

AMENDED IN SENATE JANUARY 5, 2004

SENATE BILL

No. 786

Introduced by Senator Denham

February 21, 2003

An act to ~~amend Section 51204 of~~ *add Section 66024.4 to the Education Code, relating to ~~pupil instruction~~ public postsecondary education.*

LEGISLATIVE COUNSEL'S DIGEST

SB 786, as amended, Denham. ~~Pupil instruction: courses of study~~ *Public postsecondary education: increases in tuition and mandatory systemwide fees.*

~~Existing law requires that any course of study adopted for a public school be designed to fit the needs of the pupils for which the course of study is prescribed, known as the Donahoe Higher Education Act, provides for a public postsecondary education system in this state. This system consists of the University of California, the California State University, and the California Community Colleges. The provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the Regents of the University of California act by resolution to make them applicable.~~

Existing law authorizes public postsecondary institutions to require that mandatory systemwide fees, among other charges, be paid by students at these institutions. Existing law authorizes the Trustees of the California State University to administer the campuses that comprise that university and, among other things, to set the level of mandatory systemwide fees paid by the students of that university. Existing provisions of the California Constitution authorize the Regents of the University of California to administer that university and to set the level

of tuition and mandatory fees paid by the students of that university. Existing law requires that students attending the various campuses that comprise the California Community Colleges pay a fee of \$18 per unit per semester.

This bill would ~~make technical, nonsubstantive changes~~ express the intent of the Legislature that, when an increase in the tuition or mandatory systemwide fees charged to students attending public postsecondary institutions in this state is enacted, there be a waiting period of at least one full semester or quarter, as appropriate, between the adoption of the increase and the time at which the student is assessed the increased amount. The bill would require the trustees to effectuate this intent by making an increase in tuition or mandatory systemwide fees operative after no less than one full semester or quarter, as appropriate, has elapsed from the date of the adoption of the increase.

The bill would urge the regents to enact policies that are consistent with the intent of the Legislature expressed in the bill. The bill would also express the intent of the Legislature that any legislation adopted in the 2005–06 Regular Session or any subsequent session that would increase the \$18 registration fee charged to community college students should contain provisions that are consistent with the intent of the Legislature expressed in the bill.

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

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

1 ~~SECTION 1. Section 51204 of the Education Code is~~
 2 ~~amended to read:~~
 3 ~~51204. A course of study adopted pursuant to this division~~
 4 ~~shall be designed to fit the needs of the pupils for which the course~~
 5 ~~of study is prescribed.~~
 6 SECTION 1. Section 66024.4 is added to the Education Code,
 7 to read:
 8 66024.4. (a) *It is the intent of the Legislature that, when an*
 9 *increase in the tuition or mandatory systemwide fees charged to*
 10 *students attending public postsecondary institutions in this state is*
 11 *enacted, there be a waiting period of at least one full semester or*
 12 *quarter, as appropriate, between the adoption of the increase and*
 13 *the time at which the student is assessed the increased amount.*



1 ***(b) Notwithstanding any other provision of law, in order to***
2 ***effectuate the intent of the Legislature expressed in subdivision (a),***
3 ***the Trustees of the California State University shall, whenever they***
4 ***adopt an increase in the tuition or mandatory systemwide fees***
5 ***charged to the students of the university, make that increase***
6 ***operative after no less than one full semester or quarter, as***
7 ***appropriate, has elapsed from the date of the adoption of the***
8 ***increase.***

9 ***(c) The Legislature urges the Regents of the University of***
10 ***California to enact policies that are consistent with the intent of the***
11 ***Legislature expressed in subdivision (a).***

12 ***(d) It is the intent of the Legislature that any legislation adopted***
13 ***in the 2005–06 Regular Session or any subsequent session that***
14 ***would increase the registration fee charged to community college***
15 ***students pursuant to Section 76300 should contain provisions that***
16 ***are consistent with the intent of the Legislature expressed in***
17 ***subdivision (a).***

