

Date of Hearing: April 7, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 542 (Wilk) – As Amended March 23, 2015

**SUBJECT:** Community colleges: early and middle college high schools

**SUMMARY:** Allows a student attending an early or middle college high school (E/MCHS), who is enrolled in a community college physical education (P. E.) course that is required for the student's E/MCHS program, to not be considered as a special part-time or full-time student for purposes of existing percentage caps for special part-time and full-time students. Specifically, **this bill:**

- 1) Expresses that the Legislature intends for this measure to eliminate statutory barriers to the operation of existing and the establishment of new E/MCHSs.
- 2) Specifies if a student is attending an ECHS and is seeking enrollment in a community college course that is required for the student's ECHS program, he/she will not be assigned a low enrollment priority.
- 3) Specifies a student attending a(n) E/MCHS, as specified, who is enrolled in a community college P. E. course that is required for the student's E/MCHS program, shall not be considered a special part-time or full-time student for purposes of percentage caps for special part-time and full-time students (as described below in "existing law" section of this analysis).
- 4) Makes clarifying and technical changes to existing law.

**EXISTING LAW:**

- 1) Establishes MCHS as broad-based comprehensive instructional programs focusing on college preparatory and school-to-work curricula, career education, work experience, community service, and support and motivational activities; and declares ECHS to be autonomous schools that blend high school and college into a coherent educational program – specifying that ECHS pupils should begin taking college courses as soon as they demonstrate readiness and the college credit earned may be applied toward completing an associate or bachelor's degree, transfer to a four-year university, or obtaining a skills certificate (Education Code Sections 11300 and 11302).
- 2) Provides opportunities for minor students to enroll in college-level, degree-applicable courses for advanced scholastic or advanced vocational purposes while they are in high school and authorizes the governing board of a school district, upon recommendation of the principal of a pupil's school and with parental consent, to authorize a student to concurrently enroll in a community college during any session or term to undertake one or more courses of instruction (EC Section 48800, et. seq.).
- 3) Requires the California Community Colleges (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, and degree applicable 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; and, specifies that if the class is a P. E. class, no more than 10 percent of its enrollment may be comprised of special part-time or full-time students and that a community college district shall not receive state apportionment for special part-time and full-time students enrolled in P. E. courses in excess of five percent of the district's total reported full time equivalent enrollment of special part-time and full-time students. To note, current law exempts MCHS students from being assigned low enrollment priority if they are seeking to enroll in a CCC course that is required for their MCHS program (EC Sections 76001 and 76002).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Purpose of this measure.* According to the author, "AB 542 will allow community colleges to receive funding for providing P. E. courses for Early College and Middle College High School students since they are responsible for completing the Physical Education requirement to meet state standards. The bill will only apply to community colleges that have an Early College High School or a Middle College High School and only exempts those students from the cap on both enrollment and apportionment funding. The caps will remain in place for other concurrently enrolled students."

*Early and middle college high schools.* E/MCHS operate in a similar manner to provide high school pupils opportunities to take college courses while still in high school as part of an integrated program. According to 2013-2014 data from ECHS programs, the ECHS programs are reaching their target populations; nationally, roughly three-fourths of high school pupils attending ECHS are students of color, while nearly 60% report eligibility for free or reduced-priced lunch. Most students attending ECHS will be the first in their families to go to college. Currently, there are 40 ECHS in California. The demographic make-up of the ECHS students in the 40 schools in California is as follows: 59.52% are Latino; 17.41% are White; 8.57% are Black; and, 6.47% are Asian. To note, 92% of the 40 schools are currently partnered with a CCC.

*Challenges for E/MCHS students.* High school pupils participating in E/MCHS programs are considered special part-time or full-time students for purposes of attending a community college to fulfill the college aspect of the program. According to the author, most students who attend a(n) E/MCHS program attend their courses on a community college campus, but because current law caps how many high school pupils can enroll in community college P. E. courses, and how many students the community college can receive apportionment funding for, E/MCHS students are experiencing great difficulties in gaining access to needed P. E. courses.

Additionally, by providing ECHS students an exemption from the low enrollment priority requirement, this bill will give ECHS students an opportunity to complete their programs in a timely manner. AB 230 (Carter, Chapter 50, Statutes of 2011), allowed MCHS students this exemption, but not ECHS students; this bill will bring parity to ECHS students.

*Committee consideration. Concurrent enrollment abuse?* As drafted, this measure will lift the existing caps on P. E. courses offered to special part-time and full-time students and the apportionment dollars community colleges can claim, if the students are taking the course as needed for their E/MCHS program. Will passage of this measure create course abuse as was experienced in the early turn of this century whereby legislation was enacted to curb concurrent enrollment abuses?

To address the potential reoccurrence of P. E. course abuse, the Committee may wish to have specific reporting requirements added to this measure in order to monitor and track the P. E. courses offered and taken by E/MCHS students and the apportionment dollars claimed by community colleges.

*Conflicting legislation.* AB 288 (Holden) and AB 889 (Chang), which will both be heard today by this Committee, seek to amend and address some of the same code sections as this measure, addressing special part-time or full-time students and E/MCHS students.

Staff recommends, should all the measures pass out of this Committee, that they eventually be amended to address potential chaptering out issues.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

College of the Canyons

##### **Opposition**

None on file.

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