

Date of Hearing: March 15, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1736 (Choi) – As Introduced January 31, 2022

SUBJECT: Community colleges: student government

SUMMARY: Expands the eligibility pool of students who may serve as an elected officer in the student government of a community college, to include students enrolled in 25 clock hours per semester and disabled students. Specifically, **this bill:**

- 1) Clarifies a student is eligible to serve as an officer in the student government of a community college if the student meets any one of the following requirements:
 - a) Is enrolled in the community college at the time of the election and throughout the student's term is enrolled in a minimum of five semester units or the equivalent quarter units. The student shall meet and maintain the minimum standards of scholarship required of students enrolled in the CCC district;
 - b) Is enrolled in the community college at the time of the election and throughout the student's term is enrolled in a minimum of 25 clock hours per semester or the equivalent quarter clock hours; or,
 - c) Is enrolled in the community college at the time of the election, maintains enrollment throughout the student's term, and is considered a disabled student as defined in subdivision (b) of Section 84850.

EXISTING LAW:

- 1) Permits a governing board of a California Community College (CCC) district to authorize the creation of a student body association, whose purpose is to encourage students to participate in the governance of the college and may conduct activities including fundraising activities if approved by the college officials. Permits the association to use the CCC properties without charge, as specified. Clarifies if a local governing board determines the need for additional student body associations for specified circumstances that make having one student association impractical or inconvenient. Clarifies if a student body association and any staff hired to perform activities associated with the student body association will become a member of the classified staff within the district, as specified (Education Code (EDC) Section 76060).
- 2) Authorizes campus officials of a CCC with a student organization to collect a student representation fee of two dollars from students for the purpose of supporting governmental affairs representatives of local or statewide student body organizations who may state their positions and viewpoints before city, county and district governments or agencies of state governments. The funds shall be distributed to qualifying community colleges with qualifying student organizations, as specified. Authorizes one dollar of every two dollars collected as part of the student representation fee to be provided to support the operations of a statewide community college student organization recognized by the Board of Governors. The funds shall be distributed to the statewide community college student organization if the

organization meets specified requirements. Students have the right to refuse to pay the student representation fee. Meetings conducted by the statewide community organization are open to the public and shall comply with the requirements of the California Public Records Act, as defined. Establishes the goals of the statewide student organization to include, but not limited to: promote and enhance student opportunity for engaging in community college student issues and affairs and to support student participation and engagement in statewide higher education policy and advocacy activities (EDC Section 76060.5).

- 3) Places conditions on the type of student who is permitted to serve as an officer in the student government of a community college to students who are enrolled in at least five semester units or the equivalent quarter units at the community college at the time of the election and throughout the student's term. Further, requires students elected as officers in the student government on a campus to maintain minimum standards of scholarships as described by the community college district for students enrolled at the colleges within the district (EDC Section 76061).
- 4) Defines "disabled students" as people with exceptional need because of a verified disability who cannot fully benefit from classes, activities, or services provided by the college they have applied or been enrolled in without additional services or educational programs (EDC Section 84850 (b)).

FISCAL EFFECT: Unknown.

COMMENTS: *Need for the bill.* According to the author's office, "AB 1736 in addition to existing law, would allow a student to be elected to serve as an officer in the student government if they are enrolled with a minimum of 25 clock hours per semester or the equivalent quarter clock hours, or are a disabled student as defined. This will allow non-credit students along with students who have disabilities to participate fully in the student body association and have a voice in policy decisions that directly affect them".

Student government on CCC campuses. Since 1987, the governing board of each community college district have been endowed with the authority to organize student body associations on campuses within the district boundaries. Of the 116 community colleges housed within 73 district, CalBright is the only college without an active campus-based student body organization or association. The duties of a campus-based student organization are to engage in the governance of the campus including providing student membership for the governing board of the CCC district.

Established in 2006, the Student Senate for the California Community Colleges (SSCCC) operates in conjunction with local student body association to provide an avenue by which students can participate in the formation of state policies including governance and legislative advocacy. In 2013, the State Legislature codified and recognized the need for a statewide student organization to represent the then 2.4 million voices of student at the CCC. AB 1358 (Fong), Chapter 714, Statutes of 2013 established in code the statewide student organization for the CCC or the SSSCC and provided a funding mechanism to support the student organization. The governing board of the SSSCC is the Board of Directors whose membership includes executive officers, ten regional affairs directors, and ten regional legislative affairs directors. To adequately represent the voices of 116 diverse colleges, the SSSCC divides the state into ten regions each with a Region Delegate Assembly, comprised of one member from each of the campus student body organizations within the region. The Region Delegate Assembly of each of the ten regions

elects five Regional Officers to serve as the Region Executive Board, including the Regional Affairs Director and Legislative Affairs Director who serve on the SSSCC Board of Directors. Each spring a General Assembly of delegates (one representative from each of the 115 colleges chosen by the campus-based student government organizations) elect the executive officers to represent the SSSCC on the Board of Directors.

Qualifications to participate in student government. Regardless of the level of involvement, campus-based or state-wide, a student elected to represent the student body must adhere to the following qualifications: be enrolled at the community college they are elected to represent, be enrolled in at least five semester units or its quarter unit equivalent, and maintain the minimum standards of scholarship as set forth by the community college district. The minimum standards of scholarship may differ as the community college district sets the standard for all students; however, the general standard of maintaining academic excellent at a community college is a 2.0 grade point average in enrolled courses.

Additionally, since the Education Code sets the baseline standards, campus-based student body organizations or even the SSSCC can set additional standards for leadership positions beyond what is identified in Code. The SSSCC has requested that students elected to Region Executive Boards have additional qualifications including digital literacy and on-campus student leadership experience. The students who wish to be the President and Vice President of the Associated Students of Riverside City College (ASRCC) must meet the following additional requirements: pay their student fees, maintain a minimum of twelve units prior to running, and maintain six units during their elected term, have a minimum 2.5 grade point average prior to running and during their elected term, and have two semesters of student government experience within the ASRCC.

One of the unintended consequences of codifying qualifications is the disqualification of students whose voices are critical to representing the diversity of the CCC. Disabled students and non-credit students are underrepresented in the membership of campus-based and systemwide student representatives due to their inability to meet the minimal qualifications. In the spring of 2021, the SSSCC adopted a resolution acknowledging the requirements established in Education Code for student representation disproportionately disqualified disabled students and noncredit students from participating in student government organizations or as student trustees on the local governing board of the community college district. The resolution stipulated changes to the Education Code were required to provide equitable access. AB 1736 edits the current requirements for students leaders on campus to ensure all students regardless of the course they are enrolled in or their disability status are able to participate in student government opportunities on campus.

Arguments in support. GENup recognized the need for a change in Education Code, as “the current minimum unit requirement noted in California Education Code Section 76061 restricts students of all backgrounds from being a part of student body associations and/or running for student trustee positions, which is a vital aspect in crafting campus policy agreements that have the power to directly affect them. Passing AB 1736 will institute an important outlet for disabled students to speak for a historically marginalized community that is consistently underrepresented on college campuses.”

Committee comments. With 1.6 million students in attendance, the CCC is the largest and most diverse open access higher education system in the country. As President Obama stated in his

New Hampshire primary address in 2008, “nothing can stand in the way of the power of millions of voices calling for change”. With 1.6 million student voices, the SSCCC and campus-based student government organizations represent a powerful force of change for the betterment of higher education in California. However, not all those voices are equally heard due to lack of representation. As of fall 2021 disabled students, those who received assistance from disabled student programs and services, represented 4.66% of the CCC student population. In the same fall term, full-time equivalent non-credit students comprised 1.5% of the CCC student population. Thousands of student voices are being precluded from the governing and advocacy process due to qualifications established in the 1980s. AB 1736 seeks to expand the scope of equitable representation with additional options for a student to qualify for student government. AB 1736 provides disabled and non-credit students an alternative method of qualifying for student government. The hope of the author is to encourage participation in student government by these marginalized groups by removing barriers in the qualification process. AB 1736 does not remove the local authority, relegated to local governing boards of a community college district or the campus student government, to include additional requirements of beyond the minimal requirements established in the code.

AB 1736 proposes a minimal requirement of 25 clock hours per semester or the equivalent quarter clock hours for non-credit students; however “clock hours” is not a term relegated to non-credit courses. In the *Program and Course Approval Handbook*, by the CCC Chancellor’s Office, clock hours is defined by the 34 Code of Federal Regulations 668.8 (k)(2)(i)(A) and 668.8 (l) which is a formula by which credit is assigned to courses based on the hours in the classroom and hours required for work outside the classroom. Therefore, clock hours as referenced in AB 1736 refers to credit-bearing courses and not the intended student population who attends non-credit courses.

To ensure the language of the bill reflects the intention of the bill which is to provide non-credit and disabled students the ability to participate in student government, the Committee is suggesting and the Author has accepted the following amendments:

(b) The student shall be enrolled in ~~the community college at the time of election, and throughout the student’s term, with a minimum of 25 clock hours per semester, or the equivalent quarter clock hours.~~ an Adult Education Program, established pursuant to Article 9 (commencing with Section 84900) of Chapter 5 of Part 50 of Division 7 of Title 3, offered by a community college at the time of the election and throughout the student’s term.

REGISTERED SUPPORT / OPPOSITION:

Support

GENup (Co-Sponsor)

Student Senate for California Community Colleges (Sponsor)

Opposition

None on file.

Analysis Prepared by: Ellen Cesaretti-Monroy / HIGHER ED. / (916) 319-3960