

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2973 (Committee on Higher Education) – As Introduced March 21, 2022

SUBJECT: Postsecondary education: omnibus bill

SUMMARY: This 2022 Committee omnibus bill makes several changes to the Education Code (EDC). Specifically, **this bill**:

- 1) Provides that the community colleges (CCC) may offer instruction beyond the 2nd year of college as authorized by law, would revise the mission of the community colleges to the provision of instruction and additional learning supports to close learning gaps for those in need of it, and would include the provision of student support services to facilitate academic success and achievement; additionally changes the term “remedial” to “pretransfer” and the term “basic skills” to “foundational skills” and would make nonsubstantive and conforming changes to these provisions.
- 2) Includes the Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021 in the list of specified categories of beneficiaries under the federal GI Bill, thus exempting a student enrolled at a campus of the CCC or the California State University (CSU) from paying nonresident tuition or any other fee that exclusively applies to nonresident students.
- 3) Includes “California State Polytechnic University, Humboldt” in the list of names of various campuses of the California State University that are the property of the state.
- 4) Authorizes a decision to end additional admission criteria for an impacted CSU program or campus to be implemented without following community notice and consultation requirements, as specified, provided that the decision is published on the campus internet website, distributed to community officials and local high schools, and submitted to the Chancellor of the CSU for approval.
- 5) Delays, by three months, the date that the CCC Chancellor’s Office must provide the specified nursing report to the Legislature and Governor.

EXISTING LAW:

- 1) Establishes the CCC, under the administration of the Board of Governors (BOG) of the CCC, the CSU, under the administration of the Board of Trustees (BOT) of the CSU, and the University of California (UC), under the administration of the Regents of the UC, as the three segments of public postsecondary education in this state.
- 2) Existing law sets forth the missions and functions of California’s public and independent segments of higher education, and details the ways in which their respective institutions are to be differentiated. Existing law specifies that community colleges shall only offer instruction through, but not beyond, the 2nd year of college, and includes in the mission of the community colleges the provision of remedial instruction for those in need of it.

- 3) Effective for academic terms beginning after August 1, 2021, existing law exempts a student enrolled at a campus of the California Community Colleges or the California State University from paying nonresident tuition or any other fee that exclusively applies to nonresident students if the student resides in California, meets the definition of “covered individual” under federal law, and is eligible for education benefits under three specified categories of beneficiaries under the federal GI Bill, as the federal law read on January 5, 2021.
- 4) Provides that the name “California State University” and the names of various campuses of the CSU, and abbreviations of those names, are the property of the state, and prohibits the use of any of these names without the permission of the BOT; a violation of this provision is punishable as a misdemeanor.
- 5) Requires the CSU BOT to ensure that a change in the criteria for admission to a campus of the university complies with specified community notice and consultation requirements, and requires that these community notice and consultation requirements apply to determinations regarding impact of majors.
- 6) Authorizes the BOG of the CCC may award grants to community college districts with associate degree nursing programs to expand enrollment, reduce program attrition, or both. In order to qualify for these funds, a community college associate degree nursing program must do either of the following:
 - a) Have a program attrition rate, as determined by the Board of Registered Nursing’s Annual School Report or the Information Program Data System of the Chancellor’s Office of the California Community Colleges, of 15 percent or less for the year prior to before application for funding.
 - b) Commit to implement a comprehensive program of diagnostic assessment, prenursing enrollment preparation, and program-based support to enrolled students, as defined in this article.
- 7) Requires the CCC chancellor’s office to compile and provide information pursuant to 6) above and report to the Legislature and the Governor by March 1 of each year.

FISCAL EFFECT: Unknown.

COMMENTS: *Omnibus bill.* This measure is the 2022 Committee omnibus bill, which seeks to provide various and necessary changes to the EDC.

Rationale for inclusion in the omnibus bill. This omnibus measure makes several changes to the EDC, below is the rationale for why each change is included:

- 1) *Changes to the CCC Mission.* Language in Section One of AB 2973 captures the present-day role of CCC campuses and districts providing education beyond the second year of college, such as with baccalaureate degree programs established under SB 850 (Block), Chapter 747, Statutes of 2014, and made permanent by AB 927 (Medina), Chapter 565, Statutes of 2021. Language also clarifies that CCCs are required to close learning gaps through concurrent supports, and makes technical and clarifying changes consistent with current law.

- 2) *Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021*. Federal law, the Colonel John M. McHugh Tuition Fairness for Survivors Act of 2021, requires that states exempt students using the Dependents' Educational Assistance Program from paying out-of-state tuition. This requirement goes into effect for terms beginning on or after August 1, 2022, and requires adding the Dependents' Educational Assistance Program to the list of benefits that provide the Non-Resident Tuition Fee Waiver in California.
- 3) *California State Polytechnic University, Humboldt*. The CSU BOT approved Humboldt State University's proposal on January 26, 2022 to become the first polytechnic university in Northern California and the third in the 23-campus system, renaming the campus officially to California State Polytechnic University, Humboldt. The language in Section 12 of AB 2973 codifies this change.
- 4) *Ending impactation at CSU campuses*. Current law, established in AB 2402 (Block) Chapter 262, Statutes of 2010, requires a comprehensive process, including three public hearings, to make any change in impactation designation. This includes changes to discontinue impactation of formerly impacted campuses and programs. Language in Section 13 would permit impactation to end without following community notice and consultation requirements, provided that the decision is published on the campus internet website, distributed to community officials and local high schools, and submitted to the Chancellor of the CSU for approval.
- 5) *Change in nursing reporting date*. Language in Section 8 of AB 2973 changes the nursing date reporting requirement from March 1 to July 1 to better align the timeframe when the CCC Chancellor's Office (CCCCO) receives data from the Board of Registered Nursing. The CCCCCO indicated that it has been a challenge for them to meet the report deadline because they do not receive the necessary data until months after the statutory due date.

REGISTERED SUPPORT / OPPOSITION:**Support**

None on file

Opposition

None on file

Analysis Prepared by: Kevin J. Powers / HIGHER ED. / (916) 319-3960