandates pursuant to
11 Chapter 737 of the Statutes of 2004.
- 12 15. (a) Of the funds appropriated in Schedule (18):
- 13 (1) \$109,248,000 shall be used pursuant to Arti-
14 cle 8 (commencing with Section 69640) of
15 Chapter 2 of Part 42 of Division 5 of Title 3
16 of the Education Code. Funds provided in
17 this item for Extended Opportunity Programs
18 and Services shall be available to students on
19 all campuses within the California Communi-
20 ty Colleges system.
- 21 (3) \$15,863,000 shall be used for funding, at all
22 colleges, the Cooperative Agencies Resources
23 for Education program in accordance with
24 Article 4 (commencing with Section 79150)
25 of Chapter 9 of Part 48 of Division 7 of Title
26 3 of the Education Code. The chancellor shall
27 allocate these funds to local programs on the
28 basis of need for student services.
- 29 (b) Of the amount allocated pursuant to subdivision
30 (a), no less than \$4,972,000 shall be available to
31 support additional textbook assistance grants to
32 community college students.
- 33 16. The funds appropriated in Schedule (19) shall be used
34 for the following purposes:
- 35 (a) \$1,921,000 shall be used for the Puente Project
36 to support up to 75 colleges. These funds are
37 available if matched by \$200,000 of private funds
38 and if the participating community colleges and
39 University of California campuses maintain their
40 1995–96 fiscal year support level for the Puente

- 1 Project. All funding shall be allocated directly to
- 2 participating districts in accordance with their
- 3 participation agreement.
- 4 (b) Up to \$2,459,000 is for the Mathematics, Engi-
- 5 neering, Science Achievement (MESA) program.
- 6 A community college district is required to spend
- 7 \$1 from local or other resources for every \$1 re-
- 8 ceived pursuant to this subdivision.
- 9 (c) No less than \$1,778,000 is for the Middle College
- 10 High School Program. With the exception of
- 11 special part-time students at the community col-
- 12 leges pursuant to Sections 48802 and 76001 of
- 13 the Education Code, student workload based on
- 14 participation in the Middle College High School
- 15 Program shall not be eligible for community col-
- 16 lege state apportionment.
- 17 (d) No less than \$2,500,000 is for the Umoja program.
- 18 17. The funds appropriated in Schedule (20) shall be allo-
- 19 cated by the chancellor to community college districts
- 20 that levied child care permissive override taxes in the
- 21 1977–78 fiscal year pursuant to Sections 8329 and
- 22 8330 of the Education Code in an amount proportional
- 23 to the property tax revenues, tax relief subventions,
- 24 and state aid required to be made available by the
- 25 district to its child care and development program for
- 26 the 1979–80 fiscal year pursuant to Section 30 of
- 27 Chapter 1035 of the Statutes of 1979, increased or
- 28 decreased by any cost-of-living adjustment granted in
- 29 subsequent fiscal years. These funds shall be used
- 30 only for the purpose of community college child care
- 31 and development programs.
- 32 18. Of the funds appropriated in Schedule (21):
- 33 (a) \$8,475,000 shall be used to provide support for
- 34 nursing programs.
- 35 (b) \$4,903,000 shall be used for diagnostic and sup-
- 36 port services, preentry coursework, alternative
- 37 program delivery model development, and other
- 38 services to reduce the incidence of student attrition
- 39 in nursing programs.
- 40 19. Of the funds appropriated in Schedule (22):

- 1 (a) \$20,000,000 shall be allocated to the chancellor
2 to increase the number of courses available
3 through the use of technology and to provide al-
4 ternative methods for students to earn college
5 credit. These funds may be used to pay for a
6 consistent learning management system to help
7 implement this program. The chancellor shall
8 ensure, to the extent possible, that the following
9 conditions are satisfied:
- 10 (1) These courses can be articulated across all
11 community college districts.
12 (2) These courses are made available to students
13 systemwide, regardless of the campus at
14 which a student is enrolled.
15 (3) Students who complete these courses are
16 granted degree-applicable credit across com-
17 munity colleges.
18 (4) These funds shall be used for those courses
19 that have the highest demand, fill quickly,
20 and are prerequisites for many different de-
21 grees.
- 22 (b) By September 1 of each fiscal year, up to
23 \$3,000,000 shall be disbursed by the Office of the
24 Chancellor of the California Community Colleges
25 to one or more community college districts to
26 provide digital course content to inmates under
27 the jurisdiction of the Department of Corrections
28 and Rehabilitation who are enrolled in one or
29 more California Community College courses. The
30 provision of this digital course content is expected
31 to enable community college districts to provide
32 instruction to incarcerated adults.
- 33 (1) To the extent possible, community college
34 districts providing digital course content
35 pursuant to this paragraph are encouraged to
36 first use open educational resources.
37 (2) Notwithstanding any other law, a contract
38 between the Office of the Chancellor of the
39 California Community Colleges and a com-
40 munity college district for purposes of this

subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code.

20. The Office of the Chancellor of the California Community Colleges shall annually report by December 1 of each year through 2021, on the racial/ethnic and gender composition of faculty, and efforts to assist campuses in providing equal employment opportunity in faculty recruitment and hiring practices as well as systemwide training, monitoring, and compliance activities.

21. Funds appropriated in Schedule (23) are provided on a one-time basis pursuant to Section 66010.98 of the Education Code.

22. (a) Any funds appropriated in Schedule (24) are available for the following purposes:

(1) Scheduled maintenance and special repairs of facilities. The Chancellor of the California Community Colleges shall allocate funds to districts on the basis of actual reported FTES, and may establish a minimum allocation per district. As a condition for receiving and expending these funds for maintenance or special repairs, a district shall certify that it will increase its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs. A district’s compliance with its resolution shall be reviewed under the annual audit of that district.

(2) Hazardous substances abatement, cleanup, and repairs.

(3) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and seismic retrofit projects limited to \$656,000.

(4) Water conservation projects to reduce water consumption in cooperation with the Gover-

nor's Executive Order B-37-16. Projects may include any of the following:

- (A) Replacement of water intensive landscaping with drought tolerant landscaping, synthetic turf, provided that the turf is used only in nonathletic areas, and other nonplant materials.
- (B) Drip or low-flow irrigation systems.
- (C) Building improvements to reduce water usage.
- (D) Installation of meters for wells to allow for monitoring of water usage.

- (b) Any funds appropriated in Schedule (24) are available for replacement of instructional equipment and library materials. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses. The chancellor shall allocate funds to districts on the basis of actual reported FTES and may establish a minimum allocation per district. A district's compliance with its resolution shall be reviewed under the annual audit of that district.
- (c) Any funds appropriated in Schedule (24) shall be available for one-time use until June 30, 2019.

SEC. 66. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 67. (a) For the 2018–19 fiscal year, the sum of thirty-five million dollars (\$35,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for allocation to community colleges districts in support of apportionments to community college districts pursuant to Section 84750.4 of the Education Code.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made by subdivision (a) shall be deemed to be

1 “General Fund revenues appropriated for community college
2 districts,” as defined in subdivision (d) of Section 41202 of the
3 Education Code, for the 2017–18 fiscal year, and included within
4 the “total allocations to school districts and community college
5 districts from General Fund proceeds of taxes appropriated
6 pursuant to Article XIII B,” as defined in subdivision (e) of Section
7 41202 of the Education Code, for the 2017–18 fiscal year.

8 SEC. 68. (a) For the 2018–19 fiscal year, the sum of thirteen
9 million five hundred thousand dollars (\$13,500,000) is hereby
10 appropriated from the General Fund to the Board of Governors
11 of the California Community Colleges to support technology
12 advancements and innovations in financial aid processing and
13 management systems at the community colleges in order to
14 streamline financial aid verification, including, but not limited to,
15 the Student Success Completion Grant established pursuant to
16 Part 54.82 (commencing with Section 88930) of Division 7 of Title
17 3 of the Education Code, and to enable the community colleges to
18 more efficiently process state and federal financial aid grants. It
19 is intent of the Legislature that system improvements supported
20 by this funding have the effect of reducing the manual processing
21 of financial aid applications, thereby enabling financial aid
22 program staff to provide additional technical assistance and
23 guidance to students seeking financial aid. The Office of the
24 Chancellor of the California Community Colleges shall determine
25 the methodology for allocating these funds to community college
26 districts.

27 (b) For purposes of making the computations required by
28 Section 8 of Article XVI of the California Constitution, the
29 appropriation made by subdivision (a) shall be deemed to be
30 “General Fund revenues appropriated for community college
31 districts,” as defined in subdivision (d) of Section 41202 of the
32 Education Code, for the 2017–18 fiscal year, and included within
33 the “total allocations to school districts and community college
34 districts from General Fund proceeds of taxes appropriated
35 pursuant to Article XIII B,” as defined in subdivision (e) of Section
36 41202 of the Education Code, for the 2017–18 fiscal year.

37 SEC. 69. (a) For the 2018–19 fiscal year, the sum of ten million
38 dollars (\$10,000,000) is hereby appropriated from the General
39 Fund to the Board of Governors of the California Community

1 *Colleges for allocation to community college districts for the*
2 *following:*

3 *(1) At least nine million seven hundred fifty thousand dollars*
4 *(\$9,750,000) for funding incentives to community college districts*
5 *pursuant to Section 66027.8 of the Education Code.*

6 *(2) Up to two hundred fifty thousand dollars (\$250,000) for a*
7 *systemwide study related to student hunger, housing, and basic*
8 *needs issues.*

9 *(b) For purposes of making the computations required by*
10 *Section 8 of Article XVI of the California Constitution, the*
11 *appropriation made by subdivision (a) shall be deemed to be*
12 *“General Fund revenues appropriated for community college*
13 *districts,” as defined in subdivision (d) of Section 41202 of the*
14 *Education Code, for the 2017–18 fiscal year, and included within*
15 *the “total allocations to school districts and community college*
16 *districts from General Fund proceeds of taxes appropriated*
17 *pursuant to Article XIII B,” as defined in subdivision (e) of Section*
18 *41202 of the Education Code, for the 2017–18 fiscal year.*

19 *SEC. 70. (a) For the 2018–19 fiscal year, the sum of ten million*
20 *dollars (\$10,000,000) is hereby appropriated from the General*
21 *Fund to the Board of Governors of the California Community*
22 *Colleges to support mental health services and training. The board*
23 *of governors may allocate grants to community colleges to support*
24 *activities, including, but not limited to, expanding mental health*
25 *services, providing training, and developing stronger relationships*
26 *with the county behavioral health department and*
27 *community-based mental health services for which reimbursement*
28 *is available through the students’ health coverage. The board of*
29 *governors may also allocate funds to a community college district*
30 *to provide training to community colleges throughout the state*
31 *regarding prevention and early intervention in the treatment of*
32 *mental health conditions, suicide prevention, and mental health*
33 *stigma.*

34 *(b) The funding allocated pursuant to subdivision (a) shall not*
35 *be used to supplant existing campus, state, or county funds used*
36 *to provide mental health services.*

37 *(c) The office of the Chancellor of the California Community*
38 *Colleges shall determine how the funding provided in subdivision*
39 *(a) shall be allocated to community college districts. Prior to*
40 *allocating the funding, the chancellor’s office shall advise*

1 appropriate legislative fiscal and policy staff and the Department
2 of Finance.

3 (d) By March 1, 2019, the chancellor's office shall report to the
4 Legislature and the Department of Finance on the use of these
5 funds, including all of the following:

6 (1) The types of activities supported by the funds, including
7 services and training being offered and the number of students
8 being served or trained.

9 (2) Data related to the evaluation of the training or services, if
10 available.

11 (3) Recommendations for the expansion of the programs,
12 training, or services supported by the grant funds.

13 (e) For purposes of making the computations required by Section
14 8 of Article XVI of the California Constitution, the appropriation
15 made by subdivision (a) shall be deemed to be "General Fund
16 revenues appropriated for community college districts," as defined
17 in subdivision (d) of Section 41202 of the Education Code, for the
18 2017–18 fiscal year, and included within the "total allocations to
19 school districts and community college districts from General
20 Fund proceeds of taxes appropriated pursuant to Article XIII B,"
21 as defined in subdivision (e) of Section 41202 of the Education
22 Code, for the 2017–18 fiscal year.

23 SEC. 71. (a) For the 2018–19 fiscal year, the sum of six million
24 two hundred forty-four thousand dollars (\$6,244,000) is hereby
25 appropriated from the General Fund to the Board of Governors
26 of the California Community Colleges to support a one-time
27 Veterans Resource Center grant program. The one-time program
28 shall provide grants to California community colleges to establish
29 or enhance on-campus veterans resource centers that provide
30 support services for students who are current or former members
31 of the Armed Forces of the United States who are enrolled, or are
32 attempting to enroll, at a community college. Funding is also
33 available for this purpose in Schedule 9 of Item 6870-101-0001
34 of the Budget Act of 2018.

35 (b) For the purposes of this section:

36 (1) "Armed Forces of the United States" means the Air Force,
37 Army, Coast Guard, Marine Corps, Navy, and the reserve
38 components of each of those forces, the National Guard of any
39 state, the California State Military Reserve, and the California
40 Naval Militia.

1 (2) “Chancellor’s office” means the Chancellor’s Office of the
2 California Community colleges.

3 (c) The chancellor’s office shall administer the one-time grant
4 program and distribute grants pursuant to the requirements of this
5 section.

6 (d) (1) The chancellor’s office shall develop application criteria,
7 administrative guidelines, and other requirements for the purpose
8 of administering the one-time grant program.

9 (2) In determining whether to award a grant to a community
10 college campus, the chancellor’s office shall consider, at a
11 minimum, both of the following criteria:

12 (A) The number of student veterans that are or will be served
13 by the center.

14 (B) The veteran student support service needs that are or will
15 be supported with the grant funds.

16 (3) The chancellor’s office shall prioritize applications from
17 community college campuses that meet all of the following criteria:

18 (A) Have demonstrated the greatest need for a veterans resource
19 center, as determined by the chancellor’s office.

20 (B) Will provide services to greater proportions or numbers of
21 veteran students.

22 (C) Meet or will achieve best practice standards for veterans
23 resource centers.

24 (e) Notwithstanding subdivision (d), the chancellor’s office may
25 award these funds to colleges that applied for funds appropriated
26 in Section 28 of Chapter 23 of the Statutes of 2017 and met the
27 qualifications required by the chancellor’s office for purposes of
28 veterans resource centers.

29 (f) Any college that receives funds pursuant to this section shall
30 report the following to the chancellor’s office:

31 (1) A description of the college’s need for veteran student
32 support services.

33 (2) The number of veteran students enrolled in the college.

34 (3) A description of the student support services that would be
35 offered by the campus and supported by grant funding.

36 (4) A long-term plan that describes what measures the campus
37 will implement to ensure the veterans resource center and the
38 specific services supported by the grant funding are sustainable.

39 (5) A description of the metrics that will be used to determine
40 how the center’s activities described in paragraph (3) will improve

1 or enhance a veteran student's educational outcomes, including,
2 but not limited to, metrics to measure the completion of a program
3 of study leading to an associate degree for transfer, an associate
4 degree, a community college certificate, a career technical
5 education certificate, or transfer to a four-year university.

6 (g) A community college campus at which a veterans resource
7 center has been or will be established that receives a grant
8 pursuant to this program shall use the grant funds to support the
9 veterans resource center in its activities and services to assist
10 student veterans to reach the veterans' academic goals. Activities
11 and services that may be supported by the veterans resource center
12 include, but are not limited to, all of the following:

13 (1) Academic counseling and tutoring support.

14 (2) Peer-to-peer support and mentoring services.

15 (3) Financial aid information and application assistance.

16 (4) Referral to on- and off-campus resources.

17 (5) Computer access.

18 (6) Career counseling and placement assistance.

19 (h) It is the intent of the Legislature that a community college
20 campus support the ongoing activities of its veterans resource
21 center by expending resources from other funds available to the
22 college.

23 (i) For the purposes of making the computations required by
24 Section 8 of Article XVI of the California Constitution, the
25 appropriation made by subdivision (a) shall be deemed to be
26 "General Fund revenues appropriated for community college
27 districts," as defined in subdivision (d) of Section 41202 of the
28 Education Code, for the 2017–18 fiscal year, and included within
29 the "total allocations to school districts and community college
30 districts from General Fund proceeds of taxes appropriated
31 pursuant to Article XIII B," as defined in subdivision (e) of Section
32 41202 of the Education Code, for the 2017–18 fiscal year.

33 SEC. 72. (a) (1) For the 2018–19 fiscal year, the sum of five
34 million dollars (\$5,000,000) is hereby appropriated from the
35 General Fund to the board of governors to provide support for a
36 one-time reentry grant program. The one-time program shall
37 provide grants to community colleges to provide support for
38 currently and formerly incarcerated students and shall be focused
39 on their reentry into their communities. The board of governors
40 may allocate grants to community colleges on a competitive basis.

1 (2) *As used in this section:*

2 (A) *“Board of governors” means the Board of Governors of*
3 *the California Community Colleges.*

4 (B) *“Chancellor’s office” means the Chancellor’s Office of the*
5 *California Community Colleges.*

6 (b) *The chancellor’s office shall administer the one-time reentry*
7 *grant program and distribute grants to applicants that satisfy the*
8 *requirements of this section. The chancellor’s office shall develop*
9 *application criteria, administrative guidelines, and other*
10 *requirements for the purpose of administering the one-time reentry*
11 *grant program.*

12 (c) *To obtain a grant pursuant to this program, a community*
13 *college shall submit an application to the chancellor’s office in a*
14 *format and by a date determined by the chancellor’s office. The*
15 *application shall contain, at a minimum, all of the following:*

16 (1) *A description of the college’s need for educational services*
17 *to support reentry of currently incarcerated students, formerly*
18 *incarcerated students, or both.*

19 (2) *An estimate of the number of currently incarcerated and*
20 *formerly incarcerated students enrolled in the college.*

21 (3) *A description of the student support services that would be*
22 *offered by the college and supported by grant funding, and the*
23 *evidence that indicates those services would be effective in*
24 *supporting reentry.*

25 (4) *A long-term plan that describes measures the college will*
26 *implement to ensure specific services funded by grant funding are*
27 *sustainable.*

28 (5) *The amount of matching funds that the community college*
29 *would provide. The amount of matching funds provided by the*
30 *community college shall be no less than fifty thousand dollars*
31 *(\$50,000).*

32 (d) *Activities and services that may be supported by the grant*
33 *include, but are not necessarily limited to, all of the following:*

34 (1) *Academic counseling and tutoring support.*

35 (2) *Peer-to-peer support and mentoring services.*

36 (3) *Financial aid information and application assistance.*

37 (4) *Referral to on- and off-campus resources.*

38 (5) *Computer access.*

39 (6) *Career counseling and placement assistance.*

1 (e) *Funds made available pursuant to this section shall*
2 *supplement, not supplant, existing funds used to support formerly*
3 *incarcerated students, and face-to-face instruction for students in*
4 *custody, including any college-related funds or expenditures of*
5 *the Department of Corrections and Rehabilitation.*

6 (f) (1) *On or before July 31, 2022, the chancellor's office shall*
7 *report to the Legislature and the Department of Finance on the*
8 *use of the funds made available pursuant to this section, including*
9 *all of the following:*

10 (A) *The types of activities supported by the funds, including*
11 *services and training being offered and the number of students*
12 *being served or trained.*

13 (B) *Data related to the evaluation of the training or services,*
14 *if available.*

15 (C) *Other outcome metrics and data developed by the*
16 *chancellor's office to evaluate the efficacy and success of the*
17 *programs.*

18 (2) *The report required by this section shall be submitted in*
19 *compliance with Section 9795 of the Government Code.*

20 (g) *For purposes of making the computations required by*
21 *Section 8 of Article XVI of the California Constitution, the*
22 *appropriation made by subdivision (a) shall be deemed to be*
23 *"General Fund revenues appropriated for community college*
24 *districts," as defined in subdivision (d) of Section 41202 of the*
25 *Education Code, for the 2017-18 fiscal year, and included within*
26 *the "total allocations to school districts and community college*
27 *districts from General Fund proceeds of taxes appropriated*
28 *pursuant to Article XIII B," as defined in subdivision (e) of Section*
29 *41202 of the Education Code, for the 2017-18 fiscal year.*

30 SEC. 73. (a) *For the 2018–19 fiscal year, the sum of six million*
31 *dollars (\$6,000,000) is hereby appropriated from the General*
32 *Fund to the Board of Governors of the California Community*
33 *Colleges for allocation to the Academic Senate for the California*
34 *Community Colleges, consistent with subdivision (b) of Section*
35 *70901 of the Education Code, to support the development of, and*
36 *the expansion of the use of, open educational resources for the*
37 *California Community Colleges. Funds appropriated pursuant to*
38 *this subdivision shall be available for encumbrance until June 30,*
39 *2023.*

1 ***(b) The Academic Senate for the California Community Colleges***
2 ***shall report to the Legislature, in compliance with Section 9795***
3 ***of the Government Code, and to the Department of Finance on or***
4 ***before February 1, 2022, on the progress of supporting and***
5 ***expanding open educational resources pursuant to subdivision***
6 ***(a). The report shall include, but not necessarily be limited to, all***
7 ***of the following:***

8 ***(1) The number of open educational resources materials that***
9 ***have been created from the receipt of moneys pursuant to***
10 ***subdivision (a).***

11 ***(2) The number and percentage of faculty at each campus that***
12 ***have adopted open educational resource textbooks for their***
13 ***courses.***

14 ***(3) The number of students enrolled in course sections that use***
15 ***open educational resource textbooks.***

16 ***(4) The estimated average amount of moneys students described***
17 ***in paragraph (3) saved as a result of using open educational***
18 ***resources.***

19 ***(c) For purposes of making the computations required by Section***
20 ***8 of Article XVI of the California Constitution, the appropriation***
21 ***made by subdivision (a) shall be deemed to be “General Fund***
22 ***revenues appropriated for community college districts,” as defined***
23 ***in subdivision (d) of Section 41202 of the Education Code, for the***
24 ***2017–18 fiscal year, and included within the “total allocations to***
25 ***school districts and community college districts from General***
26 ***Fund proceeds of taxes appropriated pursuant to Article XIII B,”***
27 ***as defined in subdivision (e) of Section 41202 of the Education***
28 ***Code, for the 2017–18 fiscal year.***

29 ***SEC. 74. (a) For the 2018–19 fiscal year, the sum of ten million***
30 ***dollars (\$10,000,000) is hereby appropriated to the Board of***
31 ***Governors of the California Community Colleges for allocation***
32 ***to a community college district to contract with the State***
33 ***Department of Social Services in order to contract with***
34 ***organizations qualified pursuant to Chapter 5.6 (commencing with***
35 ***Section 13300) of Part 3 of Division 9 of the Welfare and***
36 ***Institutions Code to provide services pursuant to that chapter to***
37 ***persons on California community college campuses. These funds***
38 ***shall be available for encumbrance until June 30, 2020, and***
39 ***liquidation until June 30, 2024. Use of these funds shall be included***

1 *in updates provided to the Legislature on the State Department of*
2 *Social Service’s immigration programs.*

3 *(b) For purposes of making the computations required by*
4 *Section 8 of Article XVI of the California Constitution, the*
5 *appropriation made by subdivision (a) shall be deemed to be*
6 *“General Fund revenues appropriated for community college*
7 *districts,” as defined in subdivision (d) of Section 41202 of the*
8 *Education Code, for the 2017–18 fiscal year, and included within*
9 *the “Total allocations to school districts and community college*
10 *districts from General Fund proceeds of taxes appropriated*
11 *pursuant to Article XIII B,” as defined in subdivision (e) of Section*
12 *41202 of the Education Code, for the 2017–18 fiscal year.*

13 *SEC. 75. (a) For the 2018–19 fiscal year, the sum of fifteen*
14 *million dollars (\$15,000,000) is hereby appropriated from the*
15 *General Fund to the Board of Governors of the California*
16 *Community Colleges for allocation to the community college*
17 *district operating the Online Education Initiative for the Online*
18 *Education Initiative to provide competitive grants to community*
19 *college districts to develop online programs and courses that do*
20 *either of the following:*

21 *(1) Lead to short-term, industry-valued certificates or*
22 *credentials, or programs.*

23 *(2) Enable a student in a pathway developed by the California*
24 *Online Community College to continue his or her education in a*
25 *career pathway offered by an existing community college.*

26 *(b) The Online Education Initiative shall develop application*
27 *criteria and guidelines to administer the program. The criteria*
28 *and guidelines shall not grant preference to either option specified*
29 *in subdivision (a).*

30 *(c) Additional funding for purposes of this section is included*
31 *in Item 6870-488 of Section 2.00 of the Budget Act of 2018.*

32 *(d) The Online Education Initiative shall submit, on or before*
33 *April 1, 2020, and in compliance with Section 9795 of the*
34 *Government Code, a report to the Legislature regarding outcomes*
35 *related to the grants awarded pursuant to subdivision (a). The*
36 *report shall, at a minimum, include all of the following information:*

37 *(1) A list of colleges that received grants.*

38 *(2) A description of the types of programs and courses created*
39 *from funds received pursuant to subdivisions (a) and (c).*

1 (3) *An estimate of the number of students that may enroll in*
2 *programs developed based on the competitive grant award.*

3 (e) *For purposes of making the computations required by Section*
4 *8 of Article XVI of the California Constitution, the appropriation*
5 *made by subdivision (a) shall be deemed to be “General Fund*
6 *revenues appropriated for community college districts,” as defined*
7 *in subdivision (d) of Section 41202 of the Education Code, for the*
8 *2017–18 fiscal year, and included within the “total allocations to*
9 *school districts and community college districts from General*
10 *Fund proceeds of taxes appropriated pursuant to Article XIII B,”*
11 *as defined in subdivision (e) of Section 41202 of the Education*
12 *Code, for the 2017–18 fiscal year.*

13 SEC. 76. (a) *For the 2018–19 fiscal year, the sum of thirty-six*
14 *million four hundred fifty-five thousand dollars (\$36,455,000) is*
15 *hereby appropriated from the General Fund to the Board of*
16 *Governors of the California Community Colleges, for allocation*
17 *to reimburse local educational agencies for unfunded related and*
18 *supplemental instruction hours for the 2013–14 fiscal year to the*
19 *2017–18 fiscal year, inclusive.*

20 (b) (1) *Notwithstanding subdivision (i) of Section 79149.3 of*
21 *Education Code, of the amount appropriated in subdivision (a),*
22 *the sum of nine million eight hundred seventy-five thousand dollars*
23 *(\$9,875,000) is provided on a one-time basis to reimburse local*
24 *educational agencies, pursuant to Article 3 (commencing with*
25 *Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of*
26 *the Education Code, in the following order:*

27 (A) *Reported related and supplemental instruction hours as*
28 *described in subdivision (b) of Section 79149.5 of Education Code*
29 *that were paid at a rate less than the hourly rate specified in the*
30 *Budget Act.*

31 (B) *Reported related and supplemental instruction hours that*
32 *were not reimbursed.*

33 (2) *Notwithstanding subdivision (h) of Section 8152 of Education*
34 *Code, of the amount appropriated in subdivision (a), the sum of*
35 *twenty-six million five hundred eighty thousand dollars*
36 *(\$26,580,000) is provided on a one-time basis to reimburse local*
37 *educational agencies pursuant to Article 8 (commencing with*
38 *Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the*
39 *Education Code, in the following order:*

1 (A) Reported related and supplemental instruction hours, as
2 described in subdivision (b) of Section 8154 of the Education Code,
3 that were paid at a rate less than the hourly rate specified in the
4 Budget Act.

5 (B) Reported related and supplemental instruction hours that
6 were not reimbursed.

7 (c) For purposes of making the computations required by Section
8 8 of Article XVI of the California Constitution, the appropriation
9 made by subdivision (a) shall be deemed to be “General Fund
10 revenues appropriated for community college districts,” as defined
11 in subdivision (d) of Section 41202 of the Education Code, for the
12 2017–18 fiscal year, and included within the “total allocations to
13 school districts and community college districts from General
14 Fund proceeds of taxes appropriated pursuant to Article XIII B,”
15 as defined in subdivision (e) of Section 41202 of the Education
16 Code, for the 2017–18 fiscal year.

17 SEC. 77. (a) For the 2018–19 fiscal year, the sum of thirty
18 million dollars (\$30,000,000) is hereby appropriated from the
19 General Fund to the Board of Governors of the California
20 Community Colleges for allocation to community college districts
21 in support of the Community College Part-Time Faculty Office
22 Hours Program established pursuant to Article 10 (commencing
23 with Section 87880) of Chapter 3 of Part 51 of Division 7 of Title
24 3 of the Education Code. These funds shall be available for the
25 same purposes as those allocated in Schedule 14 of item
26 6870-101-0001 of the Budget Act of 2018.

27 (b) For purposes of making the computations required by
28 Section 8 of Article XVI of the California Constitution, the
29 appropriation made by subdivision (a) shall be deemed to be
30 “General Fund revenues appropriated for community college
31 districts,” as defined in subdivision (d) of Section 41202 of the
32 Education Code, for the 2017–18 fiscal year, and included within
33 the “total allocations to school districts and community college
34 districts from General Fund proceeds of taxes appropriated
35 pursuant to Article XIII B,” as defined in subdivision (e) of Section
36 41202 of the Education Code, for the 2017–18 fiscal year.

37 SEC. 78. (a) For the 2018–19 fiscal year, the sum of five
38 million dollars (\$5,000,000) is hereby appropriated from the
39 General Fund to the Board of Governors of the California
40 Community Colleges for allocation to a community college district

1 *or districts participating in a Strong Workforce Program regional*
2 *consortium to provide one-time grants in support of refugee career*
3 *pathways.*

4 *(b) For purposes of this section:*

5 *(1) “Career readiness training” means quality community*
6 *college career technical education courses, programs, and*
7 *pathways that lead to successful workforce outcomes.*

8 *(2) “Chancellor’s office” means the Chancellor’s Office of the*
9 *California Community Colleges.*

10 *(3) “Eligible organization” means a service organization that*
11 *has established a partnership with a community college district*
12 *that provides career readiness training and that satisfies both of*
13 *the following requirements:*

14 *(A) The organization is exempt from federal income taxation*
15 *as an organization described in Section 501(c)(3) of the federal*
16 *Internal Revenue Code, and is in compliance with all applicable*
17 *laws and requirements.*

18 *(B) The organization has demonstrated expertise in providing*
19 *comprehensive and integrated services to refugees, including, but*
20 *not necessarily limited to, refugee resettlement, financial literacy,*
21 *and business technical assistance, and has demonstrated case*
22 *management expertise that would enable the organization to*
23 *collaborate with a community college district to develop*
24 *appropriate career readiness training, English as a second*
25 *language courses, and literacy courses or programs that meet the*
26 *needs of eligible participants.*

27 *(4) “Eligible participant” means a person who has a special*
28 *immigrant visa that has been granted a status under Section 1244*
29 *of Public Law 110-181, under Public Law 109-163, or under*
30 *Section 602(b) of Title VI of Division F of Public Law 111-8, or*
31 *is a refugee admitted to the United States under Section 1157 of*
32 *Title 8 of the United States Code.*

33 *(c) The chancellor’s office shall allocate grants to community*
34 *college districts that partner with an eligible organization and*
35 *that provide career readiness training to eligible participants.*

36 *(d) The chancellor’s office may develop an application and*
37 *establish criteria for selecting a community college district, or*
38 *districts, to receive a grant to provide career readiness training*
39 *to eligible participants.*

1 (e) *The chancellor’s office shall award a grant to one or more*
2 *community college districts that do both of the following:*

3 (1) *Partner with an eligible service organization to provide case*
4 *management services for refugees in a county that serves at least*
5 *40 percent of the total population of eligible participants in the*
6 *state during the 2016–17 fiscal year, is projected to serve at least*
7 *40 percent of the total eligible participants that will resettle in the*
8 *state in the 2018–19 fiscal year, and has a well-established network*
9 *of refugee resettlement organizations.*

10 (2) *Provide career readiness training to eligible participants*
11 *that can be integrated with the district’s approach to offering*
12 *quality career technical education courses, programs, and*
13 *pathways through the Strong Workforce Program.*

14 (f) *Grant funds may be used by a community college district to*
15 *provide services for eligible participants for purposes including,*
16 *but not necessarily limited to, all of the following:*

17 (1) *Career readiness training.*

18 (2) *English as a second language programs and courses.*

19 (3) *Employment skills courses or programs.*

20 (4) *Student support services.*

21 (5) *Career placement services.*

22 (6) *Case management services offered by a partnering eligible*
23 *organization.*

24 (g) *For purposes of making the computations required by*
25 *Section 8 of Article XVI of the California Constitution, the*
26 *appropriation made by subdivision (a) shall be deemed to be*
27 *“General Fund revenues appropriated for community college*
28 *districts,” as defined in subdivision (d) of Section 41202 of the*
29 *Education Code, for the 2017–18 fiscal year, and included within*
30 *the “total allocations to school districts and community college*
31 *districts from General Fund proceeds of taxes appropriated*
32 *pursuant to Article XIII B,” as defined in subdivision (e) of Section*
33 *41202 of the Education Code, for the 2017–18 fiscal year.*

34 SEC. 79. *This act is a bill providing for appropriations related*
35 *to the Budget Bill within the meaning of subdivision (e) of Section*
36 *12 of Article IV of the California Constitution, has been identified*
37 *as related to the budget in the Budget Bill, and shall take effect*
38 *immediately.*

1 SECTION 1. ~~It is the intent of the Legislature to enact statutory~~
2 ~~changes relating to the Budget Act of 2018.~~

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