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

LEGISLATIVE COUNSEL’S DIGEST


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.


The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Research has shown that dual enrollment can be an effective means of improving the educational outcomes for a broad range of students.
(b) Dual enrollment has historically targeted high-achieving students; however, increasingly, educators and policymakers are looking toward dual enrollment as a strategy to help students who struggle academically or who are at risk of dropping out.
(c) Allowing a greater and more varied segment of high school pupils to take community college courses could provide numerous benefits to both the pupils and the state, such as reducing the number of high school dropouts, increasing the number of community college students who transfer and complete a degree,
shortening the time to completion of educational goals, and
improving the level of preparation of students to successfully
complete for-credit, college-level, courses.
(d) California should rethink its policies governing dual
enrollment, and establish a policy framework under which school
districts and community college districts could create dual
enrollment partnerships as one strategy to provide critical support
for underachieving students, those from groups underrepresented
in postsecondary education, those who are seeking advanced
studies while in high school, and those seeking a career technical
education credential or certificate.

(e) Through dual enrollment partnerships, school districts and
community college districts could create clear pathways of aligned,
sequenced coursework that would allow students to more easily
and successfully transition to for-credit, college-level coursework
leading to an associate degree, transfer to the University of
California or the California State University, or to a program
leading to a career technical education credential or certificate.
(f) To facilitate the establishment of dual enrollment
partnerships, the state should remove fiscal penalties and policy
barriers that discourage dual enrollment opportunities. By reducing
some of these restrictions, it will be possible to expand dual
enrollment opportunities, thereby saving both students and the
state valuable time, money, and scarce educational resources.

SEC. 2. Section 76004 is added to the Education Code, to read:
(a) The governing board of a community college district may
enter into a College and Career Access Pathways (CCAP)
partnership with the governing board of a school district for the
purpose of offering or expanding dual enrollment opportunities
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.
(b) A participating community college district may enter into a
CCAP partnership with a school district partner that is governed
by a CCAP partnership agreement approved by the governing
boards of both districts. As a condition of, and before adopting, a
CCAP partnership agreement, the governing board of each district,
at an open public meeting of that board, shall present the dual
enrollment partnership agreement as an informational item. The
governing board of each district, at a subsequent open public
meeting of that board, shall take comments from the public and
approve or disapprove the proposed agreement.

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

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

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

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

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

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

(g) A community college district participating in a CCAP
partnership may assign priority for enrollment and course
registration to a pupil seeking to enroll in a community college
course that is required for the pupil’s CCAP partnership program
that is equivalent to the priority assigned to a pupil attending a
middle college high school as described in Section 11300 and
consistent with middle college high school provisions in Section 76001.

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

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

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

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

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

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

(1) Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education.
(2) Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

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

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

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

(o) (1) A community college district may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

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

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

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

(q) The governing board of a community college district participating in a CCAP partnership agreement established pursuant to this article may, in whole or in part, exempt special part-time students described in subdivision (n)-(p) from the fee requirements in Sections 76060.5, 76140, 76223, 76300, 76350, and 79121.
(p) A district shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

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

(r) (1) For each CCAP partnership agreement entered into pursuant to this section, the affected community college district and school district shall report annually to the office of the Chancellor of the California Community Colleges all of the following information:

(A) The total number of high school pupils by schoolsite enrolled in each CCAP partnership, by gender and ethnicity.

(B) The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.

(C) The total number and percentage of successful course completions, by course category and type and by schoolsite, of CCAP partnership participants.

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

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

(s) Notwithstanding Section 10231.5 of the Government Code, the
(u) The annual report required by this subdivision (t) shall also be transmitted to all of the following:


(2) The Director of Finance.

(3) The Superintendent.

(v) A community college district that violates this article, including, but not necessarily limited to, any restriction imposed by the board of governors pursuant to this article, shall be subject to the same penalty as may be imposed pursuant to subdivision (d) of Section 78032.