

AMENDED IN ASSEMBLY APRIL 13, 2015

AMENDED IN ASSEMBLY MARCH 24, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 889

Introduced by Assembly Member Chang

(Coauthors: Assembly Members Achadjian, Travis Allen, Baker, Chávez, Beth Gaines, Gallagher, Grove, Hadley, Harper, Jones, Kim, Lackey, Linder, Mayes, Melendez, Obernolte, Olsen, Patterson, Steinorth, Wagner, Waldron, and Wilk)

February 26, 2015

An act to amend Section 48800 of, and to add Section 48801.5 to, the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 889, as amended, Chang. Concurrent enrollment in secondary school and community college.

(1) 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 recommendation by the school principal and parental permission.

This bill would authorize the governing board of a school district to authorize a pupil, upon recommendation of the principal of the pupil's school of attendance, and with parental consent, to attend a community college during any session or term as a special part-time or full-time student and to undertake one or more STEM courses, as defined to mean courses in science, technology, engineering, or mathematics, offered at the community college if that pupil has exhausted all opportunities

to enroll in an equivalent course at the high school of attendance, or at an adult education program, continuation school, regional occupational center or program, or any other program offered by that school district.

The bill also would authorize the governing board of a community college district to enter into a formal partnership with a school district or school districts located within its immediate service area to allow secondary school pupils to attend a community college if those pupils have exhausted all opportunities to enroll in an equivalent STEM course at the high school of attendance, adult education program, continuation school, regional occupational center or program, or any other program offered by that school district.

The bill would require the partnership agreement to outline the terms of the partnership, as specified. The bill would require a community college district and a school district, as a condition of and before adopting a partnership agreement, to take testimony from the public and approve or disapprove the proposed partnership agreement at a regularly scheduled open public hearing of their respective governing boards. The bill would require, for each partnership entered into under the bill, the affected community college district and school district to file an annual report, containing specified data, with the Office of the Chancellor of the California Community Colleges, which would transmit this annual report to the Legislature, the Director of Finance, the Superintendent of Public Instruction, and the governing boards of the participating school districts and community college districts, as specified.

(2) Existing law requires the governing board of a community college district to assign a low enrollment priority to a pupil attending community college pursuant to a recommendation from his or her principal or school district or a petition from his or her parents, in order to ensure that these pupils, admitted as special part-time or full-time students, do not displace regularly admitted students.

This bill would authorize the governing board of a community college district to assign an enrollment priority to pupils attending community college pursuant to a partnership agreement established under the bill. *The bill would require community college districts, in assigning an enrollment priority under this provision, to ensure that these pupils do not displace regularly admitted community college students.*

The bill would prohibit a community college district from receiving an allowance or apportionment for an instructional activity for which a school district has been, or will be, paid.

(3) This bill would also make various nonsubstantive changes, and delete obsolete provisions.

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 48800 of the Education Code is amended
2 to read:

3 48800. (a) The governing board of a school district may
4 determine which pupils would benefit from advanced scholastic
5 or vocational work. The intent of this section is to provide
6 educational enrichment opportunities for a limited number of
7 eligible pupils, rather than to reduce current course requirements
8 of elementary and secondary schools, and also to help ensure a
9 smoother transition from high school to college for pupils by
10 providing them with greater exposure to the collegiate atmosphere.
11 The governing board of a school district may authorize those
12 pupils, upon recommendation of the principal of the pupil's school
13 of attendance, and with parental consent, to attend a community
14 college during any session or term as special part-time or full-time
15 students and to undertake one or more courses of instruction offered
16 at the community college level.

17 (b) If the governing board of a school district denies a request
18 for a special part-time or full-time enrollment at a community
19 college for any session or term for a pupil who is identified as
20 highly gifted, the governing board of the school district shall issue
21 its written recommendation and the reasons for the denial within
22 60 days. The written recommendation and denial shall be issued
23 at the next regularly scheduled board meeting that falls at least 30
24 days after the request has been submitted.

25 (c) (1) The governing board of a school district may authorize
26 a pupil, upon recommendation of the principal of the pupil's school
27 of attendance, and with parental consent, to attend a community
28 college during any session or term as a special part-time or
29 full-time student and to undertake one or more STEM courses
30 offered at the community college if that pupil has exhausted all
31 opportunities to enroll in an equivalent course at the high school
32 of attendance, or at an adult education program, continuation

1 school, regional occupational center or program, or any other
2 program offered by that school district.

3 (2) As used in this section, a “STEM course” is a course in
4 science, technology, engineering, or mathematics.

5 (d) A pupil shall receive credit for each community college
6 course that he or she completes at the level determined appropriate
7 by the governing boards of the school district and community
8 college district.

9 (e) (1) The principal of a school may recommend a pupil for
10 community college summer session only if that pupil meets both
11 of the following criteria:

12 (A) Demonstrates adequate preparation in the discipline to be
13 studied.

14 (B) Exhausts all opportunities to enroll in an equivalent course,
15 if any, at his or her school of attendance.

16 (2) For any particular grade level, a principal shall not
17 recommend for community college summer session attendance
18 more than 5 percent of the total number of pupils who completed
19 that grade immediately before the time of recommendation.

20 (3) Notwithstanding Article 3 (commencing with Section 33050)
21 of Chapter 1 of Part 20 of Division 2 of Title 2, compliance with
22 this subdivision shall not be waived.

23 SEC. 2. Section 48801.5 is added to the Education Code, to
24 read:

25 48801.5. (a) (1) (A) The governing board of a community
26 college district may enter into a formal partnership with a school
27 district or school districts located within its immediate service area
28 in order to provide secondary school pupils who have exhausted
29 all opportunities to enroll in an equivalent STEM course at the
30 high school of attendance, adult education program, continuation
31 school, regional occupational center or program, or any other
32 program offered by the school district, with the opportunity to
33 benefit from a STEM course. A secondary school pupil, upon
34 notification of the principal of the pupil’s school of attendance
35 that the pupil has exhausted all opportunities to enroll in an
36 equivalent course at the high school of attendance, adult education
37 program, continuation school, regional occupational center or
38 program, or any other program offered by that school district, and
39 with parental consent if the pupil is under 18 years of age, may

1 attend a community college during any session or term as a special
2 part-time or full-time student.

3 (B) As used in this section, a “STEM course” is a course in
4 science, technology, engineering, or mathematics.

5 (2) A participating community college district shall adopt a
6 partnership agreement with each school district partner. The
7 partnership agreement shall be approved by the governing board
8 of the community college district and the governing board of the
9 school district. As a condition of and before adopting a partnership
10 agreement, a community college district and a school district, at
11 a regularly scheduled open public hearing of their respective
12 governing boards, shall take testimony from the public and approve
13 or disapprove the proposed partnership agreement.

14 (3) (A) The partnership agreement shall outline the terms of
15 the partnership and may include, but not necessarily be limited to,
16 the scope, nature, and schedule of the STEM courses offered, the
17 academic readiness of pupils that is necessary for them to benefit
18 from the STEM courses offered, and the ability of pupils to benefit
19 from those STEM courses. The partnership agreement may
20 establish protocols for information sharing and joint facilities use.

21 (B) A copy of the partnership agreement shall be filed with the
22 department and with the Office of the Chancellor of the California
23 Community Colleges before the start of a program authorized by
24 this section.

25 (4) It is the intent of the Legislature, in enacting this section, to
26 provide a smoother transition from high school to college for pupils
27 by providing them with greater exposure to the collegiate
28 atmosphere and to maximize the educational opportunities available
29 to California’s secondary school pupils by encouraging programs
30 and partnerships between school districts and community college
31 districts.

32 (5) A pupil shall receive credit for community college courses
33 that he or she completes at the level determined to be appropriate
34 by the governing boards of the school district and the community
35 college district pursuant to the partnership agreement as described
36 in paragraph (2).

37 (b) (1) A community college district shall not receive a state
38 allowance or apportionment for an instructional activity for which
39 a school district has been, or shall be, paid an allowance or
40 apportionment.

1 (2) The attendance of a pupil at a community college as a special
 2 part-time or full-time student pursuant to this section is authorized
 3 attendance for which the community college shall be credited or
 4 reimbursed pursuant to Section 48802 or 76002, provided that no
 5 school district has received reimbursement for the same
 6 instructional activity. Credit for courses completed shall be at the
 7 level determined to be appropriate by the governing boards of the
 8 school district and the community college district pursuant to the
 9 partnership agreement as described in paragraph (2) of subdivision
 10 (a).

11 (c) For purposes of this section, a special part-time student may
 12 enroll in up to, and including, 11 units per semester, or the
 13 equivalent thereof, at the community college he or she attends.

14 (d) Notwithstanding subdivision (e) of Section 76001, for
 15 purposes of this section, the governing board of a community
 16 college district may assign an enrollment priority to pupils admitted
 17 as special part-time or full-time students under this section. *In*
 18 *assigning an enrollment priority, the community college district*
 19 *shall ensure that pupils admitted under this provision do not*
 20 *displace regularly admitted community college students.*

21 (e) Community college districts and school districts that enter
 22 into a partnership pursuant to this section shall be exempt from
 23 concurrent enrollment provisions pursuant to subdivisions (a) and
 24 (b) of, and paragraphs (1) and (2) of subdivision (e) of, Section
 25 48800.

26 (f) (1) For each partnership entered into pursuant to this section,
 27 the affected community college district and school district shall
 28 report annually to the Office of the Chancellor of the California
 29 Community Colleges all of the following information:

30 (A) The total number of secondary school pupils enrolled in
 31 each program, classified by the school district.

32 (B) The total number of successful course completions of
 33 secondary school pupils enrolled in each program, classified by
 34 the school district.

35 (C) The total number of successful course completions of
 36 students in courses equivalent to those courses tracked under
 37 subparagraph (B) in the general community college curriculum.

38 (2) Notwithstanding Section 10231.5 of the Government Code,
 39 the annual report required by this subdivision shall be transmitted

- 1 by the Office of the Chancellor of the California Community
- 2 Colleges to all of the following:
- 3 (A) The Legislature, in accordance with Section 9795 of the
- 4 Government Code.
- 5 (B) The Director of Finance.
- 6 (C) The Superintendent.
- 7 (D) The governing board of each participating community
- 8 college district.
- 9 (E) The governing board of each participating school district.

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