

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3248-16/FGA
March 3-4, 2016

**2016 LEGISLATIVE ADVOCACY POSITIONS OF THE ACADEMIC SENATE OF THE
CALIFORNIA STATE UNIVERSITY**

RESOLVED: That the Academic Senate of the California State University (ASCSU) adopt the positions on bills currently under consideration in the California Legislature as identified in the document titled *Academic Senate of the California State University, Positions on Proposed Bills in the California State Legislature – 2016*; and be it further

RESOLVED: That these adopted positions guide ASCSU advocacy activities during the 2016 legislative calendar; and be it further

RESOLVED: That if a change in the ASCSU position on a bill is warranted and, due to time or other constraints, consultation with the Academic Senate is not possible, the ASCSU Executive Committee is empowered to act on behalf of the Senate, in accordance with resolution AS-3148-13/FGA (Rev) (<http://www.calstate.edu/AcadSen/Records/Resolutions/2013-2014/documents/3148.pdf>) and the ASCSU Bylaws, while exercising due diligence in keeping the Academic Senate CSU informed of such actions; and be it further

RESOLVED: That the ASCSU distribute this resolution and document to the CSU Board of Trustees, CSU Office of the Chancellor representatives, CSU Chancellor, CSU campus Presidents, CSU campus Senate Chairs, CSU Emeritus & Retired Faculty Association (CSU ERFA), California Faculty Association (CFA), Academic Senate for the California Community Colleges, Academic Senate of the University of California, and California State Student Association (CSSA).

***RATIONALE:** This resolution is part of the ASCSU Legislative advocacy strategy for 2016, based on the guidelines approved by the Senate in fall 2013. Its purpose is to assist the Academic Senate and its members to be effective and to respond quickly to proposed legislation during the key period of the legislative calendar (March-May). It is during this time that Legislative bills are heard in committee in their House of origin. Advocacy efforts to shape and influence bill development are likely to be most effective at this time.*

Under the California state legislative calendar, proposed legislation is not introduced until late February. In the past, it has been the practice of ASCSU to establish its position on legislation by means of resolutions addressing individual bills, which limits the number of bills to which the Academic Senate can respond meaningfully. Moreover, as a result of our practice of first and second readings, Senate legislative positions frequently were not finalized until the May plenary

under this approach. By that time, important discussion on the bills in the legislative committees has already occurred. This resolution establishes official ASCSU positions on a wide range of bills early in the legislative process in order to enable the Academic Senate to participate more effectively in bill development.

Approved – March 3-4, 2016

**Academic Senate of California State University
Positions on Proposed Bills in the California State Legislature – 2016
March, 2016**

Tier I: Priority

Senate Bills:

SB 15 (Block-D)

Postsecondary Education: Graduation Incentive Grant Program

This bill would increase the total number of Cal Grant A and B awards from 22,500 to 30,000 annually. In addition, it would increase maximum tuition award for Cal Grant students at private nonprofit postsecondary institutions to \$9,084 per annum. The bill would also, beginning with the 2015-16 academic year, establish a Competitive Grant Award to CSU students who demonstrate financial need and which would be allocated based on progress toward degree. This would be funded by redirecting money currently allocated for 2014's Middle-Class Scholarship act.

Rationale: There are concerns about the unintended consequences of bill. The legislation does not appear to tie academic performance to these supplemental awards and they may result in a student taking more units than he/she can perform well in so that he/she can get the award. There is also the question of what impact the increase in Cal Grant funding to students at private non-profit schools will have on the funds available to CSU students.

ASCSU Position: Watch

SB 1445 (Hertzberg-D)

Taxation

This bill calls on the State to begin taxing services from companies generating \$100,000 or more in sales per annum. The monies generated would be used to modify personal income taxes and support education, local government, low income families, and low wage small business employees. In terms of education, the bill would allocate an additional two billion dollars to the UC and CSU with these funds to be split evenly between the two systems

Rationale: Support in Concept for two reasons: First, it is not clear that the service taxes generated by the bill would be sufficient to achieve an additional billion dollars in funding for the CSU and, second, the decision to divide the funds evenly between the CSU and UC may not be the most appropriate, given the different missions (and size of student enrollments) between them. Nonetheless, the funds are urgently needed and the bill recognizes that we are in a service economy for which sales taxes should be collected.

ASCSU Position: Support in concept

SB 1450 (Glazer)

California Promise (4-year degree)

This bill would establish a program that authorizes a campus of the California State University and the California Community Colleges to enter into a pledge with a student who satisfies specified criteria to support the student in obtaining an associate degree within 2 academic years, or a baccalaureate degree within 4 academic years, of freshman admission. The bill would prohibit system-wide tuition charged to a

California State University student who participates in a California Promise program for an academic year from exceeding the amount of tuition charged to the student for the academic year of the student's freshman admission. Compare to AB 2786.

Rationale: The bill will likely be changed in committee and the Senate has a number of serious concerns including (1) it disadvantages those students whose socio-economic circumstances prevent them from taking a full course load each semester/quarter; (2) it locks students into a major early on & interferes with students' opportunity to explore different areas of study or change majors; (3) inability to raise tuition limits CSU ability to respond to changes in state General Fund support; and (4) evidence is unclear as to how many students this would benefit given the already existing pathways to priority enrollment and financial aid.

ASCSU Position: *Oppose*

Assembly Bills:

AB 1582 (Allen)

Conflict of Interest/Textbook Royalties

Bill would require employees of public post-secondary educational institutions to disclose any compensation received, including royalties, resulting from the adoption of required course materials for coursework or instruction. It is an extension of existing law, including the Political Reform Act of 1974: Conflict of Interest Codes. Note: The bill in its current form does not prohibit royalties, merely requires their disclosure as an extension of existing law. Compare to AB 2214.

Note: Despite "Watch" position, considerable reservations were expressed by ASCSU: (1) it is over-reach, intruding upon purview of the campus; (2) not clear how data would be used; (3) difficulties in complying (royalties usually not broken down by campus); (4) it seems driven by concern over rising textbook costs but bill won't affect this, since increases are at the retail level, not the result of royalties.

ASCSU Position: *Watch*

-- CSSA recommends support

AB 1837 (Low)

Creation of Office of Higher Education Performance and Accountability

This bill would express the intent of the Legislature to enact legislation to create the Office of Higher Education Performance and Accountability as the statewide postsecondary education coordination and planning entity.

ASCSU Position: *Watch*

AB 1914 (Bonilla)

Public Postsecondary Education: Access Codes

This bill that requires that the trustees and the board of governors, and requests the regents, to adopt policies for their respective segments regarding when it is acceptable for a faculty member to require students to purchase an access code accompanying other course materials, as defined.

Rationale: Amendments are underway; wait until revised version is available.

ASCSU Position: *Watch*

-- CSSA sponsored

AB 2163 (Low)

Appointment of Campus Presidents

Amends the Ed Code to require candidates for campus president positions to participate in at least one public forum on that campus after being formally and publicly designated by the trustees as a finalist for appointment as president of that campus.

Rationale: ASCSU support for the bill reflects the position adopted by the 22 CSU campus senates that have called for open presidential searches.

FGA Recommendation: Support

-- CFA sponsored

AB 2210 (Harper)

California State University: Student Success Fees

This bill would increase the affirmative vote required for the imposition of a student success fee from a majority to two-thirds of the student body voting on that proposed fee.

Rationale: Watch until it is determined whether CSSA will take a position on the bill. As of 3-8-16 they have not done so.

ASCSU Position: Watch

AB 2214 (Harper)

Postsecondary Education: Faculty Royalty Income Disclosure

This bill would add to the Donahoe Higher Education Act a provision that requires faculty members to annually disclose, on or before April 15, 2017, and on or before April 15 of each year thereafter, all of the income he or she received in the immediately preceding calendar year from a publisher, periodical, or provider of online content for royalties, advances, consulting services, or for any other purpose.

The bill would require that the information be available to the public on the Internet Web site of the institution at which the faculty members teach. The bill would authorize the trustees to require a faculty member who does not file the information required under this bill in a timely manner to pay an administrative fine of up to 25% of the unreported income or \$5,000, whichever is smaller, as specified. Compare to AB 1582.

Rationale: The scope of what the bill requires is extremely broad and the justification behind it is unclear, since it extends well beyond identifying potential conflicts of interest. With its requirement that such information be made publicly available on campus websites, it represents an unnecessary intrusion in the privacy of faculty and a potential inhibitor of academic freedom.

ASCSU Position: Oppose

AB 2419 (Jones)

The New University of California

This bill would establish The New University of California as a 4th segment of public postsecondary education in this state. The university would provide no instruction, but rather would issue credit and degrees to persons who pass its examinations. The bill would establish an 11-member Board of Trustees of The New University of California as the governing body of the university, and specify the membership and appointing authority for the board of trustees. The bill would provide for the appointment of a Chancellor of The New University of California as the chief executive officer of the university. Note: previous bills calling for the creation of similar institutions have been introduced in prior legislative sessions and have gone nowhere.

Rationale: Three principal objections: First, it would divert resources from the existing public higher education segments. Second, there are no provisions for quality control (assessing the integrity and quality of the degrees awarded). Third, it fails to recognize that there exist components of a university education that are not readily assessable by examination. The result, potentially would be the awarding of second-tier baccalaureate and associate degrees that will never serve students well.

ASCSU Position: Oppose

AB 2786 (Chávez)

Public Postsecondary Baccalaureate Education: 4-yr degree

This bill would require the Trustees of the California State University, and request the Regents of the University of California, to offer eligible students of their respective segments an agreement guaranteeing that a student who meets certain conditions may complete a baccalaureate degree within 4 academic years, with the exception of certain programs that may require up to 5 academic years to complete.

ASCSU Position: Watch

Tier II: Secondary Priority

Senate Bills:

SB 915 (Liu)

Teacher recruitment: California Center on Teaching Careers

This bill would establish the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession.

ASCSU Position: Watch

SB 933 (Allen)

Teachers: California Teacher Corps Act of 2016: teacher residency programs

This bill would establish the California Teacher Corps Act of 2016, under which the Superintendent of Public Instruction would make grants to applicant high-need local educational agencies and high-need consortium of local educational agencies, as defined, to assist these agencies in establishing and maintaining teacher residency programs.

ASCSU Position: Watch

SB 1123 (Leyva)

Pupil instruction: high school graduation requirements

This bill would extend existing diploma requirements for Grade 12 students, currently due to expire in 2017, for five years, until 2022.

ASCSU Position: Watch

SB 1412 (Block)

CSU Investments

Would allow Chief Financial Officers of individual CSU campuses to shift investments from federal or state credit unions and special projects funding (grants, research, operation funding, etc.): to include investing in mutual funds. Could have Fiscal implications. This bill would limit the total amount invested in these mutual funds and real estate investment trusts to specified amounts for each fiscal year, until, commencing with the 2019–20 fiscal year, up to 30% of that money could be invested in these asset

categories. This is a reintroduction of AB 130 (Weber) from 2015, at which time it had support from both the Legislative Analyst /office, the Department of Finance, and the fiscal committees of both houses.

ASCSU Position: Watch

Assembly Bills:

AB 1594 (McCarty)

Non-Smoking/Non-Vaping Campuses

This bill would prohibit the smoking of a tobacco product or the use of an e-cigarette on a campus of the California State University or the California Community Colleges. The bill would authorize the governing bodies of the California State University and each community college district to set standards for the enforcement of that prohibition.

ASCSU Position: Watch

AB 1721 (Medina-D)

Student Financial Aid: Cal Grant Program

This bill would express the intent of the Legislature to renew California's commitment to college affordability by increasing the aid available to needy students through expanding the Cal Grant Program. Under existing law, an award for access costs, as defined, under the Cal Grant B Entitlement Program is limited to no more than \$1,551. This bill would raise the amount of the maximum award for access costs under the Cal Grant B program to \$3,000.

This bill would also provide that an applicant for an award under the California Community College Transfer Entitlement Program may not be 31 years of age or older by December 31 of the award year, and is required to have attended a California community college no more than 3 academic years before the academic year for which the award will be used, among other requirements. Under existing law, no more than a total of 25,750 Competitive Cal Grant A and B awards may be granted annually. This bill would raise that limit to 30,000 awards.

Rationale: The bill both increases the size of the Cal Grant B awards, and expands Cal Grant eligibility but raising the upper age limit for which a student may be eligible for such an award. The latter is likely to be of particular benefit to CSU students, many of whom are older and do not fit the traditional student model.

ASCSU Position: Support

AB-1756 (Bonilla)

Teacher credentialing: integrated programs of professional preparation

This bill would require intensive field experiences, as defined, to include student teaching.

ASCSU Position: Watch

AB 1778 (Quirk)

Sexual Assault Training

This bill would require those California postsecondary educational institutions, in order to receive state funds for student financial assistance, to conduct annual training of their respective employees, in addition to the training described above, on the employee's obligations in responding to and reporting incidents of sexual assault, domestic violence, dating violence, and stalking involving students.

Rationale: This bill requires training of higher education employees in, not only recognizing inappropriate and avoiding sexual behavior (currently mandated), but also in their responsibilities in responding to and reporting incidents of sexual violence on campus. Such training seems both logical and desirable given the CSU's efforts to reduce/eliminate of sexual violence on its campuses.

ASCSU Position: Support

AB 2019 (Santiago)

State employees: salary adjustments: State Bargaining Unit 3.

This bill would declare the policy of the state to provide for intermediate steps of salary adjustments, in an unspecified percentage, for members of the California Faculty Association within State Bargaining Unit 3 that would be based on cost-of-living adjustments tied to the California Consumer Price Index.

ASCSU Position: Watch

-- CFA sponsored

AB 2122 (McCarty)

California Classified School Employee Teacher Credentialing Program

This bill would those provide to establish the California Classified School Employee Teacher Credentialing Program for the purpose of recruiting classified school employees to participate in a program designed to encourage them to enroll in teacher training programs and to provide instructional service as teachers in the public schools.

ASCSU Position: Watch

AB 2156 (Levine)

Regional Workforce Coordination

Requires the CSU to participate in regional conversations pursuant to the Federal Workforce Innovation and Opportunity Act and submit a report to the Legislature on or before January 1, 2018, on both of the following:

- (a) Efforts they have made to increase the number of degrees in order to meet regional labor demands.
- (b) Identify barriers to addressing regional workforce demands and the progress that is needed to overcome these barriers.

ASCSU Position: Watch

AB 2248 (Holden)

Teacher credentialing: out-of-state

This bill would require the state's teacher credentialing commission to issue these teaching credentials within 30 days of receiving all required documentation.

ASCSU Position: Watch

AB 2317 (Mullin)

California State University: Doctor of Audiology degrees.

This bill authorizes the California State University to award the Doctor of Audiology degree.

ASCSU Position: Watch

AB 2352 (Rodriguez)

Baccalaureate degree pilot program at Crafton Hills College

This bill would authorize the establishment of a 16th baccalaureate degree pilot program at Crafton Hills College if the college resolves any deficiencies identified by the Accrediting Commission for Community and Junior Colleges.

Rationale: This exceeds the limit on the number of baccalaureate degrees approved for the pilot program in SB 850.

ASCSU Position: Oppose

AB 2434 (Bonta)

Higher Education Policy: Improving Affordability, Accessibility, & Coordination

This bill would delete the provision of the Donohoe Higher Education Act that sets forth the mission of specified agencies charged with coordination, administration, or implementation of higher education policies and programs, and would express the intent of the Legislature to explore alternative ways to improve affordability, accessibility, coordination, and development of higher education policy that are consistent with the interest of the people and State of California. May be a spot bill.

ASCSU Position: Watch

AB 2706 (Wilk)

Teachers: credentialing

Bill makes non-substantial changes to provisions for teacher credentialing.

ASCSU Position: Watch

Tier III: Spot Bills (Placeholders)

Bills in this category currently lack significant content, but will likely be amended to address substantive topics at a later date. For this reason, they bear watching.

SB 1045 (McGuire) Early Start (But will be repurposed to address call for open meeting of CSU auxiliaries; it will be CSSA sponsored)

SB 1439 (Block) Postsecondary Education: Sexual Harassment Protection

AB 2137 (Santiago) Postsecondary Education: Student Transfer Process

AB 2132 (Baker) Postsecondary Education

AB 2157 (Baker) Postsecondary Education

AB 2386 (Garcia) Postsecondary Education

AB 2646 (Mayes) Postsecondary Education

AB 2681 (O'Donnell) Postsecondary Education

AB 2850 (O'Donnell) Postsecondary Education