AMENDED IN ASSEMBLY MARCH 14, 2019
CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL No. 710

Introduced by Assembly Member Cervantes

February 19, 2019

An act to amend Section 66010 of the Education Code, relating to postsecondary education. An act to add Section 66014.4 to the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL’S DIGEST


Under the Donahoe Higher Education Act, the segments of postsecondary education in this state are the University of California, the California State University, the California Community Colleges, independent institutions of higher education, and private postsecondary educational institutions. Existing law requires each campus of the California State University, and requests each campus of the University of California, to post on its internet website information about the market cost of a one-bedroom apartment in the areas surrounding that campus where its students commonly reside.

This bill would require institutions in the California Community Colleges, California State University, or the University of California systems, independent institutions of higher education, and private postsecondary educational institutions to each calculate and include at a minimum, specified items, including room and board, in a calculation of a full-time student’s cost of attendance at that institution. This bill would require, for the purposes of determining the costs to include for room and board, an institution to designate a student as
living with family as a dependent, living on campus, or living independently off campus, as specified, and for the institution to update the calculation for room and board each fiscal year using the most recent fiscal year data available. By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

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.

Existing law establishes the California Community Colleges, the California State University, the University of California, independent institutions of higher education, as defined, and private postsecondary educational institutions, as defined, as the segments of postsecondary education in this state. The missions and functions of these segments are set forth in the Donahoe Higher Education Act.

This bill would make nonsubstantive changes in a provision that, for purposes of the Donahoe Higher Education Act, designates the segments of public postsecondary education as the California Community Colleges, the California State University, and the University of California, as specified, and defines independent institutions of higher education for these purposes.


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

SECTION 1. Section 66014.4 is added to the Education Code, to read:

66014.4. (a) This section shall be known, and may be cited, as the Housing Cost of Attendance Act.
(b) Notwithstanding Section 67400, institutions in the California Community Colleges, California State University, or the University of California systems, the independent institutions of higher education, and private postsecondary educational institutions shall each calculate and include, at a minimum, the following items in
a calculation of a full-time student’s cost of attendance at that institution:

(1) Tuition and fees.
(2) Allowance for books and supplies.
(3) (A) Room and board.
(B) For the purposes of determining the amount for room and board to include in a student’s cost of living calculation, an institution shall do all of the following:
   (i) Designate a student as one of the following and prepare a cost of housing for the applicable designation:
      (I) Living with family as a dependent.
      (II) Living on campus.
      (III) Living independently off campus.
   (ii) For students designated as living independently off campus, use the cost of housing for a studio unit in the community immediately surrounding the institution, as established by the Secretary of Housing and Urban Development pursuant to Section 1437f(c)(1)(A) of Title 42 of the United States Code (42 U.S.C.A., Sec. 1437f), and published on the United State Department of Housing and Urban Development’s internet website pursuant to Section 1437f(c)(1)(B) of Title 42 of the United States Code.
   (iii) Update the calculation for the cost of room and board each fiscal year using the most recent fiscal year data available.
(4) Transportation.
(5) Personal expenses.

SEC. 2. 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.

SECTION 1. Section 66010 of the Education Code is amended to read:

66010. (a) Public higher education consists of all of the following: (1) the California Community Colleges; (2) the California State University, and each campus, branch, and function thereof; and (3) each campus, branch, and function of the University of California.
(b) As used in this part, “independent institutions of higher education” are those nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that
are formed as nonprofit corporations in this state and are accredited by an agency recognized by the United States Department of Education.

(c) No provision of this part is intended to regulate, subsidize, or intrude upon private education, including, but not necessarily limited to, independent educational institutions and religious schools, nor to vary existing state law or state constitutional provisions relating to private education.