



Legislative Update – As of 9/25/2006

September 30th is the last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in his possession on or after September 1 (Art. IV, Sec.10 (b) (2)). As of this transmittal, there are still several significant measures to our system that we are awaiting action on by the administration. Below is a list of measures that have recently been signed or vetoed by the Governor. A comprehensive list all of the actions on bills of interest to the system will be provided by the first week in October.

ADULT EDUCATION

[AB 1319\(Liu\)](#) Adult education: joint data systems: California Community Colleges: State Department of Education.

Chapter Number: 264

Action: 09/14/2006-A CHAPTERED

Summary: AB 1319 makes specified findings and declarations and would express the intent of the Legislature to enact legislation that develops a coordinated adult education data system. The bill requires the Chancellor of the California Community Colleges and the Superintendent of Public Instruction, using existing resources, to convene a working group of adult education and data experts to review the separate, existing adult education and noncredit instruction data systems, and report to the Legislature and the Governor by July 1, 2007, on the feasibility, design, and cost of a common data set in adult education.

ATHLETICS

[AB 2165\(La Suer\)](#) Postsecondary education: intercollegiate athletics.

Chapter Number: 200

Action: 09/05/2006-A CHAPTERED

Summary: Notwithstanding the provision that authorizes community college district governing boards to enforce rules and regulations relating to intercollegiate athletics or any other provision of law, would prohibit any student athlete enrolled at any campus of the University of California, the California State University, or the California Community Colleges from participating as a member of any intercollegiate athletic team, or as a participant in any intercollegiate athletic event, if he or she, at any time after his or her enrollment as a college or university student, is prosecuted as an adult and is convicted of any of several specified crimes.

CALIFORNIA HIGH SCHOOL EXIT EXAM (CAHSEE)

[AB 2937\(Pavley\)](#) Pupils: high school exit examination.

Chapter Number:

Action: 09/20/2006-A VETOED

Summary: AB 2937 would require the State Department of Education to conduct a study to determine which of the California Standards Tests, or combination of those tests, is equivalent to the English language arts portion or the mathematics portion of the high school exit examination, and the performance level on the test or tests that is equivalent to a passing score on the pertinent portion of the high school exit examination, and to report its findings to the Legislature. The bill would require the department to recommend in that report whether or not specified proposals should be considered by the Legislature, including whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be



equivalent to the English language arts portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination and whether a pupil who takes a California Standards Test, or combination of those tests, determined by the department to be equivalent to the mathematics portion of the high school exit examination, and scores at a performance level determined by the department to be equivalent to a passing score on that portion of the high school exit examination, should be deemed to have passed that portion of the high school exit examination.

Governor's Message: I am returning Assembly Bill 2937 without my signature. This bill would require the California Department of Education to conduct a study to determine which of the California Standards Tests (CSTs) are equivalent to the English language arts or math portions of the California High School Exit Exam (CAHSEE) and the performance levels that are equivalent to passing scores on its two corresponding parts. The CAHSEE has withstood every kind of scrutiny possible. A long-running external evaluation of CAHSEE has determined that it tests what it was designed to test, that it is unbiased, and that it is reliable. Given that the CAHSEE has only been a condition of high school graduation for one year, it is premature to even consider potential changes to existing state policy. For these reasons, I am unable to sign this bill. Sincerely, Arnold Schwarzenegger

[SB 1546\(Alarcon\)](#) Community colleges: concurrent award of associate degree and high school diploma.

Action: 09/20/2006-S VETOED

Summary: SB 1546 would provide that, notwithstanding the provisions referenced above or any other provision of law, a community college district may establish and offer to students a course of study leading to the concurrent award of the associate degree and a high school diploma.

Governor's Message: To the Members of the California State Senate: I am returning Senate Bill 1546 without my signature. This bill circumvents the California High School Exit Exam (CAHSEE) by allowing college districts to concurrently award AA degrees and high school diplomas, without requiring students to pass the CAHSEE. I must reject such a change in policy. If a high school diploma is to mean anything, then those who earn diplomas must demonstrate their mastery of a common core of knowledge by passing an exam explicitly designed to test that mastery: the CAHSEE. In my education trailer bill of last year, I proposed to make it absolutely clear that community colleges do not have the authority to grant high school diplomas without requiring students to pass the CAHSEE. This bill would move us in precisely the opposite direction. For these reasons, I am unable to sign this measure. Sincerely, Arnold Schwarzenegger

CAREER TECH AND VOCATIONAL PROGRAMS

[AB 2330\(Arambula\)](#) Small businesses: Office of Small Business Advocate.

Chapter Number: 232

Action: 09/12/2006-A CHAPTERED

Summary: AB 2330 would require the Office of Small Business Advocate to commission a study of the costs of state regulations on small businesses that is parallel to the study on the impact of regulatory costs on small firms conducted by the federal Small Business Administration, and that would examine successful models from other states



on identifying regulatory costs and developing potential alternative approaches. The office would also be required to make recommendations in this regard as well as to convene a small business advisory committee to provide advice on the study. The office would be required to submit the completed study, including the recommendations, to specified state entities no later than October 1, 2007.

CHARTER SCHOOLS

[AB 2717\(Walters\)](#) Charter school finance.

Chapter Number: 325

Action: 09/18/2006-A CHAPTERED

Summary: The California School Finance Authority Act establishes the California School Finance Authority for the purpose of assisting school districts and community college districts by providing financing for working capital, as defined, and capital improvements. This bill would, in addition, provide that charter schools are eligible for assistance under the act, and would revise various definitions and procedures contained in the act accordingly.

EMPLOYMENT - BENEFITS/LABOR RELATIONS

[AB 2293\(Nava\)](#) Unemployment compensation: false information: employees of educational institutions.

Chapter Number: 190

Action: 08/28/2006-A CHAPTERED

Summary: AB 2293 would also authorize the director to assess a similar penalty, for deposit into a specified fund, against an employer if the director finds that the employer or any employee, officer, or agent of that employer, in submitting facts concerning the termination of a claimant's employment, where the claimant was performing services for an educational institution, as defined, willfully makes a false statement or representation or willfully fails to report a material fact regarding any week during which the services were performed or any time granted to the claimant for professional development during his or her employment with that employer.

[SB 1273\(Soto\)](#) Public Employees' Retirement System: area agency on aging.

Chapter Number: 307

Action: 09/18/2006-S CHAPTERED

Summary: SB 1273 would permit a private nonprofit area agency on aging to enter into a contract to participate in this system upon obtaining that advisory opinion. By increasing member contributions to that fund, this bill would make an appropriation.

FACILITIES

[AB 162\(Leslie\)](#) School facilities: Department of General Services: California Community Colleges.

Chapter Number: 407

Action: 09/22/2006-A CHAPTERED

Position: Support

Summary: AB 162 would require the department, as it deems necessary to expedite review of the applicant's plans, to make a good faith effort to hire state employees. The bill would require the department to establish procedures and requirements governing the use of the collaborative process for project development and review alternative to



ensure the public safety of school buildings serving kindergarten and grades 1 to 12, inclusive, as well as community college buildings, through a collaborative, consistent, and timely project development and review process. The bill would require the department, in consultation with participating school districts and community college districts, to establish mutually determined timeframe goals for a project's plan review, district and consultant response, response review, and final approval. The bill would require the timeframe goals to reflect the project's estimated construction cost, complexity, and size, and other requirements of the collaborative process for project development and review.

[AB 1482\(Canciamilla\)](#) School district bonds.

Chapter Number: 213

Action: 09/07/2006-A CHAPTERED

Summary: AB 1482 would require a school district governing board, prior to selling bonds, to adopt a resolution, as an agenda item at a public meeting, that includes several specified items, including, among others, express approval of the method of sale. The bill would require, after the sale of the bonds, the governing board to present and disclose the actual cost information at its next scheduled public meeting and to submit an itemized summary of the costs of the bond sale to the CDIAC. The bill would require the governing board to ensure that all necessary information and reports regarding the sale or planned sale of bonds by the school district it governs are submitted to the CDIAC in compliance with a specified provision.

[SB 1652\(Vincent\)](#) Community colleges: facilities: leases.

Chapter Number: 134

Action: 08/21/2006-S CHAPTERED

Summary: SB 1652 would revise the provision relating to leases for a period not exceeding 5 separate or consecutive calendar days or portions of those days, to instead authorize the lease of property not needed for school classroom buildings for a period not exceeding 14 separate or consecutive calendar days, or portions of those days, in each fiscal year.

FUNDING/FINANCE

[SB 1131](#)(Committee on Budget and Fiscal Review) Education funding.

Chapter Number: 371

Action: 09/20/2006-S CHAPTERED

Summary: The list of one-time appropriations for the community colleges in SB 1131 is exactly the same as in AB 1802. The Governor vetoed three specific community college appropriations at the time he signed AB 1802. To our good fortune, in signing SB 1131 he chose to approve those same items, along with all the other community college appropriations. The three new items that now are funded are as follows:

- (1) \$5 million for professional development. To be allocated to districts on a per-FTES basis and in accordance with existing provisions of law regarding the "Community College Faculty and Staff Development Fund" (Education Code Sections 87150 through 87154).
- (2) \$700,000 for an "electronic transcript exchange" project that will be managed out of the System Office's Technology, Research and Information Services division on behalf of all the colleges.
- (3) \$500,000 to support statewide research and other statewide activities that support the implementation of the System's Strategic Plan.

GOVERNANCE

[SB 1577 \(Romero\)](#) Schools: accreditation.

Chapter Number: 402

Action: 09/22/2006-S CHAPTERED

Summary: Existing law requires a school district governing board to give official notice at a regularly scheduled school board meeting if a public school within the district that has elected to be accredited by the Western Association of Schools and Colleges (WASC) or any other chartered accrediting agency loses its accreditation status. SB 1577 would require this notice to also be posted on the school district's Internet Web site and the school's Internet Web site, if any.

LOCAL ADMINISTRATION - CONTRACTS/EMPLOYMENT/MISC

[AB 49 \(Benoit\)](#) Teacher credentialing: CBEST: exemption.

Chapter Number: 147

Action: 08/23/2006-A CHAPTERED

Summary: AB 49 would require the commission, upon the recommendation of a preliminary credential preparation program sponsor, approved by the commission, to issue a 2-year preliminary teaching credential or preliminary services credential to a candidate who is prelingually deaf and meets all of the requirements in law for the full, pertinent 5-year teaching or services credential, except that the candidate would be exempted from compliance with certain state basic skills proficiency testing requirements. The bill would limit the holder of the credential to teaching or providing services to deaf and hearing-impaired pupils who are enrolled in state special schools or in special classes for pupils with hearing impairments.

[SB 1128 \(Alquist\)](#) Sex Offender Punishment, Control, and Containment Act of 2006.

Chapter Number: 337

Action: 09/20/2006-S CHAPTERED

Summary: SB 1128 would require courts to keep all records relating to misdemeanor actions resulting in a requirement that the defendant register as a sex offender for 75 years. The bill also would require every district attorney's office and the Department of Justice to retain records relating to a registered sex offender for 75 years after disposition of the case. Because the bill would impose new responsibilities on local agencies, the bill would impose a state-mandated local program.

STUDENT SERVICES - FIN. AID/HEALTH/ETC.

[AB 2581 \(Yee\)](#) Postsecondary education: student conduct.

Chapter Number: 158

Action: 08/28/2006-A CHAPTERED

Summary: AB 2581 would additionally prohibit any administrator of any campus of those institutions from making or enforcing any rule subjecting a student to disciplinary sanction solely on the basis of conduct that is speech or other communication that, when engaged in outside a campus, is protected from governmental restriction by specified provisions of the California Constitution or the United States Constitution. The bill would also prohibit its provisions from being construed to authorize any prior restraint of the student press.



[AB 2985 \(Maze\)](#) Foster youth: identity theft.

Chapter Number: 387

Action: 09/22/2006-A CHAPTERED

Summary: AB 2985 would require a county welfare department to request a consumer disclosure, pursuant to federal law, on behalf of a youth in a foster care placement in the county, when the youth reaches his or her 16th birthday, in order to ascertain whether the youth has been the victim of identity theft. If the consumer disclosure reveals any negative items, or evidence that identity theft has occurred, the bill would require the county welfare department to refer the youth to an approved organization that provides services to victims of identity theft. The bill would require the department to develop a list of approved organizations for this purpose, in consultation with the County Welfare Directors Association and others. By requiring county welfare departments to perform new duties with respect to children in foster care placement, this bill would impose a state-mandated local program.

[ACR 34 \(Liu\)](#) Public higher education: student compact.

Chapter Number: 114

Action: 08/24/2006-A CHAPTERED

Summary: ACR 34 would declare that it is time for a compact with the students enrolled in California's public colleges and universities. The measure would express legislative recommendations with respect to this student compact, including recommendations relating to California higher education student fee and financial aid policies and funding for institutions to ensure students' access to and success in courses needed to complete their academic or vocational programs, limitation of the student loan debt, and the diversity of the student bodies and graduating classes at public colleges and universities.

[SB 1040 \(Dunn\)](#) Public postsecondary education: fees and tuition: waiver: survivors of deceased law enforcement and firefighting personnel.

Chapter Number: 395

Action: 09/22/2006-S CHAPTERED

Summary: SB 1040 would eliminate the one-year limitation on resident classification for graduate students, and would additionally entitle members of the military reserves and military veterans, as defined, as well as members of the immediate families of those persons, as defined, to resident classification. The bill would request the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

[SB 1641 \(Soto\)](#) Foster care providers.

Chapter Number: 388

Action: 09/22/2006-S CHAPTERED

Summary: SB 1641 would require the Director of Social Services to report to the Legislature on the progress of the department's children's residential regulation review workgroup, including recommendations being considered for statutory, regulatory, and policy changes, and any workplan for the implementation of those recommendations.



State and Federal Legislative Program

The Board of Governors will adopt a State and Federal Legislative Program to guide the advocacy efforts of the system. Students, faculty, staff and advocates in the community college system are invited to submit their proposals online by October 18, 2006, for consideration by the Task Force established by the Consultation Council. The link to the page for uploading proposals is on this page: <http://www.cccco.edu/divisions/grea/grea.htm>

Strategic Plan – New Website and Communication Tools

The website for the strategic plan has been upgraded to enable team leaders to upload information, allows for discussion boards, and provides other interactive tools to advance the implementation of the strategic plan. Visit the site through the Chancellor's Office's main page or go directly to: <http://strategicplan.cccco.edu/>

Legislative Analyst's Office – Analysis of Initiatives

November 7, 2006 Ballot Measure Analyses for Public Display

The LAO analyses of measures included in the November 7, 2006 election are available online. For the title page to view all current analyses, please visit: http://www.lao.ca.gov/ballot_source/Propositions.aspx

Secretary of State's Ballot Initiative Information

For information on the upcoming election, including ballot initiatives, please visit the Secretary of State's website. You will find initiative language, legislative analyses, and arguments in favor and in opposition to the initiatives, including Proposition 1D, the Kindergarten – University Public Facilities Bond Act. Please visit the Secretary of State's website at: http://www.ss.ca.gov/elections/elections_vig.htm

Contact. Please feel free to forward these updates. However, if your colleagues wish to receive these updates directly, please use the contact information below to be added to the distribution list:

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<http://www.cccco.edu/divisions/grea/grea.htm>

Website updates are routinely posted on Tuesday and Thursday afternoons.

Prior state legislative updates are available at:
http://www.cccco.edu/divisions/grea/leg_updates/leg_updates.htm