Title: State Legislative Program Task Force Update

Date: October 11, 2013

Contact: Vincent Stewart, Vice Chancellor, Governmental Relations Division

Issue: The Chancellor’s Office provides information regarding the discussion and review of legislative proposals by the State Legislative Program Task Force in preparation for review and approval by the Board of Governors of the State Legislative Program.

Background: The Board of Governors will adopt a package of legislation to sponsor based on the recommendation of the Chancellor’s Office with input and guidance from the State Legislative Program Task Force. The Legislative Program Task Force is comprised of a subset of members from the Consultation Council. The Legislative Program Task Force will meet on Wednesday, October 16, 2013, prior to the Consultation Council meeting on Thursday, October 17, 2013. During the Council meeting, Governmental Relations staff will provide the Council a summary of the task force discussion. The attachments include the legislative proposals received by the Governmental Relations Division.
The Statement of Legislative Principles is adopted by the Board of Governors of the California Community Colleges to provide policy guidelines for the Chancellor when addressing matters pending before the California Legislature. The following constitute the core principles of engagement guiding the development of the System Office’s positions on legislation on behalf of the Board of Governors. These principles are designed to:

1. Strengthen the California Community Colleges’ ability to accomplish their statutory mission to provide the full range of community college programs and services; and

2. Increase community college student access and success and guarantee affordable, quality education.

Because the Board of Governors supports local governance, an overall guiding principle is that the Board will remain neutral on matters affecting local collective bargaining. Also, the Board of Governors will remain neutral on matters affecting only a particular community college district, except where a policy precedent, or resource allocations, have the potential of affecting other districts or the system and where the legislation would adversely impact the mission of the community colleges.

These legislative principles align Community College legislative priorities with the goals and priorities identified in the System Strategic Plan as follows:

A. **Promote college awareness and access**: Increase awareness of colleges as a viable option and enhance access to higher education for growing populations in areas, such as:

   - Enhancing student financial aid to reduce the overall cost of attending college.
   - Assisting students with the application process for attending a community college.

B. **Support student success and readiness**: Promote college readiness and provide the programs and services that help all students achieve their educational and career goals in areas, such as:

   - Increasing effective delivery of English, ESL, and mathematics basic skills education.
   - Strengthening the academic preparation of K-12 students and increasing success at a community college.
   - Supporting efforts with four-year institutions designed to provide additional transfers to a four-year institution.
C. **Strengthen partnerships for workforce and economic development**: Enhance the colleges’ capacity to respond to current and emerging labor market needs and to prepare students to compete in a global economy in areas, such as:

- Supporting coordinated state workforce programs and policies.
- Increasing efforts that align career technical education curriculum and program development between community colleges, K-12 and industry.

D. **Improve system effectiveness**: Strengthen system effectiveness through communication and coordination, regulatory reform and performance measurement in areas, such as:

- Enhancing and strengthening the bilateral governance model of the Board of Governors and local district governing boards.
  
  i. Maintaining local authority and control in the administration of the colleges.
  
  ii. Enhancing the flexibility of the Board of Governors and the chancellor regarding internal management and operation.

- Strengthening college districts’ ability to use their capital outlay, infrastructure bonds, and property management funds more efficiently.

- Assuring adequate representation by the California Community Colleges on appropriate boards, commissions, task forces, study groups, and other bodies that may have an impact on the system.

- Developing positions through the Consultation Council as provided by Board of Governors Standing Order 317.

E. **Enhance resource development**: Provide enhanced resources and allocation methods to ensure high-quality education for all in areas, such as:

- Protecting the fiscal integrity of the system.

- Seeking legislative support for the principles and polices established through the system’s budget process in accordance with the priorities established by the Board of Governors.

- Aligning the System Strategic Plan with legislative and fiscal priorities wherever appropriate.

Ensuring that new reporting requirements are adequately funded and serving the interests of students, the colleges and the system.
<table>
<thead>
<tr>
<th>Proposal</th>
<th>Source</th>
<th>Name</th>
<th>Contact Info</th>
<th>CCCC Division</th>
<th>SSTF Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Modifying the audit fee.</td>
<td>Academic Senate</td>
<td>Beth Smith</td>
<td><a href="mailto:beth.smith@gcccd.edu">beth.smith@gcccd.edu</a> (619) 249-3114</td>
<td>Academic Affairs/Fiscal</td>
<td></td>
</tr>
<tr>
<td>2. Modifying the 50% law.</td>
<td>ACCCA</td>
<td>Linda Beam</td>
<td><a href="mailto:lbeam@elcamino.edu">lbeam@elcamino.edu</a> 310-660-3401</td>
<td>Fiscal</td>
<td></td>
</tr>
<tr>
<td>3. 75/25 full-time/part-time faculty ratio.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Fiscal/Academic Affairs</td>
<td>Academic Affairs</td>
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<tr>
<td>4. Career path for part-time faculty.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Fiscal/Academic Affairs</td>
<td>Academic Affairs</td>
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<tr>
<td>5. Full-time faculty on leave.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Student Services</td>
<td></td>
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<tr>
<td>6. Non-classroom/student ratio.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Student Services</td>
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<tr>
<td>7. Fraud in online education.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Student Services</td>
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<tr>
<td>8. Stabilization funding.</td>
<td>CCC/CFT</td>
<td>Jim Mahler</td>
<td><a href="mailto:aftjim@pacbell.net">aftjim@pacbell.net</a> (619) 640-1155</td>
<td>Student Services</td>
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<tr>
<td>9. Student fees/full-time enrollment.</td>
<td>CCLC</td>
<td>Ryan McElhinney</td>
<td></td>
<td>Student Services/Fiscal</td>
<td>Student Services/Fiscal</td>
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<tr>
<td>10. Reforming Cal Grants.</td>
<td>CCLC</td>
<td>Ryan McElhinney</td>
<td></td>
<td>Student Services/Fiscal</td>
<td>Student Services/Fiscal</td>
</tr>
<tr>
<td>11. Modifying the audit fee.</td>
<td>CCCCIO</td>
<td>Meridith Randall</td>
<td><a href="mailto:mrandall@shastacollege.edu">mrandall@shastacollege.edu</a> (530) 242-7524</td>
<td>Fiscal</td>
<td>Student Services</td>
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<tr>
<td>12. Dual enrollment.</td>
<td>CCCCIO</td>
<td>Meridith Randall</td>
<td><a href="mailto:mrandall@shastacollege.edu">mrandall@shastacollege.edu</a> (530) 242-7524</td>
<td>Fiscal</td>
<td>Student Services</td>
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<tr>
<td>13. Dual enrollment initiative.</td>
<td>CCCCIO</td>
<td>Vince Stewart</td>
<td><a href="mailto:vstewart@ccccco.edu">vstewart@ccccco.edu</a> (916) 323-5951</td>
<td>Student Services</td>
<td></td>
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<tr>
<td>14. Professional development.</td>
<td>CCCCIO</td>
<td>Vince Stewart</td>
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<td>Academic Affairs</td>
<td></td>
</tr>
<tr>
<td>15. Continuing appropriation.</td>
<td>CCCCIO</td>
<td>Vince Stewart</td>
<td><a href="mailto:vstewart@ccccco.edu">vstewart@ccccco.edu</a> (916) 323-5951</td>
<td>Fiscal</td>
<td></td>
</tr>
<tr>
<td>CSEA</td>
<td>Bill Rawlings</td>
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<td><a href="mailto:brawlings.csea@gmail.com">brawlings.csea@gmail.com</a> (909) 762-8652</td>
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<tr>
<td>Student Senate</td>
<td>Hanna Israel</td>
<td></td>
<td><a href="mailto:hanna.israel@studentsenateccc.org">hanna.israel@studentsenateccc.org</a></td>
<td></td>
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<tr>
<td>CCCAOE</td>
<td>John Means</td>
<td></td>
<td><a href="mailto:jmeans@kccd.edu">jmeans@kccd.edu</a> (661) 336-5036</td>
<td></td>
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<tr>
<td>ACBO</td>
<td>Doug Smith</td>
<td></td>
<td><a href="mailto:Douglas.Smith@sjecccd.edu">Douglas.Smith@sjecccd.edu</a> (408) 270-6426</td>
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<tr>
<td>Name:</td>
<td>Beth Smith</td>
<td>Organization:</td>
<td>ASCCC</td>
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<td></td>
</tr>
<tr>
<td>Phone #:</td>
<td>619-249-3114</td>
<td>Email:</td>
<td><a href="mailto:Beth.smith@gcccd.edu">Beth.smith@gcccd.edu</a></td>
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</tbody>
</table>

**Subject:** Modifying the audit fee

**Problem:** Currently, the student fee to audit a course is fixed at $15 per unit. The amount is too low given the current regular fee for credit courses.

**Policy Solution:** The legislation needs to remove the fixed fee per unit to a more generic fee such as one proportional (100% of the fee, or 150% of the fee, or ???) to the current regular fee for credit courses.
Outcomes/Benefits:

Gives flexibility to districts that use audits to collect fees that are aligned to the cost of instruction.

Possible Supporters:

ASCCC
CIOs
CEOs
CCCCO AA

Possible Oppositions:

Anyone who does not want fees to increase

Previous Related Legislation:
Name: Linda Beam
Organization: ACCCA
Phone #: 310-660-3401
Email: lbeam@elcamino.edu

Subject: *Assembly Bill 806* – An act to amend Section 84362 of, and to add Section 84363 to, the Education Code, relating to community colleges. In support of student success, would modify the existing “50 Percent Law” to include the salaries and benefits of academic counselors and librarians, and faculty salaries associated with instructional support and professional development activities, as counting toward compliance, commencing with the 2014-15 fiscal year.

Problem: Most of the activities so critical to student retention and completion are not currently allowable within the existing 50% Law criteria. The direct cost of implementing 21 of the 22 recommendations made by the Student Success Task Force, all fall on the wrong side of the 50% law. This means for nearly every dollar spent on implementing Student Success reforms, an additional dollar must now be found for the other side of the equation. This is an unsustainable model.

Right now, at least 40 of the 72 college districts—over half—are barely above the 50% ratio, even after unprecedented cuts to non-instructional faculty, classified personnel, administration, scheduled maintenance & facilities, instructional materials and other “wrong side” expenses. If colleges are to truly show progress in meeting the requirements for implementing student success, we must have the spending flexibility proposed by AB 806.

Policy Solution: This much-needed legislation would provide community colleges with increased flexibility in expending their general fund revenue and to better meet the needs of students. Specifically, it would enable colleges to include the salaries of Counseling Faculty and Library Faculty, along with out-of-the-classroom faculty duties, as allowable expenditures under the 50 Percent Law. It does not allow educational administrator salaries to be counted.

This legislation is revenue neutral, and does not require any additional state resources. The intent of the bill is to simply give districts more local control over how to allocate existing resources in line with the needs of individual districts as they work toward the goal of student success.

This flexibility comes at a critical time for California Community Colleges. The system is making great strides forward in implementing measures to boost student success. With the passage of SB 1440 to create new transfer pathways to UC and CSU Campuses, as well as the implementation of the Student Success Act of 2012 (SB 1456), colleges are poised to undertake significant efforts that will improve completion rates, and do so without any additional state revenue.
Outcomes/ Benefits:

What the Bill Would Do:
The bill would keep the 50 Percent Law in place, but make some small adjustments to include costs directly related to instruction on the right side of the equation.

Doing so enables colleges to augment spending on activities that bolster student retention and success. Among the categories that would become allowable 50 Percent Law expenditures under AB 806 are:

- Counselors (full-time and adjunct)
- Librarians (full-time and adjunct)
- Faculty serving as program directors (e.g. EOPS, DSPS, Transfer Center, Internships)
- Department Chairs
- Tenure Committee Chairs
- Curriculum Committee Chairs

Moving these expenses to the “right side” of the 50 Percent Law will enable districts to fund student support activities, continue to boost student completion and success, and improve the state’s community college system to best serve the districts’ unique needs.

Possible Supporters:

Legislative Analyst Office (LAO), Chief Executive Officers (CEOCCCs), Chief Student Services Officers (CCCCSSAA), Association of Chief Business Officers (ACBO), Chief Instructional Officers (CCCIOS), Chief Human Resource Officers (ACHRO), California Community College Trustees (CCCT), Institute for Higher Education Leadership and Policy, and the Statewide Student Senate. In hand are over twenty districts with letters of support.

Possible Oppositions:

Faculty Unions: CTA, CCC/CFA, CCCI, FACCC

Previous Related Legislation:

Prior Legislation. In 2007, AB 906 (Eng), which increased the 50% threshold to 53% and included the salaries of counselors and librarians, failed in the Senate Education Committee.
Name: Jim Mahler
Organization: CFT
Phone #: 619-640-1155
Email: aftjim@pacbell.net

Subject: 75/25 Full-time/Part-time Faculty Ratio

Problem: The language of AB 1725 was not strong enough to ensure real progress was made toward this goal.

Policy Solution: Legislation to provide: a) adequate funding to Districts to be able to hire more tenure-track faculty positions; b) mandated compliance.
Outcomes/Benefits:

Students will be better served by having a more stable professoriate. The work of the college such as curriculum review, program review, SLOs, etc. will be able to be more thorough with more faculty available to perform these tasks.

Possible Supporters:

All stakeholders that comprise Consultation Council.

Possible Oppositions:

Governor, Dept. of Finance

Previous Related Legislation:

Not aware of any.
California Community Colleges
2014 Legislative Proposal

Name: Jim Mahler
Organization: CFT
Phone #: 619-640-1155
Email: aftjim@pacbell.net

Subject: Career Path for Part-Time Faculty

Problem: Part-time faculty have no career path currently for advancement to tenure-track positions.

Policy Solution: Modify BOG Title 5 regulations to make it permissive for Districts to locally negotiate part-time faculty career advancement provisions to available tenure-track positions.
<table>
<thead>
<tr>
<th>Outcomes/Benefits:</th>
<th>Reward part-time faculty with history of dedicated and quality service to an institution. Increased morale among faculty. More stable workforce.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Possible Supporters:</td>
<td>All stakeholders that comprise Consultation Council.</td>
</tr>
<tr>
<td>Possible Oppositions:</td>
<td>Some District and Management organizations</td>
</tr>
<tr>
<td>Previous Related Legislation:</td>
<td>Not aware of any.</td>
</tr>
</tbody>
</table>
Subject: Full-time Faculty on Leave

Problem: Full-time Faculty on leave create a workload void in the college and program the faculty member is on leave from.

Policy Solution: Legislation to mandate that leave replacements be full-time temporary hires.
**Outcomes/Benefits:**

Students will be better served by having a more stable professoriate. The work of the college such as curriculum review, program review, SLOs, etc. will be able to more thorough with more faculty available to perform these tasks.

<table>
<thead>
<tr>
<th><strong>Possible Supporters:</strong></th>
<th>All stakeholders that comprise Consultation Council.</th>
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<tbody>
<tr>
<td><strong>Possible Oppositions:</strong></td>
<td>Governor, Dept. of Finance</td>
</tr>
<tr>
<td><strong>Previous Related Legislation:</strong></td>
<td>Not aware of any.</td>
</tr>
</tbody>
</table>
Name: Jim Mahler
Organization: CFT
Phone #: 619-640-1155
Email: aftjim@pacbell.net

Subject: Non-Classroom/Student Ratio

Problem: There are not enough counselors, librarians, and other non-classroom faculty in place to properly serve our students and provide the support services necessary to ensure their success.

Policy Solution: Mandate a fixed student/non-classroom faculty ratio to ensure adequate non-classroom staffing.
<table>
<thead>
<tr>
<th>Outcomes/Benefits:</th>
<th>Adequate staffing to meet student demand and ensure student success.</th>
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<tbody>
<tr>
<td>Possible Supporters:</td>
<td>All stakeholders that comprise Consultation Council.</td>
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<tr>
<td>Possible Oppositions:</td>
<td>Dept. of Finance</td>
</tr>
<tr>
<td>Previous Related Legislation:</td>
<td>Not aware of any.</td>
</tr>
</tbody>
</table>
Name: Jim Mahler
Organization: CFT
Phone #: 619-640-1155
Email: aftjim@pacbell.net

Subject: Fraud in Online Education

Problem: There are currently no safeguards in place to ensure that the student completing the work for an online education course is indeed the student of record.

Policy Solution: Legislation to mandate that all students enrolled in an online education course must provide some means of positive identification at the time of the final exam or final project.
Outcomes/Benefits:
Reduction in fraudulent completion of online coursework. Ensure integrity of the Community College system.

Possible Supporters:
All stakeholders that comprise Consultation Council.

Possible Oppositions:
Private Online Education Providers

Previous Related Legislation:
Not aware of any.
Subject: Stabilization Funding

Problem: Colleges that experience a precipitous drop in enrollment due to accreditation sanctions lose the fiscal resources necessary to ensure compliance and remain accredited.

Policy Solution: Seek legislation to provide stabilization funding for up to three years.
### Outcomes/Benefits:

Prevent a sudden drop in revenue which makes it doubly hard for a college to meet accreditation standards.

### Possible Supporters:

All stakeholders that comprise Consultation Council.

### Possible Oppositions:

Not aware of any.

### Previous Related Legislation:

AB 1199 (Fong)
Problem: Currently very few community college students go to school full time. California ranks 46th in the nation in the percentage of part-time students with around 70% taking fewer than 12 units. Only 8.4% of our students are taking 15 units a semester, a number needed to complete in two years.

This is a problem, because we know that one of the biggest drivers of success is full-time enrollment. If a student wants to achieve their goals of obtaining a degree, it is crucial that they take as many units as possible.

Policy Solution:

- Establish the community college enrollment fee at $46 per unit up to the first 10 units for each semester/quarter, with no per-unit fee beyond 10 units.
### Outcomes/Benefits:

Giving students a bigger incentive to go full time and an institutional commitment to ensure courses are available will reduce the chances of “life” getting in the way of going to school. It will help them obtain their educational goals and move on through the system.

### Possible Supporters:

- Students
- Academic senate
- Unions
- Administrators
- Individual colleges
- Social justice organizations

### Possible Oppositions:

- Department of Finance

### Previous Related Legislation:

- Capping fees was state policy through 1993.
Name: Ryan McElhinney  Organization: Community College League
Phone #: (916) 245-5039  Email: ryan@ccleague.org

Subject: Reforming Cal Grants – Serve more of the state’s Cal Grant eligible students
         Reforming Cal Grants – Increase Cal Grant B Access Award

Problem: Each year, thousands of Californians arrive at a community college, believing that a college degree or transfer is available if they just work hard. Many community college students attempt to improve their financial situation by applying for the competitive Cal Grant B award. Over 300,000 eligible applicants applied for the 22,500 awards available each year. This is a problem for community college students, who apply for and receive a strong majority of those awards.

Because Cal Grants do not go towards BOG fees, California Community Colleges receive a comparatively small amount of financial aid from the state. Currently 1 out of every 17 Cal Grant dollars goes to a California Community College student, even though 78 out of every 100 undergraduate students across all the systems attend a California community college.
Policy Solutions:

- Serve more of the state’s Cal Grant eligible students
- Increase Cal Grant B Access award.

Outcomes/Benefits:

Serving more of the state’s Cal Grant eligible students would help community college students move closer to obtaining full time enrollment. Additionally it helps the non-traditional students who were eligible to receive a Cal Grant B entitlement award but did not apply a year after they graduated from high school.

The current level of the Cal Grant B Access award is far too small. Adjusted for inflation, it has lost nearly a quarter of its purchasing power since it was first authorized over 40 years ago. Every dollar that we can increase the award will go towards helping a needy student attend college full time and increase their chances of student success.

This bill will highlight the inequity in the distribution of current state resources. Currently, the state provides community colleges with roughly $5,000 per FTES for instruction & student services; at the same time, the state provides roughly $9,223 for instruction at for-profit postsecondary institutions. It is unconscionable that the state provide almost double the subsidy for instruction at for-profit institutions than to community colleges.
### California Community Colleges
2014 Legislative Proposal

<table>
<thead>
<tr>
<th><strong>Possible Supporters:</strong></th>
<th>Students, academic senate, unions, administrators, individual colleges, social justice organizations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Possible Oppositions:</strong></td>
<td>Department of Finance</td>
</tr>
<tr>
<td><strong>Previous Related Legislation:</strong></td>
<td>AB 1364 (Ting) would have increased the access portion of the award to its original purchasing power as well as tying it to inflation. To move out of the Assembly Appropriations Committee, Assemblymember Ting cut the increase to around $200. Currently the bill is the Senate Appropriations Committee.</td>
</tr>
</tbody>
</table>
Allow Districts to Modify the Audit Fee

Background:
The audit fee has been statutorily established at a maximum of $15 per unit per semester for many years. This was set when the unit fee was $10 with the express intent of the audit fee being 1.5 times the unit fee. Unfortunately it was not indexed at the time. With the fee increases of 2003-04 and 2004-05, and even with the fee reduction scheduled for Spring 2007, it now costs less to audit a course than take the course for credit. While local policies usually restrict the ability of a student to audit until he or she has exhausted the ability to take a class for credit, the artificially low cost of auditing can have the effect of influencing students to audit one class rather than enroll in a more appropriate class simply to save money.

Existing law authorizes community college districts to charge persons a fee to audit a community college course. Existing law requires that an auditing fee may not exceed $15 per unit per semester. Just a few years ago, that fee was more than the $11 per unit charged to enrolled students; now it is 33% of the regular per-unit enrollment cost and is not enough to cover internal costs associated with processing. Recent restrictions on the repeatability of classes have created more interest in the audit alternative as a way to serve students who have exhausted their ability to take classes for credit, but continue to have an interest in attending and filling classes that have space. Locally, colleges experience intense pressure to serve this segment of their communities, but doing so with such low fees forces them into a situation where they are usually subsidizing the auditing students.

Policy Solution: This bill would instead require that an auditing fee not exceed 150% of the per unit student fee charged students who enroll in the course for credit.

(This language is taken from the preamble of AB 473—Liu, 2006).

Statute Affected:
California Education Code, Section 76370
<table>
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<tr>
<th>Outcomes/Benefits:</th>
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<tr>
<td><strong>Desired Legislative Outcome:</strong> Establish permissive language that allows districts to increase the audit fee while providing some control regarding the maximum fee allowable. Language such as that in AB 473 (Liu, 2006) that would have authorized districts to charge an audit fee of up to 150% of the enrollment fee may be considered a potential starting point.</td>
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<td>CSSOs</td>
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<td>Student Services Council</td>
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<table>
<thead>
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<th>Possible Oppositions:</th>
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| Previous Related Legislation: |
Name: Meridith Randall  Organization: CCCCIO
Phone #: 530-242-7524  Email: mrandall@shastacollege.edu

Subject: Dual Enrollment Classes offered on High School Campuses during the school day

Problem: More and more community colleges in the state, led by Santa Barbara CC, have been interested in helping high school students accelerate their learning and make progress toward completing degrees by offering college classes during the school day. Despite listing the classes in the official schedule and opening them to all potential students, some colleges have been told they cannot collect FTES for high school students taking these classes beyond the 240 minutes required for high school ADA because Ed Code Section 76002 requires that the entire campus be “open” as opposed to the classes themselves.

Policy Solution: Change the language in Ed Code Section 76002 to clarify that high school campuses need not be “open” as long as the classes are open and appropriately advertised. Alternatively, allow the classes to be limited to high school students as long as other sections of the same course during the same term are available to non-high school students.
### Outcomes/Benefits:

Colleges will be able to respond effectively and without adverse financial consequences to the many local requests for dual enrollment classes at high schools. In addition, more students will be able to accumulate college credits during their high school careers, thereby accelerating their paths through college and advancing the “completion agenda.”

### Possible Supporters:

- CCCCIO CEOs
- Local K-12 districts
- High school students/parents

### Possible Oppositions:

Unknown

### Previous Related Legislation:

Past legislation clarified that community colleges may receive apportionment for high school students enrolled in college classes once they have completed 240 minutes per day for high school ADA purposes. This proposal would not alter that requirement.
Name: Rosa de Anda
Phone #: 324-8902
Email: rdeanda@cccco.edu
Organization: CCCC

Subject: Community Colleges: Dual Enrollment Initiative

Problem: Dual enrollment (DE) is an effective means of improving the educational outcomes for a broad range of students. Currently, certain state policies present barriers to expanding dual enrollment for California’s high school students. In addition, the state lacks a policy framework to guide key policy makers regarding the expansion of DE. Dual enrollment has historically targeted high-achieving students; however, increasingly educators and policymakers are looking toward DE as a strategy to help students who struggle academically or who are at risk of dropping out.

Policy Solution:
- Authorize a school district and community college district to establish a formal dual enrollment partnership agreement for the purpose of expanding opportunities for high school students to enroll in community college courses. Each partnership would be designed to reduce time to completion for a degree, certificate, and/or transfer, and provide a seamless transition to college for students not on a college bound pathway.
- Provide student support services as resources permit in the areas of student assessment, academic advising and career counseling, and academic tutorial systems to help students successfully complete their courses.
- Require each partnership to develop pathways of aligned, sequenced coursework that provides dual credit and allows students to more easily and successfully transition to community college lower division for-credit coursework that is transferrable to UC, CSU, or a college level CTE for-credit course that is part of a sequence of CTE courses leading to a degree or certificate.
- Amend statutes identified as barriers to the expansion of dual enrollment. For example:
  a. Section 76001(e)(1): requires community college districts to assign the lowest priority enrollment consideration to dual enrollment students. LEGISLATIVE CHANGE: At community colleges with a partnership their governing board would be authorized to make the determination regarding enrollment priority status for dual enrollment partnership participants.
  b. Section 76002(a)(1)(2)(3): requires community college courses offered at a high school campus to be open to the general public. LEGISLATIVE CHANGE: Dual enrollment partnerships would be exempt from this provision of law and allowed to offer closed courses at a high school campus during the regular school day.
  c. Section 48800 (d) (3): limits summer session enrollment for high school
students to 5% of the total number of students who completed that grade in the prior year. LEGISLATIVE CHANGE: Partnership participants would be exempt from the 5% cap for summer session.

f. Section 48800(a): requires the school principal’s recommendation for a high school student to take dual enrollment courses. LEGISLATIVE CHANGE: Participating students would be exempt from this requirement and instead provide notification to the school principal.

- Identify and remove any funding penalties or barriers, and implement a “hold harmless” funding model for dual enrollment. State policies addressing average daily attendance (ADA) and full-time-equivalent student (FTES) funding for dual enrollment students often discourage institutional participation. School districts are permitted to claim full ADA for dual enrollment students only if they attend high school for 240 minutes per day, and three-quarters ADA for dual enrollment students attending high school for 180 minutes. Community colleges can claim FTES for dually enrolled students only so long as the courses are open and advertised to the public. For this reason dual enrollment courses are often scheduled before and after school hours or on weekends so that both institutions can claim funding. Other states follow a “hold harmless” funding model, in which neither participating institution loses any of its regular per-pupil funding for dual enrollment students.

Outcomes /Benefits: The primary outcomes of the dual enrollment initiative would be a significant increase in the number of high school graduates ready for college-level work, and a significant reduction in the degree of remediation needed for recent high school graduates. Benefits include:

- Increase the academic rigor of high school curriculum
- Help low-performing students meet high academic standards
- Provide more academic opportunities and electives
- Shorten time to completion for certificates and degrees and/or transfer
- Improve student acclimation to college life
- Save students time and money with an accelerated pathway
- Increase the number of community college students graduating with a degree, certificate, and/or transfer
- Increase college going rate for California’s high school students
- Reduce high school student drop-out rate and increase student aspirations

Possible Supporters: California State Department of Education, CCLC, MALDEF, NAACP

Possible Opposers: CCC Academic Senate, FACC, CFT, CTA

Previous Related Legislation:

- AB 1146 (Morrell) 2013, Concurrent enrollment in secondary school and community college—Held in Committee
  - Extends, from January 1, 2014 to January 1, 2019, the exemption from the 5% cap on CE courses for students who enroll in community college summer session courses that meet specified criteria.
- SB 150 (Lara) 2013, Concurrent enrollment in secondary school and community
college: nonresident tuition exemption—Sent to the Governor for signature
- Exempts non-resident high school students take CE courses from the community college non-resident tuition fee.

SB 650 (Lowenthal) 2012, College Promise Partnership Act—Signed by the Governor
- Permits Long Beach Community College District to determine the enrollment priority level to grant concurrently enrolled high school students who are program participants.

SB 1316 (Hancock) 2011, School attendance: early and middle college high schools—Signed by the Governor
- Exempts early and middle college high schools from the 240 minute requirement for a minimum school day/ADA funding and instead establishes a day of attendance as 180 minutes for high school students enrolled in these programs if they are also enrolled part time at a community college. These school districts get full ADA funding, whereas CE students outside of MCHS and ECHS are only eligible for ¾ ADA.

AB 160 (Portantino) 2011, Concurrent Enrollment in secondary school and community college—Held in Committee
- Permits a school district to authorize a student, upon the recommendation from a community college career technical ed (CTE) administrator, to take CTE courses at a community college.

AB 78 (Portantino) 2008, Concurrent Enrollment in secondary school and community college—Held in Committee
- Authorizes a school district to enter into an agreement with a community college district to provide high school students with advanced scholastic, career technical education (CTE), or other coursework opportunities at a community college campus, and removes requirement regarding principal recommendation.

AB 1409 (Portantino) 2007, Pupils: concurrent enrollment in community college and secondary or elementary school—Held in Committee
- Increases the cap on summer session for concurrent enrollment students from 5% to 10%.

SB 1303 (Runner) 2006, Pupils: concurrent enrollment: high school: community College—Signed by the Governor
- Students enrolled in lower division transfer courses, for-credit occupational courses, and California High School Exit Exam preparatory courses are exempt from the 5 percent summer session cap.

SB 70 (Scott) 2005, Vocational education—Signed by the Governor
- Funding is provided to improve workforce development efforts by strengthening career and technical education pathways between high schools and community colleges.

AB 967 (Canciamilla) 2005, Concurrent enrollment of pupils in high school and community college—Signed by the Governor
- Removes 5% cap for summer session if specified criteria met
- Authorizes community colleges to assign lowest enrollment priority to concurrent enrollment students so regularly admitted students are not displaced.

AB 338 (Scott) 2003, Concurrent enrollment of pupils in high school and community college—Signed by the Governor
- Enacted important reforms and fiscal safeguards in CE programs due to abuse and/or mis-expenditures primarily in physical education courses.

SB 292 (Costa) 1996, School attendance—Signed by the Governor
- School districts can claim full ADA for dually enrolled students as long as they are
enrolled in and attend high school for 240 minutes a day. They can claim three-quarters ADA for dually enrolled 11th- and 12th-grade students who attend high school for 180 minutes or the appropriate percentage of ADA for the number of minutes between 240 and 180.
In 2011 the CCC System began a historic process to improve student outcomes through the Student Success Task Force (SSTF). The work of the task force resulted in specific recommendations to identify key strategies to invest in student success. Included in these strategies were recommendations to revitalize and re-envision professional development opportunities and to provide consistent resources for these activities.

Past support for professional development has been mixed. The Community College Faculty and Staff Development Fund was created in 1988 with the passage of community college reform legislation AB 1725. The program was funded for 12 years before budget shortfalls shifted money away from the fund. Consequently, no funding for professional development has been received through this fund in over 10 years.

Although most colleges have attempted to provide some support from general fund sources, financial pressures have prevented consistent and effective professional development activities throughout the state.

According to the Student Success Task Force report:

“Ongoing professional development is a fundamental component of supporting the systemic change that will improve student success. Without a sustained and focused approach to professional development, individual institutions, let alone an entire educational system, cannot expect to change attitudes, help faculty and staff rethink how their colleges approach the issue of student success, and implement a continuous assessment process that brings about iterative improvement.”
Policy Solution:

In response to the SSTF recommendations regarding professional development, the CCCCO established a 30 member committee to develop ideas and strategies to “revitalize and re-envision” professional development in the CCC System. The committee met 11 times over six months beginning in 2012. Their conclusions, “The Report on the California Community Colleges Student Success Initiative Professional Development Committee Recommendations” was released in September of 2013 and provided seven recommendations to improve professional development.

According to the report, three of the recommendations would require statutory change:

1) Change the name of the CCC Flexible Calendar Program to the CCC Professional Development Program.
2) Emphasize that all employees - staff and administrators as well as faculty – be included in the CCC Professional Development Program.
3) Establish an ongoing Professional Development Fund to support local colleges in professional development activities. The report recommends that ½ to 1 percent of the CCC System budget be dedicated each fiscal year. (This amount would result in approximately $25 million.)

Statute to be affected:

Education Code Sections 87150 – 87154, regarding the Community College Faculty and Staff Development Fund, would need to be amended to change the name of the program to specify “professional development.” It also needs to be modified to encourage professional development for staff and administrators in addition to faculty. Finally, language regarding the funding for the program, specifically in Section 87152, needs to be amended and updated to guarantee an ongoing source of funding. (The language as currently written is outdated and includes references to obsolete codes.)

Education Code 84890, which gives districts the ability to adopt a flexible calendar, also needs to be amended according to the Academic Affairs Division. However, the Legal Division needs to be consulted as to how to draft language to align with Title 5 regulations. (There might be an issue with those Title 5 regulations since they were once located in statute prior to 1991.)
Outcomes/Benefits:
Legislation which solidifies in statute the importance of professional development will ensure that professional development activities will be made a priority. A dedicated and reliable funding source will also ensure the effectiveness of professional development activities. Improved professional development for all CCC employees will help to create a more effective environment for students which will contribute to their success.

Possible Supporters:
Faculty, administrative, and staff organizations

Possible Opposition:
According to Academic Affairs, the Chief Executive Officer (CEO) groups are supportive of professional development but do not universally support the funding approach for the fund as recommended in the report. Some CEOs would have an issue with using \( \frac{1}{2} \) to 1 percent of the existing budget since it would essentially subtract from their base budget.

CEO groups would prefer a model which adds money onto the base budget rather than subtract from it. They are supportive of the Budget Change Proposal (BCP) approach by the CCCO this year which, if approved, would add approximately $25 million to the base budget for professional development. (However, it is important to note that there is no guarantee that the BCP will be approved.)

Previous Related Legislation:
SB 1456 (Lowenthal) – Student Success Act of 2012 (Chaptered.)
SB 1456 refocused the Matriculation Act of 1986 to provide critical student support services to students on the front end of their educational experience to enhance their prospects for success. This bill was the cornerstone piece of legislation for the Student Success Task Force and included many of its major legislative recommendations. The professional development issue was not included in SB 1456 so that the recommendations of the professional development committee could be considered.

Per Academic Affairs, there has been no CCC professional development related legislation since 1991 when the Flex Calendar provisions beginning in Education Code Section 84890 were moved from statute to the California Code of Regulations Title 5.
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Subject: Community College Continuous Appropriation

Problem: Community colleges have experienced revenue shortfalls related to the dissolution of RDAs. When this occurred last year, the 2012 Education trailer bill provided for a state backfill of that revenue shortfall. At the end of the 2012-13 year, the RDA shortfall was approximately $80 million. Compounding the situation was a discrepancy between the reports the Chancellor’s Office received from the counties and the RDA backfill calculated by the Department of Finance. This discrepancy delayed agreement on the amount of the backfill, which meant a sizeable deficit remains in place while community college districts wait for a resolution that likely won’t come until several months into the subsequent fiscal year. This timeline is unacceptably long for districts.

Policy Solution: Provide community college districts with a continuous appropriation similar to the statutory provision for K-12 school districts.
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<thead>
<tr>
<th><strong>Outcomes/Benefits:</strong></th>
<th>Community college districts would have greater certainty regarding their budget and would avoid revenue shortfalls related to the dissolution of RDAs.</th>
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<tbody>
<tr>
<td><strong>Possible Supporters:</strong></td>
<td>TBD</td>
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<tr>
<td><strong>Possible Oppositions:</strong></td>
<td>Department of Finance</td>
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<td><strong>Previous Related Legislation:</strong></td>
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