

Date of Hearing: May 13, 2020

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2019 (Holden) – As Introduced January 29, 2020

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

SUMMARY: Authorizes county offices of education to enter into College and Career Access Pathways (CCAP) partnerships with the governing boards of California community college (CCC) districts. Specifically, **this bill**:

- 1) Adds county offices of education (COE) to the list of partners with whom a CCC district can enter into a CCAP partnership 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.
- 2) Requires the governing board of a COE 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. The governing board of the COE will have the final authority regarding career technical education pathways provided under the partnership; 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 district and the COE partner.
- 4) Prohibits a CCC district from entering into a CCAP agreement with a COE within the service area of another CCC district except in cases of pre-existing agreements or an agreement between the CCC districts that permits the CCAP agreement.
- 5) Requires the CCAP partnership agreement between county offices of education and community college districts to specify:
 - a) Whether the COE or the CCC district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education; and,
 - b) Whether the COE or the CCC district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.
- 6) Requires a CCAP partnership agreement to certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school students who do not meet their grade level standards in the subjects of: mathematics, English, or both, as determined by the county office of education and shall involve a collaborative effort between the high school and community college faculty to deliver an

innovative remediation course to ensure that the student is prepared for college-level work upon graduation.

- 7) Stipulates that a county office of education will not receive a state allowance or apportionment for instructional activities, pursuant to the CCAP agreement, if the community college district received payment by a state allowance or apportionment.
- 8) Specifies that the attendance of participating students at a community college, as special part-time or full-time students, be used by the community college for funding purposes unless the COE has received reimbursement for the same instructional activity.
- 9) Requires for each CCAP partnership agreement between the community college district and COE to report annually to the office of the Chancellor of the California Community Colleges the following:
 - a) The total number of high school pupils, by school site, enrolled in each CCAP partnership.
 - b) The total number of community college courses, by course category and type and by school site, enrolled in by CCAP partnership participants.
 - c) The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
 - d) The total number of full-time equivalent students generated by CCAP partnership community college district participants.
 - e) The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.
- 10) Makes clarifying and technical changes to existing law.

EXISTING LAW:

- 1) Requires the California Community Colleges (CCC) and the State Department of Education to collaborate with each other and their respective local community colleges and local school district to create and maintain middle college high schools; whose purpose is to select at-risk high school pupils who are performing below their academic potential and place them in an alternative high school located on a community college campus in order to reduce the likelihood that they will drop out of school before graduation. (Education Code (EDC) Section 11300 and 11301)
- 2) Establishes the early college high school as small, autonomous high schools that blends high school and college into a coherent educational program through partnerships with either a local CCC, the California State University, or the University of California whose purpose is to allow pupils to earn a high school diploma and up to two years of college credit in four years or less. (EDC Section 11302)
- 3) Authorizes the governing board of a school district, upon the recommendation of the principal of a student's school of attendance and with parental consent from at least one parent, to authorize a student to attend a CCC during any session or term as a special part-time or full-time student. The student is permitted to undertake one or more courses of instruction offered at the community college level upon the determination of the governing board of the school district that the pupil would benefit from advanced scholastic or

vocational work. Additionally, a principal is prohibited from recommending for community college summer session more than 5 percent of the total number of pupils in the same grade level. Exemptions to the 5 percent cap include any student who is enrolled in a course that either: meets the California State University general education requirements or the Intersegmental General Education Transfer Curriculum; or is a college-level occupational that is part of a sequence of a vocational or career technical education degree. (EDC Section 48800)

- 4) Prohibits a student enrolled in a public school from being required to pay a pupil fee in order to participate in educational activities; and specifies the following requirements apply to the prohibition:
 - a) All supplies, materials, and equipment needed to participate in educational activities shall be provided to students free of charge.
 - b) A fee waiver policy shall not make a student 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 students may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
 - 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 student or a student'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 student because the student or the student's parents or guardians did not or will not provide money or donations of goods or services to the district or school.
 - e) This does not prohibit solicitation of voluntary donations of funds or property, voluntary participation in fundraising activities. Nor do the above provisions prohibit schools or school districts from offering pupils prizes or other recognition for voluntarily participating in fundraising activities. (EDC Section 49011)
- 5) Requires the governing board of a CCC district to assign a low enrollment priority to high school or adult high school student (special part-time or special full-time) in order to ensure that these students do not displace regularly admitted community college students. Students admitted as special part-time students may enroll in up to 11 units per semester. Additionally, requires the CCC Chancellor's Office to report annually to the Department of Finance and the Legislature the amount of full-time equivalent students (FTES) claimed by each community college district for special part-time and special full-time in noncredit, non-degree applicable, and degree applicable courses; and provides that, for purposes of receiving state apportionments, community college districts may only include high school and adult high school students within the district's report on FTES if the students are enrolled in courses that are open to the general public, as specified. (EDC section 76001 and 76002)
- 6) Authorizes the governing board of a CCC district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school for the purpose of offering or expanding dual enrollment opportunities for pupils, who may not 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 degrees for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Additionally, authorizes the community college district participating in a CCAP partnership agreement to exempt special part-time students from fee requirements as specified.

- a) Permits the governing board of a participating community college district to enter into a CCAP partnership with the governing board of a high school district currently in a CCAP partnership with another community college district, if both governing board of the districts agree. As a condition of adopting a CCAP partnership, the governing boards of both the community college district and the high school district must:
 - i) For career technical education pathway: consult with, and consider the input of, appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs;
 - ii) Conduct an open public meeting where the CCAP partnership agreement is presented as an informational item. Conduct a subsequent open public meeting of the board must take comments from the public and either approve or disapprove the CCAP agreement; and,
- b) Requires the Chancellor of the California Community Colleges to prepare a summary report, on or before January 1, 2020, that includes an evaluation of the CCAP partnerships, an assessment of trends in the growth of special admits system wide and by campus and recommendations for program improvements. The annual report shall be transmitted to the Legislature, the Department of Finance, and the Superintendent of Public Instruction. (EDC Section 76004)

FISCAL EFFECT: Unknown

COMMENTS: *Dual Enrollment.* According to Education Commission of the States, *Dual Enrollment Access*, a policy snapshot from January 2020, dual enrollment programs are pathways for student under the age of 18, to earn high school credits and college credits simultaneously. According to the report, dual enrollment programs, also referred to as concurrent enrollment or early college programs, support students in their transition from high school to college by creating access to advanced learning experience that will help them prepare for college and ultimately, reduce the overall cost of a college degree by providing early college credit accumulation.

According to *A Leg Up on College*, a research brief published by University of California, Davis Center for Community College Leadership and Research, research shows that students who participate in dual enrollment outperform non-dual enrollment students in: college enrollment; first-year college grade point average, credit accumulation and persistence into the second year of college.

In recent years, California and other states have capitalized on the benefits offered through dual enrollment and have increased the nationwide average of high school student enrollment to 11% of all United States high school students participating. However, California has a higher rate of high school students participating in dual enrollment; in 2016-2017 school year 12.6% of all California high school students took college courses.

College and Career Access Pathways partnership (CCAP). Under existing law, California community college (CCC) districts have an array of methods by which they can enroll and collect funding for high school students; however, in order to do so the CCC districts must meet a variety of conditions as defined by the Education Code.

In an effort to streamline the process and remove barriers preventing additional partnerships between high school and CCC districts for dual enrollment, AB 288 (Holden) Chapter 618, Statutes of 2015, created another category of special admits, the CCAP. According to the Department of Education, a CCAP is an agreement between the governing board of a school district or charter school and a governing board of a CCC district to offer or expand dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education. The goals of the partnerships are to:

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

The original intent of the CCAP, according to the author's office, was to provide greater flexibility in the delivery of courses at high school campuses and to offer a dual enrolment as a crafted pathway towards a degree, rather than a conglomerate of available college courses.

In exchange for the streamlined pathway and greater flexibility, participating CCAP partnership districts must meet a variety of requirements relative to instructors, job placement, preserving access for adult college students, and allowances and apportionments.

It is worth noting, that high school and CCC districts who operate an early college high school or middle college high school program, are prohibited from operating a CCAP partnership unless they comply with the provisions established by AB 288.

Need for the measure. According to the author's office, some community colleges in the state, including College of San Mateo and Sacramento City College, have already partnered with probation offices and county offices of education to create innovative dual enrollment partnerships for youth in court schools and alternative schools. These programs allow students in juvenile halls and camps to take rigorous academic classes, for college credit, while also earning credits towards their high school diplomas. After leaving the juvenile hall, students are then able to continue on to the college campus, where they can access student supports and be part of a community of youth with similar experiences. Youth who participated in these programs have obtained Associates' degrees and transferred on to 4-year universities, including UCLA and Berkeley. More importantly, youth who have participated in these programs describe them as transforming their lives.

The author contends "Other community colleges and county offices of education have expressed interest in creating dual-enrollment programs for their students in court and alternative schools, but have been unable to due to the confusion over whether county offices of education are allowed to participate in CCAP dual enrollment partnerships. This is a missed 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.”

Arguments in support. In their letter of support, the Los Angeles County Office of Education expresses a desire for their 4,044 high school students to have access to a CCAP due to “research [that] shows that students in court schools who make academic progress while they are detained are more likely to continue their education, and less likely to be arrested in the future (Blomberg et al., 2011). Youth who make academic progress are also more likely to find employment as adults (Leone & Weinberg, 2012).”

Committee comments and amendments. According to the California Department of Education, there are 58 County Offices of Education (COE), who in addition to assisting local school districts with academic and administrative support, operate and maintain 65 Juvenile Court Schools and 73 County Community Schools. Together these schools service 55,492 students annually. Each of these students would benefit from the ability to access the educational opportunities offered by a CCAP agreement. Due to the County Offices of Education operating as a district for these court and community schools, it is understandable why a barrier exists in arranging CCAP partnerships; as the partnerships are defined as an agreement between a school district and a community college district, not a COE and a community college district.

With statutory barriers existing due to the lack of inclusion of COE in the code, the author’s office may wish to expand the definition of high schools to include juvenile courts, alternative schools, and community schools in order to remove any unintended consequences of exclusion of these schools in the partnerships.

With this in mind, Committee Staff recommends, and the author has agreed to accept, the following amendment, which adds the following language:

(a) (2) As used in this section, “high school” includes a community school, continuation high school, or juvenile court school.

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

- 1) AB 30 (Holden) Chapter 510, Statutes of 2019, extended the CCAP program for an additional five years, until January 2027, and simplified the process for developing CCAP partnerships by:
 - a) Only requiring one parental consent form and principal recommendation for the duration of the pupils’ participation in the CCAP partnership;
 - b) Permits units completed by a pupil pursuant to a CCAP agreement to count towards determining priority enrollment and course registration for the student at the community college;
 - c) Requires the CCC Chancellor, by July 31, 2020, to revise the special part-time student application process to allow a pupil to complete one application for the duration of the of

the pupil's attendance at a community college as a special part-time student participating in a CCAP partnership agreement; and,

- d) Streamlines the approval process of the CCAP partnership agreements during an open hearing of the partnering districts' governing boards and incorporates education code changes from SB 586.
- 2) SB 586 (Roth), Chapter 529, Statutes of 2019, extended the CCAP program for an additional five years, until January 2027, requires the governing board of a community college and the governing board of a charter school providing career technical education pathways under a CCAP partnership to consult with and consider the input of the appropriate local workforce development board in order to determine the extent by which the pathways are aligned with regional and statewide needs. Streamlines the approval process of the CCAP partnership agreements during an open hearing of the partnering districts' governing boards and incorporates education code changes from AB 30.
 - 3) AB 2364 (Holden), Chapter 299, Statutes of 2016, requires a community college district to exempt a special part-time student, other than a nonimmigrant alien, as defined, from paying all or part of the fee if the student is admitted pursuant to one of additionally specified concurrent or dual enrollment programs. Because the bill would require community college districts to determine whether students qualify for exemption from nonresident tuition, it constitutes a state-mandated program.
 - 4) AB 288 (Holden), Chapter 618, Statutes of 2015, authorized, until January 1, 2022, the governing board of a community college district to enter into a CCAP partnership with the governing board of a school district 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. Required the partnerships agreement to outline specific terms as specified and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses.

REGISTERED SUPPORT / OPPOSITION:

Support

American Civil Liberties Union of California
 Association of California Community College Administrators
 California Attorneys for Criminal Justice
 California Catholic Conference
 California Chamber of Commerce
 California Federation of Teachers
 California Judges Association
 Children's Defense Fund-California
 Community College League of California
 Ella Baker Center for Human Rights
 Initiate Justice
 John Burton Advocates for Youth
 Legal Services for Children
 Los Angeles County Office of Education

National Center for Youth Law
Office of The Riverside County Superintendent of Schools
Public Counsel
San Joaquin County Office of Education
San Jose-evergreen Community College District
Solano County Office of Education
Southwest California Legislative Council
Western Association for College Admission Counseling (WACAC)
Youth Law Center

Opposition

None on file.

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