

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 1641 (Jackson) – As Introduced January 27, 2026

SUBJECT: Postsecondary education: segments: tribal colleges and universities.

SUMMARY: Expands the definition of California’s public higher education system to formally include tribal colleges and universities (TCUs) located in California and operated by a federally recognized tribal government. Specifically, **this bill**:

- 1) Amends existing law to include TCUs as part of California’s public higher education system.
- 2) Defines TCUs as institutions geographically located in California and operated by an Indian tribal government, as defined in federal law.
- 3) Maintains existing provisions governing independent and private postsecondary institutions.
- 4) Includes a sunset provision repealing the amended section on January 1, 2030, with a subsequent operative version continuing the inclusion of TCUs.

EXISTING LAW: *Federal.* Defines “Indian tribal government” as the governing body of any tribe, band, community, or group of Indians, or (if applicable) Alaska Natives, as determined by the Secretary of the Interior, to exercise governmental functions (Title 26, United States Code Section 7701 (a)(40)).

State.

- 1) Establishes the Donahoe Higher Education Act, setting forth the mission of the University of California (UC), the California State University (CSU), and the California Community Colleges (CCC); and, defines "independent institutions of higher education" as nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are formed as nonprofit corporations in California and are accredited by an agency recognized by the United States Department of Education. For purposes of any code or statute, a national or regional accrediting agency recognized by the United States Department of Education as of January 1, 2025, shall retain that recognition until July 1, 2029, provided that the accrediting agency continues to operate in substantially the same manner as it did on January 1, 2025 (Education Code (EC) Section 66010, et seq.).
- 2) Includes TCUs in the definition of “public institution of higher education” (EC Section 94858.5(b)).

FISCAL EFFECT: Unknown

COMMENTS: *Purpose of the measure.* According to the author, “existing law excludes TCUs as a segment of postsecondary education in California despite serving the public, receiving public funds, and having a treaty and trust responsibilities. This deficiency overlooks an already historically underrepresented group, leaving them out of important discussions and long-term planning regarding public higher education in California.”

Further, the author states that, "California's tribal colleges and universities deserve to be recognized for their vital role in uplifting Native American students. These institutions serve as centers of identity, resilience, and opportunity that empower a historically underrepresented group to access and thrive in higher education. By including them in the Education Code, we affirm their importance within the state and lay the foundation for long-term planning that acknowledges the essential role these institutions will continue to play in California's higher education landscape."

This measure seeks to formally recognize tribal colleges and universities as part of California's public higher education system, reflecting their role in serving Native American students and communities.

What are TCUs? According to California Indian Nations College (CINC), the sponsors of this measure, tribal colleges and universities are part of the treaty and trust responsibilities between the government and tribes. TCUs provide culturally relevant education and serve populations historically underrepresented in higher education.

Further, according to CINC, "tribal colleges and universities do not fit into any of the segments of higher education listed in California Education Code Section 66010. They are not part of the University of California, California State University, nor the California Community College system. As TCUs are public institutions, not private, they are not part of the Independent California Colleges and Universities segment."

Additionally, data provided by CINC shows California has one-fifth of all federally recognized tribes and 1.4 million people who identify as American Indian or Alaska Native, the largest overall population of any state. Native American students who attend a TCU before attending a mainstream four-year institution are four times more likely to earn their bachelors degree compared to their peers who enroll directly in a mainstream four-year institution.

California currently is home to three TCUs: (1) CINC; (2) California Tribal College; and, (3) Kumeyaay Community College.

Structural policy change. This measure represents a symbolic and structural expansion of the State's higher education framework by adding a fourth category of public higher education institutions alongside the CCC, CSU, and UC. While it seeks to expand the framework, it does not modify governance structures, funding formulas, or constitutional authority of existing segments; and, TCUs remain tribally governed institutions.

Committee comments. This measure appears to complement State priorities for transfer pathway expansions by acknowledging TCUs within the broader higher education ecosystem, potentially facilitating future policy alignment.

Arguments in support. According to the Cahuilla Band of Indians, "AB 1641 directly recognizes and acknowledges TCUs in the higher education landscape, ensuring these institutions are included in coordinated planning and long-term higher education policy discussions. This bill expands access to culturally responsive higher education and improves degree completion outcomes for Native American students, while supporting tribal sovereignty and self-determination in higher education."

Further, the Cahuilla Band of Indians states that, “we must strive to reach educational equity and closing structural gaps in our state systems by ensuring all Californians can succeed. Tribal Colleges and Universities, such as California Indian Nations College, support our community by providing meaningful and culturally relevant educational support that is directly tied to our tribal members’ educational success.”

Related legislation. AB 1769 (Ramos), which will be acted upon by this Committee during the hearing on April 14, 2026, in part, requires the CCC Board of Governors and the CSU Trustees, and requests the UC Regents, to develop and implement transfer agreement and articulation programs to support and enhance the transfer of students attending TCUs to campuses of these public postsecondary segments.

REGISTERED SUPPORT / OPPOSITION:

Support

California Indian Nations College (Sponsor)
Agua Caliente Band of Cahuilla Indians
Cahuilla Band of Indians
California State University, Office of the Chancellor
Campaign for College Opportunity
EdTrust-West

Opposition

None on file.

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