

Date of Hearing: April 18, 2023

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 1543 (Mike Fong) – As Introduced February 17, 2023

**SUBJECT:** Community colleges: student representation fees

**SUMMARY:** Authorizes one dollar for every two dollars of the student representation fee collected from California Community College (CCC) students to be used for the operations of a local student body organization. Permits a student to opt to not pay a portion of the student representation fee or to opt out of the entire student representation fee. Specifically, **this bill:**

- 1) Requires a community college with a student body association that collects a student representation fee of two dollars to provide one dollar of the two dollar student representation fee for the purposes of establishing and supporting the operations of local student body organizations. Student body organizations present positions and viewpoints before city, county, district, and state governments and agencies.
- 2) Permits a student to opt out of paying either portion of the two dollar fee: either the one dollar portion of the student representation fee supporting the statewide student organization or the one dollar portion of the student representation fee supporting the local student body organizations.

**EXISTING LAW:**

- 1) Establishes the California Community Colleges (CCC) under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (Education Code (EDC) Section 70900).
- 2) Establishes that CCC districts are under the control of a board of trustees, known as the governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified (EDC Section 70902).
- 3) 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).
- 4) 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 are 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. Authorizes the funds collected to be held by the Chancellor's Office of the CCC if no qualifying statewide community college student organization is recognized or the funds will be returned to students if the organization does not exist (EDC Section 76060.5).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Need for the measure.* As delineated by the author, "Community college students currently pay a \$2 student representation fee to support the work of both a statewide and a campus-based student organization, with \$1 allocated to the statewide student association and \$1 allocated to the campus-based student body association. If a student does not wish to support either organization, they must opt out of the entire fee."

The author further explains, "students should have the opportunity to choose which organization they want their fee dollars to support. AB 1543 will provide students the choice to opt out of either \$1 portion of the student representation fee. This will provide students more choice and greater transparency around how their fee dollars are spent."

*Student government on CCC campuses.* Since 1987, the governing board of each community college district has been endowed with the authority to organize student body associations on campuses within its district boundaries. Every single community college has an active student body organization on campus. 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 associations 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 students at the CCC. AB 1358 (P. 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.

*Student representation fee.* In addition to authorizing the organization of a student body association at local CCC campuses, AB 2576 (Hayden), Chapter 1238, Statutes of 1987, also provided an avenue for the student body to be charged a student representation fee to provide

funding for the activities of the student body association at local CCC campuses. Originally, in order to charge a student representation fee, a student body would have to organize an election and receive an affirmative vote of 2/3 of the student population on the campus to begin charging the one dollar student representation fee. Once a student representation fee was established, students are afforded the option of not paying the fee by submitting a form depicting their desire to opt out of the fee for religious, political, financial, or moral reasons. The student representation fee is charged each semester, or quarter, depending upon the community college's academic schedule.

In 2013, the student representation fee was increased to two dollars and half of the fee was allocated to the operations of a statewide community college student organization or the SSCCC. However, the fees allocated to the statewide community college organization were only from student representation fees adopted after January 1, 2014. Additionally, AB 1358 (Fong), reduced the threshold of the election for a student representation fee from 2/3 to a majority of the student population. From 2013 to 2019, only 11 out of the existing 115 CCC had implemented a student representation fee, resulting in roughly \$0.03 per student which was significantly less than their public postsecondary counterparts. In 2019, AB 1504 (Medina), Chapter 523, Statute of 2019, sought to rectify this inequity, by requiring half of the student representation fee, regardless of the year established, to be provided directly to the statewide community college organization or SSCCC. AB 1504 (Medina) also deleted the requirement for the student body of campus to hold an election to determine whether a student fee would be charged and instead, the fee would be charged at any community college with a student body association.

Prior to AB 1504 (Medina), community college students could vote on whether they wished for a student representation fee to be charged; thereby choosing to fund the local and statewide student body association. While AB 1504 (Medina) retained the ability for a student to “cancel” the charge of the student representation fee, the cancellation extended to both portions of the fee; the local and statewide portions. AB 1543 (M. Fong) seeks to return an element of choice to the student by allowing the student discernment in electing to cancel either a portion of the student representation fee or the entire student representation fee. Furthermore, AB 1543 (M. Fong) provides additional clarity in how the student representation fee will be used by re-introducing language that requires half the fee to be given to the statewide student body association and the other half to the local student body association.

*Arguments in support.* As explained by the Student Senate of the California Community Colleges, “while AB 1504 (Medina, 2019) provided much-needed resources for the SSCCC, one of the unintended consequences of the opt-out provision was students opting out of the full fee and their local student body associations suffering from a lack of funding. SSCCC conducted a survey of a sample of colleges from different regions of the state and found that 36.4 percent of colleges reported income from their local student representation fees declined after the passage of AB 1504 (Medina, 2019). One campus reported that its annual local student representation funding dropped from \$6,000 to \$600, essentially eliminating meaningful funding. AB 1543 would help combat that decline by adding transparency to the student fee process. By explaining where each dollar goes, students can still pay into their local student body association, even if they choose to opt out of the statewide association or vice versa.”

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Community Colleges Chancellor's Office  
Student Senate for California Community Colleges

**Opposition**

None on file.

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