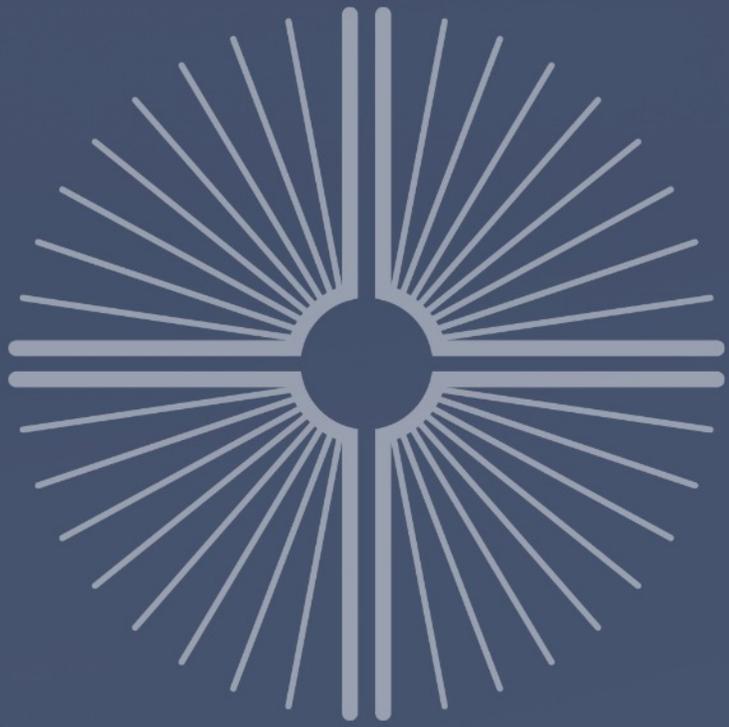


# Government Relations Webinar

February 21, 2023

COMMUNITY COLLEGE LEAGUE OF CALIFORNIA



# Government Relations Update

Tom Downs | Downs Government Affairs, LLC

Washington, D.C. | February 21, 2023

# In this Government Relations Update

- I. New Leadership for Key Congressional Committees
- II. The Farm Bill of 2023
- III. Federal Aviation Administration Reauthorization
- IV. Community Project Funding (“earmarks”)



# New Leadership for Key Congressional Committees

## House Committee on Education and the Workforce



Rep. Virginia Foxx (R-NC), Chair



Rep. Bobby Scott (D-VA),  
Ranking Member

# New Leadership for Key Congressional Committees

## House Committee on Appropriations



Rep. Kay Granger (R-TX), Chair



Rep. Rosa DeLauro (D-CT),  
Ranking Member

# New Leadership for Key Congressional Committees

## Senate Committee on Health, Education, Labor & Pensions (HELP)



Sen. Bernie Sanders (I-VT), Chair



Sen. Bill Cassidy (R-LA),  
Ranking Member

# New Leadership for Key Congressional Committees

## Senate Committee on Appropriations



Sen. Patty Murray (D-WA), Chair



Sen. Susan Collins (R-ME),  
Ranking Member

# The Farm Bill of 2023

## An opportunity to help level the playing field for USDA funding

Congress has authorized the establishment of Department of Agriculture higher education grant programs for which most community colleges are ineligible

- **The Morrill Act of 1862** – Established the land-grant university system
- **The Morrill Act of 1890** – Created historically black college and university (HBCU) land-grants
- **The Farm Bill of 1994** – Established tribal college and university (TCU) land-grants
- **The Farm Bill of 2008** – Created Capacity Building Grants for Non-Land-Grant Colleges of Agriculture, limited to institutions awarding ag baccalaureate degrees



# The Farm Bill of 2023

## **Proposed Community College Agriculture Advancement Act (C2A3)**

The C2A3 bill will soon be introduced in Congress by Rep. Trent Kelly (R-MS) and Rep. Salud Carbajal (D-CA) as a bipartisan marker for a Farm Bill amendment

- The C2A3 bill authorizes \$150 million annually for USDA Capacity Building Grants for Community College Agriculture and Natural Resources Programs
- Grants would fund community college ag and natural resources program expenses, such as purchase of equipment for instruction, faculty professional development, apprenticeships, and other program costs
- The bill promotes collaboration involving community colleges, land-grant universities, and other higher ed institutions as well as industry employers

# The Farm Bill

## Community College Agriculture Advancement Act (C2A3) supporters include:

- Association of Community College Trustees (ACCT)
- National Association for Community College Entrepreneurship (NACCE)
- Rural Community College Alliance
- Community College League of California
- Allan Hancock College
- Chaffey College
- College of the Siskiyous
- Cuesta College
- Foothill-De Anza Community College District
- Hartnell College
- Kern Community College District
- MiraCosta College
- Reedley College
- San Diego Community College District
- San Joaquin Delta College
- Santa Rosa Junior College
- Shasta College
- West Hills Community College District

# Federal Aviation Administration Reauthorization

## Unmanned Aircraft System (UAS) Technology Development



The FAA Reauthorization Act of 2018 created Community and Technical College Centers of Excellence in Small Unmanned Aircraft System (UAS) Technology Training

- The FAA has designated UAS Centers of Excellence at Fullerton College, MiraCosta College, Mt. San Antonio College, Palomar College, San Diego Miramar College, Santa Rosa Junior College, Southwestern College, and West Valley College
- The UAS Centers of Excellence program has created ongoing partnerships for community colleges involving UAS/drone industry and the federal government
- For the 2023 FAA Reauthorization, we are advocating for \$50 million annually for community college grants under the UAS Centers of Excellence program

# Federal Aviation Administration Reauthorization

## Workforce Development Training Grants for Airline Pilots and Aviation Maintenance Technicians

**From Boeing's *Pilot and Technician Outlook 2022-2041*:**  
“Long-term demand for newly qualified aviation personnel remains strong, as 602,000 new pilots, 610,000 new maintenance technicians and 899,000 new cabin crew members will be needed to fly and maintain the global commercial fleet over the next 20 years.”

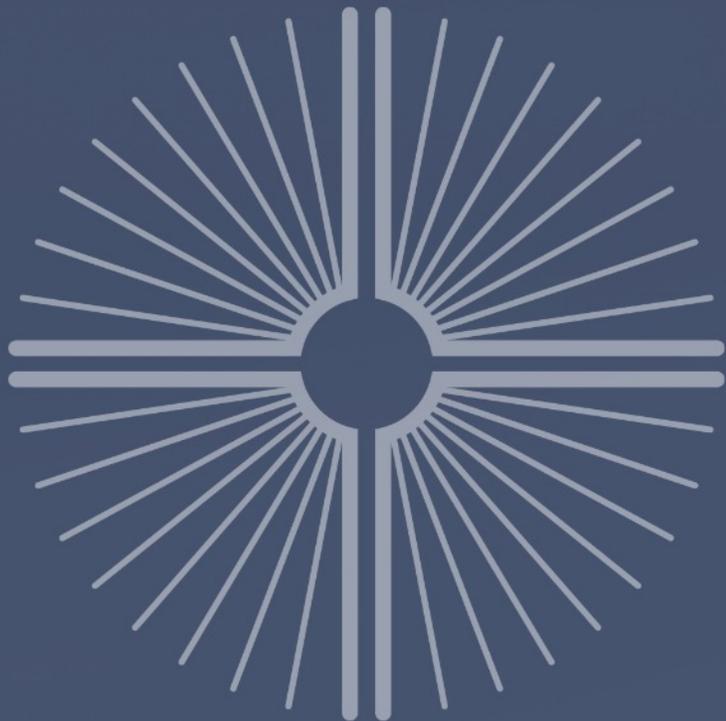
- Previous FAA authorization created workforce development training grants for pilots and aviation maintenance technicians – currently funded at \$10 million annually
- For the 2023 FAA Reauthorization, we are advocating for \$50 million annually for pilot and aviation maintenance technician workforce development training grants

# Community Project Funding (“earmarks”)

## A Golden Opportunity for California Community Colleges

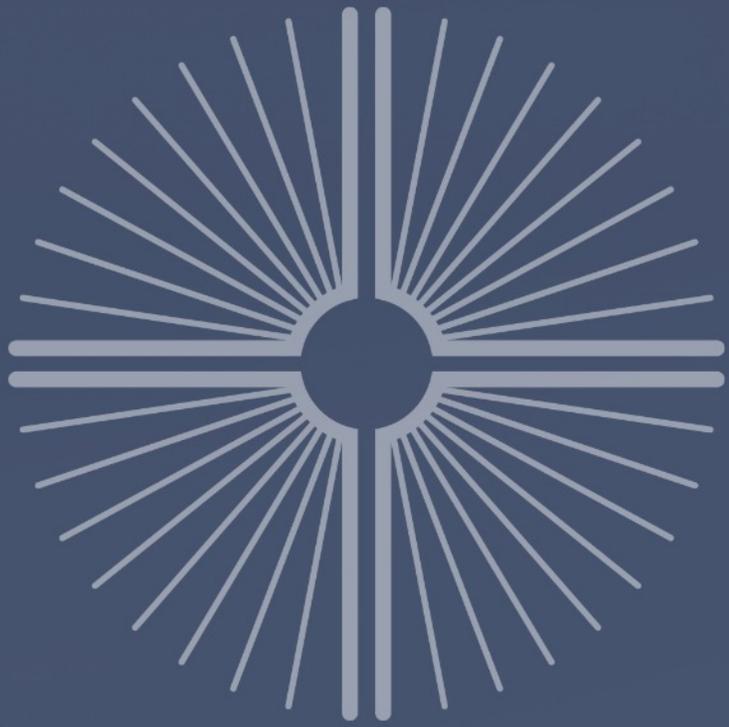
- Community colleges in California and across the country were awarded earmarks by Congress in FY 2022 and FY 2023
- The Republican controlled House of Representatives and the Democratic controlled Senate are continuing the practice of earmarking in the FY 2024 appropriations cycle – with new guidance under development
- Once President Biden has introduced his FY 2024 Budget, we expect the House and Senate Appropriations Committees will move to consider the 12 annual funding bills and will be vetting earmark proposals
- Stay tuned!





# QUESTIONS?

Thomas C. Downs  
Downs Government Affairs  
1629 K Street, NW, Suite 300  
Washington, DC 20006  
tcdowns@downsgovaffairs.com  
t 202.403.2302 | m 703.283.5914



# Legislation



# Legislation for Discussion

## Academic Affairs:

- AB 506 (Fong) Ethnic Studies
- AB 811 (Fong) Repeatability
- AB 634 (Ward) CDCP Programs

## Collective Bargaining:

- AB 260 (Santiago) Part-Time Faculty Pay
- AB 472 (Wicks) Compulsory Leaves of Absence
- AB 1190 (Irwin) Part-Time Faculty Office Hours
- SB 433 (Cortese) Classified Employees: Impartial Hearing Officers
- Missing: Audit Response

## Facilities:

- SB 28 (Glazer) K-16 Bond
- AB 247 (Muratsuchi) K-12 Bond

## Governance:

- AB 1142 (Fong) CPEC 2.0
- AB 1248 (Bryan) Independent Redistricting Commissions
- AB 1541 (Fong) Student Advisory Vote
- AB 1542 (Fong) BOG Member Compensation

## Financial Aid and Fees:

- AB 1543 (Fong) Student Rep Fee

## Non-Resident Tuition

- AB 680 (Rubio) Non-Resident Tuition
- AB 1540 (Fong) Non-Resident Tuition

## Student Health:

- AB 461 (Ramos) Fentanyl Test Strips
- AB 1524 (Lowenthal) Access to Drug Testing Devices
- SB 234 (Portantino) Opioids

## Student Services:

- AB 299 (Holden) Hazing
- AB 252 (Holden) Student Athletics
- AB 610 (Holden) Transit Passes

# Legislation: Academic Affairs

## **AB 506 (Fong) Ethnic Studies**

Would require the CSU to collaborate with the Chancellor's Office and the CSU Council on Ethnic Studies to develop a process to approve community college ethnic studies courses as fulfilling CSU graduation requirements.

## **AB 811 (Fong) Repeatability**

Would increase the number of times a student may take a credit course for which they received a substandard grade up to five times. Students who received a satisfactory grade would be permitted to repeat a course up to at least three times for personal enrichment.

## **AB 634 (Ward) CDCP Programs**

Would require CDCP courses to be funded via a positive attendance funding count or on a census date basis, depending on when and how often the course meets either in person or online.

# Legislation: Collective Bargaining

## **AB 260 (Santiago) Community Colleges: Part-Time Employees**

Would require the ratio of pay for part-time faculty members to be equal to their full-time colleagues. This is a requirement upon receipt of funds allocated for student success categorical programs and thus would not be a reimbursable mandate.

## **AB 472 (Wicks) Compulsory Leaves of Absence**

Among other items, would require schools and community colleges to fully compensate an employee for lost wages if that employee was placed on unpaid leave due to an investigation into criminal or administrative charges, but the investigation was found in the employee's favor.

## **AB 1190 (Irwin) Part-Time Faculty Office Hours**

Would require community college districts to provide compensation for office hours to part-time faculty at an amount equal to one paid office hour for every 2 classes or more taught per week by the part-time faculty member or 40% of a full-time load and ½ paid office hour for every class or 20% of a full-time load.

# Legislation: Collective Bargaining

## **SB 433 (Cortese) Classified Employees: Impartial Hearing Officers**

Would remove the authority of a school or community college board to subject an employee to disciplinary action for due cause. Instead, this authority would be delegated to a third-party official, agreed upon by both the district and collective bargaining unit. This does not apply to merit districts

## **Unknown Legislation: Full-Time Faculty Hiring State Audit Results**

Over the last year, the California State Auditor has conducted an audit of the hiring practices of several community college districts. While the findings have yet to be released, it is expected that many of the findings could be incorporated into legislation in the next several months.

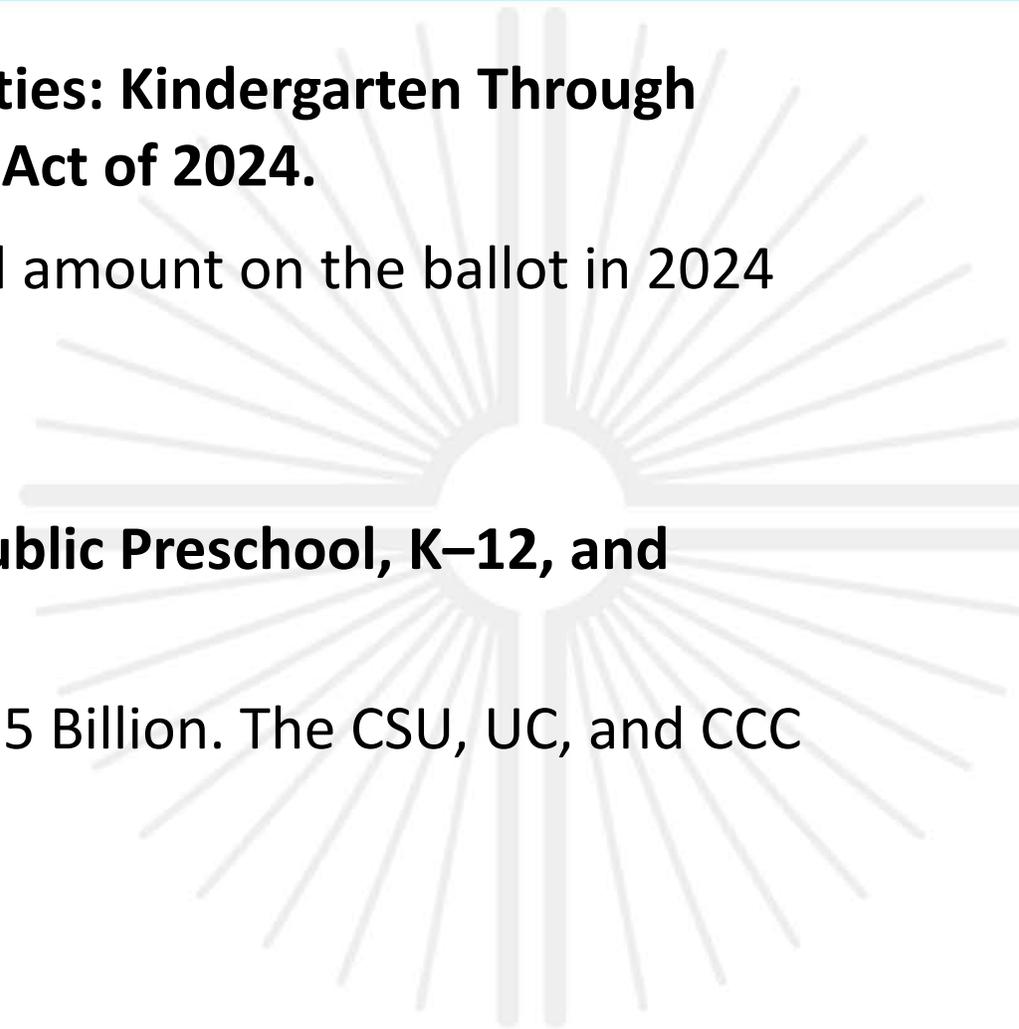
# Legislation: Facilities

## **AB 247 (Muratsuchi) Education finance: school facilities: Kindergarten Through Community College Public Education Facilities Bond Act of 2024.**

Would place a school facilities bond of an unspecified amount on the ballot in 2024 for only K-12 and community colleges.

## **SB 28 (Glazer) Education finance: school facilities: Public Preschool, K–12, and College Health and Safety Bond Act of 2024.**

Would place on the March 2024 ballot a bond of \$15.5 Billion. The CSU, UC, and CCC would each receive \$2 billion.



# Legislation: Governance

## **AB 1142 (Fong) CPEC 2.0**

Would establish the Coordinating Commission for Postsecondary Education in California, composed of five public members appointed by the Senate, Assembly, and Governor. Among other items, it would be empowered to:

- Set performance targets for enrollment and completion statewide and by region.
- Conduct a review of statewide and regional gaps in enrollment, completion, and other matters.
- Review and make recommendations on how to create efficiencies in cross-segmental cooperation.
- Evaluate how each segment is responding to the goals outlined by the Governor in the 2022-23 budget.

## **AB 1248 (Bryan) Redistricting Commissions**

Would require all local governments with over 300,000 residents, including community college districts, to establish independent redistricting commissions.

# Legislation: Governance

## **AB 1541 (Fong) Student Advisory Vote**

Would give each student member of the Board of Trustees of a community college district an advisory vote.

## **AB 1542 (Fong) BOG Member Compensation**

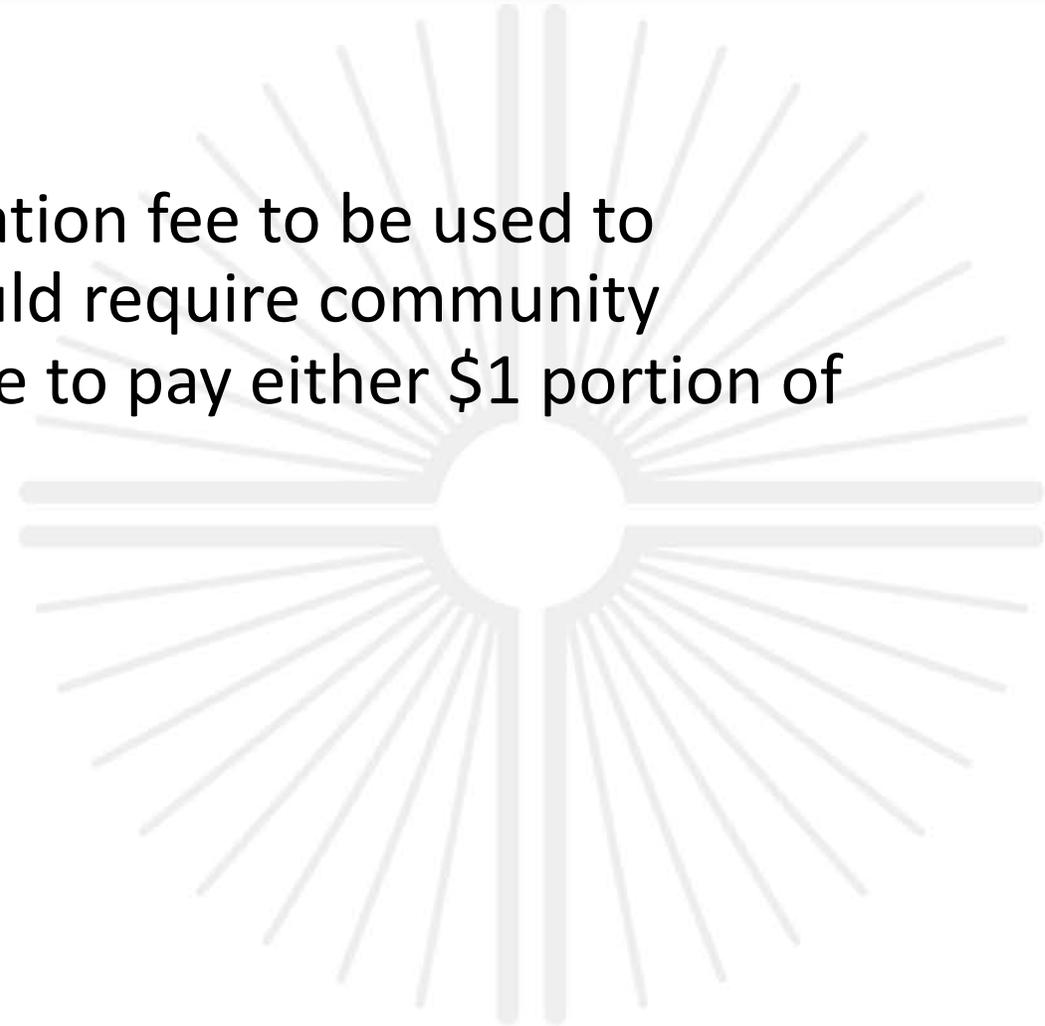
Would increase the pay of each student member of the Board of Governors to \$4000 per semester via the Student Success Completion Grant.



# Legislation: Fees

## **AB 1543 (Fong) Student Representation Fee**

Would require \$1 of the \$2 student representation fee to be used to support local student body organizations. Would require community colleges to provide a student a means to refuse to pay either \$1 portion of the \$2 student representation fee.



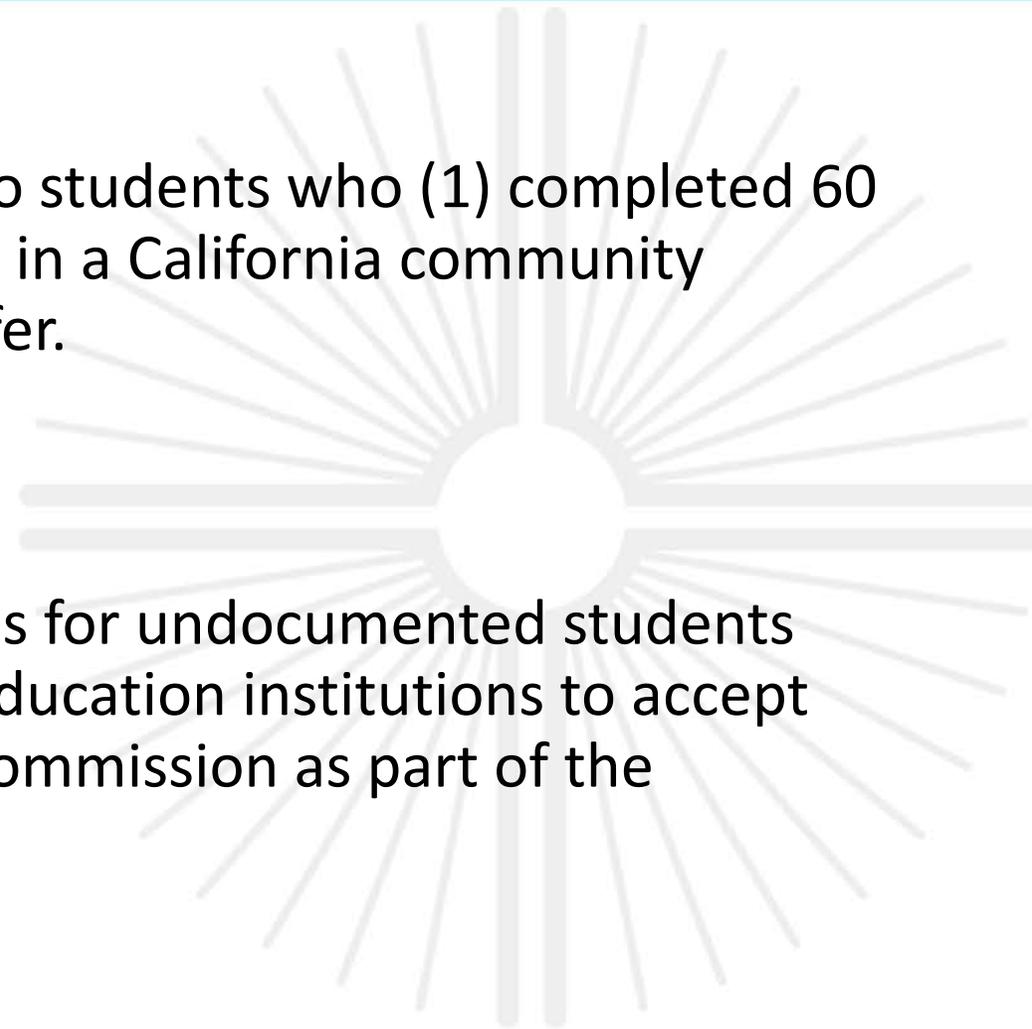
# Legislation: Non-Resident Tuition

## **AB 680 (Rubio) Non-Resident Tuition**

Would expand the non-resident tuition exemption to students who (1) completed 60 semester units of credit or 90 quarter units of credit in a California community college or (2) attained an associate degree for transfer.

## **AB 1540 (Fong) Non-Resident Tuition**

For purposes of validating non-resident tuition status for undocumented students under current law, this bill would authorize higher education institutions to accept an affidavit provided to the California Student Aid Commission as part of the students' financial aid application.



# Legislation: Student Health

## **AB 461 (Ramos) Fentanyl Test Strips**

Would require each CCC and CSU campus, and request the UC to: 1) stock and distribute fentanyl test strips at their campus health centers, 2) include information about the use and location of fentanyl test strips in established campus orientations, and 3) notify students of the presence and location of the test strips.

## **AB 1524 (Lowenthal) Access to Drug Testing Devices**

Would require the CSU and CCCs to stock free drug testing devices, defined as test strips, stickers, and straws designed to detect the presence of controlled substances, at a designated and accessible central location on each campus.

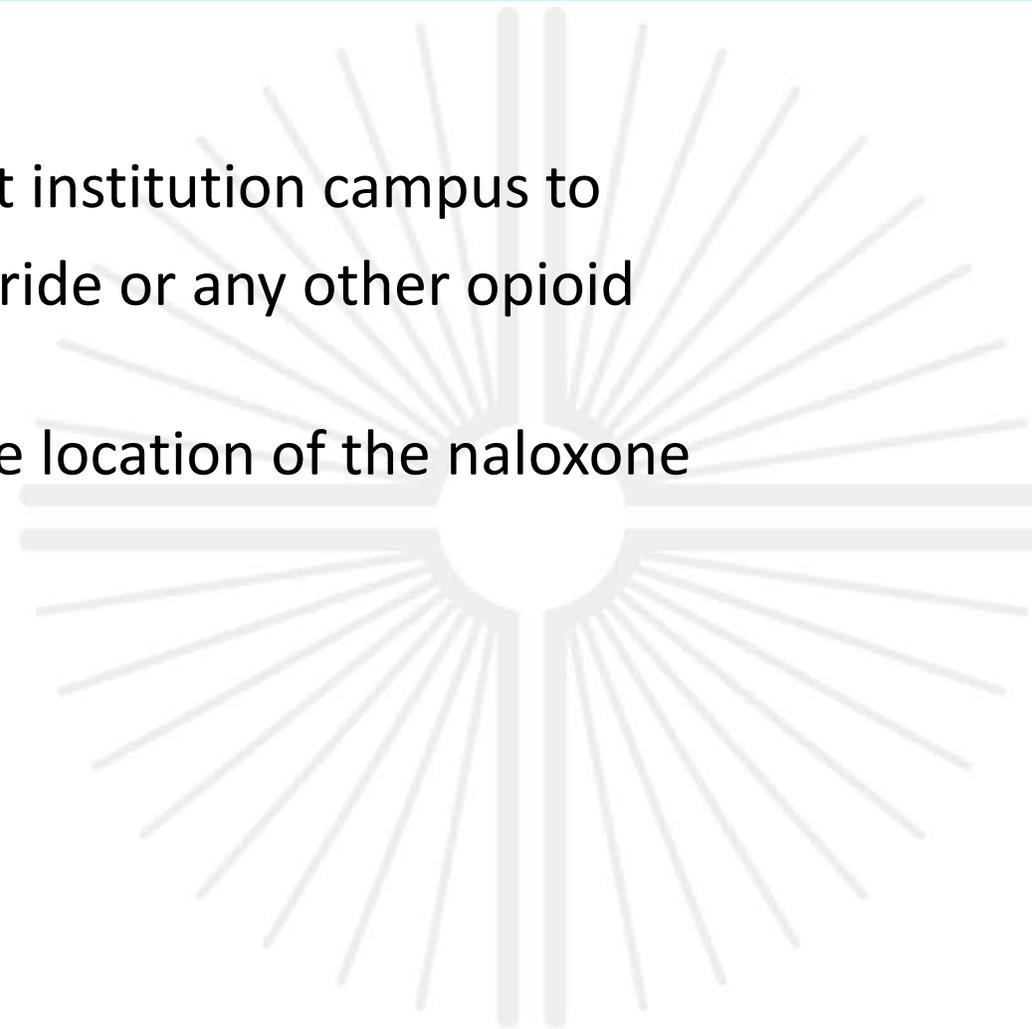
# Legislation: Student Health

## **SB 234 (Portantino) Opioids**

Would require every CCC, CSU, UC, and independent institution campus to

(1) maintain unexpired doses of naloxone hydrochloride or any other opioid antagonist on its campus at all times, and to

(2) ensure that at least 2 employees are aware of the location of the naloxone hydrochloride or other opioid antagonist.



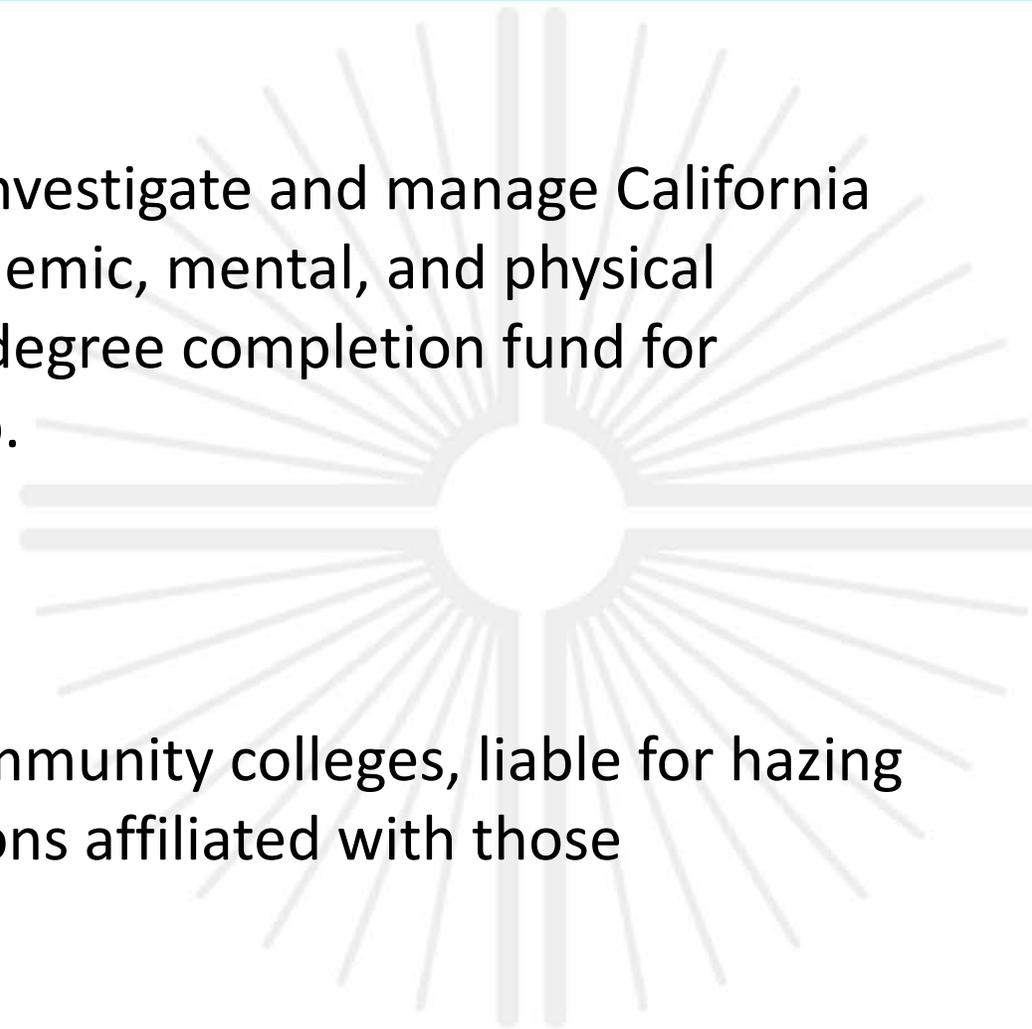
# Legislation: Student Services

## **AB 252 (Holden) Student Athlete Protection Act**

Would create a regulatory agency empowered to investigate and manage California collegiate athletic practices related to student academic, mental, and physical health. Additionally, it mandates the creation of a degree completion fund for student-athletes that obtain an athletic scholarship.

## **AB 299 (Holden) Hazing: Institutional Liability**

Would make educational institutions, including community colleges, liable for hazing activities occurring within student body organizations affiliated with those institutions.

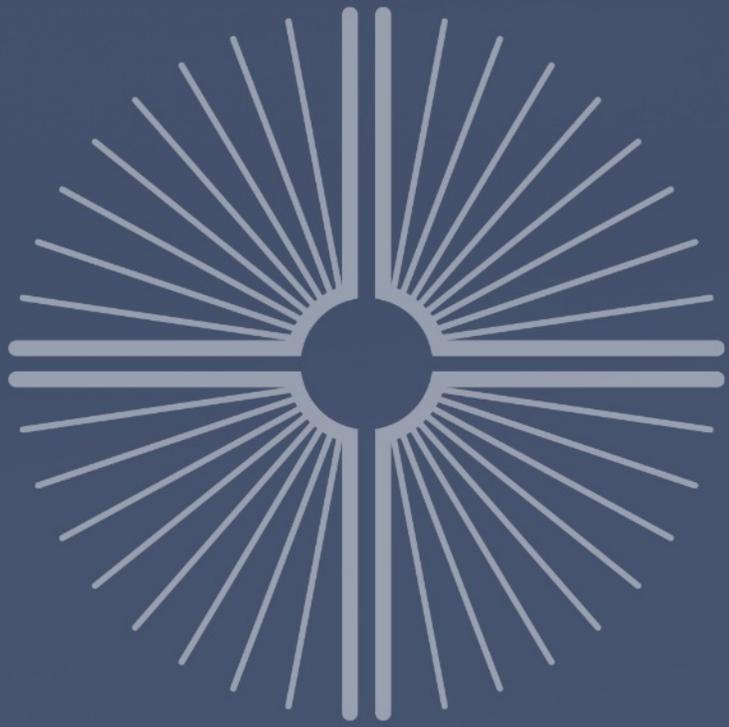


# Legislation: Student Services

## **AB 610 (Holden) Transit Passes**

Would create a free student transit program by awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes.





# Budget



# Budget



2023-24  
GOVERNOR'S BUDGET



[Budget Overview](#)

[Budget Summary](#)

[Budget Detail](#)

[Statewide Information](#)

[Fund Conditions](#)

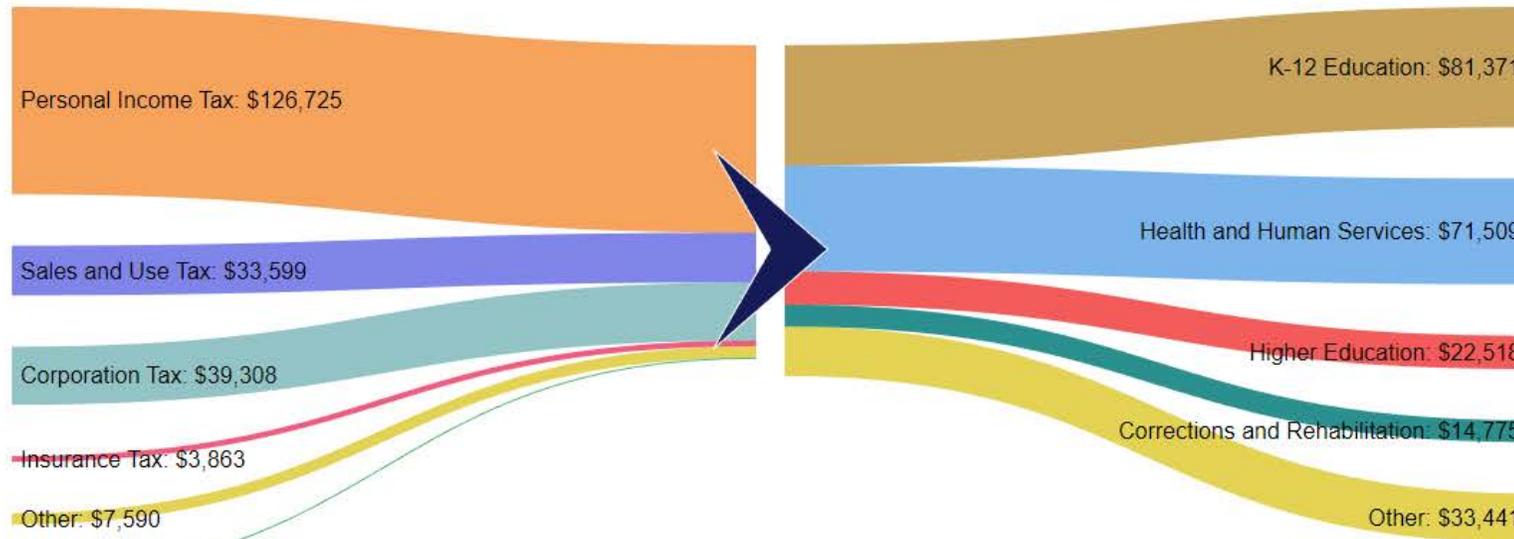
[Budget References](#)

## General Fund Revenues vs Expenditures

(Dollars in Millions)

REVENUES  
Total: \$210,174

EXPENDITURES  
Total: \$223,614



# Budget Hearings Started

Other hearings  
Assembly

March 14  
**April 18**



Other hearings  
Senate

**April 20**

# LAO Analyses



## The 2023-24 Budget: Higher Education Overview

GABRIEL PETEK | LEGISLATIVE ANALYST | JANUARY 2023

### SUMMARY

**Governor's Budget Plan Focuses on Core Operations.** This brief provides an overview and initial analysis of the Governor's proposed higher education budget plan. This plan contains \$1.5 billion in new higher education spending (\$1.3 billion ongoing, \$200 million one time). For the California Community Colleges (CCC), California State University (CSU), and University of California (UC), the Governor proceeds with the second year of his multiyear budget plans. The main element of the CCC roadmap and university compacts is annual unrestricted General Fund base increases for core operations. In 2023-24, the Governor proposes \$653 million for an 8.13 percent cost-of-living adjustment to CCC apportionments and \$227 million and \$216 million, respectively, for 5 percent base increases at CSU and UC. For the California Student Aid Commission, the Governor's budget includes a slight decrease due to Cal Grant caseload adjustments, as well as \$226 million in one-time spending for the Middle Class Scholarship program agreed to last year. In response to the state's projected deficit, the Governor also proposes a \$2.3 billion package of funding delays and cost shifts, mostly affecting certain university facility projects.

**Plan Has Some Positive Aspects, Some Risks and Shortcomings.** We believe a positive aspect of the Governor's plan is that it has a strong focus on access and preserving the segments' core operations. The Governor's budget also does not support any new ongoing higher education costs with one-time funding. One risk with the plan, however, is that the base increases for the universities are contributing factors to the state deficits that arise under the multiyear outlook. Another, related risk is that the proposed budget solutions provide General Fund savings in 2023-24, but they do so by pushing out costs such that budget challenges are exacerbated over the subsequent few years. A third risk is that the administration



## The 2023-24 Budget: Proposition 98 Overview and K-12 Spending Plan

GABRIEL PETEK | LEGISLATIVE ANALYST | FEBRUARY 2023

### SUMMARY

Each year, the state calculates a "minimum guarantee" for school and community college funding based upon a set of formulas established by Proposition 98 (1988). Compared with the level in the 2022-23 enacted budget, the Governor's budget estimates the guarantee is down \$3.4 billion in 2022-23 and \$1.5 billion in 2023-24. We think the guarantee is likely to decline further—under our best estimates of General Fund revenue, the guarantee would be roughly \$2 billion below the Governor's budget level in each year. Higher local property tax revenue, however, could offset some of this drop.

Despite the lower estimates of the guarantee, the Governor's budget has about \$5.2 billion available for new K-12 spending. This funding is due to lower baseline costs for the Local Control Funding Formula (LCFF) and the expiration of various one-time grants funded in the June 2022 budget. The largest K-12 proposal in the budget is an 8.13 percent statutory cost-of-living adjustment (COLA), but the Governor also proposes several smaller initiatives. Since these proposals together would exceed the available funding, the Governor proposes to (1) use \$1.4 billion in one-time funds to pay for ongoing LCFF costs and (2) reduce one of the discretionary block grants the state approved last year by \$1.2 billion. We recommend the Legislature commit to less ongoing spending so that the K-12 budget does not rely upon one-time funds. Our brief outlines several options to consider, including (1) funding a lower COLA, (2) avoiding new ongoing proposals, and (3) reducing certain existing programs. Modifying the budget in this way would better position the state to address a lower guarantee emerging in May or future years.

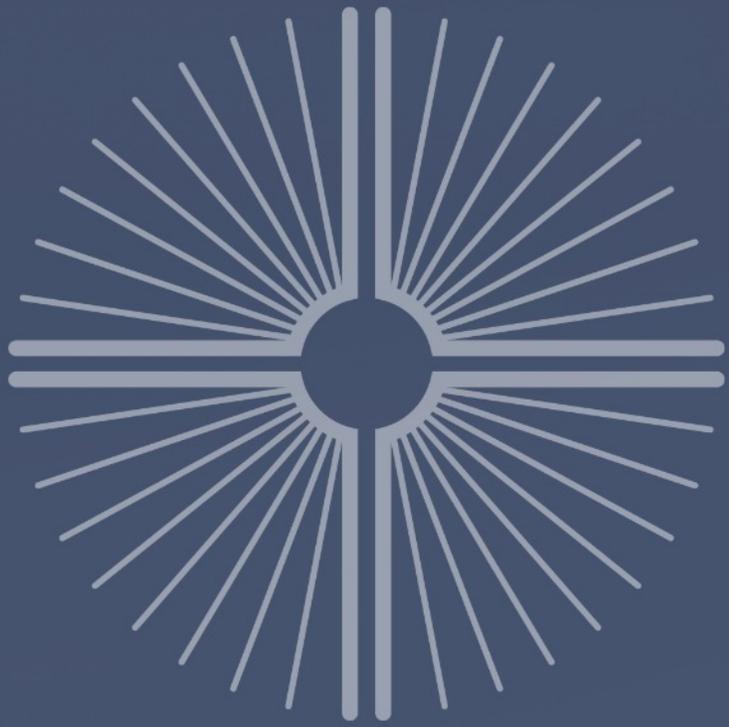
# League Response

<https://bit.ly/3Kpkccz>

**Support:** COLA, Growth, Flexibility, Funding for Cal Grant Reform

**Oppose:** Repurposing \$200 million from Deferred Maintenance to Enrollment  
Recommend maintaining funds in Deferred Maintenance while allowing up to 25% flexibility at local option for Enrollment.

Delaying \$250 million in student housing until 2024-25.



Thank you, and  
see you at the next  
GR Webinar  
on March 21, 2023