Date of Hearing: April 23, 2013

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 1358 (Fong) – As Amended: April 15, 2013

SUBJECT: Student body association: student representation fee.

SUMMARY: Authorizes organized California Community College (CCC) student body associations (SBA) to hold campus-wide elections in order to potentially increase the student representation fee (SRF) from one dollar ($1) per semester to two dollars ($2) for purposes of the additional dollar to fund governmental affairs representatives for the CCC students, changes the affirmative vote of two-thirds of the students voting in the election to establish the SRF to a majority of students voting, and makes clarifying and technical changes to current law. Specifically, this bill:

1) Authorizes the CCC SBA to call campus-wide elections for the purpose of the study body to vote to determine if they want to pay a SRF, and changes the SRF from one dollar ($1) per semester to two dollars ($2) per semester.

2) Changes the affirmative vote of two-thirds of the students voting in the election to establish the SRF to a majority of students voting.

3) Specifies that $1 of every $2 fee collected shall be expended to establish and support the operations of an independent statewide CCC student organization that is recognized by the Board of Governors (BOG) of the CCC if colleges adopt the SRF on or after January 2014.

4) Specifies that the statewide CCC student organization shall have governmental affairs representatives to advocate before the Legislature and other state and local governmental entities on their behalf.

5) States that any college SBA that adopts a SRF before January 1, 2014, shall retain authority to continue to receive the $1 fee and may elect to conduct another election to determine if they will revise their SRF from $1 to $2.

6) Specifies that no reimbursement is required by this act because local districts have authority to levy service charges, fees, or assessments as required by this measure.

7) Makes clarifying and technical changes to existing law.

EXISTING LAW:

1) Authorizes the governing board of a CCC district to authorize the students of a college to organize a SBA to encourage students to participate in the governance of the college and conduct any activities, including fundraising activities (Education Code § 76060).

2) Authorizes a SBA of a college to order an election be held to establish a SRF fee of $1 per semester, collected by officials of the college at or before registration; specifies that two-thirds of the students voting in the election shall be sufficient to establish the fee, but that the

election shall not be sufficient to establish the fee unless the number of students who vote in the election equals or exceeds the average of the number of students who voted in the previous three SBA elections; specifies that the chief fiscal officer of the college shall have custody of the money collected, but that the funds shall be disbursed to the SBA for specified purposes; allows the CCC district to retain a portion of the SRF collected and deposited that is equal to the actual costs of administering the SRF up to, but not more than, seven; allows the SRF to be terminated by a majority vote of the students voting in an election held for that purpose; and, allows a student to refuse to pay the SRF for religious, political, financial, or moral reasons (EC § 76060.5).

FISCAL EFFECT: Unknown

COMMENTS: Need for the bill. According to the author, the 2.4 million students at the CCC, unlike their counterparts at the University of California and the California State University, do not have a sustainably funded statewide student association. AB 1358 will assist CCC students in establishing and sustaining statewide legislative and governmental advocacy through their recognized representative organization, the Student Senate of California Community Colleges (SSCCC).

SRF. According to the 2012 CCC Chancellor's Office (CCCCO) Student Fee Handbook, a newly formed student government organization cannot order an election for the purpose of having the student body vote to establish a SRF without having held three prior student body elections. In specifically requiring three previous student body elections prior to raising the student fee issue, the intent of the Legislature was to ensure meaningful participation in the student body election process. However, under certain circumstances, voting results from student body elections held under a previous and related student government structure may satisfy this requirement.

The CCCCO finds that if a CCC district has multiple colleges and a student attends more than one college within the district, that he/she may be responsible for a SRF at each college he/she attends.

Who votes? It is presently unclear as to the percentage and demographics of consistent CCC students who vote at SBA elections. Additionally, it is unknown as to the overall percentage of CCC students who vote in called SBA elections. The CCCCO does not collect the data of student elections. Will all students benefit from the goals set forth in this bill?

Is this the right time to raise fees of any kind? Funding for CCC has been cut $809 million, or 12%, over the past three years. Although the price per unit remains the lowest in the nation, CCC students face increased costs for books and other school related materials. Although the fee is voluntary and students can opt out for various reasons, including they cannot afford the cost; it is presently unknown how many CCC students are aware that they can opt-out of paying the SRF.

According to the SSCCC, there is a great deal of support for an increased SRF for the sole purpose of being able to form an organized independent statewide organization.

Related legislation. AB 2756 (Hayden), Chapter 1238, Statutes of 1987, established the SRF.

REGISTERED SUPPORT / OPPOSITION:

Support

Student Senate for California Community Colleges
University of California Student Association

Opposition

None on file.

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