

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

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The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

(Here set forth the unique numeric identifier provided by the Attorney General and circulating title and summary prepared by the Attorney General. Both the Attorney General's unique numeric identifier and the circulating title and summary must also be printed across the top of each page of the petition whereon signatures are to appear.)

TO THE HONORABLE SECRETARY OF STATE OF CALIFORNIA

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We, the undersigned, registered, qualified voters of California, residents of _____ County, hereby propose amendments to the Constitution of California, relating to the University of California, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or as otherwise provided by law. The proposed constitutional amendments read as follows:

The University of California Online

SECTION 1. The People of California find and declare all of the following:

- 1. The people have the right to audit all publicly owned postsecondary courses and programs online at no cost.**
- 2. The people have the right to access – and earn full credit – all publicly owned postsecondary courses and programs online at cost.**

Purpose

- 3. The purpose of this measure is, without impacting the taxpayer: to further the people's right to audit all publicly owned postsecondary courses and programs online; to further the people's right to access and earn full credit in all publicly owned postsecondary courses and programs online; to minimize in-state student costs; to create a high quality, fully accredited, publicly accessible, free/low cost, for-credit online university, known as the**

University of California Online to facilitate that access; to create a new path for UC, CSU, and CCC students to access impacted classes and finish their UC, CSU, and CCC degrees, respectively, online; to create a new path for students to earn credit for and possibly enroll into UC; to encourage the use of open educational resources; to require UCO tuition include course books and materials; to lower the cost of all UCO, UC, CSU, and CCC books – by creating large buyers of books (UCO and the UCO Bookstore) better able to negotiate lower book prices; to require UCO tuition reflect actual costs and expenses, only; to create funding for merit based in-state Division II student scholarships, student food pantries, need based in-state student housing, childcare, and other things benefiting in-state students by charging out-of-state fees to non-resident, out-of-state students; to require fully transparent cost accounting at UCO; and, to authorize full funding of UCO.

SECTION 2. Section 10 is added to Article IX of the California Constitution, to read:

SECTION 10.

(a) For purposes of this section, the following terms have the following meanings:

1. “Access” means full access, the full ability of all students to enroll into UCO without gatekeeping.
2. “All publicly owned postsecondary courses” and “programs” means every unique course and program – excluding duplicates – listed in every UC, CSU, or CCC catalog.
3. “At cost” means two things: the student must pay and the price shall reflect the actual cost.
4. “At no cost” means free.
5. “CCC” means California Community Colleges.
6. “Completing courses at their own pace” means all online students may enroll, take tests, turn in their papers, and complete courses when they are ready.
7. “Gatekeeping” means controlling, limiting, and/or finding reasons to exclude students from admission.
8. “CSU” means California State University.
9. “Governors” means Governors of the California Community Colleges.
10. “Lab” means a science laboratory segment in a science course or any other portion of a course that requires a student to be physically present.
11. "Maximize" in the context of maximizing out-of-state fees, means 'means testing.' Rich out-of-state students should pay higher fees. Less fortunate out-of-state students may be charged nothing.
12. "Merit," in the context of a merit-based student scholarship, shall not be determined by a standardized test.
13. “Out-of-state fee” means a fee charged to a student because he or she is not a legal resident of California.
14. “People” when referring to a student means any student in-state or out-of-state.
15. “Reciprocal agreements” - in context of UC, CSU, and CCC food pantries, childcare facilities, and libraries - means agreements that give Division II students full and equal access to UC, CSU, and CCC food pantries, childcare facilities, and libraries and reimburses UC, CSU, and CCC for that access.

16. **“Regents”** means Regents of the University of California.
17. **“Student”** means any person in-state or out-of-state attending or wanting to attend UCO.
18. **“Student demand”** – in the context of a lab, residency, or fellowship – means curriculum, credit, location, and scheduling should be designed to meet student needs. In the context of proctoring, means students should be able to take tests nearby at a time of their choosing.
19. **“Student employee”** means any student employed by the University of California Online.
20. **“Trustees”** means Trustees of the California State University.
21. **“UC”** means University of California.
22. **“UCO”** means University of California Online.
23. **“UCO Bookstore”** means UCO’s nonprofit textbook store.
24. **“UCO President”** means President of the University of California Online.

(b) Notwithstanding Section 9, the Regents and the UCO President, appointed pursuant to subdivision (e), shall establish a separate online university – with its own president, faculty, budget, academic senate, and endowment – consisting of all publicly owned postsecondary courses, programs, and digital libraries to be known as the “University of California Online.” UCO will be comprised of the following two academic divisions:

(1) Division I, the “free” division, shall authorize the people to audit all UCO courses, programs, and digital libraries at no cost and to question professors, access/buy course books, course materials, and labs at cost.

(2) Division II, the “for-credit” division, shall authorize the people full access to all courses and labs. Enrollment shall be open to all who apply. Students may complete courses at their own pace, earn full credit, and full academic degrees. Division II shall have tuition. Tuition shall vary by course and reflect fixed and variable costs incurred to deliver that course. Initially, the UCO President may estimate costs. Tuition shall include books. Line-item cost accounting shall be transparent and viewable online.

(c) The Regents and UCO President shall ensure: UCO Division II course curriculum is at least as rigorous as UC’s, fully accredited, and fungible with UC; the acceptance of any CSU and CCC course (or any other university course) that meets UCO’s high standard, as UCO course credit.

(d) The Regents and the UCO President shall encourage, but not require, the use of lower cost or free open educational resources. The Regents and the UCO President shall establish a nonprofit textbook bookstore – to be known as the UCO Bookstore – stocking all UCO, UC, CSU, and CCC textbooks. The UCO Bookstore shall buy back used student books at a fair market price.

(e) The Regents shall appoint the UCO President with full power to create, implement, administer, and lead UCO. If the office of the UCO President is vacant for 90 days for any reason, the Governor shall appoint the UCO President. The UCO President shall serve at the pleasure of the appointing entity and shall be an ex officio member of the Regents.

(f) Although UCO is an online university, some courses may require the student to be physically present in a lab or academic setting. UCO is authorized to teach and deliver lab segments of classes offline and – notwithstanding paragraph (2) of subdivision (b) – in such cases UCO shall dictate the lab’s schedule and pace. As student demand is identified for such labs, the UCO President shall contract with other entities, public or private, local to the students, as necessary, to meet this demand. Labs are a student cost.

(g) UCO is also authorized to teach and deliver Division II medical residency and fellowship courses, offline. Notwithstanding paragraph (2) of subdivision (b), Division II medical residency and fellowship courses shall not have open enrollment. UCO shall establish enrollment requirements for and dictate the schedule and pace. As Division II student demand is identified for such residency and fellowship courses, the UCO President shall contract with other entities, public or private, local to the students, as necessary, to meet this demand. Residency and fellowships are a student cost. Division I medical residency and fellowship courses shall be online, not in real time, and be subject to any limitations established by UCO.

(h) UCO may require tests to be proctored, offline, in a physical setting. As student demand for proctoring is identified, the UCO President may contract with other entities, public or private, local to the student to meet this demand. Proctoring is a student cost.

(i) Notwithstanding paragraph (2) of subdivision (b), the Regents and the UCO President shall charge out-of-state Division II students – in addition to tuition -- out-of-state Division II student fees. The UCO President shall maximize these out-of-state Division II student fees. The UCO President shall use all out-of-state Division II student fee revenues to fund: merit-based in-state Division II student scholarships; UCO, UC, CSU, and CCC student food pantries, childcare facilities, and libraries; need based in-state Division II student housing; and anything else to the benefit of in-state Division II students. The UCO President shall: devise a merit-based in-state Division II student scholarship program; make reciprocal agreements with UC, CSU, and CCC student food pantries, childcare facilities, and libraries that benefit in-state UCO Division II students and reimburse UC, CSU, and CCC; and devise a need based in-state Division II student housing plan.

(j) Notwithstanding paragraph (2) of subdivision (b) and subdivision (i), the Regents and the UCO President shall not charge out-of-state fees to student employees.

(k) Once approved by the voters the Treasurer shall issue the appropriate bonds in an appropriate amount to fund UCO in its entirety. UCO shall repay these bonds from the tuition received.