

**ASSEMBLY BILL**

**No. 30**

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**Introduced by Assembly Member Holden**

December 3, 2018

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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.~~