

AMENDED IN SENATE JUNE 4, 2001
AMENDED IN SENATE MAY 25, 2001
AMENDED IN SENATE MAY 2, 2001
AMENDED IN SENATE APRIL 24, 2001

SENATE BILL

No. 434

Introduced by Senator Monteith

February 21, 2001

An act to add and repeal Chapter 11.4 (commencing with Section 66950) of Part 40 of the Education Code, relating to distance learning, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 434, as amended, Monteith. Distance learning.

Existing law establishes the California Distance Learning Policy for postsecondary education, and requires the California Postsecondary Education Commission to convene an intersegmental working group to determine state funding priorities for technology infrastructure and applications in higher education.

This bill would create the Remote Access Distance Learning Incentive Grant Program, to be administered by the California Postsecondary Education Commission. The bill would provide that the purpose of the program is to expand existing, and create new, distance learning opportunities that are the product of collaborative activities among school districts, county office of education, community colleges, and 4-year postsecondary educational institutions. The bill would require the commission to provide for an independent evaluation of the program, and submit a report to specified committees of the

Legislature by January 1, 2006. The bill would provide for the repeal of the program on January 1, 2007, ~~and would appropriate \$5,000,000 from the General Fund to the commission for the purpose of implementing the program.~~ *These provisions would be implemented only upon the appropriation of funds for the purposes of the bill in the Budget Act of 2001.* Pursuant to existing law, the bill's provisions would not apply to the University of California except to the extent that the Regents of the University of California make them applicable.

Vote: ~~2/3~~ majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 11.4 (commencing with Section 66950)
2 is added to Part 40 of the Education Code, to read:

3

4 CHAPTER 11.4. THE REMOTE ACCESS DISTANCE LEARNING
5 INCENTIVE GRANT PROGRAM

6

7 66950. (a) The Legislature finds and declares that the
8 provision of many instructional programs in remote areas of the
9 state is a benefit that is uneven and at times totally unavailable,
10 creating wide disparities in the access and opportunities available
11 to high school students and students who may be eligible for
12 transfer among postsecondary educational institutions. These
13 disadvantages take the form of remote geographic access to
14 educational opportunities, and the economies of scale that make it
15 difficult for very small school districts or community college
16 centers to provide a full range of educational programs to meet the
17 needs of their students. This creates serious disadvantages for
18 students who are not able to receive instruction in programs that
19 would make them eligible for college-level work at community
20 colleges and admission to four-year postsecondary educational
21 institutions, or to transfer from community colleges to four-year
22 institutions.

23 (b) Therefore, it is the intent of the Legislature in enacting this
24 chapter to expand existing, and create new, distance learning
25 opportunities that are the product of collaborative activities among
26 school districts, county offices of education, community colleges,
27 and the four-year postsecondary educational institutions of this



1 state. It is the intent of the Legislature that these distance learning
2 programs focus on creating opportunities for students in high
3 schools to access the academic programs that will assist them in
4 becoming eligible for higher education admission, and for
5 students in community colleges to access the academic programs
6 that will assist them in becoming eligible for transfer to a four-year
7 institution in this state.

8 66951. The Remote Access Distance Learning Incentive
9 Grant Program is hereby created, to be administered by the
10 California Postsecondary Education Commission. The following
11 parameters shall be elements of the program, as further regulated
12 by the commission:

13 (a) The funds appropriated for the purposes of the program
14 shall be distributed by the commission to consortia consisting of
15 school districts, county offices of education, community college
16 districts, the Trustees of the California State University, the
17 Regents of the University of California, or any accredited
18 independent college or university in California.

19 (b) The consortia described in subdivision (a) may include any
20 combination of districts and institutions, as determined by the
21 commission, and shall provide a match of funds of no less than 20
22 percent of the cost of the application, with the balance of 80
23 percent awarded by the commission from funds appropriated for
24 purposes of the program.

25 (c) The commission shall give priority to funding proposals
26 from consortia that demonstrate the capacity and commitment to
27 expand existing, or create new, distance learning programs that
28 would provide access to educational programs to students in high
29 schools or community colleges that would greatly benefit from
30 that access, and are otherwise prohibited from benefiting from
31 those opportunities only because of their residence in
32 geographically remote parts of the state. These proposals shall
33 ensure that a qualified, credentialed teacher is assigned to
34 supervise students enrolled in online courses.

35 (d) The commission shall award grants pursuant to this chapter
36 for no more than three years, in amounts not to exceed one hundred
37 fifty thousand dollars (\$150,000) per year. In addition, priority
38 shall be given to applications from consortia that intend to use the
39 grants for startup costs associated with creating and expanding the



1 distance learning programs described in this chapter, and not for
2 ongoing operations.

3 66952. The California Postsecondary Education Commission
4 shall provide for an independent evaluation of the Remote Access
5 Distance Learning Incentive Grant Program, and determine the
6 relative success and failure of the program to meet the objectives
7 established pursuant to this chapter and the rules and regulations
8 adopted by the commission. This evaluation shall be completed
9 and submitted by the commission, with any recommendations for
10 the program, to the education policy and fiscal committees of the
11 Legislature no later than January 1, 2006.

12 66953. It is the intent of the Legislature that an annual
13 appropriation of not less than ten million dollars (\$10,000,000) be
14 made in each of the next five fiscal years for support of the Remote
15 Access Distance Learning Initiative Grant Program. From funds
16 appropriated for the purposes of this chapter, the California
17 Postsecondary Education Commission may retain no more than 5
18 percent of the annual appropriation for the purpose of
19 administration of this chapter, and for the evaluation required
20 pursuant to Section 66952.

21 66954. This chapter shall remain in effect only until January
22 1, 2007, and as of that date is repealed, unless a later enacted statute
23 that is enacted before January 1, 2007, deletes or extends that date.

24 ~~SEC. 2. The sum of five million dollars (\$5,000,000) is
25 hereby appropriated from the General Fund to the California
26 Postsecondary Education Commission for the purpose of
27 implementing the Remote Access Distance Learning Incentive
28 Grant Program created pursuant to Chapter 11.4 (commencing
29 with Section 66950) of Part 40 of the Education Code.~~

30 *SEC. 2. Section 1 of this act shall be implemented only upon*
31 *the appropriation of funds for that purpose in the Budget Act of*
32 *2001.*

