

Date of Hearing: April 7, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 716 (Low) – As Introduced February 25, 2015

SUBJECT: California State University: special sessions

SUMMARY: Defines "supplanting" for purposes of California State University (CSU) special sessions (extended education) to mean "reducing the number of state-supported course offerings while increasing the number of self-supporting versions of that course"; requires each campus to ensure any course required as a condition of state-supported undergraduate degree completion to be offered as a state-supported course; and, prohibits a campus from requiring a state-supported student to enroll in an extended education course in order to fulfill a graduation requirement.

EXISTING LAW:

- 1) Requires CSU to establish tuition/fees adequate to meet the cost of maintaining "special sessions" (extension courses/programs) and defines "special sessions" to mean self-supporting instructional programs conducted by CSU, including, but not be limited to, career enrichment and retraining programs; and,
- 2) Establishes Legislative intent that extension programs may be provided throughout the year, and shall not supplant regular course offerings available on a non self-supporting basis during the regular academic year.

FISCAL EFFECT: Unknown.

COMMENTS: *Background.* Under the CSU Extended and Continuing Education Program, campuses offer baccalaureate and graduate degree programs, certificates, and many forms of specialized education and training for business, industry, and government. While the composition of campus extended education programs varies considerably, most maintain common instructional elements, including allowing nonmatriculated students to enroll in courses, pay self-support fees and earn university academic credit. Many campus extended education programs are conducted during times when regular academic operations are recessed.

Concern over CSU use of extension. During California's budget crisis funding reductions to CSU resulted in fewer state-supported course offerings. CSU also increased extended education programming. Because demand for some state-supported courses exceeded availability, some students enrolled in extended education courses to meet graduation requirements. Financial aid programs generally do not cover the higher priced extended education costs, and concerns were raised about the impact of forcing matriculated CSU students to take extended education courses in order to graduate. These concerns led the Joint Legislative Audit Committee (JLAC) to request an audit of CSU's use of extended education programming.

Audit of CSU Extended Education. In December 2013, the Bureau of State Audits (BSA) released an audit report concerning extended education in CSU and the supplanting of state-supported courses. BSA found difficulty in determining the extent to which "supplanting" occurred due to lack of clarity in the term. The BSA audit considered two interpretations of

supplanting: (1) a campus could not require a student to enroll in a self-supported course as the only path to their degree; and, (2) the plain meaning definition of replacing a state-supported section with an extension section. In analyzing campus course data for fiscal years 2007-08 through 2011-12, BSA found potential instances of supplanting under both definitions. BSA recommended that the Legislature provide direction regarding the interpretation of supplanting, and provided several recommendations to the CSU Chancellor's Office regarding oversight and compliance of campus extension program activities.

CSU Executive Order (EO) 1099. In response to the BSA audit, the CSU Chancellor's Office (CO) established an Extended Education State Audit Task Force to develop a definition of supplanting and make recommendations. The Task Force included five campus presidents, four faculty members, two provosts, two extended education representatives, and two Office of the Chancellor representatives. The Task Force solicited comments/feedback from the CSU community, and has held meetings open to the public to discuss definition options. The final recommendations of the Task Force were presented to the Chancellor; on June 9, 2014, the Chancellor issued EO 1099 relating to extended education.

Supplanting courses and serving students. EO1099 expressly prohibits, consistent with current law, extended education programs from supplanting regular state-supported course offerings during the regular academic year; however, supplanting is not defined. This bill defines supplanting to mean reducing the *number* of state-supported *course offerings* while increasing the number of self-supporting versions of that course. In order to determine campus compliance with EO 1099 for the prior academic year, the CSU CO determined if at any campus there was a decrease in state-supported FTES served and an increase in state-supported students enrolled in extended education instruction. The CSU CO is working with campuses that reported an increase in state-supported students enrolled in extended education courses. This bill would expressly define supplanting in terms of the number of course offerings.

Requiring extended education for graduation. EO 1099 states, consistent with the requirement contained in this bill, that CSU campuses are prohibited from requiring a state-supported student to enroll in an extended education course in order to fulfill a graduation requirement. However, in both the EO and in this bill, it is undefined when and how it would be determined that a matriculated student was required to take an extended education course in order to meet graduation requirements. Committee staff understands that under the current CSU EO, a state-supported student is considered to have been required to enroll in an extended education course only if the student is actually required to enroll in an extended education course; however, the student may be unable to take the course because it is not offered or is full.

Prior legislation.

AB 2153 (Gray, 2014) and AB 2610 (Williams, 2014) would have establish a definition of "supplanting" for the purpose of CSU extension. AB 2153 was held in the Senate Education Committee and AB 2610 was held in the Senate Appropriations Committee.

AB 2427 (Butler, 2012), held in the Senate Appropriations Committee, would have required CSU to annually report to the Legislature on extended education and the CSU Trustees to publicly notice, hear, and approve any changes to special session fees.

SB 1011 (Calderon, 2010), which was held in the Senate, would have prohibited CSU summer session fees from exceeding the fees charged per credit unit for any other academic term, except for courses taken solely for the purpose of career enhancement or job retraining.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Faculty Association

Opposition

None on File

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