

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 955**

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**Introduced by Assembly Member Williams**

February 22, 2013

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An act to add Article 2.3 (commencing with Section 78230) to Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 955, as amended, Williams. Community colleges: intersession extension programs.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Under existing law, community college districts are established throughout the state and authorized to maintain campuses and provide instruction to students.

This bill would authorize the governing board of a community college district, meeting specified requirements, to establish and maintain, without the approval of the Board of Governors of the California Community Colleges, an extension program meeting specified characteristics during summer and winter intersessions. The bill would prohibit the governing board of a community college district to expend moneys from the General Fund to establish and maintain the extension program. The bill would require a community college district maintaining the extension program to make every effort to encourage

broad participation in the program and support access for students eligible for Board of Governors fee waivers. The bill would require a community college district that establishes and maintains the extension program to collect and keep specified records related to the program and to submit, by October 1 of each year, to the Office of the Chancellor of the California Community Colleges information contained in those records. The bill would require the chancellor, by November 1 of each year, to submit to the Legislative Analyst’s Office the information submitted by the community college districts. The bill would require the Legislative Analyst, by January 1, 2017, to submit to the Legislature a written report that includes a summary of the information provided, an assessment of the operation of the extension programs, and suggestions for improvements.

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) California’s economy increasingly demands highly educated
- 4 workers, yet the supply of college graduates will not keep up with
- 5 demand. In 2010, President Obama recognized this crisis by calling
- 6 on the nation’s community colleges to produce an additional five
- 7 million graduates by 2020.
- 8 (b) The Public Policy Institute of California has warned that by
- 9 2025, California will need an additional one million workers with
- 10 a baccalaureate degree to meet the state’s workforce needs.
- 11 (c) The United States Bureau of Labor Statistics projects that
- 12 occupations that require an associated degree will grow by 19
- 13 percent through 2018, and persons with two-year degrees are 30
- 14 percent more likely to be employed and earn higher wages than
- 15 those with only high school diplomas.
- 16 (d) The California Community Colleges are uniquely positioned
- 17 to provide a higher education for millions of Californians and are
- 18 critical to the state’s ability to meet its workforce needs.
- 19 (e) The California Community Colleges are experiencing record
- 20 demand for access to classes and programs that provide students
- 21 with the skills and education they need to enter the workforce and
- 22 prepare for the jobs of the future. However, funding for the

1 California Community Colleges has been cut by more than \$800  
2 million since 2008, affecting student access and completion.

3 (f) According to the Public Policy Institute of California, these  
4 budget cuts have resulted in almost 100,000 fewer course offerings,  
5 the loss of access for 600,000 students, course waiting lists for  
6 500,000 students, and the reduction of summer intersession course  
7 offerings, which may slow the completion rates for some students,  
8 as well as reduce the earnings for some faculty and staff.

9 (g) The lack of community college course offerings has led  
10 many students to enroll in for-profit institutions, which are more  
11 expensive than community colleges.

12 (h) The lack of courses during summer intersessions has had a  
13 serious impact on veterans who must be enrolled in courses to  
14 access housing benefits to which they are entitled through the  
15 Post-9/11 Veterans Educational Assistance Act of 2008 (Public  
16 Law 110-252), otherwise known as Post-9/11 GI Bill.

17 (i) Reduced access to summer intersessions also affects students  
18 who wish to make progress toward their goals during the summer,  
19 particularly those students who need only a course or two to  
20 complete their goals but have been crowded out of those courses  
21 during the regular academic session.

22 (j) Extension of programs in summer and winter intersessions  
23 will give students an opportunity to take the courses they are not  
24 able to enroll in during the state-supported regular session to  
25 accelerate the completion of their goals, whether transfer, degree,  
26 or certificate.

27 (k) By providing additional opportunities for students to  
28 complete high-demand courses, spaces should be freed up in the  
29 state-supported courses offered during the regular session,  
30 increasing all students' ability to complete their education in a  
31 timely manner.

32 (l) Participating community college districts should make every  
33 effort to ensure the ability of low-income students to enroll in  
34 extension courses by facilitating their participation in financial aid  
35 programs and accessing the American Opportunity Tax Credit,  
36 which refunds up to \$2,500 in educational costs for eligible  
37 students.

38 (m) Extension programs should be subject to community college  
39 district collective bargaining agreements, as well as all state laws  
40 and regulations governing courses offered for credit.

1 (n) To meet the needs of Californians and California’s economy,  
 2 we should recognize that the California Community Colleges are  
 3 uniquely able to offer high-quality programs at the lowest cost  
 4 possible to all Californians, and that the California Community  
 5 Colleges should be given the flexibility to meet California’s  
 6 educational needs in the face of significant budget reductions.

7 SEC. 2. Article 2.3 (commencing with Section 78230) is added  
 8 to Chapter 2 of Part 48 of Division 7 of Title 3 of the Education  
 9 Code, to read:

10

11 Article 2.3. Intersession Extension Programs

12

13 78230. (a) The governing board of a community college district  
 14 may, without the approval of the Board of Governors of the  
 15 California Community Colleges, establish and maintain an  
 16 extension program offering credit courses during summer and  
 17 winter intersessions.

18 (b) An extension program established pursuant to this section  
 19 shall have all of following characteristics:

20 (1) The program shall be self-supporting and all costs associated  
 21 with the program shall be recovered.

22 (2) Program enrollment shall be open to the public.

23 (3) The program shall be developed in conformance with this  
 24 code and Division 6 (commencing with Section 50001) of Title 5  
 25 of the California Code of Regulations related to community college  
 26 credit courses.

27 (4) The program shall be subject to community college district  
 28 collective bargaining agreements.

29 (5) The program shall apply to all courses leading to certificates,  
 30 degrees, or transfer preparation.

31 (c) A community college district offering extension courses  
 32 under a program established and maintained under this section  
 33 shall have served a number of students equal to, or beyond, its  
 34 funding limit for the two immediately prior academic years, as  
 35 provided in the annual Budget Act and as reported by the Office  
 36 of the Chancellor of the California Community Colleges.

37 (d) The governing board of a community college district shall  
 38 not expend General Fund moneys to establish and maintain the  
 39 extension program.

1 (e) An extension credit course shall not supplant any course  
2 funded with state apportionments. A community college district  
3 shall not reduce a state-funded course section needed by students  
4 to achieve basic skills, workforce training, or transfer goals, with  
5 the intent of reestablishing those course sections as part of the  
6 extension program. The governing board of a community college  
7 district shall annually certify compliance with this subdivision by  
8 board action taken at a regular session of the board.

9 (f) A degree credit course offered as an extension course shall  
10 meet all of the requirements of subdivision (a) of Section 55002  
11 of Title 5 of the California Code of Regulations, as it exists on  
12 January 1, 2013.

13 (g) The governing board of a community college district may  
14 charge students enrolled in an extension course a fee that covers  
15 the actual cost of the course and that is based upon the district's  
16 nonresident fee rate for the year the course is offered. For purposes  
17 of this subdivision, "actual cost" includes the actual cost of  
18 instruction, necessary equipment and supplies, student services  
19 and institutional support, and other costs of the community college  
20 district used in calculating the costs of education for nonresident  
21 students.

22 (h) *In order to assist in providing access to extension courses*  
23 *for students eligible for the Board of Governors fee waiver,*  
24 *one-third of the revenue collected pursuant to subdivision (g) shall*  
25 *be used by the district to provide financial assistance to these*  
26 *students.*

27 ~~(h)~~

28 (i) A community college district maintaining an extension  
29 program under this section shall make every effort to encourage  
30 broad participation in the program and support access for students  
31 eligible for Board of Governors fee waivers, including, but not  
32 limited to, providing students with information about financial aid  
33 programs, the American Opportunity Tax Credit, military benefits,  
34 scholarships, and other financial assistance that may be available  
35 to students, as well as working with campus foundations to provide  
36 financial assistance for students attending extension programs.

37 ~~(i)~~

38 (j) (1) A community college district maintaining an extension  
39 program offering credit courses under this section shall collect and  
40 keep records that measure student participation, student

1 demographics, and student outcomes in a manner consistent with  
2 measures collected by community college districts in regular credit  
3 programs supported through state apportionments, including an  
4 analysis of program effects, if any, on district workload and district  
5 financial status. A community college district shall submit this  
6 information to the Office of the Chancellor of the California  
7 Community Colleges by October 1 of each year. For community  
8 college districts operating more than one college, the evaluation  
9 shall be for each participating college.

10 (2) The chancellor shall submit all of the information provided  
11 by community college districts pursuant to paragraph (1) to the  
12 Legislative Analyst's Office by November 1 of each year.

13 (3) No later than January 1, 2017, the Legislative Analyst shall  
14 submit to the Legislature a written report that includes a summary  
15 of the information provided pursuant to this paragraph, an  
16 assessment of the extent to which community college extension  
17 programs are operated in a manner consistent with legislative  
18 intent, and suggestions to the Legislature for needed statutory  
19 improvements.

20 (j)

21 (k) Courses offered by the extension program established and  
22 maintained under this section may only be offered during summer  
23 and winter intersessions.