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CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2

Introduced by Assembly Member Portantino
(Principal coauthor: Assembly Member Block)

(Principal coauthor: Senator Lowenthal)

(Coauthors: Assembly Members Brownley, Fong, and Lara)

(Coauthors: Senators Hancock, Negrete McLeod, and Price)

December 6, 2010

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 2, 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 and submit them 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. *The bill would require the Governor to convene a task force, by January 1, 2012, to review the framework and recommend any necessary modifications.*

(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:

5 66903. The commission has the following functions and
6 responsibilities in its capacity as the statewide postsecondary
7 education planning and coordinating agency and adviser to the
8 Legislature and the Governor:

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

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

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

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

25 (3) The budgetary priorities of the institutions and systems of
26 postsecondary education.

27 (4) The impact of various types and levels of student charges
28 on students and on postsecondary education programs and
29 institutions.

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

1 (6) The access and admission of students to postsecondary
2 education.

3 (7) The educational programs and resources of independent and
4 private postsecondary institutions.

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

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

8 (d) It shall participate in appropriate stages of the executive and
9 the legislative budget processes as requested by the executive and
10 the legislative branches, and shall advise the executive and the
11 legislative branches as to whether segmental programmatic
12 budgetary requests are compatible with the state plan. It is not
13 intended that the commission hold independent budget hearings.

14 (e) It shall advise the Legislature and the Governor regarding
15 the need for, and location of, new institutions and campuses of
16 public higher education.

17 (f) It shall review proposals by the public segments for new
18 programs, the priorities that guide them, and the degree of
19 coordination with nearby public, independent, and private
20 postsecondary educational institutions, and shall make
21 recommendations regarding those proposals to the Legislature and
22 the Governor.

23 (g) In consultation with the public segments, it shall establish
24 a schedule for segmental review of selected educational programs,
25 evaluate the program approval, review, and disestablishment
26 processes of the segments, and report its findings and
27 recommendations to the Legislature and the Governor.

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

31 (i) It shall periodically collect or conduct, or both collect and
32 conduct, studies of projected manpower supply and demand, in
33 cooperation with appropriate state agencies, and disseminate the
34 results of those studies to institutions of postsecondary education
35 and to the public in order to improve the information base upon
36 which student choices are made.

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

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

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

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

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

11 (E) Provides each of the educational segments access to the data
12 made available to the commission for the purposes of the database,
13 in order to support, most efficiently and effectively, statewide,
14 segmental, and individual campus educational research information
15 needs.

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

20 (3) The commission shall not make available any personally
21 identifiable information received from a postsecondary educational
22 institution concerning students for any regulatory purpose unless
23 the institution has authorized the commission to provide that
24 information on behalf of the institution.

25 (4) The commission shall provide 30-day notification to the
26 chairpersons of the appropriate policy and budget committees of
27 the Legislature, to the Director of Finance, and to the Governor
28 prior to making any significant changes to the student information
29 contained in the database.

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

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

36 (m) It shall consider the relationship among academic education
37 and vocational education and job training programs, and shall
38 actively consult with representatives of public and private
39 education.

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

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

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

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

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

1 CHAPTER 12.5. EDUCATIONAL AND ECONOMIC GOALS FOR
2 CALIFORNIA HIGHER EDUCATION
3

4 67050. The Legislature finds and declares all of the following:

5 (a) Since the enactment of the Master Plan for Higher Education
6 in 1960, California's system of postsecondary education has
7 provided access and high-quality educational opportunities that
8 have fueled California's economic growth.

9 (b) In today's global information economy, California's national
10 and international success as an educational and economic leader
11 will require strategic investments and improved management of
12 state resources.

13 (c) Several factors, including changing demographics, rising
14 costs, increased competition for scarce state funding, and employer
15 concerns about graduates' skills, present new challenges to higher
16 education and state policymakers in effectively meeting the
17 postsecondary education needs of Californians.

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

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

30 (f) As public demand to ensure the state is making proper
31 investments in postsecondary education grows, policy and
32 educational leaders must collectively hold themselves accountable
33 for connecting the postsecondary academic and research enterprise
34 to the state's economic and workforce development needs,
35 increasing its productivity, and expanding postsecondary access
36 for all citizens and regions of the state to produce the economic
37 and educational outcomes that best serve the state's interest.

38 (g) In order to achieve the educational and economic outcomes
39 necessary to ensure the state's success, it is the intent of the

Legislature that data-driven budget and policy decisions within higher education be guided by each of the following goals:

(1) Increased educational attainment and successful transition across all education levels. In the best performing state in the nation in 2008, for every 100 pupils in grade 9, 77 graduate from high school, 57.5 directly enter college, and 30.2 graduate within 150 percent of the time. However, in California, for every 100 pupils in grade 9, 67.5 graduate high school, 44.2 directly enter college, and 19.7 graduate within 150 percent of the time, placing California 26th in the nation. Goal: by 2020, California will have improved its educational pipeline numbers sufficiently so that it is among the top 10 states in the nation for the successful movement of students through this pipeline.

(2) Meeting the state's economic development, workforce development, and civic capacity needs. Current projections by the National Center for Public Policy and Higher Education indicate that California residents will have the largest drop in projected per capita income in the nation over the next two decades. In 2009, California ranked 12th among states in per capita income. Goal: by 2020, California will be at the average per capita income of the top 10 new economy states as determined using the State New Economy Index developed by the Progressive Policy Institute.

(3) Closure of the achievement gap and increased learning at all levels. In 2008, California ranked 38th among states in percentage of persons between 18 and 24 years of age, inclusive, with a high school diploma, 21st in the percentage of persons between 25 and 64 years of age, inclusive, with an associate degree, and 16th in the percentage of persons between 25 and 64 years of age, inclusive, with a bachelor's or higher degree. Goal: by 2020, California will be in the top 10 states nationally for the percentages of its age groups with degrees and certificates conferred.

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

(a) A state-level accountability framework is designed to help policymakers develop, maintain, and fund a postsecondary

1 education system that meets the state's goals, recognizes the
2 differentiated missions of each segment of postsecondary
3 education, and guides the segments toward maintaining effective
4 institutions consistent with state goals and institutional missions.

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

8 (1) Monitoring progress toward state goals is largely the
9 responsibility of state policymakers.

10 (2) Monitoring the performance of individual colleges and
11 universities is primarily the responsibility of institutional governing
12 boards.

13 (3) Institutional governing boards have ongoing responsibility
14 for monitoring the progress toward statewide policy goals of
15 individual colleges and universities, for meeting segmental and
16 institutional missions and goals, for ensuring the quality of the
17 students' education, and for providing information to students and
18 parents regarding enrollment, retention, and student success.

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

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

30 (e) Rather than envisioning a particular level of higher education
31 funding to move toward the statewide educational and economic
32 policy goals established pursuant to Section 67050, it is the intent
33 of the Legislature that the framework established pursuant to this
34 chapter help ensure the effective and efficient use of whatever
35 funding is provided to higher education.

36 67051.5. (a) It is the intent of the Legislature that, after
37 sufficient opportunity for deliberation and analysis, the information
38 gathered under the framework established pursuant to this chapter
39 be utilized by the Governor and Legislature to do all of the
40 following through appropriate actions:

1 (1) Establish clear and measurable goals in various areas,
2 including, but not limited to, enrollment, completion,
3 time-to-degree, efficiency in facilities utilization, transfer, and
4 access.

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

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

11 ~~(b) (1) It is the intent of the Legislature that by January 1, 2012,~~
12 ~~the Governor convene a task force to review the~~

13 *(b) (1) The Governor shall convene a task force by January 1,*
14 *2012, to review the framework established pursuant to this chapter*
15 *and to recommend any necessary modifications to the goals and*
16 *questions contained therein.*

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

20 (A) The Governor or his or her designated representative.

21 (B) The chairs and vice chairs of the Senate Education and
22 Assembly Higher Education committees.

23 (C) The Superintendent of Public Instruction.

24 (D) A representative of the business community to be appointed
25 by the Governor.

26 (E) Three representatives of national organizations with
27 expertise in accountability to be appointed by the Governor.

28 (F) The Director of the Employment Development Department.

29 (c) It is also the intent of the Legislature that an advisory body
30 to the task force be established ~~pursuant to subdivision (b)~~ to
31 provide technical expertise and guidance. It is the intent of the
32 Legislature that the advisory body include, but not be limited to,
33 all of the following:

34 (1) A representative of the President of the University of
35 California.

36 (2) A representative of the Chancellor of the California State
37 University.

38 (3) A representative of the Chancellor of the California
39 Community Colleges.

40 (4) A representative of the Legislative Analyst's Office.

1 (5) A representative of the Department of Finance.

2 (6) Legislative staff from each of the appropriate policy
3 committees *appointed by the respective chairs of the Senate*
4 *Committee on Education and the Assembly Committee on Higher*
5 *Education*.

6 (7) A representative of the California Postsecondary Education
7 Commission.

8 (8) A representative from the Association of Independent
9 California Colleges and Universities.

10 ~~(d) The members of the task force and the task force's advisory~~
11 ~~body shall not receive compensation except for reimbursement for~~
12 ~~actual expenses incurred as a result of participation in the task~~
13 ~~force or advisory body.~~

14 67052. (a) The state shall utilize the accountability framework
15 established pursuant to this chapter to measure progress toward
16 its articulated educational and economic goals by collecting and
17 reporting information that answers all of the following six statewide
18 policy questions:

19 (1) Are enough Californians prepared for postsecondary
20 education?

21 (2) Are enough Californians going to college?

22 (3) Is the state's postsecondary education system affordable to
23 all Californians?

24 (4) Are enough Californians successfully completing certificates
25 and degrees?

26 (5) Are college graduates prepared for life and work in
27 California?

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

30 (b) The six questions set forth in subdivision (a) shall be
31 answered by collecting a select number of key indicators of
32 progress, not to exceed 30 indicators in total. The Legislature
33 recognizes that the postsecondary education segments may not
34 possess all of the information necessary to answer these questions.

35 To the extent it is impractical to collect comprehensive data, the
36 technical advisory committee established pursuant to subdivision

37 (e) shall recommend alternative sources of information that can
38 help inform these questions utilizing existing data.

- 1 (1) Are enough Californians prepared for postsecondary
2 education? Indicators of progress may include, but not necessarily
3 be limited to, all of the following:
- 4 (A) High school graduates who have completed the “A-G”
5 college preparatory curriculum.
- 6 (B) High school juniors who are proficient in English and
7 mathematics.
- 8 (C) Adults with a high school diploma or the equivalent.
- 9 (D) Adult basic skills proficiency levels.
- 10 (E) The proficiency level of first-time college freshmen in
11 mathematics, English, or both.
- 12 (2) Are enough Californians going to college? Indicators of
13 progress may include, but not necessarily be limited to, all of the
14 following:
- 15 (A) High school graduates enrolling in college anywhere in the
16 United States within one year.
- 17 (B) Adult population enrolled in postsecondary education.
- 18 (C) Proportion of postsecondary enrollment served by segment,
19 including private institutions.
- 20 (D) General Equivalency Diploma (GED) recipients enrolling
21 in postsecondary education.
- 22 (3) Is the state’s postsecondary education system affordable to
23 all Californians? Indicators of progress may include, but not
24 necessarily be limited to, all of the following:
- 25 (A) Proportion of income needed to pay for college, by segment,
26 before and after financial aid.
- 27 (B) Family income distribution of enrolled students.
- 28 (C) Student loan burden.
- 29 (4) Do enough Californians successfully complete certificates
30 and degrees? Indicators of progress may include, but not
31 necessarily be limited to, all of the following:
- 32 (A) Certificates and degrees awarded.
- 33 (B) Graduation rates.
- 34 (C) Baccalaureate degree graduation rates for students beginning
35 at a community college with transfer intent.
- 36 (D) Number of units completed prior to earning a degree or
37 certificate or transferring.
- 38 (E) Remedial students successfully earning degrees or
39 certificates.

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

4 (A) Performance of college graduates on existing statewide
5 learning assessments.

6 (B) Performance of college graduates on licensure and graduate
7 school entrance examinations.

8 (C) Student and employer satisfaction with college education.

9 (6) Are California's people, communities, and economy
10 benefiting? Indicators of progress may include, but not necessarily
11 be limited to, all of the following:

12 (A) Median personal income by educational attainment.

13 (B) Increase in total per capita personal income.

14 (C) Degrees and certificates awarded in selected high-demand
15 fields.

16 (D) Federal research and development funding per capita.

17 (E) Educational attainment levels of state population.

18 (F) Public participation in community service and civic affairs.

19 (c) The segments of higher education in California shall provide
20 the California Postsecondary Education Commission (CPEC), to
21 the extent practical, on or before May 31, 2012, and by May 31
22 of each even-numbered year thereafter, all summary, nonpersonally
23 identifiable data required pursuant to this chapter and shall post
24 that information on an Internet Web site available to the public.
25 To the extent possible, the segments of higher education, with the
26 Chancellor of the California Community Colleges acting on behalf
27 of the community colleges, shall rely upon existing data,
28 information systems, reports, and processes in providing the
29 required data. The commission shall be the central repository for
30 collecting and maintaining all data, and shall make this data
31 available, through an Internet Web site available to the public,
32 pursuant to Section 67053 in the following formats:

33 (1) Statewide aggregate data.

34 (2) Segmental data, provided by the public and nonprofit
35 independent sectors.

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

38 (d) The data to support the indicators of progress shall be
39 collected and made available by race and ethnicity, gender, Cal
40 Grant recipient status, and socioeconomic status, to the extent that

1 these data are available. The data shall also be collected and
2 maintained by each segment longitudinally, where appropriate,
3 and, to the extent possible, be coordinated and aligned with other
4 longitudinal data systems, including, but not limited to, those
5 implemented to comply with the federal No Child Left Behind Act
6 of 2001 (20 U.S.C. Sec. 6301 et seq.), to allow for comprehensive
7 and integrated analysis of data from all educational levels.

8 (e) (1) The Legislative Analyst's Office and the Department
9 of Finance shall jointly convene a Technical Advisory Committee
10 (TAC) to coordinate the technical specifications of the summary
11 aggregate indicator data needed to address the six state policy
12 questions set forth in subdivisions (a) and (b) and the accessibility
13 of indicator data for state purposes. The TAC shall consist of all
14 of the following:

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

19 (B) A representative of the California Postsecondary Education
20 Commission.

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

25 (D) A representative of the Legislative Analyst's Office, who
26 shall serve as the chairperson of the TAC.

27 (2) (A) The Legislative Analyst's Office (LAO) may request
28 technical input from a representative from any agency that
29 maintains data that would be helpful in responding to the six state
30 policy questions set forth in this section.

31 (B) The LAO, in consultation with the Department of Finance,
32 shall submit a report on the recommended indicator data to be
33 collected and reported for the accountability framework to the
34 appropriate legislative policy committees, the Joint Legislative
35 Budget Committee, and the Governor, on or before January 30,
36 2012. The report shall also include a summary of the discussions
37 of the TAC, including any limitations in data to respond to the
38 suggested indicators described in this section.

39 (C) The LAO shall consider any concerns provided in writing
40 by the Joint Legislative Budget Committee, the Governor, or both,

1 within the 30 days following release of the report specified in
2 subparagraph (B). The LAO, in consultation with the Department
3 of Finance, shall revise its report as it deems appropriate to respond
4 to these concerns.

5 (D) To the extent that the Governor and the Legislature concur
6 with the recommendations of the LAO, it is the intent of the
7 Legislature that these data and indicators be formally adopted by
8 statute, and may be modified in any year, as part of the annual
9 budget process.

10 67053. (a) (1) Commencing August 1, 2012, and on or before
11 August 1 of each even-numbered year thereafter, the California
12 Postsecondary Education Commission (CPEC) shall submit to the
13 Legislature and the Governor a report of data it has collected under
14 subdivisions (c) and (d) of Section 67052. A copy of the report
15 shall be made available to the Director of Finance and the
16 governing body of each of the segments of postsecondary
17 education. The report shall present statewide data for each of the
18 indicators described in Section 67052, as well as any other
19 indicators requested pursuant to law. The CPEC shall make the
20 data report available on an Internet Web site open to the public.

21 (2) A report to be submitted pursuant to paragraph (1) shall be
22 submitted in compliance with Section 9795 of the Government
23 Code.

24 (b) Within 120 days of receipt of the report described in
25 subdivision (a), the LAO, in consultation with the postsecondary
26 education segments, shall analyze the data contained in that report
27 and do all of the following:

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

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

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

34 (c) The LAO shall present its analysis at a joint hearing of the
35 appropriate legislative policy committees and appropriate budget
36 subcommittees, to be convened on or before December 30, 2012,
37 and each even-numbered year thereafter.

38 (d) It is the intent of the Legislature that the accountability
39 information collected by CPEC shall be made available, with due

1 concern for student privacy, to the Legislature, the Governor, and
2 other researchers.

3 (e) The three boards and organization identified in Section 67054
4 may provide biennial reports on their respective postsecondary
5 education segments at the joint hearing held pursuant to subdivision
6 (c). These biennial segment reports are intended to become part
7 of the state accountability record. The reports shall provide a key
8 link between the state postsecondary education accountability
9 reporting structure and segmental accountability efforts. These
10 biennial reports shall include all of the following:

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

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

14 (3) The performance indicators used to track progress toward
15 each goal.

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

18 (5) The segment's institutional goals for student learning
19 outcomes, including core competencies and the capacity to learn;
20 how they assess progress toward these goals; what they are learning
21 from their assessments; and how they are using their assessments
22 to improve learning.

23 (6) A summary of any activity undertaken to address all of the
24 following:

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

27 (B) Programs implemented to assist elementary and secondary
28 pupils with academic preparation, and the extent to which these
29 efforts assist elementary and secondary pupils to meet both
30 placement and admission standards of each segment, and programs
31 implemented to provide professional development for new and
32 practicing teachers.

33 (C) Remediation efforts and outcomes for students admitted to
34 college who are underprepared for college-level writing and math.

35 (D) Expansion of capacity to effectively and efficiently serve
36 students, including, but not necessarily limited to, the collaborative
37 use of facilities across higher education segments, distance
38 learning, operation during evenings, weekends, and summer
39 sessions, including quantifiable measures of increased productivity.

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

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

CHAPTER 12.7. INFORMATION REGARDING ENROLLMENT,
RETENTION, AND STUDENT SUCCESS

67070. (a) In order to provide prospective students and their families access to critical institution-specific information regarding enrollment, retention, and student success, 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 in California provide a highly visible and accessible array of tools designed to assist 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 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 consider and comply with state and federal privacy law, and ensure that the highest, appropriate security protections are in place in order to provide the maximum protection of privacy, consistent with the requirements under the United States and California Constitutions and all applicable federal laws, including the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) and its implementing regulations (34 C.F.R. 99).

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