

Date of Hearing: June 19, 2012

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Marty Block, Chair
SB 1456 (Lowenthal) – As Amended: June 11, 2012

SENATE VOTE: 35-1

SUBJECT: Community colleges: Seymour-Campbell Student Success Act of 2012.

SUMMARY: Establishes new requirements to be met by low-income students in order to receive a Board of Governor's (BOG) fee waiver at the California Community Colleges (CCC), revises and recasts the Seymour-Campbell Matriculation Act of 1986 as the Seymour-Campbell Success Act of 2012, and establishes new requirements to be met in order for CCC districts to receive matriculation funds. Specifically, this bill:

- 1) Finds that the Student Success Task Force (SSTF), established pursuant to SB 1143 (Liu), Chapter 401, Statutes of 2010, issued 22 recommendations to improve CCC student outcomes—two of which are contained in this bill—and full scale-implementation of the SSTF recommendations will require greater state investment in student support services, more faculty, and increased support for part-time faculty.
- 2) Establishes new requirements to be met by students in order to be eligible for a waiver of the community college per unit fee BOG fee waiver, as follows:
 - a) Requires CCC students to meet academic and progress standards as defined by the BOG and to demonstrate financial need, as specified in order to be eligible for a BOG fee waiver.
 - b) Requires the BOG, in consultation with students, faculty, and other key stakeholders to develop policies for determination of the conditions outlined in (1) above and specifically directs that the BOG consider the following:
 - i) Minimum uniform academic performance and progress.
 - ii) Criteria for reviewing extenuating circumstances and granting appeals.
 - iii) A process for reestablishing fee waiver eligibility.
 - c) Requires the BOG to establish a reasonable phased-in implementation period for the policies outlined above to ensure that students are not unfairly impacted by the new requirements and to provide students with adequate notification of requirements and information about support services.
 - d) States legislative intent that academic and progress standards defined above be implemented only as campuses develop and implement the student support services and interventions necessary to ensure no disproportionate impact to students based on ethnicity, gender, or socioeconomic status.

- 3) Renames and revises the Seymour-Campbell Matriculation Act of 1986 as the Seymour-Campbell Student Success Act of 2012 and changes the requirements to be met in order to receive matriculation funds as follows:
 - a) Revises the declaration of the Legislature's intent to provide students with resources and support to establish informed educational goals, optimize student's success in completing their goals/studies, recognize the shared responsibility of the institution and student for success, and target state resources to provide critical student services and identify delivery mechanisms to reach a greater number of students.
 - b) Redefines matriculation services and the purposes of the Act to be:
 - i) Increased student access and success by providing orientation, assessment and placement, counseling and education planning and academic intervention services.
 - ii) Focus on entering students' transition into college with a priority toward serving students who enroll to earn degrees, career technical certificates, or transfer preparation or career advancement.
 - iii) Target state resources on core matriculation services critical to increasing student ability to reach their academic and career goals.
 - iv) Focus funding on core areas and leverage technology to more efficiently and effectively serve and provide a greater number of students with a solid foundation and opportunity for success in the community colleges.
 - c) Establishes the institution's responsibility to include the provision of student services to support their academic success and ability to achieve their educational goals and to include, but not be limited to:
 - i) Orientation services, as specified.
 - ii) Administration of assessments, as specified.
 - iii) Counseling and education planning services, as specified.
 - d) Expands the responsibilities to be met by students to include, but not be limited to:
 - i) Declaration of a course of study after a specified time period or unit accumulation, as defined by the BOG.
 - ii) Maintenance of academic progress toward an educational goal and course of study as identified in the student's education plan.
 - e) Requires that funding for the Student Success and Support program to be targeted to fully implement orientation, assessment, counseling and advising, and other education planning services, and to assist students in making informed decisions about educational goals, courses of study and the development of an education plan.

- f) Requires that districts and colleges use a system of common assessment, as defined, once adopted by the BOG, and authorizes districts and colleges to use supplemental measures for course placement.
- g) Using accountability metrics, as specified, requires participating districts to evaluate the effectiveness of their programs and services in helping students:
 - i) Define goals and declare courses of study.
 - ii) Assess student needs and valid course placement.
 - iii) Support successful completion of degree certificate or transfer objectives.
- h) Requires the BOG, in consultation with students, faculty, student services administrators, and other key stakeholders, to establish policies and processes (to be phased in over a reasonable period of time as determined by the BOG and in consideration of the resources available to provide core services to ensure students are not unfairly impacted by these requirements) for:
 - i) Requiring all nonexempt students to complete orientation and assessment and to develop education plans.
 - ii) Exempting students from participation in orientation, assessment, or required education planning services.
 - iii) Requiring districts to adopt a student appeal process.
- i) Requires the BOG to develop a formula for allocating Student Success Act funds that considers, among other things, the number of students who receive orientation assessment, counseling and advising, and other education planning services.
- j) Requires that a district that receives matriculation funds agree to implement these provisions, common assessment and the accountability scorecard.
- k) Authorizes the BOG to identify other non-instructional support services that can be funded under matriculation, if a district is able to fully implement in person or technology strategies for orientation, assessment, and education planning services.
- l) Requires the BOG to require participating colleges to develop a Student Success and Support Program plan that reflects, among other things:
 - i) A description of the college's process to identify students at risk for academic or progress probation and the plan for student interventions or services.
 - ii) Coordination with college student equity plan to ensure identification of strategies to monitor and address equity issues and mitigate any disproportional impacts on student access and achievement.

- iii) The extent to which the CCC is able to develop partnerships with feeder high school districts, workforce agencies, and other community partners to assist entering students in career and educational exploration and planning and leverage resources to support a successful transition to college and career.
- m) Makes the matriculation provisions of the bill operative, beginning in 2012-13, contingent upon the specific appropriation of funds for these purposes.
- n) Repeals the requirements that the CCC maintain career resource and placement centers, programs to instruct staff/faculty on performance of matriculation services, orientation programs, as specified, and publicity programs.
- o) Requires the LAO to review and report to the Legislature by July 1, 2014, as specified.

EXISTING LAW:

- 1) Requires the BOG to charge each student a \$46 per unit per semester fee effective with the summer term of 2012, except for students enrolled in noncredit courses, California State University, and University of California students enrolled in remedial courses offered by the CCC, and students enrolled in credit contract education courses where the full cost of the course is paid by the contracting entity. Current law also authorizes an exemption from these fees for special part-time students.
- 2) Existing law (Education Code § 76300) also requires a waiver of these fees for students meeting specified criteria, including:
 - a) Students who meet specified income requirements;
 - b) Students who are the dependent or surviving spouse of a National Guard member who die or was disabled as a result of their service;
 - c) The surviving spouse or child of a deceased law enforcement or fire suppression personnel, as specified; or,
 - d) The dependent of an individual killed on September 11, 2001, as specified.
- 3) Existing law requires that the colleges make available a variety of “matriculation services” to students in order to ensure that students receive educational services necessary to optimize their opportunities for success. Matriculation requirements are only operative if funds are specifically appropriated for these purposes. (EC § 78210-78219)

FISCAL EFFECT: The Senate Appropriations Committee determined the following costs:

- 1) BOG fee waiver mandate: Potentially significant costs to expand CCC administrative duties under the BOG fee waiver program. The BOG fee waiver program is an existing reimbursable state mandate on CCCs, and this bill would expand the administrative activities related to that \$21 million mandate.

- 2) Matriculation/Student Success changes: Unlikely to result in direct state costs. The imposition of additional requirements for students to receive BOG waivers may result in General Fund savings if the total number of BOG fee waivers issued is reduced.

COMMENTS: Background. CCC is the educational gateway for 2.6 million students, representing nearly 25% of the nation's community college student population. However, students are rapidly losing access as course offerings have been reduced due to budget cuts, and numerous studies have noted that a significant percentage of students who are able to enroll in courses do not complete in a timely fashion.

According to the report, "Divided We Fail: Improving Completion & Closing Racial Gaps in California's Community Colleges" by the Institute for Higher Education Leadership and Policy, 70% of Latino first-time freshmen that enroll in a California public college or university begin at a CCC. Only two in ten of these students complete a certificate, associate's degree, or transfer after six years, compared to 37% of white students. Two thirds of African-American students who go to a public college in California choose to start at a CCC. Once there, only 25% earns a certificate, associate degree, or transfers after six years.

CCC Student Success Task Force (SSFT). These poor student success rates led to the enactment of SB 1143 of 2010, requiring the BOG to convene a task force of stakeholders to make recommendations to the Legislature to improve CCC student success. The SSTF was comprised of 20 individuals (CCC chief executive officers, faculty, students, researchers, staff and external stake holders) who spent a year researching, studying and debating the best methods to improve student outcomes at the CCC.

According to the SSTF report, which was unanimously adopted by the BOG in January 2012, it was their goal to identify best practices for promoting student success and to develop statewide strategies to take these approaches to scale while ensuring that educational opportunity for historically underrepresented students would not just be maintained but bolstered. The report noted that while a number of disturbing statistics around student completion reflect the challenges faced by the students they serve, they also clearly demonstrate the need for the system to recommit to finding new and better ways to serve its students.

The SSTF efforts resulted in 22 specific recommendations and the report, per the requirements of the legislation, was presented to the Legislature at a joint informational hearing of the Assembly Higher Education Committee and the Senate Education Committee in February 2012. Implementation of these recommendations will be accomplished through regulatory changes, system-wide administrative policies, local best practices and legislation.

Similar study/findings. In February 2012, the Little Hoover Commission issued a report, "Serving Students, Serving California: Updating the California Community Colleges to Meet Evolving Demands," which noted that its findings and conclusions were consistent with many of the findings of the SSTF. Similar to this bill, the report called for, among other things, the implementation of a student success scorecard, establishing additional criteria for BOG fee waivers, and strengthening of support for entering students.

Need for this bill. This bill contains statutory changes necessary for implementation of some of the recommendations of the SSTF, specifically, repurposing existing Matriculation Program

funding for core matriculations services such as orientation, assessment and placement, and counseling and education planning.

Substantive author's amendments. Numerous concerns were raised by faculty and others that the provisions of this bill would limit access for low-income students, should require a broad consultative process, that uniform policies be implemented across districts and only as support services are provided, and that the effect on students be monitored. To address these issues, the bill has been amended to do the following:

- 1) Remove language eliminating eligibility for the BOG fee waiver when a student reached a maximum unit cap.
- 2) Clarify that all policies related to the BOG fee waiver eligibility shall be developed and adopted in consultation with students, faculty, and other key stakeholders.
- 3) Ensure that these policies will include consideration of uniform academic performance and progress standards, criteria for review of extenuating circumstances and granting of appeals, and a process for reestablishing fee waiver eligibility.
- 4) Require the BOG to establish a reasonable and phased-in implementation period, to provide students adequate notification of the academic progress requirements and information about available support services.
- 5) Direct the BOG to phase in these policies as resources are available to provide students with the core services outlined in matriculation (orientation, assessment and placement, counseling and education planning, and academic interventions).
- 6) Require campuses, as a condition of receiving matriculation funds, to include in their plan a description of their practices for identifying students at risk for academic or progress probation, and the college's plan for intervention services to these students
- 7) Require coordination with college student equity plans to identify strategies for monitoring and addressing equity issues and mitigating any disproportionate impacts on student access and achievement.

Implementation of student provisions conditioned on support services. This bill requires students to meet academic and progress standards to be eligible for the BOG fee waiver and to complete orientation and assessment and to develop education plans. According to information provided by the Chancellor's office, several other financial aid programs establish academic and progress standards to be met in order to continue to receive grants/services including Extended Opportunity Programs and Services, Cal Grants, and Pell Grants. To ensure students receive the guidance and support they need to meet these academic standards and to meet the orientation, assessment, and education plan requirements, this bill requires these provisions be implemented only as campuses develop and implement the student support services and interventions necessary for students to successfully meet these requirements and to ensure no disproportionate impact to students based on ethnicity, gender, or socio-economic status.

Author's amendments. The author has agreed to accept the following amendments to address some of the concerns raised by faculty, disabled students, and career technical education advocates:

- 1) Page 3, line 35: success. In enacting this measure, the Legislature acknowledges the commitment of the Board of Governors of the California Community Colleges to, through its regular budget process, evaluate resource needs and seek funding for essential educational priorities that contribute to student success, which include but are not limited to by investing in counselors, advisors, and technology tools needed to assist students; increasing categorical funding for student support services; hiring more full-time faculty; and increasing support for part-time faculty.
- 2) Page 5, line 36: (3) It is the intent of the Legislature that academic and progress standards defined pursuant to paragraph (1) be implemented only as campuses develop and implement the student support services and interventions necessary to ensure no disproportionate impact to students based on ethnicity, gender, disability, or socioeconomic status.
- 3) Page 16, line 12: (3) The impacts of the Seymour-Campbell Student Success Act of 2012 on student participation, progress, and completion, disaggregated by ethnicity, age, gender, disability, and socioeconomic status.
- 4) Page 10, line 24: (iv) Development of an education plan leading to a course of study and guidance on course selection that is informed by and related to a student's academic and career goals.
- 5) Page 11, line 6: but are not limited to, the identification of ~~an educational~~ the academic and career goal
- 6) Page 13, line 12: (1) Helping students to define their ~~educational~~ academic and career goals and declare a course of study.

Related legislation. AB 1741 (Fong), pending in the Senate, would require the BOG to develop a plan to support the goals of SB 1456 and the following priorities: increasing the ratio of counselors to students; increasing funding for categorical programs that provide student support services; increasing the percentage of hours of credit instruction that are taught by full-time instructors consistent with existing law that sets a goal of 75:25 full-time to part-time faculty; and expanding part-time faculty office hours consistent with student needs. SB 1062 (Liu), to be heard by this Committee on June 19, 2012, would implement a SSFT recommendation to strengthen the Chancellor's office to provide greater oversight and accountability of efforts to increase student success.

REGISTERED SUPPORT / OPPOSITION:

Support

Academic Senate for California Community Colleges
Accrediting Commission for Community Colleges, Western Association of Schools and Colleges
Advancement Project
Association of Independent California Colleges and Universities

AVID

Alliance for a Better Community
Association of California Community College Administrators
Bay Area Council
Barrio Logan College Institute
Beverly Hills Picture Framing, Inc.
Board of Governors of the California Community Colleges
California Association of Sheet Metal and Air Conditioning Contractors' National Association
California Catholic Conference
California Communities United Institute
California Competes: Higher Education for a Strong Economy
California Manufacturers and Technology Association
California State Student Association
California State University
Californians for Justice Education Fund
Campaign for College Opportunity
College of the Canyons, Santa Clarita
College OPTIONS
Community College League of California
EARN
Education Trust-West
Families in Schools
Fresno State Associated Students, Inc.
Girls Incorporated of Orange County
Greater Long Beach Interfaith Community Organization
Greater Sacramento Urban League
Greenlining Institute
Hispanas Organized for Political Equality
Hispanic Foundation of Silicon Valley
Hispanic Scholarship Fund
Inland Empire Economic Partnership
InnerCity Struggle
Daniel Katz, Director of Development at One Voice
Kern Community College District
Little Hoover Commission
Long Beach Community College District
Los Angeles Chamber of Commerce
Los Angeles Community College District
Los Rios Community College Districts
Mexican American Legal Defense and Educational Fund
Melinda Nish, Ed.D., Superintendent/President of Southwestern Community College District
North Bay Leadership Council
Orange County Business Council
Alex Pader, Past President, Student Senate for California Community Colleges
Parent Institute for Quality Education
Progressive Christians Uniting
Project GRAD Log Angeles
Public Advocates Inc.
Regional Economic Association Leaders Coalition

San Bernardino Community College District
San Diego Community College District
San Diego Regional Chamber of Commerce
San Diego Regional Economic Development Corporation
San Francisco Chamber of Commerce
San Gabriel Valley Economic Partnership
San Jose Silicon Valley Chamber of Commerce
Shasta-Tehama-Trinity Joint Community College District
Silicon Valley Leadership Group
Southern California College Access Network
Stanislaus County Office of Education
State Building and Construction Trades Council
State Center Community College District
Valley Industry and Commerce Association
Violence Prevention Coalition of Greater Los Angeles
Women's Foundation of California
Youth Policy Institute
2 Individuals

Opposition

California Teachers Association's Community College Association

Analysis Prepared by: Sandra Fried / HIGHER ED. / (916) 319-3960