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AB-1383 Public postsecondary education: admission by exception. (2019-2020)

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Assembly Bill No. 1383

CHAPTER 522

An act to add Section 66022.5 to the Education Code, relating to public postsecondary education.

[Approved by Governor October 04, 2019. Filed with Secretary of State October 04, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1383, McCarty. Public postsecondary education: admission by exception.

Existing law establishes the University of California, under the administration of the Regents of the University of California, and the California State University, under the administration of the Board of Trustees of the California State University, as 2 of the segments of public postsecondary education in the state. The Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state. Provisions of the act apply to the University of California only to the extent that the regents act, by appropriate resolution, to make those provisions applicable.

Commencing with admissions for the 2020–21 academic year, this bill would prohibit a campus of the California State University and, if adopted by the regents by appropriate resolution, the University of California from admitting an applicant by admission by exception, as defined, unless the admission by exception has been approved, prior to the student's enrollment, by at least 3 senior campus administrators, the applicant is a California resident who is receiving an institution-based scholarship to attend the campus, or the applicant is accepted by an educational opportunity program for admission to the campus. Commencing with admissions for the 2020–21 academic year, the bill would establish requirements pertaining to admission by exception at a campus of the California State University and, if adopted by the regents by appropriate resolution, a campus of the University of California, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66022.5 is added to the Education Code, to read:

66022.5. (a) For purposes of this section, the following definitions apply:

- (1) "Admission by exception" means the process by which a campus admits applicants who do not meet the eligibility requirements for admission to the segment, or guaranteed admission to a campus of the segment, but who demonstrate high potential for success and leadership in an academic or special talent program at the campus.
- (2) "Campus" means a campus of the California State University or the University of California.

(3) "Special talent program" refers to a campus' program that requires additional admissions review to determine the qualification of an applicant for admission into that program. Special talent program includes, but is not necessarily limited to, a campus' athletic or fine arts program.

(b) A campus shall not admit a student by admission by exception unless the student's admission by exception has been approved, before the student's enrollment, by a minimum of three senior campus administrators.

(c) Notwithstanding subdivision (b), a campus may admit, by admission by exception, a California resident who is receiving an institution-based scholarship to attend the campus or an applicant who is accepted by an educational opportunity program for admission to the campus.

(d) A campus that admits a student by admission by exception shall comply with both of the following:

(1) Document its employees who were involved in the evaluation of the student's application for admission.

(2) Establish a policy that applies articulated standards to the campus' admissions by exception decisions. The standards shall include minimum procedural requirements and shall include an explanation for choosing the standards that supports their application as fair and appropriate.

(e) A campus that admits a student by admission by exception into an athletics program shall establish a policy requiring the student to participate in the program for a minimum of one academic year.

(f) (1) Upon request, a campus shall report to the Legislature, pursuant to Section 9795 of the Government Code, any information that is required to be established or documented pursuant to this section.

(2) The campus shall submit information to the Legislature pursuant to paragraph (1) to the extent permitted by state and federal privacy laws, including, but not limited to, the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g).

(g) This section shall not be interpreted to prohibit the University of California from adopting policies that impose additional restrictions on or requirements for admission by exception.

(h) This section shall become operative commencing with admissions for the 2020–21 academic year.