

## **Assembly Bill No. 1780**

### **CHAPTER 1006**

An act to add Section 66018.4 to the Education Code, relating to postsecondary education.

[Approved by Governor September 30, 2024. Filed with  
Secretary of State September 30, 2024.]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 1780, Ting. Independent institutions of higher education: legacy and donor preference in admissions: prohibition.

Existing law establishes independent institutions of higher education as one of the segments of postsecondary education in the state.

Existing law, the Cal Grant Program, establishes the Cal Grant A Entitlement Awards, the Cal Grant B Entitlement Awards, the California Community College Expanded Entitlement Awards, the California Community College Transfer Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission.

The Cal Grant Reform Act revises and recasts the provisions establishing and governing the existing Cal Grant Program into a new Cal Grant Program. Existing law specifies that the act becomes operative only if General Fund moneys over the multiyear forecasts beginning in the 2024–25 fiscal year are available to support ongoing augmentations and actions, and if funding is provided in the annual Budget Act to implement the act.

This bill would prohibit, commencing September 1, 2025, an independent institution of higher education, as defined, from providing a legacy preference or donor preference in admissions, as defined, to an applicant as part of the regular or early action admissions process. The bill would require, on or before June 30, 2026, and annually thereafter, an independent institution of higher education to report to the Legislature and the Department of Justice on whether it is in compliance or violation of these provisions, and if in violation of these provisions, to also report, for that academic year, (1) specified information about newly enrolled students and (2) the admission rate of students who are provided a legacy preference or donor preference in admissions, as compared to the admission rate of students who are not provided a legacy preference or donor preference in admissions. The bill would require the department to post the names of the independent institutions of higher education that violate the prohibition on its internet website by the next fiscal year.

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

SECTION 1. Section 66018.4 is added to the Education Code, to read: 66018.4. (a) It is the intent of the Legislature to stop the practice of legacy and donor admissions and protect students as they pursue their higher education.

(b) For purposes of this section, the following definitions apply:

(1) “Donor preference in admissions” means considering an applicant’s relation to a donor of, or a donation to, the independent institution of higher education as a factor in the admissions process, including asking an applicant to indicate their family’s donor status and including that information among the documents that the independent institution of higher education uses to consider an applicant for admission.

(2) “Independent institution of higher education” means a nonpublic higher education institution that grants undergraduate degrees, graduate degrees, or both, that is formed as a nonprofit corporation in this state, that is accredited by an agency recognized by the United States Department of Education, and that receives, or benefits from, state-funded student financial assistance or that enrolls students who receive state-funded student financial assistance.

(3) (A) “Legacy preference in admissions” means considering an applicant’s relation to an alumni of the independent institution of higher education as a factor in the admissions process, including asking an applicant to indicate where their relatives attended college and including that information among the documents that the independent institution of higher education uses to consider an applicant for admission.

(B) “Legacy preference in admissions” does not include collecting data on an applicant’s relation to an alumni or donors for purposes other than admissions decisions.

(c) Commencing September 1, 2025, an independent institution of higher education shall not provide a legacy preference or donor preference in admissions to an applicant as part of the regular or early action admissions process.

(d) On or before June 30, 2026, and annually thereafter, an independent institution of higher education shall report to the Legislature and the Department of Justice, in compliance with Section 9795 of the Government Code, either of the following:

(1) The independent institution of higher education was in compliance with subdivision (c) for all enrolled students for that academic year.

(2) (A) The independent institution of higher education was in violation of subdivision (c) for that same academic year.

(B) (i) An independent institution of higher education that reports that it was in violation of subdivision (c), regardless of the number of violations, shall include in its report both of the following for that academic year:

(I) The legacy status, donor status, race, county of residence, income brackets, and athletic status of newly enrolled students at the independent institution of higher education.

(II) The admission rate of students who are provided a legacy preference or donor preference in admissions, as compared to the admission rate of students who are not provided a legacy preference or donor preference in admissions.

(ii) Data in the report submitted pursuant to clause (i) shall only be publicly provided in the aggregate and in a manner that prevents the identification of any individual.

(e) The Department of Justice shall post the names of the independent institutions of higher education that violate subdivision (c) on its internet website by the next fiscal year after receiving reports pursuant to subdivision (d).