

AMENDED IN ASSEMBLY MAY 1, 2015

AMENDED IN ASSEMBLY APRIL 13, 2015

AMENDED IN ASSEMBLY MARCH 24, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 889**

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**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

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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 *present the adoption of the partnership agreement as an information item at regularly scheduled open meetings of their respective governing boards, and to take testimony from the public and approve or disapprove the proposed partnership agreement at a subsequent regularly scheduled open public hearing hearings* 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

1 opportunities to enroll in an equivalent course at the high school  
2 of attendance, or at an adult education program, continuation  
3 school, regional occupational center or program, or any other  
4 program offered by that school district. *A principal shall consult*  
5 *with a pupil's teachers in the appropriate subjects before making*  
6 *a recommendation under this subdivision.*

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

9 (d) A pupil shall receive credit for each community college  
10 course that he or she completes at the level determined appropriate  
11 by the governing boards of the school district and community  
12 college district.

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

16 (A) Demonstrates adequate preparation in the discipline to be  
17 studied.

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

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

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

27 SEC. 2. Section 48801.5 is added to the Education Code, to  
28 read:

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

1 program, continuation school, regional occupational center or  
2 program, or any other program offered by that school district, and  
3 with parental consent if the pupil is under 18 years of age, may  
4 attend a community college during any session or term as a special  
5 part-time or full-time student.

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

8 (2) A participating community college district shall adopt a  
9 partnership agreement with each school district partner. The  
10 partnership agreement shall be approved by the governing board  
11 of the community college district and the governing board of the  
12 school district. ~~As a condition of, and before adopting~~ *adopting*,  
13 a partnership agreement, a community college district and a school  
14 ~~district, at a district shall do both of the following:~~

15 (A) *Present the adoption of the partnership agreement as an*  
16 *information item at regularly scheduled open public hearing*  
17 *hearings of their respective governing boards, shall boards.*

18 (B) *At regularly scheduled open public hearings of their*  
19 *respective governing boards held subsequent to the hearings*  
20 *referenced in subparagraph (A), take testimony from the public*  
21 *and approve or disapprove the proposed partnership agreement.*

22 (3) (A) The partnership agreement shall outline the terms of  
23 the partnership and may include, but not necessarily be limited to,  
24 the scope, nature, and schedule of the STEM courses offered, the  
25 academic readiness of pupils that is necessary for them to benefit  
26 from the STEM courses offered, and the ability of pupils to benefit  
27 from those STEM courses. *The partnership agreement shall certify*  
28 *that its implementation shall not violate any applicable collective*  
29 *bargaining agreement with respect to either the community college*  
30 *district or the school district. The partnership agreement may*  
31 *establish protocols for information sharing and joint facilities use.*

32 (B) A copy of the partnership agreement shall be filed with the  
33 department and with the Office of the Chancellor of the California  
34 Community Colleges before the start of a program authorized by  
35 this section.

36 (4) It is the intent of the Legislature, in enacting this section, to  
37 provide a smoother transition from high school to college for pupils  
38 by providing them with greater exposure to the collegiate  
39 atmosphere and to maximize the educational opportunities available  
40 to California’s secondary school pupils by encouraging programs

1 and partnerships between school districts and community college  
2 districts.

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

8 (b) (1) A community college district shall not receive a state  
9 allowance or apportionment for an instructional activity for which  
10 a school district has been, or shall be, paid an allowance or  
11 apportionment.

12 (2) The attendance of a pupil at a community college as a special  
13 part-time or full-time student pursuant to this section is authorized  
14 attendance for which the community college shall be credited or  
15 reimbursed pursuant to Section 48802 or 76002, provided that no  
16 school district has received reimbursement for the same  
17 instructional activity. Credit for courses completed shall be at the  
18 level determined to be appropriate by the governing boards of the  
19 school district and the community college district pursuant to the  
20 partnership agreement as described in paragraph (2) of subdivision  
21 (a).

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

25 (d) Notwithstanding subdivision (e) of Section 76001, for  
26 purposes of this section, the governing board of a community  
27 college district may assign an enrollment priority to pupils admitted  
28 as special part-time or full-time students under this section. In  
29 assigning an enrollment priority, the community college district  
30 shall ensure that pupils admitted under this provision do not  
31 displace regularly admitted community college students.

32 (e) Community college districts and school districts that enter  
33 into a partnership pursuant to this section shall be exempt from  
34 concurrent enrollment provisions pursuant to subdivisions (a) and  
35 (b) of, and paragraphs (1) and (2) of subdivision (e) of, Section  
36 48800.

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

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

3 (B) The total number of successful course completions of  
4 secondary school pupils enrolled in each program, classified by  
5 the school district.

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

9 (2) Notwithstanding Section 10231.5 of the Government Code,  
10 the annual report required by this subdivision shall be transmitted  
11 by the Office of the Chancellor of the California Community  
12 Colleges to all of the following:

13 (A) The Legislature, in accordance with Section 9795 of the  
14 Government Code.

15 (B) The Director of Finance.

16 (C) The Superintendent.

17 (D) The governing board of each participating community  
18 college district.

19 (E) The governing board of each participating school district.