

Date of Hearing: April 3, 2018

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1935 (Irwin) – As Introduced January 24, 2018

**SUBJECT:** Community colleges: tutoring.

**SUMMARY:** Allows state apportionment funding for supervised tutoring for degree-applicable and transfer-level community college courses.

**EXISTING LAW:**

- 1) Establishes the California Community Colleges (CCC), a postsecondary education system consisting of community college districts and the Board of Governors (BOG) of the CCC (Education Code (EC) Section 70900).
- 2) Requires the CCC BOG to provide leadership and direction in the continuing development of the CCC as an integral and effective element in the structure of public higher education in the state. The work of the BOG shall at all times be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the administration of the CCC (EC Section 70901).
- 3) Establishes a system through which state funds are apportioned to community college districts based on specified formulas (EC Section 84750.5).
- 4) Identifies the noncredit community college courses and classes that are eligible for state apportionment funding including classes or courses in parenting, remedial education (otherwise known as basic skills), English as a second language, citizenship for immigrants, workforce preparation, education programs for persons with substantial disabilities, short-term vocational programs with high employment potential, education programs for older adults, home economics, and health and safety education. Existing law also prohibits state apportionment for a noncredit course or class not identified above (EC Section 84757).
- 5) Allows, under State regulations, apportionment for student attendance in tutoring sessions for basic skills noncredit courses offered pursuant to EC Section 84757(a)(2), and provides conditions for which said funds may be claimed (Title 5 California Code of Regulations (CCR) Sections 58168 and 58170).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Background.* According to the January 2018 Success Center for California Community Colleges Policy Backgrounder, *Redefining Supervised Tutoring in a Guided Pathways Framework*, in December of 2016, the CCC Chancellor asked various CCC leaders and stakeholders to identify barriers to student success. A number of statutes, regulations, and guidance memos were identified that seem to inhibit student success and learning.

*Apportionment funding.* According to the Legislative Analyst's Office (LAO), community college districts primarily receive their revenues through general purpose apportionment funding; which comprises almost three-fourths of CCC Proposition 98 Funding.

Apportionment funding is allocated primarily based on per-student rates. According to the LAO, in 2017-18, community colleges received \$5,151 per credit and enhanced noncredit Full-time Equivalent Student (FTES) and \$3,050 per regular noncredit FTES.

To note, enhanced noncredit instruction consists of courses relating to career development and college preparation. Instruction includes some basic skills courses, English as a second language courses, and career technical education courses. The state allows community college districts to claim the higher of their current-year or prior-year enrollment levels. District apportionments also include a base allocation determined by the number of colleges, state-approved centers, and total enrollment in the district.

The Success Center Policy Backgrounder, referenced in the "background section of this analysis," found that the lack of eligible apportionment funding for student referred supervised tutoring rose to the top of the various named barriers.

To note, currently, apportionment for student attendance in tutoring is permissible only in a basic skills noncredit course, as authorized in EC Section 84757(a)(2) not for degree-applicable and transfer-level courses.

The Success Center Policy Backgrounder recommends that if colleges are to offer supervised tutoring under a guided pathways framework, that EC Section 84757 be amended to add an additional coursework category to authorize supervised tutoring for noncredit apportionment in degree-applicable credit courses.

This measure, in part, is a response to the Success Center's recommendation.

*Need for this measure.* According to the author, "Given that tutoring has shown to lead to better outcomes for students, community colleges should be equipped with the resources to provide tutoring for transfer-level courses to assist students in completing their course sequences at faster rates that match their potential". The author contends that providing apportionment to CCCs for supervised tutoring of degree-applicable and transfer-level courses will assist students in persisting to achieve their academic pathways and reinforce their in-class learning.

The author states that this measure will "give colleges flexibility in designing new placement structures when complying with AB 705, and could provide net cost benefits to the state by having fewer students retake courses."

*Committee comments and amendments.* As currently drafted, it is not clear that CCCs will still be eligible to claim apportionment for supervised basic skills tutoring.

Additionally, the Success Center Policy Backgrounder recommends current regulations be amended by the BOG so that counselors/instructors do not necessary have to refer a student to supervised tutoring. To ensure there is not a delay in the BOG adopting changes to 5 CCR Section 58170, *Committee Staff recommends, and the author has agreed to, the following amendments:*

84757 (10) Supervised tutoring for basic skills, degree-applicable and transfer-level courses, as authorized pursuant to regulations adopted by the board of governors, on or by July 31, 2019.

*Related legislation.* SB 1009 (Wilk), which is pending a hearing in the Senate Appropriations Committee, is similar in nature to this measure.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

AVID Center  
California Federation of Teachers  
Chief Student Services Officers Association  
Community College League of California  
Foothill-De Anza Community College District  
Kern Community College District  
Los Rios Community College District  
North Orange Community College District  
Peralta Community College District  
San Diego Community College District  
San Francisco Community College District  
South Orange County Community College District  
The Campaign for College Opportunity  
Youth Policy Institute  
Yuba Community College District

**Opposition**

None on file.

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