Bill No:	AB 1383	**Hearing Date:**	June 19 2019
Author:	McCarty		
Version:	April 25, 2019		
Urgency:	No	**Fiscal:**	Yes
Consultant:	Olgalilia Ramirez		

Subject: Public postsecondary education: admission by exception.

SUMMARY

This bill establishes a process in statute for the University of California (UC) and the California State University (CSU) to use in granting admissions by exception by prohibiting a UC or CSU campus from admitting a student by admission by exception unless the student's admission has been approved by a minimum of three campus administrators, as specified.

BACKGROUND

Existing law:

1)   Establishes the UC, to be administered by the Board of Regents, with full powers of organization and government, subject only to such legislative control as may be necessary to insure the security of its funds and compliance with the terms of the endowments of the university and such competitive bidding procedures as may be made applicable to the university by statute for the letting of construction contracts, sales of real property, and purchasing of materials, goods, and services. (California Constitution Article IX, § 9)

2)   Establishes the CSU, governed by the Board of Trustees with respect to educational policy, finance, employee relations, campus planning, and facilities, among other areas. (Education Code § 89500, et seq.).

ANALYSIS

This bill establishes a process in statute for the UC and the CSU to use in granting admissions by exception by prohibiting a UC or CSU campus from admitting a student by admission by exception unless the student's admission has been approved by a minimum of three campus administrators. Specifically, it:

1)   Prohibits a campus from admitting a student by admission by exception unless the student's admission by exception has been approved, before the student's admission, by a minimum of three campus administrators, which may include, but not necessarily be limited to, as applicable, the chancellor, president, vice president, vice chancellor, provost, or director of admissions of the campus, and the faculty member of the campus recommending the student for admission by exception.

2)   Allows a campus to admit, by admission by exception, a California resident who is receiving an institution-based scholarship to attend the campus.

3)   Defines "admission by exception" to mean the process by which a campus admits applicants who do not meet the eligibility requirements for admission to the segment, or guaranteed admission to a campus of the segment, but who demonstrate high potential for academic success and leadership.

4)   Defines a "campus," to mean a campus of the California State University (CSU) or the University of California (UC).

STAFF COMMENTS

1)   ***Need for the bill***. According to the author, "The recent college admissions scandal involving some of the top universities in the United States, and California in particular, has brought to light merely a small portion of the many malpractices that have been taking place in the college admissions world due to a lack of oversight on this industry. Over 40 individuals are currently being charged in this recent college admissions scandal involving various university faculty, test proctors, college firms and consultants, and wealthy parents.

California seems to be the epicenter of the national scandal, with 25 of the 33 families in the initial indictment from California, and 10 of the 17 corrupt coaches and university officials originally based at California colleges and universities. This scandal not only undermines the public's trust in the college admissions process, but it further perpetuates the opportunity gap in our college system....

The man in the middle of this most recent college admissions scandal provided private "college counseling" and has now been indicted for taking bribes from wealthy parents (who have also been indicted) for funneling tens of thousands of dollars into a non-profit foundation. The money then went into the pockets of the private counselor and the college faculty who were falsifying the athletic abilities of prospective students and gaining them entrance through special admissions to elite universities…"

This bill requires approval of three campus administrators prior to admittance of a student through admission by exception.

2)   ***Admission fraud***. The Department of Justice charged several dozen individuals accused of cheating and accepting bribes to gain student's unlawful admission to top universities, including the University of California. Athletic coaches from Yale, Stanford, University of Southern California, Wake Forest and Georgetown, among others, are implicated, as well as parents and exam administrators. Although, the CSU had no part in the scandal, the CSU is subject to the bill's provisions. Presumably, having multiple approvers for special admits situation could decrease the likelihood of instances of unlawful practices from occurring.

3)   ***University of California admission by exception.*** At the University of California, admission by exception is a process whereby a campus has the flexibility to admit a small proportion of students by exception to the traditional

eligibility requirements. Students admitted by exception to the eligibility requirements must demonstrate a reasonable potential for success at the University. The proportion of students admitted by exception is capped at 6 percent of newly enrolled freshman and up to 6 percent of newly enrolled advanced standing students at each campus. Within the 6 percent designations, up to 4 percent may be drawn from disadvantaged students and up to 2 percent from other students. This bill impacts admission procedures used to enroll students through this process as well as that of those students admitted to California State University. The bill provides that three administrators must sign-off on that student's admittance to the university prior to being enrolled.

UC indicates that the pool of applicants receiving admission by exception over the last several years has constituted less than 2 percent of all newly enrolled students systemwide, and thus has been far below the limits described above. In 2017-18, UC enrolled 519 total California residents (254 freshmen) and 456 total nonresidents (367 freshmen) under admission by exception, which was 1.5 percent of the total enrollment of 65,646 (1.3 percent of 46,004 enrolled freshmen

4)   ***UC's Internal Audit.*** In light of the recent events regarding college admissions, the UC's office of Ethics, Compliance and Audit Services has initiated a systemwide internal audit of the University's admissions practices. The objective of the audit is to evaluate the process and controls over undergraduate admissions throughout the system, including admission of student athletes and other non-standard admissions, to ensure compliance with relevant policies and regulations and reduce the risk of fraudulent admissions. The results of the audit are expected to be released this year.

5)   **CSU Admissions by Exception.** CSU policy provides for admission by exception for a "disadvantage applicant," defined as someone who comes from a low-income family and who has the potential to perform satisfactorily on the college level but who has been and appears to be unable to realize that potential without special assistance because of economic or educational background. In addition, other applicants who are not disadvantaged and do not meet CSU's admission requirements may be admitted by exception. (This could include athletes, for example.) The number of such admissions for each of these two categories of applicants cannot exceed a level equal to 4 percent of CSU's total first-time undergraduate enrollment during the previous academic year. Each CSU campus is provided an allotment of exceptions by the Chancellor's office, and the final decision to admit students by exception is made at the individual campus level.

In 2018-19, CSU enrolled 1,410 students who were admitted by exception, or just over 1 percent of new undergraduate enrollment in the prior year, and far below the allowable limit under CSU's policy. The total included 486 disadvantaged applicants and 924 non-disadvantaged applicants.

6)   ***Amendments***: In order to ensure that admission procedures for Educational Opportunity Program participants are not impacted by the bill's provisions and to clarify that admission by exception be approved by three *senior* campus

administrator before enrollment rather than prior to admission, the author wishes to amend the bill and committee staff agrees, as follows:

66022.5.(a) For purposes of this section, the following definitions apply:
(1) "Admission by exception" means the process by which a campus admits applicants who do not meet the eligibility requirements for admission to the segment, or guaranteed admission to a campus of the segment, but who demonstrate high potential for academic success and leadership.
(2) "Campus" means a campus of the California State University or the University of California.
(b) ~~Except as specified in subdivision (c), a~~ A campus shall not admit a student by admission by exception unless the student's admission by exception has been approved, before the student's enrollment ~~admission~~, by a minimum of three senior campus administrators., ~~which may include, but shall not necessarily be limited to, as applicable, the chancellor, president, vice president, vice chancellor, provost, or director of admissions of the campus, and the faculty member of the campus recommending the student for admission by exception.~~
(c) Notwithstanding subdivision (b), a campus may admit, by admission by exception, a California resident who is receiving an institution-based scholarship to attend the campus or applicants who are accepted by the Educational Opportunity Programs for admission to the campus.
~~(c) A Notwithstanding subdivision (b), a campus may admit, by admission by exception, a California resident who is receiving an institution-based scholarship to attend the campus.~~

SUPPORT

None received

OPPOSITION

None received

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