Date of Hearing: March 18, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 1540 (Hagman) – As Amended: March 10, 2014

[Note: This bill is doubled referred to the Assembly Education Committee and will be heard as it relates to issues under its jurisdiction.]

SUBJECT: Concurrent enrollment in secondary school and community college.

SUMMARY: Authorizes the governing board of a school district to authorize a pupil, at the recommendation of the appropriate community college personnel, and with parental consent, to attend a community college during any session or term and to undertake one or more computer science courses offered at the community college; adds computer science courses to the list of courses exempted that limit the percentage of pupils who can enroll in a community college course; authorizes the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to allow pupils to undertake one or more computer science courses if they have exhausted all opportunities to enroll in an equivalent course at their high school of attendance; extends a sunset as specified; and, makes clarifying changes to current law. Specifically, this bill:

1) Specifies that the governing board of a school district may authorize a pupil, at the recommendation of a community college dean of a computer science department or other appropriate community college computer science administrator, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more computer science courses offered at the community college.

2) Adds that a high school pupil recommend by his or her principal for enrollment in a course at a community college shall not be included in the 5% limitation of pupils allowed to be recommended if the course is a college-level computer science course for credit as determined by the Chancellor of the California Community Colleges, and the course is part of a sequence of computer science courses leading to a degree in the subject matter covered by the sequence.

3) Extends the sunset to January 1, 2017, for the following:

    a) A high school pupil is exempted from the 5% cap if he or she is recommended by his or her principal for enrollment in a college-level summer session course if the course in which the pupil wishes to enroll meets specified criteria;

    b) On or before March 1 of each year, the Chancellor of the California Community Colleges (CCC) shall issue a report to the Department of Finance as to the number of pupils recommended beyond the 5% cap as specified; and,

    c) The Board of Governors of the CCC shall not include enrollment growth attributable to the number of pupils who attend the CCC above the 5% cap as specified, as part of its annual budget request for the CCC.

4) Authorizes the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to provide high school pupils who have exhausted all opportunities to enroll in an equivalent course at the high school of attendance with the opportunity to benefit from one or more computer science courses offered at a community college.

5) Specifies that a high school pupil in a district subject to a formal partnership, upon notification of the principal of the pupil's school of attendance that the pupil has exhausted all opportunities to enroll in an equivalent course at the high school of attendance, and with parental consent if the pupil is under 18 years of age, may attend a community college during any session or term as a special part-time or full-time student.

6) Specifies that the partnership agreement shall outline the terms of the partnership and may include, but is not necessarily limited to, the scope, nature, and schedule of courses offered, the academic readiness of pupils that is necessary for them to benefit from the courses offered, and the ability of pupils to benefit from those courses; additionally, the agreement may establish protocols for information sharing and joint facilities use.

7) Stipulates that a copy of the partnership agreement shall be filed with the department and with the Office of the Chancellor of the CCC before the start of a program, as authorized.

8) Specifies that a pupil shall receive community college and high school credit for community college courses that he or she completes at the level determined to be appropriate by the governing boards of the school district and the community college district, as established in the partnership agreement.

9) Stipulates that a community college district shall not receive a state allowance or apportionment for an instructional activity for which a school district has been, or shall be, paid an allowance or apportionment.

10) Specifies that the attendance of a pupil at a community college as a special part-time or full-time student, as specified, is authorized attendance for which the community college shall be credited or reimbursed as specified, provided that no school district has received reimbursement for the same instructional activity; and, credit for courses completed shall be at the level determined to be appropriate by the governing boards of the school district and the community college district pursuant to the partnership agreement.

11) Specifies that a special part-time student may enroll in not more than 11 units per semester, or the equivalent thereof, at the community college he or she attends.

12) Authorizes community college districts and school districts that enter into a partnership, as specified, shall be exempt from specified concurrent enrollment provisions if the governing board of the community college district determines that enrollment of high school pupils will not significantly displace regularly admitted students.

13) Makes minor and technical changes to existing law.

EXISTING LAW:

1) Authorizes the governing board of a school district, upon recommendation of the principal of a student's school of attendance, and with parental consent, to authorize a student who would benefit from advanced scholastic or vocational work to attend a community college as a special part-time or full-time student. Additionally, current law prohibited a principal from recommending, for community college summer session attendance, more than 5% of the total number of students in the same grade level and exempted from the 5% cap a student recommended by his or her principal for enrollment in a college-level summer session course if the course in which the pupil was enrolled met specified criteria. These exemptions were repealed on January 1, 2014 (Education Code § 48800, et seq.).

2) Requires the CCC Chancellor's Office to report to the Department of Finance and Legislature annually on the amount of full-time equivalent students (FTES) claimed by each CCC district for high school pupils enrolled in non-credit, non-degree applicable, degree applicable (excluding physical education), and degree applicable physical education courses; and provides that, for purposes of receiving state apportionments, CCC districts may only include high school students within the CCC district's report on FTES if the students are enrolled in courses that are open to the general public, as specified. Additionally, current law requires the governing board of a CCC district to assign a low enrollment priority to special part-time or full-time students in order to ensure that these students do not displace regularly admitted community college students (EC § 76001 and § 76002).

FISCAL EFFECT: Unknown

COMMENTS: Concurrent enrollment background. Concurrent enrollment provides pupils the opportunity to enroll in college courses and earn college credit while still enrolled in high school. Currently, a pupil is allowed to concurrently enroll in a CCC as a "special admit" while still attending high school, if the pupil's school district determines that the pupil would benefit from "advanced scholastic or vocational work." Special-admit students have typically been advanced pupils wanting to take more challenging coursework or pupils who come from high schools where Advanced Placement or honors courses are not widely available. Additionally, programs such as middle college high schools and early college high schools use concurrent enrollment to offer instructional programs for at-risk pupils that focus on college preparatory curricula. These programs are developed through partnerships between a school district and a CCC. During summer session at a CCC, principals are limited to recommending no more than 5% of their pupils in each grade level to enroll at a CCC during a summer session. Existing law provides certain exemptions to this process (as aforementioned in current law above). These exemptions expired on January 1, 2014.

This bill reinstates the exemptions and calls for them now to sunset on January 1, 2017.

What is exempted? Current law exempts a high school student recommended by the principal for enrollment in a community college summer session course from the 5% cap if:

1) The course is a lower division Intersegmental General Education Transfer Curriculum (IGETC) course that applies to the General Education breadth requirements of the California State University (CSU).

2) The course is a college-level occupational course for credit, and is part of a sequence of vocational or career technical education courses that leads to a degree or certificate, as specified.

3) The course is necessary to assist a pupil who has not passed the California High School Exit Exam, and the student is in the senior year, as specified.

This bill adds college-level computer science courses for credit to the exemption list of the 5% cap.

Impact of budget cuts on CCC. General Fund reductions combined with increased student demand has left the CCC unable to provide course offerings to fully meet student needs. Funding for the CCC has been cut $809 million, or 12%, over the past three years. According to a March 2013 report by the Public Policy Institute of California (PPIC), course offerings have declined from 420,000 to 334,000 since 2008—86,000 or 21% of course offerings—and most were credit courses necessary to transfer or obtain a degree or certificate. PPIC estimates that since 2008, 600,000 students have not been able to enroll in classes, and another 500,000 students were on waiting lists for Fall 2012 courses.

When there is greater demand than there are course offerings, course registration priorities play an important role in managing enrollment by determining which groups of students are enrolled in needed courses and which students get turned away.

Need for the bill. According to the author's office, the technology industry is one of the fastest growing in California and is crucial to our economy. The author states that, "Tech companies have an increasing need for a qualified, educated domestic workforce, yet California is far behind in educating our students in the theories and applications of computer science."

Computer science shortfalls. According to a May 2013 report by Congressional Research Service, entitled, "The U.S. Science and Engineering Workforce: Recent, Current, and Projected Employment, Wages, and Unemployment," in 2011, there were 5.9 million scientists and engineers employed in the United States, accounting for 4.6% of the total U.S. employment. The report found that science and engineering (S & E) employment was concentrated in two S & E occupational groups, computer occupations (56%) and engineers (25%).

The Bureau of Labor Statistics (BLS) projects the number of S & E jobs will grow by 1.1 million in ten years (commencing in 2010 and concluding in 2020), a growth rate that is projected to be faster than the overall workforce. Additionally, BLS projects that a further 1.3 million scientists and engineers will be needed to replace those that will exit S & E occupations. According to BLS, the number scientists and engineers needed to meet growth and net replacement needs between 2010 and 2020 is 2.4 million, including 1.4 million in the computer occupations.

The chart below, based on a June 2013 report by the Georgetown University Center on Education and the Workforce (Center), shows the following projected computers and mathematical sciences workforce needs and education levels by 2020 for California:

Less than high school	High school diploma	Some college/no degree	Associate's degree	Bachelor's degree	Master's degree or higher
580	7,440	28,090	11,510	80,550	47,500

The Center also projects that Science, Technology, Engineering, and Mathematics (STEM) will be one of the fastest growing fields of occupation by 2020, but will also require high levels of postsecondary education.

Conflicting legislation. AB 1451 (Holden), scheduled to be heard in this committee on April 1, 2014, among other things, authorizes the governing board of a school district to authorize a pupil, as specified, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of career technical education offered at the community college and authorizes the governing board of a school district to enter into a concurrent enrollment partnership agreement with a community college district located within its immediate service area. This bill appears to be in direct conflict with AB 1540.

Staff recommends, should both bills pass out of this committee, that eventually both measures be amended to address potential chaptering out issues.

Related Legislation. There have been many bills introduced in the last several years that attempt to address concurrent enrollment and the 5% cap, including, but not limited to the following bills: AB 160 (Portantino, 2011), which was held on the Senate Appropriations Committee Suspense file, removed certain restrictions on concurrent enrollment and authorized school districts to enter into partnerships with CCC districts to provide high school pupils opportunities for advanced scholastic work, career technical or other coursework at CCC campuses. AB 230 (Carter), Chapter 50, Statutes of 2011, exempted a pupil attending a middle college high school from the requirement that CCC governing boards assign a low enrollment priority to concurrent enrollment students if that pupil is seeking to enroll in a CCC course that is required for the pupil's middle college high school program. SB 1437 (Padilla), Chapter 718, Statutes of 2008, extended the sunset date from January 1, 2009 until January 1, 2014 for which this bill seeks to further extend the sunset. SB 1303 (Runner), Chapter 648, Statutes of 2006, exempted from the specified 5% cap on CCC summer session enrollment, a pupil recommended by his or her principal if the pupil met specified criteria.

AB 1451 (Holden), see "conflicting legislation" section of this analysis.

Additionally, this year several STEM and computer science specific bills have been introduced that seek to combat the projected short falls of prepared and educated students able to enter into the workforce in STEM related fields.

REGISTERED SUPPORT / OPPOSITION:

Support

California Chamber of Commerce
California Communities United Institute
Code.org
Computer Science Teachers Association

Microsoft Corporation

<u>Opposition</u>

None on file.

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