

AMENDED IN ASSEMBLY AUGUST 24, 2012

AMENDED IN ASSEMBLY AUGUST 22, 2012

AMENDED IN ASSEMBLY JULY 5, 2012

AMENDED IN ASSEMBLY JUNE 26, 2012

AMENDED IN ASSEMBLY JUNE 11, 2012

AMENDED IN SENATE APRIL 26, 2012

AMENDED IN SENATE MARCH 28, 2012

**SENATE BILL**

**No. 1456**

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**Introduced by Senator Lowenthal**

(Principal coauthors: Assembly Members Block and Portantino)

(Coauthor: Assembly Member Olsen)

**(Coauthor: Senator Liu)**

February 24, 2012

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An act to amend Sections 76300, 78210, 78211, 78211.5, 78212, 78213, 78214, 78215, 78216, and 78218 of, and to repeal Section 78212.5 of, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1456, as amended, Lowenthal. Community colleges: Seymour-Campbell Student Success Act of 2012.

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state.

Existing law requires community college district governing boards to charge students an enrollment fee of \$46 per unit per semester,

effective with the summer term of the 2012 calendar year. Existing law also authorizes the board of governors to waive this fee under certain circumstances related to the income status of the student.

This bill would require that a student qualifying for a fee waiver meet minimum academic and progress standards adopted by the board of governors, and would provide detailed requirements regarding the content, adoption, and application of those standards.

(2) Existing law, known as the Seymour-Campbell Matriculation Act of 1986, defines “matriculation” as a process that brings a college and a student who enrolls for credit into an agreement for the purpose of realizing the student’s educational objectives. The act specifies the matriculation services that community colleges are required to provide, including the processing of the application for admission, orientation and preorientation services, assessment and counseling upon enrollment, and postenrollment evaluation of a student’s progress.

This bill would revise and recast the act, and rename it the Seymour-Campbell Student Success Act of 2012. The act would state its purpose as increasing California community college access and success by providing effective core matriculation services of orientation, assessment and placement, counseling, and other education planning services, and academic interventions. The bill would specify the responsibilities of students and institutions in entering into the matriculation process.

The bill would require the board of governors to develop a formula for allocating funding for the Student Success and Support Program that would be implemented under the act. The bill would specify that, in the 2012–13 fiscal year and each fiscal year thereafter, the act would be operative only if funds are specifically appropriated for its purposes.

To the extent that the bill would impose new duties on community college districts, it would constitute a state-mandated local program.

(3) The bill would require the Legislative Analyst’s Office to review and report specified information regarding the Seymour-Campbell Student Success Act of 2012 to the appropriate policy and fiscal committees of the Legislature by July 1, 2014, and by July 1 of every even-numbered year thereafter, as specified.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Senate Bill 1143 of Chapter 401 of the Statutes of 2010  
4 directed the Board of Governors of the California Community  
5 Colleges to establish the Student Success Task Force, charged with  
6 developing a plan for improving community college student success  
7 rates. In response, the board of governors established a 20-member  
8 Student Success Task Force, composed of community college  
9 students, faculty, staff, chief executive officers, researchers, and  
10 external stakeholders. After a year of study and deliberation, the  
11 task force issued a comprehensive report recommending to the  
12 board of governors a plan to achieve significant gains in student  
13 completion rates, while also preserving the California Community  
14 Colleges' historic commitment to broad access and equity.

15 (b) In January 2012, the board of governors adopted the 22  
16 recommendations put forth by the Student Success Task Force.  
17 This action marked the board of governors' commitment to launch  
18 a major systemwide student success initiative. The initiative  
19 focuses on helping students to identify educational goals and  
20 develop an informed plan to achieve their educational objectives  
21 in the areas of transfer, basic skills attainment, and career technical  
22 education. The recommendations also outline strategies to provide  
23 students with improved support and institutional structures to help  
24 them succeed.

25 (c) The board of governors' student success initiative will be  
26 implemented through a variety of mechanisms, including state  
27 law, board regulations, budget provisions, state administrative  
28 policy, and local best practices. Together, implementation of these  
29 recommendations will help improve student success rates at  
30 community colleges across the state.

31 (d) Achieving significant gains in student completion rates will  
32 require improvements and expansions in the programs and services  
33 the community colleges provide to students. In part, these

1 improvements can be accomplished through the use and  
2 reprioritization of existing resources. However, a full-scale  
3 implementation of the student success initiative will require greater  
4 state investment in the Student Success and Support Program, as  
5 well as community colleges' overall ability to promote student  
6 success. In enacting this measure, the Legislature acknowledges  
7 the commitment of the board of governors, through its regular  
8 budget process, to evaluate resource needs and seek funding for  
9 essential educational priorities that contribute to student success,  
10 which include, but are not necessarily limited to, counselors,  
11 advisors, and technology tools needed to assist students; increasing  
12 categorical funding for student support services, including, but not  
13 necessarily limited to, programs for disadvantaged and disabled  
14 students; hiring more full-time faculty; and increasing support for  
15 part-time faculty.

16 (e) The Seymour-Campbell Student Success Act of 2012  
17 implements two of the 22 recommendations that provide an initial,  
18 critical foundation for enhancing student completion and promoting  
19 student behaviors that lead to success.

20 SEC. 2. Section 76300 of the Education Code, as amended by  
21 Section 4 of Chapter 15 of the First Extraordinary Session of the  
22 Statutes of 2011, is amended to read:

23 76300. (a) The governing board of each community college  
24 district shall charge each student a fee pursuant to this section.

25 (b) (1) The fee prescribed by this section shall be forty-six  
26 dollars (\$46) per unit per semester, effective with the summer term  
27 of the 2012 calendar year.

28 (2) The board of governors shall proportionately adjust the  
29 amount of the fee for term lengths based upon a quarter system,  
30 and also shall proportionately adjust the amount of the fee for  
31 summer sessions, intersessions, and other short-term courses. In  
32 making these adjustments, the board of governors may round the  
33 per unit fee and the per term or per session fee to the nearest dollar.

34 (c) For the purposes of computing apportionments to community  
35 college districts pursuant to Section 84750.5, the board of  
36 governors shall subtract, from the total revenue owed to each  
37 district, 98 percent of the revenues received by districts from  
38 charging a fee pursuant to this section.

1 (d) The board of governors shall reduce apportionments by up  
2 to 10 percent to any district that does not collect the fees prescribed  
3 by this section.

4 (e) The fee requirement does not apply to any of the following:

5 (1) Students enrolled in the noncredit courses designated by  
6 Section 84757.

7 (2) California State University or University of California  
8 students enrolled in remedial classes provided by a community  
9 college district on a campus of the University of California or a  
10 campus of the California State University, for whom the district  
11 claims an attendance apportionment pursuant to an agreement  
12 between the district and the California State University or the  
13 University of California.

14 (3) Students enrolled in credit contract education courses  
15 pursuant to Section 78021, if the entire cost of the course, including  
16 administrative costs, is paid by the public or private agency,  
17 corporation, or association with which the district is contracting  
18 and if these students are not included in the calculation of the  
19 full-time equivalent students (FTES) of that district.

20 (f) The governing board of a community college district may  
21 exempt special part-time students admitted pursuant to Section  
22 76001 from the fee requirement.

23 (g) (1) The fee requirements of this section shall be waived for  
24 any student who meets all of the following requirements:

25 (A) Meets minimum academic and progress standards adopted  
26 by the board of governors, which fulfill the requirements outlined  
27 in this paragraph and paragraphs (2) to (5), inclusive. Any  
28 minimum academic and progress standards adopted pursuant to  
29 this section shall be uniform across all community college districts  
30 and campuses. These standards shall not include a maximum unit  
31 cap, and community college districts and colleges shall not impose  
32 requirements for fee waiver eligibility other than the minimum  
33 academic and progress standards adopted by the board of governors  
34 and the requirements of subparagraph (B).

35 (B) Meets one of the following criteria:

36 (i) At the time of enrollment, is a recipient of benefits under the  
37 Temporary Assistance for Needy Families program, the  
38 Supplemental Security Income/State Supplementary Payment  
39 Program, or a general assistance program.

1 (ii) Demonstrates eligibility according to income standards  
2 established by regulations of the board of governors.

3 (iii) Demonstrates financial need in accordance with the  
4 methodology set forth in federal law or regulation for determining  
5 the expected family contribution of students seeking financial aid.

6 (2) (A) The board of governors, in consultation with students,  
7 faculty, and other key stakeholders, shall consider all of the  
8 following in the development and adoption of minimum academic  
9 and progress standards pursuant to subparagraph (A) of paragraph  
10 (1):

11 (i) Minimum uniform academic and progress standards that do  
12 not unfairly disadvantage financially needy students in pursuing  
13 their education.

14 (ii) Criteria for reviewing extenuating circumstances and  
15 granting appeals that, at a minimum, take into account and do not  
16 penalize a student for circumstances outside his or her control,  
17 such as reductions in student support services or changes to the  
18 economic situation of the student.

19 (iii) A process for reestablishing fee waiver eligibility that  
20 provides a student with a reasonable opportunity to continue or  
21 resume his or her enrollment at a community college.

22 (B) To ensure that students are not unfairly impacted by the  
23 requirements of subparagraph (A) of paragraph (1), the board of  
24 governors shall establish a reasonable implementation period that  
25 commences no sooner than one year from adoption of the minimum  
26 academic and progress standards, or any subsequent changes to  
27 these standards, pursuant to subparagraph (A) of paragraph (1)  
28 and that is phased in to provide students adequate notification of  
29 this requirement and information about available support resources.

30 (3) ~~Minimum~~ *It is the intent of the Legislature that minimum*  
31 *academic and progress standards adopted pursuant to subparagraph*  
32 *(A) of paragraph (1) shall be implemented only as campuses*  
33 *develop and implement the student support services and*  
34 *interventions necessary to ensure no disproportionate impact to*  
35 *students based on ethnicity, gender, disability, or socioeconomic*  
36 *status. The board of governors shall consider the ability of*  
37 *community college districts to meet the requirements of this*  
38 *paragraph before adopting minimum academic and progress*  
39 *standards, or any subsequent changes to these standards, pursuant*  
40 *to subparagraph (A) of paragraph (1). It is not the intent of the*

1 Legislature that this paragraph be construed to delay the adoption  
2 and implementation of the minimum academic content standards  
3 adopted pursuant to subparagraph (A) of paragraph (1)  
4 commensurate with the availability of resources for appropriate  
5 student support services and interventions.

6 (4) It is the intent of the Legislature to ensure that a student shall  
7 not lose fee waiver eligibility without a community college campus  
8 first demonstrating a reasonable effort to provide a student with  
9 *adequate notification and* assistance in maintaining his or her fee  
10 waiver eligibility. The board of governors shall adopt regulations  
11 to implement this paragraph that ensure all of the following:

12 (A) Students are provided information about the available  
13 student support services to assist them in maintaining fee waiver  
14 eligibility.

15 (B) Community college district policies and course catalogs  
16 reflect the minimum academic and progress standards adopted  
17 pursuant to subparagraph (A) of paragraph (1) and that appropriate  
18 notice is provided to students before the policies are put into effect.

19 ~~(C) Students are individually provided notice of potential loss  
20 of fee waiver eligibility no later than the end of the second week  
21 of the academic term before the loss of fee waiver eligibility.~~

22 ~~(D) Students on academic or progress probation, pursuant to  
23 existing board of governors regulations, or who do not meet the  
24 minimum academic and progress standards adopted pursuant to  
25 subparagraph (A) of paragraph (1), or any subsequent changes to  
26 these standards, at the time of their adoption shall be provided  
27 notice of potential loss of fee waiver eligibility within 30 days  
28 following the adoption of the regulations.~~

29 ~~(E)~~

30 (C) A student does not lose fee waiver eligibility unless he or  
31 she has not met minimum academic and progress standards adopted  
32 pursuant to subparagraph (A) of paragraph (1) for a period of no  
33 less than ~~one full academic year~~ *two consecutive academic terms*.

34 (5) The board of governors shall provide notification of a  
35 proposed action to adopt regulations pursuant to this subdivision  
36 to the appropriate policy and fiscal committees of the Legislature  
37 in accordance with the requirements of paragraph (1) of subdivision  
38 (a) of Section 70901.5. This notification shall include, but not be  
39 limited to, all of the following:

1 (A) The proposed minimum academic and progress standards  
2 and information detailing how the requirements of paragraphs (1)  
3 to (4), inclusive, have been *or will be* satisfied.

4 (B) How many students may lose fee waiver eligibility by  
5 ethnicity, gender, disability, and, to the extent relevant data is  
6 available, by socioeconomic status.

7 (C) The criteria for reviewing extenuating circumstances,  
8 granting appeals, and reestablishing fee waiver eligibility pursuant  
9 to paragraph (2).

10 (h) The fee requirements of this section shall be waived for any  
11 student who, at the time of enrollment, is a dependent or surviving  
12 spouse who has not remarried, of any member of the California  
13 National Guard who, in the line of duty and while in the active  
14 service of the state, was killed, died of a disability resulting from  
15 an event that occurred while in the active service of the state, or  
16 is permanently disabled as a result of an event that occurred while  
17 in the active service of the state. “Active service of the state,” for  
18 the purposes of this subdivision, refers to a member of the  
19 California National Guard activated pursuant to Section 146 of  
20 the Military and Veterans Code.

21 (i) The fee requirements of this section shall be waived for any  
22 student who is the surviving spouse or the child, natural or adopted,  
23 of a deceased person who met all of the requirements of Section  
24 68120.

25 (j) The fee requirements of this section shall be waived for any  
26 student in an undergraduate program, including a student who has  
27 previously graduated from another undergraduate or graduate  
28 program, who is the dependent of any individual killed in the  
29 September 11, 2001, terrorist attacks on the World Trade Center  
30 and the Pentagon or the crash of United Airlines Flight 93 in  
31 southwestern Pennsylvania, if that dependent meets the financial  
32 need requirements set forth in Section 69432.7 for the Cal Grant  
33 A Program and either of the following applies:

34 (1) The dependent was a resident of California on September  
35 11, 2001.

36 (2) The individual killed in the attacks was a resident of  
37 California on September 11, 2001.

38 (k) A determination of whether a person is a resident of  
39 California on September 11, 2001, for purposes of subdivision (j)  
40 shall be based on the criteria set forth in Chapter 1 (commencing



1 with Section 68000) of Part 41 of Division 5 for determining  
2 nonresident and resident tuition.

3 (l) (1) “Dependent,” for purposes of subdivision (j), is a person  
4 who, because of his or her relationship to an individual killed as  
5 a result of injuries sustained during the terrorist attacks of  
6 September 11, 2001, qualifies for compensation under the federal  
7 September 11th Victim Compensation Fund of 2001 (Title IV  
8 (commencing with Section 401) of Public Law 107-42).

9 (2) A dependent who is the surviving spouse of an individual  
10 killed in the terrorist attacks of September 11, 2001, is entitled to  
11 the waivers provided in this section until January 1, 2013.

12 (3) A dependent who is the surviving child, natural or adopted,  
13 of an individual killed in the terrorist attacks of September 11,  
14 2001, is entitled to the waivers under subdivision (j) until that  
15 person attains 30 years of age.

16 (4) A dependent of an individual killed in the terrorist attacks  
17 of September 11, 2001, who is determined to be eligible by the  
18 California Victim Compensation and Government Claims Board,  
19 is also entitled to the waivers provided in this section until January  
20 1, 2013.

21 (m) (1) It is the intent of the Legislature that sufficient funds  
22 be provided to support the provision of a fee waiver for every  
23 student who demonstrates eligibility pursuant to subdivisions (g)  
24 to (j), inclusive.

25 (2) From funds provided in the annual Budget Act, the board  
26 of governors shall allocate to community college districts, pursuant  
27 to this subdivision, an amount equal to 2 percent of the fees waived  
28 pursuant to subdivisions (g) to (j), inclusive. From funds provided  
29 in the annual Budget Act, the board of governors shall allocate to  
30 community college districts, pursuant to this subdivision, an  
31 amount equal to ninety-one cents (\$0.91) per credit unit waived  
32 pursuant to subdivisions (g) to (j), inclusive. It is the intent of the  
33 Legislature that funds provided pursuant to this subdivision be  
34 used to support the determination of financial need and delivery  
35 of student financial aid services, on the basis of the number of  
36 students for whom fees are waived. It also is the intent of the  
37 Legislature that the funds provided pursuant to this subdivision  
38 directly offset mandated costs claimed by community college  
39 districts pursuant to Commission on State Mandates consolidated  
40 Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15

1 (Enrollment Fee Waivers). Funds allocated to a community college  
2 district for determination of financial need and delivery of student  
3 financial aid services shall supplement, and shall not supplant, the  
4 level of funds allocated for the administration of student financial  
5 aid programs during the 1992–93 fiscal year.

6 (n) The board of governors shall adopt regulations implementing  
7 this section.

8 (o) This section shall become operative on May 1, 2012, only  
9 if subdivision (b) of Section 3.94 of the Budget Act of 2011 is  
10 operative.

11 SEC. 3. Section 78210 of the Education Code is amended to  
12 read:

13 78210. This article shall be known and may be cited as the  
14 Seymour-Campbell Student Success Act of 2012.

15 SEC. 4. Section 78211 of the Education Code is amended to  
16 read:

17 78211. It is the intent of the Legislature to do all of the  
18 following:

19 (a) Ensure equal education opportunity for all Californians.

20 (b) Provide students with the resources and support to establish  
21 informed educational choices aligned with their academic and  
22 career goals.

23 (c) Ensure that students receive the educational services  
24 necessary to optimize their opportunities for success in completing  
25 their educational goals and courses of study.

26 (d) Recognize that student success is the responsibility of the  
27 institution and student, supported by well-coordinated and  
28 evidence-based student and instructional services to foster academic  
29 success.

30 (e) Target state resources on the provision of critical student  
31 services, such as counseling and student advising, and identify a  
32 broad array of service delivery mechanisms that can effectively  
33 reach a greater number of students.

34 (f) Recognize the importance for community college districts  
35 of establishing local and regional partnerships with school districts,  
36 workforce agencies, and other system partners to leverage resources  
37 to assist students in exploring career options, preparing for college,  
38 and developing and achieving educational goals and plans.

39 SEC. 5. Section 78211.5 of the Education Code is amended to  
40 read:

1 78211.5. (a) The purpose of the Seymour-Campbell Student  
2 Success Act of 2012 is to increase California community college  
3 student access and success by providing effective core  
4 matriculation services, including orientation, assessment and  
5 placement, counseling, and other education planning services, and  
6 academic interventions. The focus of the Seymour-Campbell  
7 Student Success Act of 2012 is on the entering students' transition  
8 into college in order to provide a foundation for student  
9 achievement and successful completion of students' educational  
10 goals, with a priority toward serving students who enroll to earn  
11 degrees, career technical certificates, transfer preparation, or career  
12 advancement. The Seymour-Campbell Student Success Act of  
13 2012 targets state resources on core matriculation services that  
14 research has shown to be critical in increasing the ability of  
15 students to reach their academic and career goals. By focusing  
16 funding in these core areas and leveraging the use of technology  
17 to more efficiently and effectively serve a greater number of  
18 students, the goal of the Seymour-Campbell Student Success Act  
19 of 2012 is to provide students with a solid foundation and  
20 opportunity for success in the California Community Colleges.

21 (b) Any college or district receiving funding under this article  
22 shall agree to carry out its provisions as specified, but shall be  
23 bound to that agreement only for the period during which funding  
24 is received pursuant to this article. The obligations of the college  
25 or district under the agreement shall include, but not be limited to,  
26 the expenditure of funds received pursuant to this article for only  
27 those services approved by the board of governors and the  
28 contribution toward the purposes of this article of matching funds  
29 as the board of governors may require pursuant to Section 78216.

30 SEC. 6. Section 78212 of the Education Code is amended to  
31 read:

32 78212. (a) (1) For purposes of this article, "matriculation"  
33 means a process that brings a college and a student into an  
34 agreement for the purpose of achieving the student's educational  
35 goals and completing the student's course of study. The agreement  
36 involves the responsibilities of both parties to attain those  
37 objectives through the college's established programs, policies,  
38 and requirements including those established by the board of  
39 governors pursuant to Section 78215.

1 (2) The institution's responsibility under the agreement includes  
2 the provision of student services to provide a strong foundation  
3 and support for their academic success and ability to achieve their  
4 educational goals. The program of services funded through the  
5 Seymour-Campbell Student Success Act of 2012, which shall be  
6 known and may be cited as the Student Success and Support  
7 Program, shall include, but are not necessarily limited to, all of  
8 the following:

9 (A) Orientation services designed to provide to students, on a  
10 timely basis, information concerning campus procedures, academic  
11 expectations, financial assistance, and any other matters the college  
12 or district finds appropriate.

13 (B) Assessment before course registration, as defined in Section  
14 78213.

15 (C) Counseling and other education planning services, which  
16 shall include, but not necessarily be limited to, all of the following:

17 (i) Counseling and advising.

18 (ii) Assistance to students in the exploration of educational and  
19 career interests and aptitudes and identification of educational  
20 objectives, including, but not limited to, preparation for transfer,  
21 associate degrees, and career technical education certificates and  
22 licenses.

23 (iii) The provision of information, guided by sound counseling  
24 principles and practices, using a broad array of delivery  
25 mechanisms, including technology-based strategies to serve a  
26 continuum of student needs and abilities, that will enable students  
27 to make informed choices.

28 (iv) Development of an education plan leading to a course of  
29 study and guidance on course selection that is informed by, and  
30 related to, a student's academic and career goals.

31 (D) Referral to specialized support services as needed and  
32 available, including, but not necessarily limited to, federal, state,  
33 and local financial assistance; health services; career services;  
34 veteran support services; foster youth services; extended  
35 opportunity programs and services provided pursuant to Article 8  
36 (commencing with Section 69640) of Chapter 2 of Part 42 of  
37 Division 5; campus child care services provided pursuant to Article  
38 4 (commencing with Section 8225) of Chapter 2 of Part 6 of  
39 Division 1 of Title 1; programs that teach basic skills education  
40 and English as a second language; and disabled student services

1 provided pursuant to Chapter 14 (commencing with Section 67300)  
2 of Part 40 of Division 5.

3 (E) Evaluation of each student’s progress and referral to  
4 appropriate interventions for students who are enrolled in basic  
5 skills courses, who have not declared an educational goal as  
6 required, or who are on academic probation, as defined by  
7 standards adopted by the Board of Governors of the California  
8 Community Colleges and community college districts.

9 (3) The student’s responsibilities under the agreement include,  
10 but are not necessarily limited to, the identification of an academic  
11 and career goal upon application, the declaration of a specific  
12 course of study after a specified time period or unit accumulation,  
13 as defined by the board of governors, diligence in class attendance  
14 and completion of assigned coursework, and the completion of  
15 courses and maintenance of academic progress toward an  
16 educational goal and course of study identified in the student’s  
17 education plan. To ensure that students are not unfairly impacted  
18 by the requirements of this chapter, the board of governors shall  
19 establish a reasonable implementation period that is phased in as  
20 resources are available to provide nonexempt students with the  
21 core services pursuant to this section.

22 (b) Funding for the Student Success and Support Program shall  
23 be targeted to fully implement orientation, assessment, counseling  
24 and advising, and other education planning services needed to  
25 assist a student in making an informed decision about his or her  
26 educational goal and course of study and in the development of  
27 an education plan.

28 SEC. 7. Section 78212.5 of the Education Code is repealed.

29 SEC. 8. Section 78213 of the Education Code is amended to  
30 read:

31 78213. (a) No district or college may use any assessment  
32 instrument for the purposes of this article without the authorization  
33 of the board of governors. The board of governors may adopt a  
34 list of authorized assessment instruments pursuant to the policies  
35 and procedures developed pursuant to this section and the intent  
36 of this article. The board of governors may waive this requirement  
37 as to any assessment instrument pending evaluation.

38 (b) The board of governors shall review all assessment  
39 instruments to ensure that they meet all of the following  
40 requirements:

1 (1) Assessment instruments shall be sensitive to cultural and  
2 language differences between students, and shall be adapted as  
3 necessary to accommodate students with disabilities.

4 (2) Assessment instruments shall be used as an advisory tool to  
5 assist students in the selection of appropriate courses.

6 (3) Assessment instruments shall not be used to exclude students  
7 from admission to community colleges.

8 (c) The board of governors shall establish an advisory committee  
9 to review and make recommendations concerning all assessment  
10 instruments used by districts and colleges pursuant to this article.

11 (d) For purposes of this section, “assessment” means the process  
12 of gathering information about a student regarding the student’s  
13 study skills, English language proficiency, computational skills,  
14 aptitudes, goals, learning skills, career aspirations, academic  
15 performance, and need for special services. Assessment methods  
16 may include, but not necessarily be limited to, interviews,  
17 standardized tests, attitude surveys, vocational or career aptitude  
18 and interest inventories, high school or postsecondary transcripts,  
19 specialized certificates or licenses, educational histories, and other  
20 measures of performance.

21 SEC. 9. Section 78214 of the Education Code is amended to  
22 read:

23 78214. (a) All participating districts shall, with the assistance  
24 of the chancellor, establish and maintain institutional research to  
25 evaluate the effectiveness of the Student Success and Support  
26 Program described by this article and of any other programs or  
27 services designed to facilitate students’ completion of their  
28 educational goals and courses of study.

29 (b) The metrics for this research shall include, but not be limited  
30 to:

31 (1) Prior educational experience, including transcripts when  
32 appropriate, as determined by the chancellor.

33 (2) Educational goals and courses of study.

34 (3) Criteria for exemption from orientation, assessment, or  
35 required counseling or advisement, if applicable.

36 (4) Need for financial assistance.

37 (5) Disaggregated data by ethnicity, gender, disability, age, and  
38 socioeconomic status, to the extent this information is available.

39 (6) Academic performance, such as the completion of specified  
40 unit thresholds, success in basic skills courses, grade point average,

1 course completion outcomes, transfer readiness, and degree and  
2 certificate completion.

3 (7) Any additional information that the chancellor finds  
4 appropriate.

5 (c) The evaluation provided for by this section shall include an  
6 assessment of the effectiveness of the programs and services in  
7 attaining at least the following objectives:

8 (1) Helping students to define their academic and career goals  
9 and declare a course of study.

10 (2) Assisting institutions in the assessment of students'  
11 educational needs and valid course placement.

12 (3) Helping support students' successful course completion and  
13 goal attainment.

14 (4) Matching institutional resources with students' educational  
15 needs.

16 SEC. 10. Section 78215 of the Education Code is amended to  
17 read:

18 78215. (a) The Board of Governors of the California  
19 Community Colleges, in consultation with students, faculty, student  
20 service administrators, and other key stakeholders, shall establish  
21 policies and processes for all of the following:

22 (1) Requiring all nonexempt students to complete orientation  
23 and assessment and to develop education plans.

24 (2) Exempting students from participation in orientation,  
25 assessment, or required education planning services under this  
26 article.

27 (3) Requiring community college districts to adopt a student  
28 appeal process.

29 (b) To ensure that students are not unfairly impacted by the  
30 requirements of this chapter, these policies and processes shall be  
31 phased in over a reasonable period of time as determined by the  
32 board of governors in consideration of the resources available to  
33 provide the core services identified in Section 78212.

34 (c) ~~These~~ *It is the intent of the Legislature that these* policies  
35 and processes ~~shall~~ be developed and implemented only as  
36 resources are provided and utilized by community college  
37 campuses to provide the student support services, individual  
38 counseling and advising, and technology-based strategies necessary  
39 to ensure that students can successfully meet the requirements of  
40 this section. ~~It is not the intent of the Legislature that this~~

1 ~~subdivision be construed to delay the implementation of this section~~  
2 ~~commensurate with the availability of resources for these services.~~

3 SEC. 11. Section 78216 of the Education Code is amended to  
4 read:

5 78216. (a) The Legislature recognizes that community college  
6 districts are currently funding various components of student  
7 matriculation through existing orientation, counseling and advising,  
8 education planning, assessment, and other student services, but  
9 that adequate student matriculation and implementation of the  
10 Student Success and Support Program strategies cannot be realized  
11 without supplemental funding support.

12 (b) The board of governors shall develop a formula for allocating  
13 the funding for the Student Success and Support Program to  
14 implement the services identified in Section 78212 at community  
15 colleges. The formula shall include the requirement that the districts  
16 or colleges contribute matching funds in an amount to be  
17 established by the board of governors in each case, and shall reflect,  
18 but not be necessarily limited to, other considerations as follows:

19 (1) The number of students to receive services at each college.

20 (2) The number of students who received orientation,  
21 assessment, counseling and advising, and other education planning  
22 services.

23 (3) The requirement that funds for the Student Success and  
24 Support Program services be expended only for services approved  
25 by the board of governors.

26 (4) The requirement that any district or college receiving funding  
27 pursuant to this section agree to implement this article, implement  
28 the board of governors' system of common assessment, if using  
29 an assessment instrument for placement, and implement the board  
30 of governors' accountability scorecard, pursuant to Section  
31 84754.5, when established during the period in which it receives  
32 that funding.

33 (5) Insofar as a community college district is able to fully  
34 implement in-person or technology strategies for orientation,  
35 assessment, and education planning services, the board of  
36 governors may identify other noninstructional support services  
37 that can be funded through this article.

38 (c) The board of governors shall require participating colleges  
39 to develop a Student Success and Support Program plan that  
40 reflects all of the following:



1 (1) A description of the Student Success and Support Program  
2 services identified in Section 78212 to be provided.

3 (2) A description of the college’s process to identify students  
4 at risk for academic or progress probation and the college’s plan  
5 for interventions or services to students.

6 (3) The college budget for the state-funded Student Success and  
7 Support Program services pursuant to Sections 78212 and 78214.

8 (4) The development and training of staff and faculty to  
9 implement the Student Success and Support Program services.

10 (5) In multicampus districts, the coordination of the college  
11 Student Success and Support Program plan with other college  
12 plans within the district.

13 (6) Technology services and institutional research and evaluation  
14 necessary for implementation of this article.

15 (7) Coordination with college student equity plans to ensure  
16 that the college has identified strategies to monitor and address  
17 equity issues and mitigate any disproportionate impacts on student  
18 access and achievement.

19 (8) The extent to which the community college is able to develop  
20 partnerships with feeder high school districts, workforce agencies,  
21 and other community partners to assist entering students in career  
22 and educational exploration and planning and leverage resources  
23 to support a successful transition to college and career.

24 (d) The board of governors may allocate up to 5 percent of the  
25 total funds appropriated for the Student Success and Support  
26 Program for state administrative operations to carry out the intent  
27 of this article, subject to the review of the annual budget process.

28 SEC. 12. Section 78218 of the Education Code is amended to  
29 read:

30 78218. In the 2012–13 fiscal year and each fiscal year  
31 thereafter, this article shall be operative only if funds are  
32 specifically appropriated for the purposes of this article.

33 SEC. 13. (a) The Legislative Analyst’s Office shall review  
34 and report to the appropriate fiscal and policy committees of the  
35 Legislature by July 1, 2014, and by July 1 of every even-numbered  
36 year thereafter, all of the following:

37 (1) The extent to which the provisions of the Seymour-Campbell  
38 Student Success Act of 2012 are implemented consistent with the  
39 intent of the Legislature and the extent to which students have  
40 access to counseling and advising services.

1 (2) The overall progress on the implementation of the Student  
2 Success Task Force’s recommendations provided pursuant to  
3 Chapter 409 of the Statutes of 2010.

4 (3) The impacts of the Seymour-Campbell Student Success Act  
5 of 2012 on student participation, progress, and completion,  
6 disaggregated by ethnicity, age, gender, disability, and  
7 socioeconomic status.

8 (4) A summary of community college campus implementation  
9 efforts for the Seymour-Campbell Student Success Act of 2012  
10 and recommendations on whether and how these efforts can be  
11 improved.

12 (b) The Office of the Chancellor of the California Community  
13 Colleges shall work with the Legislative Analyst’s Office to  
14 identify information that is necessary to provide the report required  
15 in subdivision (a), and shall provide this information to the  
16 Legislative Analyst’s Office by April 1, 2014.

17 SEC. 14. If the Commission on State Mandates determines  
18 that this act contains costs mandated by the state, reimbursement  
19 to local agencies and school districts for those costs shall be made  
20 pursuant to Part 7 (commencing with Section 17500) of Division  
21 4 of Title 2 of the Government Code.