



CITY COUNCIL STAFF REPORT



March 28, 2023

ITEM TITLE

State Legislation: Support of Assembly Bill 91 “Community Colleges: Exemption from Nonresident Tuition Fee: San Diego and Imperial Counties Community Colleges Association.”

Report Number: 23-0096

Location: No specific geographic location

Department: City Manager

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Recommended Action

Adopt a resolution supporting Assembly Bill 91 “Community Colleges: Exemption from Nonresident Tuition Fee: San Diego and Imperial Counties Community Colleges Association.”

SUMMARY

On January 5, 2023, Assemblymember David Alvarez introduced Assembly Bill 91 (AB 91) titled Community colleges: exemption from nonresident tuition fee: San Diego and Imperial Counties Community Colleges Association. AB 91 is co-authored by Assemblymembers Garcia and McCarthy as well as Senator Padilla.

AB 91 will create a binational tuition exemption pilot program for local community colleges. Specifically, the bill would exempt from the nonresident tuition fee a nonresident, low-income student who resides within 45 miles from the California-Mexico border, and registers for lower division courses at a San Diego and Imperial Counties Community Colleges Association (SDICCCA) college.

In alignment with the Council approved 2023-2024 Legislative Platform, AB 91 supports the City’s vision of developing a four-year multi-institutional and binational university to the South Bay by reducing barriers to education for local students as well as promoting local workforce investment and training. Staff recommends adopting a resolution in support of AB 91.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a “Project” as defined under Section 15378 of the State CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

On January 5, 2023, Assemblymember David Alvarez introduced Assembly Bill 91 (AB 91) titled “Community colleges: exemption from nonresident tuition fee: San Diego and Imperial Counties Community Colleges Association.” AB 91 is co-authored by Assemblymembers Garcia and McCarthy as well as Senator Padilla.

Existing law authorizes community college districts to admit nonresident students and requires that nonresident students be charged a nonresident tuition fee unless an exemption applies. Additionally, existing law includes among these exemptions any nonresident who is both a citizen and resident of a foreign country if the nonresident has demonstrated a financial need.

AB 91 seeks to make an additional exemption by creating a binational tuition exemption pilot program for local community colleges. Specifically, the bill would exempt from the nonresident tuition fee a nonresident, low-income student who resides within 45 miles from the California-Mexico border, and registers for lower division courses at a San Diego and Imperial Counties Community Colleges Association (SDICCCA) college. These colleges could each accept up to 150 students under this five-year pilot program.

The SDICCCA is supportive of the bill including Southwestern Community College located in Chula Vista. Southwestern Community College is the only public institution of higher education in southern San Diego County, providing services to a diverse community of students by providing a wide range of dynamic and high-quality academic programs. Additionally, the College stimulates the development and growth of the region through its educational, economic and workforce opportunities, community partnerships and services.

According to the San Diego Regional Economic Development Corporation, San Diego County must double the number of people with postsecondary education by 2030 to meet the demands of the local economy. This would require approximately 20,000 new skilled workers each year. AB 91 seeks to increase the number of students attending local community colleges to then increase the number of students obtaining two- or four-year degrees leading to a more skilled workforce in the local economy.

For these reasons, and in alignment with the Council approved 2023-2024 Legislative Platform, AB 91 supports the City’s vision of bringing a four-year multi-institutional and binational university to the South Bay by reducing barriers to education for local students as well as promoting local workforce investment and training.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware and has not been informed by any Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There is no current-year fiscal impact associated with approval of this item.

ONGOING FISCAL IMPACT

There is no ongoing fiscal impact associated with approval of this item.

ATTACHMENTS

1. Assembly Bill 91 (As Amended 3-13)

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