

Date of Hearing: April 5, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1764 (Medina) – As Amended March 28, 2022

SUBJECT: Public postsecondary education: student housing: survey

SUMMARY: Establishes a reporting requirement for the California Community Colleges (CCC) and the California State University (CSU) and requests the University of California (UC) to collect data on student housing insecurities at each of their respective campuses, and removes the requirement for residential student housing plans to be approved by the Department of General Services' (DGS) Division of the State Architect (DSA). Specifically, **this bill:**

- 1) Requires CCC Chancellor's Office (CCCCO) and the Office of the Chancellor of the CSU and request the Office of the President of the UC to collect data on student housing insecurities at each of their campuses.
- 2) Designates the data to be collected in (1) as the following:
 - a) The number of students who receive housing assistance for on-campus or off-campus housing disaggregated by gender, ethnicity, the percentage of students who have dependents, the percentage of students who are first-generation college students, the percentage of students who are current or former foster youth, the percentage of students with disabilities as identified by the campus, and the percentage of students who are current or former foster youth, and the percentage of students who identify as LGBTQI+;
 - b) The number of students who live on-campus and the number of available beds on campus;
 - c) The average cost of renting a two-bed dorm room and a two-bedroom apartment on campus;
 - d) The average cost of renting a two-bedroom apartment in the city or county where the campus is located, if the information is available.
- 3) Permits the department or center on campus tasked with providing on-campus and off-campus housing assistance to students to be tasked with collecting housing data as established in (1) and (2).
- 4) Requires the CCCCCO and the Office of the Chancellor of the CSU and request the Office of the President of the UC to submit to the Legislative Analyst's Office (LAO) and the Legislature on the following dates: October 15, 2023, October 15, 2025, and October 15, 2027, one report per system of the campus data collected pursuant to (2).
- 5) Upon receipt, the LAO will distribute the data to the appropriate state departments and agencies, including but not limited to, the Department of Finance, the Department of Housing and Community Development, and the DSA.
- 6) Clarifies it is the intention of the Legislature the data collected pursuant to (2) and reported pursuant to (4) will be used to improve state policy decisions on state housing, to identify

campuses and segments with the greatest barriers to student housing, and to prioritize state funding designated for student housing to the campuses with the greatest need.

- 7) Deletes the data collection requirement established in (1) and the reporting requirement established in (4) on January 1, 2028.
- 8) Defines “current and former foster youth” to mean a person in the state whose dependency is established or continued by a court, as defined, on or after the person’s 13th birthday or who is older than 25 years of age at the commencement of the academic year.
- 9) Defines “current and former homeless youth” as a student under the age of 25 who has been verified at any time during the 24 months immediately preceding the recipient of the youth’s application for admission by a campus as a homeless child or youth as defined by the federal McKinney-Vento Homeless Assistance Act, by at least one of the following: a homeless services provider, as defined, the director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a financial aid administrator.
- 10) Amends existing statute in Education Code and Government Code statute to include student housing at a community college district as part of the residential housing on a community college campus whose plans and specifications are exempt from seeking the approval of the DGS DSA.
- 11) Permits DGS to approve plans and specifications for student housing if the community college requests approval, pursuant to Education Code Sections 81130 and 81160 and Government Code Section 4454.

EXISTING LAW:

- 1) Determines by July 1, 2022 the Office of the Chancellor of the CSU will and requests the Office of the President of the UC to do the following: (1) conduct a needs assessment to determine the project of student housing needs over the course of five academic years, taking into account the projected enrollment growth and goals of the institutions to close the degree achievement gaps, and (2) based on their findings create a student housing plan focused on affordable housing to meet the determined housing need by campus. Requires the Office of the Chancellor of the CSU and requests the Office of the President of the UC to by July 1, 2022 and every three years thereafter, to review and update their student housing plan and include the specific actions to be taken in the next five fiscal years (Education Code (EDC) Section 66220).
- 2) Establishes basic needs centers, as specified, and basic needs coordinators on CCC campuses by July 1, 2022 to support students in finding resources to alleviate their basic needs including food and housing insecurities. Requires CCC campuses by February 1, 2022 to provide a streamline application and intake process for on-campus basic needs services, to develop and implement a plan to identify and provide outreach to student in need of basic needs services, and to provide a basic needs tab on their website which will convey the basic need resources available on-campus and off-campus. Requires CCC campuses to report to the office of the CCCCCO data on basic needs services and the number of students who are served. This report shall be made available to the Legislature every year beginning on May 1, 2023 (EDC Section 66023.5).

- 3) Determines it is the intent of the Legislature that affordable housing is provided to students who attend a campus of the CSU and that priority for construction of affordable housing will be given to campuses without housing and with a large proportion of the student population (EDC Section 90085).
- 4) Stipulates the CSU Board of Trustees will develop a five-year priority list of housing needs at each campuses taking into account the impact students have the local pool of affordable housing for senior citizens and other low-income individuals (EDC Section 90089).
- 5) Requires the CSU to provide priority housing opportunities to current and former foster youth and current and former homeless youth, as defined and to permit current and former foster youth and current and former homeless youth to remain in on-campus housing on a year round basis if the housing is available. Requests the CSU to develop a plan to ensure access to housing resources year round for current and former foster youth and current and former homeless youth (EDC Section 90001.5).
- 6) Establishes the Higher Education Student Housing Grant Program, to provide one-time grants for the construction of student housing or for the acquisition and renovation of commercial properties into student housing for the purpose of providing affordable, low-cost housing options for student enrolled in public postsecondary education in the state. Establishes requirements, as defined, for the approval of grants to campuses, the types of construction projects required for the grants approval, as defined, and requires the grants to be divided amongst the segment: 50% for the CCC, 30% to the CSU, and 20% to the UC (EDC Code 17201).
- 7) Requires the UC, upon approval of the Regents of the UC, to provide priority housing opportunities to current and former foster youth and current and former homeless youth, as defined and to permit current and former foster youth and current and former homeless youth to remain in on-campus housing on a year-round basis if the housing is available. Requests the UC to develop a plan to ensure access to housing resources year round for current and former foster youth and current and former homeless youth (EDC Section 92660).
- 8) Requires the CCC on campuses with housing, to provide priority housing opportunities to current and former foster youth and current and former homeless youth, as defined and to permit current and former foster youth and current and former homeless youth to remain in on-campus housing on a year round basis if the housing is available. Requests the CCC to develop a plan to ensure access to housing resources year round for current and former foster youth and current and former homeless youth (EDC Section 76010).
- 9) Authorizes DGS, under the police power of the state, to supervise the design and construction of any school building or the reconstruction or alteration of, or addition to, any school building, unless exempted under Section 81133, to ensure the plan and specifications comply with specified rules and regulations, and the building standards published in Title 24 of the California Code of Regulations, and to ensure that the work of construction has been performed in accordance with approved plans and specifications for the protection of life and property (EDC Section 81130).
- 10) Defines a “school building” as any building designed for a community college purpose and constructed by the state, by any city, county, or city and county, by any district of any kind within the state, by any regional occupation center or program, or by any program created by

or authorized by an agreement under joint exercise of power, or by the United States government, or any agency thereof (EDC Section 81050).

11) Exempts residential housing from the types of building from the requirement of receiving approval of their architectural plans from the DGS DSA.

a) Defines residential housing including any building used as a personal residence by a teacher or employee of a community college district, as defined (EDC 81050.5).

12) Prohibits contracts to be awarded for the construction of elementary schools, secondary schools, or community college buildings and facilities until the DGS has written approval stating that the plans and specifications comply with the intent of specified provision in the Government Code, when funds from state, county, municipalities, or other political subdivision are used (Government Code Section 4454).

FISCAL EFFECT: Unknown

COMMENTS: *Need for the measure.* According to the author, “the severity of the housing crisis in California is undisputable—with rising rents, unaffordable homes, and increasing homelessness across the state. As Californians struggle to afford the cost of living, students remain an overlooked group, who already struggle to afford basic needs in addition to the cost of tuition. This issue is compounded by the lack of systemwide information and barriers to building student housing. AB 1764 is a timely solution that ensures that the state has comprehensive data on student housing and designs solutions that truly help those facing housing insecurity. Moreover, it streamlines the construction of student housing at community colleges. As long as units comply with local building codes, it is unnecessary to require delayed approval for residential units, therefore enabling more students to access affordable housing.”

The need for student housing. According to the 2021 Public Policy Institute of California (PPIC) report, “Keeping College Affordable for California Students”, living expenses, housing, books, and food expenses have outpriced the cost of tuition. The report found that housing expenses are now the largest cost associated with attending college and is a barrier preventing many students from seeking higher education. In October 2019, the PPIC reported in “Making College Affordable”, on-campus housing at the UC made up 45% of the total cost of attendance and at the CSU, housing costs made up 53% of the total cost of attendance. In November of 2021, the Assembly Budget Subcommittee on Educational Finance (Budget Sub 2) held an informational hearing on “California Student Housing: Solutions for Improving Capacity and Affordability”. The agenda established the need for additional housing near or on campus with the following data points: 1 in 20 students at the UC, 1 in 10 students at the CSU, and 1 in 5 students at CCC reported experiencing homeless at some point during the academic year. In 2019, the California Student Aid Commission (CSAC) published the results of the Student Expenses and Resources Survey (SEARS), which found 35% of students experienced one or more conditions of housing insecurity and established a correlation between housing insecurity and lower completion, persistence, and credit attainment.

Availability of housing. All three public higher education systems offer some form of housing. Unlike their CSU and UC counterparts who offer housing to students on every campus, only 12 of the 116 community colleges operate housing either on campus or have agreements with residential housing communities to offer housing to students near the CCC campus. The 2020/21 CSU campus operated housing program is currently projected to provide a total of 50,166 beds

and 1,293 units. According to the November 2021 Budget Sub 2 agenda, the current bed capacity at the UC is 106,226 and the bed capacity at the CCC is 2,368.

Budget allocations for student housing. While housing has not been a topic associated with higher education funding, in recent years with the rise of awareness of student basic needs, the State Budget has included various allocations to build capacity and ensure affordable housing is available for students. In the 2019 Budget Act, the Legislature provided \$3.5 million to the UC, \$6.5 million to the CSU, and \$9 million to the CCC to establish rapid rehousing programs to aid homeless or housing-insecure students. The purpose of the housing program was to provide wrap-around housing services and to pay for emergency housing for students.

In July 2021, per the reporting requirement established in the 2019 Budget Act, the CSU reported having served 1,127 students between July 1, 2020, and May 14, 2021, across seven campuses with the funds they received for their rapid rehousing programs. The UC reported, in their statutory report, serving 2,754 housing insecure students across the UC system during the 2020-2021 academic year. At the time of publication for this analysis, the CCC had yet to publish the report as required by the 2019 Budget Act.

In the 2021 Budget Act, \$500 million was provided for the 2021-2022 fiscal year and \$4 billion over three years for the purpose of constructing new student housing or renovating commercial properties into student housing.

Field Act. The Field Act (Act) which was signed in April 1933, was established to prevent physical harm to school children. The Act was in response to the 1933 Long Beach earthquake which resulted in 120 fatalities and destroyed or rendered unsafe 230 school buildings. Since its inception, the Act has been heralded by the Seismic Safety Commission as one of the most effective tools at mitigating the risk associated with earthquakes in California; however the act only applies to school facilities including facilities located on a CCC campus. According to the Seismic Safety Commission, the Act is to protect children and staff from death and injury in public schools grades K-14 and to protect public investment in school buildings during and after an earthquake. The many requirements established by the Act include having the architectural designs of any building on campus approved by the DGS DSA. Under current state law, the CCC is the only public higher education segment subject to the Act. Both the CSU and the UC are subject to local ordinances regarding seismic activity and have their own policies; however, they are not nor have they ever been subject to the Act. Current state law places an additional regulatory barrier for CCC housing projects that do not exist for CSU or UC projects.

Arguments in support. As a proponent of AB 1764, the Faculty Association of California Community Colleges highlights that “according to the Hope Center’s California Community Colleges #RealCollege Survey, 60 percent of survey respondents experienced housing insecurity and 19 percent experienced homelessness in the past year. While community colleges have historically been overlooked in conversations about student housing, the tide is beginning to turn. This bill would support community college students by tracking housing insecurity and making it easier for community colleges to build more housing for their students.”

Committee comments. Current Education Code requires the CSU and requests the UC by July 1, 2022, to conduct an assessment of the need for student housing and to develop a plan to address these needs. However, at this time there is no systemwide survey to determine the need for student housing at the CCC nor is there a requirement for data to be collected across all three segments as to the use of existing on-campus resources to address student housing insecurities.

AB 1764 seeks to remedy this oversight to ensure data is collected as to the use of housing resources to meet student housing needs and to remove existing regulatory barriers which may defer or delay housing projects at the California community colleges.

Previous legislation.

- 1) AB 1377 (McCarty), Chapter 571, Statutes of 2021, requires the CSU and requests the UC by July 1, 2022, to conduct a student housing assessment, by campus and create a student housing plan outlining how they will meet their projected student housing needs.
- 2) AB 306 (O'Donnell), Chapter 45, Statutes of 2021, exempts school district and community college district employee housing architectural plans from the requirement to receive approval from the Department of General Services' (DGS) Division of State Architect (DSA).
- 3) AB 161 (Ting), Chapter 43, Statutes of 2021, among other things, allocated \$500 million in one-time funds for affordable housing projects at the UC, CSU, and the CCC.
- 4) AB 128 (Ting), Chapter 128, Statutes of 2021, among other things, allocated \$4 billion in one-time funds for affordable housing projects for the UC, CSU, and the CCC.
- 5) AB 132 (Ting), Chapter 144, Statutes of 2021, among other things, allocated \$100 million to the CCC for the purpose of providing student basic needs to students including the provision of secure and stable housing to homeless and housing-insecure students.
- 6) AB 48 (O'Donnell), Chapter 530, Statutes of 2019, authorized \$15 billion for the construction and modernization of public preschool, K-12, CCC, CSU, and UC facilities to be placed on the March 3, 2020 primary ballot. The bill provisions included a requirement that the CSU and the UC conduct a five-year affordable student housing plan for each campus. AB 48 or Proposition 13 was rejected by voters with a 45% to 54% margin against the proposition.

REGISTERED SUPPORT / OPPOSITION:

Support

Antelope Valley Community College District
California Federation of Teachers AFL-CIO
Faculty Association of California Community Colleges
Lake Tahoe Community College District
Riverside Community College District
San Diego Community College District
Yuba Community College District

Opposition

None on file.

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