

AMENDED IN SENATE MAY 28, 2013  
AMENDED IN SENATE APRIL 25, 2013  
AMENDED IN SENATE APRIL 17, 2013  
AMENDED IN SENATE APRIL 1, 2013

**SENATE BILL**

**No. 520**

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**Introduced by Senator Steinberg**  
(Principal coauthor: Assembly Member Garcia)

February 21, 2013

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An act to amend Sections 78910.10 and 78910.30 of, and to add Section 66409.3 to, the Education Code, relating to student instruction.

LEGISLATIVE COUNSEL'S DIGEST

SB 520, as amended, Steinberg. Student instruction: California Online Student Access Platform. *Incentive Grant programs.*

(1) The Donahoe Higher Education Act authorizes the activities of the 4 segments of the postsecondary education system in the state. These segments include the 3 public postsecondary segments: the University of California, administered by the Regents of the University of California, the California State University, administered by the Trustees of the California State University, and the California Community Colleges, administered by the Board of Governors of the California Community Colleges. Private and independent postsecondary educational institutions constitute the other segment.

Provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act, by resolution, to make them applicable.

This bill would establish the California Online Student Access Platform *Incentive Grant programs as 3 separate programs* under the

administration of the President of the University of California, the Chancellor of the California State University, and the Chancellor of the California Community Colleges, ~~jointly, with the academic senates of the respective segments for each segment respectively, in consultation with their respective statewide academic senates. The bill would require the platform, among other things, to provide an efficient statewide mechanism for online course providers to offer transferable courses for credit and to create a pool of these online courses. The bill would require the President of the University of California, the Chancellor of the California State University, and the Chancellor of the California Community Colleges, jointly, with the academic senates of the respective segments in consultation with their respective statewide academic senates, to each develop a list of the 50 most impacted 20 high-demand lower division courses, as defined, at the University of California, the California State University, and the California Community Colleges his or her segment that are deemed necessary for program completion, deemed satisfactory for meeting general education requirements, or in areas defined as high-demand transferable lower division courses under the Intersegmental General Education Transfer Curriculum. For these causes courses, the bill would require the president, president and chancellors, and senates in consultation with their respective academic senates, to jointly each provide up to 15 incentive grants to faculty and campuses to facilitate certain intersegmental and intrasegmental partnerships and partnerships between online course technology providers and faculty of the University of California, the California State University, and the California Community Colleges, as a method to achieve the goal of to significantly increasing increase online course options for students and high school pupils for the fall term of the 2014—15 2014–15 academic year.~~

The bill would require the online courses ~~approved through the platform supported by incentive grant funds~~ to be placed in the California Virtual Campus. The bill would require that matriculated students of campuses of the University of California, ~~the~~ California State University, or ~~the~~ California Community Colleges, and California high school pupils, who complete online courses ~~developed through the platform supported by incentive grant funds~~ and achieve a passing score on corresponding course examinations, be awarded full academic credit for ~~an equivalent~~ *the* course at the University of California, the California State University, or the California Community Colleges, as applicable.

The bill would provide that funding for the implementation of this provision would be provided in the annual Budget Act, and express the intent of the Legislature that the receipt of funding by the University of California for the implementation of this provision be contingent on its compliance with its requirements.

The bill would prohibit public funds from being used to fund any private aspect of a partnership developed under the bill between faculty of the University of California, *the California State University*, or the California Community Colleges and an online course technology provider. This bill would provide that ~~the state would retain all appropriate rights to intellectual property it creates or develops developed by a segment~~ in the implementation of the bill *would be owned and managed by that segment according to its existing policies.*

Because this provision would require community colleges to award academic credit under these circumstances, it would constitute a state-mandated local program.

(2) Existing law, until January 1, 2014, establishes the California Virtual Campus to facilitate ongoing collaboration and joint efforts relating to the use of technology resources and high-speed Internet connectivity to support teaching, learning, workforce development, and research. Existing law, until January 1, 2014, authorizes the California Virtual Campus grant recipient to convene at least 4 leadership stakeholder group meetings annually comprised of representatives from the State Department of Education, the California Technology Assistance Project, and other related programs administered through the department, including adult education, local ~~education~~ *educational* agencies, the California Community Colleges, the California State University, the University of California, independent colleges and universities, the California State Library, and representatives from community-based organizations to ensure the efforts affecting segments represented are appropriately meeting the needs of those segments.

This bill would extend the provisions establishing the California Virtual Campus until January 1, 2017. This bill would require the representatives in the stakeholder group meetings from the California Community Colleges, the California State University, and the University of California to include, but not be limited to, faculty members from these institutions. This bill would make additional nonsubstantive changes in these provisions. By requiring faculty members from community college districts to attend these meetings, this bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

*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) In recent years, California’s public higher education  
 4 institutions have faced skyrocketing demand for enrollment at a  
 5 time when they lack capacity to provide students with access to  
 6 courses necessary for program completion and success.

7 (b) In the 2012–13 academic year, 85 percent of California  
 8 Community Colleges (CCC) reported having waiting lists for their  
 9 fall 2012 course sections, with a statewide average of more than  
 10 7,000 students on waiting lists per college.

11 (c) Similarly, impacted courses have contributed significantly  
 12 to difficulties within the University of California (UC) and  
 13 California State University (CSU) systems, with figures indicating  
 14 that only 60 percent and 16 percent of students, respectively, are  
 15 able to earn a degree within four years, with lack of access to key  
 16 courses a factor in increased time-to-degree.

17 (d) With rapidly developing innovation in online course delivery  
 18 models, California’s public institutions of higher education have  
 19 a unique opportunity to meet critical demands for enrollment and  
 20 reduce time-to-degree by providing students with access to  
 21 high-quality, alternative, online pathways to successfully complete  
 22 and obtain credit for the most impacted lower division courses.

23 (e) California could significantly benefit from ~~a statutorily~~  
 24 ~~enacted, quality-first, faculty-led framework that increases~~  
 25 ~~partnerships between faculty and online course technology~~  
 26 ~~providers aimed at allowing students in strategically selected lower~~  
 27 ~~division areas to take online courses for credit at the UC, CSU,~~  
 28 ~~and CCC systems. While providing easy access to these courses,~~

1 ~~these systems could also continually assess the value of the courses~~  
2 ~~and the rates of student success in utilizing these alternative online~~  
3 ~~pathways an incentive grant program aimed at assisting faculty~~  
4 ~~and individual campuses within the UC, CSU, and CCC systems~~  
5 ~~to provide students increased opportunities to take strategically~~  
6 ~~selected lower division courses online.~~

7 ~~SEC. 2. Section 66409.3 is added to the Education Code, to~~  
8 ~~read:~~

9 ~~66409.3. (a) The California Online Student Access Platform is~~  
10 ~~hereby established. The platform shall be developed and~~  
11 ~~administered by the President of the University of California, the~~  
12 ~~Chancellor of the California State University, and the Chancellor~~  
13 ~~of the California Community Colleges, jointly, with the academic~~  
14 ~~senates of the respective segments. As used in this section,~~  
15 ~~“platform” means the California Online Student Access Platform~~  
16 ~~established by this section.~~

17 ~~(b) The platform shall facilitate appropriate partnerships~~  
18 ~~including, but not necessarily limited to, intersegmental and~~  
19 ~~intra-segmental partnerships developed pursuant to Section 66950~~  
20 ~~and partnerships between online course providers and faculty~~  
21 ~~members of the University of California, California State~~  
22 ~~University, and the California Community Colleges for the~~  
23 ~~development and deployment of high-quality online options for~~  
24 ~~strategically selected lower division courses. The platform shall~~  
25 ~~accomplish all of the following objectives:~~

26 ~~(1) Provide statewide facilitation of intersegmental and~~  
27 ~~intra-segmental partnerships developed pursuant to Section 66950~~  
28 ~~and appropriate partnerships between faculty members of the~~  
29 ~~University of California, the California State University, and the~~  
30 ~~California Community Colleges, and online course technology~~  
31 ~~providers to offer transferable courses for credit.~~

32 ~~(2) Create a pool of up to 50 approved and transferable online~~  
33 ~~courses for credit through which students seeking to enroll may~~  
34 ~~easily access those courses and related content.~~

35 ~~(3) Provide a state-level faculty-led process that places the~~  
36 ~~highest priority on educational quality through which online~~  
37 ~~courses can be subjected to high-quality standards and review.~~

38 ~~(4) Allow the state, the public, students, faculty, and other~~  
39 ~~stakeholders to examine student success rates within the platform.~~

1 ~~(e) For purposes of accomplishing all of the objectives of the~~  
2 ~~platform as specified in subdivision (b), the President of the~~  
3 ~~University of California, the Chancellor of the California State~~  
4 ~~University, and the Chancellor of the California Community~~  
5 ~~Colleges, jointly, with the academic senates of the respective~~  
6 ~~segments, shall do all of the following:~~

7 ~~(1) (A) Develop a list of the 50 most impacted lower division~~  
8 ~~courses at the University of California, the California State~~  
9 ~~University, and the California Community Colleges that are~~  
10 ~~deemed necessary for program completion, deemed satisfactory~~  
11 ~~for meeting general education requirements, or in areas defined~~  
12 ~~as high-demand transferable lower division courses under the~~  
13 ~~Intersegmental General Education Transfer Curriculum.~~

14 ~~(B) For purposes of this paragraph, “impacted lower division~~  
15 ~~course” means a course in which, during most academic terms,~~  
16 ~~the number of students seeking to enroll in the course exceeds the~~  
17 ~~number of spaces available in the course.~~

18 ~~(2) For any of the courses that meet the criteria identified under~~  
19 ~~paragraph (1), facilitate partnerships, including, but not necessarily~~  
20 ~~limited to, intersegmental and intrasegmental partnerships~~  
21 ~~developed pursuant to Section 66950 and partnerships between~~  
22 ~~online course technology providers and faculty of the University~~  
23 ~~of California, the California State University, and the California~~  
24 ~~Community Colleges with the goal of significantly increasing~~  
25 ~~online course options for students for the fall term of the 2014–15~~  
26 ~~academic year.~~

27 ~~(3) Create and administer a standardized review and approval~~  
28 ~~process for online courses developed pursuant to paragraph (2) for~~  
29 ~~matriculated students of the University of California, California~~  
30 ~~State University, and California Community Colleges, and for~~  
31 ~~California high school pupils. No course shall be approved for~~  
32 ~~purposes of this section unless the course has associated with it a~~  
33 ~~faculty sponsor who is a member of the faculty of the University~~  
34 ~~of California, the California State University, or the California~~  
35 ~~Community Colleges and is approved by the academic senate of~~  
36 ~~the appropriate segment. An online course developed pursuant to~~  
37 ~~this paragraph shall be deemed to meet the lower division transfer~~  
38 ~~and degree requirements for the University of California, the~~  
39 ~~California State University, and the California Community~~  
40 ~~Colleges.~~

1     ~~(4) When online courses are reviewed pursuant to this section,~~  
2 ~~at a minimum, the extent to which each course does the following~~  
3 ~~shall be considered:~~  
4     ~~(A) Provides students with instructional support and related~~  
5 ~~services to promote retention and success.~~  
6     ~~(B) Provides students with interaction with instructors and other~~  
7 ~~students.~~  
8     ~~(C) Contains a proctored student assessment and examination~~  
9 ~~process that ensures academic integrity and satisfactorily measures~~  
10 ~~student learning.~~  
11     ~~(D) Provides a student with an opportunity to assess the extent~~  
12 ~~to which he or she is suited for online learning prior to enrolling.~~  
13     ~~(E) Utilizes, as the primary course text or as a wholly acceptable~~  
14 ~~alternative, content, where it exists, from the California Digital~~  
15 ~~Open Source Library established pursuant to Section 66408.~~  
16     ~~(F) Includes adaptive learning technology systems or comparable~~  
17 ~~technologies that can provide significant improvement in the~~  
18 ~~learning of students.~~  
19     ~~(5) Regularly solicits from each of the respective statewide~~  
20 ~~student associations of the University of California, the California~~  
21 ~~State University, and the California Community Colleges, and~~  
22 ~~considers, advice and guidance on implementation of the platform.~~  
23     ~~(6) Collect, review, and make public data and other information~~  
24 ~~related to student success within the platform by gathering and~~  
25 ~~reporting data on accepted student success metrics, including, but~~  
26 ~~not necessarily limited to, student enrollment in approved online~~  
27 ~~courses through the platform, and student retention and completion~~  
28 ~~rates.~~  
29     ~~(7) Utilize the state's current common course numbering system~~  
30 ~~for approved courses so as to simplify the identification and~~  
31 ~~articulation of comparable courses.~~  
32     ~~(d) Online courses approved through the platform pursuant to~~  
33 ~~this section shall be placed in the California Virtual Campus,~~  
34 ~~through which students may access the courses. A matriculated~~  
35 ~~student of a campus of the University of California, California~~  
36 ~~State University, or California Community Colleges, or a California~~  
37 ~~high school pupil, who completes an online course developed~~  
38 ~~through the platform and achieves a passing score on the~~  
39 ~~corresponding course examination shall be awarded full academic~~  
40 ~~credit for an equivalent course at the University of California, the~~

1 California State University, or the California Community Colleges,  
2 as applicable.

3 ~~(e) Funding for the implementation of this section shall be~~  
4 ~~provided in the annual Budget Act. It is the intent of the Legislature~~  
5 ~~that, notwithstanding Section 67400, the receipt of funding by the~~  
6 ~~University of California for the implementation of this section be~~  
7 ~~contingent on its compliance with the requirements of this section.~~

8 ~~(f) No public funds shall be used to fund any private aspect of~~  
9 ~~a partnership developed pursuant to this section between faculty~~  
10 ~~of the University of California, the California State University, or~~  
11 ~~the California Community Colleges and an online course~~  
12 ~~technology provider.~~

13 ~~(g) The state shall retain all appropriate rights to intellectual~~  
14 ~~property it creates or develops in the implementation of this section.~~

15 *SEC. 2. Section 66409.3 is added to the Education Code, to*  
16 *read:*

17 *66409.3. (a) The California Online Student Access Incentive*  
18 *Grant programs are hereby established. The grant programs shall*  
19 *be developed and administered by the President of the University*  
20 *of California, the Chancellor of the California State University,*  
21 *and the Chancellor of the California Community Colleges, for*  
22 *each segment respectively, in consultation with his or her*  
23 *respective statewide academic senate.*

24 *(b) The three grant programs shall provide incentive grants to*  
25 *faculty and campuses to facilitate appropriate partnerships*  
26 *including, but not necessarily limited to, intersegmental and*  
27 *intra-segmental partnerships, and partnerships between online*  
28 *course providers and faculty members of the University of*  
29 *California, the California State University, and the California*  
30 *Community Colleges for the development and deployment of*  
31 *high-quality online options for strategically selected lower division*  
32 *courses.*

33 *(c) For purposes of accomplishing the objectives of the grant*  
34 *programs as specified in subdivision (b), the President of the*  
35 *University of California, the Chancellor of the California State*  
36 *University, and the Chancellor of the California Community*  
37 *Colleges shall each, in consultation with his or her segment's*  
38 *statewide academic senate, do both of the following:*

39 *(1) Develop a list of 20 high-demand lower division courses at*  
40 *his or her segment that are deemed necessary for program*

1 completion, deemed satisfactory for meeting general education  
2 requirements, or defined as transferable lower division courses  
3 under the Intersegmental General Education Transfer Curriculum.

4 (2) (A) For up to 15 of the courses selected under paragraph  
5 (1), provide incentive grants to faculty and campuses of his or her  
6 segment with the goal of facilitating up to 15 appropriate  
7 partnerships, including, but not necessarily limited to,  
8 intersegmental and intrasegmental partnerships, and partnerships  
9 between online course technology providers and faculty of the  
10 segment providing the grant and, if the grantor deems it  
11 appropriate, faculty of one or both of the other segments, to  
12 significantly increase online options for matriculated students and  
13 high school pupils for the fall term of the 2014–15 academic year.

14 (B) When choosing recipients for incentive grants pursuant to  
15 this paragraph, the president or chancellor of each segment shall  
16 give priority to courses that have also been selected by one or both  
17 of the other segments pursuant to paragraph (1).

18 (d) Incentive grants shall not be provided to facilitate any  
19 partnership to develop or deploy a course pursuant to this section  
20 unless the course has associated with it a member of the faculty  
21 of the segment providing the grant who serves as the instructor of  
22 record, and the course is approved by the academic senate of that  
23 segment. A course developed or deployed with incentive grant  
24 funds pursuant to this section shall be deemed to meet the lower  
25 division transfer and degree requirements for the University of  
26 California, the California State University, or the California  
27 Community Colleges, as applicable, and shall be made available  
28 to students systemwide, regardless of the campus at which they  
29 are enrolled.

30 (e) When evaluating a potential faculty or campus grantee to  
31 receive an incentive grant pursuant to this section, the President  
32 of the University of California, the Chancellor of the California  
33 State University, and the Chancellor of the California Community  
34 Colleges shall consider the extent to which the developed or  
35 deployed course will do each of the following:

36 (1) Provide students with instructional support and related  
37 services to promote retention and success.

38 (2) Provide students with interaction with instructors and other  
39 students.

1     (3) *Contain a proctored student assessment and examination*  
2 *process that ensures academic integrity and satisfactorily measures*  
3 *student learning.*

4     (4) *Provide a student with an opportunity to assess the extent*  
5 *to which he or she is suited for online learning before enrolling.*

6     (5) *Use, as the primary course text or as a wholly acceptable*  
7 *alternative, content, where it exists, from the California Digital*  
8 *Open Source Library established pursuant to Section 66408.*

9     (6) *Include adaptive learning technology systems or comparable*  
10 *technologies that can provide significant improvement in student*  
11 *learning.*

12     (7) *Be made available to students of another system, regardless*  
13 *of the system at which they are enrolled.*

14     (f) *In implementing this section, the President of the University*  
15 *of California, the Chancellor of the California State University,*  
16 *and the Chancellor of the California Community Colleges shall*  
17 *do all of the following:*

18     (1) *Regularly solicit and consider from their respective statewide*  
19 *student associations advice and guidance on the implementation*  
20 *of the incentive grant program.*

21     (2) *Collect, review, and make public data and other information*  
22 *related to student success in courses supported by the incentive*  
23 *grant program by gathering and reporting data on accepted student*  
24 *success metrics, including, but not necessarily limited to, student*  
25 *enrollment in online courses supported through the incentive grant*  
26 *program, and student retention and completion rates.*

27     (g) *Online courses supported by incentive grants pursuant to*  
28 *this section shall be placed in the California Virtual Campus,*  
29 *through which students may access the courses. A matriculated*  
30 *student of a campus of the University of California, the California*  
31 *State University, or the California Community Colleges, or a*  
32 *California high school pupil, who completes an online course*  
33 *developed through an incentive grant program and achieves a*  
34 *passing score on the corresponding course examination shall be*  
35 *awarded full academic credit for the course at the University of*  
36 *California, the California State University, or the California*  
37 *Community Colleges, as applicable.*

38     (h) *Funding for the implementation of this section shall be*  
39 *provided in the annual Budget Act. It is the intent of the Legislature*  
40 *that, notwithstanding Section 67400, the receipt of funding by the*

1 *University of California for the implementation of this section be*  
2 *contingent on its compliance with the requirements of this section.*

3 *(i) Public funds shall not be used to fund any private aspect of*  
4 *a partnership developed pursuant to this section between faculty*  
5 *of the University of California, the California State University, or*  
6 *the California Community Colleges and an online course*  
7 *technology provider.*

8 *(j) Intellectual property created or developed by a segment in*  
9 *the implementation of this act shall be owned and managed by*  
10 *that segment according to its existing policies pursuant to*  
11 *applicable provisions of this code.*

12 SEC. 3. Section 78910.10 of the Education Code is amended  
13 to read:

14 78910.10. (a) (1) The California Virtual Campus, pursuant  
15 to funding provided to the Board of Governors of the California  
16 Community Colleges for this purpose in the annual Budget Act,  
17 may pursue all of the following purposes, to the extent funding is  
18 available:

19 (A) To enrich formal and informal educational experiences and  
20 improve students' academic performance by supporting the  
21 development of highly engaging, research-based innovations in  
22 teaching and learning in K–12 public schools and the California  
23 Community Colleges, the California State University, and the  
24 University of California.

25 (B) To enhance the awareness of, and access to, highly engaging  
26 online courses of study, emphasizing courses of study that support  
27 a diverse and highly skilled science, technology, engineering, and  
28 mathematics workforce.

29 (C) To support education research, the implementation of  
30 research-based practices, and promote economic development  
31 through the use of next generation advanced network infrastructure,  
32 services, and network technologies that enable collaboration and  
33 resource sharing between formal and informal educators in K–12  
34 public schools, the California Community Colleges, the California  
35 State University, the University of California, independent colleges  
36 and universities, public libraries, and community-based  
37 organizations at locations across the state.

38 (D) To increase access to next generation Internet services, 21st  
39 century workforce development programs, and e-government  
40 services for students and staff served or employed by education

1 entities and students served primarily online through partnerships  
2 with public libraries and community-based organizations.

3 (E) To enhance access to health care education and training  
4 programs to current or future health care workers.

5 (F) To manage digital assets and develop contracts for services  
6 necessary to provide the technical and management support needed  
7 to maximize the benefits of the high-speed, high-bandwidth  
8 network infrastructure available to public higher education entities  
9 in California.

10 (G) Through the aggregation of demand for network enabled  
11 technologies and related services from public education entities,  
12 and through partnerships with the private sector, to provide  
13 education entities with access to technical support and staff who  
14 can facilitate statewide efforts that support innovations in teaching  
15 and learning that are necessary to provide for a well-educated  
16 citizenry, and economic and 21st century workforce development.

17 (2) To accomplish the purposes of paragraph (1), the California  
18 Virtual Campus may partner with local educational agencies, the  
19 State Department of Education, the 11 regional California  
20 Technology Assistance Projects, the California Community  
21 Colleges, the California State University, the University of  
22 California, independent colleges and universities, public libraries,  
23 and community-based organizations to facilitate ongoing  
24 collaboration and joint efforts relating to the use of technology  
25 resources and high-speed Internet connectivity to support teaching,  
26 learning, workforce development, and research.

27 (3) Efforts conducted as a result of this chapter shall not prohibit  
28 or otherwise exclude the ability of existing or new educational  
29 technology programs from being developed, expanded, or  
30 enhanced.

31 (b) For purposes of this article, the following terms have the  
32 following meanings:

33 (1) “Online courses of study” means any of the following:

34 (A) Online teaching, learning, and research resources, including,  
35 but not necessarily limited to, books, course materials, video  
36 materials, interactive lessons, tests, or software, the copyrights of  
37 which have expired, or have been released with an intellectual  
38 property license that permits their free use or repurposing by others  
39 without the permission of the original authors or creators of the  
40 learning materials or resources.

1 (B) Professional development opportunities for formal and  
2 informal educators who desire to use the resources in subparagraph  
3 (A).

4 (C) Online instruction.

5 (2) “Online instruction” means technology enabled online real  
6 time (synchronous) interaction between the instructor and the  
7 student, near time (asynchronous) interaction between the instructor  
8 and the student, or any combination thereof.

9 (c) The California Virtual Campus grant recipient may  
10 accomplish all of the following:

11 (1) Convene at least four leadership stakeholder group meetings  
12 annually composed of representatives from the State Department  
13 of Education, the California Technology Assistance Project, and  
14 other related programs administered through the department,  
15 including adult education, local-~~education~~ *educational* agencies,  
16 the California Community Colleges, the California State  
17 University, the University of California, independent colleges and  
18 universities, the California State Library, and representatives from  
19 community-based organizations to ensure the efforts affecting  
20 segments represented are appropriately meeting the needs of those  
21 segments. The leadership stakeholder group shall also coordinate  
22 and obtain assistance with the implementation of efforts delineated  
23 in this article, to identify and maintain an up-to-date list of the  
24 technology resources and tools that are necessary to support  
25 innovation in teaching and learning, and to identify opportunities  
26 for leveraging resources and expertise for meeting those needs in  
27 an efficient and cost-effective manner. For purposes of this  
28 paragraph, the representatives from the California Community  
29 Colleges, the California State University, and the University of  
30 California shall include, but not be limited to, faculty members  
31 from these institutions.

32 (2) Lead efforts to make online courses of study available across  
33 the state that include, but are not limited to, the following:

34 (A) Developing online courses of study that are pedagogically  
35 sound and fully accessible, in compliance with the federal  
36 Americans with Disabilities Act *of 1990* (Public Law 101-336),  
37 by students with varying learning styles and disabilities.

38 (i) The development of K–12 online courses pursuant to this  
39 subparagraph shall be achieved in partnership with local-~~education~~

1 *educational* agencies and the California Technology Assistance  
2 Project.

3 (ii) Online courses developed for grades K–12 pursuant to this  
4 subparagraph shall be aligned to the California academic content  
5 standards and guidelines for online courses.

6 (B) Overseeing the development of at least 12 model online  
7 courses of study that, collectively, would allow students to meet  
8 the requirements of the Intersegmental General Education Transfer  
9 Curriculum (IGETC) and at least two courses that support basic  
10 skills education courses in English, English as a second language,  
11 or mathematics.

12 (C) Encouraging the entities listed in paragraph (1) to do both  
13 of the following:

14 (i) Make accessible to each other their courses of study that are  
15 funded by the state.

16 (ii) Allow their courses of study to be accessible to the general  
17 public if they determine access would not inhibit their ability to  
18 provide appropriate protection of the state’s intellectual property  
19 rights.

20 (3) Ensure that the learning objects created as part of the  
21 California Virtual Campus online courses of study with state  
22 General Fund revenues are linked to digital content libraries that  
23 include information about course content freely available to  
24 California educators and students.

25 (4) Develop formal partnership agreements between the entities  
26 listed in paragraph (1) and the California Virtual Campus, including  
27 course articulation agreements that allow qualified high school  
28 students to accelerate the completion of requirements for a high  
29 school diploma and a two-year or four-year degree and agreements  
30 that provide opportunities for part-time faculty teaching online to  
31 obtain full-time employment teaching online.

32 (5) Develop formal partnership agreements with the entities  
33 listed in paragraph (1) and others to enhance access to professional  
34 development courses that introduce faculty, teachers, staff, and  
35 college course developers to the conceptual development, creation,  
36 and production methodologies that underlie the development of  
37 online courses of study and support students’ successful completion  
38 of those courses. The professional development opportunities may  
39 include, but not necessarily be limited to, all of the following:

1 (A) Addressing issues relating to copyright, permission for the  
2 use or reuse of material, use of resources in the public domain,  
3 and other intellectual property concepts.

4 (B) Accessibility for students with disabilities.

5 (C) Factors to ensure that content is culturally relevant to a  
6 diverse student body.

7 (D) Delivery options that incorporate multiple learning styles  
8 and strategies.

9 (6) Develop formal partnership agreements with entities,  
10 including, but not limited to, those listed in paragraph (1), to ensure  
11 access to online professional learning communities that incorporate  
12 the use of Internet-based collaboration tools and to support joint  
13 discussions between K–12 educators, higher education faculty and  
14 staff, and others to examine student performance data, student  
15 learning objectives, curriculum, and other issues that relate to  
16 students' academic success and preparation for the workforce.

17 (7) In partnership with entities, including those listed in  
18 paragraph (1), develop an e-portfolio system that allows  
19 participating students to demonstrate their attainment of academic  
20 learning objectives, skills and knowledge that relate to their career  
21 interests, and completion of prerequisites for participation in  
22 courses or training programs. The e-portfolio system may do all  
23 of the following:

24 (A) Ensure that student privacy is protected in accordance with  
25 existing law.

26 (B) Comply with accessibility laws for students with disabilities.

27 (C) Be designed in a manner that supports the use of e-portfolio  
28 content in the accreditation requirements of schools, colleges, and  
29 universities.

30 (8) In partnership with entities, including those listed in  
31 paragraph (1), identify opportunities to enhance students' access  
32 to medical education and medical services through the use of  
33 high-speed Internet connections to the campuses, and opportunities  
34 for education programs and services to support the telehealth efforts  
35 taking place within the state.

36 (d) The lead agency for the California Virtual Campus, in  
37 consultation with the leadership stakeholder group described in  
38 paragraph (1) of subdivision (c) if that group is convened by the  
39 California Virtual Campus grant recipient, shall contract with an  
40 independent third party with expertise in online teaching, learning,

1 and the development of online courses of study, as approved by  
2 the board, to evaluate the California Virtual Campus. The  
3 evaluation shall include, but not be limited to, an assessment of  
4 the number of faculty, teachers, consortia, informal educators, and  
5 students that use the online courses of study, the quality of students'  
6 experiences, student grades earned, and the cost of the online  
7 course content, comparing the online course content with traditional  
8 textbooks. The board may require additional information that it  
9 determines to be necessary to evaluate the effectiveness and  
10 viability of the California Virtual Campus. This evaluation shall  
11 be submitted to the Legislature no later than three years after the  
12 enactment of this act.

13 SEC. 4. Section 78910.30 of the Education Code is amended  
14 to read:

15 78910.30. This article shall remain in effect until January 1,  
16 2017, and as of that date is repealed, unless a later enacted statute,  
17 that is enacted before January 1, 2017, deletes or extends that date.

18 SEC. 5. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.