
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 542
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Consultant: Kathleen Chavira
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Fiscal: Yes

Subject: Community colleges: early and middle college high schools

SUMMARY

This bill exempts Early College High School students from the requirement that a community school district governing board assign a low enrollment priority to special part-time or full-time students and prohibits a student enrolled in a community college physical education (PE) course required for the student's middle college or early college high school program from being considered a special part-time or full-time student, thereby excluding these students from the cap on PE courses for which the community college can claim full-time equivalent students (FTES).

BACKGROUND

Existing law:

- 1) Authorizes the governing board of a school district, upon recommendation of the principal of a pupil's school and with parental consent, to authorize a student to concurrently enroll in a community college during any session or term to undertake one or more courses of instruction. (Education Code § 48800 et seq.)
- 2) Authorizes a community college district governing board to admit as a special part-time or full-time student any student eligible pursuant to EC 48800 and requires the governing board of a California Community College district to assign these students a low enrollment priority in order to ensure that these students do not displace regularly admitted community college students. An exemption to this requirement is extended to Middle College High School (MCHS) students. (EC § 76001)
- 3) Restricts the proportion of a community college PE class that may be comprised of special part-time or full-time students to 10 percent and caps the amount of state apportionment that may be claimed for these students at no more than 5 percent of the district's total reported full-time equivalent enrollment of special part-time and full-time students. (EC § 76002)
- 4) Establishes Middle College High Schools as broad-based comprehensive instructional programs focusing on college preparatory and school-to-work curricula, career education, work experience, community service, and support and motivational activities. (EC § 11300)
- 5) Existing law declares that early college high schools (ECHS) are innovative partnerships between public secondary schools and a local community college,

California State University of California or University of California, that allow students to earn up to two years of college credit at the same time they are earning a high school diploma. Early college high schools (ECHS) are small autonomous schools that blend high school and college into a coherent educational program. (EC §111302)

ANALYSIS

This bill relaxes the restrictions on community college enrollment of special part-time and full-time students enrolled in middle college and early college high schools. It:

- 1) Exempts special part-time or full-time community college students who attend an early college high school from the requirement that they be assigned a low enrollment priority by the community college district.
- 2) Declares that a student attending middle college high school or early college high school is not considered a special part-time or full-time student for purposes of the enrollment and apportionment caps on community college PE courses if the PE course is required for the student's high school program, thereby excluding these students from the caps on PE courses for which the community college can claim full-time equivalent students (FTES).
- 3) Eliminates any cap on enrollment or apportionment funding applicable to special part-time and full-time students in community college PE courses for students attending middle college, or early college high schools.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author's office, AB 230 (Carter, Chapter 50, Statutes of 2011), extended the exemption from low priority enrollment status to Middle College High School (MCHS) students and this bill will bring parity to ECHS students by extending them the same exemption. In addition, the author is concerned that students enrolled in ECHS and MCHS programs located on community college campuses do not have access to high school PE facilities yet must complete PE courses to meet state level high school graduation requirements. Currently community colleges that provide these classes are not reimbursed for providing them to these students. This bill would ensure community colleges receive funding for providing PE courses to these students.
- 2) **Related History.** In December 2002, the Orange County Register ran the first in a series of highly critical articles regarding concurrent enrollment practices in the community colleges. The articles specifically focused on high school PE classes and various suspected abuses, including "phantom" classes that were apparently never held.

These anecdotal allegations resulted in a Chancellor's Office investigation which revealed that FTES generated by concurrent enrollment in both credit and noncredit courses grew from approximately 16,000 in 1992-93 to over 52,000 in 2000-01, outpacing the overall enrollment growth of the community college system. While

concurrent enrollment included courses in a variety of curricular areas, there had been significant growth in concurrent enrollment in physical education (PE) courses. The proportion of full-time equivalent students (FTES) for concurrent enrollment in PE courses was approximately 15 percent in 1992-93, but these courses comprised 34 percent of FTES for concurrent enrollment in 2000-01, the equivalent of 1.7 percent of all the FTES generated by the community colleges as a system. The expansion of concurrent enrollment in PE courses was more pronounced in about one-fifth (20 percent) of the system's 72 districts and was especially evident with respect to PE programs. By 2001-02, six districts within the system produced 53 percent of the PE concurrent enrollment FTES generated by the entire system for that year. These districts included Los Angeles, Butte, North Orange, Contra Costa, Santa Clarita, and Mt. San Antonio.

As a result, SB 338 (Scott, Chapter 786, Statutes of 2003) was enacted to specify the conditions whereby concurrent enrollment of pupils between a school and community college district is permitted, establish restrictions on the amount of FTES that could be claimed for PE courses, and require annual reporting by the Chancellor of the amount of FTES claimed by each district for special full-time and special part-time students overall and for PE courses specifically.

3) ***Middle College High School (MCHS)/Early College High School (ECHS).***

According to Jobs for the Future, a nonprofit organization which launched the ECHS initiative in 2002, there are currently 40 ECHS in California, of which 92 percent are partnered with a community college. The demographic make-up of the ECHS students in the 40 schools in California is as follows: 60 percent are Latino; 17 percent are White; 9 percent are Black; and, 6 percent are Asian. There are 40 ECHS in California according to the Jobs for the Future.

ECHS are designed for young people who are underrepresented in postsecondary education, including students who have not had access to the academic preparation needed to meet college readiness standards, students for whom the cost of college is prohibitive, students of color, first generation college-goers, and English language learners.

According to the Chancellor's Office, Middle College High School is a collaborative program that enables high-potential, "at-risk" students to obtain a high school education while concurrently receiving direct access to college courses and services. The high school is located on and integrated into the community college environment, whereby high school students attend classes at a community college and earn credit toward a high school diploma while having the opportunity to concurrently take college courses and to receive more intensive counseling and administrative attention. According to the Chancellor's Office 9 community colleges offer recognized middle college programs. These include College of the Canyons, Contra Costa College, Grossmont College, Los Angeles Harbor College, Reedley College, San Bernardino Valley College, San Joaquin Delta College, Santa Ana College, and West Hills College – Lemoore.

4) ***Reporting?*** Current law requires an annual report on the amount of FTES claimed for special part-time and full-time students by each district in the preceding academic year, and specifically requires reporting on degree-applicable physical education

FTES. According to the report, full-time equivalent students (FTES) for special part-time and full-time enrollment in physical education (PE) courses has gone from a high of 10,658 in 2002-03 to a low of 567 in 2013-14. It is unclear whether any of the existing FTES is attributable to Middle College High School (MCHS) and Early College High School (ECHS) student enrollments. It is also unclear how many of these students currently meet their PE requirements by taking these courses at their high schools. Would this bill create an incentive for ECHS and MCHS programs to expand enrollment in community college PE courses? How much community college FTES should be used to fund PE instruction for special part-time and full-time students? In light of the extensive issues with concurrent enrollment PE classes in the past, what is the potential for abuse of this new authority?

Staff recommends the bill be amended to expand the reporting requirements in 76002 (d) to specifically include FTES claimed for degree applicable PE courses in ECHS and MCHS programs. **Staff further recommends** the bill be amended to sunset the authority in 2021, pending a review of these reporting results.

- 5) **Prior legislation.** AB 2352 (Chesbro, 2014) exempted a student attending an ECHS from lower community college enrollment status, and authorized districts to claim apportionment funding for MCHS and ECHS students for courses required for the students' program even if the courses did not comply with existing statutory criteria applicable to other high school students taking community college courses. AB 2352 was heard and passed by this committee by a vote of 6-0 but was subsequently held in the Senate Appropriations Committee.

SUPPORT

California School Boards Association
College of the Canyons

OPPOSITION

None received.

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