

**ACADEMIC SENATE
OF
THE CALIFORNIA STATE UNIVERSITY**

AS-3112-13/FGA (Rev)
January 17-18, 2013

**AB 67 (Gorell) and SB 58 (Cannella) Post-Proposition 30
Freeze on Systemwide Student Fees and Tuition Increases**

RESOLVED: That the Academic Senate of the California State University (ASCSU) recognize the need to bring order to what have been frequent and often unpredictable increases in student fees and commends the authors and co-sponsors of AB 67 and SB 58 for their efforts to address the issue; and be it further

RESOLVED: That the ASCSU nonetheless oppose AB 67 and SB 58 as currently written, for the following reasons:

- The proposed legislation offers no guarantee that state general fund support for the CSU and other higher education segments during this period will be sufficient to offset the revenue lost through a lack of systemwide student fee and tuition increases;
- The legislation makes no provision for the implementation of compensating fee or tuition increases should the Proposition 30-based support become unavailable, due either to a downturn in the state's fiscal situation or to changing political priorities;

and be it further,

RESOLVED: That the ASCSU urge the authors of AB 67 and SB 58 to incorporate changes in the bills' language that address these concerns by allowing for the possibility of fee/tuition increases under circumstances such as those identified above; and be it further

RESOLVED: That this resolution be distributed to the CSU Board of Trustees; Office of the CSU Chancellor; the CSU Chancellor; CSU campus Presidents; CSU campus Senate Chairs; Academic Senate for the California Community Colleges; Academic Senate of the University of California; Assembly member Gorell and AB 67 co-sponsors; Senator Cannella and SB 58 co-sponsors; Chair, California State Legislature Assembly Higher Education Committee; Chair, California State Senate Education Committee.

RATIONALE: Proposition 30 (Schools and Local Public Safety Protection Act of 2012), passed by California voters on November 6, 2012, increases personal income, sales, and use tax rates to generate revenue for K-14 public education in California. It is expected that this will also result in increased allocations in the state's general fund support budgets for California higher education throughout the period that the Proposition 30 tax increases are in effect (fiscal years 2013-2014 through 2018-2019). AB 67 (Gorell) and SB 58 (Cannella) would prohibit any increases in systemwide student fees and tuition charged by the CSU and other higher education segments during this period. The intent of the legislation is to limit the burden placed on students and families by the frequent and often large fee increases such as those adopted by the higher education segments in recent years as a result of cuts in state support.

The ASCSU has long argued for the development of a CSU policy on student fees and tuition that would mitigate the burden imposed by the unpredictable and frequently large increases that have been common in recent years ([AS-2594-03/FGA](#), Student Fees in the California State University [CSU]- Mitigating Their Effects; [AS-2631-03/FGA](#), Support for Guidelines for the Development of a CSU Student Tuition and Fee Policy; [AS-2644-04/FGA](#), Long-term Undergraduate Student Fee Policy; and [AS-2671-04/FGA](#), Student Fee Policy).

However, while the language of AB 67 and SB 58, as currently written, would prohibit fee or tuition increases at any time during the six-year period specified above, it offers no guarantee that state general fund support will continue at levels sufficient to offset the lack of fee/tuition increases, nor does it contain provisions to allow such increases should the state support not be forthcoming. Given factors such as the steady increase in mandatory costs, the potential responsibility for capital debt service, and the fiscal uncertainties plaguing California's budget in recent years, this leaves California's higher education systems – and particularly the CSU, due to its reliance on student tuition/fees and general fund allocations as principal funding sources – highly vulnerable to any changes in state budget priorities or downturns in revenue. This is particularly the case at a time when the segments are facing increased enrollment demand while they have yet to recover from major funding cuts of the past several years.

Approved – March 14-15, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 67

Introduced by Assembly Member Gorell
(Principal coauthor: Assembly Member Conway)
(Coauthors: Assembly Members Achadjian, Bigelow, Chávez, Beth
Gaines, Grove, Hagman, Harkey, Jones, Linder, Logue,
Maienschein, Mansoor, Melendez, Morrell, Olsen, Patterson,
Wagner, Waldron, and Wilk)

January 7, 2013

An act to add Chapter 3.7 (commencing with Section 66170) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 67, as introduced, Gorell. Public postsecondary education: funding.

(1) Existing law establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. Existing law appropriates funding, in the annual Budget Act and in other statutes, from the state General Fund for the support of these segments. Existing law also authorizes these segments to require their students to pay mandatory systemwide fees and tuition, among other costs, for matriculation at these institutions.

Proposition 30, known as the Schools and Local Public Safety Protection Act of 2012, was approved by the voters at the November 6, 2012, statewide general election and, among other things, increases personal income tax and sales and use tax rates and provides revenue for public elementary and secondary schools and community colleges.

This bill would express a finding and declaration of the Legislature, and express the intent of the Legislature, relating to the enactment of Proposition 30 by the voters and to the provision of funding to the California State University, the University of California, and the California Community Colleges.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit mandatory systemwide fees or tuition charged to students of the California State University from exceeding the level of the mandatory systemwide fees or tuition charged to students of the California State University for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees charged to students of the California Community Colleges from increasing beyond the level of the mandatory systemwide fees charged to students of the California Community Colleges for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees or tuition charged to students of the University of California from exceeding the level of the mandatory systemwide fees or tuition charged to students of the University of California for the 2011–12 fiscal year.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

- 1 SECTION 1. (a) The Legislature finds and declares that
- 2 Proposition 30, known as the Schools and Local Public Safety
- 3 Protection Act of 2012, which was enacted by the voters at the
- 4 statewide general election on November 6, 2012, is estimated to
- 5 raise fifty billion dollars (\$50,000,000,000) over a period of seven
- 6 years.
- 7 (b) It is the intent of the Legislature to accomplish both of the
- 8 following:

1 (1) In recognition of the promises made to the voters of
2 California that the imposition of tax rate increases by the Schools
3 and Local Public Safety Protection Act of 2012 would protect
4 education, to provide General Fund support for the California State
5 University, the University of California, and the California
6 Community Colleges in amounts that are at least as large as the
7 amounts provided to those respective segments for the 2012–13
8 fiscal year, for as long as those higher tax rates are in effect.

9 (2) To increase funding to the California State University,
10 University of California, and California Community Colleges
11 systems to ensure that increases in mandatory systemwide student
12 fees or tuition are not required during the period when the higher
13 tax rates imposed by the Schools and Local Public Safety
14 Protection Act of 2012 will be in effect.

15 SEC. 2. Chapter 3.7 (commencing with Section 66170) is added
16 to Part 40 of Division 5 of Title 3 of the Education Code, to read:

17
18 CHAPTER 3.7. FUNDING FOR PUBLIC POSTSECONDARY
19 EDUCATION
20

21 66170. (a) Notwithstanding any other law, from the 2013–14
22 fiscal year to the 2018–19 fiscal year, inclusive, mandatory
23 systemwide fees or tuition charged to students of the California
24 State University shall not exceed the level of the mandatory
25 systemwide fees or tuition charged to students of the California
26 State University for the 2011–12 fiscal year.

27 (b) Notwithstanding Section 76300 or any other law, from the
28 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, the
29 mandatory systemwide fees charged to students of the California
30 Community Colleges shall not increase beyond the level of the
31 mandatory systemwide fees charged to students of the California
32 Community Colleges for the 2011–12 fiscal year.

33 (c) Notwithstanding any other law, from the 2013–14 fiscal year
34 to the 2018–19 fiscal year, inclusive, mandatory systemwide fees
35 or tuition charged to students of the University of California shall
36 not exceed the level of the mandatory systemwide fees or tuition
37 charged to students of the University of California for the 2011–12
38 fiscal year.

39 SEC. 3. This act is an urgency statute necessary for the
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into
2 immediate effect. The facts constituting the necessity are:
3 In order to protect the students of the California State University,
4 the University of California, and the California Community
5 Colleges and their families from unjustified increases in mandatory
6 systemwide fees and tuition commencing with the 2013–14 fiscal
7 year, it is necessary that this act take effect immediately.

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SENATE BILL**No. 58**

**Introduced by Senator Cannella
(Coauthors: Senators Anderson, Berryhill, Emmerson, Fuller,
Gaines, Huff, Knight, Walters, and Wyland)**

January 7, 2013

An act to add Chapter 3.7 (commencing with Section 66170) to Part 40 of Division 5 of Title 3 of the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 58, as introduced, Cannella. Public postsecondary education: funding.

(1) Existing law establishes the California State University, under the administration of the Trustees of the California State University, the University of California, under the administration of the Regents of the University of California, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as the 3 segments of public postsecondary education in this state. Existing law appropriates funding, in the annual Budget Act and in other statutes, from the state General Fund for the support of these segments. Existing law also authorizes these segments to require their students to pay mandatory systemwide fees and tuition, among other costs, for matriculation at these institutions.

Proposition 30, known as the Schools and Local Public Safety Protection Act of 2012, was approved by the voters at the November 6, 2012, statewide general election and, among other things, increases personal income tax and sales and use tax rates and provides revenue for public elementary and secondary schools and community colleges.

This bill would express a finding and declaration of the Legislature, and express the intent of the Legislature, relating to the enactment of Proposition 30 by the voters and to the provision of funding to the California State University, the University of California, and the California Community Colleges.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit mandatory systemwide fees or tuition charged to students of the California State University from exceeding the level of the mandatory systemwide fees or tuition charged to students of the California State University for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees charged to students of the California Community Colleges from increasing beyond the level of the mandatory systemwide fees charged to students of the California Community Colleges for the 2011–12 fiscal year.

The bill, from the 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, would prohibit the mandatory systemwide fees or tuition charged to students of the University of California from exceeding the level of the mandatory systemwide fees or tuition charged to students of the University of California for the 2011–12 fiscal year.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: no.

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

- 1 SECTION 1. (a) The Legislature finds and declares that
- 2 Proposition 30, known as the Schools and Local Public Safety
- 3 Protection Act of 2012, which was enacted by the voters at the
- 4 statewide general election on November 6, 2012, is estimated to
- 5 raise fifty billion dollars (\$50,000,000,000) over a period of seven
- 6 years.
- 7 (b) It is the intent of the Legislature to accomplish both of the
- 8 following:
 - 9 (1) In recognition of the promises made to the voters of
 - 10 California that the imposition of tax rate increases by the Schools
 - 11 and Local Public Safety Protection Act of 2012 would protect
 - 12 education, to provide General Fund support for the California State
 - 13 University, the University of California, and the California

1 Community Colleges in amounts that are at least as large as the
2 amounts provided to those respective segments for the 2012–13
3 fiscal year, for as long as those higher tax rates are in effect.

4 (2) To increase funding to the California State University,
5 University of California, and California Community Colleges
6 systems to ensure that increases in mandatory systemwide student
7 fees or tuition are not required during the period when the higher
8 tax rates imposed by the Schools and Local Public Safety
9 Protection Act of 2012 will be in effect.

10 SEC. 2. Chapter 3.7 (commencing with Section 66170) is added
11 to Part 40 of Division 5 of Title 3 of the Education Code, to read:

12
13 CHAPTER 3.7. FUNDING FOR PUBLIC POSTSECONDARY
14 EDUCATION
15

16 66170. (a) Notwithstanding any other law, from the 2013–14
17 fiscal year to the 2018–19 fiscal year, inclusive, mandatory
18 systemwide fees or tuition charged to students of the California
19 State University shall not exceed the level of the mandatory
20 systemwide fees or tuition charged to students of the California
21 State University for the 2011–12 fiscal year.

22 (b) Notwithstanding Section 76300 or any other law, from the
23 2013–14 fiscal year to the 2018–19 fiscal year, inclusive, the
24 mandatory systemwide fees charged to students of the California
25 Community Colleges shall not increase beyond the level of the
26 mandatory systemwide fees charged to students of the California
27 Community Colleges for the 2011–12 fiscal year.

28 (c) Notwithstanding any other law, from the 2013–14 fiscal year
29 to the 2018–19 fiscal year, inclusive, mandatory systemwide fees
30 or tuition charged to students of the University of California shall
31 not exceed the level of the mandatory systemwide fees or tuition
32 charged to students of the University of California for the 2011–12
33 fiscal year.

34 SEC. 3. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the Constitution and shall go into
37 immediate effect. The facts constituting the necessity are:

38 In order to protect the students of the California State University,
39 the University of California, and the California Community
40 Colleges and their families from unjustified increases in mandatory

- 1 systemwide fees and tuition commencing with the 2013–14 fiscal
- 2 year, it is necessary that this act take effect immediately.

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