

AMENDED IN ASSEMBLY APRIL 27, 2011

AMENDED IN ASSEMBLY APRIL 5, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 515**

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**Introduced by Assembly Member Brownley**  
*(Coauthor: Assembly Member Smyth)*

February 15, 2011

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An act to add and repeal Section 78302 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 515, as amended, Brownley. Public postsecondary education: community colleges: extension program.

Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges. The governing board of any community college district is authorized, without approval of the board of ~~trustees~~ *governors*, to establish and maintain community service classes in civic, vocational, literacy, health, homemaking, technical, and general education, as specified.

This bill would authorize the governing board of any community college district, without approval of the board of governors, to establish and maintain an extension program offering credit courses.

The bill would specify that the courses be required to be self-supporting, open to the public, and developed *and conducted* in conformance with specified statutory and regulatory guidelines. *No* General Fund moneys would ~~not~~ be expended to establish or maintain the courses *except program revenues generated by these provisions*,

nor would an extension program course be allowed to supplant regularly funded courses. *Administrative costs would be required to be minimized to the greatest extent possible.* Extension courses would not be allowed to reduce state-funded courses relating to basic skills. This bill would require district boards to annually certify compliance with these requirements, as specified.

This bill would allow community college districts to charge students for the actual costs of the courses, as defined. Each participating district would be required to collect and keep records relating to the extension program and submit them to the chancellor’s office by October 1 of each year. This information would, in turn, be submitted by the chancellor to the Legislative Analyst by November 1 of each year. The bill would require the Legislative Analyst to submit a written report to the Legislature by November 1, 2015, summarizing the information provided by the chancellor, assessing compliance of the program with the Legislature’s intent, and suggesting any needed statutory improvements.

The bill would make the requirement for a report to the Legislature inoperative on January 1, 2019. This act would remain in effect only until January 1, 2019, unless that date is deleted or extended.

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 78302 is added to the Education Code,  
 2 to read:  
 3 78302. (a) The governing board of any community college  
 4 district may, without the approval of the Board of Governors of  
 5 the California Community Colleges, establish and maintain an  
 6 extension program offering credit courses.  
 7 (b) An extension program offering credit courses established  
 8 under this section shall have the following characteristics:  
 9 (1) The program shall be self-supporting, and all costs associated  
 10 with the program must be recovered.  
 11 (2) Program enrollment shall be open to the public.  
 12 (3) The program shall be developed in conformance with the  
 13 Education Code and Title 5 of the California Code of Regulations  
 14 governing community college credit courses.

1 (4) *The provisions of Section 87482.6 providing that 75 percent*  
2 *of the hours of credit instruction should be taught by full-time*  
3 *instructors shall apply to extension programs offering credit classes*  
4 *established under this section.*

5 (5) *Program revenues, and program expenditures conforming*  
6 *to the current expense of education as defined by subdivision (c)*  
7 *of Section 84362 shall be included by the district in complying*  
8 *with subdivision (d) of Section 84362 requiring that 50 percent of*  
9 *the district's current expense of education be expended during*  
10 *each fiscal year for payment of salaries of classroom instructors.*

11 ~~(4)~~

12 (6) *The program shall be subject to district collective bargaining*  
13 *agreements.*

14 (c) *Governing boards shall not expend any General Fund moneys*  
15 *to establish and maintain extension courses other than program*  
16 *revenues generated under this section.*

17 (d) *Extension credit courses shall not supplant courses funded*  
18 *with state apportionment. Districts shall not reduce state-funded*  
19 *course sections needed by students to achieve basic skills,*  
20 *workforce training, or transfer goals, with the intent of*  
21 *reestablishing those course sections as part of the extension*  
22 *program. District boards of trustees shall annually certify*  
23 *compliance with this subdivision by board action taken at a regular*  
24 *session of the district governing board.*

25 (e) *Governing boards may charge students enrolled in extension*  
26 *courses a fee not to exceed the cost of maintaining extension*  
27 *courses. Actual costs shall include the actual cost of instruction,*  
28 *the cost of necessary equipment and supplies, student services and*  
29 *institutional support costs, and other costs of the district used in*  
30 *calculating the costs of education for nonresident students. To the*  
31 *greatest extent possible, districts shall minimize the costs of*  
32 *administration.*

33 (f) *Degree credit courses offered as extension courses shall meet*  
34 *all the requirements in subdivision (a) of Section 55002 of Title 5*  
35 *of the California Code of Regulations.*

36 (g) (1) *Each community college district maintaining an*  
37 *extension program offering credit courses under this section shall*  
38 *collect and keep records that measure student participation, student*  
39 *demographics, and student outcomes in a manner consistent with*  
40 *measures collected by districts in regular credit programs supported*

1 through state apportionment, including an analysis of program  
2 effects, if any, on district workload and district financial status.  
3 Districts shall submit this information to the Chancellor's office  
4 by October 1 of each year. For districts operating more than one  
5 college, the evaluation shall be for each participating college.

6 (2) The chancellor shall submit all district information provided  
7 pursuant to paragraph (1) to the Legislative Analyst by November  
8 1 of each year. By January 1, 2015, the Legislative Analyst shall  
9 submit to the Legislature a written report that includes a summary  
10 of the information provided pursuant to subdivision (g), an  
11 assessment of the extent to which community college extension  
12 programs are operated in a manner consistent with legislative  
13 intent, and suggestions to the Legislature for needed statutory  
14 improvements.

15 (h) The requirement for submitting a report imposed under  
16 paragraph (2) of subdivision (g) is inoperative on January 1, 2019,  
17 pursuant to Section 10231.5 of the Government Code.

18 (i) A report submitted pursuant to subdivision (g) shall be  
19 submitted in compliance with Section 9795 of the Government  
20 Code.

21 (j) This section shall remain in effect only until January 1, 2019,  
22 and as of that date is repealed, unless a later enacted statute, that  
23 is enacted before January 1, 2019, deletes or extends that date.