

Date of Hearing: April 26, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1705 (Irwin) – As Amended April 19, 2022

SUBJECT: Seymour-Campbell Student Success Act of 2012: matriculation: assessment

SUMMARY: Builds upon existing law and further clarifies original legislative intent for data to be the driving force when decisions are made with regards to student placement and enrollment in courses at the California Community Colleges (CCC) Specifically, **this bill:**

- 1) Makes the following Legislative findings and declarations regarding the placement and enrollment of students into transfer-level courses at the CCC, including, but not limited to:
 - a) Research has consistently demonstrated when students are placed and enrolled directly into transfer-level written communication and quantitative reasoning courses; completion of transfer-level coursework in those disciplines is expedited and persistent opportunity gaps in completion of those courses are diminished;
 - b) As a result of reform made by AB 705 (Irwin), Chapter 745, Statutes of 2017, significant progress has been made in the number of CCC students enrolling directly into transfer-level English and mathematics courses and successfully completing those courses. One – year completion of transfer-level courses increased from 49% to 67% in English and from 26% to 50% in mathematics, from fall 2015 to fall 2019;
 - c) Research by the RP Group and the Chancellor’s Office’s Transfer-Level Gateway Completion Dashboard documented significant gains in enrollment completion of transfer-level mathematics and English coursework for special populations examined, as defined;
 - d) In fall 2020, community colleges continued to implement AB 705 in the face of COVID – 19, with steady rates of direct enrollment in transfer-level math. Community colleges saw improvement in the overall successful completion of transfer-level math courses when compared to the previous year;
 - e) The Public Policy Institute of California (PPIC) found a strong correlation between increases in student completion of transfer-level math and English and the extent the college has expanded direct enrollment in transfer-level math and English. Specifically, PPIC wrote “it is an important finding that a single variable, within the direct control of colleges, is associated so strongly with improvement in completion;
 - f) AB 705 reforms made great strides in addressing longstanding racial inequities in both access to and completion of transfer-level math and English. Black and Latinx students achieved the largest gain in completion of transfer-level courses in fall 2019 relative to fall 2015 and surpassed the fall 2015 rates of transfer-level completion for white students. However, racial inequities still remain in direct transfer-level enrollment and completion;
 - g) In fall 2021, the Chancellor’s Office of the CCC found that students are much less likely to complete transfer-level English and mathematics courses within a one year timeframe

when local placement practices require, encourage, or allow those students to enroll in pre-transfer coursework;

- h) Implementation of AB 705 is uneven and some colleges increased pretransfer-level offerings in fall 2020;
- i) Research in California and Florida shows when pre-transfer level courses are optional, Black and Latinx students are more likely than their White or Asian peers to enroll in pretransfer-level courses; and,
- j) In fall 2020 at one in five colleges, a third or more of students were enrolled in pretransfer-level mathematics.

2) It is the intent of the Legislature the following are satisfied:

- a) All U.S. high school graduate students and those who have received a General Equivalency Diploma (GED), regardless of background or special population status, who plan to pursue a certificate, degree, or transfer program offered by the CCC, will be directly placed into and when beginning coursework in English or math, enrolled in transfer-level English or math if their program requires English or math;
- b) CCCs will place and enroll students into transfer-level English or math that completes a requirement of the student's intended certificate or associate degree or a requirement for transfer within the student's intended major;
- c) When the California State University (CSU) or the University of California (UC) systems require English or math prerequisites, all the following apply:
 - i) CCC retain the authority to determine the method of completing a prerequisite, which, can include, but is not limited to, high school coursework, completion of corequisite coursework, credit for prior learning, multiple measures placement into, or completion of a course with the same or higher prerequisite.
 - ii) The CSU will and the UC is requested to collaborate with the CCC to maintain articulation of courses completed at the CCC; and,
- d) The CCC creates the largest opportunities possible for access to transfer-level courses, ensure the greatest enrollment possible into those courses, and provide students the support they need to perform well and be successful in completing those courses.

3) Authorizes the board of governors to adopt a list of authorized assessments instruments, review and consider for approval all assessment instruments which:

- a) Meet the standards of validity and reliability;
- b) Are sensitive to culture, language differences between students and are adapted to accommodate students with disabilities.
- c) Are used solely as an advisory tool to assist students in the selection of appropriate courses;

- d) Are not used to exclude students from admission to the CCC.
- 4) Requires a community college district or college to maximize the probability that a student will enter and complete transfer-level coursework in English and math within on a one-year timeframe of their initial attempt in the discipline and for a student with a known academic goal, that the transfer-level coursework satisfies a requirement of the student's intended certificate or associate degree, or requirement for transfer within the student's intended major, within a one-year timeframe of their initial attempt in the discipline.
- a) Requires community colleges when placing and enrolling students into English and math in order to achieve the goal as defined in (4) of this analysis, one or more of the following measures:
 - i) High school coursework;
 - ii) High school grades;
 - iii) High School grade point average (GPA).
 - b) Requires community colleges to apply multiple measures in the placement and enrollment of students so that the following occurs:
 - i) Low performance on one measure will be offset by another higher performance measure;
 - ii) Multiple measures will be used to increase a student's placement recommendation and not to lower it;
 - iii) Any one measure can demonstrate a student is prepared for transfer-level work; and,
 - iv) The multiple measures placement will not require students to repeat coursework that they successfully completed in high school or college or for which they demonstrated through other methods of credit for prior learning.
 - c) Clarifies the use of high school grade point average as a composite of a student's performance over multiple years of high school coursework is sufficient use of multiple evidence-based measures.
 - d) Requires community colleges to use multiple-based measures for placing students into English as a second language (ESL) coursework. For those students placed into credit ESL coursework, their placement should maximize the probability that they will complete degree and transfer requirements in English within three years.
 - e) Authorizes the use of high school transcript data as the primary means for determining placement in English and math courses.
 - f) Clarifies when high school transcript data is difficult to obtain or logically problematic to use or not available, a community college district or community college may use self-reported high school information.

- g) Allows community colleges to use guided placement or self-placement data for students who have not graduated from high school or for high school graduates unable to provide self-reported high school information.
 - h) Specifies the placement and enrollment of students using guided or self-placement methods must maximize the probability the student will enter and complete transfer-level mathematics that satisfies a requirement of the intended certificate or associate degree or a requirement for transfer within the intended major within a one-year timeframe of the student's initial attempt in the discipline.
 - i) Authorizes a community college to use guided placement or self-placement to direct ESL students, who are not U.S. high school graduates, into credit ESL programs and will maximize the probability the student in credit ESL will complete the course and complete transfer-level English within a three year timeframe.
 - j) Prohibits district placement methods based on guided placement, including self-placement from:
 - i) Including sample problems, assignments, assessment instruments, or test, including those designed for skill assessment;
 - ii) Requesting students to solve problems, answer curricular questions, present demonstrations and examples of coursework to show knowledge or mastery of prerequisite skills, or demonstrate through tests or surveys.
 - k) Authorizes the Board of Governors to establish regulations governing the use of placement models, as defined to ensure the models selected by a community college will 1) guide English and math placements and enrollments to achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and math that satisfies a requirement of the intended certificate or associate degree or a requirement for transfer within the intended major within a one year timeframe and 2) will guide the placement of ESL students so that they complete transfer-level coursework within a timeframe of three years. Requires the regulations to require a community college or district, for students who seek a goal other than transfer, and who are in a certificate or degree program with specific requirements as dictated by the program's advisory board or accrediting body, that cannot be met with transfer-level coursework to maximize the probability the student will enter and complete the required college-level coursework in English and math within a one-year timeframe.
 - l) Exempts programs from (4) (a)-(k) if the program does not have an English or math requirement.
- 5) Prohibits a community college or district from recommending or requiring a student to enroll in a pretransfer-level English or math course unless both of the following are true:
- a) The student is highly unlikely to succeed in a transfer-level course based on their high school grade point average and coursework; and,
 - b) Enrollment in pretransfer-level coursework will improve the student's probability of completing transfer level coursework in English or math within a one – year timeframe

or, for credit ESL students, completing transfer-level coursework in English within a three-year timeframe.

- 6) Requires by July 1, 2023, a community college, who places and enrolls students into transfer-level English or math that does not satisfy a requirement for the student's intended certificate or associate degree, or a requirement for transfer within an intended major, to verify the benefit of the coursework to students by showing that:
 - a) The student is highly unlikely to succeed in a transfer-level English or math course that satisfies a requirement for the intended certificate or associate degree, or a requirement for transfer within the intended major; and,
 - b) Enrollment in the course will improve the student's probability of completing transfer-level English or math that satisfies a requirement for the intended certificate or associate degree, or a requirement for transfer within the intended major, within a one – year timeframe.
- 7) Prohibits a community college from recommending or requiring students to take a transfer-level course, as described in (6) of this analysis to students after July 1, 2024, if the benefits as described in (6) (a) and (b) of this analysis are not realized and requires a community college to notify students who continue to enroll in the course that it is optional and does not improve their chances of completing subsequent coursework that satisfies a requirement for their intended educational goal, as defined.
- 8) Requires by July 1, 2025 a community college, for a calculus-based associate degrees or transfer majors in Sciences, Technology, Engineering, or Mathematics (STEM), to examine the impact of placing and enrolling students into transfer-level courses composed of no more than two transfer-level courses that prepares students for the first STEM calculus course, in order to verify the benefit of the coursework to students by showing that:
 - a) The student is highly unlikely to succeed in the first STEM calculus course without additional transfer-level preparation;
 - b) The enrollment will improve the student's probability of completing the first STEM calculus course;
 - c) The enrollment will improve the student's persistence and completion of the second calculus course in the STEM program, if a second calculus course is required.
- 9) Prohibits a community college from recommending or requiring students to take the transfer-level courses, as described in (8) of this analysis to students after July 1, 2025, if the benefits as described in (8) (a) to (c) of this analysis are not realized and requires a community college to notify students who continue to enroll in the course that it is optional and does not improve their chances of completing subsequent coursework that satisfies a requirement for their intended educational goal, as defined.
- 10) Encourages community colleges to explore the impact of concurrent enrollment for the first STEM calculus course as an alternative to transfer-level preparatory courses that are not part of the STEM degree or transfer coursework for the STEM major.

- 11) Prohibits, by July 1, 2023, for any community college or district to rely on any of the following factors as a justification for placing and enrolling a student into pretransfer-level English or math or into transfer-level English or math that does not satisfy the requirements of the student's intended educational goals, as defined. The factors include:
 - a) The length of time between the student's enrollment date at the CCC and the student's high school graduation date;
 - b) Whether the student belongs to a special population, including, but not limited to, foster youth, veterans, economically disadvantaged students, or those students who participate in extended opportunity programs, students who participate in disability services and programs, UMOJA, PUENTE, or mathematics, engineering, science, and achievement programs; and,
 - c) Whether the student can provide a high school transcript, self-report high school information, or uses self-placement or guided placement.
- 12) Requires by July 1, 2023, for all U.S. high school graduates, and those who have a GED, regardless of background or special population status, who plan to pursue a certificate, degree, or transfer program offered by the CCC, to be directly placed into, and, when beginning coursework in English or mathematics, enrolled in transfer-level English and math.
 - a) Requires, if a student has declared an academic goal, for the English and math coursework to satisfy a requirement of the student's intended certificate or associate degree or requirement for transfer within the intended major.
 - b) Prohibits a community college from requiring a student to repeat coursework they have already successfully completed in high school or college to take coursework that repeats competencies the student has demonstrated through other methods of credit for prior learning.
 - c) Prohibits a community college from using noncredit coursework to circumvent the direct placement and enrollment of students into transfer-level coursework as described in (12) of this analysis.
- 13) Exempts from transfer-level placement and enrollment into English and math coursework, the following:
 - a) Students in certificate programs without English and math requirements;
 - b) Students in adult education programs that have not completed high school or a GED;
 - c) Current high school students in dual enrollment or taking courses not available in their local high school;
 - d) The community college has provided local research data pursuant to (6) and (8) of this analysis to verify the benefit of the placement and enrollment into transfer-level coursework that does not satisfy a requirement for the intended certificate or associate degree or a requirement for transfer within the intended major; and,

- e) College-level placement and enrollment in lieu of transfer-level placement and enrollment may occur for the following:
 - i) Students in career technical education programs seeking a certificate or associate degree with specific requirements, as dictated by the program's advisory or accrediting body, that cannot be satisfied with transfer-level coursework; and,
 - ii) Specific subgroups of students for whom a community college district or community college has provided local research and data meeting the evidence standards as described in (6) and (8) of this analysis for the placement and enrollment of student subgroups into pretransfer-level English and math.
- 14) Authorizes a community college to offer tutoring, support-enhanced transfer-level English and math courses, concurrent, low-unit credit or similar contact hour noncredit corequisite coursework for transfer-level English and math, or other academic supports to students who need or desire additional academic support.
- 15) Authorizes a community college to require students to enroll in additional concurrent support, including additional language support for ESL students, during the same term that they take a transfer-level English or math course if it is determined the support will increase the student's likelihood of passing the transfer-level English or math.
- 16) Clarifies that nothing in (14) or (16) of this analysis shall be misconstrued as limiting student access to additional concurrent support or requiring students to enroll in concurrent support.
- 17) Permits the Chancellor's Office of the CCC (CCCCO) to require a community college or district to change or adopt a placement policy or practices identified by the CCCCCO to ensure the college or district's placement and enrollment of students into English, ELS and math are consistent with this measure.
- 18) Clarifies nothing in (4) through (17) of this analysis is meant to add English or math requirements to certificate programs that do not have English or math requirements.
- 19) For purposes of (4) through (17) of this analysis, the following definitions apply:
 - a) "Assessments" means the process of gathering information about a student regarding the student's study skills, English language proficiency, computational skills, aptitudes, goals, learning skills, career aspirations, academic performance, and need for special services. Assessment methods may include, but not necessarily be limited to, interviews, standardized tests, attitude surveys, vocational or career aptitude and interest inventories, high school or postsecondary transcripts, specialized certificates or licenses, educational histories, and other measures of performance;
 - b) "Pretransfer level" means with respect to courses, includes basic skills, remedial, and college-level courses;
 - c) "Transfer-level written communication" and "transfer-level quantitative reasoning" have the same meaning as transfer-level English and transfer-level math, respectively.

- 20) Requires the CCCCCO, beginning on July 1, 2023, to make available on its website a dashboard containing multiyear data, beginning from 2014. The dashboard will be updated annually and will contain data submitted to the CCCCCO by community colleges on student progression and completion of transfer-level English, math, and ESL courses, disaggregated by community college and by all the following:
- a) Age group;
 - b) Whether the student received corequisite support;
 - c) Receipt of disability services and programs for students;
 - d) Receipt of extended opportunity programs and services;
 - e) Ethnicity;
 - f) Foster youth status;
 - g) Gender;
 - h) Discipline – relevant high school performance bands;
 - i) MESA program students;
 - j) Puente students;
 - k) Umoja students; and
 - l) Veteran status.
- 21) CCCO will, beginning on December 1, 2024, and annually thereafter update the dashboard and inform the Assembly Committee on Higher Education, the Assembly Budget Subcommittee on Education Finance, the Senate Committee on Education, and the Senate Budget and Fiscal Review Subcommittee on Education of the update.

EXISTING LAW:

- 1) Establishes the CCC under the administration of the Board of Governors of the CCC, as one of the segments of public postsecondary education in this state. The CCC shall be comprised of community college districts (Education Code (EDC) Section 70900).
- 2) Establishes that CCC districts are under the control of a board of trustees, known as the governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs (EDC Section 70902).
- 3) Requires CCC districts and colleges to maximize the probability that a student will enter and complete either transfer-level coursework in English or math within a one –year timeframe and use in the placement and enrollment of students, multiple measures comprised of high school transcript data.

- a) Permits CCC districts or college to use self-reported high school information and guided placement including self-placement, when high school transcript data is not available.
- b) Requires CCC districts or colleges when using multiple measures to ensure low performance on one measure is offset by a higher performance on another measure and when a student demonstrate preparedness they can bypass remediation based on any one measure.
- c) Requires colleges to maximize the probability that ESL students when placed into credit ESL courses will maximize the probability the ESL student will complete transfer-level English within three years.

Authorizes the board of governors to establish regulations governing the use of placement models, as defined to ensure the models selected by a community college will 1) guide English and math placements and enrollments to achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and math and 2) will guide the placement of ESL students so that they complete transfer-level coursework within a timeframe of three years. Requires the regulations to require a community college or district, for students who seek a goal other than transfer, and who are in a certificate or degree program with specific requirements that are not met with a transfer-level coursework to maximize the probability the student will enter and complete the required college-level coursework in English and math within a one-year timeframe.

Prohibits a CCC district or college from requiring a student to enroll in remedial English or math that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework shows that the student is highly unlikely to succeed in transfer-level coursework.

Permits a CCC district to enroll students into concurrent supports, as defined, but only if the support will increase their likelihood of passing the transfer-level coursework. Instructs CCC districts and colleges to minimize the impact on student financial aid and unit requirement for the degree by exploring embedded support and low or noncredit support options (EDC Section 78213).

FISCAL EFFECT: Unknown

COMMENTS: *For the purpose of this analysis as consistent with renaming of courses as identified in AB 1705 (Irwin) remediation is included in pretransfer level course when used throughout this analysis.*

Need for the measure. As illustrated by the author, “in 2017, I had the pleasure of authoring AB 705 (Irwin), Chapter 745, Statutes of 2017, which dramatically reformed basic skills education in English and math at the California Community Colleges. Instead of using invalid placement tests, AB 705 (Irwin) requires colleges to maximize the likelihood that students complete transfer-level courses in English and math within one year and restricts remedial education courses to only those students where there is evidence that they would be highly unlikely to succeed in transfer-level courses.

According to the Public Policy Institute of California (PPIC), the passage of AB 705 (Irwin) has led to tens of thousands of more students entering and successfully completing transfer-level

English and math. Importantly, AB 705 (Irwin) contributed to significant reductions in racial equity gaps in access to and completion of transfer-level courses, especially in math and for Black and Latinx students.

Unfortunately, implementation of AB 705 (Irwin) has been uneven across the state and a substantial number of students are still required or directed to enroll in below transfer-level courses. At one in five colleges, a third or more of students are still being enrolled in remedial courses and these students are disproportionately Black and Latinx students. Research demonstrates that the chances of completing a transfer-level course are significantly diminished for those who start in a course below transfer-level: only a third of these students subsequently enrolled in a transfer-level course.

AB 1705 (Irwin) will prevent misapplication of AB 705 (Irwin) and codify selected guidance from the Chancellor's Office regarding its implementation. The bill clarifies expectations for students with goals other than transfer and requires campuses to accept self-reported GPA data for placement purposes when high school transcripts are unavailable. Additionally, the bill will provide campus-level accountability through a regularly updated dashboard that publically displays aggregated student enrollment and completion of these courses."

In the beginning there was remediation. In November 2016, the PPIC published a report on "Preparing Student for Success in California's Colleges". The report found four in five students who began their college journey at the CCC during the 2009-2010 academic year took a developmental or remedial course in either math or English. These courses were foundational courses, meant to bridge the basic skills gap students lacked upon graduating high school. In 2010, there were four levels of math and English remediation a student could be placed into based on their assessment; which, for some students meant four courses or four semesters or two years before they were ever in transfer – level courses. The 2016 PPIC report found remediation posed an equity issue as Latinx, Black, and low-income students comprised the majority of the population relegated into remediation. 87% of Latinx and Black students took at least one remedial math course or English course compared to their White and Asian peers who made up 70% of the student population. Additionally, students who delayed entry into college after completing high school were also more likely to be placed into lower levels of remediation; specifically 25% of those students who were placed four levels below transfer level were older than 25 years of age.

With the majority of the student population at the CCC in 2016 being placed into remedial education, the question became is remediation working and fulfilling its purpose to provide students with the foundational skills necessary to pass transfer-level courses. However, successful completion of a transfer-level course can only be calculated if the student persists beyond their remediation courses. For math only 8% who began four courses below transfer-level persisted and completed transfer-level math course; for those three levels below it was 15%, two levels below it was 26%, and for one level below it was 49%. For English, only 28% of those who began four courses below transfer-level persisted and completed a transfer-level English course; for those three levels below it was 29%; for those two levels below it was 41% and for those one level below it was 55%. The majority of students who began in developmental courses did not successfully complete a transfer-level course nor did they matriculate to a degree.

Logically, if remediation built the skills necessary to equip students to be successful in transfer-level courses, then the completion rate for students who took remediation would be high.

According to the “Transfer Level Gateway Completion Dashboard”, supported by Cal-Pass Plus data from community colleges, in the 2016-2017 academic year, 48% of students, who took one remediation course, successfully completed transfer-level English in two years. The one year throughout rate for those who took a remediation course and then took a transfer – level English course was 37%. For math, 35% of those who took one remediation course, successfully completed a transfer-level math course in two years and 22% of those who successfully completed a remediation course successfully completed a transfer-level math course in one year. Therefore, the very course promulgated as necessary for student’s overall success in transfer-level course was in fact a facade.

Remediation became not only an equity concern, but an economical concern. Rather than fulfilling their mission of successfully training and upskilling a workforce, the CCC were placing barriers in front of students in the name of skill building and many students never achieved their long-term academic goals. Only 24% of remedial education students transferred to a four year institution after six years compared to 65% of students who were not placed in remedial education. To address this equity concern and to provide students with the opportunity to demonstrate their skills in a forum other than an exam, AB 705 (Irwin), Chapter 745, Statutes of 2017, was enacted.

The purpose of AB 705 (Irwin), was not to remove access to remediation nor to prevent students from building necessary foundational skill to be successful. The purpose of AB 705 (Irwin) as delineated in Education Code Section:

- 1) Prohibits a CCC district or campus from using an assessment instrument for the purpose of placing students without the authorization of the Board of Governors;
- 2) Required CCC districts and colleges to maximize the probability a student would enter and complete transfer-level coursework in English and mathematics within a one year timeframe and within three years for English-as-a-second-language (ESL) students.
- 3) Required CCC districts and colleges to use high school data, including grade point averages, grades, and course taken, to determine the placement of students into courses;
- 4) Stipulated CCC districts and colleges were not to require students to enroll in remedial English or mathematics coursework that lengthens their time to complete a degree, unless placement research shows that those students are more unlikely to success in transfer-level coursework in English and mathematics; and,
- 5) Enabled CCC districts and colleges the ability to require students to enroll in additional concurrent support during the same semester that they take a transfer-level English and mathematics course if it the support would help the student succeed.

AB 705 (Irwin) did not infringe on the academic freedom of the CCC system by removing their ability to offer remediation to students. AB 705 (Irwin) removed existing barriers to degree attainment, by requiring CCC campuses to use all available educational resources to maximize throughput rates or completion rates of transfer-level and, college-level where applicable, English and mathematics courses. AB 705 (Irwin) established a threshold by which student-level data gathered over time, during high school, instead of single data point from an exam could be used to determine a student’s capacity to perform in courses.

AB 705 (Irwin) sought to raise all boats by helping all students realize their potential by placing them in transfer-level courses based on coursework completed in high school. In terms of predicting student success in courses or their preparation, high school grade point average is the most accurate indicator beyond the student's own knowledge as to how a student will perform in college math and English, as supported by research conducted by the RP group in "The Decay Function of the Predicative Validity of High School GPA". Furthermore, AB 705 (Irwin) furnished students with the authority, to refuse remediation and to immediately enroll in transfer-level or college-level course depending on their educational goal. In other words, AB 705 (Irwin) strengthened student's choice to make an informed decision about their course selection rather than being sifted into remediation where their chances of success were marginal.

Just as in AB 705 (Irwin), student choice was not explicitly mentioned, AB 1705 (Irwin) does not explicitly mention student choice, as choice is an inalienable right in Education and students have the autonomy to select courses which best suit their needs. AB 1705 (Irwin) strengthens students ability to make informed decisions by ensuring that the decision to recommend placement or enroll a student into a pretransfer level course is data driven and not based on other outside factors such as race/ethnicity, a student's special population status, or time out of high school.

Implementation of AB 705 (Irwin). After AB 705 (Irwin) unanimously passed the Legislature full implementation was delayed until 2019, to provide colleges time to prepare, reformat their courses to provide concurrent or corequisite supports, and establish local placement policies based on localized student data. On July 11, 2018, the CCC Chancellor's Office (CCCCO) issued memorandum AA18-40 to colleges to assist with the implementation process. In the memorandum, the CCCCCO established a correlation between AB 705 (Irwin) and the Chancellor's Vision for Success in that both would:

- 1) Increase the number of students who enter and complete transfer-level English and mathematics in one year;
- 2) Minimize the disproportionate impact on students created through inaccurate placement process; and,
- 3) Increase the number of students completing transfer-level English within three years.

The eleven page memorandum provided detailed information to assist districts as they implemented AB 705 (Irwin) including descriptions of the goal of implementation, assessment and placement, measuring innovation, curricular design, and co-curricular supports.

Additionally, confined within the memorandum the CCCCCO established the default placement rules for the system which established a benchmark colleges would use to determine if they had successfully implemented AB 705 (Irwin). The default placement rules were created by the Multiple Measures Assessment Project (MMAP) team in collaboration with the AB 705 Implementation Advisory Committee. The MMAP analysis examined placement data from 2007-2014, student's high school data, and course completion rates. The MMAP team was able to determine that a higher percentage of students are more likely to successfully complete a transfer-level course in one year than those who first take a remediation course and then attempt transfer-level course. The MMAP team's analysis determined the default placement rules could be applied to students who had graduated from high school within ten years and demonstrated even the lowest performing high school graduates had higher throughput (completion of a

transfer-level course in one year) or success rates of completing a transfer-level course when first placed into transfer-level courses immediately then if they were first placed in remediation and then in transfer-level courses.

The default placement rules are as follows:

<i>High School Performance Metric for English</i>	<i>Recommended AB 705 Placement for English</i>
H.S. GPA ≥ 2.6 [Success rate 78.6%]	Transfer-Level English Composition (no academic or concurrent support required)
H.S. GPA 1.9-2.6 [Success rate 57.7%]	Transfer-Level English Composition (additional academic or concurrent support recommended)
H.S. GPA < 1.9 [Success Rate 42.6%]	Transfer-Level English Composition (additional academic or concurrent support strongly recommended)

High School Performance Metric for Statistics/Liberal Arts Mathematics	Recommended AB 705 Placement for Statistics/Liberal Arts Mathematics
H.S. GPA ≥ 3.0 [Success rate 75%]	Transfer-Level Statistics/Liberal Arts Mathematics. (no additional or concurrent support required)
H.S. GPA from 2.3 to 2.9 [Success rate 50%]	Transfer-Level Statistics/Liberal Arts Mathematics. (additional or concurrent support recommended)
H.S. GPA < 2.3 [Success rate 29%]	Transfer-Level Statistics/Liberal Arts Mathematics. (additional or concurrent support strongly recommended)

High School Performance Metric for Business, Science, Technology, and Mathematics (BSTEM) Mathematics	Recommended AB 705 Placement for BSTEM Mathematics.
H.S. GPA ≥ 3.4 OR H.S. GPA of ≥ 2.6 and enrolled in a H.S. Calculus course [Success rate 75%]	Transfer-Level BSTEM Mathematics (no additional academic or concurrent support required for students)
H.S. GPA ≥ 2.6 or Enrolled in H.S. Pre-Calculus [Success rate 53%]	Transfer-Level BSTEM Mathematics (additional academic and concurrent support recommended)

H.S. GPA ≤ 2.6 and no Pre-Calculus [Success rate 28%]	Transfer-Level BSTEM Mathematics (additional academic support and concurrent support strongly recommended)
--	--

The aforementioned default placement success rates were the minimum threshold, when determining if localized placement models are created by community colleges for their students are providing comparable placement rules across all 115 brick and mortar colleges and to provide a benchmark for successful implementation of AB 705 (Irwin). In other words if a college decides to place students with a 2.6 GPA in a prerequisite course, then the success completion rate of that cohort of students who enter a prerequisite course and then completes a transfer-level math course within one year should be either equal to or greater than 28% for the college to be in compliance with AB 705 (Irwin).

California Code of Regulations, Title 5, Section 55522 regulations entitled, English and Mathematics Placement and Assessment, were adopted to further provide clarity on how districts were expected to implement AB 705 (Irwin) including defining a process by which a students without high school data could “self-place” using models provided by the district and expressly tying the Student Equity and Achievement Program in Education Code Section 78213 to assist college in the implementing AB 705 (Irwin).

Data driven student success. AB 705 (Irwin) represented a paradigm shift for the CCC. Colleges could no longer rely on assessments to sort students into remediation or transfer-level courses. Instead thoughtful examination of student’s high school transcript data was required to determine the placement and enrollment of students. In other words, just as the UC and the CSU no longer relay on the SAT or the ACT to determine if a student has successfully met the metric of success for enrollment, CCC could no longer use an exam to determine if a student was prepared for transfer-level or college credit course.

According to the Title 5 regulations, CCC districts were to reach full implementation by July 1, 2019, with the district providing the CCCCCO with data in July 2021 on the efficiency of the localized placement method when compared to the default placement rules. Therefore, there are currently at least two years of data from full-implementation and four years of data since colleges were informed they were to change their placement and enrollment policies.

On October 16, 2019, PPIC provided a presentation on “Broadening Access to Transfer-Level Courses at California’s Community Colleges”, a panelist remarked “we cannot deny the data showing that placement and curricular reforms are particularly helpful to students who are historically underrepresented in college”. In the same month, the PPIC published a report “What happens when colleges broaden access to transfer-level courses? Evidence from California’s Community Colleges”. Researchers at PPIC, acknowledged since the policies contained within AB 705 (Irwin) were uncharted territory for many colleges, close examination of data on student access and student success rates would determine if the experiment was successful. Based on the findings in the report, gains were already being experienced within months of the final implementation date; with enrollment of first-time students starting directly in transfer –level English increasing by 30% and first-time students starting directly in transfer – math increasing by 17%. As access increased so did student success, with the share of students completing transfer-level English in one term increasing by 30% and the share of students completing transfer-level math in one term increased by 18%. Finally, perhaps the most poignant data point

in deterring if AB 705 (Irwin) was successful, PPIC researchers found in fall 2019, students who enrolled in transfer-level courses with corequisite supports experienced higher completion rates than their peers who began in remediation.

These findings by the PPIC, a respected research institution in California, were further supported by the Research and Planning Group for California Community Colleges (RP Group), published a report on “Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System”. The report analyzed data from fall 2015 to fall 2018 and highlighted progress made by community colleges specifically in English and math:

- Direct enrollment into transfer-level English saw a 16% rise between fall 2017 and fall 2018; Direct enrollment in transfer-level math saw an increase of 11% between fall 2017 and fall 2018.
- The number of students who successfully completed transfer-level English increased by 80% between fall 2017 and fall 2018; the number of students who successfully completed transfer-level SLAM math increased by 116% and the number of students who successfully completed transfer-level BSTEM math increased by 103%.
- Successful completion rates of transfer-level English increased by 10% and successful completion rates of transfer-level math increased by six percentage points.

In September of 2020, the Academic Senate of the California Community Colleges Guided Pathways Taskforce published a report on placement in English and math pathways, “Optimizing Student Success”. The paper raised the following concerns with the new placement and enrollment guidelines “early evidence indicates at least two areas of concern: first, far fewer students are enrolled in any credit English or mathematics course statewide; second, the numbers of students who are not successful have increased, particularly in historically disproportionately impacted student populations, such as some ethnic groups, foster youth, EOPS and CalWORKs. Equity or achievement gaps are showing a trend of increasing for most ethnic groups compared to the white non-Hispanic and Asian ethnic groups.”

Comments have been made by faculty suggesting that AB 705 (Irwin) and subsequently AB 1705 (Irwin) overlook marginalized populations, who are underrepresented in higher education and ignores the needs of the few for benefit of the many. However, data from fall 2019 and fall 2020 would suggest otherwise.

In November of 2020, a full year after the final implementation deadline, the PPIC published a report on the “New Era of Student Access at California’s Community College”. In the PPIC’s examination of data from fall 2015 till fall 2019, their analysis concluded AB 705 (Irwin) transformed student access, outcomes and racial equity; specifically,

- By fall 2019, direct access to transfer-level English became nearly universal across the community college system. With access rates in fall 2015 at 38%, by fall 2019 access rates increased to 96%. Access gaps between racial/ethnic groups were virtually eliminated with all ethnicity groups enrolling in transfer-level English at about 90%.
- Student completion rates of transfer-level English increased. The PPIC report found 27% of students successfully completed transfer-level English on their first attempt in fall 2015 and in fall 2019, 61% completed transfer-level English on their first attempt. Completion rates

also rose by over 20 percentage points for all racial/ethnic groups. First-time English students in corequisite courses experienced a success rate of 58% compared to a 29% success rate of those who started in remediation and then took transfer-level English were more likely to pass transfer-level English than those who began in remediation.

- By fall 2019, direct access to transfer-level math increased from 21% to 78%. Equity gaps in math narrowed to less than 12 percentage points where as in fall 2015 the largest equity gap was 28 percentage points.
- Student completion rates of transfer-level math increased. The PPIC report found 14% of students successfully completed transfer-level math on their first attempt in fall 2015 and in fall 2019, 40% completed transfer-level math on their first attempt. Completion rates also rose by over 20 percentage points for all racial/ethnic groups. First-time math students in BSTEM pathways who elected to take corequisite courses experienced a success rate of 39% compared to a 7% success rate of those who started in remediation and then took transfer-level math were more likely to pass transfer-level math than those who began in remediation. For first-time math students in statistics and liberal arts pathway (SLAM), who elected to take corequisite courses experienced a success rate of 49% compared to a 13% success rate of those who started in remediation and then took transfer-level math were more likely to pass transfer-level math than those who began in remediation.

Finally, in December of 2021, the PPIC published “Community College Math in California’s New Era of Student Access”, which focused on data analysis of implementation for math courses. The report examined enrollment and found transfer-level courses remained relatively neutral with a 2% drop, and enrollment rates across all racial group remained the same. Successful completion of transfer-level math in one term increased by 6%. The percentage of those who successfully completed transfer-level math within one year (multiple attempts included) was 49% in 2019, an increase from 34% in 2018.

The report further promulgated among first-time math students who began in transfer-level math, the success rate for these students increased from 51% in 2019 to 57% in 2020. Only 1/3 of students who begin in a below-transfer level math course subsequently enrolled in a transfer-level course and only a fifth successfully complete the course within a year. Students placed in remediation have a lower success rate in transfer-level math than their counterparts who enroll in transfer-level with concurrent supports. Specifically those who enroll in a corequisite model have a success rate in transfer-level math that is 31% higher than those who enroll in remediation first and then enroll in transfer-level courses. Even those who enroll directly in transfer-level course, without supports, and are not successful, have a 7% higher probability of successfully completing transfer level course than those who begin in remediation.

Finally, the California Chancellor’s Office’s Transfer-Level Gateway Completion Dashboard administered by the RF Group, displays the completion rates of transfer-level English, math and credit ESL, beginning at a student’s point of entry in a discipline, disaggregated by special population, race/ethnicity, gender, and whether the student received corequisite supports. The data contained within the data system can be filtered by college or systemwide and from the last decade. Data captured by the system would suggest in the 2019-2020 academic year throughput rates (or the % of successful completion of transfer-level math or English in one year) have decreased for those immediately enrolled in transfer-level math or English. The data reflects a 10% drop in successful throughput of math and 6% drop in successful throughput of English

from pre-AB 705 (Irwin) throughput rates. However, as any statistician will explain, it is easy to have higher success rates with a smaller population than it is with a larger population. In 2015-2016 academic year, 46,454 students enrolled directly into transfer –level math; however in the 2019-2020 academic year 115,735 students enrolled directly into transfer-level math.

Furthermore, the number of students who completed transfer-level math after being directly enrolled in the course more than doubled from 33,692 to 69,131 from 2015 to 2020. This is still higher than the throughput rates for those who first take remediation or pretransfer level courses and then take transfer-level course based on data provided by the data system. Finally, more students successfully completed transfer-level math in 2019-2020 in one year and have a higher throughput rate than any prior year.

For math the results are the same but with slightly different percentage rates. In 2015-2016 academic year, 81,441 students enrolled directly into transfer –level English; however in the 2019-2020 academic year 172,367 students enrolled directly into transfer-level English.

Furthermore, the number of students who completed transfer-level English after being directly enrolled in the course nearly doubled from 62,638 to 120,021 from 2015 to 2020. This is still higher than the throughput rates for those who first take remediation or pretransfer level courses and then take transfer level course based on data provided by the data system. Finally, more students successfully completed transfer-level English in 2019-2020 in one year and have a higher throughput rate than any prior year.

Opponents of AB 1705 (Irwin) are accurate when they suggest the throughput rates have decreased for English and math when examining direct placement into transfer level courses or for remedial courses; however these are the same individuals who suggested the throughput rates would drop dramatically due to more students being provided access to transfer-level courses without the foundational skills to succeed. Students are accessing, enrolling, and successfully completing transfer-level courses in droves compared to cohorts five years ago.

Cohort throughput rate has dropped slightly for those enrolled in transfer-level courses, but instead of claiming the experiment has failed, faculty should be examining methods by which supports could help increase the throughput rates instead of demanding that students be once again relegated into remediation or pretransfer courses; whose throughput rates have never maximized the probability a student would successfully complete transfer-level English or math at the same rate as their counterparts who enroll directly in transfer-level English or math.

Office of General Counsel letter and other loopholes to AB 705 (Irwin). In August 12, 2021, the Public Advocates, a nonprofit law firm and advocacy organization that challenges the systemic causes of poverty and racial discrimination by strengthening community voices in public policy, received a letter from the Office of General Council of the CCC. Public Advocates had petitioned the Board of Governors of the CCC to change regulations to further align existing regulations with the spirit and intent of AB 705 (Irwin) by changing regulations to accurately reflect existing law. The change to the regulations was to further clarify that colleges are to place and enroll students in remedial sequences or pre-transfer level coursework in English or math if the student is highly unlikely to succeed in transfer-level coursework and if the pre-transfer level coursework will improve the student's likelihood of successfully completing transfer-level courses in one-year. The rejection of this proposed change to the regulations was confusing to Public Advocates as the request is directly reflected in existing law and should be standard practice. In other words, if a remedial course did not improve a student's ability to complete

transfer-level coursework within two semester or three quarters, the student was not to be placed in the remediation course.

However, in the letter provided by the Office of General Counsel of the CCC, it was suggested the Legislative intent behind existing law was to in fact increase the number of students who enter and complete transfer level coursework and not to limit who could be enrolled in remedial education. The Office of General Counsel of the CCC stipulated “The practical effect of the Public Advocates’ proposal would be to prohibit a student from enrolling in remedial coursework unless the conditions started in (A) and (B) are met. If this was the Legislature’s intent, it would have said so in plain language, and it did not”.

AB 1705 (Irwin) seeks to refine, clarify, and codify the aforementioned suggestion by Public Advocates in plain language as suggested by the Office of the General Counsel of the CCC.

The memo from the Office of General Counsel introduced an interpretation of AB 705 (Irwin), which had not been elevated prior to its publication. The general consensus, from data provided in numerous reports, was the implementation of AB 705 (Irwin) was completed to the letter of the law and not only were campuses reducing remediation, but they were limiting the number of students assigned and enrolled in them.

In July of 2021, the CCCCCO presented results from equitable placement validation reports to the Board of Governors. The validation reports were CCC district opportunity to evaluate their local placement practices and show that they could meet AB 705 standards while continuing to place students in remedial courses. Of the 115 community colleges who submitted validation reports, only seven colleges or 6.1% were found to have effectively met the standards established in AB 705. The other 93.9% either they reported a sample size too small for evaluation, had incomplete data, maximized the throughput rate (successful completion of transfer-level coursework within 2 semesters or three quarters) of only one group of students (5 colleges), or did not maximize the throughput rate for any group of students. While data demonstrated overall increase in access and increase in successful completion rate, districts and campuses were not following the letter nor the spirit of AB 705 (Irwin) despite being two years past the implementation deadline and four years past the enactment of the law.

In October of 2021, the California Acceleration Project, a faculty led professional development network, published an analysis of the validation reports submitted by CCC districts to the CCCCCO in July 2021. Key findings from the examination of the validation reports uncovered a lack of congruency in the implementation of AB 705 (Irwin):

- None of the state’s 115 colleges could reliably justify placing students into remedial math provided the student with the skills necessary to complete a transfer-level course in a year than if the student was directly enrolled in transfer level.
- At least half of the colleges had placement practices that disproportionately harm Black and Latinx students. 58 of the colleges placement practices produced disproportionately lower completion rates of transfer-level math among Black students and 64 colleges have placement practices that produce disproportionately lower completion of transfer level math among Latinx students. These placement practices predominately guided and pushed Black and Latinx students into below transfer-level math without ensuring the students would have throughput rates of successfully completing transfer-level math in one year.

- Colleges are ignoring high school grades and inappropriately using guided placement to steer students into remedial courses. 48 community colleges ignore high school grades for transfer-direct and undecided students and use guided or self-placement to enroll these students into remedial math; 37 of these colleges do this for students with high and midrange GPAs.

Data from numerous reports indicated statewide implementation of AB 705 (Irwin) was not being realized with some campuses removing remediation without providing concurrent supports to help students succeed, and others continuing to drive students into remediation without examining local data to determine if the course would assist students in successfully completing transfer-level math or English.

After a multiple year delay in the implementation in order to provide faculty and districts time to build supports for students and to realign curriculum to meet the needs of students, to learn districts have not implemented AB 705 with consistency and have misrepresented the intention of existing law as a policy designed to abandon marginalized students to fail in transfer-level courses is gravely disheartening when it was remediation which failed students. AB 1705 (Irwin) Section 78213 (k) (1) – (3), seeks to rectify any confusion by ensuring students are offered access to supports as defined by requiring community colleges to make them available to students.

November 2021 memo. To address loopholes in existing law, to expand data informed placement and enrollment practices, and to provide congruent enrollment practices to provide all students equitable starting points in their educational journeys regardless of the community college they elect to attend, the CCCCO published a memorandum with reformed data informed guidelines for placement and enrollment practices in November 18, 2021. With two years of delayed implementation to help campuses build the scaffolding necessary to successfully support and assist students and two years of direct implementation, ESS 21-300-015 notably marked a new era in fidelity in the implementation of AB 705 (Irwin) with clear and distinct goals for the system, supported by data and research. While faculty have suggested the memorandum has moved the goal post of AB 705 (Irwin), the suggested next “changes” to existing enrollment and placement practices in fact aligns with not only the Legislative intent of AB 705 (Irwin), but existing law.

Specifically, the following identified “new” practices are included in the memorandum are also actualized in either intent or actual existing law:

- 1) Place and ensure enrollment of all students with high school data available into transfer-level courses, including students who may have been out of high school ten or more years.
 - a) “The Decay Function of Predictive Validity of High School GPA” from the RP group in December of 2020, validated the practice of using high school GPA as the strongest predictor of whether a student would be successful regardless of the time out of high school when compared to testing the student when they are trying to enroll.
 - b) This furthers the intention of AB 705 (Irwin) as it removes age as a factor in determining if a student should be enrolled in a transfer-level course or a remedial courses and instead focuses on whether the data suggests the student’s high school GPA is a predictor of success as established in the multiple-measures placement method.

- 2) Place and ensure enrollment of all student groups, regardless of their background or special population status, using the Chancellor's Office high school GPA default placement rules. This includes, but is not limited to, DSPS, EOPS, Foster Youth, Veteran, UMOJA, Puente, MESA and economically disadvantaged students.
 - a) In "Enrollment and Success in Transfer-Level English and Math for Special Populations" a report by the RP group in July of 2021, provided data enrollment and throughput rates (successful completion of English and math within the one year timeframe) increased since the implementation of AB 705.
 - b) Suggesting a specific population should be ostracized to remedial or pre-transfer level courses solely based on their placement within the special group is elitism. AB 705 (Irwin) made it clear, the only significant factor colleges should be examining as to whether a student should be placed into remediation is if that specific student whose GPA, courses in high school, or grades in those courses predict the student would benefit from remediation in order to successfully complete transfer level course in one year.
- 3) Place and ensure enrollment of ESL students who graduated from a U.S. High school directly into transfer-level English or an ESL – equivalent transferable course.
 - a) In "Maximizing English Language Learners' Completion of Transferable English Composition in Community College" the RP group in August 2020, found ESL students who were high school graduates and placed directly into transfer-level English have high throughput rates (successful completion after one year) with corequisite supports when needed.
 - b) While AB 705 (Irwin) permits ESL students to successfully complete transfer-level English courses within three years, this time table was not meant to prevent successful enrollment and completion of transfer-level English course if data demonstrated the students could be successful.
- 4) Place students who have completed higher level math in high school into high level mathematics courses based on their high school performance.
 - a) While not explicitly mentioned in AB 705 (Irwin), ideally the overarching goal of the measure to encourage progression towards degree instead of repetition of courses and therefore ensuring students are given credit for high school work and do not have to repeat course further the goals of AB 705 (Irwin).
- 5) Strongly consider placing students on BSTEM Pathways who have not completed Algebra II in high school using the Chancellor's Office GPA default placement rules.
 - a) The RP group in August of 2021, published a report which identified students who had not completed Algebra II, but were enrolled directly in transfer-level SLAM math experienced a successful completion rate of 37%; whereas 8% of the same type of students who enrolled in intermediate algebra completed any transfer-level math within one year. Furthermore, students whose educational goals are in science, technology, engineering, or math pathways have a much higher successful completion rate of transfer-level math when enrolled directly in transfer-level regardless of their high school math course.

- b) Again, AB 705 (Irwin) acknowledge the value of high school courses as skill building in nature and therefore if data demonstrates students have a higher probability of successfully completing a transfer-level course if they are immediately enrolled in transfer-level instead of remediation, then existing law demands students be enrolled in the transfer-level course.
- 6) Carefully consider placing and ensuring enrollment of students who may not have completed high school, but have completed at least the 10th grade using the Chancellor's Office high school GPA default placement rules.
- a) Data collected by the RP group in "Placing Special Admit High School Students via Extended MMAP Criteria" would suggest performance of high school students in transfer-level courses is similar to the performance of postsecondary students when disaggregated by high school GPA.
 - b) AB 705 (Irwin) did not suggest age, time out of high school, or even high school graduation was to be used as an indicator of whether a student should be placed into remediation. Only data which shows a student is more likely to succeed if placed in remediation and if a student is highly unlikely to success in the transfer- level course reasons under existing law to place a student into remediation and therefore, given the aforementioned evidence this goal is aligned with AB 705 (Irwin).

Finally, the November 2021 memo by the CCCCCO made the overarching assertion that by Fall 2022, the CCC system must be in full compliance with existing law and associated regulations by ending all local placement practices not following existing law and associated regulations and by placing and enrolling all U.S. high school graduate students in certificate, degree, or transfer programs, into transfer-level English or math courses where English and math requirements exist. Colleges are not required to create new English or math requirements.

If a college plans to continue placing and enrolling students into pre-transfer level courses or multi-term transfer level course in fall 2022, the campus is required to submit local data to show completion of transfer-level courses is maximized for a special program or student group that enrolls by requirement or by choice in pre-transfer level courses or multi-term transfer level course. Committee staff understand from various sources, faculty and the CCCCCO, colleges have elected to not provide data at all and instead are moving away from offering pre-transfer level courses.

After the publication of the memorandum, Committee and Legislative staff were contacted by faculty, who were increasingly disillusioned with the efforts of the CCCCCO to realign the system with the intention of AB 705 (Irwin) and sought Legislative intervention to revoke the memorandum or even eradicate AB 705 (Irwin). Instead, of revoking existing law, AB 1705 (Irwin) seeks to memorialize in code the data informed policies as illustrated in the November 2021 memorandum as the further the intent of existing law.

Purpose of AB 1705 (Irwin). After the Office of General Counsel letter, explicitly reinterpreted legislative intent and the adverse response of college districts and faculty to the November 2021 memorandum from the CCCCCO, AB 1705 (Irwin) was drafted as a collaborative solution to further the desire of the CCCCCO to establish data informed policies which further student access and success in obtaining their educational goals at the CCC.

The goal of AB 1705 (Irwin) is to rectify the narrative that the CCCCCO memorandum from November 2021 repainted how colleges would meet the requirements of existing law around the placement and enrollment of students. Furthermore, AB 1705 (Irwin) seeks to provide “plain language” as suggested by the Office of General Counsel of the intent to minimize enrollment in remediation courses, maximize enrollment in transfer-level courses, and increase successful completion rates among all students regardless of special population, race/ethnicity, socioeconomic status, or time out of high school.

The CCC is an open access higher education institution, it does not siphon through the population to determine who shall attend their system. Therefore, the CCC should be open access in all things including the placement and enrollment in transfer-level course. Data driven educational practices are how educational institutions produce equitable setting by which all students can achieve their educational goals and receive supports regardless of their past learning experiences. If data shows a student requires academic supports to be successful, than the CCC should provide those academic supports in whatever form the data prescribes for optimal success.

But success is relative and in the case of the CCC, success is determined by a student’s ability to achieve their academic goals. More students are enrolling in transfer-level courses and successfully matriculating to degree completion under existing law, entirely due to AB 705 (Irwin) and reform efforts by the CCCCCO, as illustrated in the CCCCCO’s Student Success Metrics database.

Therefore, AB 1705 (Irwin) which seeks to codify the November 2021 memo and close loopholes to ensure fidelity and systemwide congruency of AB 705 (Irwin), furthers student success through equitable data practices and is aligned with the mission of the CCC.

Mission of the CCC. As communicated on the CCC’s website, the mission of the CCC is to put students first. The CCC role is to provide students with a clear path to obtaining their educational goals whether it be transferring to a four-year university or seeking a certificate or vocational training for social and economic mobility. The cornerstone of the CCC is providing agency to students; however agency without some structure is chaos. Students should be given free will to choose courses which best support their educational goals, but students should also be informed, supported, and given the whole picture to fully understand the consequences of their choice and how it can impede their future.

AB 1705 (Irwin), does not remove a student’s capacity to choose their academic future nor the course they think is best for them; what AB 1705 (Irwin) is provide the whole picture of how a student’s choice of a course will does is prevent undue influence from outside forces to unwittingly redirect or encourage a student into a course. Counselors will still be able to inform students of remedial courses or pretransfer courses. Furthermore, AB 1705 (Irwin) does not remove offerings of remedial education, it simply clarifies the definition of who needs to be enrolled in them.

In Education Code section 66010.4, the codified mission of the CCC is inscribed to include remedial instruction for those in need of it. The definition of those in need of is an evolving phrase and should not be assigned in perpetuity to a group of student based on factors not aligned with data; furthermore every student is unique. Two students with the same socioeconomic background and of the same race can have vastly different educational outcomes. To use any factors other than high school coursework, high school grade point average, or coursework

grades is placing learned prejudices onto students without providing an avenue by which they can ever escape the prejudice.

AB 1705 (Irwin) further expands how a community college can define who is in need of remediation through the lens of data informed practices derived from high school coursework, and transcript data. In Section 78213 (d) (1)-(2) and (j) (5) (B) data demonstrates and meets specified evidence standards that a student would benefit from pretransfer-level (remedial) courses and the college can prove the course will support the student's educational goals in obtaining transfer-level English and math within one year then that scenario constitute a need and is aligned with the mission of the CCC.

The CCC provides vocational education and lower division courses to students for the purpose of degree obtainment. Career technical courses or vocational courses lead to a certificate for a specific field of expertise and therefore, obtaining transfer-level English or math may not seem immediately of consequence to vocational students. However, as the job market continues to evolve and minimal educational requirement for higher career positions increase, students may return to the CCC after completing a vocational certification hoping to build their resume. Currently, if previous certification earners return to the CCC they may be dismayed to find their English and math courses do not count towards their associate degree or their four – year bachelor's degree. If the CCC is truly the “backbone of higher education” and wishes to be the first stop in degree obtainment for the majority of Californians, then offering true “college credit” transferable courses in all certificates and degree where applicable should be the goal so students are not forced to repeat courses upon their return.

AB 1705 (Irwin) prevents a two tiered approach to academic learning in the CCC system where vocational students are placed into non-transfer courses which severely limits their educational futures and economic mobility. Furthermore, AB 1705 (Irwin) preserves the ability for Career Technical Education with specified English and math requirements as dictated by the program's advisory or accrediting body, to continue offering pretransfer level courses if the coursework is determined to not align with transfer-level coursework (Section 78213 (j) (5) (A)).

Data from other states. On March 24, 2022, the Louisiana Board of Regents eliminated remedial coursework in Louisiana's public universities and colleges. In the article justifying the reasons for the change, a Board of Regent member said, “Addressing barriers to student success, like passing college-level math, gets us closer to our goal of doubling the number of credentials in our state by 2030 and saves our students time and money”. In “Rethinking remedial programs to promote college student success”, published by the Brookings Institute, as of 2021, 24 states or individual higher education systems either allow or mandate corequisite learning supports instead of remediation. Of those 24 states, an in depth study was completed on the “Effect of Corequisite Remediation: Evidence from a Statewide Reform in Tennessee” by the Community College Research Center at Columbia University. The paper examined remediation versus corequisite supports; and, found students placed in corequisite supports were 15% more likely to pass transfer-level math and 13% more likely to pass transfer-level English within one year than similar students who were placed into remediation.

Arguments in opposition. The Faculty Association of California Community Colleges finds fault with AB 1705 (Irwin) as “proponents of AB 1705 argue the bill will maximize the probability that students will pass transfer-level math and English within one year; however, the data collected from the Chancellor's Office since the implementation of AB 705 shows otherwise.

According to the Chancellor's Office Transfer Level Gateway Completion Dashboard, transfer-level completion rates in English held steady at 75-77 percent until colleges began adopting AB 705 in 2018. The most recent data shows completion rates dropped down to 70 percent. In math, the transfer rates held between 72-73 percent until the adoption and implementation of AB 705 and have now dropped to 60 percent. “

“AB 1705 would also limit a student's ability to choose the course that best meets their educational and academic needs. It places severe restrictions on counselors and the recommendations they are allowed to make to their students, including not being able to inform their students about pre-transfer courses as an option. Additionally, as prescriptive as AB 1705 is, it overlooks students in career technical education programs (CTE) who do not have transfer as a goal and may not want to take transfer-level courses. While the most recent amendments carve out an exception for students in CTE programs without math or English requirements, it still requires students in CTE courses to take transfer level math or English if there is any kind of existing math or English requirement. While some CTE students may be fine with that, the community colleges will lose more CTE students to for-profit colleges that do not have that kind of arbitrary requirement.”

Additional arguments and proposed amendments to AB 1705 (Irwin) are brought by the Academic Senate of the California Community Colleges. The ASCCC finds “this bill would require that students, with few exceptions, are placed and enrolled in transfer-level English and mathematics, even when those courses are not required for the student's educational programs.”

“Specifically, as directed by the delegates per Resolution S22 06.03, the ASCCC requests that the following amendment language be included in order to uphold the mission of the California community colleges:

Placement and enrollment of students in a transfer-level English or mathematics course should not prevent students from enrolling in a pre-transfer level English or mathematics course when a student determines a course fulfills their academic needs based on the desire to do any of the following:

- i) Complete a certificate or career technical education program.
- ii) Make up for learning loss from the COVID-19 global pandemic or break in education.
- iii) Build skills or re-skill.
- iv) Fulfill a lifelong learning priority in written communication and quantitative reasoning courses.

It is the intent of the legislature to neither prohibit nor deny a student the opportunity to enroll in any pre-transfer level English or mathematics course based on students' rights to determine their educational goals and academic needs.

It is the intent of the legislature to neither create additional English or mathematics requirements in program pathways nor to increase the level of the English or mathematics requirements in program pathways.”

Arguments in support. As expressed by the CCCCCO, “We support AB 1705 because it targets placement practices for students whose major, degree, or education goal require or are best supported by taking transfer level course. While students in certain educational pathways will retain the flexibility to enroll in pre-transfer level courses, AB 1705 maintain the evidentiary standards that we must utilize data to make important decisions about placement practices. As an

essential paradigm shift in AB 1705 is that we go beyond placing students directly into transfer-level English and also provide them with appropriate academic supports that expedite completion and reduce persistent equity gaps. In lieu of pre-transfer level courses that extend time to degree, colleges should provide high-quality learning supports to ensure students success within these gateway course. This measure emphasizes the need to not just place students in these gateway course, but to fulfill our promise to support them in being successful.”

As the lead student voice, the Student Senate of the CCC have also raised their voice in support of AB 1705 as “Nevertheless, implementation of AB 705 has been uneven across the community college system, and a substantial number of students are still encouraged to enroll in below-transfer courses, despite evidence suggesting that doing so dramatically reduces their likelihood of completion. Just 14% of students who took one below-transfer math course in fall 2019 completed a transfer-level course in a year, compared to 60% of students who enrolled directly in the transfer level. These classes clearly do not meet the AB 705 standard of maximizing student completion, but in fall 2020, below-transfer classes constituted 20% or more of the introductory math offered at 69 colleges. Black and Latinx students disproportionately attend colleges that maintained large remedial offerings, driving ongoing racial inequities in completion (Still Getting There).”

“AB 1705 will help strengthen the implementation of AB 705 to ensure that all students benefit from these successful reforms by: making clear that colleges must enroll students in math and English classes where they have the greatest likelihood of completing degree and transfer requirements; clarifying that colleges should not require students to repeat math and English classes they passed in high school; providing greater protections to ensure that students are not required to take extra math and English courses that don’t count towards their degree requirements; and, clarifying that it is the responsibility of colleges to ensure that students have supports that help them make progress toward their goals. Equitable placement and completion reform at community colleges have proven to work by producing unprecedented gains for students. This policy is a critical lever in meeting the goals of the California Community Colleges system’s Vision for Success and ensuring equitable recovery from the COVID-19 pandemic.”

REGISTERED SUPPORT / OPPOSITION:

Support

California Acceleration Project
California Community Colleges Chancellor's Office
California Competes
California Edge Coalition
Campaign for College Opportunity
Career Ladders Project
Genup
Just Equations
Public Advocates, INC.
Student Senate for California Community Colleges
Students Making a Change (SMAC)
The Education Trust - West
The Institute for College Access & Success

Unidosus
University of California Student Association
Young Invincibles

Oppose

Academic Senate for California Community Colleges
California Community College Independents
California Federation of Teachers AFL-CIO
Faculty Association of California Community Colleges

Analysis Prepared by: Ellen Cesaretti-Monroy and Jeanice Warden / HIGHER ED. / (916)
319-3960