

Date of Hearing: June 11, 2013

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
SB 150 (Lara) – As Amended: April 25, 2013

SENATE VOTE: 30-1

SUBJECT: Pupils: concurrent enrollment in secondary school and community college: nonresident tuition exemption.

SUMMARY: Authorizes a community college district (CCD) to exempt special part-time students from any nonresident tuition fees at the California Community Colleges (CCC).

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 prohibits a principal from recommending, for community college summer session attendance, more than five percent of the total number of students in the same grade level and exempts from the five percent 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 is enrolled meets specified criteria, and repeals these exemptions on January 1, 2014 (Education Code § 48800, et seq.).
- 2) Exempts certain nonresident students from nonresident tuition at California's public colleges if they meet specified criteria, including having graduated from a California high school or having attained the equivalent thereof (EC § 68130.5).
- 3) 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).
- 4) Authorizes a CCD to admit nonresident students and requires that these students be charged a nonresident tuition fee. Until June 30, 2013, the per unit nonresident fee is two times the amount of the resident fee. Beginning July 1, 2013, the per unit nonresident fee will be three times the amount of the resident fee; and authorizes a CCD to waive from all or parts of the fee, all nonresidents who enroll for six or fewer units, but prohibits exemptions from this requirement on an individual basis. Nonresident students are prohibited from being reported as FTES for state apportionment purposes (EC § 76140).

- 5) Requires the governing board of each CCD to charge each student an enrollment fee, currently \$46 per unit per semester effective with the summer term of the 2012 calendar year; and authorizes the governing board of a CCD to exempt special part-time students admitted pursuant to EC § 76001 from the fee requirement (EC § 76300).

FISCAL EFFECT: Unknown. This measure is keyed non-fiscal by the Legislative Counsel.

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. Existing law provides certain exemptions to this process (as aforementioned in current law above).

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. The author states, "While the law already grants CCDs the authority to make the exemption pursuant to Section 76140(a)(1) [of the Education Code], the law is silent regarding nonresident tuition for concurrently enrolled high school students. The lack of clarity is creating confusion. The Chancellor's Office [of the California Community Colleges] and various college districts all have contradicting policies. SB 150 provides clarity in the gray area of the law by granting districts the authority to waive nonresident fees for nonresident students that are concurrently enrolled on a part-time basis. This bill is consistent with the policy choice made with the passage of AB 540 [Firebaugh, Chapter 814, Statutes of 2001] (and AB 130 and AB 131 more recently) [Cedillo, Chapters 93 and 604, Statutes of 2011]."

Supporters argue AB 540 (Firebaugh, Chapter 814, Statutes of 2001) allows certain nonresident students attending California's public colleges to pay resident tuition if they have attended a California high school for at least three years and have graduated. Because concurrent enrollment students have not yet graduated high school, they do not meet the bill criteria and are subject to nonresident tuition despite living and attending high school in California. This can be as much as \$254 per unit (more than \$1000 for a four-unit class). Therefore, this small segment

of dedicated students is forced to pay cost-prohibitive nonresident tuition, effectively denying them access to courses that will better prepare them for college and the workforce.

REGISTERED SUPPORT / OPPOSITION:

Support

Los Angeles Community College District
Associated Students University of California, Davis
California Catholic Conference
California Federation of Teachers
California Immigrant Policy Center
California Student Aid Commission
John F. Kennedy Middle College High School
Los Angeles Unified School District
Mexican American Legal Defense and Educational Fund
National Association of Social Workers – California Chapter
National Council of La Raza
Peralta Community College District
Rio Hondo Community College District
San Diego Community College District
San Francisco Unified School District
University of California Student Association
Youth Justice Coalition

Opposition

None on file.

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