

Date of Hearing: April 28, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 1040 (Muratsuchi) – As Amended April 13, 2021

Policy Committee: Higher Education

Vote: 7 - 3

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires California Community Colleges (CCCs) to offer, and each CCC students to take, one ethnic studies course as a condition of receiving an associate degree.

Specifically, this bill requires, commencing with the 2022-23 academic year, each California Community College (CCC) district to offer courses in ethnic studies at each of its campuses. The units earned for the course must be eligible for transfer to a four-year college or university and meet ethnic studies graduation requirements at the California State University (CSU). Each CCC is to collaborate with its academic senate to develop the courses. The bill also requires, commencing with the 2024-25 academic year, every student to complete an ethnic studies course to obtain an associate's degree.

The bill requires the CCC Chancellor's Office to develop and adopt regulations related to this bill's requirements and develop and implement a plan for accelerating the ethnic studies course and curriculum approval process. The plan is required to provide one of two options for accelerating course and curriculum approval: (a) a process that allows a CCC district to develop a course or program within one academic year and offer it the next academic year; or (b) a process that allows a CCC district to develop a course or program within one semester and offer it the next semester. The bill also requires the plan to include a process to enable ethnic studies courses and programs to be portable between CCC districts and enable a CCC district to adapt or adopt an approved course or program at another CCC district for the first district's own purposes within a semester and offer the course the following semester.

FISCAL EFFECT:

- 1) Ongoing GF costs of \$125,000 for the CCC Chancellor's Office to hire one staff at the specialist level to perform high-level analytical tasks, including developing regulations, accelerating the course and curriculum approval process and guiding policy development on ethnic studies curriculum standards. It is unclear whether this position will be needed after full implementation of the ethnic studies graduation requirement.
- 2) One-time GF costs of approximately \$323,000 for the CCC Chancellor's Office implement other requirements of the bill. This includes forming a workgroup with the CCC academic senate and other faculty partners to ensure that ethnic studies courses and programs are portable among CCC districts. Assuming a 10-person committee and half the members were traveling beginning in fall 2021 for four meetings, costs would be approximately \$40,000 (\$2,500 per member, \$10,000 per meeting). Although not required in the bill, the CCC

Chancellor's Office also would plan to hire a consulting firm to provide data and research on ethnic studies programs and best practices to aid CCC implementation efforts. Based on similar contracts, the cost to hire would be approximately \$283,000.

- 3) One-time Proposition 98 GF costs to CCCs of about \$1.4 million to (a) establish local curriculum committees for the review ethnic studies course availability and to make decisions about necessary adjustments and (b) work on curriculum development to offer ethnic studies as a graduation requirement for associate degree. The cost assumptions of (a) are \$5,000 per community college, totaling \$575,000 one-time cost for 115 colleges, while (b) assumes costs of \$87,500 per CCC, totaling \$787,500 in one-time costs for nine CCCs. (As described in more detail below, most CCCs have developed ethnic studies courses to meet the CSU ethnic studies requirements. Nine CCCs have not developed courses, but may do so before this bill would take effect.)
- 4) Ongoing Proposition 98 GF costs, potentially in the tens of millions of dollars, to hire faculty to teach ethnic studies courses.

According to the CCC Chancellor's Office, if colleges were to hire new faculty, rather than redirecting existing faculty, to teach the courses, 606 tenured faculty would be hired and paid an average salary of approximately \$100,000 with benefits for a total of \$61 million, and the 1,188 contracted/temporary faculty would be hired and paid approximately \$24,000 (each one teaching three courses per semester at an average hourly wage of \$75) for a total of \$29 million. To the extent community colleges are able to redirect existing faculty to teach ethnic studies courses, costs could be considerably lower. Moreover, this bill requires an ethnic studies course for only an associate degree, but some CCC students enter the college in pursuit of a career certificate. This estimate assumes all students are in pursuit of an associate degree. Costs would be lower to account for these students, though it is unclear to what extent.

To the extent this bill adds additional costs to CCCs, the Commission on State Mandates may determine the costs to be a reimbursable state mandate.

COMMENTS:

- 1) **CSU Ethnic Studies Requirement.** AB 1460 (Weber), Chapter 32, Statutes of 2020, required the California State University (CSU), commencing with the 2021-22 academic year, to provide courses in ethnic studies at each CSU campus and require, as part of the CSU graduation requirements commencing with students graduating in the 2024-25 academic year, the completion of one ethnic studies course.

In implementing the ethnic studies graduation requirement, CSU made the requirement a lower-division course requirement (that is, to be typically completed in the first two years of study toward a baccalaureate degree). CSU campuses may also certify upper-division ethnic studies course to satisfy the lower-division requirement.

Because the CSU ethnic studies requirement is a lower-division course requirement and CCCs offer lower-division courses for students to transfer to CSU, CCC is currently working toward offering transfer-level ethnic studies courses to its students. According to the CCC

Chancellor's Office, as of spring 2021, 106 out of 115 CCCs submitted an ethnic studies transfer-level course to the CSU for approval (CSU must approve all CCC transfer courses to ensure they meet CSU requirements). Review of these courses by the CSU is still pending. The remaining nine colleges have an opportunity to submit a course for approval in fall 2021.

Because AB 1460 (Weber) directed only CSU to require ethnic studies, the bill was not keyed as a state-mandated cost for CCCs. However, the requirements of the bill and the way in which the bill was implemented have resulted in more CCCs offering lower-division ethnic studies courses.

The Governor's 2021-22 budget proposal includes \$600,000 GF to the CCC Chancellor's Office for implementation of AB 1460 and other anti-racism efforts.

- 2) **Potential CCC Ethnic Studies Requirement.** In fall of 2020, the CCC Statewide Academic Senate, in collaboration with the CCC Chancellor's Office, proposed to amend CCC regulations to add ethnic studies as a graduation requirement for a CCC associate degrees. The regulatory change is expected to be brought to the CCC board of governors for approval sometime this year.

Due to the pending regulatory changes described above and the requirements of AB 1460 on CCCs to develop transfer-level ethnic studies courses described in (1), the CCC Chancellor's Office and CCCs have already absorbed a significant amount of workload costs related to the implementation of offering ethnic studies courses.

- 3) **Prior Legislation.** AB 3310 (Muratsuchi), of the 2019-2020 Legislative Session, was substantially similar to this bill. The bill died for a lack of a hearing in the Assembly Higher Education Committee.

AB 101 (Medina), of this legislative session, requires ethnic studies as a graduation requirement for high school. The bill is pending in this committee.

AB 331 (Medina), of the 2019-20 Legislative Session, would have required ethnic studies as a graduation requirement for high school. The bill was vetoed by the Governor.

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