

AMENDED IN ASSEMBLY APRIL 22, 2015

AMENDED IN ASSEMBLY MARCH 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 288**

---

---

**Introduced by Assembly Members Holden and Olsen  
(Principal coauthors: Assembly Members Baker, Chávez, McCarty,  
Santiago, and Ting)  
(Coauthors: Assembly Members Alejo and Weber)**

February 11, 2015

---

---

An act to add Section 76004 to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Holden. Public schools: College and Career Access Pathways partnerships.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law requires credit to be awarded to these pupils, as specified, authorizes a school principal to recommend a pupil for community college summer session if the pupil meets specified criteria, and prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately before the time of recommendation for summer session attendance.

This bill would authorize the governing board of a community college district to enter into a College and Career Access Pathways partnership

with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. The bill would require the partnership agreement to outline the terms of the partnership, as specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses.

The bill would authorize specified high school pupils to enroll in up to 15 units per term if those units are required for these pupils' partnership programs and specified conditions are satisfied, and would authorize a community college district to exempt special part-time and full-time students taking up to a maximum of 15 units per term from specified fee requirements. The bill would prohibit a district from receiving a state allowance or apportionment for an instructional activity for which the partnering district has been, or will be, paid an allowance or apportionment under a concurrent enrollment partnership agreement. The bill would require, for each partnership agreement entered into under the bill, the affected community college district and school district to provide an annual report, containing specified data, to the office of the Chancellor of the California Community Colleges.

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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Research has shown that dual enrollment can be an effective
- 4 means of improving the educational outcomes for a broad range
- 5 of students.
- 6 (b) Dual enrollment has historically targeted high-achieving
- 7 students; however, increasingly, educators and policymakers are
- 8 looking toward dual enrollment as a strategy to help students who
- 9 struggle academically or who are at risk of dropping out.
- 10 (c) Allowing a greater and more varied segment of high school
- 11 pupils to take community college courses could provide numerous
- 12 benefits to both the pupils and the state, such as reducing the
- 13 number of high school dropouts, increasing the number of
- 14 community college students who transfer and complete a degree,

1 shortening the time to completion of educational goals, and  
2 improving the level of preparation of students to successfully  
3 complete for-credit, college-level, courses.

4 (d) California should rethink its policies governing dual  
5 enrollment, and establish a policy framework under which school  
6 districts and community college districts could create dual  
7 enrollment partnerships as one strategy to provide critical support  
8 for underachieving students, those from groups underrepresented  
9 in postsecondary education, those who are seeking advanced  
10 studies while in high school, and those seeking a career technical  
11 education credential or certificate.

12 (e) Through dual enrollment partnerships, school districts and  
13 community college districts could create clear pathways of aligned,  
14 sequenced coursework that would allow students to more easily  
15 and successfully transition to for-credit, college-level coursework  
16 leading to an associate degree, transfer to the University of  
17 California or the California State University, or to a program  
18 leading to a career technical education credential or certificate.

19 (f) To facilitate the establishment of dual enrollment  
20 partnerships, the state should remove fiscal penalties and policy  
21 barriers that discourage dual enrollment opportunities. By reducing  
22 some of these restrictions, it will be possible to expand dual  
23 enrollment opportunities, thereby saving both students and the  
24 state valuable time, money, and scarce educational resources.

25 SEC. 2. Section 76004 is added to the Education Code, to read:  
26 76004. Notwithstanding Section 76001 or any other law:

27 (a) The governing board of a community college district may  
28 enter into a College and Career Access Pathways (CCAP)  
29 partnership with the governing board of a school district for the  
30 purpose of offering or expanding dual enrollment opportunities  
31 with the goal of developing seamless pathways from high school  
32 to community college for career technical education or preparation  
33 for transfer, improving high school graduation rates, or helping  
34 high school pupils achieve college and career readiness.

35 (b) A participating community college district may enter into a  
36 CCAP partnership with a school district partner that is governed  
37 by a CCAP partnership agreement approved by the governing  
38 boards of both districts. As a condition of, and before adopting, a  
39 CCAP partnership agreement, the governing board of each district,  
40 at an open public meeting of that board, shall present the dual

1 enrollment partnership agreement as an informational item. The  
2 governing board of each district, at a subsequent open public  
3 meeting of that board, shall take comments from the public and  
4 approve or disapprove the proposed agreement.

5 (c) (1) The CCAP partnership agreement shall outline the terms  
6 of the CCAP partnership and shall include, but not necessarily be  
7 limited to, the scope, nature, time, location, and listing of  
8 community college courses to be offered, and criteria to assess the  
9 ability of pupils to benefit from those courses. The CCAP  
10 partnership agreement shall also establish protocols for information  
11 sharing, joint facilities use, and parental consent for high school  
12 pupils to enroll in community college courses.

13 (2) The CCAP partnership agreement shall identify a point of  
14 contact for the participating community college district and school  
15 district partner.

16 (3) A copy of the CCAP partnership agreement shall be filed  
17 with the office of the Chancellor of the California Community  
18 Colleges and with the department before the start of the CCAP  
19 partnership.

20 (d) A community college district participating in a CCAP  
21 partnership shall not provide physical education course  
22 opportunities to high school pupils pursuant to this section or any  
23 other course opportunities that do not assist in the attainment of  
24 at least one of the goals listed in subdivision (a).

25 (e) *A community college district shall not enter into a CCAP*  
26 *partnership with a school district within the service area of another*  
27 *community college district, except where an agreement exists, or*  
28 *is established, between those community college districts*  
29 *authorizing that CCAP partnership.*

30 ~~(e)~~

31 (f) A high school pupil enrolled in a course offered through a  
32 CCAP partnership shall not be assessed any fee that is prohibited  
33 by Section 49011.

34 ~~(f)~~

35 (g) A community college district participating in a CCAP  
36 partnership may assign priority for enrollment and course  
37 registration to a pupil seeking to enroll in a community college  
38 course that is required for the pupil's CCAP partnership program  
39 that is equivalent to the priority assigned to a pupil attending a  
40 middle college high school as described in Section 11300 and

1 consistent with middle college high school provisions in Section  
2 76001.

3 ~~(g)~~

4 (h) The CCAP partnership agreement shall certify that any  
5 community college instructor teaching a course on a high school  
6 campus has not been convicted of any sex offense as defined in  
7 Section 87010, or any controlled substance offense as defined in  
8 Section 87011.

9 ~~(h)~~

10 (i) The CCAP partnership agreement shall certify that any  
11 community college instructor teaching a course at the partnering  
12 high school campus has not displaced or resulted in the termination  
13 of an existing high school teacher teaching the same course on that  
14 high school campus.

15 ~~(i)~~

16 (j) The CCAP partnership agreement shall certify that a qualified  
17 high school teacher teaching a course offered for college credit at  
18 a high school campus has not displaced or resulted in the  
19 termination of an existing community college faculty member  
20 teaching the same course at the partnering community college  
21 campus.

22 ~~(j)~~

23 (k) The CCAP partnership agreement shall certify that a  
24 community college course offered for college credit at the  
25 partnering high school campus does not reduce access to the same  
26 course offered at the partnering community college campus.

27 ~~(k)~~

28 (l) The CCAP partnership agreement shall certify that both the  
29 school district and community college district partners comply  
30 with local collective bargaining agreements and all state and federal  
31 reporting requirements regarding the qualifications of the teacher  
32 or faculty member teaching a CCAP partnership course offered  
33 for high school credit.

34 (m) *The CCAP partnership agreement shall specify both of the*  
35 *following:*

36 (1) *Which participating district will be the employer of record*  
37 *for purposes of assignment monitoring and reporting to the county*  
38 *office of education.*

1 (2) Which participating district will assume reporting  
 2 responsibilities pursuant to applicable federal teacher quality  
 3 mandates.

4 ~~(t)~~

5 (n) The CCAP partnership agreement shall certify that remedial  
 6 courses taught by community college faculty at a partnering high  
 7 school campus shall be offered only to high school students who  
 8 test as nonproficient in math, English, or both on a formative  
 9 assessment in grade 10 or 11, as determined by the partnering  
 10 school district.

11 ~~(m)~~

12 (o) (1) A community college district may limit enrollment in  
 13 a community college course solely to eligible high school students  
 14 if the course is offered at a high school campus during the regular  
 15 school day and the community college course is offered pursuant  
 16 to a CCAP partnership agreement.

17 (2) For purposes of allowances and apportionments from Section  
 18 B of the State School Fund, a community college district  
 19 conducting a closed course on a high school campus pursuant to  
 20 paragraph (1) of subdivision ~~(n)~~-(p) shall be credited with those  
 21 units of full-time equivalent students attributable to the attendance  
 22 of eligible high school pupils.

23 ~~(n)~~

24 (p) A community college district may allow a special part-time  
 25 student participating in a CCAP partnership agreement established  
 26 pursuant to this article to enroll in up to a maximum of 15 units  
 27 per term if all of the following circumstances are satisfied:

28 (1) The units constitute no more than four community college  
 29 courses per term.

30 (2) The units are part of an academic program that is part of a  
 31 CCAP partnership agreement established pursuant to this article.

32 (3) The units are part of an academic program that is designed  
 33 to award students both a high school diploma and an associate's  
 34 degree.

35 ~~(o)~~

36 (q) The governing board of a community college district  
 37 participating in a CCAP partnership agreement established pursuant  
 38 to this article may, in whole or in part, exempt special part-time  
 39 students described in subdivision ~~(n)~~-(p) from the fee requirements  
 40 in Sections 76060.5, 76140, 76223, 76300, 76350, and 79121.

1     ~~(p)~~  
2     (r) A district shall not receive a state allowance or apportionment  
3 for an instructional activity for which the partnering district has  
4 been, or shall be, paid an allowance or apportionment.

5     ~~(q)~~  
6     (s) The attendance of a high school pupil at a community college  
7 as a special part-time or full-time student pursuant to this section  
8 is authorized attendance for which the community college shall  
9 be credited or reimbursed pursuant to Section 48802 or 76002,  
10 provided that no school district has received reimbursement for  
11 the same instructional activity.

12     ~~(r)~~  
13     (t) (I) For each CCAP partnership agreement entered into  
14 pursuant to this section, the affected community college district  
15 and school district shall report annually to the office of the  
16 Chancellor of the California Community Colleges all of the  
17 following information:

18     ~~(1)~~  
19     (A) The total number of high school pupils by schoolsite enrolled  
20 in each CCAP ~~partnership~~ *partnership, by gender and ethnicity.*

21     ~~(2)~~  
22     (B) The total number of community college courses by course  
23 category and type and by school site enrolled in by CCAP  
24 partnership participants.

25     ~~(3)~~  
26     (C) The total number and percentage of successful course  
27 completions, by course category and type and by schoolsite, of  
28 CCAP partnership participants.

29     ~~(4)~~  
30     (D) The total number of full-time equivalent students generated  
31 by CCAP partnership community college district participants.

32     (2) *The report shall include an evaluation of the CCAP*  
33 *partnerships and, based upon the data collected pursuant to this*  
34 *section, shall include recommendations for program improvements,*  
35 *including, but not necessarily limited to, the need for additional*  
36 *student assistance or academic resources to ensure the overall*  
37 *success of the CCAP partnerships.*

38     ~~(s) Notwithstanding Section 10231.5 of the Government Code,~~  
39 ~~the~~

- 1 (u) The annual report required by this subdivision (t) shall also  
2 be transmitted to all of the following:
- 3 (1) The Legislature, in compliance with Section 9795 of the  
4 Government Code.
  - 5 (2) The Director of Finance.
  - 6 (3) The Superintendent.
- 7 (v) A community college district that violates this article,  
8 including, but not necessarily limited to, any restriction imposed  
9 by the board of governors pursuant to this article, shall be subject  
10 to the same penalty as may be imposed pursuant to subdivision  
11 (d) of Section 78032.