

Date of Hearing: April 1, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 1451 (Holden) – As Amended: March 25, 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: Public schools: concurrent enrollment in secondary school and community college.

SUMMARY: Authorizes the governing board of a school district to enter into a formal concurrent enrollment partnership with a community college district located within its immediate service area, with the goals of helping high school pupils achieve college and career readiness, improve high school graduation rates, reduce community college remediation rates, and develop seamless pathways from high school to community college career technical education (CTE) programs and/or preparation for transfer; and removes certain restrictions on concurrent enrollment. Specifically, this bill:

- 1) Generally finds and declares that concurrent enrollment provides important educational opportunities for high school pupils, increases college participation rates, improves the level of preparation of pupils in the area of CTE, saves money for both the state and the students, and provides for more effective use of facilities; additionally finds that the existing limits on concurrent enrollment programs inhibit the ability of school districts and their students to make maximum use of California Community Colleges (CCC).
- 2) Specifies a pupil concurrently enrolled may receive community college and high school credit for community college courses that he or she completes as determined to be appropriate by the governing boards of the school district and the CCC district.
- 3) Exempts courses that are necessary in addressing deficiencies in English language arts or mathematics for pupils who have not demonstrated college-readiness on an Early Assessment Program assessment or a successor common core aligned assessment from the 5% cap.
- 4) Allows for the governing board of a school district to enter into a concurrent enrollment partnership agreement with the governing board of a CCC district located within its immediate service area, with the goal of developing a seamless pathway from high school to community college for CTE or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.
- 5) Authorizes a participating school district to adopt a concurrent enrollment partnership agreement with a CCC district partner that is approved by the governing boards of both districts; and, as a condition of, and before adopting, a concurrent enrollment partnership agreement, a CCC district and a school district, at a regularly scheduled open public hearing of their respective governing boards, shall take testimony from the public and approve or disapprove the proposed concurrent enrollment partnership agreement.
- 6) Specifies that the concurrent enrollment partnership agreement shall outline the terms of the partnership and may include, but not necessarily be limited to, the scope, nature, and

schedule of courses offered, and the criteria to assess the ability of pupils to benefit from those courses; and, the agreement may establish protocols for information sharing, joint facilities us, and parent consent for pupils.

- 7) Specifies that the agreement shall identify a point of contact for the participating school district and CCC district; and, copies of the agreement must be filed with the Superintendent of Public Instruction and the Chancellor of the CCC before the state of a program pursuant to this measure.
- 8) Specifies that a CCC district shall not provide physical education course opportunities to secondary school pupils, as specified.
- 9) Specifies that a participating school district shall not receive a state allowance or apportionment for an instructional activity for which a CCC district has been, or shall be, paid an allowance or apportionment.
- 10) Allows a participating high school to monitor the progress of its pupils attending a community college, as specified.
- 11) Requires that for each agreement entered into, the affected CCC district and school district shall report annually to the CCC Office of the Chancellor all of the following information:
 - a) The total number of secondary school pupils enrolled in each program, classified by the school district;
 - b) The total number of successful course completions of secondary school pupils enrolled in each program, classified by the school district; and,
 - c) The total number of successful course completions of students in courses equivalent to those courses tracked, as specified, in the general community college curriculum.
- 12) Specifies the annual report shall also be transmitted to all of the following:
 - a) The Legislature;
 - b) The Director of Finance; and,
 - c) The Superintendent of Public Instruction.
- 13) Exempts pupils attending a middle or early college high school and participants of the concurrent enrollment partnership program from certain existing concurrent enrollment policies, as specified.
- 14) Ensures that both affected secondary and postsecondary Education Codes reflect the created partnership agreement.
- 15) Specifies that notwithstanding existing law or any other open course provision, as specified, or regulations adopted by the Board of Governors for the CCC, a CCC district may limit enrollment in a community college course to solely high school pupils if the course is offered

at a high school campus, is not otherwise offered at the high school, and one or more of the following circumstances are satisfied:

- a) The community college course is offered by a middle or early college high school; and b) the community college course is offered pursuant to a partnership agreement.
- 16) Specifies that for purposes of allowance and apportionments of the State School Fund, a CCC district conducting a closed course on a high school campus shall be credited with additional units of full-time equivalent students (FTES) attributable to the attendance of eligible high school pupils.
- 17) Allows a CCC district to allow a pupil attending a middle or early college high school or a pupil participating in a partnership agreement to enroll in up to a maximum of 15 units if those units are required for the pupil's partnership program, and if either of the following circumstances is satisfied:
- a) The units constitute no more than four community college courses per term; and, b) the units are part of an academic program offered at the middle or early college high school that is designed to allow students to earn enough credit to graduate with an associate's degree or CTE certificate, or are part of a partnership agreement.
- 18) Authorizes the governing board of a CCC district participating in a partnership agreement, in whole or in part, to exempt special part-time or full-time students taking up to a maximum of 15 units per term from the fee requirements, as specified.

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 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.

According to a February 2014 report by Education Commission of the States (ECS), the number of U. S. public high schools offering concurrent enrollment programs is growing, with 82% providing such opportunities in 2011-12, the most recent national data available. Academic research and state experience highlight the benefits of concurrent enrollment programs for improving college rates, particularly for minority and/or low-income students. Additionally, ECS finds that with the possible exception of the state of Massachusetts, minority and/or low-income students tend to be underrepresented in statewide concurrent enrollment programs.

Purpose of this bill. The author states, "AB 1451 will [help] prepare secondary pupils integrate into collegial environments, provide gifted students more rigorous academic opportunities, provide assistance to students studying for the California High School Exit Exam, provide exposure to college as a drop-out prevention tool for high school administrators, generate interest in higher education for students without college aspirations, and expand opportunities for the development of job training programs that prepare students for vocational careers."

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 courses that are necessary to address the deficiencies in English language arts or mathematics of a pupil who has not demonstrated college-readiness on an Early Assessment

Program assessment or a successor common core aligned assessment to the exemption list of the 5% cap.

How many? According to the CCC Chancellor's Office statutorily required report on special admit enrollments: 26,604 special admit students were claimed systemwide, in summer 2013, with 22,432 of the students successfully completing and passing their courses. The summer 2013 numbers have slightly increased when compared to the previous last couple of years; however, the 2013 numbers remain significantly lower when compared to summer 2007, when of the 68,708 special admit students claimed systemwide, 53,387 successfully competed and passed their courses.

Double-dipping? There is a common perception that concurrent enrollment courses require a state to "pay twice" for a student to take a single course. However, according to ECS, "If the dual enrollment opportunity is strong, rather than paying twice, states are paying earlier." ECS concludes that the state is consolidating two payments into one if the community college course that the high school pupil takes is transferable to the postsecondary institution where he or she later enrolls.

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.

Conflicting legislation. AB 1540 (Hagman), which passed out of this committee with a vote of 12 –0 on March 18, 2014, would, among other things, specify 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 another 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.

AB 2352 (Chesbro), which is scheduled to be heard in this committee on April 22, 2014, would, among other things, remove early and middle college high school students concurrently enrolled at a CCC from receiving low priority admission status.

These measures appear to be in direct conflict with AB 1451.

Staff recommends, should all the measures pass out of this committee, that they eventually 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 1540 (Hagman) and AB 2352 (Chesbro), see "conflicting legislation" section of this analysis.

REGISTERED SUPPORT / OPPOSITION:

Support

California Federation of Teachers
California Community Colleges Chancellor's Office (sponsor)
California Communities United Institute
Kern Community College District
Los Angeles Community College District
Los Rios Community College District
Pasadena Community College District
Peralta Community College District
Rancho Santiago Community College District
South Orange County Community College District
Yuba County Community College District

Opposition

None on file.

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