



DRAFT Legislative Goals 2009-10

Adopted by Board of Trustees on ____

Proposal

For the 2009-10 legislative session, the Foothill-De Anza Board of Trustees endorses advocacy for the following:

State Legislative Priorities

1. Support governor's proposal for funding 36,000 new full-time students in 2009-10 and funding for enrollment growth in selected categorical programs. Seek alternatives to the governor's proposal to eliminate the statutory cost-of-living adjustment for 2008-09 and 2009-10, which would result in a cut of per student funding of 11 percent.
2. Support stable, predictable funding for community colleges. Seek alternatives to deferred payments to community colleges, and efforts to reduce the voter-approved Prop 98 funding for K-12 and community colleges. Support legislation to create property tax backfills for community colleges.
3. Support access and flexible approaches to financial aid for all students and seek alternatives to the elimination of the state competitive Cal Grant program.
4. Support use of open educational resources and reduction of textbook costs for students.
5. Advocate for ongoing funding for the Basic Skills Initiative.
6. Advocate for increasing the authority of local districts.

Federal Legislative Priorities

1. Support increased access and funding for access to community colleges.
2. Advocate for reauthorization of the Workforce Investment Act (WIA) and a greater role for community colleges in the federal workforce development system.

A. STATE LEGISLATIVE PRIORITIES

1. Seek alternatives to the Governor's proposal to eliminate of statutory COLA and cuts to scheduled maintenance and career-technical education programs. Support governor's proposal for funding 36,000 new full-time students in 2009-10 and funding for enrollment growth in selected categorical programs.

Proposal: Seek funding for statutory COLA in 2009-10, and cuts to maintenance funds and career technical education programs. Support the governor's proposal to fund approximately three percent enrollment growth system-wide, and fund growth for EOPS, CARE, DSPS, Matriculation and Student Financial Aid Administration.

Benefit to the District: Funding growth will allow the District to serve students and maintain critical student services. Maintaining a statutory COLA in 2009-10 will prevent a permanent loss of approximately 11 percent in per student funding.

Background: The governor's January budget proposal called for no COLA in 2009-10, for funding system-wide growth of 36,000 new full time equivalent students and funding enrollment growth for selected categorical programs. While proposed in November, mid-year reductions have yet to appear as part of the solution to the state's \$40 billion shortfall. Potential mid-year reductions combined with a second year of zero COLA would come at a time when community colleges are experiencing substantial enrollment growth as a result of the economic downturn and enrollment reductions and fee increases at the California State University and University of California. Unless there is adequate funding to serve this influx of new students, they may displace some of California's traditional 2.6 million community college students, who need the education and services community colleges provide. The state can and should fund community colleges for routine enrollment growth and new students who are redirected from CSU and UC. To provide a minimum level of necessary services to their students, the colleges need restoration of base funding and at least the approximate three percent growth proposed by the Governor.

2. Support stable, predictable funding for community colleges. Seek alternatives to deferred payments to community colleges, and efforts to reduce the voter approved Prop 98 funding for K-12 and community colleges.

Proposal: To close the state's deficit, various proposals have surfaced involving permanent cuts to voter-approved Proposition 98 funding for K-12 and community colleges. In addition, deferred payments to both entities have been proposed as a method of saving the state from insolvency. The District seeks alternatives to these proposals as they create a cash deficiency in K-12 and community colleges and don't lead to a stable and predictable funding policy.

Benefit to the District: Finding alternatives to these proposals will preserve access to community colleges. Deferred payments will mean a loss of interest income to the District in the amount of \$400,000. Permanent loss of Prop 98 funding will have a long-term effect of downsizing community college growth and the ability to serve students.

Background: The Governor has proposed cuts to Proposition 98 funding totaling \$10 billion over the next 18 months. These would be achieved through deep K-12 cuts and deferrals to K-12 and community colleges. In addition, future year “maintenance factor” payments would be cancelled. This will result in the permanent reduction of hundreds of millions in Prop 98 guaranteed funds to community colleges and K-12 districts.

- ***Support closing the state's structural budget deficit with revenue enhancements.***

Proposal: Advocate for increasing taxes and fees and closing tax loopholes to enhance state revenues and thus reduce the need for significant state spending reductions.

Benefit to the District: Revenue enhancements would result in funding that comes closer to enabling the colleges to properly support student access and success.

Background: Spending reductions the governor has proposed for community colleges and other segments of higher education are resulting in fewer courses being offered, which discourages students from attending college and extends the time to graduation. Inadequate funding for counseling, tutoring, child care and other critical student support services will disproportionately affect educationally under-prepared and disabled students, who need such services to succeed and stay in school. Without additional revenue, many aspiring students will effectively be shut out of college or unable to remain in college, affecting California's economic competitiveness and future prosperity.

- ***Support a Stable and Predictable Student Enrollment Fee Policy.***

Proposal: Advocate for stable and predictable enrollment fees so students and families can plan ahead and budget for higher education expenses.

Benefit to the District: Stabilization of fees allows students and families to plan an educational budget in advance and helps the colleges stabilize enrollment.

Background: Effective in January 2007, the state decreased fees for credit courses from \$26 to \$20 per semester unit after several years of fee increases. Fee fluctuations historically have resulted in declining enrollment growth statewide. As 97 percent of the District's revenue comes from student enrollment, a downturn in enrollment translates into program cuts if enrollment is not restored in the subsequent year.

3. Support legislation to create property tax backfills for community colleges.

Proposal: Support legislation to create property tax backfills for community colleges.

Benefit to the District: Provides state guaranteed funding when property taxes do not cover the full cost of education. Creates equity with K-12.

Background: Historically, K-12 districts have received property tax backfills from the state and community colleges have not. Recently, the governor has indicated that his office would support legislation to fix this inequity.

4. Support Access and Flexible Approaches to Financial Aid for All Students

- ***Support increased access to community colleges for secondary school students and remove barriers to transfer for community college students.***

Proposal: Create new pathways and opportunities for K12 students to understand the availability of college and prepare for and experience it, and streamline the transfer process so more community college students continue to four-year universities.

Benefit to the District: These programs would bring more students to Foothill-De Anza by helping high school students understand what they need to do to prepare for college, so they will be ready to efficiently pursue a career or transfer when they enter college. Facilitating the transfer of students to four-year universities is a fundamental goal of community colleges.

Background: Several bills are pending that would expand options for concurrent enrollment of high school students, which the Legislature severely restricted some years ago.

- ***Seek alternatives to the governor's proposal to eliminate the Cal Grant competitive award program and advocate for maintaining financial aid funding for community college students. Support legislation to expand access to financial aid.***

Proposal: Maintain affordability of community college for low-income students by finding alternatives to the governor's proposal to eliminate the Cal Grant competitive award program. Support state legislation that may be introduced to expand access to financial aid.

Benefit to the District: Cal Grants and other financial aid awards help reduce the amount of hours our students must work while attending the college. The competitive Cal Grant awards are the only state grant awards available to low-income students who did not enter college shortly after graduating from high school.

Background: Currently, about 42,000 low-income community college students receive a Cal Grant competitive award, accounting for about 70 percent of these awards that have been given. The governor's proposal would eliminate this program. Some 81 percent of California community college students work more than 32 hours a week, and 35 percent work full time while attending school. Receiving financial aid enables them to work less.

- ***Support California DREAM Act or similar legislation.***

Proposal: Support SB 1301 (Cedillo), the *California DREAM Act*, or other similar legislation, which would require the California Community Colleges Board of Governors and California State University Board of Trustees, and strongly recommend to the University of California Board of Regents, to allow students who meet AB 540 resident tuition requirements (California Education Code § 681305.5) eligibility for the current financial aid available administered by the institutions. Students who meet these requirements would also be eligible to apply for and receive a Board of Governor's (BOG) Fee Waiver. Support appropriate creative and flexible approaches to providing financial aid. (SB 1301 was introduced February 20, 2008)

Benefit to the District: Students would have equal access to financial aid funds to offset educational costs and more students would be able to attend Foothill-De Anza.

Background: Under current California law, students applying for public colleges and universities ~~who do not possess lawful immigration status~~ are eligible to receive in-state tuition if they have graduated from a California high school and meet all the requirements of the California Education Code § 68130.5. However, many of the students who are eligible for in-state tuition do not qualify for federal student aid such as Pell Grants or student loans. Even though these students, who are generally from low-income families, have attended at least three years of high school in California and are eligible for in-state tuition rates, college is still financially unattainable.

- ***Oppose efforts to deny in-state tuition rates at public colleges and universities to undocumented students.***

Proposal: Oppose efforts to repeal the granting of in-state tuition rates at California colleges and universities to ~~certain undocumented students~~ who meet AB 540 criteria and have attended and graduated from high school in California.

Benefit to the District: Defeating such an effort would preserve access and opportunity for Foothill-De Anza students who ~~are not documented residents of California but attended~~ meet AB 540 criteria and have attended at least three years of high school in the state and are taking or plan to take steps to become legal residents of the United States.

Background: In 2001, the Legislature approved and the Governor signed AB 540, legislation that extended ~~to certain undocumented students~~ in-state tuition rates for California's public colleges and universities. The beneficiaries of this legislation are students who attended high school in California for three years, graduated and certify that they are taking steps to legalize their immigration status or will do so as soon as they are eligible.

5. Support Use of Open Educational Resources and Other Appropriate Approaches to Reduce Textbook Costs for Students

Proposal: Support the implementation of Assemblyman Ira Ruskin's bill, *Open Education Resources Centers Act*, which establishes resource centers to promote development of online instructional material for California students. Support any

additional appropriate efforts to reduce the high and escalating cost of textbooks, including the use of technology and the organization and development of public domain materials for use in educating students.

Benefit to the District: Open Educational Resources would lower textbook costs and lower the cost of attending college for students.

Background: The Board of Trustees, in December 2004, established a pioneering policy encouraging the creation, use, accessibility and maintenance of open educational resources to augment or potentially replace some commercially available materials, particularly costly textbooks. Assemblyman Ira Ruskin responded by introducing the *Open Education Resources Centers Act*, AB 2261, to address this critical need. The governor signed AB 2261 into law in September of 2008. (Ruskin).

6. Advocate for Ongoing Funding for the Basic Skills Initiative

Proposal: Support the governor's proposal to fund the Basic Skills Initiative at \$29.8 million with no further reductions.

Benefit to District: Every community college in the state, including Foothill and De Anza, is eligible for basic skills funding to support effective teaching and learning practices for students who are underprepared. Foothill-De Anza employees have played a critical role in planning and directing the initiative.

Background: This is one of several education initiatives to which the governor has expressed a strong commitment. Called the Community College Student Success Initiative in the 2008-09 budget, it provides colleges with additional funds to help students persist and succeed in obtaining certificates, transfer readiness or degrees.

7. Advocate for Increasing the Authority of Local Districts

- ***Reduce unfunded state mandates.***

Proposal: Oppose unfunded state mandates.

Benefit to the District: A suspension of some mandates would allow increased flexibility to meet determined program needs and permit community colleges to better serve students who are most in need of assistance. For example, suspending reporting mandates would allow more resources to be directed to serving students and less to administrative requirements and paperwork.

Background: Particularly if the governor's proposed budget cuts go through, community colleges will be struggling to cope with severe funding reductions. Many of the mandates imposed by the Legislature further constrain districts in their ability to survive difficult economic conditions. At the same time, the Legislature has never fully funded community colleges for the cost of hiring appropriate numbers of faculty and staff to serve students. To illustrate the degree to which community colleges are regulated: the UC system enjoys constitutional autonomy, operating with fewer than 400 Education Code mandates, while the California Community Colleges are constrained with more than 3,000 mandates. Removing unnecessary mandates would

better serve each district's students through improved decision-making and increased efficiency and effectiveness at the local level.

- ***Seek relief from the Field Act.***

Proposal: Support legislation to remove community colleges from the *Field Act* and advocate for efforts to increase efficiency in the facilities approval process.

Benefit to the District: Exemption from the *Field Act* and improvements to the state approval process would help speed up the construction process so that long delays do not result in increased prices for labor and materials.

Background: SB 588 (Runner) would remove the requirement that community college buildings constructed or modified after July 1, 2006 be built under the *Field Act*. Compliance with the requirements of the *Field Act* is seen as unnecessarily bureaucratic and burdensome. Colleges would have the option of complying with either the California Building Standards Code or the *Field Act*. The community college system office would develop a procedure to oversee compliance with the California Building Standards Code. Buildings constructed under the *Field Act* would continue to be overseen by the Division of the State Architect.

- ***Seek flexibility in setting community college fees.***

Proposal: Support giving local community college governing boards the authority to set and retain fees at the local level in specified areas, such as parking and technology.

Benefit to the District: In affording a degree of autonomy to boards of trustees, this proposal would provide a measure of local control, allowing governing boards to set fees to generate income to offset increasing costs and retaining and using those fees in areas specified by the local board.

Background: Fees are currently set by the state, and unlike the CSU and UC system, there is no flexibility for local community college districts to address specific needs.

B. FEDERAL LEGISLATIVE PRIORITIES

1. Support Increased Access and Funding for Access to Community Colleges

Proposal: Advocate at the federal level for priorities including:

- Increase funding for the Carl D. Perkins Vocational and Technical Education Act (Perkins Act/VTEA); Monitor the implementation of the newly reauthorized Higher Education Act (HEA) to ensure community colleges are not adversely affected.
- Passage of the DREAM Act/Student Adjustment Act
- Support President Obama's "American Opportunity Tax Credit"
- Increased maximum Pell Grant award

Benefit to the District: The above-listed initiatives would increase access, provide critical funds that support quality vocational education and career programs and preserve and increase federal financial aid for low-income students and their families.

Background: The federal budget for 2009-10 includes many items that can assist California community colleges in serving students. The Perkins Act provides the California Community Colleges with \$127 million annually, and Foothill-De Anza receives more than \$500,000 each year from the program to strengthen and advance 40 career and technical education programs, with a particular emphasis on supporting the needs of diverse students. This year we are advocating for an increase in the Perkins Act, which could help us serve more students in high cost career programs. Advocacy also is needed to ensure that the many new provisions in the recently reauthorized Higher Education Act are implemented properly and have their intended effects.

Although it may not be brought to the Congress this year, it is important to continue to express support for the DREAM Act. This bipartisan legislation would allow students who grew up in the United States and graduated from a U.S. high school a six-year conditional residency during which they must complete an associate's degree and two years of work toward a baccalaureate degree or military service. At the end of six years, they may apply for U.S. citizenship. Estimates are that currently 10 percent or less of undocumented high school graduates attend college.

Community colleges strongly support the consolidation, streamlining and retargeting of federal higher education tax benefits to better support needy students. President Obama has introduced the "American Opportunity Tax Credit" which has many of the provisions supported by community colleges that address the inequities in tax credits.

Until 2007, funding for Pell Grants had been flat for five years. Since California community college students benefit more from Pell Grants than any other local, state or federal financial aid program, it makes sense to advocate for the largest possible increase to maximum Pell grant award.

2. Advocate for the Reauthorization of the Workforce Investment Act (WIA)

Proposal: Advocate for Congress to reauthorize the Workforce Investment Act and to prioritize the role of community colleges in delivering training services. Advocate for reducing and streamlining reporting requirements for training providers. Advocate for the Community Based Job Training Program and to emphasize bridges to postsecondary education and training. Advocate for direct funding of one-stop career centers to prevent resources being diverted.

Benefit to the District: Reduced reporting requirements will allow for more focus on education and less bureaucracy. Delivering integrated support for adult education that emphasizes bridges will bring more students into the higher education system and lead to more students obtaining career certificates and degrees.

Background: In the new budget year, Congress needs to reauthorize the WIA. Community colleges should a larger role in delivering training services and receive a larger share of WIA funds.