

AMENDED IN SENATE JUNE 18, 2014

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MAY 6, 2014

AMENDED IN ASSEMBLY APRIL 10, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1942

**Introduced by Assembly Member Bonta
(Principal coauthor: Assembly Member Ammiano)**

February 19, 2014

An act to amend Section 70901 of, and to add Section 72208 to, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 1942, as amended, Bonta. Community colleges: accreditation.

Existing law establishes the California Community Colleges under the Board of Governors of the California Community Colleges, which consists of 16 voting members and one nonvoting member, as specified. Existing law requires the Board of Governors of the California Community Colleges to establish minimum conditions entitling a community college district to receive state aid for the support of the community colleges.

This bill would require the board of Governors, in determining whether a community college district satisfies those minimum conditions, to review the accreditation status of the community colleges within that district.

Under its existing regulatory authority, the Board of Governors of the California Community Colleges requires each community college

to be accredited and has designated the Accrediting Commission for Community and Junior Colleges as the accrediting agency.

This bill would require the accrediting agency of the community colleges to report to the appropriate subcommittees of the Legislature upon the agency’s issuance of a decision that affects the accreditation status of a community college and, on a biannual basis, any accreditation policy changes that affect the accreditation process or status for a community college, *and would require a contract with the accrediting agency of the community colleges to comply with various requirements.*

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

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

1 SECTION 1. Section 70901 of the Education Code is amended
2 to read:

3 70901. (a) The Board of Governors of the California
4 Community Colleges shall provide leadership and direction in the
5 continuing development of the California Community Colleges as
6 an integral and effective element in the structure of public higher
7 education in the state. The work of the board of governors shall at
8 all times be directed to maintaining and continuing, to the
9 maximum degree permissible, local authority and control in the
10 administration of the California Community Colleges.

11 (b) Subject to, and in furtherance of, subdivision (a), and in
12 consultation with community college districts and other interested
13 parties as specified in subdivision (e), the board of governors shall
14 provide general supervision over community college districts, and
15 shall, in furtherance of those purposes, perform the following
16 functions:

17 (1) Establish minimum standards as required by law, including,
18 but not limited to, the following:

19 (A) Minimum standards to govern student academic standards
20 relating to graduation requirements and probation, dismissal, and
21 readmission policies.

22 (B) Minimum standards for the employment of academic and
23 administrative staff in community colleges.

24 (C) Minimum standards for the formation of community colleges
25 and districts.

26 (D) Minimum standards for credit and noncredit classes.

1 (E) Minimum standards governing procedures established by
2 governing boards of community college districts to ensure faculty,
3 staff, and students the right to participate effectively in district and
4 college governance, and the opportunity to express their opinions
5 at the campus level and to ensure that these opinions are given
6 every reasonable consideration, and the right of academic senates
7 to assume primary responsibility for making recommendations in
8 the areas of curriculum and academic standards.

9 (2) Evaluate and issue annual reports on the fiscal and
10 educational effectiveness of community college districts according
11 to outcome measures cooperatively developed with those districts,
12 and provide assistance when districts encounter severe management
13 difficulties.

14 (3) Conduct necessary systemwide research on community
15 colleges and provide appropriate information services, including,
16 but not limited to, definitions for the purpose of uniform reporting,
17 collection, compilation, and analysis of data for effective planning
18 and coordination, and dissemination of information.

19 (4) Provide representation, advocacy, and accountability for the
20 California Community Colleges before state and national legislative
21 and executive agencies.

22 (5) Administer state support programs, both operational and
23 capital outlay, and those federally supported programs for which
24 the board of governors has responsibility pursuant to state or federal
25 law. In so doing, the board of governors shall do the following:

26 (A) (i) Annually prepare and adopt a proposed budget for the
27 California Community Colleges. The proposed budget shall, at a
28 minimum, identify the total revenue needs for serving educational
29 needs within the mission, the amount to be expended for the state
30 general apportionment, the amounts requested for various
31 categorical programs established by law, the amounts requested
32 for new programs and budget improvements, and the amount
33 requested for systemwide administration.

34 (ii) The proposed budget for the California Community Colleges
35 shall be submitted to the Department of Finance in accordance
36 with established timelines for development of the annual Budget
37 Bill.

38 (B) To the extent authorized by law, establish the method for
39 determining and allocating the state general apportionment.

1 (C) Establish space and utilization standards for facility planning
2 in order to determine eligibility for state funds for construction
3 purposes.

4 (6) (A) Establish minimum conditions entitling districts to
5 receive state aid for support of community colleges. In so doing,
6 the board of governors shall establish and carry out a periodic
7 review of each community college district to determine whether
8 it has met the minimum conditions prescribed by the board of
9 governors.

10 (B) In determining whether a community college district satisfies
11 the minimum conditions established pursuant to this section, the
12 board of governors shall review the accreditation status of the
13 community colleges within that district.

14 (7) Coordinate and encourage interdistrict, regional, and
15 statewide development of community college programs, facilities,
16 and services.

17 (8) Facilitate articulation with other segments of higher
18 education with secondary education.

19 (9) Review and approve comprehensive plans for each
20 community college district. The plans shall be submitted to the
21 board of governors by the governing board of each community
22 college district.

23 (10) Review and approve all educational programs offered by
24 community college districts, and all courses that are not offered
25 as part of an educational program approved by the board of
26 governors.

27 (11) Exercise general supervision over the formation of new
28 community college districts and the reorganization of existing
29 community college districts, including the approval or disapproval
30 of plans therefor.

31 (12) Notwithstanding any other provision of law, be solely
32 responsible for establishing, maintaining, revising, and updating,
33 as necessary, the uniform budgeting and accounting structures and
34 procedures for the California Community Colleges.

35 (13) Establish policies regarding interdistrict attendance of
36 students.

37 (14) Advise and assist governing boards of community college
38 districts on the implementation and interpretation of state and
39 federal laws affecting community colleges.

1 (15) Contract for the procurement of goods and services, as
2 necessary.

3 (16) Carry out other functions as expressly provided by law.

4 (c) Subject to, and in furtherance of, subdivision (a), the board
5 of governors shall have full authority to adopt rules and regulations
6 necessary and proper to execute the functions specified in this
7 section as well as other functions that the board of governors is
8 expressly authorized by statute to regulate.

9 (d) Wherever in this section or any other statute a power is
10 vested in the board of governors, the board of governors, by a
11 majority vote, may adopt a rule delegating that power to the
12 chancellor, or any officer, employee, or committee of the California
13 Community Colleges, or community college district, as the board
14 of governors may designate. However, the board of governors
15 shall not delegate any power that is expressly made nondelegable
16 by statute. Any rule delegating authority shall prescribe the limits
17 of delegation.

18 (e) In performing the functions specified in this section, the
19 board of governors shall establish and carry out a process for
20 consultation with institutional representatives of community college
21 districts so as to ensure their participation in the development and
22 review of policy proposals. The consultation process shall also
23 afford community college organizations, as well as interested
24 individuals and parties, an opportunity to review and comment on
25 proposed policy before it is adopted by the board of governors.

26 SEC. 2. Section 72208 is added to the Education Code, to read:

27 72208. (a) The accrediting agency for the community colleges
28 shall report to the appropriate policy and budget subcommittees
29 of the Legislature upon the issuance of a decision that affects the
30 accreditation status of a community college and, on a biannual
31 basis, any accreditation policy changes that affect the accreditation
32 process or status for a community college.

33 (b) The Office of the Chancellor of the California Community
34 Colleges shall ensure that the appropriate policy and budget
35 subcommittees of the Legislature are provided the information
36 required in subdivision (a).

37 (c) *After January 1, 2015, an agreement with the accrediting*
38 *agency for the community colleges, as designated by law, shall*
39 *include all of the following provisions:*

1 (1) (A) *The accrediting agency shall afford public participation*
2 *for all meetings regarding the accreditation process or status for*
3 *a community college. All persons shall be permitted to attend those*
4 *meetings, and the accreditor shall provide an opportunity for*
5 *members of the public to directly address the body on each agenda*
6 *item before or during the body's discussion or consideration of*
7 *the item at those meetings.*

8 (B) *The accrediting agency shall not prohibit public criticism*
9 *of its policies, programs, or services, or any acts or omissions of*
10 *the accreditor, relating to the accreditation process or status for*
11 *a community college.*

12 (C) *It is the intent of this agreement that the accrediting*
13 *agency's proceedings relating to the accreditation process or*
14 *status for a community college be conducted openly so that the*
15 *public may remain informed and participate.*

16 (2) *No person shall be required, as a condition to attendance*
17 *at a meeting of the accrediting agency relating to the accreditation*
18 *process or status for a community college, to register his or her*
19 *name, to provide other information, to complete a questionnaire,*
20 *or otherwise to fulfill any condition precedent to his or her*
21 *attendance. If an attendance list, register, questionnaire, or other*
22 *similar document is posted at or near the entrance to the room*
23 *where the meeting is to be held, or is circulated to persons present*
24 *during the meeting, it shall state clearly that the signing,*
25 *registering, or completion of the document is voluntary, and that*
26 *all persons may attend the meeting regardless of whether a person*
27 *signs, registers, or completes the document.*

28 (3) (A) *The accrediting agency shall provide notice of a meeting*
29 *relating to the accreditation process or status for a community*
30 *college to any person who requests that notice in writing. Notice*
31 *shall also be given on the accrediting agency's Internet Web site*
32 *at least 14 days in advance of the meeting, and shall include the*
33 *name, address, and telephone number of a person who can provide*
34 *further information prior to the meeting.*

35 (B) *The notice described in paragraph (1) shall include a*
36 *specific agenda for the meeting, containing a brief description of*
37 *the items to be discussed or deliberated.*

38 (4) *The accrediting agency shall ensure that all documents*
39 *generated during a meeting related to the accreditation process*
40 *or status for a community college shall be preserved for no less*

1 *than six years. All reports, evaluations, recommendations, and*
2 *decision documents shall be retained in a manner that complies*
3 *with federal standards and practices employed by the United States*
4 *Department of Education in matters related to the accreditation*
5 *of institutions of higher education.*

6 *(d) When imposing a sanction of revocation or show cause, the*
7 *Legislature recommends that the accrediting agency, to the*
8 *maximum extent feasible, delineate a path to compliance with*
9 *specificity, and allow adequate time in a manner that complies*
10 *with the accrediting agency policies and federal guidelines.*

11 *(e) For purposes of this section, the following terms have the*
12 *following meanings:*

13 *(1) "Accrediting agency" is the accrediting body, including the*
14 *agency's subordinate bodies and delegated authority, for the*
15 *California Community Colleges.*

16 *(2) "Meeting" includes any congregation of a majority of the*
17 *members of the governing body of the accrediting agency for the*
18 *community colleges at the same time and place to hear, discuss,*
19 *or deliberate.*