

AMENDED IN ASSEMBLY AUGUST 18, 2014

AMENDED IN ASSEMBLY AUGUST 4, 2014

AMENDED IN ASSEMBLY JUNE 30, 2014

AMENDED IN ASSEMBLY JUNE 19, 2014

AMENDED IN SENATE APRIL 10, 2014

**SENATE BILL**

**No. 1391**

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**Introduced by Senators Hancock and Wyland**

(Principal coauthors: Assembly Members Bonta and Chávez)

February 21, 2014

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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 amended, 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 may include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead waive the open course provisions in statute or regulations of the board of governors for any governing board of a

community college district ~~that provides classes for~~ *classes the district provides to* inmates of those facilities and 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, for purposes of ~~apportionments~~, *apportionments for these inmate education programs*, 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 and the Office of the Chancellor of the California Community Colleges, on or before March 1, 2015, to enter into an interagency agreement to expand access to community college courses that lead to degrees or certificates that result in enhanced workforce skills or transfer to a 4-year university. This bill would require that courses for inmates in a state correctional facility developed as a result of this agreement supplement, but not duplicate or supplant, any adult education course opportunities offered at that facility by the Office of Correctional Education of the Department of Corrections and Rehabilitation. This bill would require the department, in collaboration with the Office of the Chancellor of the California Community Colleges, to develop metrics for evaluations of the efficacy and success of the programs developed through the interagency agreement, conduct the evaluations, and, on or before July 31, 2018, report findings from the evaluations to the Legislature and the Governor.

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) (1) Open course provisions in statute or  
4 regulations of the board of governors shall be waived for any  
5 governing board of a community college district ~~that provides~~  
6 *classes for classes the district provides to* inmates of any city,  
7 county, or city and county jail, road camp, farm for adults, or state  
8 or federal correctional 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  
11 to limitations set forth in subdivision (b), the board of governors  
12 may include the units of full-time equivalent students (FTES)  
13 generated in those classes for purposes of state apportionments.

14 (2) The attendance hours generated by credit courses shall be  
15 funded at the marginal credit rate determined pursuant to paragraph  
16 (2) of subdivision (d) of Section 84750.5. The attendance hours  
17 generated by noncredit courses shall be funded at the noncredit  
18 ~~rate: rate pursuant to paragraph (3) of subdivision (d) of Section~~  
19 *84750.5. The attendance hours generated by instruction in career*  
20 *development and college preparation shall be funded at the rate*  
21 *determined pursuant to paragraph (4) of subdivision (d) of Section*  
22 *84750.5.*

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

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

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

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

1 subtract the amount of any partial compensation received from the  
2 total apportionment to be paid.

3 (c) This section does not provide a source of funds to shift,  
4 supplant, or reduce the costs incurred by the Department of  
5 Corrections and Rehabilitation in providing inmate education  
6 programs.

7 SEC. 2. Section 84810.7 is added to the Education Code, to  
8 read:

9 84810.7. (a) On or before March 1, 2015, the Department of  
10 Corrections and Rehabilitation and the Office of the Chancellor  
11 of the California Community Colleges shall enter into an  
12 interagency agreement to expand access to community college  
13 courses that lead to degrees or certificates that result in enhanced  
14 workforce skills or transfer to a four-year university. The courses  
15 for inmates in a state correctional facility developed as a result of  
16 this agreement will serve to supplement, but not duplicate or  
17 supplant, any adult education course opportunities offered at that  
18 facility by the Office of Correctional Education of the Department  
19 of Corrections and Rehabilitation.

20 (b) The Department of Corrections and Rehabilitation, in  
21 collaboration with the Office of the Chancellor of the California  
22 Community Colleges, shall develop metrics for evaluations of the  
23 efficacy and success of the programs developed through the  
24 interagency agreement established pursuant to this section, conduct  
25 the evaluations, and report findings from the evaluations to the  
26 Legislature and the Governor on or before July 31, 2018.

27 (c) (1) The requirement for submitting a report imposed under  
28 subdivision (b) is inoperative on July 31, 2022, pursuant to Section  
29 10231.5 of the Government Code.

30 (2) A report to be submitted pursuant to subdivision (b) shall  
31 be submitted in compliance with Section 9795 of the Government  
32 Code.