

AMENDED IN SENATE APRIL 8, 2013

**SENATE BILL**

**No. 173**

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**Introduced by Senator Liu**

February 5, 2013

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An act to amend Sections 41976 and 84757 of, *and to add Sections 33315 and 76382 to*, the Education Code, relating to education funding.

LEGISLATIVE COUNSEL'S DIGEST

SB 173, as amended, Liu. Education funding: adult health and safety education.

~~Existing~~

*(1) Existing law establishes the State Department of Education, under the administration of the Superintendent of Public Instruction, to execute numerous statutes and policies relating to the funding and governance of public elementary and secondary schools throughout the state. Existing law authorizes the governing board of a school district maintaining secondary schools to establish and maintain classes for adults, as specified. Existing*

*This bill would require the department, in conjunction with the Office of the Chancellor of the California Community Colleges, to coordinate and issue assessment policy guidelines regarding assessments to be used by school districts and community college districts for purposes of placement in adult education courses offered by those districts. The bill would also require the department and the chancellor's office to jointly establish and implement a comprehensive performance accountability system for adult education courses offered by school districts and community college districts in accordance with prescribed requirements.*

(2) *Existing* law authorizes specified classes and courses to be offered by school districts and county ~~superintendent~~ *superintendents* of schools for ~~apportionment~~ purposes *of apportionments* from the adult education fund, ~~including, but not limited to, classes and courses for adult programs in health and safety education.~~

This bill would ~~remove~~ *delete* the *existing* authorization for adult programs in *parenting, home economics, and health and safety education, and adult programs for older adults, to be offered for apportionment purposes receive apportionments* from the adult education fund.

~~Existing~~

(3) *Existing* law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law requires specified noncredit community college courses and classes to be eligible for program-based funding from the state, ~~including, but not limited to, health and safety education courses and classes.~~ *Existing law requires community college districts to charge students a designated enrollment fee, and authorizes community college districts to charge students specified fees relating to, among other things, health services, parking, transportation, student body center buildings and operations, and physical education courses requiring the use of nondistrict facilities. Existing law also prohibits an adult enrolled in a noncredit course from being required to pay a fee of any kind for a class in English and citizenship for foreigners.*

This bill would ~~remove~~ *delete* the authorization for noncredit community college *parenting, older adults, home economics, and health and safety education courses and classes' eligibility for classes to receive* program-based funding from the state. *This bill would, notwithstanding the prohibition of the fee for classes in English and citizenship for foreigners, authorize the governing board of a community college district to charge a fee for adult education courses, including classes in English and citizenship, until July 1, 2015, in accordance with specified regulations and procedures.*

(4) *The bill would require the Commission on Teacher Credentialing and the Academic Senate for California Community Colleges to jointly develop and submit recommendations to the appropriate policy and fiscal committees of the Legislature for modifying or establishing reciprocity standards for instructors of adult education courses by July 1, 2014.*

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 33315 is added to the Education Code,  
2 to read:

3     33315. (a) The department, in conjunction with the  
4 chancellor’s office, shall coordinate and issue assessment policy  
5 guidelines regarding assessments to be used by school districts  
6 and community college districts for purposes of placement in adult  
7 education courses offered pursuant to Sections 41976 and 84757.

8     (b) The department and the chancellor’s office shall jointly  
9 establish and implement a comprehensive performance  
10 accountability system for adult education courses offered pursuant  
11 to Sections 41976 and 84757. The department and the chancellor’s  
12 office shall develop guidelines and procedures for all adult  
13 education funded providers for assessment, evaluation, and data  
14 collection to document participant outcomes and placement, and  
15 other performance measures they deem appropriate. Performance  
16 measures may include receipt of a secondary school diploma or  
17 its recognized equivalent, placement in a postsecondary  
18 educational institution, training, and employment. To the extent  
19 possible, these performance measures shall be consistent with  
20 those required and implemented pursuant to the federal Workforce  
21 Investment Act of 1998, Title II, Adult Education and Literacy Act  
22 (Public Law 105-220). All funded programs shall be required to  
23 annually submit demographic and other student-level outcome  
24 information.

25     (c) As used in this section:

26     (1) “Chancellor’s office” means the Office of the Chancellor  
27 of the California Community Colleges.

28     (2) “Department” means the State Department of Education.

29     ~~SECTION 1.~~

30     SEC. 2. Section 41976 of the Education Code is amended to  
31 read:

32     41976. (a) For purposes of this chapter, the following classes  
33 and courses are authorized to be offered by school districts and  
34 county superintendents of schools for apportionment purposes  
35 from the adult education fund:

1 ~~(1) Adult programs in parenting, including parent cooperative~~  
2 ~~preschools, and classes in child growth and development,~~  
3 ~~parent-child relationships, and parenting.~~

4 ~~(2) Adult programs in elementary~~  
5 ~~(1) Elementary~~ and secondary basic skills and other courses and  
6 classes required for the high school diploma. Apportionments for  
7 these courses and classes may only be generated by students who  
8 do not possess a high school diploma, except for remedial academic  
9 courses or classes in reading, mathematics, and language arts.

10 ~~(3) Adult education programs in~~  
11 ~~(2) English as a second language.~~  
12 ~~(4) Adult education programs~~  
13 ~~(3) Classes and courses~~ for immigrants eligible for educational  
14 services in citizenship, English as a second language, and  
15 workforce preparation classes in the basic skills of speaking,  
16 listening, reading, writing, mathematics, decisionmaking and  
17 problem solving skills, and other classes required for preparation  
18 to participate in job specific technical training.

19 ~~(5) Adult education~~  
20 ~~(4) Education~~ programs for adults with disabilities.

21 ~~(6) Adult short-term~~  
22 ~~(5) Short-term~~ career technical education programs with high  
23 employment potential. ~~Any reference to “vocational” education~~  
24 ~~or programs in adult education means “career technical” education~~  
25 ~~or programs in adult education.~~

26 ~~(7) Adult programs for older adults.~~

27 ~~(8) Adult education programs~~

28 ~~(6) Programs~~ for apprentices.

29 ~~(9) Adult programs in home economics.~~

30 (b) State apportionment shall not be made for any course or  
31 class that is not set forth in subdivision (a).

32 *SEC. 3. Section 76382 is added to the Education Code, to read:*  
33 *76382. Notwithstanding Section 76380, the governing board*  
34 *of a community college district may charge a fee, pursuant to*  
35 *regulations adopted by the board of governors, for classes it offers*  
36 *pursuant to Section 84757, including, but not necessarily limited*  
37 *to, classes in English and citizenship, until July 1, 2015. Any*  
38 *community college district that chooses to charge a fee under this*  
39 *section shall report the amount of the fee, the number of classes,*  
40 *and enrollment in those classes to the Chancellor’s Office of the*

1 *California Community Colleges. The chancellor's office shall*  
2 *make the information reported under this section available to the*  
3 *Legislative Analyst's Office. The Legislative Analyst's Office shall*  
4 *provide a summary and analysis of the reported information to*  
5 *the appropriate fiscal and policy committees of the Legislature by*  
6 *January 1, 2016.*

7 ~~SEC. 2.~~

8 SEC. 4. Section 84757 of the Education Code is amended to  
9 read:

10 84757. (a) For purposes of this chapter, the following noncredit  
11 *adult education* courses and classes shall be eligible for funding:

12 ~~(1) Parenting, including parent cooperative preschools, and~~  
13 ~~classes in child growth and development and parent-child~~  
14 ~~relationships.~~

15 ~~(2)~~

16 (1) Elementary and secondary basic skills and other courses and  
17 classes such as remedial academic courses or classes in reading,  
18 mathematics, and language arts.

19 ~~(3)~~

20 (2) English as a second language.

21 ~~(4)~~

22 (3) Classes and courses for immigrants eligible for educational  
23 services in citizenship, English as a second language, and work  
24 force preparation classes in the basic skills of speaking, listening,  
25 reading, writing, mathematics, decisionmaking and problem solving  
26 skills, and other classes required for preparation to participate in  
27 job-specific technical training.

28 ~~(5)~~

29 (4) Education programs for persons with substantial disabilities.

30 ~~(6)~~

31 (5) Short-term vocational programs with high employment  
32 potential.

33 ~~(7) Education programs for older adults.~~

34 ~~(8) Education programs for home economics.~~

35 (b) State apportionment shall not be made for any course or  
36 class that is not set forth in subdivision (a) and for which no credit  
37 is given.

38 SEC. 5. *The Commission on Teacher Credentialing and the*  
39 *Academic Senate for California Community Colleges shall meet*  
40 *to review their current requirements for noncredit adult education*

1 *and adult education instructors, and shall develop and submit*  
2 *recommendations to the appropriate policy and fiscal committees*  
3 *of the Legislature for modifying or establishing reciprocity*  
4 *standards for instructors of adult education courses by July 1,*  
5 *2014.*

6 *SEC. 6. It is the intent of the Legislature that, beginning in the*  
7 *2015 –16 fiscal year, base adult education funds and noncredit*  
8 *adult education funds shall be allocated to providers on the basis*  
9 *of a combination of enrollment and performance in courses offered*  
10 *pursuant to Sections 41976 and 84757 of the Education Code.*

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