

AMENDED IN ASSEMBLY JUNE 24, 2009

AMENDED IN SENATE MAY 4, 2009

SENATE BILL

No. 640

Introduced by Senator Hancock

February 27, 2009

An act to amend Sections 52302.2 and 52302.8 of the Education Code, relating to career technical education.

LEGISLATIVE COUNSEL'S DIGEST

SB 640, as amended, Hancock. Regional occupational centers and programs: employer advisory boards.

(1) Existing law authorizes the county superintendent of schools of each county, with the consent of the State Board of Education, to establish and maintain, or with one or more counties to establish and maintain, a regional occupational center, or regional occupational program, in the county to provide education and training in career technical courses. Existing law also authorizes the governing board of any school district maintaining high schools in a county, with the consent of the state board and of the county superintendent of schools, to cooperate in the establishment and maintenance of a regional occupational center or program, except as specified. Existing law requires the governing board of each regional occupational center or program to establish and maintain an employer advisory board or boards pursuant to guidelines developed by the State Department of Education. Existing law requires an employer advisory board to perform various duties, including, among others, approving measures, criteria, and methods to evaluate whether pupils acquired the skills and knowledge identified in their skill certificates and assisting a regional occupational

center or program in creating college scholarships for pupils participating in occupational course sequences.

This bill instead would require an employer advisory board to recommend measures, criteria, and methods to evaluate pupils' skills and knowledge. In addition to creating college scholarships, the bill would require an employer advisory board to assist a regional occupational center or program in identifying scholarships.

(2) Existing law prescribes calculations that limit the percentage of state-funded average daily attendance which a regional occupational center or program is authorized to claim for services provided to students not enrolled in grades 9 to 12, inclusive. Existing law excludes adult average daily attendance attributable to continuously enrolled grade 12 pupils who have not passed the high school exit examination from those calculations. Existing law requires that amounts that become available from reductions resulting from those calculations shall be redirected to other regional occupational centers or programs to serve additional secondary pupils.

~~This bill would make an exception from that redirection requirement prohibit the redirection of adult average daily attendance funding for a regional occupational center or program that has entered into a corrective action plan to other regional occupational centers or programs to serve additional secondary pupils for up to 3 years while the regional occupational center or program is in corrective action. The bill also would make conforming changes.~~

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

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

1 SECTION 1. Section 52302.2 of the Education Code is
2 amended to read:
3 52302.2. (a) The governing board of each regional occupational
4 center or program shall establish and maintain an employer
5 advisory board or boards pursuant to guidelines developed by the
6 department. The advisory board shall do all of the following:
7 (1) Assist in the development of skill certificates that identify
8 the skills and knowledge that pupils completing an occupational
9 course sequence are expected to acquire upon completing the
10 sequence. The advisory board also shall recommend the measures

1 and criteria, and methods to evaluate whether pupils actually
2 acquired the identified skills and knowledge.

3 (2) Review at least once a year whether pupils who are assessed
4 as having met the requirements for a skill certificate possess the
5 skills needed for success in employment in that occupation.

6 (3) Review the specific occupational sequences offered by the
7 regional occupational center or program to train pupils for jobs
8 that are in demand and offer high beginning salaries or the potential
9 for significant wage increase after several years on the job.

10 (4) Assist the regional occupational center or program in
11 developing internships, paid summer employment, and
12 postgraduation employment opportunities for pupils participating
13 in the course sequences.

14 (5) Assist the regional occupational center or program in
15 identifying and creating college scholarships for pupils
16 participating in the course sequences.

17 (b) Employer advisory boards shall be composed of
18 representatives of trade organizations and businesses or government
19 agencies that hire a significant number of employees each year
20 and require the skills and knowledge that are taught in the course
21 sequence or sequences in that occupational area, as well as at least
22 one representative from a school district career technical
23 educational advisory committee. The department shall develop
24 regulations guiding the establishment of these boards.

25 (c) Regional occupational centers or programs operated in a
26 rural county of the sixth, seventh, or eighth class may designate a
27 local business or industry organization as the advisory board and
28 consult with the leadership of the local business or industry
29 organization to determine skill needs in the region and emerging
30 job market needs. For purposes of this section, the local business
31 organization may be designated as the advisory board for the
32 regional occupational center or program.

33 SEC. 2. Section 52302.8 of the Education Code is amended to
34 read:

35 52302.8. (a) The Legislature hereby finds and declares that
36 vocational training resources that are provided through regional
37 occupational centers and programs are an essential component of
38 the state's secondary school system and the local system of
39 providing occupational skills training to high school pupils. For
40 this reason, the Legislature finds and declares that these resources

1 should be focused primarily on the needs of pupils enrolled in high
2 school.

3 (b) For the 2008–09 fiscal year, a regional occupational center
4 or program may claim no more than 50 percent of the state-funded
5 average daily attendance for which the center or program is eligible,
6 for services provided to students who are not enrolled in grades 9
7 to 12, inclusive.

8 (c) For the 2009–10 fiscal year, a regional occupational center
9 or program may claim no more than 30 percent of the state-funded
10 average daily attendance for which the center or program is eligible,
11 for services provided to students who are not enrolled in grades 9
12 to 12, inclusive.

13 (d) For the 2011–12 fiscal year and every fiscal year thereafter,
14 a regional occupational center or program may claim no more than
15 10 percent of the state-funded average daily attendance for which
16 the center or program is eligible, for services provided to students
17 who are not enrolled in grades 9 to 12, inclusive, and up to an
18 additional 5 percent for CalWORKs, Temporary Assistance
19 Program, or Job Corps participants and participants under the
20 federal Workforce Investment Act of 1998 (29 U.S.C. Sec. 2810
21 et seq.) who are enrolled in Intensive Training services.

22 (e) Pupils who are CalWORKs, Temporary Assistance Program,
23 or Job Corps participants shall have priority for service within the
24 percentage limits established under subdivision (d).

25 (f) Notwithstanding subdivision (d), a regional occupational
26 center or program may claim more than 15 percent of its average
27 daily attendance for students who are not enrolled in grades 9 to
28 12, inclusive, if all of the students who are not enrolled in grades
29 9 to 12, inclusive, are CalWORKs, Temporary Assistance Program,
30 or Job Corps participants, and if the governing board of the regional
31 occupational center or program does all of the following:

32 (1) Meets with local human services directors, and
33 representatives of adult education programs, community colleges
34 and other institutions of higher education, to assess the needs of
35 CalWORKs, Temporary Assistance Program, or, Job Corps and
36 federal Workforce Investment Act participants to identify
37 alternative ways to meet the needs of these adult students.

38 (2) Enters into a transition plan, approved by the Superintendent,
39 to become in compliance with subdivision (d) in accordance with
40 benchmarks and timelines established in the transition plan.

Transition plans shall be established pursuant to guidelines issued by the department, in consultation with the State Department of Social Services, and shall be resubmitted and reviewed annually.

(g) Notwithstanding subdivisions (b), (c), and (d), a regional occupational center or program that claims more than 40 percent of its students are not enrolled in grades 9 to 12, inclusive, on January 1, 2007, shall submit a letter to the Superintendent by July 1 of each year until it complies with this subdivision, outlining the goals of the regional occupational center or program to reduce the number of adult students in order to comply with subdivision (d) on or before July 1, 2013.

(h) Regional occupational centers and programs operated in a rural county of the sixth, seventh, or eighth class may exceed the number of adults by an additional 10 percent of the limits established in subdivisions (b), (c), and (d).

(i) (1) For purposes of this calculation, adult average daily attendance attributable to continuously enrolled grade 12 pupils who have not passed the high school exit examination pursuant to Section 60851 is excluded from the calculation under this section. ~~Except where a regional occupational center or program has entered into a corrective action plan pursuant to subdivision (k), amounts~~ Amounts that may become available from reductions resulting from the enactment of this section shall be redirected to other regional occupational centers or programs to serve additional secondary pupils.

(2) *Adult average daily attendance funding for a regional occupational center or program that has entered into a corrective action plan pursuant to subdivision (k) shall not be redirected to other regional occupational centers or programs to serve additional secondary pupils for up to three years while the regional occupational center or program is in corrective action.*

(j) The governing boards of a community college district and a regional occupational center or program may enter into contractual agreements under which the center or program provides services to adult students of the community college district affected by this section if both of the following are satisfied:

(1) The agreements conform to state regulations and audit requirements jointly developed by the Chancellor of the Office of the California Community Colleges and the State Department of

1 Education, in consultation with, and subject to approval by, the
2 Department of Finance.

3 (2) A course offered for adults pursuant to an agreement entered
4 into pursuant to this subdivision is limited to the same cost per
5 student to the state as if the course were offered at the regional
6 occupational center or program. This subdivision does not authorize
7 the apportionment of funds for community colleges for adult
8 students in excess of the revenue limit for regional occupational
9 centers or programs if a course is deemed eligible for college credit.

10 (k) A regional occupational center or program that fails to meet
11 a timeline established under subdivision (c), (d), or (g) shall meet
12 with the community college, adult education program, or other
13 adult service to identify alternative means of meeting the needs of
14 adult students and shall enter into a corrective action plan
15 administered by the department. The corrective action plan shall
16 be established pursuant to guidelines issued by the department and
17 shall be submitted to the department annually for review.