
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 204 **Hearing Date:** June 21, 2017
Author: Medina
Version: March 16, 2017
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: Community colleges: waiver of enrollment fees

SUMMARY

This bill establishes additional procedures to ensure California Community College (CCC) students who lose student fee waivers for failure to meet minimum academic and progress standards are not unfairly impacted.

BACKGROUND

Existing law:

- 1) Establishes a \$46/unit fee for students at the CCC. (Education Code (EC) § 76300(b).)
- 2) Provides for a waiver of fees for certain types of students, including (a) students enrolled in specified public benefit programs, (b) homeless students, (c) those with household incomes below certain thresholds established by the BOG or with demonstrated financial need, pursuant to federal law. Students described in one of (a) through (c) who fail to meet minimum academic and performance standards established by the BOG, for no less than two consecutive primary academic terms (fall and spring semesters or the equivalent), become ineligible for the fee waiver. (EC § 76300.)
- 3) Pursuant to Board of Governors (BOG) regulations, districts must adopt an appeals process for students subject to loss of the fee waiver due to extenuating circumstances, which could include accidents, illnesses, changes in a student's economic situation, inability to obtain essential student services, or special factors associated with status as a veteran, disabled, CalWORKS, or Extended Opportunity Programs and Services (EOPS) student.
- 4) Requires districts, as a condition of receiving Student Success and Support Program (SSSP) funding, to maintain a student equity plan, as prescribed. (EC § 78220.)

ANALYSIS

This bill establishes additional procedures to ensure CCC students who lose student fee waivers for failure to meet minimum academic and progress standards are not unfairly impacted. Specifically, it:

- 1) Requires the Office of the Chancellor of the California Community Colleges (CCC) to review, for general consistency, each community college district's due process procedures adopted to appeal the loss of a fee waiver and comment on the procedures, as appropriate.
- 2) Requires at least once every three years, each community college district to examine the impact of the minimum academic standard and progress standards and determine whether they have had a disproportionate impact on a specific class of students.
- 3) If a disproportionate effect is found, requires a community college district to include steps to address that impact in a student equity plan.
- 4) Requires a community college district's due process procedure for appealing the loss of a fee waiver to allow for an appeal due to hardship based on geographic distance from an alternative community college at which the student would be eligible for a fee waiver.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, "in 2012, the legislature imposed new academic progress requirements on students receiving a Board of Governors (BOG) fee waiver. Failure to maintain at least a 2.0-grade point average and pass more than 50 percent of enrolled course for two consecutive primary terms would result in the loss of a fee waiver for the next year. A locally-determined appeals process is available for students who lose their BOG fee waiver from these requirements." The Chancellor's Office estimates that 32,500 community college students are liable to lose their BOG fee waiver in the process. With that number 61 percent are Latino and 12 percent have disabilities.

This bill seeks to improve the appeals process for California Community College students who lose their Board of Governors fee waiver under new academic eligibility standards.

- 2) ***Academic and progress standards.*** SB 1456 (Lowenthal, Chapter, Statutes of 2012) established new requirements to be met by low-income students in order to receive a BOG fee waiver at the California Community Colleges (CCC). Specifically, failure to maintain at least a 2.0-grade point average and to pass more than 50 percent of enrolled courses for two consecutive semesters will result in a student losing their fee waiver. All districts were required to institute an appeals process for students losing the fee waiver. Staff notes that several other financial aid programs establish academic and progress standards to be met in order to continue to receive grants/services including Extended Opportunity Programs & Services (EOPS), Cal Grants, and Pell Grants.

BOG regulations require districts to ensure students have the opportunity to receive appropriate counseling, assessment, and advising on a timely basis to mitigate potential loss of the fee waiver and to widely disseminate information on the availability of such services. BOG regulations also stipulate that the loss of a

Board of Governors (BOG) fee waiver pursuant to the above could not occur before the recently-completed fall 2016 semester.

- 3) ***Appeal based on geographic distance.*** As an unintended consequence of data limitations in tracking students across districts, students who lose their fee waiver in one district are able to enroll and receive a waiver from another district. According to the author's staff students who live in rural areas cannot take advantage of this loophole because they are less likely to have access to a neighboring community college district. It appears that under these circumstances the larger issue to address is the lack of cross collaboration between districts when it comes to the exchange of student data. Nonetheless, this bill establishes geography as a basis for appealing the loss of a fee waiver.

Staff notes there is no other criterion outlined in statute for which an appeal may be based upon. Rather than listing geography as standalone criteria which may unintentionally exclude other noteworthy conditions ***staff recommends the bill be amended as follows:***

76300. (g)(2)(C) To ensure that students are not unfairly impacted by the requirements of subparagraph (A) of paragraph (1):

- (i) The Office of the Chancellor of the California Community Colleges shall review, for general consistency, each community college district's due process procedures, including any subsequent modifications of the procedures, adopted to appeal the loss of a fee waiver under this-section. The chancellor's office shall comment on the procedures, as appropriate.
- (ii) At least once every three years, each community college district shall examine the impact of the requirements of subparagraph (A) of paragraph (1) and determine whether they have had a disproportionate impact on a specific class of students. If a disproportionate effect is found, the community college district shall include steps to address that impact in a student equity plan.
- ~~(iii) A community college district's due process procedures for appealing the loss of a fee waiver under this section shall allow for an appeal due to hardship based on geographic distance from an alternative community college at which the student would be eligible for a fee waiver.~~

76300. (g)(3) It is the intent of the Legislature that minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) be implemented only as campuses develop and implement the student support services and interventions necessary to ensure no disproportionate impact to students based on ethnicity, gender, disability, socioeconomic status or ***geographic location***. The board of governors shall consider the ability of community college districts to meet the requirements of this paragraph before adopting minimum academic and progress standards, or any subsequent changes to these standards, pursuant to subparagraph (A) of paragraph (1).

SUPPORT

American Federation of State, County and Municipal Employees (AFSCME)
California Federation of Teachers
California Teachers Association
Campaign for College Opportunity
Faculty Association of California Community Colleges

OPPOSITION

None received

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