Assembly Bill No. 1215

Passed the Assembly  June 2, 2021

Chief Clerk of the Assembly

Passed the Senate  September 2, 2021

Secretary of the Senate

This bill was received by the Governor this _____ day of ________________, 2021, at _____ o’clock _____m.

Private Secretary of the Governor
AB 1215

CHAPTER ________

An act to add Section 66205.2 to the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL’S DIGEST


Existing law establishes the University of California (UC), under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in the state. The Donahoe Higher Education Act sets forth the missions and functions of the segments of postsecondary education in this state. Provisions of the act apply to UC only to the extent that the regents act, by appropriate resolution, to make those provisions applicable. A provision of the act expresses the intent of the Legislature that, in determining the standards and criteria for undergraduate and graduate admissions to UC and the California State University, the governing bodies of the segments, among other things, develop processes that strive to be fair and are easily understandable.

This bill would request the regents to adopt a policy directing the Office of the President of the University of California to establish systemwide protocols for admissions of students no later than February 1, 2022, to become effective for the fall 2023 admission cycle of the university, beginning August 1, 2022.

The protocols adopted under the bill would prohibit consideration of a student applicant’s family or other personal relationship connections to university staff or faculty in any decision related to, or resulting in, that student’s admission to the UC system and communication between any person employed in, or connected with, any UC campus development office and any UC campus admissions office regarding any UC student applicant or prospective UC student applicant. The protocols would also require verification of the athletic talent of all prospective student athlete applicants and tracking of the participation of student athletes in the sport for which they were recruited.
Under the bill, the protocols would also require the office of the president to annually select a random sample of student applicants admitted by exception, and verify that each UC campus that admitted any student in this manner recorded a rationale for each such admission, and that each recorded rationale aligns with the guidance issued by the UC’s Board of Admissions and Relations with Schools. The protocols would require the office of the president, by July 1, 2022, to begin conducting an audit of the undergraduate admissions process by annually auditing 2 campuses each year, and to review the undergraduate admissions process of each UC campus once every 5 years. The protocols would also require, no later than 120 days after the completion of each audit conducted under these protocols, the office to determine whether each UC campus has adequately completed all corrective actions identified as a result of any of these audits, and to determine whether each UC campus has fully adopted all UC systemwide admission policies in accordance with the protocols. The protocols would require the office of the president, on or before May 1, 2023, and annually thereafter, to submit a report to the budget, appropriations, and education committees of both houses of the Legislature on admissions policies and campuswide standards for admissions with respect to specified subjects.

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

SECTION 1. Section 66205.2 is added to the Education Code, to read:

66205.2. The Regents of the University of California are requested to adopt a policy directing the Office of the President of the University of California to establish systemwide protocols for admissions of students, to become effective for the fall 2023 admission cycle of the university, beginning August 1, 2022. These protocols shall accomplish all of the following:

(a) In order to protect the fairness and integrity of the University of California student admissions process, the office of the president shall establish systemwide protocols for this process no later than February 1, 2022, effective for the fall 2023 admissions cycle, that prohibit both of the following:

1) Consideration of a student applicant’s family or other personal relationship connections to university staff or faculty in
any decision related to, or resulting in, that student’s admission to the University of California system.

(2) Communication between any person employed in, or connected with, any University of California campus development office and any University of California campus admissions office regarding any University of California student applicant or prospective University of California student applicant.

(b) In order to protect the fairness and integrity of all University of California campus athletics admissions, the office of the president shall establish systemwide protocols for this process no later than February 1, 2022, effective for the fall 2023 admissions cycle, that require each University of California campus to do all of the following:

(1) Require that at least two qualified University of California admissions reviewers verify the athletic talent of all prospective student athlete applicants before a prospective student athlete is admitted. At least one of these qualified reviewers shall be from a University of California department other than a University of California athletics department. Each University of California campus shall develop and document reasonable standards for the level of athletic talent that successful prospective student athlete applicants for each University of California team and individual sport shall possess. These documented standards of required athletic talent shall be used to verify the athletic talent of each prospective student athlete applicant.

(2) Track the participation of student athletes in the sport for which they were recruited. If a student athlete does not continue to participate in the sport for which the student athlete was admitted for longer than one year, the University of California campus shall determine the reason why the student athlete stopped that participation, and shall conduct a review of the circumstances that led to the student’s admission in order to identify evidence of inappropriate admission.

(3) Review all donations to University of California athletic programs in order to determine whether those donations made before or after a student athlete’s admission may have influenced a University of California athletic department’s decision to request the student athlete’s admission.

(c) In order to provide assurance that the use by any University of California campus of the “admission by exception” policy is
aligned with the policy’s purpose, beginning on June 1, 2022, the office of the president shall annually select a random sample of student applicants admitted by exception, and shall verify that each University of California campus that admitted any student in this manner recorded a rationale for each such admission, and that each recorded rationale aligns with the guidance issued by the University of California’s Board of Admissions and Relations with Schools.

(d) (1) In order to safeguard the integrity of the University of California admissions process, the office of the president shall, by July 1, 2022, begin conducting an audit of the undergraduate admissions process by annually auditing two campuses each year and shall review the undergraduate admissions process of each University of California campus once every five years. These audits shall be conducted by University of California systemwide audit staff, and shall include, but not necessarily be limited to, all of the following:

(A) Investigation and verification of student applicants’ special talents.

(B) Investigation of any communication between admissions staff and external parties regarding any applicants.

(C) Investigation into whether any other avenues of inappropriate influence on student admissions has taken place.

(2) The audits conducted under this subdivision shall also identify and document any and all inappropriate admissions activity and deficiencies in the admissions process. The office of the president shall make the results of these audits public within 100 days of the completion of each audit.

(e) In order to ensure that each University of California campus adequately addresses any deficiencies identified in any audit of its admissions process, the office of the president shall, no later than 120 days after the completion of each audit conducted as part of these protocols, determine whether each University of California campus has adequately completed all corrective actions identified as a result of any of these audits, and shall determine whether each University of California campus has fully adopted all University of California systemwide admission policies in accordance with the protocols.

(f) In an effort to encourage transparency and rebuild the public trust in the university’s admissions process, the office of the president shall submit a report on or before May 1, 2023, and
annually thereafter, to the budget, appropriations, and education committees of both houses of the Legislature. The report shall be submitted in compliance with Section 9795 of the Government Code. The report shall include, but not necessarily be limited to, specific information, for the admissions cycle applicable to the immediately preceding academic year, on the policies and campuswide standards for admission with respect to all of the following subjects:

1. The established protocols, by campus, for verifying the athletic talent of all prospective student athlete applicants before a prospective student athlete applicant is admitted.

2. The criteria and documented reasonable standards, by campus, for the level of athletic talent that all prospective student athletes of each University of California team and individual sport are required to possess and whether the documented standards were used to verify the athletic talent of each prospective student athlete.

3. The number of student athletes, by campus, who did not continue participating on the University of California team or individual sport for which they were admitted after one year or less and the reasons each of them stopped that participation.

4. The criteria, by campus, for the use of “admission by exception,” the number of student applicants, by campus, admitted by admission by exception, and the rationale, by campus, for each admission by exception decision.

5. Documentation of all donations, by campus, to University of California athletic programs and whether the donations were a result of student athlete admissions.

6. Documentation, by campus, of all reports, if any, of familial consideration in admissions decisions, relationship connections of admitted students with University of California staff or faculty, and communications between a campus development office and a campus admissions office concerning admitted students and the campus’ response to each report, if any.
Approved _________________________, 2021

Governor