***AB 2 (Portantino) – Postsecondary Education: Education and Economic Goals for California Higher Education***

***Introduced December 6, 2010***

This bill requires would delete specific requirements of the existing California Postsecondary Education Commission (CPEC) and contains other related provisions and other existing laws. Specifically this bill would:

1) Delete the requirement for the CPEC to develop criteria for evaluating the effectiveness of all aspects of postsecondary education.
2) Delete the requirement to convene an intersegmental advisory committee on transfer access and performance.
3) Delete the requirement to periodically review and make recommendations regarding postsecondary programs for adult and continuing education and report periodically to the Legislature and the Governor regarding the financial conditions of independent institutions, their enrollment and application figures, the number of student spaces available, and the respective cost of utilizing those spaces as compared to providing additional public spaces.
4) Repeal the existing higher education accountability program and require the state to establish a new accountability framework for achieving prescribed education and economic goals.
5) Require this framework to measure the collective performance of the state's system of higher education in successfully serving students by answering 6 statewide policy questions. This bill requires that the data collected be reported to the Legislature and the Governor and made available to the public.
6) Deletes the requirement for the 3 public segments of postsecondary education to present annual statistical reports on transfer patterns via the CPEC to the Governor and the Legislature.

# ASSEMBLY BILL No. 2

**Introduced by Assembly Member Portantino**

December 6, 2010

An act to amend Section 66903 of, to add Chapter 12.5 (commencing with Section 67050) and Chapter 12.7 (commencing with Section 67070) to Part 40 of Division 5 of Title 3 of, to repeal Sections 66742 and 66743 of, and to repeal Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2, as introduced, Portantino. Postsecondary education: Educational and Economic Goals for California Higher Education.

(1) Existing law establishes the California Postsecondary Education Commission (CPEC) as the statewide postsecondary education coordinating and planning agency and provides for its functions and responsibilities. Among other things, the CPEC is required to develop criteria for evaluating the effectiveness of all aspects of postsecondary education. The CPEC is requested to convene an intersegmental advisory committee on transfer access and performance. The CPEC is also required to periodically review and make recommendations regarding postsecondary programs for adult and continuing education and report periodically to the Legislature and the Governor regarding the financial conditions of independent institutions, their enrollment and application figures, the number of student spaces available, and the respective cost of utilizing those spaces as compared to providing additional public spaces.

The bill would delete these specific requirements of the CPEC.

(2) Existing law establishes the University of California, under the administration of the Regents of the University of California, the California State University, under the administration of the Trustees of the California State University, and the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and private, independent institutions of higher education as the 4 segments of postsecondary education in this state.

Existing law establishes a higher education accountability program under which the University of California, the California State University, and the California Community Colleges are required to prepare a list of reports on a regular basis to the Legislature and to state agencies. Under the program the CPEC is required to submit annually a higher education report to the Legislature and the Governor that provides information on significant indicators of the performance of public colleges and universities.

This bill would repeal the existing higher education accountability program and require the state to establish a new accountability framework for achieving prescribed educational and economic goals. The bill would require this framework to measure the collective performance of the state's system of higher education in successfully serving students by answering 6 statewide policy questions. The bill would require that the data collected in response to these policy questions be reported to the Legislature and the Governor and made available to the public, as provided.

(3) Existing law requires the 3 public segments of postsecondary education to present annual statistical reports on transfer patterns via the CPEC to the Governor and the Legislature.

This bill would repeal this requirement.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. Section 66742 of the Education Code is repealed.

~~66742. The governing boards of the three public segments of higher education shall present annual statistical reports on transfer patterns via the California Postsecondary Education Commission to the Governor and Legislature. The reports shall include recent statistics on student enrollments by campus, segment, gender, ethnicity, and the ratio of upper division to lower division,~~

~~including information on both freshman and transfer student access to the system. These reports should include, to the extent that data are available or become available, data on application, admission and enrollment information for all students by sex, ethnicity, and campus. For transfer students, this data shall indicate the segment of origin for all students. In addition, data shall be separately identified for transfer students from California Community Colleges, and shall identify the subset of applications which are completed together with admission, enrollment, and declared major information for that group. The reports shall describe the number of transfer agreements, if any, whose terms and conditions were not satisfied by either the California State University or the University of California, the number of California Community College transfer students denied either admission to the student's first choice of a particular campus of the California State University or the University of California or the student's first choice of a major field of study, and, among those students, the number of students who, upon denial of either of the student's first choices, immediately enrolled at another campus of the California State University or the University of California. The reports shall also include information by sex and ethnicity on retention and degree completion for transfer students as well as for native students, and the number and percentage of baccalaureate degree recipients who transferred from a community college.~~

SEC. 2. Section 66743 of the Education Code is repealed.

~~66743. The California Postsecondary Education Commission is requested to convene an intersegmental advisory committee on transfer access and performance for the purposes of presenting biennial reports to the Governor and the Legislature on the status of transfer policies and programs, the diligence of each segment's board, and the effectiveness of these programs in meeting the state's goals for transfer. The report shall include information about all of the following:~~

~~(a) The effectiveness of transfer agreement programs and activities in enhancing the transfer function overall as well as the extent to which transfer program activities have been directed at students who have been historically underrepresented in the University of California and the California State University.~~

~~(b) The status of the implementation of the transfer core curriculum as described in Section 66720 for each community~~

~~college, including information about the extent to which sophomore level courses needed for transfer are available on all community college campuses.~~

~~(c) Progress that has been made in achieving articulation agreements in those specific majors that have lower division prerequisites, and the dissemination of this information. The committee shall also explore methods to systematically measure the extent to which the state's goals of freshmen and transfer student access are being met, including analyses of the number of fully eligible freshmen or transfer students who are denied access to the system, and the reasons for that denial. The committee shall also address ways in which sharing of information about transfer students among the segments can be improved, including early identification of potential transfer students for intensive recruitment purposes.~~

~~The Governor and the Legislature shall monitor the success of the University of California and the California State University in achieving their targeted enrollment levels and in implementing these reforms. A substantial failure to implement reform, to achieve the 60/40 ratio by the designated dates, or to improve the transfer rate of historically underrepresented groups significantly, shall precipitate legislative hearings to determine the reasons why any one or all of these goals have not been met.~~

SEC. 3. Section 66903 of the Education Code is amended to read:

66903. The commission has the following functions and responsibilities in its capacity as the statewide postsecondary education planning and coordinating agency and adviser to the Legislature and the Governor:

(a) It shall require the governing boards of the segments of public postsecondary education to develop and submit to the commission institutional and systemwide long-range plans in a form determined by the commission after consultation with the segments.

(b) It shall prepare a state plan for postsecondary education that shall integrate the planning efforts of the public segments with other pertinent plans. The commission shall seek to resolve conflicts or inconsistencies among segmental plans in consultation with the segments. If these consultations are unsuccessful, the commission shall report the unresolved issues to the Legislature

with recommendations for resolution. In developing the plan, the commission shall consider at least the following factors:

(1) The need for, and location of, new facilities.

(2) The range and kinds of programs appropriate to each institution or system.

(3) The budgetary priorities of the institutions and systems of postsecondary education.

(4) The impact of various types and levels of student charges on students and on postsecondary education programs and institutions.

(5) The appropriate levels of state-funded student financial aid.

(6) The access and admission of students to postsecondary education.

(7) The educational programs and resources of independent and private postsecondary institutions.

(8) The provisions of this division differentiating the functions of the public systems of higher education.

(c) It shall update the plan periodically, as appropriate.

(d) It shall participate in appropriate stages of the executive and the legislative budget processes as requested by the executive and the legislative branches, and shall advise the executive and the legislative branches as to whether segmental programmatic budgetary requests are compatible with the state plan. It is not intended that the commission hold independent budget hearings.

(e) It shall advise the Legislature and the Governor regarding the need for, and location of, new institutions and campuses of public higher education.

(f) It shall review proposals by the public segments for new programs, the priorities that guide them, and the degree of coordination with nearby public, independent, and private postsecondary educational institutions, and shall make recommendations regarding those proposals to the Legislature and the Governor.

(g) In consultation with the public segments, it shall establish a schedule for segmental review of selected educational programs, evaluate the program approval, review, and disestablishment processes of the segments, and report its findings and recommendations to the Legislature and the Governor.

(h) It shall serve as a stimulus to the segments and institutions of postsecondary education by projecting and identifying societal and educational needs and encouraging adaptability to change.

(i) It shall periodically collect or conduct, or both collect and conduct, studies of projected manpower supply and demand, in cooperation with appropriate state agencies, and disseminate the results of those studies to institutions of postsecondary education and to the public in order to improve the information base upon which student choices are made.

~~(j) It shall periodically review and make recommendations concerning the need for, and availability of, postsecondary programs for adult and continuing education.~~

~~(*l*) It shall maintain and update annually an inventory of all off-campus programs and facilities for education, research, and community services operated by public and independent institutions of postsecondary education.~~

~~(m)~~

*(j)* (1) It shall act as a clearinghouse for postsecondary education information and as a primary source of information for the Legislature, the Governor, and other agencies. It shall develop and maintain a comprehensive ~~data base~~ *database* that does all of the following:

(A) Ensures comparability of data from diverse sources.

(B) Supports longitudinal studies of individual students as they progress through the state's postsecondary educational institutions, based upon the commission's existing student ~~data base~~ *database* through the use of a unique student identifier.

(C) Is compatible with the California School Information System and the student information systems developed and maintained by the public segments of higher education, as appropriate.

(D) Provides Internet access to data, as appropriate, to the sectors of higher education.

(E) Provides each of the educational segments access to the data made available to the commission for the purposes of the ~~data base,~~ *database,* in order to support, most efficiently and effectively, statewide, segmental, and individual campus educational research information needs.

(2) The commission, in implementing paragraph (1), shall comply with the federal Family Educational Rights and Privacy

Act of 1974 (20 U.S.C. Sec. 1232g) relating to the disclosure of personally identifiable information concerning students.

(3) The commission ~~may~~ *shall* not make available any personally identifiable information received from a postsecondary educational institution concerning students for any regulatory purpose unless the institution has authorized the commission to provide that information on behalf of the institution.

(4) The commission shall provide 30-day notification to the chairpersons of the appropriate ~~legislative~~ policy and budget committees of the Legislature, to the Director of Finance, and to the Governor prior to making any significant changes to the student information contained in the ~~data base.~~ *database.*

~~(n)~~

*(k)* It shall establish criteria for state support of new and existing programs, in consultation with the public segments, the Department of Finance, and the Joint Legislative Budget Committee.

~~(o)~~

*(l)* It shall comply with the appropriate provisions of the federal Education Amendments of 1972 ~~(P.L.~~ *(Public Law* 92-318), as specified in Section 67000.

~~(p)~~

*(m)* It shall consider the relationship among academic education and vocational education and job training programs, and shall actively consult with representatives of public and private education.

~~(q)~~

*(n)* It shall review all proposals for changes in eligibility pools for admission to public institutions and segments of postsecondary education and shall make recommendations to the Legislature, the Governor, and institutions of postsecondary education. In carrying out this subdivision, the commission periodically shall conduct a study of the percentages of California public high school graduates estimated to be eligible for admission to the University of California and the California State University. The changes made to this subdivision during the 2001–02 Regular Session of the Legislature shall be implemented only during those fiscal years for which funding is provided for the purposes of those provisions in the annual Budget Act or in another measure.

~~(r) It shall report periodically to the Legislature and the Governor regarding the financial conditions of independent institutions, their~~

~~enrollment and application figures, the number of student spaces available, and the respective cost of utilizing those spaces as compared to providing additional public spaces. The reports shall include recommendations concerning state policies and programs having a significant impact on independent institutions.~~

~~(s)~~

*(o)* Upon request of the Legislature or the Governor, it shall submit to the Legislature and the Governor a report on all matters so requested that are compatible with its role as the statewide postsecondary education planning and coordinating agency. Upon request of individual Members of the Legislature or personnel in the executive branch, the commission shall submit information or a report on any matter to the extent that sufficient resources are available. From time to time, it also may submit to the Legislature and the Governor a report that contains recommendations as to necessary or desirable changes, if any, in the functions, policies, and programs of the several segments of public, independent, and private postsecondary education.

~~(t)~~

*(p)* In consultation with the public segments, it shall consider the development of facilities to be used by more than one segment of public higher education, commonly called "joint-use facilities." It shall recommend to the Legislature criteria and processes for different segments to utilize bond funds for these intersegmental, joint-use facilities.

~~(u)~~

*(q)* It may undertake other functions and responsibilities that are compatible with its role as the statewide postsecondary education planning and coordinating agency.

SEC. 4. Chapter 12.5 (commencing with Section 67050) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

## CHAPTER 12.5. EDUCATIONAL AND ECONOMIC GOALS FOR CALIFORNIA HIGHER EDUCATION

67050. The Legislature finds and declares all of the following:

(a) Since the enactment of the Master Plan for Higher Education in 1960, California's system of postsecondary education has

provided access and high-quality educational opportunities that have fueled California's economic growth.

(b) In today's global information economy, California's national and international success as an educational and economic leader will require strategic investments and improved management of state resources.

(c) Several factors, including changing demographics, rising costs, increased competition for scarce state funding, and employer concerns about graduates' skills, present new challenges to higher education and state policymakers in effectively meeting the postsecondary education needs of Californians.

(d) Although the public segments of higher education have each developed their own institution-specific accountability efforts, these efforts do not combine to tell us whether the state as a whole is on track to produce enough college educated individuals to meet workforce needs and to effectively compete in the global information economy, nor do they reflect statewide policy goals that cut across all higher education segments.

(e) Without the articulation of a shared common vision and goals, and in the absence of a statewide focus and context, the state has limited access to meaningful data and analyses to assess the state's performance in key areas, in order to make critical fiscal and policy decisions.

(f) As public demand to ensure the state is making proper investments in postsecondary education grows, policy and educational leaders must collectively hold themselves accountable for connecting the postsecondary academic and research enterprise to the state's economic and workforce development needs, increasing its productivity, and expanding postsecondary access for all citizens and regions of the state to produce the economic and educational outcomes that best serve the state's interest.

(g) In order to achieve the educational and economic outcomes necessary to ensure the state's success, it is the intent of the Legislature that data-driven budget and policy decisions within higher education be guided by each of the following goals:

(1) Increased educational attainment and successful transition across all education levels. In the best performing state in the nation, for every 100 pupils in grade 9, 91 graduate from high school, 57 directly enter college, and 27 graduate within 150 percent of program time. However, in California, for every 100

pupils in grade 9, 71 graduate from high school, 31 directly enter college, and 17 graduate within 150 percent of program time, placing California 27th in the nation. Goal: by 2020, California will have improved its educational pipeline numbers sufficiently so that it is among the top 10 states in the nation for the successful movement of students through this pipeline.

(2) Meeting the state's economic development, workforce development, and civic capacity needs. Current projections by the National Center for Public Policy and Higher Education indicate that California residents will have the largest drop in projected per capita income in the nation over the next two decades, and will fall below the national average by 2012. Goal: by 2020, California will be at the average per capita income of the top 10 new economy states as determined using the State New Economy Index developed by the Progressive Policy Institute.

(3) Closure of the achievement gap and increased learning at all levels. In 2005, California ranked 33rd among states in the percentage of persons between 18 and 24 years of age, inclusive, with a high school diploma, 31st in the percentage of persons between 25 and 64 years of age, inclusive, with an associate degree, and 14th in the percentage of persons between 25 and 64 years of age, inclusive, with a bachelor's or higher degree. Goal: by 2020, California will be in the top 10 states nationally for the percentages of its age groups with degrees and certificates conferred.

67051. The State of California shall establish an accountability framework that provides the basis for a biennial assessment of the collective contribution of the state's system of postsecondary education toward meeting the clear and measurable educational and economic goals established pursuant to Section 67050. The accountability framework developed to monitor progress toward these goals shall be guided by all of the following principles:

(a) A state-level accountability framework is designed to help policymakers develop, maintain, and fund a postsecondary education system that meets the state's goals, recognizes the differentiated missions of each segment of postsecondary education, and guides the segments toward maintaining effective institutions consistent with state goals and institutional missions.

(b) Policymakers and governing boards are collectively accountable for meeting public goals for higher education, in accordance with all of the following:

(1) Monitoring progress toward state goals is largely the responsibility of state policymakers.

(2) Monitoring the performance of individual colleges and universities is primarily the responsibility of institutional governing boards.

(3) Institutional governing boards have ongoing responsibility for monitoring the progress toward statewide policy goals of individual colleges and universities, for meeting segmental and institutional missions and goals, for ensuring the quality of the students' education, and for providing information to students and parents regarding enrollment, retention, and student success.

(c) The state-level reporting system shall be designed to contain only data that helps policymakers to assess progress toward state goals and to make appropriate policy and funding decisions. Specific indicators may change as better data are identified for assessing progress toward state goals.

(d) In establishing an accountability framework for higher education, it is the intent of the Legislature to build upon existing higher education data, information systems, reports, and processes, including, but not limited to, the reporting process established in Section 84754.5, and improve upon these efforts to measure collective progress toward common vision and goals.

(e) Rather than envisioning a particular level of higher education funding to move toward the statewide educational and economic policy goals established pursuant to Section 67050, it is the intent of the Legislature that the framework established pursuant to this chapter help ensure the effective and efficient use of whatever funding is provided to higher education.

67051.5. (a) It is the intent of the Legislature that, after sufficient opportunity for deliberation and analysis, the information gathered under the framework established pursuant to this chapter be utilized by the Governor and Legislature to do all of the following through appropriate actions:

(1) Establish clear and measurable goals in various areas, including, but not limited to, enrollment, completion, time-to-degree, efficiency in facilities utilization, transfer, and access.

(2) Establish a timeline for phasing in the Legislature's and Governor's expectations for the achievement of these goals.

(3) Develop policy and budget proposals that include appropriate funding mechanisms, where appropriate, for achieving these goals, including, but not limited to, incentive funding, differential funding, or the reallocation of existing resources, or all of these.

(b) (1) It is the intent of the Legislature that by January 1, 2012, the Governor appoint and convene a task force to review the framework established pursuant to this chapter and to recommend any necessary modifications to the goals and questions contained therein.

(2) It is the intent of the Legislature that the task force, if created pursuant to paragraph (1), include, but not be limited to, all of the following:

(A) The Governor or his or her designated representative.

(B) The Secretary for Education.

(C) The chairs and vice chairs of the Senate Education and Assembly Higher Education committees.

(D) The Superintendent of Public Instruction.

(E) A representative of the business community.

(F) Three representatives of national organizations with expertise in accountability.

(c) It is also the intent of the Legislature that the Governor establish an advisory body to the task force established pursuant to subdivision (b) to provide technical expertise and guidance. It is the intent of the Legislature that the advisory body include, but not be limited to, all of the following:

(1) A representative of the President of the University of California.

(2) A representative of the Chancellor of the California State University.

(3) A representative of the Chancellor of the California Community Colleges.

(4) A representative of the Legislative Analyst's Office.

(5) A representative of the Department of Finance.

(6) Legislative staff from each of the appropriate policy committees.

(7) A representative of the California Postsecondary Education Commission.

67052. (a) The state shall utilize the accountability framework established pursuant to this chapter to measure progress toward its articulated educational and economic goals by collecting and

reporting information that answers all of the following six statewide policy questions:

(1) Are enough Californians prepared for postsecondary education?

(2) Are enough Californians going to college?

(3) Is the state's postsecondary education system affordable to all Californians?

(4) Are enough Californians successfully completing certificates and degrees?

(5) Are college graduates prepared for life and work in California?

(6) Are California's people, communities, and economy benefiting?

(b) The six questions set forth in subdivision (a) shall be answered by collecting a select number of key indicators of progress, not to exceed 30 indicators in total. The Legislature recognizes that the postsecondary education segments may not possess all of the information necessary to answer these questions. To the extent it is impractical to collect comprehensive data, the technical advisory committee established pursuant to subdivision (e) shall recommend alternative sources of information that can help inform these questions utilizing existing data.

(1) Are enough Californians prepared for postsecondary education? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) High school graduates who have completed the "A-G" college preparatory curriculum.

(B) High school juniors who are proficient in English and mathematics.

(C) Adults with a high school diploma or the equivalent.

(D) Adult basic skills proficiency levels.

(E) The proficiency level of first-time college freshmen in mathematics, English, or both.

(2) Are enough Californians going to college? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) High school graduates enrolling in college anywhere in the United States within one year.

(B) Adult population enrolled in postsecondary education.

(C) Proportion of postsecondary enrollment served by segment, including private institutions.

(D) General Equivalency Diploma (GED) recipients enrolling in postsecondary education.

(3) Is the state's postsecondary education system affordable to all Californians? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) Proportion of income needed to pay for college, by segment, before and after financial aid.

(B) Family income distribution of enrolled students.

(C) Student loan burden.

(4) Do enough Californians successfully complete certificates and degrees? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) Certificates and degrees awarded.

(B) Graduation rates.

(C) Baccalaureate degree graduation rates for students beginning at a community college with transfer intent.

(D) Number of units completed prior to earning a degree or certificate or transferring.

(E) Remedial students successfully earning degrees or certificates.

(5) Are college graduates prepared for life and work in California? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) Performance of college graduates on existing statewide learning assessments.

(B) Performance of college graduates on licensure and graduate school entrance examinations.

(C) Student and employer satisfaction with college education.

(6) Are California's people, communities, and economy benefiting? Indicators of progress may include, but not necessarily be limited to, all of the following:

(A) Median personal income by educational attainment.

(B) Increase in total per capita personal income.

(C) Degrees and certificates awarded in selected high demand fields.

(D) Federal research and development funding per capita.

(E) Educational attainment levels of state population.

(F) Public participation in community service and civic affairs.

(c) The segments of higher education in California shall provide the California Postsecondary Education Commission (CPEC), to the extent practical, on or before May 31, 2012, and by May 31 of each even-numbered year thereafter, all summary, nonpersonally identifiable data required pursuant to this chapter and shall post that information on an Internet Web site available to the public. To the extent possible, the segments of higher education, with the Chancellor of the California Community Colleges acting on behalf of the community colleges, shall rely upon existing data, information systems, reports, and processes in providing the required data. The commission shall be the central repository for collecting and maintaining all data, and shall make this data available, through an Internet Web site available to the public, pursuant to Section 67053 in the following formats:

(1) Statewide aggregate data.

(2) Segmental data, provided by the public and nonprofit independent sectors.

(3) Regional data, reported for the 14 regions utilized by CPEC for planning and statistical analysis.

(d) The data to support the indicators of progress shall be collected and made available by race and ethnicity, gender, Cal Grant recipient status, and socioeconomic status, to the extent that these data are available. The data shall also be collected and maintained by each segment longitudinally, where appropriate, and, to the extent possible, be coordinated and aligned with other longitudinal data systems, including, but not limited to, those implemented to comply with the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), to allow for comprehensive and integrated analysis of data from all educational levels.

(e) (1) The Legislative Analyst's Office and the Department of Finance shall jointly convene a Technical Advisory Committee (TAC) to coordinate the technical specifications of the summary aggregate indicator data needed to address the six state policy questions set forth in subdivisions (a) and (b) and the accessibility of indicator data for state purposes. The TAC shall consist of all of the following:

(A) Four representatives, one from each of the postsecondary education segments, as defined in Section 67054. For the public postsecondary segments, the representative shall be chosen by the system president or chancellor, as appropriate.

(B) A representative of the California Postsecondary Education Commission.

(C) A representative of the Office of the Secretary for Education.

(D) At least one member, but no more than three members, with expertise in similar state accountability efforts, and who is not a regular employee of any California postsecondary education segment, chosen by the Legislative Analyst's Office.

(E) A representative of the Legislative Analyst's Office, who shall serve as the chairperson of the TAC.

(2) (A) The Legislative Analyst's Office (LAO) may request technical input from a representative from any agency that maintains data that would be helpful in responding to the six state policy questions set forth in this section.

(B) The LAO, in consultation with the Department of Finance, shall submit a report on the recommended indicator data to be collected and reported for the accountability framework to the appropriate legislative policy committees, the Joint Legislative Budget Committee, and the Governor, on or before January 30, 2012. The report shall also include a summary of the discussions of the TAC, including any limitations in data to respond to the suggested indicators described in this section.

(C) The LAO shall consider any concerns provided in writing by the Joint Legislative Budget Committee, the Governor, or both, within the 30 days following release of the report specified in subparagraph (B). The LAO, in consultation with the Department of Finance, shall revise its report as it deems appropriate to respond to these concerns.

(D) To the extent that the Governor and the Legislature concur with the recommendations of the LAO, it is the intent of the Legislature that these data and indicators be formally adopted by statute, and may be modified in any year, as part of the annual budget process.

67053. (a) (1) Commencing August 1, 2012, and on or before August 1 of each even-numbered year thereafter, the California Postsecondary Education Commission (CPEC) shall submit to the Legislature and the Governor a report of data it has collected under subdivisions (c) and (d) of Section 67052. A copy of the report shall be made available to the Director of Finance, the Secretary for Education, and the governing body of each of the segments of postsecondary education. The report shall present statewide data

for each of the indicators described in Section 67052, as well as any other indicators requested pursuant to law. The CPEC shall make the data report available on an Internet Web site open to the public.

(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

(b) Within 120 days of receipt of the report described in subdivision (a), the LAO, in consultation with the postsecondary education segments, shall analyze the data contained in that report and do all of the following:

(1) Assess the extent to which California has made progress on the six questions in Section 67052.

(2) Identify significant factors which may explain the level of progress that has been achieved.

(3) Identify higher education policy and funding issues suggested by the data for the Governor and the Legislature to consider.

(c) The LAO shall present its analysis at a joint hearing of the appropriate legislative policy committees and appropriate budget subcommittees, to be convened on or before December 30, 2012, and each even-numbered year thereafter.

(d) It is the intent of the Legislature that the accountability information collected by CPEC shall be made available, with due concern for student privacy, to the Legislature, the Governor, and other researchers.

(e) The three boards and organization identified in Section 67054 may provide biennial reports on their respective postsecondary education segments at the joint hearing held pursuant to subdivision (c). These biennial segment reports are intended to become part of the state accountability record. The reports shall provide a key link between the state postsecondary education accountability reporting structure and segmental accountability efforts. These biennial reports shall include all of the following:

(1) The segment's main priorities for each of the state's goal areas.

(2) The major activities underway to address each priority.

(3) The performance indicators used to track progress toward each goal.

(4) Major highlights or issues from the data that have state-level significance.

(5) The segment's institutional goals for student learning outcomes, including core competencies and the capacity to learn; how they assess progress toward these goals; what they are learning from their assessments; and how they are using their assessments to improve learning.

(6) A summary of any activity undertaken to address all of the following:

(A) System efforts being undertaken to address instruction in occupational programs of high state need.

(B) Programs implemented to assist elementary and secondary pupils with academic preparation, and the extent to which these efforts assist elementary and secondary pupils to meet both placement and admission standards of each segment, and programs implemented to provide professional development for new and practicing teachers.

(C) Remediation efforts and outcomes for students admitted to college who are underprepared for college-level writing and math.

(D) Expansion of capacity to effectively and efficiently serve students, including, but not necessarily limited to, the collaborative use of facilities across higher education segments, distance learning, operation during evenings, weekends, and summer sessions, including quantifiable measures of increased productivity.

67054. For the purposes of this chapter, the segments of postsecondary education are defined as the California Community Colleges, the California State University, the University of California, and independent colleges and universities. These segments are represented by the Board of Governors of the California Community Colleges, the Board of Trustees of the California State University, the Board of Regents of the University of California, and the official organization representing the largest number of independent colleges and universities, as defined in subdivision (b) of Section 66010, in the state. For purposes of this chapter, only the Chancellor of the California Community Colleges shall be required to report available information at the community college level.

SEC. 5. Chapter 12.7 (commencing with Section 67070) is added to Part 40 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 12.7. INFORMATION REGARDING ENROLLMENT, RETENTION, AND STUDENT SUCCESS

67070. (a) In order to provide prospective students and their families access to critical institution-specific information regarding enrollment, retention, and student success, it is the intent of the Legislature that the University of California, the California State University, the Chancellor of the California Community Colleges, and the independent colleges and universities in California provide a highly visible and accessible array of tools designed to assist with their decisionmaking processes.

(b) The tools referred to in subdivision (a) shall seek, as their primary goal, to provide students and their families with timely and relevant data and information that may include any of the following:

(1) The number and types of degrees or certificates awarded at the undergraduate and graduate level, by campus.

(2) The average time-to-degree for undergraduates, by campus.

(3) The average units-to-degree for undergraduates, by campus.

(4) Data related to average student persistence, retention, or both.

(5) The total cost to students of annual enrollment, including all campus-based and other fees.

(c) The data referred to in subdivision (b) shall be collected and reported by race and ethnicity, gender, Cal Grant recipient status, and socioeconomic status, to the extent that these data are available, and shall be made available in a manner that seeks to minimize direct costs to the institution. It is the intent of the Legislature that the University of California, the California State University, the Chancellor of the California Community Colleges, and the independent colleges and universities utilize existing electronic and other media resources to disseminate the information delineated in this section, including systemwide Internet Web sites, intrasegmental Internet Web sites, or both.

67071. (a) To the extent that the University of California, the California State University, the Chancellor of the California Community Colleges, and the independent colleges and universities participate voluntarily in existing informational reporting for students and parents, those efforts may be deemed to meet the Legislature's intent, as outlined in Section 67070.

(b) For the purposes of this section, information reporting frameworks may include, but need not be limited to, those developed by national higher education organizations and federal data collection entities. However, every attempt shall be made to ensure that information reporting provides students and families with information that will improve their understanding and comparison of postsecondary educational institutions.

67072. In implementing this chapter and Chapter 12.5 (commencing with Section 67050), state agencies, local educational agencies, and the officers and appointees of those agencies shall consider and comply with state and federal privacy law, and ensure that the highest, appropriate security protections are in place in order to provide the maximum protection of privacy, consistent with the requirements under the United States and California Constitutions and all applicable federal laws, including the Family Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g) and its implementing regulations (34 C.F.R. 99).

SEC. 6. Chapter 4.5 (commencing with Section 99180) of Part 65 of Division 14 of Title 3 of the Education Code is repealed.

O