Agenda

I. ROLL CALL
II. PUBLIC SPEAKERS*

III. NEW BUSINESS
   A. Federal Update
   B. State Update
   C. SB769 – Baccalaureate Degree Pilot Program
   D. AB-618 – Local Agency Public Construction Act: Job Order Contracting at Community College Districts

IV. OLD BUSINESS

V. DISCUSSION

VI. SUMMARY– NEXT MEETING ................................................................................. Mike Fong

VII. ADJOURNMENT

*Members of the public are allotted three minutes time to address the agenda issues.

If requested, the agenda shall be made available in appropriate alternate formats to persons with a disability, as required by Section 202 of the American with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, for whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting. To make such a request, please contact the Executive Secretary to the Board of Trustees at 213/891-2044 no later than 12 p.m. (noon) on the Tuesday prior to the Committee meeting.
IN BRIEF
Expands and modifies the existing SB 850 (Block, 2014) Community College Baccalaureate Degree pilot program:
- Expands from 15 to 30 programs to give LAO a larger sample size for the 2022 study.
- Removes the pilot program sunset of 2023.
- Removes the “one program per district” limitation
- Instead of preventing a community college from offering a baccalaureate program already at a UC or CSU, the bill allows it as long as the community college is at least 100 miles away from a UC/CSU.

THE ISSUE
Only 206 students statewide are currently enrolled in the first 10 community college baccalaureate programs around the state. When five more districts begin their programs this year that number will only increase to around 300 students.

The pilot program needs to be expanded so the LAO can have a larger sample size to review program success and so more community college students can have access to baccalaureate programs.

36 community college districts applied for the 15 pilot program slots. There’s a clear need and desire for more districts and students to participate in an expanded pilot program.

In 2030, if current trends persist, 38 percent of jobs will require at least a bachelor’s degree. But population and education trends suggest that only 33 percent of working-age adults in California will have bachelor’s degrees by 2030—a shortfall of 1.1 million college graduates.

Community colleges account for more than half of undergraduate enrollment in California—open access, wide geographic distribution, and relatively low fees make them especially popular; however, only one in ten community college students transfer to a four-year university.

College completion rates have been improving, but not fast enough. And there will not be enough highly educated newcomers to California—from abroad or from other states—to close the skills gap.

EXISTING PILOT PROGRAM
Of the 206 students enrolled in 10 pilot programs statewide, 57 percent are from underserved ethnic groups and 72 percent are female. The other 5 colleges in the pilot program are currently recruiting students and expect to launch programs this fall.

Students participating in the baccalaureate pilot program pay approximately $10,560 in fees and tuition for their four-year degree, a fraction of the cost of private and other public universities. On average, California State University in-state students will pay $27,036 for four years of study.

Colleges participating in the pilot program include:
1. Antelope Valley College - airframe manufacturing technology (Lackey, Wilk)
2. Bakersfield College - industrial automation (Fong, Fuller)
3. Cypress College - mortuary science (Quirk Silva, Newman)
4. Feather River College - equine industry (Dahle, Gaines)
5. Foothill College - dental hygiene (Berman, Hill)
6. Mesa College - health information management (Maienschein, Weber, Atkins)
7. Mira Costa College – biomanufacturing (Chavez, Bates)
8. Modesto Junior College - respiratory care (Gray, Galgiani)
9. Rio Hondo College - automotive technology (Calderon, Mendoza)
10. Santa Ana College - occupational studies (Daly, Nguyen)
11. Santa Monica College - interaction design (Bloom, Allen)
12. Shasta College - health information management (Dahle, Gaines)
13. Solano Community College - biotechnology (Frazier, Dodd)
14. Skyline College - respiratory care (Mullin, Hill)
15. West Los Angeles College - dental hygiene (Ridley Thomas, Mitchell)
There are a total of 206 students enrolled in 10 pilot programs, with data disaggregated as follows:

Female – 148  
Male – 58  
African American – 12  
Asian – 41  
Caucasian – 80  
Hispanic – 50  
Mixed – 12  
Other – 11  
Age 30 and under – 125  
Age 31-50 – 66  
Age 50 and over – 15  

Colleges have been filing quarterly reports with the Community Colleges Chancellor’s Office with data that is required in the SB 850 bill language. These reports will be expanded to include more data points as the programs reach the one year mark, and as the new programs launch in 2017. Colleges are undergoing accreditation by the ACCJC, and curriculum approved through the CCCCO. The standards are very high to operate the programs.

**PILOT SUNSET IS A PROBLEM**

The challenge with the sunset is that the colleges are working with local high schools, current and prospective students on recruiting efforts. Additionally, a large part of those efforts are focused on working with local industries to identify incumbent workers who can move into these programs. If the sunset remains, colleges will not be able to recruit past spring of 2018, (one year from now). Students who begin fall 2018 would graduate in Spring 2022. Measuring the success of the program would mean that only 2 full four year cohorts could move through the program, 2017-2021, 2018-2022. By the time the LAO report is released, the impact of the sunset would then be impacting the measures of success that were set out in the law. Students are unlikely to choose programs that have no guarantee of continuing, thus program viability would be in jeopardy.

**BACKGROUND**

On September 28, 2014, California Governor Jerry Brown signed SB 850 (Block) authorizing the Board of Governors of California's Community Colleges (BOG), in consultation with representatives of the California State University (CSU) and University of California (UC), to establish a statewide baccalaureate degree pilot program at no more than 15 California Colleges. The Board of Governors was charged to develop a process for selection of the pilot programs.

SB 850 contained the following requirements:
- Community College Districts were limited to one pilot program offering at one campus within the district.
- Community College Districts couldn’t offer a baccalaureate program already offered by a UC or CSU.
- Requires the LAO to conduct interim and final evaluations of the pilot program and report to the Legislature and the Governor. The interim evaluation is due July 1, 2018, and the final evaluation is due by July 1, 2022.
- The pilot program sunsets on January 1, 2024.

**SUPPORT**

Chabot-Las Positas Community College District  
Community College League of California  
Foothill-De Anza Community College District  
Kern Community College District  
Los Angeles Community College District  
Los Rios Community College District  
Rio Hondo Community College  
San Diego Community College District  
San Mateo County Community College District  
Santa Clarita Community College District  
West Los Angeles Community College

**FOR MORE INFORMATION**

Nate Solov – 651-4013 – nate.solov@sen.ca.gov
ASSEMBLY BILL 618: Job Order Contracting at CA Community Colleges

SUMMARY
AB 618 would authorize Job Order Contracting (JOC), an alternative and optional contracting procedure for a catalog of smaller construction projects, at California Community Colleges (CCC) that have entered into a Project Labor Agreement (PLA). Currently, school districts have the ability to use JOC and this bill extends the authority to CCC.

Additionally, AB 618 provides flexibility to school districts and community college districts when designing their local PLA.

BACKGROUND
Job Order Contracting is an alternative and optional contracting procedure used at school districts. JOC is a project delivery method designed to accelerate the completion of smaller projects at lower costs by streamlining some of the requirements of the contracting process. Under JOC, the contractor agrees to a catalog of construction tasks for a fixed period of time. A catalog contains specific construction tasks with fixed unit prices that are based on generally-accepted industry standards, inclusive of the cost of materials, labor, and equipment for performing the construction tasks.


JOC is a cost-effective and efficient contracting method. In the LAUSD pilot program’s report to the Legislature, project costs were approximately 9.3% lower than the estimates. The report also stated that JOC reduced the total procurement time by more than half.

Due to the success of the LAUSD pilot, AB 1431 (Gomez, 2015) authorized all school districts that have entered into a PLA to utilize JOC. It established a procedure to review and penalize violations of the program, required notifications of the scope of work to ensure the appropriate workers and apprentices were utilized, and required reports to the Legislature.

PROBLEM
Community Colleges are able to use a variety of contracting methods, including “design-bid-build”, where an entity would hire an architect to design the project, open a request for proposals, and award the contracts; design-build, where an entity issues a bid for design and construction; and best value, where an entity considers factors other than cost. These methods may not be the most efficient and/or cost-effective for the Community College. JOC provides Community Colleges with current PLA’s an alternative, optional, proven cost-effective method for contracting.

SOLUTION
AB 618 authorizes California’s Community Colleges who have entered into project labor agreement(s) to utilize Job Order Contracting until January 1, 2022. This bill will improve the cost-effectiveness and efficiency of smaller construction tasks at our Community Colleges without forgoing quality, the integrity of the bidding process, and compliance with labor laws.

The bill also provides more flexibility to local governing boards by ensuring negotiations on the threshold amount for the workforce agreement are between the local board and local Building Trades representatives.

SUPPORT
State Building & Construction Trades Council of CA (Sponsor)
IN BRIEF

Allied health professionals are required to work hundreds of unpaid clinical hours to successfully complete their training programs. This requirement creates a barrier for low-income students and working adults, which prevents them from entering into good middle-class jobs.

BACKGROUND

California has more than 600,000 allied healthcare professionals with employment expected to grow to one million by 2030. More than half of those occupations require a license or certification. These are careers like Respiratory Therapist, Vocational Nurse, Surgical Technologist, Medical Assistant and Certified Nursing Assistant. These jobs typically offer good wages and benefits providing a path to the middle class, but entry can be difficult as students are required to contribute significant hours of unpaid work to achieve their degrees.

Every year, more than 50,000 Californians are in training to become an allied health professional, and on average they tend to be white, older and predominantly female. Clinical hour requirements vary from as few as 160 hours for Medical Assistants to as many as 1850 hours for a Radiologic Technologist. The clinical hour requirement is in addition to in-classroom course work requirements meaning that some students are in school 30-50 hours a week plus the time they spend studying outside of their course work and clinical hours. In fact, most programs at the community college level recommend that students not work because of the demanding nature of the programs.

Requiring students to contribute significant hours of unpaid work is an unrealistic burden for individuals with families to support. This explains some of the racial and ethnic achievement gaps in Healthcare Career Technical Education Programs. The disparities in success for healthcare training programs result in a less culturally competent workforce with only 25% of the healthcare workforce being Latino, compared to 40% of California’s population. This is a problem because a number of studies have pointed to cultural competency as a key factor in better health outcomes.

Students in allied healthcare programs are not paid; however, in traditionally male professions, individuals are compensated for their labor, even while in training. In healthcare once students show competency they are able to carry out the day to day functions of medical care with indirect supervision. This creates a direct benefit to the industry, while the worker receives no payment for their labor. In fact, we estimate that in California allied health professionals contribute up to 25 million unpaid clinical hours a year.

SOLUTION

This bill would provide that any person engaged in a period of supervised work experience to satisfy requirements for licensure, registration, or certification as an Allied Health Professional be subject to the minimum wage law.

By requiring healthcare providers to fairly compensate allied health professionals with at least the minimum wage, more individuals from underrepresented communities will be able to complete the required clinical training requirements for allied health professions, thereby increasing the overall numbers and diversity of the students in the pipeline.

SUPPORT

SEIU (Sponsor)

FOR MORE INFORMATION

Taylor Jackson, Assembly Labor and Employment Committee
916-319-2091 | Taylor.Jackson@asm.ca.gov

1 Kemp, Help Wanted: Will California Miss Out on a Billion dollar Industry, The California Wellness Foundation
2 Bohn, McConville, and Gibson, PPIC: Career Technical Education in Health, 2016
3 Ibid
4 McConville, Bohn, Beck, PPIC, California’s Health Workforce Needs, 2014
Memorandum

Date:        April 4, 2017

To:          Los Angeles Community College District Board of Trustees, Legislative and Public Affairs Committee

From:        Holland & Knight LLP

Re:          Federal Policy Update

The past month was particularly busy in Washington as work ramped up on the FY 2018 appropriations process, Congress continued to confirm executive appointments and worked on healthcare overhaul. The topics addressed in this memo include:

- Immigration
- Affordable Care Act Repeal/Replace
- FY 2018 Federal Budget
- Congressional Appropriations

I. Immigration

Attorney General Sessions Issues Sanctuary Jurisdictions Statement: On March 27, Attorney General Sessions delivered remarks regarding the Department of Justice’s (DOJ) sanctuary cities policy. The policy, while not much different from what was stated in the initial Executive Order, is intended to serve as a warning to state and local governments. Sessions stated “the Department of Justice will require jurisdictions seeking or applying for Department grants to certify compliance with Section 1373 as a condition for receiving these awards…We intend to use all the lawful authority we have to make sure that our state and local officials, who are so important to law enforcement, are in sync with the federal government.” DOJ is also considering ways to claw back grant funding previously awarded to jurisdictions found to be non-compliant.

Last year, a report by the DOJ inspector general found 10 of the largest sanctuary jurisdictions — including the entire state of California — had received about $342 million in Office of Justice Programs grants prior to the new requirements. Moving forward, DOJ will publish a weekly list of municipalities that have denied detainer requests.

Trump Proposes Immigration Enforcement Funding for FY 2018: In his “skinny” budget proposal for FY 2018, President Trump calls for numerous cuts to discretionary funding programs. While we detail these cuts in a later section of this memo, it is important to note here that the President generally calls for increases to spending for law enforcement and immigration enforcement efforts, including:
- Increased funding to hire an additional 60 border enforcement prosecutors and 40 deputy U.S. Marshals for apprehension and prosecution of criminal aliens;
- $80 million increase to hire 75 additional immigration judge teams to efficiently adjudicate removal proceedings;
- Support for the addition of 20 attorneys to pursue Federal efforts to obtain the land and holdings necessary to secure the Southwest border;
- $171 million increase for additional short-term detention space for federal detainees;
- Elimination of $210 million for the State Criminal Alien Assistance Program;
- $2.6 billion in high-priority tactical infrastructure and border security technology, including resources to build a wall along the U.S./Mexico border;
- $314 million for an additional 500 Customs and Border Patrol (CBP) officers and 1000 Immigration and Customs Enforcement (ICE) law enforcement personnel;
- $1.5 billion increase over current levels for expanded detention and removal of illegal immigrants; and
- $15 million to implement mandatory use of E-Verify nationwide to “determine eligibility of new employees to work in the United States.”

Immigrant Arrests at California Courthouses: In early March, Chief Justice of the California Supreme Court Tani G. Cantil-Sakauye sent a letter to U.S. Attorney General Jeff Sessions and U.S. Department of Homeland Security Secretary John Kelly expressing concern about reports that immigration agents appear to be “stalking undocumented immigrants in our courthouses to make arrests.” In response, Sessions and Kelly defended the arrests by noting that they are targeted operations and not indiscriminate sweeps. Similar operations have been reported around the country. The response to Justice Cantil-Sakauye seemingly placed the burden for the necessity of these arrests on the abundance of sanctuary city policies in the State: “As a result [of sanctuary policies], ICE officers and agents are required to locate and arrest these aliens in public places ... where the risk of injury to the public, the alien and the officer is significantly increased.” Because of sanctuary policies enacted by the state of California and numerous local jurisdictions, deportation agents are precluded from entering jails or prisons to arrest undocumented immigrants.

Revised Travel Ban: On March 6, the President released a revised version of the travel ban, which restricted the issuance of visas from citizens of six Muslim-majority nations. However, a federal judge in Hawaii issued a nationwide restraining order against President Trump’s revised travel ban executive order just hours before it was meant to be implemented. U.S. District Court Judge Derrick Watson said the State of Hawaii and the local Muslim leader spearheading the suit were likely to succeed on the claim that the ban violated the Constitution by targeting a specific religious group. The motion was backed by a second federal judge in Maryland, U.S. District Court Judge Theodore Chuang, who issued a ruling that blocked parts of the order. President Trump denounced the decisions during a campaign-style rally speech on March 15, calling it an “unprecedented judicial overreach.” On March 22, the Justice Department asked the Virginia 4th Circuit Court of Appeals to expedite the federal government’s appeal of the injunction filed in Maryland. Federal government lawyers also plan to ask the appeals court to stay the injunction, writing in the motion that the ban was “designed to protect national security, an interest that [the]
Court has recognized as paramount.” The 9th Circuit will hear oral arguments on the Hawaii case in May.

II. Affordable Care Act Repeal/Replace

GOP Healthcare Bill Fails: On Friday, March 24, House Speaker Paul Ryan (R-WI) cancelled a vote on the GOP’s healthcare replacement plan, the American Health Care Act (AHCA). The vote was originally scheduled for Thursday, March 23, but Speaker Ryan delayed it, citing a lack of support. Subsequently, President Trump delivered an ultimatum forcing the House to a vote on Friday, March 24, however, leadership aides confirmed that Trump and Ryan conferred just before the vote and the president asked the speaker to pull the bill. Hardline conservatives voiced opposition to the bill, calling it “Obamacare-lite,” and argued that it kept in place most of the core components of the Affordable Care Act (ACA). Moderates reportedly were concerned that the massive rollbacks on Medicaid would harm constituents.

After the Congressional Budget Office released its estimate that 24 million Americans would lose coverage under the AHCA, amendments were made to aid its passage through the House. Despite these last-minute additions and attempts to whip more votes, House leadership was unable to reconcile the competing pressures to pass the bill through the chamber. Ryan acknowledged that the party “came up short,” and that the ACA will be the “law of the land” for the foreseeable future.” He maintained that a replacement law will be necessary, rather than simply amending the ACA, stating that he believes the ACA is collapsing and is too “fundamentally flawed” for minor changes.

Over the past several days, the White House has been in discussion with House leadership about the possibility of bring a modified version of the AHCA back up for a vote. Given the continuing tensions between House Republican moderates and the House Freedom Caucus, it appears unlikely that they will be able to come to an agreement before the House recesses later this week.

III. FY 2018 Federal Budget

Release of FY 2018 Skinny Budget: On March 16, President Trump released his “skinny” budget, a blueprint of the full budget proposal, which will be released in final form in May. The budget is a discretionary proposal, and does not look at tax policy or mandatory spending, nor does it include revenue projections or larger policy statements. It also includes a $54 billion increase in defense spending, and increases in defense functions across all agencies, such as funding for the Department of Energy’s nuclear arsenal. The defense spending increase is offset by equal reductions in non-defense programs. Of interest to the LACCD, the skinny budget contains the following:

- $59 billion in discretionary funding for the Department of Education, a $9 billion decrease or 13% reduction below the 2017 annualized CR level
  - Focus on improving student achievement and access to opportunity in elementary, secondary, and postsecondary education;
  - Streamlining and simplifying funding for college, while continuing to help make college education more affordable;
Refocusing the Department’s mission on supporting States and school districts in their efforts to provide high quality education to all our students;

- Elimination of the Federal Supplemental Educational Opportunity Grant program;
- Safeguards to the Pell Grant program by level funding for the discretionary appropriation while proposing a cancellation of $3.9 billion from unobligated carryover funding;
- Support for Historically Black Colleges and Universities and Minority-Serving Institutions, maintaining $492 million in funding for programs that serve high percentages of minority students;
- Reductions to Federal Work-Study;
- $808 million for the Federal TRIO Programs and $219 million for GEAR UP. Funding to TRIO programs is reduced in areas that have limited evidence on the overall effectiveness in improving student outcomes. The Budget funds GEAR UP continuation awards only, pending the completion of an upcoming rigorous evaluation of a portion of the program;
- $9.6 billion for the Labor Department, a $2.5 billion or 21 percent decrease below the 2017 annualized CR level. The budget proposal decreases Federal support for job training and employment service formula grants, shifting more responsibility to state and local governments; and

In any circumstance, the Congress tends to view a budget from the President as a “guidepost” and does not implement the proposal as is. In this instance, the reaction from Congress opposing the budget proposal has been swift and emphatic. Rep. Hal Rogers (R-KY), former House Appropriations Committee Chairman, stated “While we have a responsibility to reduce our federal deficit, I am disappointed that many of the reductions and eliminations proposed in the president’s skinny budget are draconian, careless and counterproductive.” Additionally, the current Chair of the House Appropriations Committee, Rodney Frelinghuysen (R-NJ), reminded people in a press release that “As directed under the Constitution, Congress has the power of the purse.” President Trump is expected to release his full budget in May.

IV. Congressional Appropriations

FY 2017 and FY 2018 Appropriations Update: Current federal funding for FY 2017 expires on April 28, at which point Congress will risk a partial government shutdown if agreement on an extension cannot be reached. Although work has begun on putting together a package to complete appropriations for the current fiscal year, Congress will take a two-week recess around Easter, leaving just a short amount of time upon their return before the expiration of the current Continuing Resolution (CR).

Despite the Administration’s request to amend the FY 2017 budget to make significant cuts, Republican appropriators have indicated that it may be too late in the process to accept the proposed changes. Rep. Tom Cole (R-OK), chairman of the House Appropriations’ Labor, Health and Human Services, Education and Related Agencies Subcommittee, said the committees already have closed out their bills. Congressional lawmakers are trying to finish negotiations on an FY 2017 omnibus spending package to fund the government through September 30, 2017, but only one of the 12 annual bills to fund the government has been passed.
into law. Senate Majority Leader Mitch McConnell (R-KY) has said there is no desire for a continuing resolution, and anticipates a solution before the end of April.

In the meantime, work is beginning on FY 18 appropriations. Appropriations for the coming fiscal year are expected to be especially challenging given that the sequestration caps are supposed to come back into effect this year.
Budget Update
The Assembly Budget Subcommittee #2 on Education Finance met and passed a package of bills focused on financial aid for the three segments of public higher education. The package included placeholder trailer bill language similar to AB 19 (Santiago) which would create a California Community College Promise by waiving fees for first-time, full-time students for one year. The package also included trailer bill language to increase the Cal Grant B Full-Time Incentive Grant. Additionally, for UC and CSU, there was an increase in Cal Grant funding.

In addition to the Assembly Budget Subcommittee adopting the financial aid package, the Senate plans to introduce a bill that would lay out additional specifications on the Guided Pathways funding while also providing for an expansion of the Cal-Grant B Full-Time Incentive Grant.

The Senate Budget Subcommittee #1 on Education Finance met and heard all of the community college issues in the Governor’s proposed January budget. State Chancellor Oakley appeared at the committee and indicated that his top priorities in this budget season are:
1. Truing up the Proposition 98 split
2. Using the additional funding for a base allocation increase
3. The $150 million for Guided Pathways

A representative from the Legislative Analyst’s Office (LAO) also testified, indicating that growth this year is down. While the Legislature and Governor approved 2% growth for the current year, statewide growth is coming in much lower than that. She indicated that there may be growth dollars that can be repurposed at the May Revise, but she suggested waiting until further numbers are in.

The LAO also testified to the Guided Pathways proposal indicating that the Legislature should request further information from the administration and the state chancellor’s office regarding the requirements of the program. Currently, provisions of the trailer bill language leave it up to the state chancellor’s office to develop the guidelines that districts would have to follow in order to access the funding. Members of the committee agreed with the LAO’s assessment and wanted more specifics on the proposal.

Members also were focused on the Proposition 98 split and there was a great desire from the members to make community colleges whole come the May Revise. Additionally, members of the committee questioned the Department of Finance on the capital outlay proposal, indicating that they wanted more projects to be funded.
Priorities for the Houses:
Senate: Cal Grant B Full-Time Incentive Grant ($50 million)
Assembly Cal Grant B Full-Time Incentive Grant ($50 million), Promise Fee Buy Down ($31 million), Veteran’s Centers (~$25 million)
Administration: Guided Pathways ($150 million), maybe funding for firefighter apprenticeship program

Legislative Update
The Assembly Higher Education Committee met and heard AB 19 (Santiago) which would create a community college promise program by providing one year of tuition-free education at community colleges for all first-time, full-time students. Chancellor Rodriguez made the trip to Sacramento and testified on the merits of the bill. It made it out of committee on a party-line vote. The bill will next go to the Appropriations Committee where the cost of the measure will be considered.

The Senate Education Committee met and heard SB 68 (Lara) which would allow years at a community college to count toward achieving AB 540 status. This would allow students that do not complete three years of high school to attend a community college and count those years, as well as an associate degree toward qualifying for an exemption from nonresident tuition and access to financial aid. The bill will next go to the Senate Appropriations Committee.

Other Bills & Policies of Interest
AB 387 (Thurmond) – would require allied health (other than nursing) students in clinical placements to be paid minimum wage. SEIU is the sponsor of the bill and there are other labor groups supporting the bill, although faculty groups are neutral. The Hospital Association and many hospitals throughout the state are opposing the bill as are many allied health accrediting bodies as it would likely have a “chilling effect” on clinical placements which are already difficult to find. There are some accrediting bodies that do not permit students to be paid as employees and others that require one-to-one oversight which would mean the hospital would be paying for two people to do the same work.

AB 618 (Low) – would authorize a community college district that has a project labor agreement in place for its facilities projects to utilize Job Order Contracting. Job Order Contracting is an alternative and optional contracting procedure used at school districts. JOC is a project delivery method designed to accelerate the completion of smaller projects at lower costs by streamlining some of the requirements of the contracting process. Under JOC, the contractor agrees to a catalog of construction tasks for a fixed period of time. A catalog contains specific construction tasks with fixed unit prices that are based on generally-accepted industry standards, inclusive of the cost of materials, labor, and equipment for performing the construction tasks. The bill is sponsored by the Building and Construction Trades.
SB 769 (Hill) – would expand the community college baccalaureate degree pilot program. Specifically, the bill would:
1. Eliminate the sunset date
2. Add 15 additional sites to the pilot
3. Eliminate the provisions that limit programs to one per district
4. Change the “no duplication” language to “no duplication” within 100 miles

The bill has overwhelming support from community colleges throughout the state. It is opposed by CTA, CSU and UC.

Inmate Education – Current Title 5 regulations result in a “W” on the transcripts of inmates that are taking a class but are paroled. The state chancellor’s office is taking a look and regulations and policies that impact inmate education. One of the areas that they are planning to make a change is to add a “PW” for a parole withdrawal similar to what is done for military when they withdraw from a class where they get an “MW” which does not adversely affect them.
April 3, 2017

TO: Members, LACCD Legislative and Public Affairs Committee

FM: Dale Shimasaki, Ph.D.

RE: Legislative and Budget Update

**ACTION ITEM: Request to Support AB 795-Gipson**

**AB 795-Gipson. Free Tax Filing and Reporting Act of 2017. As amended March 27.**

This bill creates in statute a training program to supplement the IRS Volunteer Income Tax Assistance [VITA] program to provide free income tax preparation to households with incomes of $54,000 or less. This will help ensure low and moderate income households take advantage of allowable credits, refunds, and exemptions.

The training program will be created through the development of tutorials and a joint Internet web site created by the Franchise Tax board, the State Board of Equalization and the Employment Development Department. It will include an annual eight-hour seminar to train college students and other volunteers on changes in CA tax law.

The bill will be heard on April 18 in the Assembly Business and Professions Committee.

A fact sheet on the bill is included with this memo. Further information on the bill:

[http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB795](http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB795)

**Update on Proposition 98 Budget**

Budget deliberations have started and various groups and legislators have submitted budget requests. The purpose of Table 1 is to show a summary of major budget requests not included in the Governor’s 2017-18 budget. These budget requests will be considered as the May Revision and Budget Conference Committee deliberations begin on the budget.
Table 1: Summary of Major Budget Requests Not in 2017-18 Governor’s Budget Proposals Which Impact Proposition 98

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<th>Amounts</th>
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<td>Augmentation Requests</td>
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<td>Tax credit</td>
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<table>
<thead>
<tr>
<th>Non-Proposition 98</th>
<th>Amounts</th>
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<tbody>
<tr>
<td>Expenditures</td>
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<tr>
<td>Tax Credit</td>
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</table>

Table 2 presents the detailed requests we are aware of as of this writing. Note that while we are aware of some requests, a specific dollar amount of all request has not yet been made available. We will update this compilation as further details emerge.
<table>
<thead>
<tr>
<th>Proposal</th>
<th>2017-18 Impact</th>
<th>Comment</th>
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<tr>
<td><strong>K-12</strong></td>
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</table>
| K-12 Deferral Buyout                            | $859.1 million | • Request of Education Coalition  
• Department of Finance opposes the buyout request |
| Child Care and Preschool Pause                  | • $105.4 million Proposition 98  
• $121.4 million in non-Proposition 98 | • Major request of CA Legislative Women’s Caucus |
| SB 807-Stern                                     | • $357.0 million [40.5%] in Proposition 98  
• $523.0 million [59.5%] in General Fund expenditures  
• $880 million in General Fund revenues | • Tax credit for charter school and public school teachers [CTA opposed, charters support].  
• Final impact on budget will depend on amount of tax credit and effective date of legislation |
| **Community Colleges**                           |               |                                                                         |
| AB 19-Santiago                                    | $50.0 million | • Assembly version of budget  
• Revised estimate is $31 million.  
• CFT/CTA support |
| SB 539-De Leon                                    | $50.0 million | • Use of Prop 98 funds for Cal Grant B expansion  
• Appropriate use of Proposition 98 funds? |
| Base allocation                                  | $200 million  | • Governor’s Budget has $23.6 million.  
• CA Community College League request is $200 million.  
• Strong faculty support to increase. |
| Apprenticeship Expansion                         | unknown       | • Firefighter request |
| PT Faculty Health Care and Office Hours           | unknown       |                                                                         |
| Veterans Centers                                 | unknown       |                                                                         |
Update on Immigration Legislation in Process

After thorough discussions on the floor, the Senate adopted the following measures, which now move to the Assembly:

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- To the extend consistent with federal law, refrain from releasing information regarding the immigration status of students, faculty and staff or other members of the communities served by these campuses
- Requires faculty and staff to immediately notify the campus chancellor or president if they suspect or become aware that federal authorities may enter or have entered the campus
• Immediately notify any and all students who may or could be subject to an immigration enforcement order or inquiry in a discrete and confidential manner;
• Requires all faculty and staff responding to or having contact with federal immigration authorities, to verify the legality of any warrant or subpoena prior to complying or cooperating with any enforcement of an immigration order of inquiry.

The bill passed out of Assembly Higher Education Committee and has been re-referred to Assembly Judiciary Committee.
AB 705 (Irwin)
Multiple Measures Reform

**SUMMARY**

AB 705 will require California Community Colleges (CCC) to use high school transcript data, including grades and SAT/ACT scores, when determining a students’ readiness for college-level English and math. It will also prohibit community colleges from requiring students to enroll in remedial coursework unless research proves that the students are highly unlikely to succeed in college-level coursework.

**BACKGROUND**

Remediation – also known as developmental or basic skills – is intended to improve students’ success in college-level English and math. However, under current policies, being placed into a remedial English or math course can substantially reduce students’ chances of completing college-level courses. A recent PPIC report found that 80% of students entering community college enroll in at least one remedial course in English, math, or both; of that population, minority students, especially Latino and African American students, are overrepresented; and most of these students never advance to or successfully complete college-level coursework. In fact, PPIC states that, “In its current form, developmental education may be one of the largest impediments to success in California’s community colleges.”

Much evidence-based research has shown that placement tests alone have been poor predictors of a student’s success in college. As a result, “tens of thousands of students who could succeed in college-level courses, and others who simply need a refresher, may be spending one or more semesters taking remedial courses they really don’t need.”

This negatively affects students in several ways. First, the added time needed to complete the courses can add years to a student’s completion goal. Second, students must pay for all remedial courses and financial aid may be exhausted before transferring to a four-year institution. Third, students can suffer psychologically knowing that they covered the coursework in high school but now must take remedial education for which they are overqualified. This contributes to high attrition rates before students reach college-level courses when they would have otherwise completed college-level courses under different placement policies.

While there has been significant progress made to improve and accelerate community college students’ pathways toward reaching their goal to earn a degree, advance their career, or transfer to a four-year institution, research shows that many students are still placed into remedial courses despite being prepared for college-level courses.

Under current regulations, community colleges are prohibited from requiring students to take a pre-requisite course unless they are highly unlikely to succeed in a higher-level course without it. However, this policy is not often followed and many colleges rely overwhelmingly on the assessment test. A different evidence-based approach calls for the use of multiple measures, beyond just traditional placement test scores, in assessment and placement policies. However, while colleges are currently being encouraged to use multiple measures of assessment, including high school grades, there is still wide variance in how colleges are using this key indicator of student success in college-level work.

**THIS BILL**

AB 705 seeks to address these disparities and incorporate evidence-based research to improve the success of community college students. Specifically, this bill will codify the use of a key student success indicator – high school transcript data – to maximize the probability that students complete college-level coursework in English and math over a one-year period, and restrict colleges from enrolling students in remedial education unless research proves that those students are deemed highly unlikely to succeed in college-level coursework.

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1. [http://www.ppic.org/content/pubs/report/R_1116MMR.pdf](http://www.ppic.org/content/pubs/report/R_1116MMR.pdf)
Other states, including North Carolina\(^5\) and Connecticut\(^6\), have successfully implemented a centralized multiple measures reform initiative. If California students have the skills to graduate, and pursue careers or further their education, they should not be hampered by an outdated and ineffective system. By helping them move through at a rate that matches their potential, this bill will allow students to graduate faster and increase their likelihood for success.

**SUPPORT**

Campaign for College Opportunity

**OPPOSITION**

No known opposition.

**CONTACT**

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(916) 319-2044  
Ryan.VanZuylen@asm.ca.gov

\(^6\)http://www.acenet.edu/news-room/Pages/Lumina-State-Policy-Review-Report.aspx

Last Updated 28-Feb-17
Assembly Bill (AB) 795 Free Tax Filling Act – (Amended 3-27-17)

PURPOSE

Assembly Bill 795 seeks to address the current California tax gap and reduce poverty in California through effective training for income tax assistance program volunteers.

BACKGROUND

The tax gap, the amount of general fund taxes that go unreported annually in California, includes estimates by the Franchise Tax Board (FTB) of $10 billion in income taxes; the Board of Equalization (BOE) of $2.3 billion in sales and use taxes, and for the Employment Development Department (EDD) of $10.4 billion in payroll taxes; for a total of $22.7 billion in lost revenue among the three tax agencies.

California’s low-moderate income individuals and families fail to capture over $1.8 billion in unclaimed federal Earned Income Tax Credits (EITC), $184 million in state EITC, and $153.3 million in unclaimed federal tax refunds that are designed to lift Californians out of poverty and stimulate our state and local economy.

Currently, income tax assistance volunteers are not adequately trained about the tax gap or encouraged to assist low-moderate income individuals in reporting all of California’s taxes and fees while helping them claim all allowable credits, refunds, and exemptions.

EXISTING LAW

Revenue & Taxation Code Sections 7084-7085 and 21001-21028, the Taxpayers’ Bill of Rights statues, and the Employment Development department’s DE 195 Rev. 14(5-16), require a Taxpayer Rights Advocate office that seeks to assist taxpayers in complying with their respective tax laws. All three tax agencies have established Taxpayer Rights Advocate offices, which obligates the BOE, FTB, and EDD to inform the public of common taxpayer errors and ways to avoid them, as well as to identify areas for improving communications with taxpayers.

SUMMARY

AB 795 seeks to create training programs to supplement the IRS Volunteer Income Tax Assistance (VITA) program to ensure low and moderate income individuals and families in California receive proper assistance when filing for all allowable credits, refunds, and exemptions. This bill also encourages all State agencies and volunteer income tax programs to work together to ensure the best service is provided to California’s low-moderate income individuals and families.

SUPPORT

Board of Equalization Member Jerome E. Horton (Sponsor)

CONTACTS

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Joss Tillard-Gates
Board of Equalization
Joss.Tillard-Gates@boe.ca.gov
310-297-5201
April 3, 2017

TO: Members, LACCD Legislative and Public Affairs Committee

FM: Dale Shimasaki, Ph.D.

RE: Legislative and Budget Update

**ACTION ITEM: Request to Support AB 795-Gipson**

**AB 795-Gipson. Free Tax Filing and Reporting Act of 2017. As amended March 27.**

This bill creates in statute a training program to supplement the IRS Volunteer Income Tax Assistance [VITA] program to provide free income tax preparation to households with incomes of $54,000 or less. This will help ensure low and moderate income households take advantage of allowable credits, refunds, and exemptions.

The training program will be created through the development of tutorials and a joint Internet web site created by the Franchise Tax board, the State Board of Equalization and the Employment Development Department. It will include an annual eight-hour seminar to train college students and other volunteers on changes in CA tax law.

The bill will be heard on April 18 in the Assembly Business and Professions Committee.

A fact sheet on the bill is included with this memo. Further information on the bill:

[http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB795](http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB795)

**Update on Proposition 98 Budget**

Budget deliberations have started and various groups and legislators have submitted budget requests. The purpose of Table 1 is to show a summary of major budget requests not included in the Governor’s 2017-18 budget. These budget requests will be considered as the May Revision and Budget Conference Committee deliberations begin on the budget.
Table 1: Summary of Major Budget Requests Not in 2017-18 Governor’s Budget Proposals Which Impact Proposition 98

<table>
<thead>
<tr>
<th>Proposition 98</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augmentation Requests</td>
<td>$1,264.5 million</td>
</tr>
<tr>
<td>Tax credit</td>
<td>-$357.0 million</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Non-Proposition 98</th>
<th>Amounts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expenditures</td>
<td>$105.4 million</td>
</tr>
<tr>
<td>Tax Credit</td>
<td>-$523.0 million</td>
</tr>
</tbody>
</table>

Table 2 presents the detailed requests we are aware of as of this writing. Note that while we are aware of some requests, a specific dollar amount of all request has not yet been made available. We will update this compilation as further details emerge.
<table>
<thead>
<tr>
<th>K-12</th>
<th>2017-18 Impact</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-12 Deferral Buyout</td>
<td>$859.1 million</td>
<td>• Request of Education Coalition&lt;br&gt;• Department of Finance opposes the buyout request</td>
</tr>
<tr>
<td>Child Care and Preschool Pause</td>
<td>$105.4 million</td>
<td>Proposition 98&lt;br&gt;$121.4 million in non-Proposition 98</td>
</tr>
<tr>
<td>SB 807-Stern</td>
<td>$357.0 million [40.5%] in Proposition 98&lt;br&gt;$523.0 million [59.5%] in General Fund expenditures&lt;br&gt;$880 million in General Fund revenues</td>
<td>• Tax credit for charter school and public school teachers [CTA opposed, charters support].&lt;br&gt;• Final impact on budget will depend on amount of tax credit and effective date of legislation</td>
</tr>
<tr>
<td>AB 19-Santiago</td>
<td>$50.0 million</td>
<td>• Assembly version of budget&lt;br&gt;• Revised estimate is $31 million.&lt;br&gt;• CFT/CTA support</td>
</tr>
<tr>
<td>SB 539-De Leon</td>
<td>$50.0 million</td>
<td>• Use of Prop 98 funds for Cal Grant B expansion&lt;br&gt;• Appropriate use of Proposition 98 funds?</td>
</tr>
<tr>
<td>Base allocation</td>
<td>$200 million</td>
<td>• Governor’s Budget has $23.6 million.&lt;br&gt;• CA Community College League request is $200 million.&lt;br&gt;• Strong faculty support to increase.</td>
</tr>
<tr>
<td>Apprenticeship Expansion</td>
<td>unknown</td>
<td>• Firefighter request</td>
</tr>
<tr>
<td>PT Faculty Health Care and Office Hours</td>
<td>unknown</td>
<td></td>
</tr>
<tr>
<td>Veterans Centers</td>
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