

AMENDED IN ASSEMBLY MARCH 25, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL

No. 302

Introduced by Assembly Member Berman

January 29, 2019

An act to add Section 76012 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 302, as amended, Berman. Parking: homeless students.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and authorizes the governing board of a community college district to grant the use of college facilities or grounds for specified purposes. Existing law requires a community college campus that has shower facilities for student use to grant access, as specified, to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, and requires the community college to determine a plan of action to implement this requirement.

This bill would require a community college campus that has parking facilities on campus to grant overnight access to those ~~facilities~~ *facilities*, *on or before July 1, 2020*, to any homeless student who is enrolled in coursework, has paid *any* enrollment ~~fees~~, *fees that have not been waived*, and is in good standing with the community college, ~~and for the purpose of sleeping in the student's vehicle overnight~~. *The bill would require the governing board of the community college district to determine a plan of action to implement this requirement.*

as specified. 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.

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

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

1 SECTION 1. Section 76012 is added to the Education Code,
2 to read:

3 76012. (a) If a community college campus has parking
4 facilities on campus, the governing board of the community college
5 district shall grant overnight access to those facilities to any
6 homeless student ~~who~~ *for the purpose of sleeping in the student's*
7 *vehicle overnight, provided that the student is enrolled in*
8 *coursework, has paid enrollment fees, fees if not waived, and is in*
9 *good standing with the community college district without*
10 *requiring the student to enroll in additional courses.*

11 (b) The governing board of the community college district shall
12 determine a plan of action to implement subdivision ~~(a)~~. *(a) that*
13 *includes, but is not limited to, all of the following:*

14 (1) *A definition of homeless student that is based on the*
15 *definition of homeless youth specified in the federal*
16 *McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.*
17 *11434a(2)), and reflects the age of the homeless student population*
18 *at the community college campus.*

19 (2) *Overnight parking facilities monitoring.*

20 (3) *An overnight parking form and liability waiver that must be*
21 *completed by any homeless student seeking to access the overnight*
22 *parking facilities.*

23 (4) *Designation of a specific parking area or areas for overnight*
24 *parking.*

1 (5) Accessible bathroom facilities that are in reasonable
2 proximity to the parking area or areas designated pursuant to
3 paragraph (4).

4 (6) A waiver of parking assessment fees for the overnight
5 parking facilities.

6 (7) Overnight parking rules that eligible homeless students shall
7 follow when using the overnight parking facilities such as no use
8 of drugs or alcohol.

9 (8) Hours of operation for the overnight parking facilities.

10 (c) It is the intent of the Legislature that homeless students who
11 use the overnight parking facilities shall be connected to available
12 state, county, community college district, and community-based
13 housing, food, and financial assistance resources.

14 (d) On or before July 1, 2020, the governing board of the
15 community college district shall implement subdivision (a).

16 SEC. 2. If the Commission on State Mandates determines that
17 this act contains costs mandated by the state, reimbursement to
18 local agencies and school districts for those costs shall be made
19 pursuant to Part 7 (commencing with Section 17500) of Division
20 4 of Title 2 of the Government Code.