

Date of Hearing: April 23, 2019

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1729 (Smith) – As Introduced February 22, 2019

SUBJECT: Pupils: attendance at community college.

SUMMARY: Exempts pupils who are enrolled in specified community college courses from the 5% enrollment cap during summer sessions. Specifically, **this bill:**

- 1) Specifies that a high school pupil recommended by a pupil's principal for enrollment in a summer course at a community college, shall not be included in the 5% limitation of pupils allowed to be recommended, if the course in which the pupil is enrolled is either of the following:
 - a) A lower division, college-level course for credit that is designated as part of the Intersegmental General Education Transfer Curriculum or applies toward the general education breadth requirements of the California State University; or,
 - b) A college-level, occupational course for credit assigned a priority code of "A," "B," or "C," pursuant to the Student Accountability Model, as defined by the California Community Colleges Chancellor and reported in the management information system, and the course is part of a sequence of vocational or career technical education courses leading to a degree or certificate in the subject area covered by the sequence.
- 2) Requires the 5% limitation of pupils' exemption, as enumerated in (1)(a-b), to remain in effect for all physical education courses.

EXISTING LAW:

- 1) Authorizes the governing board of a school district, upon recommendation of the principal of a pupil's school of attendance, and with parental consent, to authorize a student who would benefit from advanced scholastic or vocational work to attend a community college as a special part-time or full-time student. Prohibits a principal from recommending, for community college summer session attendance, more than 5% of the total number of pupils in the same grade level and exempts from the 5% cap a pupil recommended by the pupil's principal for enrollment in a college-level summer session course if the course in which the pupil is enrolled meets specified criteria. Exempts, until January 1, 2020, pupils who meet the requirements and are a part of the College and Career Access Pathways (CCAP) program from the 5% cap (Education Code (EC) Section 48800, et seq.).
- 2) Prohibits a pupil enrolled in a public school from being required to pay a pupil fee for participation in an educational activity; and, specifies that all of the following requirements apply to the prohibition:
 - a) All supplies, materials, and equipment needed to participate in educational activities shall be provided to pupils free of charge;
 - b) A fee waiver policy shall not make a pupil fee permissible;

- c) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain via payment of a fee or purchase of additional supplies that the school district does not provide; and,
 - d) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school (EC Section 49011).
- 3) Requires the CCC Chancellor's Office (CCCCO) to report to the Department of Finance and the Legislature annually on the amount of full-time equivalent students (FTES) claimed by each CCC district for high school pupils enrolled in non-credit, non-degree applicable, and degree applicable courses; and provides that, for purposes of receiving state apportionments, CCC districts may only include high school students within the CCC district's report on FTES if the students are enrolled in courses that are open to the general public, as specified. Additionally, current law requires the governing board of a CCC district to assign a low enrollment priority to special part-time or full-time students in order to ensure that these students do not displace regularly admitted community college students (EC Sections 76001 and 76002).
- 4) Authorizes the governing board of a community college district to enter into a CCAP partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness; and authorizes the governing board of a community college district participating in a CCAP partnership agreement to exempt special part-time students, as specified, from various fee requirements, as specified (EC Section 76004).

FISCAL EFFECT: Potentially significant; even though this measure has been keyed non-fiscal by the Legislative Counsel.

COMMENTS: *Double referral.* This bill was passed by the Assembly Committee on Education on April 10, 2019, with a vote of 6-0.

Dual enrollment. According to the United States Department of Education's Institute of Education Sciences Transition to College, *What Works Clearinghouse Report* of February 2017, dual enrollment programs allow high school pupils to take college courses and earn college credits while still attending high school.

Such programs, also referred to as concurrent enrollment, dual credit, or early college programs, are designed to increase college access and degree attainment, especially for students typically underrepresented in higher education. According to the report, dual enrollment programs support college credit accumulation and degree attainment via at least three mechanisms:

- 1) Allowing high school students to experience college-level courses helps them prepare for the social and academic requirements of college while having the additional supports available to them as high school pupils (this could reduce the need for developmental coursework).
- 2) Students who accumulate college credits early and consistently are more likely to attain a college degree.
- 3) Many dual enrollment programs offer discounted or free tuition, which reduces the overall cost of college and may increase the number of low socioeconomic status students who can attend and complete college.

Need for the measure. According to the author, the summer is an ideal time for high school students to enroll in community college courses because in most cases, the high school students are, “free of the responsibilities and workload” associated with their high school schedules. The author states, “However, current law limits the number of high school students who can enroll in summer courses at a community college”.

This measure seeks to expand the ability of high school pupils to access community college courses in the summer by removing the 5% limitation for pupils enrolling in general education courses that transfer to a four-year college or university or career technical education courses.

To note, this measure prohibits the 5% cap from being removed for high school pupils enrolled in any community college physical education course.

Committee comments. Committee Staff understands that in the last few years, of the 73 community college districts, many have faced and are facing declining enrollment (for a variety of reasons). The removal of the 5% summer session enrollment for high school pupils has the potential to assist the districts in increasing the number of their students.

That said, should a time present itself whereby the districts no longer have declining enrollment, and adult community college students are not able to enroll in various courses because of the number of high school pupils enrolled, what happens to the learning needs of the adult learner?

Moving forward, the author may wish to amend this measure to address the aforementioned scenario; ensuring that should said scenario unfold, adult community college students would have priority over high school pupils for enrollment in impacted courses for which this measure removes the 5% cap for high school pupils.

Additionally, the 5% cap removal has the potential to greatly increase the number of minors on community college campuses during the summer. This measure is silent as to how the minors will be protected from various situations that may occur on a college campus that are not safe or appropriate for minors.

Moving forward, the author may wish to amend this measure to ensure specified protections, to the extent possible, are in place for minors while they are attending courses on college campuses.

Related legislation. AB 30 (Holden), which is pending action in the Assembly Appropriations Committee, streamlines the process for developing CCAP partnerships.

SB 563 (Roth), which is pending action in the Senate Appropriations Committee, in part, establishes a CCAP Pilot Program, with the express intent to improve upon the existing CCAP program.

Prior legislation. There have been many bills introduced in the last several years that attempt to address concurrent enrollment, including, but not limited to the following bills:

- 1) AB 2891 (Holden), of 2018, which was held on the Assembly Appropriations Committee Suspense File, would, in part, authorize the governing body of a charter school to enter into a CCAP partnership with the governing board of a CCC district, which allows high school students to concurrently enroll in community college courses.
- 2) AB 2364 (Holden), Chapter 299, Statutes of 2016, in part, required a community college district to exempt all special part-time students, as specified, from nonresident fees and allows these students to be reported as resident FTES to receive associated state apportionments.
- 3) AB 288 (Holden), Chapter 618, Statutes of 2015, in part, until January 1, 2022, authorized the governing board of a community college district to enter into a CCAP partnership with the governing board of a school district within its immediate service area, as specified, to offer or expand dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education with the goal of developing seamless pathways from high school to community college for career-technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.
- 4) AB 1451 (Holden), of 2014, which was held on the Senate Appropriations Committee Suspense File, was similar in nature to AB 288 of 2015.
- 5) AB 1540 (Hagman), of 2014, which was held on the Assembly Appropriations Committee Suspense File, would, in part, specify that the governing board of a school district may authorize a pupil, at the recommendation of a community college dean of a computer science department or another appropriate community college computer science administrator, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more computer science courses offered at the community college.
- 6) AB 2352 (Chesbro), of 2014, which was held on the Senate Appropriations Committee Suspense File, would, in part, remove early and middle college high school students concurrently enrolled at a CCC from receiving low priority admission status.
- 7) AB 160 (Portantino), of 2011, which was held on the Senate Appropriations Committee Suspense File, removed certain restrictions on concurrent enrollment and authorized school districts to enter into partnerships with CCC districts to provide high school pupils opportunities for advanced scholastic work, career technical education, or other coursework at CCC campuses.
- 8) AB 230 (Carter), Chapter 50, Statutes of 2011, exempted a pupil attending a middle college high school from the requirement that CCC governing boards assign a low enrollment

priority to concurrent enrollment students if that pupil is seeking to enroll in a CCC course that is required for the pupil's middle college high school program.

- 9) SB 1437 (Padilla), Chapter 718, Statutes of 2008, extended the sunset date from January 1, 2009 until January 1, 2014 for which AB 1451 of 2014 sought to further extend the sunset.
- 10) SB 1303 (Runner), Chapter 648, Statutes of 2006, exempted from the specified 5% cap on CCC summer session enrollment, a pupil recommended by his or her principal if the pupil met specified criteria.

REGISTERED SUPPORT / OPPOSITION:**Support**

Santa Clarita Community College District - College of the Canyons

Opposition

None on file.

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