

AMENDED IN SENATE AUGUST 6, 2012

Senate Constitutional Amendment

No. 22

Introduced by Senator Rubio
(Coauthors: Senators De León, Vargas, and Yee)

May 15, 2012

Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 9.5 to Article IX thereof, relating to the University of California.

LEGISLATIVE COUNSEL'S DIGEST

SCA 22, as amended, Rubio. University of California: admission of out-of-state students.

Existing provisions of the California Constitution establish the University of California as a public trust under the administration of the Regents of the University of California. The University of California system includes 10 campuses, which are respectively located in Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

This measure would require the University of California system to modify admissions so that commencing with the 2013–14 academic year, out-of-state undergraduate students, as defined, would constitute ~~more~~ no more than 10% of an incoming class, ~~or~~ *and no* more than 10% of the total undergraduate enrollment, ~~at each campus~~ in the University of California system.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

1 *Resolved by the Senate, the Assembly concurring,* That the
2 Legislature of the State of California at its 2011–12 Regular
3 Session commencing on the sixth day of December 2010,
4 two-thirds of the membership of each house concurring, hereby
5 proposes to the people of the State of California, that the
6 Constitution of the State be amended as follows:

7 First—The people of the State of California find and declare all
8 of the following:

9 (a) California has demonstrated a longstanding commitment to
10 higher education, beginning with the state’s landmark 1960
11 California Master Plan for Higher Education, which divided public
12 responsibility for postsecondary education among the University
13 of California, the California State University, and the California
14 Community Colleges.

15 (b) The University of California (UC) has a unique obligation
16 to serve the diverse ethnic and economic needs of the State and
17 provide ample educational opportunities to California residents.

18 (c) Recently, there has been an alarming trend of the UC system
19 admitting increasing numbers of out-of-state students, thereby
20 limiting opportunities for California residents.

21 (d) In Fall 2012, the percentage of non-Californians admitted
22 to the UC spiked to more than 23 percent of the freshman class,
23 which was an increase from around 11 percent just three years
24 before.

25 (e) Between 2009 and 2012, the percentage of foreign and
26 out-of-state students at UC campuses doubled.

27 (f) The biggest increases in out-of-state students are concentrated
28 at University of California, Berkeley (UC Berkeley), University
29 of California, Los Angeles (UCLA), and University of California,
30 San Diego (UCSD), the three most selective and perhaps most
31 widely known UC campuses outside California.

32 (g) This trend is contrary to the policy of the Regents of the
33 University of California that caps out-of-state undergraduate
34 enrollment at 10 percent systemwide.

35 (h) While the UC system guarantees admission to the top 9
36 percent of graduates from participating high schools, an increasing
37 percentage of these graduates are not being offered spots at more
38 competitive schools such as UC Berkeley, UCLA, and UCSD.

39 (i) While out-of-state students contribute to the diversity of
40 opinions and perspectives on campus, recruiting out-of-state

1 students for the purpose of balancing the UC budget contributes
2 to the perceived privatization of the system and undermines public
3 support for restoring funding.

4 (j) Residents of California have shown an increased desire to
5 enroll in the UC system, as applications from California residents
6 for admission in Fall 2012 rose to 93,298, an increase of 9.8 percent
7 over the preceding year, demonstrating that more California
8 residents would like to attend UC and are being turned away.

9 (k) The Public Policy Institute of California projects that, by
10 2025, there will be a deficit of one million educated workers in
11 California unless the state is able to substantially increase rates of
12 college enrollment and graduation.

13 (l) California cannot close the gap by drawing college-educated
14 workers from elsewhere, and will need to produce more graduates
15 through its state colleges and universities.

16 (m) Therefore, it is the intent of the people of the State of
17 California to cap admissions of out-of-state ~~undergraduate~~
18 *undergraduate* students for each incoming freshman class ~~at each~~
19 ~~campus~~ of the UC system at 10 percent in order to increase
20 opportunities for California residents.

21 Second—That Section 9.5 is added to Article IX thereof, to
22 read:

23 SEC. 9.5. (a) Commencing with the 2013–14 academic year,
24 out-of-state undergraduate students shall constitute no more than
25 10 percent of the incoming class, and no more than 10 percent of
26 the total undergraduate enrollment, ~~at each campus~~ in the
27 University of California system.

28 (b) As used in this section, an “out-of-state undergraduate
29 student” is a student whose residence was outside of California at
30 the time he or she initially applied for enrollment in the University
31 of California.