

Date of Hearing: March 12, 2024

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Mike Fong, Chair

AB 2019 (Vince Fong) – As Amended March 21, 2024

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

SUBJECT: Early and middle college high schools and programs

SUMMARY: Permits K-12 districts to create early college and middle college high school programs, establishes a reporting requirement for early college and middle college high schools and programs, and reduces the required minutes for a day of attendance for specified students enrolled in an early or middle high school program, from 240 minutes to 180 minutes.

Specifically, **this bill:**

- 1) Permits K-12 districts to partner with a California Community College (CCC) to offer a middle college high school program within an existing high school instead of requiring the K-12 districts to create an alternative high school for the middle college high school.
- 2) Permits charter or noncharter public secondary schools to partner with either a local CCC, a California State University (CSU), or the University of California (UC) to establish an early college high school program within an existing high school that blends high school and college into a coherent educational program.
- 3) Establishes a reporting requirement by which each school district, county office of education, or charter school that operates a middle college high school/program or an early college high school/program to report the following metrics to the California Department of Education (CDE) beginning March 1, 2027 and every March 1, thereafter:
 - a) The total number of pupils disaggregated by gender and ethnicity;
 - b) The total number of college-level courses by course category and type;
 - c) The total number and percentage of successful course completions by course category and type; and,
 - d) Course and program outcomes for pupils, disaggregated by grade level, gender, socioeconomic status, race and ethnicity, and other disproportionately impacted groups.
- 4) Requires the CDE to compile the information from the school district, county office of education, or charter schools and to submit the report to the Legislature beginning on May 1, 2027 and each May 1 thereafter.
- 5) Reduces the minutes required for purposes of calculating a day for average daily attendance requirement for 11 or 12 grade student who participates in an early or middle college high school program, where the student is enrolled part time in courses of the CSU or the UC from 240 minutes to 180 minutes.

- 6) Reduces the minutes required for purposes of calculating a day for the average daily attendance requirement from 240 minutes to 180 minutes for 11 or 12 grade student who participates in an early or middle college high school program where the student is considered a special part-time student enrolled in a community college program, as defined.
- 7) Makes clarifying and conforming changes.

EXISTING LAW:

- 1) Requires the CCC and the State Department of Education to collaborate with each other and their respective local community colleges and local school district to create and maintain middle college high schools; whose purpose is to select at-promise high school pupils who are performing below their academic potential and place them in an alternative high school located on a community college campus in order to reduce the likelihood that they will drop out of school prior graduation (Education Code (EDC) Section 11300 and 11301).
- 2) Establishes the early college high school as small, autonomous high schools that blends high school and college into a coherent educational program through partnerships with either a local CCC, the CSU, or the UC whose purpose is to allow pupils to earn a high school diploma and up to two years of college credit in four years or less (EDC Section 11302).
- 3) Permits the enrollment of special-part time and special full-time students at the community college (also known as dual enrollment students). If a CCC district declines the enrolment of a special part-time or full-time student, the district governing board must provide a reason for the denial in writing within 60 days. The attendance of a student at a community college as a special part-time and full-time student is authorized attendance that the CCC may collect appointment for as defined. Permits special-part time student to enroll in up to 11 units per semester. The CCC district that enrolls a special part-time or full-time student will assign low registration priority to the students unless the student is a middle college high school student (EDC Section 76001).
- 4) Authorizes for a community college district to enter into a CCAP partnership agreement, with a governing board of a school or charter school district or a county office of education and outlines specific requirements for participation in the CCAP partnership agreements by the CCC and the local school or charter school district. The purpose of the partnership is to offer or expand dual enrollment opportunities for pupil who may not be college bound or who are underrepresented in higher education. Permits special part-time students participating in the CCAP partnership to receive priority enrollment, enroll in up to 15 course, and receive fee waivers for specified fees. The goal of the partnership is to offer courses which develop seamless pathways from high school to community college for career technical education or the preparation for transfer, improve high school graduation rates, and/or help pupils achieve college and career readiness (EDC Section 76004).
- 5) Authorizes an exemption to the average daily attendance requirements for early college high schools and middle college high school students. The exemption reduces the average daily attendance from 240 minutes to 180 minutes for 11th and 12th grade students who meet one of the following requirements:
 - a) The student is enrolled part-time in courses for academic credit through either the California State University or the University of California; or,

- b) The student is enrolled as a special part-time student at a California Community College. California (EDC Section 46146.5).

FISCAL EFFECT: Unknown

COMMENTS: *Need for the measure.* As explained by the author, “higher education provides economic and financial mobility, especially for disadvantaged students, and many schools have stepped up by partnering together to expand dual enrollment. Dual enrollment programs are tried and true ways to open more doors to California students. Students and administrators in the Central Valley are often faced with issues of funding, scheduling, and the sheer distance between school sites, so AB 2019 helps remedy these problems so students can take full advantage of educational opportunities.”

AB 2019 (V. Fong) removes barriers in the Education Code that could be interpreted as preventing high schools from offering early and middle college high school programs within existing K-12 high schools. AB 2019 (V. Fong) would reduce the minutes by which an average day of attendance is calculated from 240 minutes to 180 minutes for students enrolled in middle college high school/program and early college high schools/programs.

Dual enrollment. Dual enrollment or concurrent enrollment is defined by the National Center for Education Statistics as a course that offers both high school and college credit. Historically, dual enrollment targeted higher-achieving students through either Advance Placement exams or the opportunity to attend community college after a student had exhausted courses offered at their high school. However, within the last decade, policymakers and educators have utilized dual enrollment as a strategy to help a broader range of students procure college credit and ease the transition to college.

Ample research has demonstrated that enabling high school students to take college-level courses is a proven mechanism for improving degree and certificate attainment. Students receive early exposure to college experiences and accrue credits which in turn reduces their time to degree. In addition to the academic benefits, K-12 districts and their postsecondary education partners also benefit from dual enrollment, as the partnering colleges and universities strengthen relationships with their future student population; and high schools can increase the availability of advanced academic courses without additional fiscal constraint. In August 2023, the Public Policy Institute of California published a report that found, 103,784 high school students participated in dual enrollment programs.

The type of dual enrollment programs offered in California. In California there are four types of dual enrollment programs authorized by the Education Code: traditional dual enrollment pathways, early college high schools, middle college high schools, and college and career access pathways (CCAP).

A traditional dual enrollment pathways is established by EDC Section 48800 – 48802 and authorizes a high school student to attend a CCC as a special part-time or full-time student on the recommendation of the high school principal. A student is permitted to take up to 11 units per term and the high school obtains full average daily attendance funding for a student that enrolls for 240 minutes in high school courses, while colleges can claim apportionment funding. How students divide their time and the structure of the programs vary by school district and CCC. For

example, a CCC might enter a formal partnership with a school, or a student may take a college-level course independently.

A middle college high school (MCHS), created by EDC section 11300-11301, are standalone high schools located on a CCC campus. These alternative high schools are designed for at-risk youth who “are performing below their academic potential” to earn a high school diploma and an associate degree. MCHS provide effective support services, small class sizes, and the opportunity for a student to concurrently take college classes at a minor cost to students. MCHS operated by K-12 districts must offer 180 days of instruction per year, with 64,800 instructional minutes each day, and must be scheduled for at least a minimum of 180 minutes each day if the student is a special part-time community college student. Community colleges may claim full-time equivalent funding for the same student.

An early college high schools (ECHS), created by EDC Section 11302, are partnerships between a secondary high school and either a CCC, a CSU, or a UC. The partnership enables high school students to earn a high school diploma and up to two years of college credit in four years. ECHS are either standalone high schools (like the middle college high schools) or are a “school within a school” or an autonomous program offered on a secondary high school campus. ECHS operated by K-12 districts must offer 180 days of instruction per year, with 64,800 instructional minutes each day, and must be scheduled for at least a minimum of 180 minutes each day if the student is a special part-time community college student or is an 11 or 12 grade student who is enrolled in part-time classes at a CSU or UC campus. Students who are enrolled in ECHS, they are on track to earn their high school diploma and either an associate’s degree or the Intersegmental General Education Transfer Curriculum transfer certificate.

CCAP partnerships were established by AB 288 (Holden), Chapter 618, Statutes of 2015. CCAP partnerships are meant to improve collaboration between K-12 and community college districts in the provision of dual enrollment courses with the goal of increasing college access and equity. K-12 districts partner with their local community college to do the following:

- 1) Provide students with a seamless educational pathway from high school to community college for either career technical education or degree transfer;
- 2) Improve high school graduation rates; and,
- 3) Help high school students achieve college and career readiness.

EDC Section 76004 provides an articulated plan by which high schools and community colleges agree to offer community college courses to high school students on either a high school or a college campus. The courses are offered during the K-12 school day and are provided free of charge to students. Students can participate in up to 15 units per semester. EDC Section 76004 provides guidelines for what CCAP agreements between K-12 and CCC districts should contain; however, the day to day minutia of how a program is implemented and how courses are offered to students remain within the local control of the partnering K-12 and CCC districts to determine. Unlike the early and middle college high schools, CCAP partnerships are not eligible for reduced average daily attendance. Students must be enrolled in 240 minutes a day for in order for the high school to receive “full funding” through the average daily attendance calculations.

Average daily attendance (ADA). Various sections of the Education Code provide the minimum attendance requirements for high school students. For all students served by school districts in

grades 9-12, the Education Code dictates schools must offer at least 64,800 minutes of instruction each year, for a minimum of 240 minutes each day. School districts are also required to operate for at least 180 days or six months. ADA is the number of days a student attends school for at least 240 minutes of instruction.

Just as with community college districts, school districts are guaranteed funding through a continuous apportionment in the Budget Act each year due to Proposition 98. The amount of funding each school district receives is predicated on the Local Control Funding Formula (LCFF). Established in 2013, by the Governor and Legislature, the LCFF is an alternative to categorical programs and funding (specified funding for specified use) in that the formula provides a lump sum to districts based on various metrics, namely by providing a base grant for all school districts, then providing supplemental and concentration grants for school districts that have high percentages of foster youth, English learner and low income pupils. The goal of LCFF is to fund schools equitably and therefore the formula is comprised of three parts that provide funds through a holistic approach based on the category of students served.

The amount of funding a school district receives is further determined by ADA. If a school district's ADA is only 90% enrollment, then the LCFF apportionment will be ratably reduced. ADA is defined in two ways: the number of minutes required for student to be in a classroom or 240 minutes and the number of required instructional days per year or 180 days. In order for an instruction day to be "counted" the student must have been in a classroom receiving instruction for 240 minutes. Reduced ADA occurs when a student was either 1) not in the classroom for 240 minutes or 2) did not attend for the full 180 days in a year.

Middle and early college high schools receive an exemption to the total minutes required for a school day to be counted towards full ADA because in theory the student enrolled in these schools are also completing college courses and coursework on top of their high school instruction. AB 2019 (V. Fong) would extend the reduced ADA to early and middle college programs because again in theory, these programs are providing students' part-time enrollment in college courses in addition to required high school coursework.

Arguments in support. The Kern County Superintendent of Schools contents the need for AB 2019 (V. Fong) as, "AB 2019 (Fong) would expand access to college level courses and expose students who historically have been underrepresented in college enrollment to be introduced to post-secondary opportunities and build their confidence and familiarity with college level courses. Evidence suggests that students enrolled in dual enrollment courses are more likely to pursue a college degree. Furthermore, AB 2019 (Fong) aims to streamline pathways by removing barriers promoting collaboration between high schools and community colleges, prepare students for college and the workforce, and finally, promotes equity and inclusion to ensure underrepresented students receive the supports they need to attend and be successful in college."

Committee comments. AB 2019 (V. Fong) would establish the ability for K-12 districts to establish early and middle college programs or "schools within schools" instead of standalone high school programs. Part of the need to create this distinction is due to a wording oversight that occurred with the creation of the Dual Enrollment Opportunities Competitive Grant program. The grant program was amended in 2023 to allow middle and early college high school programs to access the funding. The CDE clarified that early college high schools can be both standalone high schools or "schools within a school" but the middle high school programs are not currently permitted due to restrictions in state law. AB 2019 (V. Fong) seeks to clarify that programs that

adhere to the requirements of an early and middle college high school are eligible for reduced ADA.

The State does not monitor dual enrollment programs regardless of the type of dual enrollment program. Reporting on the number of course, outcomes, or the number of high schools that participate in dual enrollment programs is not available. The CDE acknowledged there is no official mechanism to identify early and middle college high schools or programs and it is unknown whether the programs are fulfilling their codified requirement of providing part-time collegiate enrollment to students. Without proper oversight, monitoring, or even reporting of successful outcomes, it is impossible to know if dual enrollment is having the intended effect of increasing equitable access to college and reducing time to degree.

AB 2019 (V. Fong) provides the necessary reporting requirement to provide a quantitative answer as to whether early high school and middle high school (stand alone and programs) are achieving their codified purpose of helping students obtain college credit.

As described in the existing law of this analysis under EDC Section 76001, by including middle college high school programs in the code section that establishes middle college high schools, AB 2019 (V. Fong) would be authorizing community colleges to provide regular enrollment status for students who are enrolled in middle college high school programs. With the exception of College and Career Access Pathways Partnership students and student enrolled in middle college high schools, high school students who enroll in community college courses as part of a dual enrollment program are assigned low priority for purposes of registering for courses.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of School Business Officials (CASBO)
California County Superintendents
California High School District Coalition
Kern County Superintendent of Schools Office
Office of The Riverside County Superintendent of Schools

Opposition

None on file.

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