

Date of Hearing: March 24, 2021

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 595 (Medina) – As Amended March 15, 2021

SUBJECT: Public postsecondary education: University of California and California State University: student eligibility policy.

SUMMARY: Requires the California State University (CSU) Trustees and requests the University of California (UC) Regents, to engage in a specified process before adding any undergraduate student eligibility requirements. Specifically, **this bill:**

- 1) Requires the CSU Trustees and requests the UC Regents, before making changes in undergraduate student eligibility policy that adds new eligibility requirements that impact students across its segment, to do both of the following:
 - a) Engage in public discussions with and coordinate with other educational segments impacted by the policy to understand the impacts of the changes, including, but not limited to, the California Department of Education (CDE) and school districts, in order to try to align preparation and their respective student eligibility policies. The measure states that it is the Legislature's intent that there be a common set of clear state public university eligibility requirements for public school pupils;
 - b) Commission an independent study by a third-party research organization that:
 - i) Assesses whether the policy change under consideration would have a disparate impact on the eligibility rates of California public secondary school graduates who are underrepresented students;
 - ii) Examines the impact on eligibility and admission rates of all high school graduates, disaggregated by race, ethnicity, income, and region;
 - iii) Examines the capacity of and resources needed by the educational segments affected by the change; and,
 - iv) Makes the study and its findings publicly available. The measure further states that it is the Legislature's intent that the segments should not pursue student eligibility policies that would have such a disparate impact.
 - c) Present the policy change and the independent study assessing the impact of the change in student eligibility policy to the Legislature, as specified, no less than 60 days before the scheduled vote on the change.
- 2) Requires, after a change in the student eligibility policy that adds eligibility requirements is approved, all of the following:
 - a) The CSU Trustees and requests the UC Regents to convene an implementation committee to develop a multiyear plan for the change and to work in partnership with the public

elementary and secondary school system, the California Community Colleges, and the governing body of the other segment. Requires the implementation committee to meet publicly. Requests that when the Trustees or Regents compose the implementation committee, they consider selecting the following for membership on the committee (with careful consideration to ensuring that at least one-third of the committee is composed of individuals from either a Title I school or a rural region, or both):

- i) A faculty representative from any relevant postsecondary segment;
 - ii) A teacher from a public elementary or high school;
 - iii) A school district administrator or an administrator of a public elementary or high school;
 - iv) A school district superintendent;
 - v) A member of a school district governing board or a county board of education;
 - vi) A high school pupil;
 - vii) A college student;
 - viii) A representative of a nonpartisan research organization; and,
 - ix) Two representatives from an external stakeholder organization with expertise in issues relating to racial equity in elementary and secondary education or higher education.
- b) The implementation committee to provide an annual progress report, between the period of approval and the effective date of the policy change, to the Governor, the Legislature, and the governing bodies of the two segments; and,
- c) The implementation committee to commission an analysis of the policy after it has been adopted and implemented in order to understand the ongoing impact of the policy on eligibility and admission rates of all high school graduates, disaggregated by race, ethnicity, income, and region.
- 3) Specifies that if a policy change in student eligibility requirements is approved between January 1, 2021, and the operative date of this measure, the CSU Trustees shall and UC Regents are requested to commission an independent study by a third party research organization to assess the actual impact of the change as well as comply with the requirements as specified.
- 4) Requires each segment to use existing resources to implement the measure's provisions.
- 5) Specifies that, "new eligibility requirement" does not include an existing eligibility requirement that has been revised to be more or less stringent.
- 6) Defines for the purposes of this bill, "segments" to mean the CSU and the UC.

- 7) Makes the bill an urgency measure in order to ensure that students who are currently preparing themselves academically will be eligible for the UC or the CSU and properly informed of proposed changes to student eligibility policies.

EXISTING LAW:

- 1) Establishes the UC as a public trust to be administered by the Regents of the UC; and, grants the Regents full powers of organization and government, subject only to such legislative control as may be necessary to insure security of its funds, compliance with the terms of its endowments, statutory requirements around competitive bidding and contracts, sales of property and the purchase of materials, goods and services (Article IX, Section (9)(a) of the California Constitution).
- 2) Establishes the Donahoe Higher Education Act, setting forth the mission of the UC and CSU (Education Code (EC) Section 66010, et seq.).
- 3) States the Legislature intends that in determining the standards and criteria for undergraduate and graduate admission to the UC and the CSU, the governing boards develop processes that strive to be fair and are easily understandable, and consider the use of criteria that allow students to enroll who are otherwise fully eligible and admissible but who have course deficiencies due to circumstances beyond their control and consult broadly with California's diverse ethnic and cultural communities. Further, states that the Legislature intends for the UC and CSU to seek to enroll a student body that meets high academic standards and reflects the cultural, racial, geographic, economic, and social diversity of California (EC Section 66205).
- 4) Grants CSU Trustees regulatory authority over the CSU (EC Section 89030, et seq.).

FISCAL EFFECT: Unknown

COMMENTS: *Urgency clause.* This measure contains an urgency clause in order to ensure that pupils who are currently preparing themselves academically to be eligible for acceptance into the UC or CSU, are properly informed of proposed changes to the UC or CSU student eligibility policies.

Background. The UC Regents and the CSU Trustees, in the late 1980's adopted a 15-unit high school preparatory course pattern requirement for first-time, first-year students. Additionally, since the early 2000's, the UC and CSU have maintained the same minimum course requirements for admissions eligibility; these courses are known as the "A-G Requirements," and are comprised of the following:

- A. 2 years of history/social science;
- B. 4 years of college preparatory English composition and literature;
- C. 3 years of college preparatory mathematics;
- D. 2 years of college-preparatory science;

E. 2 years of the same language other than English;

F. 1 year visual and performing arts; and,

G. 1 year college preparatory elective.

Recent segment efforts to change admission requirements. The Academic Senate of the UC approved a proposal in 2018 to increase the high school science admission eligibility requirement from two years to three years.

Committee Staff understands that while the Academic Senate voted for the change, the UC, after vetting the proposal, determined that the UC will not move forward in the near future with changing the current minimum science admission eligibility criteria.

The CSU, in 2019, proposed an additional year of quantitative reasoning (QR) to the minimum admission eligibility criteria; CSU defined QR as any course that would qualify in the following A-G Requirements:

- 1) Mathematics (C);
- 2) Science (D); or,
- 3) An elective with an embedded QR component (G).

Additionally, the proposal required course completion prior to a student's senior year of high school commencing with the entering freshman class of 2027.

The proposal to adopt the new course requirement was scheduled to go before the CSU Board of Trustees in January 2020. However, concerns were raised by the Legislature and numerous advocacy groups around the necessity of an eligibility change, disparate access to higher-level coursework in K-12, and overall impact to students - particularly those from historically underrepresented groups. Former CSU Chancellor White requested the Trustees postpone the vote; his request was granted and the vote was postponed. The Trustees then adopted a seven-year phased-implementation plan, which includes the establishment of a steering committee, and completion of an independent analysis along with annual reporting.

A little over a year later, Committee Staff understands that the steering committee has been organized and has met three times. The link to the composition of the steering committee and their meeting notes can be accessed here: <https://www2.calstate.edu/impact-of-the-csu/student-success/quantitative-reasoning-proposal/Pages/qv-steering-committee.aspx>.

Additionally, according to the Board of Trustees March 23, 2021, agenda, found here: <https://www2.calstate.edu/csu-system/board-of-trustees/past-meetings/2021/Documents/Mar-23-FULL-AGENDA.pdf> the Board's Committee on Education Policy was to provide a QR informational update to the Trustees. The Board's Committee on Education Policy QR update, which can be found beginning on page 113 of the full agenda (as listed above). Per the report, the following is an overview of progress made since January 2020:

- 1) *Third-Party Independent Analysis.* The CSU contracted MDRC, a nonprofit and nonpartisan education and social policy research organization, to serve as the third-party evaluator on the potential impact of the proposed QR requirement on CSU applicants. The agency was chosen after an open competitive bidding process according to state regulations and CSU policy.

The MDRC study team will collect, process, and analyze quantitative and qualitative data during 2021 with a planned publication in early 2022. Using descriptive analyses of quantitative data as well as qualitative data collection and synthesis, the study will attempt to answer four research questions:

- a) How might the proposed admissions policy change affect California high school students' access to a CSU, and how might this effect differ for underserved students, including students of color and low-income students?
- b) How might the proposed admissions policy change influence students' success at a CSU and how might this influence differ for underserved students, including students of color and low-income students?
- c) Do high schools and districts have the capacity to offer courses that meet the proposed admissions policy change? What are the attributes (income level, racial and ethnic background, and urbanicity) of the schools that do not currently offer courses that meet the proposed requirements?
- d) What resources would need to be in place for this proposed change to be successful and equitable across schools and districts? Student-level data will be collected from the CDE and the CSU system.

The Common Core of Data, a publicly available dataset, will be used to provide school-level characteristics, such as urban/rural regions and school size. Interviews and focus groups will be conducted with stakeholders across the state. The CSU is also exploring the inclusion of more recent student data, if available in the MDRC study.

- 2) *Raising Awareness of Proposed Requirement.* The staff of the CSU Chancellor's Office developed an outreach and communication plan in Fall 2020. The goal of the plan was to provide information on the proposed QR admission requirement. The intended audience for this comprehensive outreach includes a wide variety of constituents such as elementary, middle school and high school students, families, high school counselors and Early Assessment Program coordinators. Outreach to high school districts in which additional course capacity may be needed began in fall 2020

Need for the measure. According to the author, "The goal of our higher education system should be to help students cross the finish line, not put up new and unnecessary hurdles." The author states that, "AB 595 creates commonsense oversight of public university admission and eligibility policies to ensure that any new policies have been thoroughly vetted prior to adoption." Further, the author contends that, "As institutions revisit their admission policies during the pandemic, AB 595 will allow us to have a larger conversation about admission requirements and potential impact as we strive to build equity within our higher education institutions."

Committee comments. Due to the global COVID-19 pandemic, Spring 2020 dates for college admissions tests (ACT and SAT) were cancelled or postponed. Scores for said tests were one of many mandatory admissions eligibility criteria for the CSU and UC.

The CSU, in continuing to take necessary steps in order to mitigate the disruptions caused by the pandemic, temporarily suspended the use of ACT and/or SAT examinations in determining admission eligibility for all CSU campuses for the 2021-2022 academic year. This temporary change of admission eligibility applies only for Fall 2021, Winter 2022, Spring 2022, Fall 2022, Winter 2023, and Spring 2023 admission cycles.

Committee Staff understands that the CSU Admissions Advisory Council is currently discussing recommendations for an admissions process that completely removes the ACT and/or SAT requirement. According to the CSU Chancellor's Office, the Council's report with its recommendations is anticipated to be released in late spring or early summer of 2021 and will be presented to the Board of Trustees with the appropriate proposed Title 5 regulation change at the end of 2021 or early 2022. Committee Staff also understands that under CSU's current process, changes are anticipated to be made for the 2023-24 academic year.

While this measure specifies that the "'new eligibility requirement' does not include an existing eligibility requirement that has been revised to be more or less stringent," Committee Staff understands that the CSU Chancellor's Office is concerned that the provisions of this measure would trigger the CSU having to pause their current process and go through a third-party study. The CSU contends that completing the study would cause the CSU to temporarily reinstate the ACT and/or SAT admission eligibility requirement potentially for one or two admission cycles, which could lead to confusion for new prospective students.

Moving forward, the author may wish to work closely with Legislative Counsel and the CSU in order to determine whether or not this measure triggers the need for the CSU to pause their current work in determining if the ACT and/or SAT admission eligibility will be permanently removed, or if the CSU will have to have a third-party study conducted on this same topic.

Prior legislation. AB 1930 (Medina) of 2020, which was held in the Senate Appropriations Committee, was similar to this measure.

REGISTERED SUPPORT / OPPOSITION:

Support

Campaign for College Opportunity
The Education Trust - West
University of California Student Association

Opposition

None on file.

Analysis Prepared by: Jeanice Warden / HIGHER ED. / (916) 319-3960