

Senate Bill No. 1440

CHAPTER 428

An act to add Article 3 (commencing with Section 66745) to Chapter 9.2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education.

[Approved by Governor September 29, 2010. Filed with
Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1440, Padilla. California Community Colleges: student transfer.

Existing law establishes the 3 segments of public postsecondary education in this state. These segments include the California State University, the campuses of which are administered by the Trustees of the California State University, the University of California, which is administered by the Regents of the University of California, and the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges.

Existing law establishes community college districts throughout the state, and authorizes them to provide instruction to students at community college campuses.

Existing law, known as the Donahoe Higher Education Act, authorizes the community colleges to grant associate in arts and associate in science degrees. The act also requires the regents, the trustees, and the board of governors to have as a fundamental policy the maintenance of a healthy and expanded program to increase the number of transfer students from community colleges.

This bill would enact the Student Transfer Achievement Reform Act, which, commencing with the 2011–12 academic year, would require a student that receives an associate degree for transfer to be deemed eligible for transfer into a California State University baccalaureate program when the student meets prescribed requirements. The bill would condition a community college district's receipt of state apportionment funds on its development and granting of associate degrees for transfer, unless each of the state's community college districts waives reimbursement for specified state-mandated costs of implementing the bill in accordance with a prescribed procedure. This bill would prohibit a community college district from imposing any requirements, in addition to these requirements, for a student to be eligible for the associate degree for transfer, and would prohibit remedial noncollegiate level coursework from being counted towards the units required for the associate degree for transfer.

This bill would require the California State University to guarantee admission with junior status to any community college student who meets

the requirements for the associate degree for transfer. This bill would not guarantee a student admission for specified majors or campuses, but would require the California State University to grant a student priority admission to his or her local California State University campus and to a program or major that is similar to his or her community college major or area of emphasis, as determined by the California State University campus to which the student is admitted. This bill would authorize the California State University to require a transferring student to take additional coursework at the California State University in specified circumstances, and would prohibit the California State University from requiring a transferring student to repeat courses that are similar to those taken at the community college that counted towards the units required for the associate degree for transfer.

This bill would also require the Legislative Analyst's Office to review and report to specified legislative committees and subcommittees, within a prescribed time period, on specified outcomes and recommendations related to this act.

By requiring a community college district to grant the associate degree for transfer in exchange for receipt of state apportionment funds, this bill would impose a state-mandated local program.

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.

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

SECTION 1. The Legislature finds and declares all of the following:

(a) Since the enactment of the Master Plan for Higher Education in 1960, preparing students to transfer to a four-year university has been a core function of the California Community Colleges.

(b) Successful progression from lower division coursework to degree completion is a basic principle of California higher education and is critical to the future of the state's economy.

(c) Currently, the coursework necessary to transfer to a campus of the California State University or the University of California differs from the coursework needed to earn an associate degree. As a result, many transfer students leave the community college system having completed transfer requirements, but are unable to participate in community college graduation ceremonies, do not have a degree to show for their work, and are ineligible for some awards and scholarships because they did not fulfill current requirements for an associate degree.

(d) Today, one in every four jobs requires an associate degree or higher. In the near future, one in every three jobs will require an associate degree or higher.

(e) The Public Policy Institute of California projects that California will have one million fewer graduates than it needs in 2025, and that increasing transfer rates from community colleges to four-year postsecondary educational institutions would dramatically reduce the education skills gap.

(f) The community college system allows the state to address the serious projected shortage of educated workers.

(g) To meet workforce demands in a cost-effective way, incentivizing students to earn an associate degree while preparing for transfer to a four-year college or university, and recognizing that they have completed a transfer preparation course pattern, provides students encouragement and support to complete their overall educational pursuits.

SEC. 2. Article 3 (commencing with Section 66745) is added to Chapter 9.2 of Part 40 of Division 5 of Title 3 of the Education Code, to read:

Article 3. Student Transfer Achievement Reform Act

66745. This article shall be known, and may be cited as the Student Transfer Achievement Reform Act.

66746. (a) Commencing with the fall term of the 2011–12 academic year, a student who earns an associate degree for transfer granted pursuant to subdivision (b) shall be deemed eligible for transfer into a California State University baccalaureate program when the student meets both of the following requirements:

(1) Completion of 60 semester units or 90 quarter units that are eligible for transfer to the California State University, including both of the following:

(A) The Intersegmental General Education Transfer Curriculum (IGETC) or the California State University General Education-Breadth Requirements.

(B) A minimum of 18 semester units or 27 quarter units in a major or area of emphasis, as determined by the community college district.

(2) Obtainment of a minimum grade point average of 2.0.

(b) (1) As a condition of receipt of state apportionment funds, a community college district shall develop and grant associate degrees for transfer that meet the requirements of subdivision (a). A community college district shall not impose any requirements in addition to the requirements of this section, including any local college or district requirements, for a student to be eligible for the associate degree for transfer and subsequent admission to the California State University pursuant to Section 66747.

(2) The condition of receipt of state apportionment funding contained in paragraph (1) shall become inoperative if, by December 31, 2010, each of the state's 72 community college districts has submitted to the Chancellor of the California Community Colleges, for transmission to the Director of Finance, signed certification waiving, as a local agency request within the meaning of paragraph (1) of subdivision (a) of Section 6 of Article XIII B of the California Constitution, any claim of reimbursement related to the implementation of this article.

(c) A community college district is encouraged to consider the local articulation agreements and other work between the respective faculties from the affected community college and California State University campuses in implementing the requirements of this section.

(d) Community colleges are encouraged to facilitate the acceptance of credits earned at other community colleges toward the associate degree for transfer pursuant to this section.

(e) This section shall not preclude students who are assessed below collegiate level from acquiring remedial noncollegiate level coursework in preparation for obtaining the associate degree. Remedial noncollegiate level coursework shall not be counted as part of the transferable units required pursuant to paragraph (1) of subdivision (a).

66747. Notwithstanding Chapter 4 (commencing with Section 66201), the California State University shall guarantee admission with junior status to any community college student who meets all of the requirements of Section 66746. Admission to the California State University, as provided under this article, does not guarantee admission for specific majors or campuses. Notwithstanding Chapter 4 (commencing with Section 66201), the California State University shall grant a student priority admission to his or her local California State University campus and to a program or major that is similar to his or her community college major or area of emphasis, as determined by the California State University campus to which the student is admitted. A student admitted under this article shall receive priority over all other community college transfer students, excluding community college students who have entered into a transfer agreement between a community college and the California State University prior to the fall term of the 2012–13 academic year.

66748. (a) The California State University may require a student transferring pursuant to this article to take additional courses at the California State University so long as the student is not required to take any more than 60 additional semester units or 90 quarter units at the California State University for majors requiring 120 semester units or 180 quarter units. Specified high unit majors shall be exempt from this subdivision upon agreement by the Chancellors of the California State University and the California Community Colleges and their respective academic senates.

(b) Community college transfer units shall not be applicable to upper division requirements at the California State University, unless agreed upon by the local Academic Senates of the California State University and the California Community Colleges and the transferred units do not exceed the required 60 semester units or 90 quarter units required pursuant to paragraph (1) of subdivision (a) of Section 66746.

(c) The California State University shall not require students transferring pursuant to this article to repeat courses that are similar to those taken at the community college that counted toward the associate degree for transfer granted pursuant to Section 66746.

66749. (a) The Legislative Analyst's Office shall review and report to the Assembly Committee on Higher Education, the Senate Committee on

Education, and the respective education finance budget subcommittees of the Assembly and the Senate in the spring of 2012, an update on the implementation of this article.

(b) The Legislative Analyst’s Office shall also review and report to the Assembly Committee on Higher Education, the Senate Committee on Education, and the respective education finance budget subcommittees of the Assembly and the Senate, within four years of implementation of this article, on both of the following:

(1) The outcomes of implementation of this article, including, but not limited to, all of the following:

(A) The number and percentage of community college students who transferred to the California State University and earned an associate degree for transfer pursuant to this article.

(B) The average amount of time and units it takes a community college student earning an associate degree for transfer pursuant to this article to transfer to and graduate from the California State University, as compared to the average amount of time and units it took community college transfer students prior to enactment of this article, and compared to students using other transfer processes available.

(C) Student progression and completion rates.

(D) Other relevant indicators of student success.

(E) The degree to which the requirements for an associate degree for transfer take into account existing articulation agreements and the degree to which community colleges facilitate the acceptance of credits between community college districts, as outlined in subdivisions (c) and (d) of Section 66746.

(F) It is the intent of the Legislature that student outcome data provided under this subdivision include the degree to which the California State University was able to accommodate students admitted under this article to a campus of their choice and a major that is similar to their community college major.

(2) Recommendations for statutory changes necessary to facilitate the goal of a clear and transparent transfer process, including whether this article should be made applicable to students transferring from community colleges to the University of California.

SEC. 3. It is the intent of the Legislature that the requirements placed on community college districts pursuant to this act shall be carried out in the normal course of program development and approval, course scheduling, and degree issuance and shall not represent any new activities or a higher level of service on the part of community college districts.

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