

AMENDED IN ASSEMBLY MARCH 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 288

Introduced by Assembly Members Holden and Olsen
(Principal coauthors: Assembly Members Baker, Chávez, McCarty,
Santiago, and Ting)
(Coauthors: Assembly Members Alejo and Weber)

February 11, 2015

An act to add Section 76004 to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Holden. Public schools: College and Career Access Pathways partnerships.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law requires credit to be awarded to these pupils, as specified, authorizes a school principal to recommend a pupil for community college summer session if the pupil meets specified criteria, and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately before the time of recommendation for summer session attendance.

This bill would authorize the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district ~~located within its service area~~ 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. The bill would require 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.

The bill would authorize specified high school pupils to enroll in up to 15 units *per term* if those units are required for these pupils' partnership programs and specified conditions are satisfied, and would authorize a community college district to exempt special part-time and full-time students taking up to a maximum of 15 units per term from specified fee requirements. The bill would prohibit a ~~community college~~ district from receiving a state allowance or apportionment for an instructional activity for which ~~a school~~ *the partnering* district has been, or will be, paid an allowance or apportionment under a concurrent enrollment partnership agreement. The bill would require, for each partnership agreement entered into under the bill, the affected community college district and school district to provide an annual report, containing specified data, to the office of the Chancellor of the California Community Colleges.

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.
- 6 (b) Dual enrollment has historically targeted high-achieving
- 7 students; however, increasingly, educators and policymakers are
- 8 looking toward dual enrollment as a strategy to help students who
- 9 struggle academically or who are at risk of dropping out.
- 10 (c) Allowing a greater and more varied segment of high school
- 11 pupils to take community college courses could provide numerous
- 12 benefits to both the pupils and the state, such as reducing the
- 13 number of high school dropouts, increasing the number of
- 14 community college students who transfer and complete a degree,

1 shortening the time to completion of educational goals, and
2 improving the level of preparation of students to successfully
3 complete for-credit, college-level, courses.

4 (d) California should rethink its policies governing dual
5 enrollment, and establish a policy framework under which school
6 districts and community college districts could create dual
7 enrollment partnerships as one strategy to provide critical support
8 for underachieving students, those from groups underrepresented
9 in postsecondary education, those who are seeking advanced
10 studies while in high school, and those seeking a career technical
11 education credential or certificate.

12 (e) Through dual enrollment partnerships, school districts and
13 community college districts could create clear pathways of aligned,
14 sequenced coursework that would allow students to more easily
15 and successfully transition to for-credit, ~~college-level~~, *college-level*
16 coursework leading to an associate degree, transfer to the
17 University of California or the California State University, or to
18 a program leading to a career technical education credential or
19 certificate.

20 (f) To facilitate the establishment of dual enrollment
21 partnerships, the state should remove fiscal penalties and policy
22 barriers that discourage dual enrollment opportunities. By reducing
23 some of these restrictions, it will be possible to expand dual
24 enrollment opportunities, thereby saving both students and the
25 state valuable time, money, and scarce educational resources.

26 SEC. 2. Section 76004 is added to the Education Code, to read:
27 76004. Notwithstanding Section 76001 or any other law:

28 (a) The governing board of a community college district may
29 enter into a College and Career Access Pathways (CCAP)
30 partnership with the governing board of a school district ~~located~~
31 ~~within its service area~~ for the purpose of offering or expanding
32 dual enrollment opportunities with the goal of developing seamless
33 pathways from high school to community college for career
34 technical education or preparation for transfer, improving high
35 school graduation rates, or helping high school pupils achieve
36 college and career readiness.

37 (b) A participating community college district may enter into a
38 CCAP partnership with a school district partner that is governed
39 by a CCAP partnership agreement approved by the governing
40 boards of both districts. As a condition of, and before adopting, a

1 CCAP partnership agreement, ~~a community college district and a~~
2 ~~school district, at regularly scheduled~~ *the governing board of each*
3 *district, at an open public meeting of their respective governing*
4 ~~boards, that board, shall present the dual enrollment partnership~~
5 *agreement as an informational item. The governing board of each*
6 *district, at a subsequent open public meeting of that board, shall*
7 take comments from the public and approve or disapprove the
8 proposed agreement.

9 (c) (1) The CCAP partnership agreement shall outline the terms
10 of the CCAP partnership and shall include, but not necessarily be
11 limited to, the scope, nature, *time, location*, and listing of
12 community college courses to be offered, and criteria to assess the
13 ability of pupils to benefit from those courses. The CCAP
14 partnership agreement shall also establish protocols for information
15 sharing, joint facilities use, and parental consent for high school
16 pupils to enroll in community college courses.

17 (2) The CCAP partnership agreement shall identify a point of
18 contact for the participating community college district and school
19 district partner.

20 (3) A copy of the CCAP partnership agreement shall be filed
21 with the office of the Chancellor of the California Community
22 Colleges and with the department before the start of the CCAP
23 partnership.

24 (d) A community college district participating in a CCAP
25 partnership shall not provide physical education course
26 opportunities to high school pupils pursuant to this section or any
27 other course opportunities that do not assist in the attainment of
28 at least one of the goals listed in subdivision (a).

29 (e) A high school pupil enrolled in a course offered through a
30 CCAP partnership shall not be assessed any fee that is prohibited
31 by Section 49011.

32 (f) A community college district participating in a CCAP
33 partnership may assign priority for enrollment and course
34 registration to a pupil seeking to enroll in a community college
35 course that is required for the pupil's CCAP partnership program
36 that is equivalent to the priority assigned to a pupil attending a
37 middle college high school as described in Section 11300 and
38 consistent with middle college high school provisions in Section
39 76001.

1 (g) The CCAP partnership agreement shall certify that any
2 community college instructor teaching a course on a high school
3 campus has not been convicted of any sex offense as defined in
4 Section 87010, or any controlled substance offense as defined in
5 Section 87011.

6 (h) The CCAP partnership agreement shall certify that any
7 community college instructor teaching a course ~~on a~~ *at the*
8 *partnering* high school campus has not displaced or resulted in the
9 termination of an existing high school teacher teaching the same
10 course on that high school campus.

11 (i) *The CCAP partnership agreement shall certify that a*
12 *qualified high school teacher teaching a course offered for college*
13 *credit at a high school campus has not displaced or resulted in*
14 *the termination of an existing community college faculty member*
15 *teaching the same course at the partnering community college*
16 *campus.*

17 (j) *The CCAP partnership agreement shall certify that a*
18 *community college course offered for college credit at the*
19 *partnering high school campus does not reduce access to the same*
20 *course offered at the partnering community college campus.*

21 (k) *The CCAP partnership agreement shall certify that both the*
22 *school district and community college district partners comply*
23 *with local collective bargaining agreements and all state and*
24 *federal reporting requirements regarding the qualifications of the*
25 *teacher or faculty member teaching a CCAP partnership course*
26 *offered for high school credit.*

27 (l) *The CCAP partnership agreement shall certify that remedial*
28 *courses taught by community college faculty at a partnering high*
29 *school campus shall be offered only to high school students who*
30 *test as nonproficient in math, English, or both on a formative*
31 *assessment in grade 10 or 11, as determined by the partnering*
32 *school district.*

33 (i)

34 (m) (1) A community college district may limit enrollment in
35 a community college course solely to eligible high school students
36 if the course is offered at a high school campus during the regular
37 school day and the community college course is offered pursuant
38 to a CCAP partnership agreement.

39 (2) For purposes of allowances and apportionments from Section
40 B of the State School Fund, a community college district

1 conducting a closed course on a high school campus pursuant to
 2 paragraph (1) of subdivision ~~(j)~~ (n) shall be credited with ~~additional~~
 3 *those* units of full-time equivalent students attributable to the
 4 attendance of eligible high school pupils.

5 ~~(j)~~

6 (n) A community college district may allow a special part-time
 7 student participating in a CCAP partnership agreement established
 8 pursuant to this article to enroll in up to a maximum of 15 units ~~if~~
 9 ~~both per term~~ if all of the following circumstances are satisfied:

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

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

14 (3) *The units are part of an academic program that is designed*
 15 *to award students both a high school diploma and an associate's*
 16 *degree.*

17 ~~(k)~~

18 (o) The governing board of a community college district
 19 participating in a CCAP partnership agreement established pursuant
 20 to this article may, in whole or in part, exempt special part-time
 21 students described in subdivision ~~(j)~~ (n) from the fee requirements
 22 in Sections 76060.5, 76140, 76223, 76300, 76350, and 79121.

23 ~~(t)~~

24 (p) ~~A community college~~ district shall not receive a state
 25 allowance or apportionment for an instructional activity for which
 26 ~~a school~~ *the partnering* district has been, or shall be, paid an
 27 allowance or apportionment.

28 ~~(m)~~

29 (q) The attendance of a high school pupil at a community college
 30 as a special part-time or full-time student pursuant to this section
 31 is authorized attendance for which the community college shall
 32 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 ~~(n)~~

36 (r) For each CCAP partnership agreement entered into pursuant
 37 to this section, the affected community college district and school
 38 district shall report annually to the office of the Chancellor of the
 39 California Community Colleges all of the following information:

1 (1) The total number of high school pupils by schoolsite enrolled
2 in each CCAP partnership.

3 (2) The total number of community college courses by course
4 category and type and by school site enrolled in by CCAP
5 partnership participants.

6 (3) The total number and percentage of successful course
7 completions, by course category and type and by schoolsite, of
8 CCAP partnership participants.

9 (4) The total number of full-time equivalent students generated
10 by CCAP partnership community college district participants.

11 ~~(e)~~

12 (s) Notwithstanding Section 10231.5 of the Government Code,
13 the annual report required by this subdivision shall also be
14 transmitted to all of the following:

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

17 (2) The Director of Finance.

18 (3) The Superintendent.

O