

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 29, 2014

AMENDED IN ASSEMBLY APRIL 8, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2153

Introduced by Assembly Member Gray

February 20, 2014

An act to amend Section 89708 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2153, as amended, Gray. Postsecondary education: course offerings.

Existing law establishes the California State University, under the administration of the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Existing law requires that self-supporting sessions at the university, known as special sessions, not supplant regular course offerings available on a non-self-supporting basis during the regular academic year.

This bill would ~~require that special session program course offerings not supplant or limit the number of regular course offerings that receive state funding at a campus of the university~~, define "supplant" for these purposes, and would require, to the extent possible, that each campus ensure that a course required as a condition of degree completion for a matriculated student be offered as a state-supported course. The bill would require that a matriculated student, who is required to enroll in a special session course in order to complete his or her undergraduate degree because the state-supported version of that course is unavailable

in the academic year, pay the lesser of the state-supported and special session course fee. The bill would constrain the addition—~~os of~~ self-supporting special session sections of courses and the timing of special session programs, ~~as specified, unless~~ *except as specified*. ~~The bill would allow a campus to add self-supporting sections, add an undergraduate degree program, or increase self-supporting sections only if the campus receives approval from the Chancellor of the California State University and certain conditions are satisfied. The bill would require the chancellor to provide guidance to campuses regarding how to comply with this bill, and would require the trustees to annually certify compliance with these conditions:~~ *bill*.

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 89708 of the Education Code is amended
 2 to read:
 3 89708. (a) Except as provided in subdivision (c), tuition fees
 4 adequate, in the long run, to meet the cost of maintaining special
 5 sessions in the California State University shall be required of,
 6 and collected from, students enrolled in each special session under
 7 and pursuant to rules and regulations prescribed by the trustees.
 8 (b) (1) “Special sessions,” as used in this division, means
 9 self-supporting instructional programs conducted by the California
 10 State University. The special sessions shall include, but not be
 11 limited to, career enrichment and retraining programs. It is the
 12 intent of the Legislature that those programs, currently offered on
 13 a self-supporting basis by the California State University during
 14 summer sessions, may be provided throughout the year, and shall
 15 be known as special sessions.
 16 (2) The self-supporting special sessions shall not supplant
 17 regular course offerings available on a state-supported basis during
 18 the regular academic year.
 19 (3) For the purposes of this section, a special session course
 20 “supplants” a state-supported course when an undergraduate
 21 matriculated student is required to take a more expensive special
 22 session course to graduate because a state-supported section of
 23 that course is unavailable either because the state-supported course
 24 is not offered that term *and the course is offered in a special*

1 *session*, or because all state-supported sections *of the course* are
2 full during the academic year at the student's campus *and the*
3 *course is offered in a special session*.

4 (c) To the extent possible, each campus shall ensure that any
5 course required as a condition of undergraduate degree completion
6 for a matriculated student shall be offered as a state-supported
7 course. A matriculated student who is required to take a special
8 session course to complete his or her undergraduate degree because
9 a state-supported section of that course is unavailable in the
10 academic year at the student's campus shall pay the lesser of the
11 state-supported section and special session course fee. In complying
12 with this subdivision, the campus shall ensure, to the extent
13 possible, that general fund money is not used to support a
14 matriculated student's enrollment in a special session program,
15 section, or course.

16 (d) Except as provided in subdivision (g), officials of a campus
17 shall not reduce the number of state-supported sections of an
18 undergraduate course offering while increasing the number of
19 sections of the self-supporting version of that course.

20 (e) Except as provided in subdivision (g), officials of a campus
21 shall not offer special session programs at that campus at times or
22 in locations that limit the number of regular course offerings that
23 receive state funding.

24 (f) (1) Except as provided in *paragraph (2) and* subdivision
25 (g), the number of special session sections of any individual course,
26 including online courses, shall not exceed the number of
27 state-supported sections of that course at a campus.

28 (2) *Special session sections offered as of January 1, 2015, of*
29 *any individual course, including online courses, shall not be*
30 *considered for purposes of paragraph (1).*

31 (g) With approval from the Chancellor's office, a campus may
32 add a self-supporting section of a course in a state-supported
33 undergraduate degree program, add an undergraduate degree
34 program, or increase the number of self-supporting sections of an
35 undergraduate course offering so long as all of the following are
36 satisfied:

37 (1) The campus has made the determination that state resources
38 are inadequate to provide for additional state-supported sections.

39 (2) There is no corresponding reduction in the aggregate number
40 of state-supported course offerings on that campus. However, this

1 paragraph applies only to an academic year for which the annual
2 Budget Act has not reduced the budget of the California State
3 University from the prior year’s funding level.

4 (3) The self-supporting section or sections comply with all
5 applicable state laws and systemwide and campus policies.

6 (h) The chancellor shall provide guidance to the campuses
7 regarding how to comply with this section. ~~The trustees shall~~
8 ~~annually certify compliance with this section at a regular meeting~~
9 ~~of the board and shall transmit that certification to the Legislature~~
10 ~~no later than June 30 of each academic year.~~

11 SEC. 2. It is the intent of the Legislature that the California
12 State University shall receive funding sufficient to provide core
13 curriculum through state-supported academic programs, that a
14 matriculated student of the California State University is entitled
15 to a postsecondary education within the bounds of a state-supported
16 tuition and fee structure, and that a campus of the California State
17 University is able to ensure that a student is not required to enroll
18 in a special session program, section, or course in order to receive
19 his or her postsecondary education in a timely manner.