

Date of Hearing: April 12, 2016

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2434 (Bonta) – As Amended March 31, 2016

SUBJECT: Postsecondary education: higher education policy.

SUMMARY: Establishes the Blue Ribbon Commission on Public Postsecondary Education. Specifically, **this bill:**

- 1) Finds and declares, including, but not limited to, the following of the Legislature:
 - a) More universal participation in postsecondary education in California is of vital public interest to ensure an informed citizenry, a functional democracy, a vibrant workforce, and a leading 21st century economy;
 - b) Communities of color now comprise the new majority of California high school pupils. As cited by the University of California in an amicus brief filed in *Fisher v. University of Texas*, in 2012 high school graduates were 46.2 percent Latino, 30.5 percent white, 13.6 percent Asian or Pacific Islander, 6.7 percent Black, and 0.7 percent Native American;
 - c) Despite outreach programs and other efforts, historically disadvantaged groups remain underrepresented. These groups include communities of color, immigrants, LGBTQ students, individuals from low-income and working class communities, and others with unique needs;
 - d) Long-term trends with tuition increases across California's public four-year universities have made college less affordable. Resident tuition and fees at the University of California (UC) and California State University (CSU) have risen by 139 percent and 157 percent, respectively, from the 2003–04 academic year to the 2013–14 academic year, inclusive. These increases are significantly higher than 91 percent, which is the national average for public four-year universities over the same time period, according to the California State University, Sacramento, Institute for Higher Education Leadership and Policy;
 - e) The Public Policy Institute of California projects that the state will fall short about 1,100,000 college graduates who will be in economic demand by 2030 if enrollment and graduation rates do not increase, and that even highly educated workers from outside California are unlikely to fill this gap;
 - f) Since 2012, when the California Postsecondary Education Commission (CPEC) was defunded, California has lacked a coordinating body for postsecondary education. The absence of such a body has reduced the ability of the state to effectively develop long-term plans for public postsecondary education and to fully engage with the public in the development of such plans; and,
 - g) To ensure full and equitable accessibility to higher and postsecondary education, California must create and fund a Blue Ribbon Commission on Public Postsecondary Education to develop a written plan to ensure that public universities and colleges in

California are tuition-free and affordable to all students, including low-income and underrepresented students, and have the capacity to provide universal participation for all high school graduates by the year 2030.

- 2) Creates the Blue Ribbon Commission on Public Postsecondary Education; and specifies that the purpose of the Commission is to make recommendations on improving access to and affordability in postsecondary education for Californians.
- 3) Establishes the Commission shall have nine public members who shall be California residents and community leaders, business leaders, and others knowledgeable in the area of postsecondary education; specifies that the nine Commissioners shall be representative of cultural, ethnic, racial, and geographic diversity of the state; and, specifies the Commissioners shall be determined as follows:
 - a) Three members from the public appointed by the Governor;
 - b) Three members from the public appointed by the Senate Committee on Rules; and,
 - c) Three members from the public appointed by the Speaker of the Assembly.
- 4) Specifies that the Governor may designate any one of the nine members appointed to the Commission to serve as temporary chairperson of the Commission for its first meeting and that the first order of business of the Commission shall be to elect a permanent chairperson.
- 5) Requires that the Commission meetings are subject to the Bagley-Keene Open Meeting Act, as specified.
- 6) Stipulates that Commissioners shall serve without compensation, but shall receive reimbursement for actual and necessary expenses incurred in connection with the performance of their duties.
- 7) Stipulates that no employee or contractual employee to any public or private postsecondary educational institution shall be appointed to or serve on the Commission and that no person who is a spouse or domestic partner of an employee, an officer, or contractual employee by a public or private postsecondary educational institution shall be appointed to serve on the Commission.
- 8) Creates the Office of the Blue Ribbon Commission on Public Postsecondary Education, stipulating that the Office shall be established in state government, and shall be under the direct control of an executive director; and, specifies that the Office shall do all of the following:
 - a) Implement the duties and directives of the Commission;
 - b) Consult with the higher education segments and stakeholders, as appropriate, in the conduct of its duties and responsibilities.
- 9) Specifies that the Office may request and receive information necessary to conduct its business, from the higher education segments, the Department of Finance (DoF), the Legislative Analyst's Office (LAO), and California Student Aid Commission (CSAC); and, specifies that the Commission shall do all of the following:

- a) Appoint the executive director at a salary that shall be fixed, as specified;
- b) Select and designate a state administrative agency to carry out the personnel, contractual, and all other fiscal services required by the Commission;
- c) Conduct a series of at least 10 public hearings specifically focused on the needs of and seeking input from Blacks, Native Americans, Latinos, Asian Americans, Pacific Islanders, boys and men of color, undocumented immigrants, LGBTQ students, and other underserved or underrepresented groups in public postsecondary education. The hearings shall be held in geographically diverse regions of the state to solicit testimony of individuals, public interest groups, alumni organizations, or any other interested private groups and organizations as well as professors, administrators, students, representatives from historically underrepresented groups in public higher education, and others who are directly affected for the purpose of soliciting the input of these groups in the formulations of the commission's recommendations;
- d) Review of relevant reports by the UC, the CSU, the California Community Colleges (CCC) Board of Governors, CSAC, DoF, LAO, foundations or nonprofit organizations, the CPEC, or any other reports the commission deems appropriate;
- e) Study, analyze, issue written recommendations, and report to the Legislature and to the Governor on all of the following:
 - i) Establishing the need to create a public postsecondary education system that ensures universal access with the capacity to support universal participation of all high school graduates in California;
 - ii) Identifying the current enrollment capacity in public postsecondary education as compared to the enrollment capacity needed in public postsecondary education to ensure universal access and universal participation for all high school graduates in California;
 - iii) Identifying the enrollment slots needed to ensure the state's public postsecondary education system can graduate an additional 1,100,000 California residents by 2030 to meet the economic demands of the state;
 - iv) Determining the number of additional campuses needed, if any, in each of the public postsecondary education segments to accommodate the additional enrollment demands, per i – iii above, inclusive. The commission shall consider geographic areas of the state where a significant demand for public postsecondary educational services is not being met by current campuses and programs;
 - v) Ensuring that enrollments in public postsecondary institutions reflect the ethnic and racial diversity of California high school pupils and high school graduates. The commission shall identify admission criteria, student outreach, student preparation, student retention, and other mechanisms that can promote this diversity;
 - vi)) Ensuring equity for historically disadvantaged and underrepresented groups that include, but are not limited to, communities of color, documented and undocumented

- immigrants, individuals from low-income and working-class backgrounds, LGBTQ people, and others with unique needs;
- vii) Determining the amount of increased investments in public postsecondary education necessary to support a mission of universal access and participation of all Californians. The increased investments shall take into account the additional resources needed to support the recommendations pursuant to ii – vi above, inclusive. These recommendations shall identify expenditure requirements to support this objective and recommend additional revenue sources to finance this mission; and
- viii) The resources required to create an affordable and tuition-free education system in the California public postsecondary environment, with a first priority on supporting those students with the lowest incomes and least financial resources. This task shall include an analysis of not only tuition and fees, but a focus on additional college costs, such as books and supplies, food, housing, transportation, loan fees, child and dependent care, and other costs. The analysis shall incorporate the availability of federal, state, and campus-based financial aid efforts to offset these additional college costs to determine the extra resources needed to support all low-income and underrepresented California resident students.
- f) Publish a report, as specified, by March 31, 2018. The report shall be transmitted to the fiscal and education policy committees of the Legislature, the UC Regents, CSU Trustees, CCC Board of Governors, the Director of Finance, and the Governor. Copies of the report shall be posted on the Governor’s Internet Web site.
- 10) Specifies that the Office shall close no later than June 30, 2018; sunsets the provisions contained therein on January 1, 2019; and, stipulates that upon the repeal of the provisions, all of the documents and working papers of the Commission shall become the property of the State Archives.

EXISTING LAW: Establishes the Donahoe Higher Education, setting forth the missions and functions of the four segments of California's postsecondary education system (Education Code Section 66010, et seq.).

FISCAL EFFECT: Unknown

COMMENTS: *Background.* AB 770 (Vasconcellos), Chapter 1187, Statutes of 1973, created CPEC and made it responsible for the planning and coordination of postsecondary education. CPEC was charged with providing analysis, advice, and recommendations to the Legislature and the governor on statewide policy and funding priorities. As part of his 2011-12 budget, Governor Brown proposed eliminating CPEC. Both houses rejected this proposal, but the governor exercised his line item veto to remove all General Fund support for CPEC, describing the commission as “ineffective.” In his veto message, however, the governor acknowledged the need for coordinating and guiding state higher education policy and requested that stakeholders explore alternative ways these functions could be fulfilled.

On November 18, 2011, CPEC closed its office and ceased operations. Its federal Teacher Quality Improvement grant program was transferred to the California Department of Education and its extensive data resources were transferred to the CCC Chancellor's Office.

As listed in this measure's Legislative declarations and findings, California lacks a statewide plan for higher education that is relevant and reflective of the state's economy, workforce needs, and its demographic changes. California is the most racially and ethnically diverse state in the nation. Historically disadvantaged communities now comprise the new majority of California high school students. As provided by the UC, in 2012, high school graduates in California were 46.2 percent Latino, 30.5 percent White, 13.6 percent Asian or Pacific Islander, 6.7 percent Black, and 0.7 percent Native American. However, overall college enrollment figures have not kept pace with those demographic changes. For example, Black, Latino, and Native American students made up almost 54 percent of California's high school graduates in 2012, but only 27 percent of all first year students at the UC systemwide.

Purpose of this measure. According to the author, "The state no longer has a coordinating body to oversee and conduct long term planning for its higher education system. Furthermore, California's Master Plan for Higher Education is no longer a practical roadmap to guide the state's higher education policy. The Master Plan was to take the state from 1960-1975. California's higher education challenges in 1960 are very different from today's."

The author contends that absent such an entity, the state needs to establish a statewide plan for higher education. The author argues that, "The state's approach to higher education must become more accessible, equitable, and affordable."

This measure creates a Blue Ribbon Commission on Public Postsecondary Education and tasks the Commission with making recommendations on improving access and affordability in higher education. Additionally, this measure requires the Commission to garner input from specific stakeholders such as historically underrepresented groups, for their input in the formulation of the Commission's recommendations. Furthermore, this measure specifies that the Commission members will be representative of the state's racial and geographic diversity.

Community College League of California. The League has expressed concerns that the Commission, as created by this measure, would be unable to carry out the comprehensive and informed analyses that are needed, shy of, "strong representation from the public higher education [segments] and from those with experience in higher education during the process of examination and during the formulation of recommendations."

Policy consideration. The findings and declarations of this measure reference data as reported by California State University, Sacramento, Institute for Higher Education Leadership and Policy (IHELP). CSU Sacramento's IHELP recently changed its name to Education Insights Center.

Moving forward, the author may wish to amend the reference to IHELP to reflect its new name, Education Insights Center.

Related legislation. AB 1837 (Low), which will be heard in this Committee later this month, would, among others, create the Office of Higher Education Performance and Accountability as the statewide postsecondary education coordination and planning agency, to be established in state government within the Governor's office.

REGISTERED SUPPORT / OPPOSITION:

Support

A. Philip Randolph Institute San Francisco
Arah Resource & Organizing Center
Asian Americans for Community Involvement
Asian Pacific American Community Center
Asian Pacific Policy & Planning Council
Brightline Defense Project
California Asian Pacific Islander Budget Partnership
California Immigrant Policy Center
California Pan-Ethnic Health Network
Chinese for Affirmative Action
Coalition for Humane Immigrant Rights of Los Angeles
Community Youth Center of San Francisco
Donaldina Cameron House
Equal Justice Society
First Voice
Japanese Community Youth Council
Japantown Task Force
Kimochi, Inc.
Nihonmachi Street Fair, Inc.
People Organizing to Demand Environmental & Economic Rights
Samoan Community Development Center
Southeast Asia Resource Action Center
Veterans Equity Center
West Bay Pilipino Multi-Service Center
Wu Yee Children's Services
1 Individual

Opposition

None on file.

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