
SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

Bill No: AB 595 **Hearing Date:** June 5, 2019
Author: Medina
Version: February 14, 2019
Urgency: No **Fiscal:** No
Consultant: Olgalilia Ramirez

Subject: Community colleges: apprenticeship programs

NOTE: This bill has been referred to the Committees on Education and *Public Safety*.
A "do pass" motion should include referral to the Committee on *Public Safety*.

SUMMARY

This bill authorizes the use of an individual tax identification number for purposes of conducting background checks required by class or program for a student enrolled in a community college apprenticeship or internship training program who does not have a social security number.

BACKGROUND

Existing law:

- 1) Establishes that it is the mission and function of the California Community Colleges (CCC) to offer academic and vocational instruction at the lower division level and the CCC are authorized to grant the associate in arts and the associate in science degree. The community colleges are also required to offer remedial instruction, English as a Second Language instruction, and adult noncredit instruction, and support services which help students succeed at the postsecondary level. (Education Code (EC) § 66010.4)
- 2) Provides the Division of Apprenticeship Standards of the Department of Industrial Relations, in partnership with CCC Chancellor's Office, to the extent that sufficient federal funds and other resources are available, to develop and implement innovative apprenticeship training demonstration projects in high-growth industries in emerging and transitioning occupations that meet local labor market needs and that are validated by current labor market data. (Education Code § 79148)
- 3) Authorizes the Commission on Teacher Credentialing to use a tax identification number in lieu of a social security number for individuals applying for a new or renewal credential. (EC § 44339.5)
- 4) Authorizes the California Architects Board to accept an application from an individual containing an individual tax identification number, or other appropriate identification number as determined by the Board, in lieu of a social security number. (Business and Professions Code § 5550.5)

- 5) Prohibits licensing boards under the Department of Consumer Affairs from denying licensure to an applicant based on his/her citizenship or immigration status, and requires a licensing board and the State Bar of California to require, by January 1, 2016, that an applicant for licensure provide his/her individual taxpayer identification number (ITIN) or a social security number (SSN) for an initial or renewal license. (Business and Professions Code § 30 and 135.5)

ANALYSIS

This bill authorizes the use of an individual tax identification number for purposes of conducting background checks required by class or program for a student enrolled in a community college apprenticeship or internship training program who does not have a social security number (SSN).

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the Faculty Association of California Community Colleges (FACCC), sponsors of this measure, allied health, nursing and other career education programs require students to participate in clinical placements for completion of the program. These programs require background checks and thus some form of a government identification number. Many of the programs already accept ITIN in lieu of a SSN however, its application is not uniform throughout the community college system and not currently mandated. To note, FACCC believes that the lack of consistency makes it very challenging and difficult for undocumented students to plan their careers and educational futures. This bill seeks to standardize the use of the ITIN and ensure that those students without SSN numbers can participate in career education programs.
- 2) ***Individual Tax Identification Number (ITIN).*** An ITIN is a tax processing identification number issued by the Internal Revenue Service that is only available for taxpayers who are ineligible to receive a social security number. According to the National Immigration Law Center, ITINs are used by undocumented immigrants and people who are lawfully present in the United States—such as certain survivors of domestic violence, Cuban and Haitian entrants, student visa-holders, and certain spouses and children of individuals with employment visas.

To obtain an ITIN, an individual must complete documentation substantiating their immigration status and identity. The documentation may be mailed, presented in person, or processed through an authorized agent. ITINs that have not been used on a federal tax return at least once in the three most recent years expire. ITINs may also expire according to a schedule determined by the date the number was issued.

- 3) ***Serving students who do not have an SSN.*** Staff notes that having an SSN number is not a condition for enrollment at a California community college. The state has demonstrated a willingness to invest in students who do not have an SSN and reside in California by qualifying them for state aid programs and resident tuition. Further, the legislature has authorized the use of the ITIN in the place of a SSN for individuals applying for a teaching credential and for

application of other professional licenses, as outlined in the background section of this analysis. Making Individual Tax Identification Number an allowable form of identification for purposes of attaining a certificate or degree through an apprenticeship or internship appears to be consistent with those policies. Presumably, the proposed change is designed to guard against future efforts to restrict for certain California residents their ability to complete their program.

This bill has also been referred to the Committee on Public Safety, which has jurisdiction over legislation relating to criminal procedure, statutes of a penal nature and legislation relating to the Department of Corrections and Rehabilitation and can more appropriately address the bill's provision relative to background checks.

SUPPORT

CalAsian Chamber of Commerce
California Community Colleges, Chancellor's Office
California Faculty Association
California Federation of Teachers
California Immigrant Policy Center
California State Council of Service Employees
Coalition for Humane Immigrant Rights
Faculty Association of California Community Colleges (Sponsor)
Los Angeles Community College District
Service Employees International Union
Student Senate for California Community Colleges

OPPOSITION

None received

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