

## CSSA

### Legislation for Consideration

Below is proposed legislation for CSSA to take action on in 2018. This document reflects the status of these bills as of 3/27/18.

#### State Legislation - 2018

#### INFORMATION ITEMS:

##### [AB 2220 \(Bonta\) College Athlete Bill of Rights](#)

**Summary:** AB 2220 would require any institution of higher education that provides athletic scholarships in California, to provide an equivalent scholarship to students who do not have their athletic contract renewed due to injury or illness for up to 6 years. Additionally, this bill gives any college athlete who claims to have had any of their rights violated by an institution the ability to seek damages against the institution and personnel that carried out alleged violations.

**Analysis:** This bill is an expansion of the Student Athlete Bill of Rights, which was passed by the legislature in 2012. It currently requires intercollegiate athletic programs at 4-year universities that receive \$10,000,000 or more in annual revenue from media rights for intercollegiate athletics to comply with various requirements. This includes providing an equivalent scholarship if an athlete has suffered an incapacitating injury or illness resulting from participation in the program, or if they have exhausted their athletic ability so they can complete their degree, in addition to medical insurance and care. Expanding on this legislation through AB 2220 would create a much more equitable collegiate experience for student athletes.

##### [AB 2479 \(Voepel\) Income Share Agreement](#)

**Summary:** This bill establishes a student financial aid pilot program, commencing in 2020-21 academic year at one CSU campus, and at one UC campus, called an Income Share Agreement (ISA). In this version of an ISA, investors and/or donors pay for students' tuition and after graduation, collect a percentage of the student's post-graduation salaries over 10 years. Payments are adjusted according to the graduates' income, with no principal balance or interest in a traditional sense. Payments do not begin until a student is employed, and is earning a minimum annual salary of \$20,000.

**Analysis:** Proponents for ISAs argue this will be another way for individuals to finance their education, and provides for different costs and protections to individuals. In addition, ISAs provide another stream of private funding to support students to their degree, and potentially reduce the need for federal and state taxpayer contribution. Lastly, because these plans are agreed to by the institution, the institution would ensure that these plans are not predatory in nature.

Opponents of ISAs argue that they add complexity to an already complex financial aid structure and that the combination of federal financial aid, income based repayment plans, and private loans may make ISAs unnecessary. Also, because these plans are backed by private investors, the main intent of these plans could be profit to those private investors. Additionally, these

plans could be offered to the individual student based on their individual circumstances, including their major and career goals, potentially creating inequities in repayment. Lastly, because these are new financial products, new regulations will be needed to ensure protection to the ISA recipient.

### **AB 2785 (Rubio) Lactation Accommodations in Higher Education**

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**Summary:** This bill ensures that California Community Colleges and California State Universities provide lactating accommodations to their students by including access to a private, secure, and safe room on campus for the purposes of breastfeeding an infant or addressing other needs related to lactation. In addition, this bill would prohibit academic penalties being issued to students who utilize the lactation accommodations for a reasonable amount of time. As a result of AB 2785, any new CCC or CSU campus, or any renovation to an already existing campus, would be required to include a specific lactation room.

**Analysis:** Currently, lactation accommodations are offered to students in K-12, so this bill seeks to expand those rights to higher education institutions. Many campuses do have lactation rooms already, but inadequate or unsanitary lactation accommodations within our higher education institutions still exist and have been identified as a serious health and gender inequity issue. AB 2785 would ensure that students are provided with the basic needs necessary to achieve academic success, while not incurring an academic penalty as a result.

### **AB 3213 (Bonta) Cost of Attendance**

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**Summary:** This bill would establish minimum requirements for CSU's and private 4-year institutions to account in a student's cost to attend, including: tuition, fees, books, supplies, room and board, transportation to go home on breaks, technology, membership fees, healthcare costs, and dependent costs. Additionally, this bill would disclose how the cost of attendance was estimated, provide students with regular updates on how much they have borrowed, estimated monthly payments after graduation, and how close they are to aggregate borrowing limits.

**Analysis:** While institutions are required by law to include certain things in their cost to attend, how they determine the budget for each factor is left entirely up to each individual campus. Research has shown that 1/3 of colleges and universities provided cost of living allowances that were at least \$3,000 less than estimated living costs for that region. AB 3213 would create a set of standards that would more accurately reflect the cost of attendance, so that prospective students know exactly what to predict which would in turn ensure more students could afford to complete their degree.

### **AB 1961 (Choi) Student Housing and Meal Plans**

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**Summary:** This bill requires that each public and private higher education institution, as a condition of receiving any state funds for student financial assistance, to list separately the costs of institutionally-operated student housing and meal plans on all relevant websites and documents provided to inform students of costs. Additionally, this bill prohibits such institutions from requiring a student to have a campus meal plan as a condition of living in institutionally-operated housing.

**Analysis:** AB 1961 aims to increase transparency between the costs of college attendance and to increase student choice toward controlling students' total cost of education. While listing

separately the costs of student housing and meal plans doesn't present an issue, the second half regarding the meal plan requirement could present problems. At the CSU, many campuses contract out on a multi-year basis for food services, a reduction in meal plan use could create contract issues and increase the cost of meal plans for the other students. The majority of dormitories do not allow the use of hot plates or toaster ovens, so there is also a question of access to other pre-prepared meals in similar nutritional value and cost located near students. Students additionally may simply go without a meal plan to save money, and then become food insecure.

### **SB 320 (Leyva) On-Campus Student Health Center: Non-Surgical Abortion**

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**Summary:** This bill would require by January 1, 2022, each public university student health center offers abortion by medication techniques, funded by private donations. These funds would be administered by a state agency through the Medication Abortion Implementation Fund. This bill also requires a Medication Abortion Implementation Advisory Council be established, to develop objectives and priorities of the fund.

**Analysis:** The proponents of this bill argue that a need for this bill exists due to the fact that each month, within the CSU and UC, up to 519 students seek medication abortions at off-site health facilities. Due to the distance and delay of seeking this medication, some students are at risk of being ineligible due to the fact that this medication can only be administered before the 10<sup>th</sup> week of pregnancy.

Currently, funding for this new requirement would be through private funding administered by the state. Each campus would be eligible to up to \$200,000 in one-time funding to provide for training or new equipment. However, ongoing funding will be necessary to afford the medication referenced in this bill, with costs up to \$800 per dose. Thus, the ongoing cost for this requirement (i.e. user fee, campus fee, or combination of the two) are unknown.

**CORRECTION:** The statement "However, ongoing funding will be necessary to afford the medication referenced in this bill, with costs up to \$800 per dose" is misleading. The reimbursement rate for medication abortion, ranges from \$300 to \$800. This reimbursement covers the cost of medication, as well as the staff time cost, building costs and upkeep, and other costs. MediCal can reimburse approximately \$500 of this cost to the individual recipient. Not all students are MediCal recipients, and thus, some may pay out of pocket for this expense.

### **Housing Bills**

**General Analysis:** Each of these bills address, in a specific way, the cost of housing to students. Currently, housing remains a student's largest cost to attend college. Additionally, 10.9% of students in the CSU face some form of homelessness. Due to this, new programs and housing will be necessary to meet the demand of CSU students, and reduce this specific cost to students, thus lowering their cost of attendance.

### **SB 1182 (Glazer) Renters' Tax Credit**

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**Summary:** This bill would provide financial relief to low and middle income individuals by increasing the renter's tax credit from \$60 to \$120 for single filers who have adjusted gross income of \$40,078 or less, and from \$120 to \$240 for joint filers with an adjusted gross income of \$80,056 or less. Preliminary projections based on previous legislative attempts forecast that

this may cost the state anywhere between \$210 million and \$230 million beginning in 2019-20.

**Analysis:** Established in 1972, the renter's tax credit has only been increased once in 1979. Since the last increase, rents in California have tripled, but the renter's tax credit has remained the same. Most CSU students who live independently from their families rent the space they live in. Thus, an additional financial benefit, through this rental tax credit, may be helpful to them.

### **SB 1227 (Skinner) Density Bonuses**

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**Summary:** This bill would give a density bonus to a developer who agrees to construct a student housing, where 20% of the units are for low-income students. A density bonus is when a developer can build a larger, or taller development than what is currently zoned, in exchange for a public benefit. In this case, the benefit would be units for low-income students. This benefit would be required for at least 55 years. This bill also would deny a city or county from requiring a vehicular parking ratio for a student development that receives this benefit.

**Analysis:** The density bonus provided by SB 1227 may incentivize private developers to build student housing around the state, off of university land, as well as incentivize private universities to build new student housing. This density bonus does not apply to public university owned land due to the CSU and UC zoning processes.

### **SB 922 (Nguyen) Affordable Student Housing**

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**Summary:** This bill would allow the Department of General Services (DGS) to dispose of surplus state real property located within 2 miles of a CSU, UC, or CCC campus, by offering the property to a local agency or nonprofit organization for the development of affordable student housing. This bill would require development of the housing to commence within 2 years of the transfer, or else the land would transfer back to DGS. This bill would also enable a more streamlined zoning process in development of the property.

**Analysis:** See General Analysis

### **SB 827 (Wiener) Transit-Rich Housing Bonus**

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**Summary:** SB 827 makes it legal to build small and mid-rise apartment buildings near high-quality transit by exempting these areas from certain restrictive zoning standards. Establishing state minimum zoning near high quality transit ensures that neighborhoods with transit access will have abundant housing and opportunity in livable communities, and that transit agencies will see increases in usage.

**Analysis:** Under SB 827, a local government will no longer be able to arbitrarily limit the density of housing in neighborhoods adjacent to transit. Other local restrictions that affect height and parking will also change to encourage more mid-rise apartment-style housing construction. If a rental housing is issued by a local government and has the effect of displacing tenants, those tenants are entitled to a Right to Remain Guarantee at the developer's expense. This would ensure that tenants receive assistance in securing a temporary unit during construction, full and complete financial assistance during their move and project construction so that they are never paying more out-of-pocket than their original rent.

## State Legislation - 2018

### ACTION ITEMS:

#### [AB 1936 \(Low\) Office of Higher Education Performance and Accountability](#)

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**Summary:** AB 1936 establishes the Office of Higher Education Performance and Accountability (OHEPA) as the statewide postsecondary coordination and planning entity, outlines its responsibilities, functions and authorities, and establishes an advisory board to the office (comprised of legislative appointees) to examine and make recommendations regarding its functions and operations, and to review and comment on the office's recommendations to the Governor and Legislature.

**Analysis:** This legislation is a necessary step in establishing accountability and clarity for California's higher education systems performance in meeting the statewide goals outlined in the Master Plan of equity, access, and success; alignment with workforce needs; and the effective and efficient use of resources.

This program would create an ongoing cost of \$1.9 million to the general fund and \$110,000 to the CSU.

**Recommendation:** Support

#### [AB 2477 \(Rubio\) Dream Resource Liaison](#)

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**Summary:** This bill would require that beginning in the 2019-20 academic year the California State University, California Community Colleges, and any school district or county office that serves grades 9 to 12, would be required to designate a Dream Resource Liaison on each of their campuses, to assist undocumented students looking to advance their education and encourage institutions to establish Dream Resources Centers, with authorization to provide specified support services. In implementing this legislation, undocumented students would have easier access and better resources to ensure their academic success.

**Analysis:** 65,000 undocumented students graduate from high schools, but only 20 percent of these students attend college. Many undocumented youth and their families are unaware of the recent policy changes and resources available to them, that aid in making college graduation more attainable. Currently Dream Resource Centers exist at California State University, Los Angeles, California State University, Fullerton, and California State University, Northridge, but the majority of college campuses do not have a centralized location that provides specialized support services to undocumented students.

**Recommendation:** Support

#### [SB 346 \(Glazer\) California Promise Incentives](#)

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**Summary:** Expands on the California Promise program at the CSU, which aims to increase the graduation rate, lower cost, and ensure that the number of degrees meets the needs of California employers through coordination and support between the California Community

Colleges and the CSU systems. In order to encourage broad student participation, this legislation would build upon recommendations by the CSU and create incentives for those programs. Specifically SB 346 would establish the Student Success and On-time Completion Fund; allow money appropriated to this fund by the legislature to be used for Summer Term Grants, On-Track Progress Grants or a tuition freeze; and commencing July 1, 2018 provide backend tuition waivers for all remaining classes needed to graduate when a campus is unable to provide a pathway to graduate in four or two years.

**Analysis:** The Campaign for College Opportunity estimates that every additional year of college beyond four years increases the total cost by more than \$26,000 in tuition, fees, books, and living expenses, and more than \$22,000 lost in lifetime wages. This bill provides incentives to encourage students to remain on a four-year graduation track, and provides incentives to the CSU to provide the classes necessary to meet student demand.

**Recommendation:** Support

### **SB 918 (Wiener) Homeless Youth**

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**Summary:** SB 918 creates the Office of Homeless Youth within the Department of Housing and Community Development and requires it to set specific goals to prevent and end youth homelessness, along with monitoring progress towards those goals. The bill establishes \$60 million in grants from the cannabis tax and other funds, administered by the Office of Homeless Youth.

**Analysis:** California has the highest rate of youth homelessness in the nation – 38 percent higher than the nation’s total. In 2017, there were 15,458 unaccompanied homeless youth in California without a safe place to stay. This legislation creates a clear path to take in helping homeless youth, and ultimately allow them to become successful adults.

**Recommendation:** Support

### **SB 1275 (Stern) Plan Against College Hunger Act**

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**Summary:** SB 1275 would establish the Plan Against College Hunger Program under the administration, which would reimburse postsecondary educational institutions that provide student meal plans at no cost to students that are Cal Grant recipients and are attending more than part time.

**Analysis:** At the CSU, one in five students experience hunger, directly impeding learning and graduation rates. This legislation would help postsecondary educational institutions pay for and provide meals for food insecure students.

**Recommendation:** Co-Sponsor

### **SB 1471 (Hernandez) Cal Grant Program**

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**Summary:** This bill amends existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, to increase the annual Competitive Cal Grant A and B award limit from 25,750 to 30,000.

**Analysis:** Since the Competitive Cal Grant was created in 2001-2002, there has only been one

modest increase in the number of annual awards. SB 1471 will increase the amount of Competitive Cal Grants given by 4,250. This will ensure that our most vulnerable students receive the financial aid and educational opportunities that they deserve.

**Recommendation:** Support

### **Higher Education Facilities Bond Bills**

#### **AB 2771 (Eggman) Higher Education Facilities Bond Act of 2018**

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**Summary:** AB 2771 would generate \$7 billion through the sale of general obligation bonds in order to build more housing for students around the state, address the massive backlog of deferred maintenance projects within the UC and CSU, and provide funding for expansions through new or existing campuses. It will also establish a new advisory committee to oversee the fund.

**Analysis:** As an economic driver for the state, the California higher education system is worth investing in. Proposition 51 passed in 2016 with over 55% support for bonds funding schools from kindergarten through community college, and it's time to put the same level of support into the rest of the education system.

**Recommendation:** Support

#### **SB 1225 (Glazer) Higher Education Facilities Bond Act of 2018**

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**Summary:** Upon approval by the state electorate, this bill would authorize the issuance of state general obligation bonds in an amount not to exceed \$4 billion with one-half of the amount designated for the UC system, and the other half designated for the CSU system. The funds generated would enable the system to build new facilities, and improve existing facilities. Each system would need to submit a 5-year capital outlay plan that includes a schedule of projects that prioritize seismic retrofitting needs. Once and if this bill passed, it would then be placed on the 2018 general election ballot.

**Analysis:** Ever since the 1980s, the state paid for public higher education facilities through the passage of voter approved bonds. However, the last bond passed by voters was in 2006, nearly 12 years ago. In the interim, the systems have been tasked with taking care of their capital needs without the help of a bond. This is not a sustainable way of dealing with the \$8 billion capital need of both systems. Without a bond, this capital need will continue to grow, and many of the alternative solutions will eventually lead to higher costs for students.

**Recommendation:** Support