

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1559**

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**Introduced by Assembly Member Berryhill**  
**(Coauthors: Assembly Members Adams, Anderson, Benoit, DeVore,**  
**Gaines, Houston, Maze, Nakanishi, Silva, Smyth, and Tran**  
**Strickland, Tran, and Villines)**

February 23, 2007

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An act to add ~~Section 76301 to~~ Article 3.5 (commencing with Section 78255) to Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1559, as amended, Berryhill. ~~Community college fees: consumer protection. Public postsecondary education: community college nursing education programs.~~

**Existing**

(1) Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. ~~The board is required to provide leadership and direction in the development of the California Community Colleges as an integral and effective element in the structure of public higher education in the state~~ Existing law establishes community college districts throughout the state, under the administration of community college district governing boards, and authorizes these districts to provide instruction at the community college campuses they operate.

This bill would require the board to adopt consumer protection policies relating to community college student fees. This bill would also declare the intent of the Legislature that the board consider the increases in

educational costs and student educational debt in adopting these policies require a community college district governing board to adopt and implement a merit-based admissions policy for a nursing education program if, for any academic term, there are more applicants seeking enrollment in that nursing program than may reasonably be accommodated. Because the bill would impose new duties on community college districts, it would constitute a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes. State-mandated local program: ~~no~~-yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Article 3.5 (commencing with Section 78255) is  
2 added to Chapter 2 of Part 48 of Division 7 of Title 3 of the  
3 Education Code, to read:

4  
5 Article 3.5. Nursing Education Programs

6  
7 78255. Notwithstanding any other provision of law, if, for any  
8 academic term, at any community college offering a nursing  
9 education program, there are more applicants seeking enrollment  
10 in that program than may reasonably be accommodated, the  
11 governing board of that community college district shall adopt  
12 and implement a merit-based admissions policy for the  
13 determination of which applicants may be admitted to that  
14 program.

15 SEC. 2. If the Commission on State Mandates determines that  
16 this act contains costs mandated by the state, reimbursement to  
17 local agencies and school districts for those costs shall be made  
18 pursuant to Part 7 (commencing with Section 17500) of Division  
19 4 of Title 2 of the Government Code.

1 SECTION 1. ~~Section 76301 is added to the Education Code,~~  
2 ~~to read:~~  
3 ~~76301. The Board of Governors of the California Community~~  
4 ~~Colleges shall adopt consumer protection policies relating to~~  
5 ~~community college student fees. In adopting these policies, it is~~  
6 ~~the intent of the Legislature that the board consider the increases~~  
7 ~~in educational costs and student educational debt.~~

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