

ASSEMBLY BILL

No. 30

Introduced by Assembly Member Holden

December 3, 2018

An act to amend Section 76004 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 30, as introduced, Holden. Community colleges: College and Career Access Pathways partnerships.

Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires the partnership agreement to outline the terms of the partnership, as specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses. Existing law requires the governing board of each district, at an open public meeting of that board, to present the dual enrollment partnership agreement as an informational item, as a condition of, and before adopting, a CCAP partnership agreement. Existing law requires the governing board of each district, at a subsequent open public meeting of that board, to take comments from the public and approve or disapprove the proposed agreement. Existing law authorizes a community college district participating in a CCAP partnership to assign priority for enrollment and course

registration to a pupil seeking to enroll in a community college course that is required for the pupil’s CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school and consistent with specified middle college high school provisions. Existing law requires the chancellor, on or before January 1, 2021, to prepare a summary report that includes, among other things, an evaluation of the CCAP partnerships. Existing law repeals these provisions on January 1, 2022.

This bill would delete the requirement on the governing board of each district entering into a CCAP partnership agreement to present the dual enrollment partnership agreement as an informational item at a separate open public meeting of that board before taking public comment and acting to approve or disapprove the proposed agreement. The bill would provide that units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil’s registration priority for enrollment and course registration at a community college. The bill would require the CCAP partnership agreement to include a plan, instead of a certification, by the participating community college district to ensure specified conditions are met. The bill would require the chancellor, on or before July 31, 2020, to revise the special part-time student application process to allow pupils to complete one application for the duration of their attendance at a community college as a special part-time student participating in a CCAP partnership agreement. The bill would move the deadline for the chancellor to prepare a summary report described above from on or before January 1, 2021 to on or before January 1, 2020, and would require the chancellor to additionally prepare a summary report that includes, among other things, an evaluation of the CCAP partnerships, every 5 years thereafter. The bill would extend the operation of those provisions indefinitely.

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

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Research has shown that dual enrollment can be an effective
- 4 means of improving the educational outcomes for a broad range
- 5 of students.

1 (b) Dual enrollment has historically targeted high-achieving
2 students; however, increasingly, educators and policymakers are
3 looking toward dual enrollment as a strategy to help students who
4 struggle academically or who are at risk of dropping out.

5 (c) Allowing a greater and more varied segment of high school
6 pupils to take community college courses could provide numerous
7 benefits to both the pupils and the state, such as reducing the
8 number of high school dropouts, increasing the number of
9 community college students who transfer and complete a degree,
10 shortening the time to completion of educational goals, and
11 improving the level of preparation of students to successfully
12 complete for-credit, college-level courses.

13 (d) California should rethink its policies governing dual
14 enrollment, and establish a policy framework under which school
15 districts and community college districts could create dual
16 enrollment partnerships as one strategy to provide critical support
17 for underachieving students, those from groups underrepresented
18 in postsecondary education, those who are seeking advanced
19 studies while in high school, and those seeking a career technical
20 education credential or certificate.

21 (e) Through dual enrollment partnerships, school districts and
22 community college districts could create clear pathways of aligned,
23 sequenced coursework that would allow students to more easily
24 and successfully transition to for-credit, college-level coursework
25 leading to an associate degree, transfer to the University of
26 California or the California State University, or to a program
27 leading to a career technical education credential or certificate.

28 (f) To facilitate the establishment of dual enrollment
29 partnerships, the state should remove fiscal penalties and policy
30 barriers that discourage dual enrollment opportunities. By reducing
31 some of these restrictions, it will be possible to expand dual
32 enrollment opportunities, thereby saving both students and the
33 state valuable time, money, and scarce educational resources.

34 SEC. 2. Section 76004 of the Education Code is amended to
35 read:

36 76004. Notwithstanding Section 76001 or any other law:

37 (a) The governing board of a community college district may
38 enter into a College and Career Access Pathways (CCAP)
39 partnership with the governing board of a school district for the
40 purpose of offering or expanding dual enrollment opportunities

1 for pupils who may not already be college bound or who are
2 underrepresented in higher education, with the goal of developing
3 seamless pathways from high school ~~school~~, *including continuation*
4 *high school*, to community college for career technical education
5 or preparation for transfer, improving high school graduation rates,
6 or helping high school pupils achieve college and career readiness.

7 (b) A participating community college district may enter into a
8 CCAP partnership with a school district partner that is governed
9 by a CCAP partnership agreement approved by the governing
10 boards of both districts. ~~As a condition of, and before adopting, of~~
11 *adopting* a CCAP partnership agreement, the governing board of
12 each district, at an open public meeting of that board, shall present
13 the dual enrollment partnership ~~agreement as an informational~~
14 ~~item. The governing board of each district, at a subsequent open~~
15 ~~public meeting of that board, shall~~ *agreement*, take comments from
16 the ~~public~~ *public*, and approve or disapprove the proposed
17 agreement.

18 (c) (1) The CCAP partnership agreement shall outline the terms
19 of the CCAP partnership and shall include, but not necessarily be
20 limited to, the total number of high school pupils to be served and
21 the total number of full-time equivalent students projected to be
22 claimed by the community college district for those pupils; the
23 scope, nature, time, location, and listing of community college
24 courses to be offered; and criteria to assess the ability of pupils to
25 benefit from those courses. The CCAP partnership agreement shall
26 also establish protocols for information sharing, in compliance
27 with all applicable state and federal privacy laws, joint facilities
28 use, and parental consent for high school pupils to enroll in
29 community college courses.

30 (2) The CCAP partnership agreement shall identify a point of
31 contact for the participating community college district and school
32 district partner.

33 (3) A copy of the CCAP partnership agreement shall be filed
34 with the office of the Chancellor of the California Community
35 Colleges and with the department before the start of the CCAP
36 partnership. The chancellor may void any CCAP partnership
37 agreement it determines has not complied with the intent of the
38 requirements of this section.

39 (d) A community college district participating in a CCAP
40 partnership shall not provide physical education course

1 opportunities to high school pupils pursuant to this section or any
2 other course opportunities that do not assist in the attainment of
3 at least one of the goals listed in subdivision (a).

4 (e) A community college district shall not enter into a CCAP
5 partnership with a school district within the service area of another
6 community college district, except where an agreement exists, or
7 is established, between those community college districts
8 authorizing that CCAP partnership.

9 (f) A high school pupil enrolled in a course offered through a
10 CCAP partnership shall not be assessed any fee that is prohibited
11 by Section 49011.

12 (g) (1) A community college district participating in a CCAP
13 partnership may assign priority for enrollment and course
14 registration to a pupil seeking to enroll in a community college
15 course that is required for the pupil's CCAP partnership program
16 that is equivalent to the priority assigned to a pupil attending a
17 middle college high school as described in Section 11300 and
18 consistent with middle college high school provisions in Section
19 76001.

20 (2) *Units completed by a pupil pursuant to a CCAP agreement*
21 *may count towards determining a pupil's registration priority for*
22 *enrollment and course registration at a community college.*

23 (h) The CCAP partnership agreement shall certify that any
24 community college instructor teaching a course on a high school
25 campus has not been convicted of any sex offense as defined in
26 Section 87010, or any controlled substance offense as defined in
27 Section 87011.

28 (i) The CCAP partnership agreement shall certify that any
29 community college instructor teaching a course at the partnering
30 high school campus has not displaced or resulted in the termination
31 of an existing high school teacher teaching the same course on that
32 high school campus.

33 (j) The CCAP partnership agreement shall certify that a qualified
34 high school teacher teaching a course offered for college credit at
35 a high school campus has not displaced or resulted in the
36 termination of an existing community college faculty member
37 teaching the same course at the partnering community college
38 campus.

1 (k) The CCAP partnership agreement shall include a ~~certification~~
 2 *plan* by the participating community college district ~~of to ensure~~
 3 all of the following:

4 (1) A community college course offered for college credit at
 5 the partnering high school campus does not reduce access to the
 6 same course offered at the partnering community college campus.

7 (2) A community college course that is oversubscribed or has
 8 a waiting list shall not be offered in the CCAP partnership.

9 (3) Participation in a CCAP partnership is consistent with the
 10 core mission of the community colleges pursuant to Section
 11 66010.4, and that pupils participating in a CCAP partnership will
 12 not lead to enrollment displacement of otherwise eligible adults
 13 in the community college.

14 (l) The CCAP partnership agreement shall certify that both the
 15 school district and community college district partners comply
 16 with local collective bargaining agreements and all state and federal
 17 reporting requirements regarding the qualifications of the teacher
 18 or faculty member teaching a CCAP partnership course offered
 19 for high school credit.

20 (m) The CCAP partnership agreement shall specify both of the
 21 following:

22 (1) Which participating district will be the employer of record
 23 for purposes of assignment monitoring and reporting to the county
 24 office of education.

25 (2) Which participating district will assume reporting
 26 responsibilities pursuant to applicable federal teacher quality
 27 mandates.

28 (n) The CCAP partnership agreement shall certify that any
 29 remedial course taught by community college faculty at a
 30 partnering high school campus shall be offered only to high school
 31 pupils who do not meet their grade level standard in math, English,
 32 or both on an interim assessment in grade 10 or 11, as determined
 33 by the partnering school district, and shall involve a collaborative
 34 effort between high school and community college faculty to
 35 deliver an innovative remediation course as an intervention in the
 36 pupil's junior or senior year to ensure the pupil is prepared for
 37 college-level work upon graduation.

38 (o) (1) A community college district may limit enrollment in
 39 a community college course solely to eligible high school pupils
 40 if the course is offered at a high school campus, either in person

1 or using an online platform, during the regular school day and the
2 community college course is offered pursuant to a CCAP
3 partnership agreement.

4 (2) For purposes of allowances and apportionments from Section
5 B of the State School Fund, a community college district
6 conducting a closed course on a high school campus pursuant to
7 paragraph (1) ~~of subdivision (p)~~ shall be credited with those units
8 of full-time equivalent students attributable to the attendance of
9 eligible high school pupils.

10 (p) A community college district may allow a special part-time
11 student participating in a CCAP partnership agreement established
12 pursuant to this article to enroll in up to a maximum of 15 units
13 per term if all of the following circumstances are satisfied:

14 (1) The units constitute no more than four community college
15 courses per term.

16 (2) The units are part of an academic program that is part of a
17 CCAP partnership agreement established pursuant to this article.

18 (3) The units are part of an academic program that is designed
19 to award students both a high school diploma and an associate
20 degree or a certificate or credential.

21 (q) The governing board of a community college district
22 participating in a CCAP partnership agreement established pursuant
23 to this article shall exempt special part-time students described in
24 subdivision (p) from the fee requirements in Sections 76060.5,
25 76223, 76300, 76350, and 79121.

26 (r) A district shall not receive a state allowance or apportionment
27 for an instructional activity for which the partnering district has
28 been, or shall be, paid an allowance or apportionment.

29 (s) (1) The attendance of a high school pupil at a community
30 college as a special part-time or full-time student pursuant to this
31 section is authorized attendance for which the community college
32 shall be credited or reimbursed pursuant to Section 48802 or 76002,
33 provided that no school district has received reimbursement for
34 the same instructional activity.

35 (2) For purposes of calculating classroom-based average daily
36 attendance for classroom-based instruction apportionments, at least
37 80 percent of the instructional time offered by a charter school
38 pursuant to an authorized CCAP partnership agreement shall be
39 at the schoolsite, and the charter school shall require the attendance
40 of a pupil for a minimum of 50 percent of the minimum

1 instructional time required to be offered pursuant to paragraph (1)
2 of subdivision (a) of Section 47612.5, if the pupil is also a special
3 part-time student enrolled in a community college pursuant to this
4 section and the pupil will receive academic credit upon satisfactory
5 completion of enrolled courses.

6 (t) (1) For each CCAP partnership agreement entered into
7 pursuant to this section, the affected community college district
8 and school district shall report annually to the office of the
9 Chancellor of the California Community Colleges all of the
10 following information:

11 (A) The total number of high school pupils by schoolsite
12 enrolled in each CCAP partnership, aggregated by gender and
13 ethnicity, and reported in compliance with all applicable state and
14 federal privacy laws.

15 (B) The total number of community college courses by course
16 category and type and by schoolsite enrolled in by CCAP
17 partnership participants.

18 (C) The total number and percentage of successful course
19 completions, by course category and type and by schoolsite, of
20 CCAP partnership participants.

21 (D) The total number of full-time equivalent students generated
22 by CCAP partnership community college district participants.

23 (E) The total number of full-time equivalent students served
24 online generated by CCAP partnership community college district
25 participants.

26 (2) On or before January 1, ~~2021~~, 2020, and every five years
27 thereafter, the chancellor shall prepare a summary report that
28 includes an evaluation of the CCAP partnerships, an assessment
29 of trends in the growth of special admits systemwide and by
30 campus, and, based upon the data collected pursuant to this section,
31 recommendations for program improvements, including, but not
32 necessarily limited to, both of the following:

33 (A) Any recommended changes to the statewide cap on special
34 admit full-time equivalent students to ensure that adults are not
35 being displaced.

36 (B) Any recommendation concerning the need for additional
37 student assistance or academic resources to ensure the overall
38 success of the CCAP partnerships.

1 (3) The chancellor shall ensure that the number of full-time
2 equivalent students generated by CCAP partnerships is reported
3 pursuant to the reporting requirements in Section 76002.

4 (4) *On or before July 31, 2020, the chancellor shall revise the*
5 *special part-time student application process to allow pupils to*
6 *complete one application for the duration of their attendance at*
7 *a community college as a special part-time student participating*
8 *in a CCAP partnership agreement.*

9 (u) The annual report required by subdivision (t) shall also be
10 transmitted to all of the following:

11 (1) The Legislature, in compliance with Section 9795 of the
12 Government Code.

13 (2) The Director of Finance.

14 (3) The Superintendent.

15 (v) A community college district that violates this article,
16 including, but not necessarily limited to, any restriction imposed
17 by the board of governors pursuant to this article, shall be subject
18 to the same penalty as may be imposed pursuant to subdivision
19 (d) of Section 78032.

20 (w) The statewide number of full-time equivalent students
21 claimed as special admits shall not exceed 10 percent of the total
22 number of full-time equivalent students claimed statewide.

23 (x) Nothing in this section is intended to affect a dual enrollment
24 partnership agreement existing on the effective date of this section
25 under which an early college high school, a middle college high
26 school, or California Career Pathways Trust existing on the
27 effective date of this section is operated. An early college high
28 school, middle college high school, or California Career Pathways
29 Trust partnership agreement existing on the effective date of this
30 section shall not operate as a CCAP partnership unless it complies
31 with this section.

32 (y) The governing body of a charter school may enter into a
33 CCAP partnership agreement with the governing board of a
34 community college district pursuant to this section. That CCAP
35 partnership agreement shall comply with all applicable
36 requirements of this section.

1 ~~(z) This section shall remain in effect only until January 1, 2022,~~
2 ~~and as of that date is repealed, unless a later enacted statute, that~~
3 ~~is enacted before January 1, 2022, deletes or extends that date.~~