

AMENDED IN SENATE JUNE 2, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 218

Introduced by Assembly Member Portantino
(Coauthors: Assembly Members Cook, Conway, and Ruskin)
(Coauthors: Senators Hancock, Negrete McLeod, and Padilla)

February 3, 2009

An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 218, as amended, Portantino. Postsecondary education: Educational and Economic Goals for California Higher Education.

(1) Existing law establishes the California Postsecondary Education Commission (CPEC) as the statewide postsecondary education coordinating and planning agency and provides for its functions and responsibilities. Among other things, the CPEC is required to develop criteria for evaluating the effectiveness of all aspects of postsecondary education. The CPEC is requested to convene an intersegmental advisory committee on transfer access and performance. The CPEC is also required to periodically review and make recommendations regarding postsecondary programs for adult and continuing education and report periodically to the Legislature and the Governor regarding the financial conditions of independent institutions, their enrollment and application figures, the number of student spaces available, and the respective cost

of utilizing those spaces as compared to providing additional public spaces.

The bill would delete these specific requirements of the CPEC.

(2) Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and private, independent institutions of higher education as the 4 segments of postsecondary education in this state.

Existing law establishes a higher education accountability program under which the University of California, the California State University, and the California Community Colleges are required to prepare a list of reports on a regular basis to the Legislature and to state agencies. Under the program the CPEC is required to submit annually a higher education report to the Legislature and the Governor that provides information on significant indicators of the performance of public colleges and universities.

This bill would repeal the existing higher education accountability program and require the state to establish a new accountability framework for achieving prescribed educational and economic goals. The bill would require this framework to measure the collective performance of the state's system of higher education in successfully serving students by answering 6 statewide policy questions. The bill would require that the data collected in response to these policy questions be reported to the Legislature and the Governor and made available to the public, as provided.

(3) Existing law requires the 3 public segments of postsecondary education to present annual statistical reports on transfer patterns via the CPEC to the Governor and the Legislature.

This bill would repeal this requirement.

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 66742 of the Education Code is repealed.
- 2 SEC. 2. Section 66743 of the Education Code is repealed.
- 3 SEC. 3. Section 66903 of the Education Code is amended to
- 4 read:

1 66903. The commission has the following functions and
2 responsibilities in its capacity as the statewide postsecondary
3 education planning and coordinating agency and adviser to the
4 Legislature and the Governor:

5 (a) It shall require the governing boards of the segments of
6 public postsecondary education to develop and submit to the
7 commission institutional and systemwide long-range plans in a
8 form determined by the commission after consultation with the
9 segments.

10 (b) It shall prepare a state plan for postsecondary education that
11 shall integrate the planning efforts of the public segments with
12 other pertinent plans. The commission shall seek to resolve
13 conflicts or inconsistencies among segmental plans in consultation
14 with the segments. If these consultations are unsuccessful, the
15 commission shall report the unresolved issues to the Legislature
16 with recommendations for resolution. In developing the plan, the
17 commission shall consider at least the following factors:

18 (1) The need for, and location of, new facilities.

19 (2) The range and kinds of programs appropriate to each
20 institution or system.

21 (3) The budgetary priorities of the institutions and systems of
22 postsecondary education.

23 (4) The impact of various types and levels of student charges
24 on students and on postsecondary education programs and
25 institutions.

26 (5) The appropriate levels of state-funded student financial aid.

27 (6) The access and admission of students to postsecondary
28 education.

29 (7) The educational programs and resources of independent and
30 private postsecondary institutions.

31 (8) The provisions of this division differentiating the functions
32 of the public systems of higher education.

33 (c) It shall update the plan periodically, as appropriate.

34 (d) It shall participate in appropriate stages of the executive and
35 the legislative budget processes as requested by the executive and
36 the legislative branches, and shall advise the executive and the
37 legislative branches as to whether segmental programmatic
38 budgetary requests are compatible with the state plan. It is not
39 intended that the commission hold independent budget hearings.

1 (e) It shall advise the Legislature and the Governor regarding
2 the need for, and location of, new institutions and campuses of
3 public higher education.

4 (f) It shall review proposals by the public segments for new
5 programs, the priorities that guide them, and the degree of
6 coordination with nearby public, independent, and private
7 postsecondary educational institutions, and shall make
8 recommendations regarding those proposals to the Legislature and
9 the Governor.

10 (g) In consultation with the public segments, it shall establish
11 a schedule for segmental review of selected educational programs,
12 evaluate the program approval, review, and disestablishment
13 processes of the segments, and report its findings and
14 recommendations to the Legislature and the Governor.

15 (h) It shall serve as a stimulus to the segments and institutions
16 of postsecondary education by projecting and identifying societal
17 and educational needs and encouraging adaptability to change.

18 (i) It shall periodically collect or conduct, or both collect and
19 conduct, studies of projected manpower supply and demand, in
20 cooperation with appropriate state agencies, and disseminate the
21 results of those studies to institutions of postsecondary education
22 and to the public in order to improve the information base upon
23 which student choices are made.

24 (j) (1) It shall act as a clearinghouse for postsecondary education
25 information and as a primary source of information for the
26 Legislature, the Governor, and other agencies. It shall develop and
27 maintain a comprehensive database that does all of the following:

28 (A) Ensures comparability of data from diverse sources.

29 (B) Supports longitudinal studies of individual students as they
30 progress through the state's postsecondary educational institutions,
31 based upon the commission's existing student database through
32 the use of a unique student identifier.

33 (C) Is compatible with the California School Information System
34 and the student information systems developed and maintained by
35 the public segments of higher education, as appropriate.

36 (D) Provides Internet access to data, as appropriate, to the sectors
37 of higher education.

38 (E) Provides each of the educational segments access to the data
39 made available to the commission for the purposes of the database,
40 in order to support, most efficiently and effectively, statewide,

1 segmental, and individual campus educational research information
2 needs.

3 (2) The commission, in implementing paragraph (1), shall
4 comply with the federal Family Educational Rights and Privacy
5 Act of 1974 (20 U.S.C. Sec. 1232g) relating to the disclosure of
6 personally identifiable information concerning students.

7 (3) The commission ~~may~~ *shall* not make available any personally
8 identifiable information received from a postsecondary educational
9 institution concerning students for any regulatory purpose unless
10 the institution has authorized the commission to provide that
11 information on behalf of the institution.

12 (4) The commission shall provide 30-day notification to the
13 chairpersons of the appropriate ~~legislative~~ policy and budget
14 committees of the Legislature, to the Director of Finance, and to
15 the Governor prior to making any significant changes to the student
16 information contained in the database.

17 (k) It shall establish criteria for state support of new and existing
18 programs, in consultation with the public segments, the Department
19 of Finance, and the Joint Legislative Budget Committee.

20 (l) It shall comply with the appropriate provisions of the federal
21 Education Amendments of 1972 (Public Law 92-318), as specified
22 in Section 67000.

23 (m) It shall consider the relationship among academic education
24 and vocational education and job training programs, and shall
25 actively consult with representatives of public and private
26 education.

27 (n) It shall review all proposals for changes in eligibility pools
28 for admission to public institutions and segments of postsecondary
29 education and shall make recommendations to the Legislature, the
30 Governor, and institutions of postsecondary education. In carrying
31 out this subdivision, the commission periodically shall conduct a
32 study of the percentages of California public high school graduates
33 estimated to be eligible for admission to the University of
34 California and the California State University. The changes made
35 to this subdivision during the 2001–02 Regular Session of the
36 Legislature shall be implemented only during those fiscal years
37 for which funding is provided for the purposes of those provisions
38 in the annual Budget Act or in another measure.

39 (o) Upon request of the Legislature or the Governor, it shall
40 submit to the Legislature and the Governor a report on all matters

1 so requested that are compatible with its role as the statewide
2 postsecondary education planning and coordinating agency. Upon
3 request of individual Members of the Legislature or personnel in
4 the executive branch, the commission shall submit information or
5 a report on any matter to the extent that sufficient resources are
6 available. From time to time, it also may submit to the Legislature
7 and the Governor a report that contains recommendations as to
8 necessary or desirable changes, if any, in the functions, policies,
9 and programs of the several segments of public, independent, and
10 private postsecondary education.

11 (p) In consultation with the public segments, it shall consider
12 the development of facilities to be used by more than one segment
13 of public higher education, commonly called “joint-use facilities.”
14 It shall recommend to the Legislature criteria and processes for
15 different segments to utilize bond funds for these intersegmental,
16 joint-use facilities.

17 (q) It may undertake other functions and responsibilities that
18 are compatible with its role as the statewide postsecondary
19 education planning and coordinating agency.

20 SEC. 4. Chapter 12.5 (commencing with Section 67050) is
21 added to Part 40 of Division 5 of Title 3 of the Education Code,
22 to read:

23
24 CHAPTER 12.5. EDUCATIONAL AND ECONOMIC GOALS FOR
25 CALIFORNIA HIGHER EDUCATION
26

27 67050. The Legislature finds and declares all of the following:

28 (a) Since the enactment of the Master Plan for Higher Education
29 in 1960, California’s system of postsecondary education has
30 provided access and ~~high-quality~~ *high-quality* educational
31 opportunities that have fueled California’s economic growth.

32 (b) In today’s global information economy, California’s national
33 and international success as an educational and economic leader
34 will require strategic investments and improved management of
35 state resources.

36 (c) Several factors, including changing demographics, rising
37 costs, increased competition for scarce state funding, and employer
38 concerns about graduates’ skills, present new challenges to higher
39 education and state policymakers in effectively meeting the
40 postsecondary education needs of Californians.

1 (d) Although the public segments of higher education have each
2 developed their own institution-specific accountability efforts,
3 these efforts do not combine to tell us whether the state as a whole
4 is on track to produce enough college educated individuals to meet
5 workforce needs and to effectively compete in the global
6 information economy, nor do they reflect statewide policy goals
7 that cut across all higher education segments.

8 (e) Without the articulation of a shared common vision and
9 goals, and in the absence of a statewide focus and context, the state
10 has limited access to meaningful data and analyses to assess the
11 state's performance in key areas, in order to make critical fiscal
12 and policy decisions.

13 (f) As public demand to ensure the state is making proper
14 investments in postsecondary education grows, policy and
15 educational leaders must collectively hold themselves accountable
16 for connecting the postsecondary academic and research enterprise
17 to the state's economic and workforce development needs,
18 increasing its productivity, and expanding postsecondary access
19 for all citizens and regions of the state to produce the economic
20 and educational outcomes that best serve the state's interest.

21 (g) In order to achieve the educational and economic outcomes
22 necessary to ensure the state's success, it is the intent of the
23 Legislature that data-driven budget and policy decisions within
24 higher education be guided by each of the following goals:

25 (1) Increased educational attainment and successful transition
26 across all education levels. In the best performing state in the
27 nation, for every 100 pupils in grade 9, 91 graduate from high
28 school, 57 directly enter college, and 27 graduate within 150
29 percent of program time. However, in California, for every 100
30 pupils in grade 9, 71 graduate from high school, 31 directly enter
31 college, and 17 graduate within 150 percent of program time,
32 placing California 27th in the nation. Goal: by 2020, California
33 will have improved its educational pipeline numbers sufficiently
34 so that it is among the top 10 states in the nation for the successful
35 movement of students through this pipeline.

36 (2) Meeting the state's economic development, workforce
37 development, and civic capacity needs. Current projections by the
38 National Center for Public Policy and Higher Education indicate
39 that California residents will have the largest drop in projected per
40 capita income in the nation over the next two decades, and will

1 fall below the national average by 2012. Goal: by 2020, California
2 will be at the average per capita income of the top 10 new economy
3 states as determined using the State New Economy Index
4 developed by the Progressive Policy Institute.

5 (3) Closure of the achievement gap and increased learning at
6 all levels. In 2005, California ranked 33rd among states in the
7 percentage of persons between 18 and 24 years of age, inclusive,
8 with a high school diploma, 31st in the percentage of persons
9 between 25 and 64 years of age, inclusive, with an associate degree,
10 and 14th in the percentage of persons between 25 and 64 years of
11 age, inclusive, with a bachelor's or higher degree. Goal: by 2020,
12 California will be in the top 10 states nationally for the percentages
13 of its age groups with degrees and certificates conferred.

14 67051. The State of California shall establish an accountability
15 framework that provides the basis for a biennial assessment of the
16 collective contribution of the state's system of postsecondary
17 education toward meeting the clear and measurable educational
18 and economic goals established pursuant to Section 67050. The
19 accountability framework developed to monitor progress toward
20 these goals shall be guided by all of the following principles:

21 (a) A state-level accountability framework is designed to help
22 policymakers develop, maintain, and fund a postsecondary
23 education system that meets the state's goals, recognizes the
24 differentiated missions of each segment of postsecondary
25 education, and guides the segments toward maintaining effective
26 institutions consistent with state goals and institutional missions.

27 (b) Policymakers and governing boards are collectively
28 accountable for meeting public goals for higher education, in
29 accordance with all of the following:

30 (1) Monitoring progress toward state goals is largely the
31 responsibility of state policymakers.

32 (2) Monitoring the performance of individual colleges and
33 universities is primarily the responsibility of institutional governing
34 boards.

35 (3) Institutional governing boards have ongoing responsibility
36 for monitoring the progress toward statewide policy goals of
37 individual colleges and universities, for meeting segmental and
38 institutional missions and goals, for ensuring the quality of the
39 students' education, and for providing information to students and
40 parents regarding enrollment, retention, and student success.

1 (c) The state-level reporting system shall be designed to contain
2 only data that helps policymakers to assess progress toward state
3 goals and to make appropriate policy and funding decisions.
4 Specific indicators may change as better data are identified for
5 assessing progress toward state goals.

6 (d) In establishing an accountability framework for higher
7 education, it is the intent of the Legislature to build upon existing
8 higher education data, information systems, reports, and processes,
9 including, but not limited to, the reporting process established in
10 Section 84754.5, and improve upon these efforts to measure
11 collective progress toward common vision and goals.

12 (e) Rather than envisioning a particular level of higher education
13 funding to move toward the statewide educational and economic
14 policy goals established pursuant to Section 67050, it is the intent
15 of the Legislature that the framework established pursuant to this
16 chapter help ensure the effective and efficient use of whatever
17 funding is provided to higher education.

18 67051.5. (a) It is the intent of the Legislature that, after
19 sufficient opportunity for deliberation and analysis, the information
20 gathered under the framework established pursuant to this chapter
21 be utilized by the Governor and Legislature to do all of the
22 following through appropriate actions:

23 (1) Establish clear and measurable goals in various areas,
24 including, but not—be limited to, enrollment, completion,
25 time-to-degree, efficiency in facilities utilization, transfer, and
26 access.

27 (2) Establish a timeline for phasing in the Legislature's and
28 Governor's expectations for the achievement of these goals.

29 (3) Develop policy and budget proposals that include appropriate
30 funding mechanisms, where appropriate, for achieving these goals,
31 including, but not limited to, incentive funding, differential funding,
32 or the reallocation of existing resources, or all of these.

33 (b) (1) It is the intent of the Legislature that by January 1, 2012,
34 the Governor appoint and convene a task force to review the
35 framework established pursuant to this chapter and to recommend
36 any necessary modifications to the goals and questions contained
37 therein.

38 (2) It is the intent of the Legislature that the task force, if created
39 pursuant to paragraph (1), include, but not be limited to, all of the
40 following:

- 1 (A) The Governor or his or her designated representative.
- 2 (B) The Secretary for Education.
- 3 (C) The chairs and vice chairs of the Senate Education and
- 4 Assembly Higher Education committees.
- 5 (D) The Superintendent of Public Instruction.
- 6 (E) A representative of the business community.
- 7 (F) Three representatives of national organizations with expertise
- 8 in accountability.

9 (c) It is also the intent of the Legislature that the Governor
10 establish an advisory body to the task force established pursuant
11 to subdivision (b) to provide technical expertise and guidance. It
12 is the intent of the Legislature that the advisory body include, but
13 not be limited to, all of the following:

- 14 (1) A representative of the President of the University of
- 15 California.
- 16 (2) A representative of the Chancellor of the California State
- 17 University.
- 18 (3) A representative of the Chancellor of the California
- 19 Community Colleges.
- 20 (4) A representative of the Legislative Analyst's Office.
- 21 (5) A representative of the Department of Finance.
- 22 (6) Legislative staff from each of the appropriate policy
- 23 committees.
- 24 (7) A representative of the California Postsecondary Education
- 25 Commission.

26 67052. (a) The state shall utilize the accountability framework
27 established pursuant to this chapter to measure progress toward
28 its articulated educational and economic goals by collecting and
29 reporting information that answers all of the following six statewide
30 policy questions:

- 31 (1) Are enough Californians prepared for postsecondary
- 32 education?
- 33 (2) Are enough Californians going to college?
- 34 (3) Is the state's postsecondary education system affordable to
- 35 all Californians?
- 36 (4) Are enough Californians successfully completing certificates
- 37 and degrees?
- 38 (5) Are college graduates prepared for life and work in
- 39 California?

(6) Are California's people, communities, and economy benefiting?

(b) The six questions set forth in subdivision (a) shall be answered by collecting a select number of key indicators of progress, not to exceed 30 indicators in total. The Legislature recognizes that the postsecondary education segments may not possess all of the information necessary to answer these questions. To the extent it is impractical to collect comprehensive data, the technical advisory committee established pursuant to subdivision (e) shall recommend alternative sources of information that can help inform these questions utilizing existing data.

(1) Are enough Californians prepared for postsecondary education? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) High school graduates who have completed the "A-G" college preparatory curriculum.

(B) High school juniors who are proficient in English and mathematics.

(C) Adults with a high school diploma or the equivalent.

(D) Adult basic skills proficiency levels.

(E) The proficiency level of first-time college freshmen in mathematics, English, or both.

(2) Are enough Californians going to college? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) High school graduates enrolling in college anywhere in the United States within one year.

(B) Adult population enrolled in postsecondary education.

(C) Proportion of postsecondary enrollment served by segment, including private institutions.

(D) General Equivalency Diploma (GED) recipients enrolling in postsecondary education.

(3) Is the state's postsecondary education system affordable to all Californians? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) Proportion of income needed to pay for college, by segment, before and after financial aid.

(B) Family income distribution of enrolled students.

(C) Student loan burden.

(4) Do enough Californians successfully complete certificates and degrees? Indicators of progress may include, but not necessarily be limited to, all of the following:

- (A) Certificates and degrees awarded.
- (B) Graduation rates.
- (C) Baccalaureate degree graduation rates for students beginning at a community college with transfer intent.
- (D) Number of units completed prior to earning a degree or certificate or transferring.
- (E) Remedial students successfully earning degrees or certificates.

(5) Are college graduates prepared for life and work in California? Indicators of progress may include, but not necessarily be limited to, all of the following:

- (A) Performance of college graduates on existing statewide learning assessments.
 - (B) Performance of college graduates on licensure and graduate school entrance examinations.
 - (C) Student and employer satisfaction with college education.
- (6) Are California's people, communities, and economy benefiting? Indicators of progress may include, but not necessarily be limited to, all of the following:
- (A) Median personal income by educational attainment.
 - (B) Increase in total per capita personal income.
 - (C) Degrees and certificates awarded in selected high demand fields.
 - (D) Federal research and development funding per capita.
 - (E) Educational attainment levels of state population.
 - (F) Public participation in community service and civic affairs.

(c) The segments of higher education in California shall provide the California Postsecondary Education Commission (CPEC), to the extent practical, on or before May 31, ~~2010~~ 2011, and by May 31 of each ~~even-numbered~~ *odd-numbered* year thereafter, all summary, nonpersonally identifiable data required pursuant to this chapter and shall post that information on an Internet Web site available to the public. To the extent possible, the segments of higher education, with the Chancellor of the California Community Colleges acting on behalf of the community colleges, shall rely upon existing data, information systems, reports, and processes in providing the required data. The commission shall be the central

1 repository for collecting and maintaining all data, and shall make
2 this data available, through an Internet Web site available to the
3 public, pursuant to Section 67053 in the following formats:

4 (1) Statewide aggregate data.

5 (2) Segmental data, provided by the public and nonprofit
6 independent sectors.

7 (3) Regional data, reported for the 14 regions utilized by CPEC
8 for planning and statistical analysis.

9 (d) The data to support the indicators of progress shall be
10 collected and made available by race and ethnicity, gender, Cal
11 Grant recipient status, and socioeconomic status, to the extent that
12 these data are available. The data shall also be collected and
13 maintained by each segment longitudinally, where appropriate,
14 and, to the extent possible, be coordinated and aligned with other
15 longitudinal data systems, including, but not limited to, those
16 implemented to comply with the federal No Child Left Behind Act
17 of 2001 (20 U.S.C. Sec. 6301 et seq.), to allow for comprehensive
18 and integrated analysis of data from all educational levels.

19 (e) (1) The Legislative Analyst's Office and the Department
20 of Finance shall jointly convene a Technical Advisory Committee
21 (TAC) to coordinate the technical specifications of the summary
22 aggregate indicator data needed to address the six state policy
23 questions set forth in subdivisions (a) and (b) and the accessibility
24 of indicator data for state purposes. The TAC shall consist of all
25 of the following:

26 (A) Four representatives, one from each of the postsecondary
27 education segments, as defined in Section 67054. For the public
28 postsecondary segments, the representative shall be chosen by the
29 system president or chancellor, as appropriate.

30 (B) A representative of the California Postsecondary Education
31 Commission.

32 (C) A representative of the Office of the Secretary for Education.

33 (D) At least one member, but no more than three members, with
34 expertise in similar state accountability efforts, and who is not a
35 regular employee of any California postsecondary education
36 segment, chosen by the Legislative Analyst's Office.

37 (E) A representative of the Legislative Analyst's Office, who
38 shall serve as the chairperson of the TAC.

39 (2) (A) The Legislative Analyst's Office (LAO) may request
40 technical input from a representative from any agency that

1 maintains data that would be helpful in responding to the six state
2 policy questions set forth in this section.

3 (B) The LAO, in consultation with the Department of Finance,
4 shall submit a report on the recommended indicator data to be
5 collected and reported for the accountability framework to the
6 appropriate legislative policy committees, the Joint Legislative
7 Budget Committee, and the Governor, on or before January 30,
8 ~~2010~~ 2011. The report shall also include a summary of the
9 discussions of the TAC, including any limitations in data to respond
10 to the suggested indicators described in this section.

11 (C) The LAO shall consider any concerns provided in writing
12 by the Joint Legislative Budget Committee, the Governor, or both,
13 within the 30 days following release of the report specified in
14 subparagraph (B). The LAO, in consultation with the Department
15 of Finance, shall revise its report as it deems appropriate to respond
16 to these concerns.

17 (D) To the extent that the Governor and the Legislature concur
18 with the recommendations of the LAO, it is the intent of the
19 Legislature that these data and indicators be formally adopted by
20 statute, and may be modified in any year, as part of the annual
21 budget process.

22 67053. (a) (1) Commencing August 1, ~~2010~~ 2011, and on or
23 before August 1 of each ~~even-numbered~~ odd-numbered year
24 thereafter, the California Postsecondary Education Commission
25 (CPEC) shall submit to the Legislature and the Governor a report
26 of data it has collected under subdivisions (c) and (d) of Section
27 67052. A copy of the report shall be made available to the Director
28 of Finance, the Secretary for Education, and the governing body
29 of each of the segments of postsecondary education. The report
30 shall present statewide data for each of the indicators described in
31 Section 67052, as well as any other indicators requested pursuant
32 to law. The CPEC shall make the data report available on an
33 Internet Web site open to the public.

34 (2) *A report to be submitted pursuant to paragraph (1) shall be*
35 *submitted in compliance with Section 9795 of the Government*
36 *Code.*

37 (b) Within 120 days of receipt of the report described in
38 subdivision (a), the LAO, in consultation with the postsecondary
39 education segments, shall analyze the data contained in that report
40 and do all of the following:

1 (1) Assess the extent to which California has made progress on
2 the six questions in Section 67052.

3 (2) Identify significant factors which may explain the level of
4 progress that has been achieved.

5 (3) Identify higher education policy and funding issues suggested
6 by the data for the Governor and the Legislature to consider.

7 (c) The LAO shall present its analysis at a joint hearing of the
8 appropriate legislative policy committees and appropriate budget
9 subcommittees, to be convened on or before December 30, ~~2010~~
10 ~~2011~~, and each ~~even-numbered~~ *odd-numbered* year thereafter.

11 (d) It is the intent of the Legislature that the accountability
12 information collected by CPEC shall be made available, with due
13 concern for student privacy, to the Legislature, the Governor, and
14 other researchers.

15 (e) The three boards and association identified in Section 67054
16 may provide biennial reports on their respective postsecondary
17 education segments at the joint hearing held pursuant to subdivision
18 (c). These biennial segment reports are intended to become part
19 of the state accountability record. The reports shall provide a key
20 link between the state postsecondary education accountability
21 reporting structure and segmental accountability efforts. These
22 biennial reports shall include all of the following:

23 (1) The segment's main priorities for each of the state's goal
24 areas.

25 (2) The major activities underway to address each priority.

26 (3) The performance indicators used to track progress toward
27 each goal.

28 (4) Major highlights or issues from the data that have state-level
29 significance.

30 (5) The segment's institutional goals for student learning
31 outcomes, including core competencies and the capacity to learn;
32 how they assess progress toward these goals; what they are learning
33 from their assessments; and how they are using their assessments
34 to improve learning.

35 (6) A summary of any activity undertaken to address all of the
36 following:

37 (A) System efforts being undertaken to address instruction in
38 occupational programs of high state need.

39 (B) Programs implemented to assist elementary and secondary
40 pupils with academic preparation, and the extent to which these

1 efforts assist elementary and secondary pupils to meet both
2 placement and admission standards of each segment, and programs
3 implemented to provide professional development for new and
4 practicing teachers.

5 (C) Remediation efforts and outcomes for students admitted to
6 college who are underprepared for ~~college-level~~ *college-level*
7 writing and math.

8 (D) Expansion of capacity to effectively and efficiently serve
9 students, including, but not necessarily limited to, the collaborative
10 use of facilities across higher education segments, distance
11 learning, operation during evenings, weekends, and summer
12 sessions, including quantifiable measures of increased productivity.

13 67054. For the purposes of this chapter, the segments of
14 postsecondary education are defined as the California Community
15 Colleges, the California State University, the University of
16 California, and independent colleges and universities. These
17 segments are represented by the Board of Governors of the
18 California Community Colleges, the Board of Trustees of the
19 California State University, the Board of Regents of the University
20 of California, and the official organization representing the largest
21 number of independent colleges and universities, as defined in
22 subdivision (b) of Section 66010, in the state. For purposes of this
23 chapter, only the Chancellor of the California Community Colleges
24 shall be required to report available information at the community
25 college level.

26 SEC. 5. Chapter 12.7 (commencing with Section 67070) is
27 added to Part 40 of Division 5 of Title 3 of the Education Code,
28 to read:

29
30 CHAPTER 12.7. INFORMATION REGARDING ENROLLMENT,
31 RETENTION, AND STUDENT SUCCESS
32

33 67070. (a) In order to provide prospective students and their
34 families access to critical institution-specific information regarding
35 enrollment, retention, and student success, it is the intent of the
36 Legislature that the University of California, the California State
37 University, the Chancellor of the California Community Colleges,
38 and the independent colleges and universities in California provide
39 a highly visible and accessible array of tools designed to assist
40 with their decisionmaking processes.

(b) The tools referred to in subdivision (a) shall seek, as their primary goal, to provide students and their families with timely and relevant data and information that may include any of the following:

(1) The number and types of degrees or certificates awarded at the undergraduate and graduate level, by campus.

(2) The average time-to-degree for undergraduates, by campus.

(3) The average units-to-degree for undergraduates, by campus.

(4) Data related to average student persistence, retention, or both.

(5) The total cost to students of annual enrollment, including all campus-based and other fees.

(c) The data referred to in subdivision (b) shall be collected and reported by race and ethnicity, gender, Cal Grant recipient status, and socioeconomic status, to the extent that these data are available, and shall be made available in a manner that seeks to minimize direct costs to the institution. It is the intent of the Legislature that the University of California, the California State University, the Chancellor of the California Community Colleges, and the independent colleges and universities utilize existing electronic and other media resources to disseminate the information delineated in this section, including systemwide *Internet* Web sites, intrasegmental *Internet* Web sites, or both.

67071. (a) To the extent that the University of California, the California State University, the Chancellor of the California Community Colleges, and the independent colleges and universities participate voluntarily in existing informational reporting for students and parents, those efforts may be deemed to meet the Legislature's intent, as outlined in Section 67070.

(b) For the purposes of this section, ~~information-reporting~~ *information reporting* frameworks may include, but need not be limited to, those developed by national higher education organizations and federal data collection entities. However, every attempt shall be made to ensure that information reporting provides students and families with information that will improve their understanding and comparison of postsecondary educational institutions.

67072. In implementing this chapter and Chapter 12.5 (commencing with Section 67050), state agencies, local educational agencies, and the officers and appointees of those agencies shall

1 consider and comply with state and federal privacy law, and ensure
2 that the highest, appropriate security protections are in place in
3 order to provide the maximum protection of privacy, consistent
4 with the requirements under the United States and California
5 Constitutions and all applicable federal laws, including the Family
6 Educational Rights and Privacy Act (20 U.S.C. Sec. 1232(g)) and
7 its implementing regulations (34 C.F.R. 99).

8 SEC. 6. Chapter 4.5 (commencing with Section 99180) of Part
9 65 of Division 14 of Title 3 of the Education Code is repealed.

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11
12 CORRECTIONS:

13 Text—Page 17.
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