

Introduced by Senator LenoFebruary 19, 2016

An act to amend Section 84750.6 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1460, as introduced, Leno. Community Colleges: funding: San Francisco Community College District.

Existing law requires the Board of Governors of the California Community Colleges to provide the San Francisco Community College District with certain revenues in the 2014–15, 2015–16, and 2016–17 fiscal years if the number of full-time equivalent students (FTES) of the community college district decreases from the 2012–13 fiscal year and certain conditions are satisfied, including that the board of governors finds the community college district or one of its campuses is in imminent jeopardy of losing its accreditation.

This bill would require the board of governors, for the 2017–18, 2018–19, and 2019–20 fiscal years to provide to the San Francisco Community College District a revenue adjustment for the restoration of the reduction in apportionments, as specified.

This bill would make legislative findings and declarations as to the necessity of a special statute for the San Francisco Community College District.

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 84750.6 of the Education Code is
2 amended to read:

3 84750.6. (a) Notwithstanding Section 84750.5, the board of
4 governors shall provide the San Francisco Community College
5 District with revenues, as specified in subdivision (b), if, on the
6 effective date of the act that adds this section, both of the following
7 conditions are satisfied:

8 (1) The board of governors finds that the community college
9 district or a campus of the community college district is in
10 imminent jeopardy of losing its accreditation.

11 (2) The board of governors has exercised its authority pursuant
12 to Section 84040 of this code and Section 58312 of Title 5 of the
13 California Code of Regulations as that regulation read on April
14 15, 2014.

15 (b) If the number of full-time equivalent students (FTES) of the
16 community college district decreases from the number in the
17 2012–13 fiscal year, the board of governors shall provide revenues
18 to the community college district, as follows:

19 (1) For the 2014–15 fiscal year, an amount not less than the
20 total amount that the community college district would receive if
21 the level of attendance of FTES was the same level of attendance
22 as in the 2012–13 fiscal year.

23 (2) For the 2015–16 fiscal year, an amount not less than 95
24 percent of the total amount that the community college district
25 would receive if the level of attendance of FTES was the same
26 level of attendance as in the 2012–13 fiscal year.

27 (3) (A) For the 2016–17 fiscal year, an amount not less than 90
28 percent of the total amount that the community college district
29 would receive if the level of attendance of FTES was the same
30 level of attendance as in the 2012–13 fiscal year.

31 (B) Funds shall be provided under this paragraph only if the
32 Fiscal Crisis Management Assistance Team makes a finding no
33 sooner than April 1, 2016, that the San Francisco Community
34 College District is meeting or exceeding all of the following
35 benchmarks:

36 (i) Effective fiscal controls and systems are in place.

37 (ii) The City College of San Francisco has, and is adhering to,
38 prudent fiscal policies and practices, as corroborated by an analysis

1 of multiyear projections of no less than three fiscal years
2 commencing with the 2016–17 fiscal year.

3 (iii) The City College of San Francisco is applying resources
4 in accordance with a budget plan approved by the special trustee.

5 (iv) The City College of San Francisco is maintaining
6 appropriate fiscal reserves.

7 (v) The City College of San Francisco has, and is adhering to,
8 a viable plan to address long-term liabilities including, but not
9 necessarily limited to, “other postemployment benefits,” as that
10 term is used in accordance with generally accepted accounting
11 principles defined by the Governmental Accounting Standards
12 Board as of April 15, 2014.

13 (c) The amounts calculated in paragraphs (1) to (3), inclusive,
14 of subdivision (b) shall be adjusted by the chancellor to reflect
15 cost-of-living adjustments, deficits in apportionments, or both, as
16 appropriate for the applicable fiscal years.

17 (d) Subdivision (b) shall only be used to determine the
18 apportionment funding to be allocated to the San Francisco
19 Community College District. In computing statewide entitlements
20 to funding based upon the attendance of FTES, the San Francisco
21 Community College District shall not be credited with more FTES
22 than were actually enrolled and in attendance.

23 (e) Subdivision (b) shall only be operative for a fiscal year in
24 which the San Francisco Community College District is in
25 compliance with Section 51016 of Title 5 of the California Code
26 of Regulations as that regulation read on April 15, 2014.

27 (f) It is the intent of the Legislature that any amounts necessary
28 to make the apportionments required pursuant to subdivision (b)
29 be drawn from the state general apportionment revenues for
30 community college districts.

31 (g) (1) The Chancellor of the City College of San Francisco
32 shall submit all of the following to the appropriate policy and fiscal
33 committees of the Legislature, the office of the Governor, the
34 Legislative Analyst’s Office, and the Department of Finance on
35 or before April 15, 2015:

36 (A) An overview of the college’s current accreditation status,
37 including a description of any identified accreditation deficiencies
38 and activities underway to address those deficiencies.

39 (B) Enrollment totals for the current and prior years.

1 (C) Updated enrollment projections for the two subsequent fiscal
2 years.

3 (D) The number of course sections offered in the current and
4 prior fiscal years.

5 (E) A thorough explanation of the district’s level of budgetary
6 reserves and sources of revenue.

7 (F) A thorough multiyear budget plan that explains, at a
8 minimum, both revenue sources and areas of expenditure.

9 (2) The Chancellor of the City College of San Francisco shall
10 submit updates to the report submitted under paragraph (1) on or
11 before the following dates:

12 (A) October 15, 2015.

13 (B) April 15, 2016.

14 (C) October 15, 2016, but only if funding is provided pursuant
15 to paragraph (3) of subdivision (b).

16 (D) April 15, 2017, but only if funding is provided pursuant to
17 paragraph (3) of subdivision (b).

18 *(h) Notwithstanding any other law, for the 2017–18, 2018–19,*
19 *and 2019–20 fiscal years, the board of governors shall provide*
20 *the San Francisco Community College District with a revenue*
21 *adjustment for restoration of apportionment revenue pursuant to*
22 *subparagraph (C) of paragraph (6) of subdivision (d) of Section*
23 *84750.5.*

24 SEC. 2. The Legislature finds and declares that a special law
25 is necessary and that a general law cannot be made applicable
26 within the meaning of Section 16 of Article IV of the California
27 Constitution because of the unique accreditation and fiscal
28 challenges facing the San Francisco Community College District.