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CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 160

Introduced by Assembly Member Portantino

January 19, 2011

An act to amend Section 48800 of, and to add Section 48803 to, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL’S DIGEST

AB 160, as amended, Portantino. Concurrent enrollment in secondary school and community college.

(1) Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time students, subject to parental permission. Existing law makes the authority of a school principal to recommend a pupil for community college summer session contingent upon a determination that the pupil meets various criteria and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately prior to the time of recommendation for summer session attendance, except as specified.

This bill would authorize the governing board of a school district to authorize a pupil, upon the recommendation from a community college dean of a career technical education department or other appropriate community college career technical education administrator, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more courses of career technical education offered at the community college.

The bill also would authorize the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to allow secondary school pupils to attend a community college if those pupils have exhausted all opportunities to enroll in an equivalent course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other programs offered by the governing board of the school district, and if those pupils may benefit from advanced scholastic, career-technical, or vocational ~~coursework~~ *courses, courses in basic skills remediation, preparation for the high school exit examination, or English as a 2nd language, and courses designed to prevent pupils from dropping out of high school.* The bill would require the partnership agreement to outline the terms of the partnership, as specified. *The bill would require a community college district and a school district, as a condition of and before adopting a partnership agreement, to take testimony from the public and approve or disapprove the proposed partnership agreement at a regularly scheduled open public hearing of their respective governing boards.* The bill would require, for each partnership entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges.

(2) Existing law requires the governing board of a community college district to assign a low enrollment priority to a pupil attending community college pursuant to a recommendation from his or her principal or school district or a petition from his or her parents, in order to ensure that these pupils, admitted as special students, do not displace regularly admitted students.

This bill would authorize the governing board of a community college district to assign an enrollment priority to students attending community college pursuant to a partnership agreement established under the bill.

The bill would prohibit a community college district from receiving an allowance or apportionment for an instructional activity for which a school district has been, or will be, paid.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Campuses of the California Community Colleges are located
- 4 throughout California and provide an educational resource for all
- 5 communities.
- 6 (b) Existing law allows certain high school pupils to take classes
- 7 at community colleges. These pupils are known as special-admits
- 8 and the programs in which they participate are known as concurrent
- 9 enrollment programs. The main target of these programs is
- 10 advanced education and the work completed in them is primarily
- 11 defined as college-level work.
- 12 (c) Existing law imposes strict limits on concurrent enrollment
- 13 programs. Only 5 percent of the pupils in any high school class
- 14 may enroll in a community college during summer sessions. In
- 15 addition, the types of classes pupils may take pursuant to these
- 16 programs are generally limited to advanced education classes.
- 17 (d) A serious abuse of concurrent enrollment programs by a few
- 18 school districts and community college districts several years ago
- 19 resulted in statutory reform and restrictions on this type of
- 20 enrollment.
- 21 (e) The current restrictions inhibit the ability of school districts
- 22 and their pupils to make maximum use of community college
- 23 facilities and opportunities. The time has come to encourage and
- 24 expand these valuable programs, but with appropriate statutory
- 25 prohibitions to guard against a repeat of the abuses of the past.
- 26 (f) Allowing high school pupils to take community college
- 27 courses could provide benefits to pupils and to the state in
- 28 numerous ways, including more opportunities for advanced
- 29 scholastic work, career-technical partnerships and coursework,
- 30 basic skills remediation, preparation for the high school exit
- 31 examination, English as a second language, and dropout prevention.

1 (g) Exposure to college classes and the college environment
2 while in high school improves college participation rates.

3 (h) Concurrent enrollment saves money for both the state and
4 the pupils and provides for more effective use of facilities.

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

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

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

28 (c) The governing board of a school district may authorize a
29 pupil, upon the recommendation from a community college dean
30 of a career technical education department or other appropriate
31 community college career technical education administrator, and
32 with parental consent, to attend a community college during any
33 session or term as a special part-time or full-time student and to
34 undertake one or more courses of career technical education offered
35 at the community college.

36 (d) A pupil shall receive credit for community college courses
37 that he or she completes at the level determined appropriate by the
38 governing boards of the school district and community college
39 district.

1 (e) (1) The principal of a school may recommend a pupil for
2 community college summer session only if that pupil meets all of
3 the following criteria:

4 (A) Demonstrates adequate preparation in the discipline to be
5 studied.

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

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

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

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

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

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

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

37 (ii) The pupil has completed all other graduation requirements
38 prior to the end of his or her senior year, or will complete all
39 remaining graduation requirements during a community college

1 summer session, which he or she is recommended to enroll in,
2 following his or her senior year of high school.

3 (4) On or before March 1 of each year, the Chancellor of the
4 California Community Colleges shall report to the Department of
5 Finance the number of pupils recommended pursuant to paragraph
6 (3) who enroll in community college summer session courses and
7 who receive a passing grade. The information in this report may
8 be submitted with the report required by subdivision (c) of Section
9 76002.

10 (5) The Board of Governors of the California Community
11 Colleges shall not include enrollment growth attributable to
12 paragraph (3) as part of its annual budget request for the California
13 Community Colleges.

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

17 (f) Paragraphs (3), (4), and (5) of subdivision (e) shall become
18 inoperative on January 1, 2014.

19 SEC. 3. Section 48803 is added to the Education Code, to read:

20 48803. (a) (1) The governing board of a community college
21 district may enter into a formal partnership with a school district
22 or school districts located within its immediate service area in
23 order to provide secondary school pupils who have exhausted all
24 opportunities to enroll in an equivalent course at the high school
25 of attendance, adult education program, continuation school,
26 regional occupational center or program, or any other programs
27 offered by the governing board of the school district with the
28 opportunity to benefit from advanced scholastic, career-technical,
29 or vocational—~~coursework~~ *courses, courses in basic skills*
30 *remediation, preparation for the high school exit examination, or*
31 *English as a second language, and courses designed to prevent*
32 *pupils from dropping out of high school.* A secondary school pupil,
33 upon notification of the principal of the pupil's school of attendance
34 that the pupil has exhausted all opportunities to enroll in an
35 equivalent course at the high school of attendance, adult education
36 program, continuation school, regional occupational center or
37 program, or any other program offered by the governing board of
38 the school district, and with parental consent if the pupil is under
39 18 years of age, may attend a community college during any
40 session or term as a special part-time or full-time student.

1 (2) A participating community college district shall adopt a
2 partnership agreement with each school district partner. The
3 partnership agreement shall be approved by the governing board
4 of the community college district and the governing board of the
5 school district. *As a condition of and before adopting a partnership*
6 *agreement, a community college district and a school district, at*
7 *a regularly scheduled open public hearing of their respective*
8 *governing boards, shall take testimony from the public and approve*
9 *or disapprove the proposed partnership agreement.*

10 (3) (A) The partnership agreement shall outline the terms of
11 the partnership and may include, but not necessarily be limited to,
12 the scope, nature, and schedule of courses offered, *the academic*
13 *readiness of pupils that is necessary for them to benefit from the*
14 *courses offered, and the ability of pupils to benefit from those*
15 *courses.* The partnership agreement may establish protocols for
16 information sharing and joint facilities use.

17 (B) A copy of the partnership agreement shall be filed with the
18 department and with the Office of the Chancellor of the California
19 Community Colleges before the start of a program authorized by
20 this article.

21 (4) It is the intent of the Legislature, in enacting this section, to
22 provide a smoother transition from high school to college for pupils
23 by providing them with greater exposure to the collegiate
24 atmosphere and to maximize the educational opportunities available
25 to California's secondary school pupils by encouraging programs
26 and partnerships between school districts and community college
27 districts, including advanced scholastic, vocational, and
28 career-technical coursework, summer school opportunities, and
29 dropout intervention.

30 (5) A community college district shall not provide physical
31 education course opportunities to secondary school pupils pursuant
32 to this section.

33 (6) A pupil shall receive credit for community college courses
34 that he or she completes at the level determined to be appropriate
35 by the governing boards of the school district and the community
36 college district pursuant to the partnership agreement as described
37 in paragraph (2).

38 (b) (1) A community college district shall not receive a state
39 allowance or apportionment for an instructional activity for which

1 a school district has been, or shall be, paid an allowance or
2 apportionment.

3 (2) The attendance of a pupil at a community college as a special
4 part-time or full-time student pursuant to this section is authorized
5 attendance for which the community college shall be credited or
6 reimbursed pursuant to Section 48802 or 76002, provided that no
7 school district has received reimbursement for the same
8 instructional activity. Credit for courses completed shall be at the
9 level determined to be appropriate by the governing boards of the
10 school district and the community college district pursuant to the
11 partnership agreement as described in paragraph (2) of subdivision
12 (a).

13 (c) For purposes of this section, a special part-time student may
14 enroll in up to, and including, 11 units per semester, or the
15 equivalent thereof, at the community college he or she attends.

16 (d) Notwithstanding subdivision (e) of Section 76001, for
17 purposes of this section, the governing board of a community
18 college district may assign an enrollment priority to pupils admitted
19 as special part-time or full-time students under this section.

20 (e) Community college districts and school districts that enter
21 into a partnership pursuant to this section shall be exempt from
22 concurrent enrollment provisions pursuant to subdivisions (a) and
23 (b) of, and paragraphs (1), (2), and (3) of subdivision (d) of, Section
24 48800.

25 (f) (1) For each partnership entered into pursuant to this section,
26 the affected community college district and school district shall
27 report annually to the Office of the Chancellor of the California
28 Community Colleges all of the following information:

29 (A) The total number of secondary school pupils enrolled in
30 each program, classified by the school district.

31 (B) The total number of successful course completions of
32 secondary school pupils enrolled in each program, classified by
33 the school district.

34 (C) The total number of successful course completions of
35 students in courses equivalent to those courses tracked under
36 subparagraph (B) in the general community college curriculum.

37 (2) The annual report required by this subdivision shall be
38 transmitted to all of the following:

39 (A) The Legislature.

40 (B) The Director of Finance.

- 1 (C) The Superintendent.
- 2 (D) The governing board of each participating community
- 3 college district.
- 4 (E) The governing board of each participating school district.

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