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SB-383 Postsecondary education: omnibus bill. (2019-2020)

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Senate Bill No. 383

CHAPTER 77

An act to amend Sections 68075, 78300, and 78401 of the Education Code, relating to postsecondary education.

[Approved by Governor July 10, 2019. Filed with Secretary of State July 10, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 383, Committee on Education. Postsecondary education: omnibus bill.

(1) Existing law authorizes the governing board of a community college district to establish and maintain community service classes and classes for adults in civic, vocational, literacy, health, homemaking, technical, and general education.

This bill would authorize the governing board of a community college district to establish and maintain community service classes and classes for adults in family and consumer sciences instead of homemaking.

(2) Existing law establishes uniform residency requirements for purposes of ascertaining the amount of tuition and fees to be paid by students of public postsecondary education institutions. Existing law entitles a student to resident classification for the purpose of determining tuition and fees if the student is a member of the Armed Forces of the United States stationed in the state on active duty, except as specified. Existing law defines "Armed Forces of the United States" for these purposes to include the California Army National Guard.

The bill would revise the definition of "Armed Forces of the United States" for those purposes to include the California National Guard instead of the California Army National Guard. To the extent the bill would require community college districts to exempt more students from nonresident tuition by expanding the definition of Armed Forces of the United States to expressly include all members of the California National Guard, the bill would impose a state-mandated local program.

(3) 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 the statutory provisions noted above.

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

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

SECTION 1. Section 68075 of the Education Code is amended to read:

68075. (a) For purposes of this section, "Armed Forces of the United States" means the Air Force, Army, Coast Guard, Marine Corps, Navy, and the reserve components of each of those forces, the California National Guard, the California State Military

Reserve, and the California Naval Militia.

(b) A student who is a member of the Armed Forces of the United States stationed in this state, except a member of the Armed Forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees.

(c) If that member of the Armed Forces of the United States who is in attendance at an institution is thereafter transferred on military orders to a place outside this state where the member continues to serve in the Armed Forces of the United States, the member shall not lose the member's resident classification so long as the member remains continuously enrolled at that institution.

SEC. 2. Section 78300 of the Education Code is amended to read:

78300. (a) The governing board of a community college district may, without the approval of the board of governors, establish and maintain community service classes in civic, vocational, literacy, health, family and consumer sciences, technical, and general education, including, but not limited to, classes in the fields of visual and performing arts, handicraft, science, literature, nature study, nature contacting, aquatic sports, and athletics. These classes shall be designed to provide instruction and to contribute to the physical, mental, moral, economic, or civic development of the individuals or groups enrolled in them.

(b) Community service classes shall be open for the admission of adults and of those minors who, in the judgment of the governing board, may profit from them.

(c) Governing boards shall not expend General Fund moneys to establish and maintain community service classes. Governing boards may charge students enrolled in community service classes a fee not to exceed the cost of maintaining community service classes, or may provide instruction in community service classes for remuneration by contract, or with contributions or donations of individuals or groups. The board of governors shall adopt guidelines defining the acceptable reimbursable costs for which a fee may be charged, and shall collect data and maintain uniform accounting procedures to ensure that General Fund moneys are not used for community services classes.

SEC. 3. Section 78401 of the Education Code is amended to read:

78401. (a) The governing board of a community college district may, with the approval of the board of governors, establish and maintain classes for adults for the purpose of providing instruction in civic, vocational, literacy, health, family and consumer sciences, technical, and general education.

(b) Classes for adults shall conform to any course of study and graduation requirements otherwise imposed by law or under the authority of law.

(c) Classes for adults shall be open for the admission of adults and of any minors who, in the judgment of the governing board, may be qualified for admission to them.

(d) The board of governors shall establish standards, including standards of attendance, curriculum, administration, and guidance and counseling service for classes for adults as a basis for the several apportionments of state funds provided for the support of these classes.

(e) The governing board of a community college district maintaining an adult school shall prescribe the requirements for the granting of diplomas.

(f) Commencing with the 2019–20 fiscal year, the Chancellor's Office of the California Community Colleges and the State Department of Education shall coordinate so that students enrolled in classes established pursuant to subdivision (a) shall be assigned a statewide student identifier consistent with the identifiers assigned to pupils in K–12 education programs, if the student is not already identified by a social security number in a community college district's data system. For students who formerly attended a California public school in kindergarten or any of grades 1 to 12, inclusive, or participated in another adult education program, the same statewide student identifier utilized for that student in the past programs shall be assigned. The chancellor's office shall collect and maintain the identifiers of adult school students in the Adult Education Program data system.

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