

Introduced by Senator HancockFebruary 21, 2014

An act to amend Section 84810.5 of, and to add Section 84810.7 to, the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 1391, as introduced, Hancock. Community colleges: inmate education programs: computation of apportionments.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges.

Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities, including a federal correctional facility, may include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead require the open course provisions in statute or regulations of the board of governors to be waived for any governing board of a community college district that provides those classes for inmates, including inmates of state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, under the bill, for purposes of apportionments, any class for which a district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, or any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.

This bill would require the Department of Corrections and Rehabilitation, in collaboration with the chancellor, to establish the Innovative Career Technical Education Grant Program to provide grants for inmates and parolees recently released from state correctional facilities to attend career technical education community college classes for purposes of accomplishing specified objectives. The bill would require the Department of Corrections and Rehabilitation, in administering the program, to transfer an unspecified amount from funds made available in the 2014–15 Budget Act, and each fiscal year thereafter, for purposes of the program. The bill would require the Department of Corrections and Rehabilitation to provide for up to 4 grants to community college career technical education programs that are provided for inmates inside state correctional facilities, require that at least one of these grants be awarded for programs offered at a women’s correctional facility, and determine the amount of these grant awards.

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 84810.5 of the Education Code is
2 amended to read:
3 84810.5. (a) ~~Notwithstanding open~~ (1) *Open* course provisions
4 in statute or regulations of the board of governors, ~~the~~ *shall be*
5 *waived for any* governing board of a community college district
6 that provides classes for inmates of any city, county, or city and
7 county jail, road camp, farm for adults, or *state or federal*
8 ~~correctional facility~~ *facility*. *This section does not authorize the*
9 *waiver of open course provisions in any context or situation other*
10 *than those that are specifically authorized by this section. Subject*

1 *to limitations set forth in subdivision (b), the board of governors*
2 *may include the units of full-time equivalent—student students*
3 *(FTES) generated in those classes for purposes of state*
4 *apportionment apportionments.*

5 *The*

6 *(2) The attendance hours generated by credit or noncredit shall*
7 *be added and counted for apportionment purposes as noncredit*
8 *attendance hours courses shall be funded at the marginal credit*
9 *rate determined pursuant to paragraph (2) of subdivision (d) of*
10 *Section 84750.5. The attendance hours generated by noncredit*
11 *courses shall be funded at the noncredit rate.*

12 *(b) Notwithstanding any other provision of law, no funds for*
13 *inmate education programs provided pursuant to this section shall*
14 *be considered as part of the base revenues for community college*
15 *districts in computing apportionments as prescribed in regulations*
16 *of the board of governors. When computing apportionments for*
17 *districts that provided inmate education programs in the 1994–95*
18 *fiscal year, the student workload measures generated and revenues*
19 *received for that year shall be added to their noncredit base revenue*
20 *and noncredit base workload measures for the following year.*

21 *(b) (1) A community college district shall not claim, for*
22 *purposes of state apportionments under this section, any class to*
23 *which either of the following applies:*

24 *(A) The district receives full compensation for its direct*
25 *education costs for the conduct of the class from any public or*
26 *private agency, individual, or group of individuals.*

27 *(B) The district has a contract or instructional agreement, or*
28 *both, for the conduct of the class with a public or private agency,*
29 *individual, or group of individuals that has received from another*
30 *source full compensation for the costs the district incurs under*
31 *that contract or instructional agreement.*

32 *(2) In reporting a claim for apportionment to the Chancellor*
33 *of the California Community Colleges under this section, the*
34 *district shall report any partial compensation it receives from the*
35 *sources described in subparagraphs (A) and (B) of paragraph (1)*
36 *during the period for which the claim is made. The chancellor*
37 *shall subtract the amount of any partial compensation received*
38 *from the total apportionment to be paid.*

39 *(c) This section does not provide a source of funds to shift,*
40 *supplant, or reduce the costs incurred by the Department of*

1 *Corrections and Rehabilitation in providing inmate education*
2 *programs.*

3 SEC. 2. Section 84810.7 is added to the Education Code, to
4 read:

5 84810.7. (a) The Department of Corrections and Rehabilitation
6 shall, in collaboration with the Chancellor of the California
7 Community Colleges establish the Innovative Career Technical
8 Education Grant Program to provide grants for inmates and for
9 parolees recently released from state correctional facilities to attend
10 career technical education community college classes for purposes
11 of accomplishing both of the following:

12 (1) Providing inmates with skills necessary to obtain high skill,
13 high pay employment, or to enter apprenticeship programs upon
14 release from prison.

15 (2) Reducing recidivism by providing inmates and parolees
16 recently released from state correctional facilities with hands on
17 learning experience available in community college career technical
18 education classes, including classes within state correctional
19 facilities.

20 (b) (1) From funds made available to the Department of
21 Corrections and Rehabilitation in the 2014–15 Budget Act, and
22 each fiscal year thereafter, the Department of Corrections and
23 Rehabilitation shall, in administering the Innovative Career
24 Technical Education Grant Program, transfer the amount of ____
25 dollars (\$____) for purposes of the program.

26 (2) The Department of Corrections and Rehabilitation shall
27 provide for up to four grants to community college career technical
28 education programs provided for inmates inside state correctional
29 facilities. The Department of Corrections and Rehabilitation shall
30 award at least one of these grants for programs offered at a
31 women’s correctional facility.

32 (3) The Department of Corrections and Rehabilitation shall, in
33 consultation with the chancellor, determine the amount of the
34 grants awards pursuant to paragraph (2).