

Date of Hearing: March 24, 2021

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 102 (Holden) – As Amended March 15, 2021

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

SUBJECT: College and Career Access Pathways partnerships: county offices of education

SUMMARY: Authorizes county offices of education (COE) to enter into College and Career Access Pathways (CCAP) partnerships with the governing board of California Community College (CCC) districts and deletes the sunset date to provide the indefinite continuation of CCAP partnerships. Specifically, **this bill:**

- 1) Adds COE to the list of partners with whom a CCC may enter into a CCAP partnership agreement for the purpose of offering or expanding dual enrollment opportunities to high school students who may not already be college bound or who are underrepresented in higher education. Requires a COE to comply with the same requirements as a school district when entering into a CCAP partnership agreement with a CCC district.
- 2) Requires the governing board of a COE when entering into a CCAP partnership to do the following:
 - a) Consult with, and consider the input of the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs; and,
 - b) Present, take comments from the public on, and approve or disapprove the CCAP partnership agreement at an open public meeting of the COE governing board meeting.
- 3) Requires the CCAP partnership agreement to identify a point of contact for the participating CCC and the participating COE.
- 4) Clarifies a CCC district may enter into an agreement with a COE outside its service area as long as there exists an established agreement permitting the CCAP partnership between the local CCC and the CCC district seeking the CCAP partnership.
- 5) Stipulates both the CCC district and the COE will comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of teachers and faculty who teach a CCAP partnership course.
- 6) Specifies that the CCAP partnership agreement will include whether the CCC district or COE will be the employer of record for purposes of assignment monitoring and reporting to the COE; and which will assume reporting responsibility pursuant to federal teacher quality mandates.
- 7) Clarifies that any remedial course taught by CCC faculty on a high school campus will be offered to high school pupils who do not meet grade 10 - or 11 - level standards as determined by the COE. These courses will be the result of a collaborative effort between

high school and CCC faculty to deliver innovative remediation courses for the purpose of ensuring the student is prepared for college-level work upon graduation.

- 8) Prohibits the duplication of state funding for instructional activity provided to a student participating in a CCAP agreement.
- 9) Clarifies that a high school student, identified as special part-time or full-time students at the CCC, who attends a CCAP agreement course is credited or reimbursed according to Section 48802 or 76002, if the participating COE has not received funding for the same instructional activity.
- 10) Requires the Chancellor of the CCC to annually collect data from the CCC and COE participating in a CCAP partnership. The data shall include:
 - a) The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity; and,
 - b) The total number of CCC courses taken by CCAP partnership participants disaggregated by category and type and by school site; and,
 - c) The total number and percentage of courses successfully completed by CCAP partnership participants disaggregated by course category, type, and by school site; and,
 - d) The total number of full-time equivalent students generated by the CCAP partnership community college district participants; and,
 - e) The total number of full-time equivalent students served online by the CCAP partnership college district participants.
- 11) Removes the sunset provision of January 1, 2027 and enables CCAP partnerships to continue indefinitely.
- 12) Makes clarifying and technical changes.

EXISTING LAW:

- 1) Permits a student to undertake courses at a community college if the Governing Board of a school district, upon recommendation of the principal of the student's high school and with parental consent, determines a student would benefit from advanced or vocational work. The student may attend the CCC during any session or term as a special part-time or full-time student and take one or more courses of instruction offered at the CCC. Provides methods for parents to petition for students to attend community college courses and methods for appeals in case of a denial. Includes criteria for allocating attendance and funding for high school students who attend courses at the community college. Stipulates summer courses may be offered if a student has meet specified conditions and if the principal has not recommended summer session attendance to more than 5% of the student's grade population in the previous year. All physical education courses must adhere to the 5% threshold and the following courses are exempt until January 1, 2027:
 - a) Courses which are part of a College and Career Access pathway and meet specified criteria; or

- b) Courses which are lower division, college-level courses that are either a college-level course that are part of the Intersegmental General Education Transfer Curriculum or applies towards the general education requirements of the California State University; or,
 - c) Courses which are a college-level occupational course, as defined (EDC Section 48800 et.seq).
- 2) Authorizes, until January 1, 2027, for a community college district to enter into a College and Career Access Pathways partnership agreement, with a governing board of a school or charter school district 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.
- a) Requires the CCAP partnership agreement to be approved by the respective governing boards of the CCC district and the school district. The governing boards must:
 - i) Consult with and consider the input of the appropriate local workforce development board in order to determine to what extent the career technical education pathways are aligned with regional and statewide employment needs; and,
 - ii) Present, take comments from the public on, and approve or disapprove of the CCAP partnership agreement at an open public meeting of the governing board of the district.
 - b) Requires the Chancellor of the CCC, on or before January 1, 2021, to prepare a summary report that includes an evaluation of the CCAP partnerships, an assessment of the growth of special admits system wide and by campus, and recommendations for improving the CCAP partnerships, as specified. The report will be transmitted to the Legislature, the Director of Finance, and the Superintendent of Public Instruction. Requires Chancellor of the CCC to annually collect specified data from the CCC and school districts participating in a CCAP partnership. The data shall include:
 - i) The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity; and,
 - ii) The total number of CCC courses taken by CCAP partnership participants disaggregated by category and type and by school site; and,
 - iii) The total number and percentage of courses successfully completed by CCAP partnership participants disaggregated by course category, type, and by school site; and,
 - iv) The total number of full-time equivalent students generated by the CCAP partnership community college district participants; and,

- v) The total number of full-time equivalent students served online by the CCAP partnership college district participants (EDC Section 76004).

FISCAL EFFECT: Unknown.

COMMENTS: *Dual Enrollment.* Dual enrollment or concurrent enrollment is defined by the National Center for Education Statistics as a course which offers high school students both high school and college credit. Historically, dual enrollment targeted higher-achieving students through Advance Placement exams or attending community college to take advance courses after the student had exhausted courses offered at their high school campus. 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 enabling high school students to take college level courses is a proven mechanism for improving educational attainment. Students receive early exposure to college experiences and accrue credits which reduce time to degree. In addition to the academic benefits, K-12 and community colleges also benefit from dual enrollment, as community colleges are able to strengthen relationships with their future student population; and high schools are able to increase the availability of advanced academic courses without additional fiscal constraint.

In August 2019, the National Center for Education Statistics published findings from the *High School Longitudinal Study of 2009*. The data collected represented a cohort national study of the course taking behavior of high school students from 2009 to 2013. The study found 89% of high schools in the nation offer dual enrollment programs, but only 11% of students participated in dual enrollment programs. Recent research from the UC Davis Wheelhouse in collaboration with the California Education Lab, and PACE, found California has not only exceeded the national average of dual enrollment participation, but has increased dual enrollment participation from 11.3% in 2015-2016 to 18.2% in 2018-2019.

In California, high school students or their parents can petition their school board for permission to attend college courses on a college campus for dual credit. However there are three other dual enrollment programs available to high school students including, the College and Career Access Pathways Program (CCAP), a Middle College High School (MCHS), and an Early College High School (ECHS).

A MCHS is a public high school located on a community college campus and represents a highly effective collaborative effort between local school districts and community colleges to provide an alternative learning environment to select at-risk high school students who are performing below their academic potential. Students enroll in a MCHS for grades 11 and 12 and graduate with a high school diploma and up to 44 units worth of college credits. Currently there are 14 MCHS operating throughout the state.

Similar to a MCHS, an ECHS allows students to earn college credit while enrolled in high school; however an ECHS is a partnership between a charter or non-charter public high school and a local community college, the California State University (CSU), or the University of California which enables students to earn a high school diploma and two years of college credit in four years or less. Students enrolled in an ECHS are limited to enrolling in up to 11 college course units per semester. According to the California Department of Education there are 20 ECHS located throughout the state.

College and Career Access Pathways Partnerships (CCAP). In 2015, the CCAP partnerships were established as a strategic tool to increase college attendance of under-achieving students by providing them access to college courses while in high school. AB 288 (Holden) Chapter 618, Statutes of 2015, represented an unprecedented policy shift by allowing students, who were under performing, access to remediation courses taught by community college faculty on a high school campus. Until 2015, dual enrollment was seen as a privilege afforded to students who were either over performing in high school or were attending an alternative Middle College High School or Early College High School.

Not only were the CCAP partnerships a change in policy, but they represent a fundamental change in how dual enrollment is offered to high school students in the state of California. According to the California Department of Education, a CCAP partnerships is an agreement between the governing boards of a school district and a CCC district for the purpose of providing college courses to students who may not already be college bound or who are underrepresented in higher education. The goals of the partnership are to:

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

CCAP partnerships represent a streamlined pathway for students to engage with college courses and they provide greater flexibility for the participating districts; who in exchange meet a litany of requirements relative to facilities, instructors, reporting and funding restrictions. CCAP are unique agreements from other dual enrollment programs in that the college courses can be offered on a high school campus, participating students are not charged fees, and students can be provided priority enrollment in up to 15 units per semester.

According to the CCC Chancellor's Office Management Information Systems Data Mart, in the fall semester (2014) prior to the implementation of CCAP partnerships, 33,945 high school students enrolled in college credit courses at the CCC. Since the implementation of CCAP partnerships, the number of high school students earning college credit has dramatically increased, more than doubling by fall 2020 with 69,771 high school students receiving credit. While California does not currently have a data system which can directly link the increase in dual enrollment to CCAP partnerships, one can safely assume a correlation between the streamlined pathways and the increase in high school students engaging in dual enrollment.

Need for the measure. According to the author's office, "research has demonstrated that dual enrollment students are more likely to enter college, persist to completion, and graduate. The positive effect of dual enrollment on college degree attainment are more pronounced for low-income students than their more affluent peers. AB 102 ensures that dual enrollment continues to be available to California students, including youth involved in the juvenile justice system, as an approach to close the persistent achievement and equity gap. AB 102 shows a commitment to expanding and improving CCAP. This program yields public savings by reducing the time it takes to earn a college degree and improving the efficiency and effectiveness of higher education".

AB 102 eliminates a provision that would otherwise sunset the highly effective CCAP program in 2027. Currently, there are 91 CCAP partnerships throughout the state and given their success in increasing dual enrollment figures throughout the state, these programs should continue as an effective tool in encouraging the academic progress of underrepresented students in higher education.

Additionally, AB 102 enables COE to enter into CCAP partnerships with CCC districts. Some CCC districts are confused about whether current law permits CCAP partnerships with COEs since the language specifically identifies school and charter school districts as permissible partners. According to the California Department of Education, there are 58 COEs, who in addition to assisting local school districts with academic and administrative support, operate and maintain 54 Juvenile Court Schools and 74 County Community Schools. These schools provide education to students who are justice – involved or have been expelled by their local school. In the 2019-2020 school year, COE oversaw the education of 18,193 students. Each of these students would benefit from the ability to access additional educational opportunities offered by a CCAP agreement. As the author so eloquently stated, by not clarifying whether COE can enter into CCAP agreements, the state is “missing an opportunity; we know that youth in juvenile facilities want to go to college, and we know that education is fundamental to their rehabilitation. The CCAP program is meant to expand higher education opportunities to underserved students, and this bill will ensure that youth in juvenile justice facilities are part of that expansion.”

Recent CCAP Report. Since the inception of CCAP partnerships was a new and innovative approach to offering dual enrollment, a report requirement was included to determine the efficacy of the new program and to provide the CCC Chancellor’s Office (CCCCO) an opportunity to provide recommendations on how to improve the partnerships. The statutory report was due to the Legislature, the Department of Finance and the Superintendent of Public Instruction on January 1, 2021. The due date of the report, originally coincided with the sunset date of the CCAP partnerships in order to provide the Legislature time to evaluate the partnerships and whether they should continue. At the publication date of this analyses, the CCAP report had not been released by the CCCCCO; however, preliminary data provided by the Public Policy Institute of California and the UC Davis Wheelhouse study suggests that CCAP partnerships are contributing to the increase in dual enrolment figures throughout the state. However, while the data reflects an increase in participation, disparities in participation continue to persists, specifically among Black, Latinx, and socioeconomically disadvantaged students, which is the student population CCAP partnerships are intended to serve. *Moving forward, the author may wish to work with CCCCCO and K-12 school districts to ensure that participants in CCAP partnerships reflect the intended population of students and that CCAP partnership reporting requirements reflect the author’s intentions.*

Arguments in support. Proponents of AB 102 highlight the value of CCAP partnerships in providing pathways for students to enroll in college credit courses, who otherwise would not be represented in dual admissions. The CCCCCO states that, “dual enrollment increases high school graduation rates and preparation for college-level coursework. Participants accelerate completion of college certificates, degrees, and transfer to four-year colleges and universities, and achieve greater upward socio-economic mobility for themselves and their families. Our initial reporting on CCAP has shown that colleges and high school are finding CCAPs to be a useful collaboration framework for providing access to college courses, and are serving a higher proportion of Black and Latinx students than non-CCAP dual enrollment. Eliminating the sunset

date will allow CCAP programs to continue and reassure CCAP participants that partnerships will be able to continue past 2027”.

Committee comments and amendments. In *Improving College Readiness through Dual Enrollment*, a recent report by the Public Policy Institute of California, recent research indicates 43% of districts in California, which serve 70% of high school students, offer dual enrollment. The popularity and widespread offering of dual enrollment can be associated with the introduction and implementation of the streamlined CCAP partnerships.

CCAP partnerships provide a plethora of additional benefits for partnering districts and their students. One of the perks of being in a CCAP partnership includes the ability of a district to provide summer CCAP courses to students without their attendance counting towards the statutory 5% summer college – course enrollment cap. Since AB 102 will extend indefinitely the ability for COE, districts, charter schools, and community college districts to participate in CCAP partnerships, the Committee recommended and the author has accepted, eliminating the sunset provision associated with the summer course enrollment cap exemptions found in Education Code Section 48800. This amendment would enable students who enroll in CCAP partnerships courses and other specified college courses during the summer to be indefinitely exempt from the statutory 5% summer college – course enrollment cap. Specifically:

Eliminating Education Code Section 4880, subdivision (e): ~~Paragraphs (3) to (6), inclusive, of subdivision (d) shall become inoperative on January 1, 2027~~

Prior legislation.

- 1) AB 2019 (Holden), of 2019, which was held in the Senate Education Committee, would have expanded participation in CCAP partnerships to county offices of education.
- 2) AB 30 (Holden), Chapter 510, Statutes of 2019, modifies the process for developing a CCAP partnership by simplifying the process for developing CCAP partnerships as specified and extends the CCAP program for an additional five years.
- 3) SB 586 (Roth), Chapter 529, Statutes of 2019, requires the governing boards participating in a CCAP partnership to do the following: consult with appropriate local workforce development boards prior to the adoption of the CCAP partnership agreement to ascertain if the career technical pathways are aligned with regional and employment needs; and, present, take comments from the public, and approve or disapprove of the agreement in the same public meeting.
- 4) AB 1729 (Smith), Chapter 784, Statutes of 2019, exempts additional high school students from counting toward the 5% enrollment cap imposed on summer community college courses. Students must meet and enroll in courses that meet certain conditions.
- 5) AB 1809 (Committee on Budget, Higher Education Trailer Bill), Chapter 33, Statutes of 2018, among other provision, expanded the participation of CCAP partnerships to include charter school districts and provided clarification regarding funding and attendance allocation for participating charter school students.
- 6) AB 2891 (Holden), of 2018, which was held in the Assembly Appropriations Committee, would have extended participation in CCAP partnerships to charter school districts.

- 7) AB 2364 (Holden), Chapter 299, Statute of 2016, enabled community college district to exempt all special part-time student, as defined, from paying nonresident fees and allows these students to be reported as full-time equivalent students for funding and reporting purposes.
- 8) AB 288 (Holden), Chapter 618, Statute of 2015, authorizes the governing board of a community college district to enter into a CCAP partnership with the governing board of a school district, in its immediate service area, with the goal of developing seamless pathways in order to expand dual enrollment opportunities for students who may not be college bound or who are underrepresented in higher education; and outlines, conditions for the adoption of the CCAP agreement.

REGISTERED SUPPORT / OPPOSITION:**Support**

AFSCME, AFL-CIO

Association of California Community College Administrators

California Charter Schools Association

California Community Colleges, Chancellor's Office

Community College League of California

John Burton Advocates for Youth

Office of the Riverside County Superintendent of Schools

Riverside County Public K-12 School District Superintendents

San Joaquin County Office of Education

San Jose-Evergreen Community College District

Southwestern College

The Education Trust - West

Youth Law Center

Opposition

None on file.

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