

Revise 2016-17 Apportionments Schedule to Reflect Final EPA Offset

SEC. XX. Amend Item 6870-101-0001 of Section 2.00 of the Budget Act of 2016

6870-101-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)	3,919,453,000 <u>3,919,791,000</u>
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Schedule:

(1)	5670015-Apportionments	2,442,643,000	<u>2,442,981,000</u>
(2)	5670019-Apprenticeship	32,185,000	
(3)	5670023-Apprenticeship Training and Instruction	21,429,000	
(4)	5675015-Student Success for Basic Skills Students	50,037,000	
(5)	5675019-Student Financial Aid Administration	73,196,000	
(6)	5675027-Disabled Students	115,388,000	
(7)	5675031-Student Services for CalWORKs Recipients	43,580,000	
(8)	5675035-Foster Care Education Program	5,254,000	
(9)	5675039-Student Success and Support Program	481,683,000	
(10)	5675061-Academic Senate for the Community Colleges	768,000	
(11)	5675069-Equal Employment Opportunity	2,767,000	
(12)	5675073-Part-Time Faculty Health Insurance	490,000	
(13)	5675077-Part-Time Faculty Compensation	24,907,000	
(14)	5675081-Part-Time Faculty Office Hours	7,172,000	
(15)	5675099-Telecommunications and Technology Infrastructure	27,890,000	
(16)	5675119-Economic Development	270,929,000	

	
(17)	5675123-Transfer Education and Articulation	698,000
(18)	5675023-Extended Opportunity Programs and Services	123,189,000
(19)	5675115-Fund for Student Success	6,158,000
(20)	5675150-Campus Childcare Tax Bailout	3,384,000
(21)	5675156-Nursing Program Support	13,378,000
(22)	5670035-Expand the Delivery of Courses through Technology	18,000,000
(23)	5675133-Physical Plant and Instructional Support	154,328,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2016–17 fiscal year to Section B of the State School Fund.

The funds appropriated in Schedule (1) shall be allocated using the budget formula established pursuant to Section 84750.5 of the Education Code. The budget formula shall be adjusted to reflect the following:

2. (a)

(1) Of the funds appropriated in Schedule (1), \$114,260,000 shall be used to increase statewide growth of full-time equivalent students (FTES) by 2 percent.

(2) Of the funds appropriated in Schedule (1), \$0 shall be used to reflect a cost-of-living adjustment of 0.00 percent.

(b) Funds allocated to a community college district from funds included in Schedule (1) shall directly offset any mandated costs claimed for the Minimum Conditions for State Aid (02-TC-25 and 02-TC-31) program or any costs of complying with Section 84754.5 of the Education Code.

(c) Of the funds appropriated in Schedule (1):

(1) \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the

California Code of Regulations.

Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title

- (2) 5 of the California Code of Regulations.

Of the funds appropriated in Schedule (1), \$75,000,000 shall be used to adjust the budget formula pursuant to Section 84750.5 of the Education Code to recognize increases in operating expenses.

(d)

The funds appropriated in Schedule (2) shall be available pursuant to Article 3 (commencing with Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.

3. (a)

Pursuant to Section 79149.3 of the Education Code, the reimbursement rate shall be \$5.71 per hour.

(b)

Of the funds appropriated in Schedule (2), \$15,000,000 shall be used for the purposes of Section 79148 of the Education Code. These funds shall be available for encumbrance or expenditure until June 30, 2019.

(c)

The funds appropriated in Schedule (3) shall be available pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code.

4. (a)

Pursuant to Section 8152 of the Education Code, the reimbursement rate shall be \$5.71 per hour.

(b)

5. Of the funds appropriated in Schedule (4):

\$30,000,000 shall be disbursed to applicants who earned the minimum points required to be eligible to receive a grant award in 2015–16 but who did not receive a grant award in 2015–16, pursuant to Part 54 (commencing with Section 88800) of Division 7 of Title 3 of the Education Code.

(a)

\$1,209,000 shall be used for faculty and staff development to improve curriculum, instruction, student services, and program practices in basic skills and English as Second Language programs. The Chancellor of the California Community Colleges (chancellor) shall select a district, using a competitive process, to carry out these activities.

(b)

\$18,828,000 shall be allocated by the chancellor to community college districts to improve outcomes of students who enter college needing to complete at least one course in English as a Second Language or basic skills.

6. (a) Of the funds appropriated in Schedule (5):

Not less than \$16,756,000 is available to provide \$0.91 per unit reimbursement to community college districts for the provision of board of governors (BOG) fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the

- (1) Education Code.

Not less than \$16,940,000 is available for the Board Financial Assistance Program to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of BOG fee waiver awards pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.

- (2)

\$5,300,000 shall be allocated to a community college district to conduct a statewide media campaign to promote the following message: (i) the California Community Colleges are affordable, (ii) financial aid is available to cover fees and help with books and other costs, and (iii) an interested student should contact his or her local community college financial aid office. The campaign should target efforts to reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult regularly with the chancellor and the Student Aid

- (3) (A) Commission.

Of the amount identified in subparagraph (A), \$2,500,000 shall be allocated to expand: (i) outreach for students from non-English speaking households and bilingual households, (ii) marketing and outreach aimed at baccalaureate degree pilot programs, and (iii) marketing and outreach aimed at increasing current and future student awareness of the Board of Governors Fee Waiver. Bilingual efforts shall

- (B) target areas of the state that meet at

least one of the following conditions:
(i) have concentrations of non-English speaking and bilingual households, or
(ii) have underserved populations and/or a history of declining community college attendance.

- Not more than \$34,200,000 shall be for direct contact with potential and current financial aid applicants. Each California Community College campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting FTES weighted by a measure of low-income populations demonstrated by BOG fee waiver program participation within a district.
- (4)

- Funds allocated to a community college district pursuant to paragraphs (1) and (2) shall supplement, not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001–02 or 2006–07 fiscal year, whichever is greater.
- (5)

- Funding allocated to a community college district pursuant to paragraphs (1) and (2) shall directly offset any costs claimed by that district for any of the following mandates: Enrollment Fee Collection (99-TC-13), Enrollment Fee Waivers (00-TC-15), Cal Grants (02-TC-28), and Tuition Fee Waivers (02-TC-21).
- (6)

- Notwithstanding subdivision (m) of Section 76300 of the Education Code or any other provision of law, the amount of funds appropriated for the purpose of administering fee waivers for the 2016–17 fiscal year shall be determined in this act.
- (7)

- The funds appropriated in Schedule (6) shall be used to assist districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges and for state hospital programs, as mandated by federal law.
7. (a)

- (b) Of the amount appropriated in Schedule (6):

- At least \$3,945,000 shall be used to address deficiencies identified by the United States Department of Education Office for Civil Rights.
- (1)

- At least \$943,000 shall be used to support the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled.
- (2)

- At least \$9,600,000 shall be allocated to community college districts for sign language interpreter services, real-time captioning equipment, or other communication accommodations for hearing-impaired students. A community college district is required to spend \$1 from local or other resources for every \$4 received pursuant to this paragraph.
- (3)

- \$1,000,000 shall be allocated for state hospital adult education programs at the hospitals served by the Coast and Kern Community College Districts.
- (4)

- The funds appropriated in Schedule (7) shall be allocated pursuant to Article 5 (commencing with Section 79200) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
8. (a)

- (b) Of the amount appropriated in Schedule (7):

- \$9,188,000 is for child care, except that a community college district may request that the chancellor approve the use of funds for other purposes.
- (1)

- No less than \$4,900,000 shall be used to provide direct workstudy wage reimbursement for students served under this program, and \$613,000 is available for campus job development and placement services.
- (2)

- A community college district is required to spend \$1 from local or other resources for every \$1 received pursuant to this provision, except for any funds received pursuant to paragraph (1) of subdivision (b).
- (c)

- The funds appropriated in Schedule (8) shall be allocated to community college districts to provide foster and relative/kinship care education and training pursuant to Article 8 (commencing with Section 79420) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. A community college district shall ensure that education and training required pursuant to Sections 1529.1 and 1529.2 of the Health and Safety Code and Section 16003 of the Welfare and Institutions Code receive
9. (a)

priority.

The funds appropriated in Schedule (9) shall be used for the purposes of Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code.

10. (a)

(b) Of the amount included in Schedule (9):

(1) \$285,183,000 shall be allocated pursuant to Section 78216 of the Education Code.

\$155,000,000 shall be allocated to community college districts to implement student equity plans pursuant to Article 1.5 (commencing with Section 78220) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code. These plans shall be coordinated with the Student Success and Support Program plans, pursuant to Section 78216 of the Education Code, and the Student Success Scorecard, pursuant to Section 84754.5 of the Education Code.

(2) (A)

These funds shall be allocated by the chancellor to community college districts using a methodology that ensures that districts with a greater proportion or number of students who have high needs receive more resources to provide services to these students. The chancellor shall ensure that the allocation methodology reflects the inclusion of foster youth within the proportion or number of high-needs students.

(B)

Consistent with the intent of Chapter 771 of the Statutes of 2014 and within the funds allocated to community college districts pursuant to this paragraph, the chancellor shall enter into agreements with up to 10 community college districts to provide additional services in support of postsecondary education for foster youth. Up to \$15,000,000 of the funds allocated to community college districts pursuant to this paragraph shall be prioritized for services pursuant to Chapter 771 of the Statutes of 2014.

(C) Further, the chancellor shall ensure that the list of eligible expenditures

developed pursuant to subdivision (d) of Section 78221 of the Education Code includes expenditures that are consistent with the intent of Chapter 771 of the Statutes of 2014.

- (D) Nothing in this provision prevents existing student-equity related categorical programs or campus-based programs from accessing student equity plan funds.

- (E) Increased services for high-need students may include the development of open educational resources and zero-textbook-cost degrees that reduce costs for students. Community college districts utilizing resources for this purpose are encouraged to first develop open educational resources and zero-textbook-cost degrees for courses that are transferable to the California State University and the University of California and for approved associates degrees for transfer. Open educational resources and zero-textbook-cost degrees developed by a community college district pursuant to this provision shall make the applicable course materials and curriculum available to all community college districts through the online clearinghouse of information identified in Provision 10 (b)(4)(B) of this item.

- (3) (A) \$7,500,000 may be used by the chancellor to provide technical assistance to community college districts that demonstrate low performance in any area of operations. It is the intent of the Legislature that technical assistance providers be contracted in a cost-effective manner, that they primarily consist of experts who are current and former employees of the California Community Colleges, and that they provide technical assistance consistent with the vision for the California Community Colleges.

- (B) Technical assistance funded pursuant to this paragraph that is initiated by the chancellor may be provided at no cost to the district. If a community college district requests technical assistance,

the district is required to spend at least \$1 from local or other resources for every \$2 received as determined by the chancellor.

\$20,000,000 may be used by the chancellor to provide regional and online workshops and trainings to community college personnel to promote statewide priorities, including, but not limited to, strategies to improve student achievement; strategies to improve community college operations; and system leadership training to better coordinate planning, implementation, and outcomes of statewide initiatives. To the extent possible, the chancellor shall partner with existing statewide initiatives with proven results of improving student success and institutional effectiveness. Beginning in the 2016–17 fiscal year, the chancellor shall submit a report on the use of funds appropriated pursuant to paragraphs (3) and (4) of this provision in the prior year to the Department of Finance and the Joint Legislative Budget Committee no later than December 1 of each year. This report shall include information regarding California Community Colleges' participation in the activities funded pursuant to paragraphs (3) and (4) of this provision, and the California Community Colleges' progress toward their goals for each of the institutional effectiveness indicators.

(4) (A)

Funding available pursuant to this paragraph may be utilized by the chancellor to coordinate with community college districts to develop and disseminate effective practices through the establishment of an online clearinghouse of information. The development of effective practices shall include, but not be limited to, statewide priorities such as the development of educational programs or courses for the incarcerated adults in prisons and jails, and the formerly incarcerated, educational programs or courses for California Conservation Corps members, and other effective practices. The online clearinghouse of

(B) information shall also reflect effective

practices, guidance, policies, curriculum, courses, and programs developed by local community colleges in support of the Strong Workforce Program established pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.

It is the intent of the Legislature to encourage the chancellor to facilitate the development of local community college courses for the California Conservation Corps and the incarcerated adults in prisons and jails, and the formerly incarcerated. The Department of Corrections and Rehabilitation and the California Conservation Corps are encouraged to partner with the chancellor's office in the development and dissemination of local community college courses and effective practices pursuant to this

(C) subparagraph and subparagraph (B).

Up to \$14,000,000 may be used for e-transcript, e-planning, and common assessment tools. Any remaining funds shall

(5) be used pursuant to paragraph (1).

The funds in Schedule (13) shall be allocated to increase compensation for part-time faculty. Funds shall be allocated to districts based on the total actual number of FTES in the previous fiscal year, with an adjustment to the allocations provided to small districts. These funds shall be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through collective bargaining in each community college district. If a community college district achieves parity between compensation for full-time faculty and part-time faculty, funds received pursuant to this provision may be used for any other educational purpose.

11.

12. Of the funds provided in Schedule (15):

\$27,890,000 shall be allocated by the chancellor on a competitive basis, for the following purposes:

(a)

Provision of access to statewide multimedia hosting and delivery services for state colleges and districts.

(1)

Provision of systemwide Internet, audio bridging, data security, and telephony.

(2)

(3) Technical assistance and planning, cooperative purchase agreements, and faculty and staff development.

(4) Ongoing support for the California Virtual Campus Distance Education Program.

(5) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California.

(6) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system toward improving learning outcomes.

(7) Ongoing support of the California Partnership for Achieving Student Success (Cal-PASS) program.

(b) The remaining funds shall be available for allocations to districts to maintain technology capabilities.

13. Of the funds appropriated in Schedule (16):

(a) \$22,929,000 is available for the following purposes:

(1) Up to 10 percent may be allocated for state-level technical assistance, including statewide network leadership, organizational development, coordination, and information and support services.

(2) All remaining funds shall be allocated for programs that target investments in priority and emergent sectors, including statewide and/or regional centers, hubs, collaborative communities, advisory bodies, and short-term grants. Short-term grants may include industry-driven regional education and training, Responsive Incumbent Worker Training, and Job Development Incentive Training. Funds allocated pursuant to this provision may be used to provide substantially similar services in support of the Strong Workforce Program.

(3) Funds applied to performance-based training shall be matched by a minimum of \$1 contributed by private businesses or industry for each \$1 of state funds. The chancellor shall

consider the level of involvement and financial commitments of business and industry in making awards for performance-based training.

- (b) (1) \$248,000,000 shall be available to support the Strong Workforce Program pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.

Of the amount identified in subparagraph (1), \$48,000,000 shall be available to support the Career Technical Education Pathways Program, pursuant to Sections 88530 to 88540, inclusive, of the Education Code for the 2016–

- (2) 17 fiscal year.

The Office of the Chancellor of the California Community Colleges shall report to the Legislature, by March 1, 2017, regarding policy and budget changes necessary to align certificate and associate degree attainment with the California Strategic Workforce Development Plan, which establishes a goal of producing 1 million industry-valued and recognized postsecondary sub-baccalaureate credentials with demonstrable labor market value between 2017 and 2027. The report shall also provide specific actions and recommendations to close the attainment gap for targeted subgroups.

- (c)

14. (a) The funds appropriated in Schedule (17) shall be used to support transfer and articulation projects and common course numbering projects.

Funding provided to community college districts shall directly offset any costs claimed by community college districts to be mandates pursuant to Chapter 737 of the Statutes of 2004.

- (b)

15. (a) Of the funds appropriated in Schedule (18):

\$107,570,000 shall be used pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. Funds provided in this item for Extended Opportunity Programs and Services shall be available to students on all campuses within the California Community Colleges system.

- (1)

\$15,619,000 shall be used for funding, at all colleges, the Cooperative Agencies Resources for Education program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of

- (3)

the Education Code. The chancellor shall allocate these funds to local programs on the basis of need for student services.

Of the amount allocated pursuant to subdivision (a), no less than \$4,972,000 shall be available to support additional textbook assistance grants to community

(b) college students.

16. The funds appropriated in Schedule (19) shall be used for the following purposes:

\$1,921,000 shall be used for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and if the participating community colleges and University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

(a)

Up to \$2,459,000 is for the Mathematics, Engineering, Science Achievement (MESA) program. A community college district is required to spend \$1 from local or other resources for every \$1

(b) received pursuant to this subdivision.

No less than \$1,778,000 is for the Middle College High School Program. With the exception of special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college

(c) state apportionment.

The funds appropriated in Schedule (20) shall be allocated by the chancellor to community college districts that levied child care permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount proportional to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its child care and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased or decreased by any cost-of-living adjustment granted in subsequent fiscal years. These funds shall be used only for the purpose of community college child care and development programs.

17.

18. Of the funds appropriated in Schedule (21):

\$8,475,000 shall be used to provide support for

(a) nursing programs.

\$4,903,000 shall be used for diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing

- (b) programs.

19. Of the funds appropriated in Schedule (22):

\$10,000,000 shall be allocated to the chancellor to increase the number of courses available through the use of technology and to provide alternative methods for students to earn college credit. The chancellor shall ensure, to the extent possible, that the following

- (a) conditions are satisfied:

- (1) These courses can be articulated across all community college districts.

- (2) These courses are made available to students systemwide, regardless of the campus at which a student is enrolled.

- (3) Students who complete these courses are granted degree-applicable credit across community colleges.

- (4) These funds shall be used for those courses that have the highest demand, fill quickly, and are prerequisites for many different degrees.

\$5,000,000 shall be allocated by the Office of the Chancellor of the California Community Colleges to community college districts to develop zero-textbook-cost degrees using open education resources pursuant to Article 4 (commencing with Section 78050) of Chapter 1 of Part 48 of Division 7 of Title 3 of the Education Code.

- (b)

By September 1, 2016, up to \$3,000,000 shall be disbursed by the Office of the Chancellor of the California Community Colleges to one or more community college districts to provide digital course content to inmates under the jurisdiction of the Department of Corrections and Rehabilitation who are enrolled in one or more California Community College courses. The provision of this digital course content is expected to enable community college districts to provide instruction to incarcerated adults.

- (c)

To the extent possible, community college districts providing digital course content pursuant to this paragraph are encouraged to

- (1) first use open educational resources.

- (2) Notwithstanding any other law, a contract

between the Office of the Chancellor of the California Community Colleges and a community college district for purposes of this subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code.

20. (a) Any funds appropriated in Schedule (23) are available for the following purposes:

Scheduled maintenance and special repairs of facilities. The Chancellor of the California Community Colleges shall allocate funds to districts on the basis of actual reported FTES, and may establish a minimum allocation per district. As a condition for receiving and expending these funds for maintenance or special repairs, a district shall certify that it will increase its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs. A district’s compliance with its resolution shall be reviewed under the annual audit of that

- (1) district.

Hazardous substances abatement, cleanup, and repairs.

- (2)

Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) and seismic retrofit projects limited to \$656,000.

- (3)

Water conservation projects to reduce water consumption in cooperation with the Governor’s Executive Order B-29-15. Projects may include any of the following:

- (4)

Replacement of water intensive landscaping with drought tolerant landscaping, synthetic turf, provided that the turf is used only in nonathletic areas, and other nonplant materials.

- (A)

Drip or low-flow irrigation systems.

- (B)

Building improvements to reduce water usage.

- (C)

Installation of meters for wells to allow for monitoring of water usage.

- (D)

- (b) Any funds appropriated in Schedule (23) are

available for replacement of instructional equipment and library materials. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses. The chancellor shall allocate funds to districts on the basis of actual reported FTES and may establish a minimum allocation per district. A district's compliance with its resolution shall be reviewed under the annual audit of that district.

(c) Any funds appropriated in Schedule (23) shall be available for one-time use until June 30, 2018.

The Office of the Chancellor of the California Community Colleges shall report by December 1, 2016, and annually thereafter for five years, on the racial/ethnic and gender composition of faculty, and efforts to assist campuses in providing equal employment opportunity in faculty recruitment and hiring practices as well as system-wide training, monitoring, and compliance activities.

21.