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AMENDED IN SENATE JULY 15, 2010

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AMENDED IN ASSEMBLY MARCH 18, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1713

Introduced by Assembly Member Furutani

February 2, 2010

An act to amend Sections 48800, ~~66725.3~~, 76002, and 84760.5 of, and to repeal Section 10701 of, the Education Code, relating to public education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1713, as amended, Furutani. Public education: reporting requirements.

(1) The California Constitution provides for the election of the Superintendent of Public Instruction, and existing statutory law prescribes the Superintendent's powers and duties. Existing law also establishes the segments of the public postsecondary education system in the state, which include the University of California, which is administered by the Regents of the University of California, the California State University, which is administered by the Trustees of the California State University, and the California Community Colleges, which is administered by the Board of Governors of the California Community Colleges.

Existing law requires the Chancellor of the California Community Colleges and the Superintendent to convene a working group of adult

education and data experts to review adult education and noncredit instruction data systems and to report on the feasibility, design, and cost of a common data set in adult education.

This bill would delete that requirement.

(2) Existing law authorizes a school district to authorize pupils to attend a community college as special part-time or full-time students, and authorizes the principal of a school to recommend a pupil for a community college summer session only if the pupil meets prescribed criteria. Existing law, until January 1, 2014, requires the Chancellor of the California Community Colleges to report, on or before November 1, 2007, and by January 1 of each year thereafter, to the Department of Finance the number of pupils recommended for a summer session that enroll in summer session courses and receive a passing grade.

This bill instead, would, require the chancellor to provide the report by March 1 of each year and would authorize the information in that report to be consolidated with another specified report.

~~(3) Existing law requires the board of governors and the trustees, and requests the regents, by June 1, 2006, to adopt a common course numbering system for the 20 highest demand majors in the respective segments, and to report on the status of activities relating to the adoption of a common course numbering system by June 30, 2006. Existing law requires each campus of a public postsecondary educational institution to incorporate the common course numbering system in its catalog at the next adoption of a campus catalog after June 1, 2006.~~

~~This bill would extend the due date for adopting and incorporating a common course numbering system to June 1, 2011, and to June 30, 2011, for the status report.~~

~~(4)~~

(3) Existing law requires the Chancellor of the Community Colleges to prepare and submit to the Department of Finance and the Legislature, on or before March 1, 2004, and March 1 of each year thereafter, a report on the amount of full-time equivalent students claimed by each community college district for special part-time and special full-time students for the preceding academic year in specified class categories.

This bill would authorize information required by another specified report to be consolidated with this report.

~~(5)~~

(4) Existing law requires the Chancellor of the California Community Colleges to prepare and submit to the Department of Finance and the Legislature, by May 1 of each year, a specified report on career

development and college preparation classes that are eligible for apportionment funding.

This bill would change the due date of that report from May 1 of each year to July 1 of each year.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 10701 of the Education Code is repealed.

2 SEC. 2. Section 48800 of the Education Code is amended to
3 read:

4 48800. (a) The governing board of a school district may
5 determine which pupils would benefit from advanced scholastic
6 or vocational work. The intent of this section is to provide
7 educational enrichment opportunities for a limited number of
8 eligible pupils, rather than to reduce current course requirements
9 of elementary and secondary schools, and also to help ensure a
10 smoother transition from high school to college for pupils by
11 providing them with greater exposure to the collegiate atmosphere.
12 The governing board may authorize those pupils, upon
13 recommendation of the principal of the pupil's school of
14 attendance, and with parental consent, to attend a community
15 college during any session or term as special part-time or full-time
16 students and to undertake one or more courses of instruction offered
17 at the community college level.

18 (b) If the governing board denies a request for a special part-time
19 or full-time enrollment at a community college for any session or
20 term for a pupil who is identified as highly gifted, the governing
21 board shall issue its written recommendation and the reasons for
22 the denial within 60 days. The written recommendation and denial
23 shall be issued at the next regularly scheduled board meeting that
24 falls at least 30 days after the request has been submitted.

25 (c) A pupil shall receive credit for community college courses
26 that he or she completes at the level determined appropriate by the
27 governing boards of the school district and community college
28 district.

29 (d) (1) The principal of a school may recommend a pupil for
30 community college summer session only if that pupil meets all of
31 the following criteria:

1 (A) Demonstrates adequate preparation in the discipline to be
2 studied.

3 (B) Exhausts all opportunities to enroll in an equivalent course,
4 if any, at his or her school of attendance.

5 (2) For any particular grade level, a principal shall not
6 recommend for community college summer session attendance
7 more than 5 percent of the total number of pupils who completed
8 that grade immediately prior to the time of recommendation.

9 (3) A high school pupil recommended by his or her principal
10 for enrollment in a course shall not be included in the 5-percent
11 limitation of pupils allowed to be recommended pursuant to
12 paragraph (2) if the course in which the pupil is enrolled meets
13 one of the criterion listed in subparagraphs (A) to (C), inclusive,
14 and the high school principal who recommends the pupil for
15 enrollment provides the Chancellor of the California Community
16 Colleges, upon the request of that office, with the data required
17 for purposes of paragraph (4).

18 (A) The course is a lower division, college-level course for
19 credit that is designated as part of the Intersegmental General
20 Education Transfer Curriculum or applies toward the general
21 education breadth requirements of the California State University.

22 (B) The course is a college-level, occupational course for credit
23 assigned a priority code of “A,” “B,” or “C,” pursuant to the
24 Student Accountability Model, as defined by the Chancellor of the
25 California Community Colleges and reported in the management
26 information system, and the course is part of a sequence of
27 vocational or career technical education courses leading to a degree
28 or certificate in the subject area covered by the sequence.

29 (C) The course is necessary to assist a pupil who has not passed
30 the California High School Exit Examination (CAHSEE), does
31 not offer college credit in English language arts or mathematics,
32 and the pupil meets both of the following requirements:

33 (i) The pupil is in his or her senior year of high school.

34 (ii) The pupil has completed all other graduation requirements
35 prior to the end of his or her senior year, or will complete all
36 remaining graduation requirements during a community college
37 summer session, which he or she is recommended to enroll in,
38 following his or her senior year of high school.

39 (4) On or before March 1 of each year, the Chancellor of the
40 California Community Colleges shall report to the Department of

1 Finance the number of pupils recommended pursuant to paragraph
2 (3) who enroll in community college summer session courses and
3 who receive a passing grade. The information in this report may
4 be submitted with the report required by subdivision (c) of Section
5 76002.

6 (5) The Board of Governors of the California Community
7 Colleges shall not include enrollment growth attributable to
8 paragraph (3) as part of its annual budget request for the California
9 Community Colleges.

10 (6) Notwithstanding Article 3 (commencing with Section 33050)
11 of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with
12 this subdivision shall not be waived.

13 (e) Paragraphs (3), (4), and (5) of subdivision (d) shall become
14 inoperative on January 1, 2014.

15 ~~SEC. 3. Section 66725.3 of the Education Code is amended to~~
16 ~~read:~~

17 ~~66725.3. (a) Not later than June 1, 2011, the California~~
18 ~~Community Colleges and the California State University shall~~
19 ~~adopt, and the University of California and private postsecondary~~
20 ~~institutions may adopt, a common course numbering system for~~
21 ~~the 20 highest demand majors in the respective segments.~~

22 ~~(b) Not later than June 30, 2011, the Board of Governors of the~~
23 ~~California Community Colleges and the Trustees of the California~~
24 ~~State University shall, and the Regents of the University of~~
25 ~~California are requested to, report to the Legislature on the status~~
26 ~~of the activities of their respective segments as they relate to~~
27 ~~subdivision (a) and on the plans of their respective segments to~~
28 ~~implement a common course numbering system for the majors~~
29 ~~that are not covered by subdivision (a).~~

30 ~~(c) Each campus of a public postsecondary educational~~
31 ~~institution shall incorporate the common course numbering system~~
32 ~~in its catalog. This incorporation into a campus catalog shall occur~~
33 ~~at the next adoption of a campus catalog after June 1, 2011.~~

34 ~~SEC. 4.~~

35 ~~SEC. 3. Section 76002 of the Education Code is amended to~~
36 ~~read:~~

37 76002. (a) For the purposes of receiving state apportionments,
38 a community college district may include high school pupils who
39 attend a community college within the district pursuant to Sections
40 48800 and 76001 in the district's report of full-time equivalent

1 students (FTES) only if those pupils are enrolled in community
2 college classes that meet all of the following criteria:
3 (1) The class is open to the general public.
4 (2) (A) The class is advertised as open to the general public in
5 one or more of the following:
6 (i) The college catalog.
7 (ii) The regular schedule of classes.
8 (iii) An addenda to the college catalog or regular schedule of
9 classes.
10 (B) If a decision to offer a class on a high school campus is
11 made after the publication of the regular schedule of classes, and
12 the class is solely advertised to the general public through
13 electronic media, the class shall be so advertised for a minimum
14 of 30 continuous days prior to the first meeting of the class.
15 (3) If the class is offered at a high school campus, the class shall
16 not be held during the time the campus is closed to the general
17 public, as defined by the governing board of the school district
18 during a regularly scheduled board meeting.
19 (4) If the class is a physical education class, no more than 10
20 percent of its enrollment may be comprised of special part-time
21 or full-time students. A community college district shall not receive
22 state apportionments for special part-time and full-time students
23 enrolled in physical education courses in excess of 5 percent of
24 the district's total reported full-time equivalent enrollment of
25 special part-time and full-time students.
26 (b) The governing board of a community college district may
27 restrict the admission or enrollment of a special part-time or
28 full-time student during any session based on any of the following
29 criteria:
30 (1) Age.
31 (2) Completion of a specified grade level.
32 (3) Demonstrated eligibility for instruction using assessment
33 methods and procedures established pursuant to Chapter 2
34 (commencing with Section 78210) of Part 48 and regulations
35 adopted by the Board of Governors of the California Community
36 Colleges.
37 (c) (1) The Chancellor of the California Community Colleges
38 shall prepare and submit to the Department of Finance and the
39 Legislature, on or before March 1, 2004, and March 1 of each year
40 thereafter, a report on the amount of FTES claimed by each

1 community college district for special part-time and special
2 full-time students for the preceding academic year in each of the
3 following class categories:

- 4 (A) Noncredit.
- 5 (B) Nondegree-applicable.
- 6 (C) Degree-applicable, excluding physical education.
- 7 (D) Degree-applicable physical education.

8 (2) The report prepared pursuant to paragraph (1) may include
9 information required to be reported pursuant to paragraph (4) of
10 subdivision (d) of Section 48800.

11 (d) The Board of Governors of the California Community
12 Colleges shall adopt rules and regulations to implement this section.

13 ~~SEC. 5.~~

14 *SEC. 4.* Section 84760.5 of the Education Code is amended to
15 read:

16 84760.5. (a) For purposes of this chapter, the following career
17 development and college preparation courses and classes for which
18 no credit is given, and that are offered in a sequence of courses
19 leading to a certificate of completion, that lead to improved
20 employability or job placement opportunities, or to a certificate
21 of competency in a recognized career field by articulating with
22 college-level coursework, completion of an associate of arts degree,
23 or for transfer to a four-year degree program, shall be eligible for
24 funding subject to subdivision (b):

- 25 (1) Classes and courses in elementary and secondary basic skills.
- 26 (2) Classes and courses for students, eligible for educational
27 services in workforce preparation classes, in the basic skills of
28 speaking, listening, reading, writing, mathematics, decisionmaking,
29 and problem solving skills that are necessary to participate in
30 job-specific technical training.
- 31 (3) Short-term vocational programs with high-employment
32 potential, as determined by the chancellor in consultation with the
33 Employment Development Department utilizing job demand data
34 provided by that department.
- 35 (4) Classes and courses in English as a second language and
36 vocational English as a second language.

37 (b) The board of governors shall adopt criteria and standards
38 for the identification of career development and college preparation
39 courses and the eligibility of these courses for funding, including
40 the definition of courses eligible for funding pursuant to

1 subdivision (a). The criteria and standards shall be based on
2 recommendations from the chancellor, the statewide academic
3 senate, and the statewide association of chief instructional officers.
4 The career and college preparation courses to be identified for this
5 higher rate of funding should include suitable courses that meet
6 one or more of the qualifications described in subdivision (a).

7 (c) A district that offers courses described in subdivision (a),
8 but that is not eligible for funding under subdivision (b), shall be
9 eligible for funding under Section 84757.

10 (d) The chancellor, in consultation with the Department of
11 Finance and the Office of the Legislative Analyst, shall develop
12 specific outcome measures for career development and college
13 preparation courses for incorporation into the annual report required
14 by subdivision (b) of Section 84754.5.

15 (e) The chancellor shall prepare and submit to the Department
16 of Finance and the Legislature, on or before July 1 of each year,
17 a report that details, at a minimum, the following:

18 (1) The amount of FTES claimed by each community college
19 district for career development and college preparation courses
20 and classes.

21 (2) The specific certificate programs and course titles of career
22 development and college preparation courses and classes receiving
23 additional funding pursuant to this section, as well as the number
24 of those courses and classes receiving additional funding.