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California State Senate

EDUCATION



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AGENDA

Wednesday, March 26, 2025
9 a.m. -- 1021 O Street, Room 2100

MEASURES HEARD IN FILE ORDER

- | | | | |
|-----|--------|---------------|--|
| *1. | SB 241 | Cervantes | Community colleges: personnel: qualifications. |
| 2. | SB 437 | Weber Pierson | California State University: claim eligibility: genealogy and descendency. |
| *3. | SB 389 | Ochoa Bogh | Pupil health: individuals with exceptional needs: specialized physical health care services. |
| 4. | SB 438 | Cabaldon | School attendance: College and Career Access Pathways partnerships. |

*Consent Items

SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 241 **Hearing Date:** March 26, 2025
Author: Cervantes
Version: January 30, 2025
Urgency: No **Fiscal:** No
Consultant: Olgalilia Ramirez

Subject: Community colleges: personnel: qualifications.

SUMMARY

This bill requires that a community college instructor and the specified staff be a *person*.

BACKGROUND

Existing law:

- 1) Establishes the California Community Colleges (CCC) under the administration of the Board of Governors (BOG), as one of the segments of public postsecondary education in California. The CCC system shall be comprised of community college districts. (Education Code (EC) § 70900)
- 2) Requires the BOG to adopt regulations to establish and maintain the minimum qualifications for service as a faculty member teaching credit instruction, a faculty member teaching noncredit instruction, a librarian, a counselor, an educational administrator, an extended opportunity programs and services worker, a disabled students programs and services worker, an apprenticeship instructor, and a supervisor of health. (EC § 87356)
- 3) Provides, notwithstanding 1) above, that a person authorized to serve as a community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or chief administrative officer under a credential shall retain the right to serve under the terms of that credential, and, for that purpose, shall be deemed to possess the minimum qualifications specified for every discipline or service covered by the credential until the expiration of that credential. (EC § 87355)
- 4) Requires the BOG to adopt regulations authorizing local governing boards to employ faculty members and educational administrators who do not meet the specified minimum qualifications, subject to alternative minimum qualifications. (EC § 87359)
- 5) Requires that the instructor of record for a community college course be a person who meets minimum qualifications to serve as a faculty member teaching noncredit or credit instruction. (EC § 87359.2)

ANALYSIS

This bill requires that a CCC instructor, librarian, counselor, student personnel worker, supervisor, administrator, chief administrative officer, extended opportunity programs and services worker, disabled students programs and services worker, apprenticeship instructor, or health supervisor be a person who meets the minimum qualifications to serve in that position established in current law.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, “The rapid development in recent years of new technology like artificial intelligence has had a massive effect not only on our society generally, but on public policy in particular. One of the most pressing issues faced by the growing use of new technology tools has been the possible effects on human workers, particularly the threat of AI, that human workers could be replaced wholesale by artificial intelligence. In the May 2023 edition of the California Community Colleges’ ‘Digital Futures’ newsletter, an article entitled ‘Transforming Education: The Rise of AI in the California Community Colleges’ described the potential pedagogical use of AI in community colleges. It stated that ‘AI could provide excellent opportunities for more individualized instruction, tutoring, and class reviews. Faculty members might use AI to create lesson plans...’ While there is room for technology tools like AI to contribute in community college classrooms in California, human faculty are still necessary and best suited to teach human students. Senate Bill 241 follows up on my Assembly Bill 2370 (2024) by providing additional guardrails on the use of AI at our community colleges. It will accomplish this by expanding the list of instructor and faculty positions at our community colleges who must meet all of the minimum qualifications set by the Board of Governors of the California Community Colleges to serve as faculty.”
- 2) **What’s the problem?** As described by the Little Hoover Commission in their 2018 report on Artificial Intelligence (AI): A Roadmap for California, Artificial Intelligence refers to a quality of any computer program (algorithms, data structures, and data) that can sense reason, act, and adapt like humans. It performs with near-humanlike abilities to sense, reason, or act. Fear of the potential replacement of human jobs by AI technology is a growing concern across many sectors. The rapid development of AI has significantly impacted education as these technologies offer valuable tools for enhancing instructional practices, but also bring out the need to defend the role of human faculty and other educator positions. Current law explicitly requires that the instructor of record for a community college course be a person. This bill attempts to build on that policy by requiring that a number of other positions on campus be held by a person.
- 3) **The pandemic accelerated virtual instruction.** Online instruction in higher education accelerated as result of the COVID pandemic that necessitated distance learning. The Legislative Analyst’s Office 2024 publication, *Trends in Higher Education Series: Student Success* demonstrates, that the rapid increase of 20 percent in the 2019-20 academic year and, 60 percent in the 2020-2021 academic year, and approximately 50 percent in the 2022-2023 academic year of

community college courses were delivered through online instruction. Arguably, this rapid growth stimulated the use of AI technologies to support student learning, especially in virtual settings. Online courses have remained a popular option for community college students who want greater flexibility in how they access their education, particularly for those who are place-bound or have work and family obligations.

- 4) **AI integration in higher education.** Postsecondary educational institutions are called on to assure success in educational programs, and with that comes a personal element to effectively educate and foster personal growth among individuals. Human faculty members have the ability to simulate critical and creative thinking, inspire them, cultivate empathy and moral conviction, and respond to unexpected situations. The Faculty Association of California Community Colleges, the sponsor of this measure, asserts, “Teaching is a profound human endeavor that requires nuanced interpersonal skills, subject matter expertise, and the ability to engage students in ways that machines cannot replicate... AI, while useful for certain supplementary functions, lacks the cognitive and emotional intelligence to truly replace human faculty. Allowing AI to take over direct instruction could severely compromise education quality.” It is commonly argued that when establishing policies regarding the integration of AI, the Legislature should strive to strike a balance that fosters innovation while minimizing adverse consequences in other aspects of civic life. The same principle applies to education. AI can provide numerous benefits in augmenting traditional methods of learning and instruction. Examples of this capability include offering interactive simulations, virtual reality experiences, and intelligent tutoring systems, as well as improving accessibility for students with disabilities with text-to-speech and speech-to-text technology. The California State University’s recent announcement of becoming an AI-empowered higher education system in integrating AI learning and teaching tools across the system demonstrates AI’s growing influence in educational settings. This bill aims to strike an appropriate balance in preserving positions held by humans in academia without prohibiting the integration of AI technology to enhance instructional practices.

- 5) **Prior legislation.**

SB 1235 (Gonzalez, 2024) would have required the California State University, Long Beach (CSULB), in consultation with other public institutions of higher education, to establish the AI and Deepfake Working Group and annually report to the Legislature on its research and findings. It would have also authorized CSULB to develop a scoping plan in the first year to establish the topics that may be evaluated by, and the stakeholders that may be included in, the working group. SB 1235 was held by the author in this committee.

SUPPORT

Faculty Association of California Community Colleges (sponsor)
CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 437 **Hearing Date:** March 26, 2025
Author: Weber Pierson
Version: February 18, 2025
Urgency: No **Fiscal:** Yes
Consultant: Olgalilia Ramirez

Subject: California State University: claim eligibility: genealogy and descendency.

NOTE: This bill has been referred to the Committees on Education and *Judiciary*. A “do pass” motion should include referral to the *Committee on Judiciary*.

SUMMARY

This bill allocates \$6 million as specified to enable the California State University (CSU) to conduct research to support the recommendations of the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States (Task Force). It also requires that the CSU annually submit a report to the Legislature and Governor on pending and completed research projects along with a final report that includes recommendations for statewide implementation.

BACKGROUND

- 1) Existing law establishes the CSU, under the administration of the Trustees of the CSU, as one of the segments of public postsecondary education in the state. (Education Code (EC) § 66600)
- 2) Existing law requires that the CSU’s Statewide Central Office for Advancement of Black Excellence, housed at Sacramento State, manage the state’s California Black-Serving Institutions program designation. (EC § 66076.3)
- 3) Former law, authorized the Trustees to establish an African American Political and Economic Institute at CSU, Dominguez Hills and required CSU, Dominguez Hills to rename the institute the Mervyn M. Dymally African American Political and Economic Institute.
- 4) Former law, until July 1, 2023, established the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States (Task Force).
- 5) Former law required the Task Force, among other things, to identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies, as specified, and to recommend the form of compensation that should be awarded, the

instrumentalities through which it should be awarded, and who should be eligible for this compensation.

- 6) Existing law states that the State of California recognizes and accepts responsibility for all of the harms committed by the state in connection with chattel slavery and its enduring legacy, issues an apology from the State of California for perpetuating the harms African Americans face through state and private action, and requires a plaque memorializing the apology to be installed in the State Capitol. (Government Code § 8301.2)

ANALYSIS

This bill:

- 1) Requires the Director of Finance to reallocate \$6 million as specified to enable CSU to conduct research in furtherance of the Task Force's recommendations, and it authorizes CSU to partner with other universities or nonprofit institutions for the purpose of conducting that research.
- 2) Requires the CSU to explore options for confirming an individual's descendant status and establish a process for conducting or verifying genealogical research to confirm eligibility for reparative claims. It also authorizes funds to support student participation in support of this goal.
- 3) Requires, prior to the start of each fiscal year, the CSU consultant with the California Legislative Black Caucus to propose a list of research components to be addressed through the appropriation and each year until funding is exhausted.
- 4) Requires CSU by October 1 of each year and until funding is exhausted, submit to the Legislature and Governor a report with a status update of pending research projects and research projects that have been completed within the prior year.
- 5) Requires CSU to submit a final report that includes its research findings, recommendations with options, and timelines for statewide implementation, including costs, developed according to the bill's provisions.

STAFF COMMENTS

- 1) **Need for the bill.** According to the author, "Senate Bill (SB) 437 would require the California State University to independently research and report on scientific methodologies for determining an individual's genealogical fingerprint to verify their status as a descendant of an enslaved person in the United States.

"This bill is essential for the successful implementation of the California Reparations Task Force's final recommendations. To establish eligibility for the recommendations outlined by the Task Force, we must first have a clear and accurate method to identify descendants of American chattel slavery. Many African Americans face significant challenges in tracing their lineage due to

incomplete records, forced family separations, and the systemic erasure of their histories. By tasking California State University with determining the best methods for establishing lineage, this bill would provide Black Californians with access to reliable, state-supported genealogical research that might otherwise be costly or difficult to obtain.”

- 2) **Task Force.** The Legislature enacted AB 3121 (Weber, Chapter 319, Statutes of 2020), establishing the first-in-the-nation Task Force to investigate options for providing reparations to African Americans, and particularly the descendants of enslaved persons in recognition of California’s role in accommodating and facilitating slavery and the continuation of racist institutions post-abolition. AB 3121 also required the Task Force to recommend appropriate ways to educate the public of its findings, recommend appropriate remedies, and submit a report of its work. The Task Force submitted its final 74-page report to the Legislature on June 29, 2023. The final report summarizes the harms caused by slavery and the lingering negative effects of the institution of slavery on descendants of persons enslaved in the US and, more broadly, on living African Americans and on society in California. The report includes Task Force recommendations for reparations, taking into account: 1) how any form of compensation to African Americans, with a special consideration for African Americans who are descendants of persons enslaved in the US, should be calculated; 2) what form of compensation should be awarded, though what instrumentalities, and who should be eligible for such compensation; and 3) whether any other forms of rehabilitation or restitution to African descendants are warranted and what form and scope those measures should take.

In developing the recommendations regarding methodologies for reparations, the Task Force considered, among numerous other factors, harms inflicted on African Americans attributable to the state of California and its local jurisdictions and the availability of data. As it relates to descendant status and reparative claims, one of the Task Force’s recommendations determined that only those individuals who are able to demonstrate their lineage as descendants of either an enslaved African American in the US or a free African American residing in the US before 1900 be eligible for monetary reparations. The Task Force also concluded that the state, potentially through an agency established for this purpose, should take responsibility for assisting any requester in determining their eligibility. This assistance would involve funding or otherwise handling the tracing and confirmation of this lineage through whatever means necessary. Because of the lack of available data, recommendations directed the Legislature to begin collecting data pertaining to descendant status, and when calculating reparations, consider this data in formulating the most accurate amount of needed reparations as possible.

- 3) **CSU responsible for research, recommendations and annual reporting.** This bill seeks to advance Task Force recommendations by identifying CSU as the entity to investigate and develop ways to confirm an individual’s descendant status. Specifically, it requires CSU to establish a framework for conducting genealogical research that can be used to verify eligibility for reparative claims. The money allocated by this measure is to support CSU in achieving these research objects and developing recommendations based on that research. The

CSU must annually consult with the California Legislative Black Caucus on research components and annually report to the Legislature and Governor until the funding is exhausted. This is in addition to providing a final report including its findings and recommendations for statewide implementation. *The author may wish to consider whether annual reporting is overly burdensome, potentially detracting from research efforts, and whether less frequent updates are merited. Additionally the bill does not specify a start or end date for the duration of the research. The author may wish to consider identifying a timeline for which research should commence and conclude.*

- 4) **Why CSU?** The CSU system consists of 23 universities and roughly 28,000 fulltime and part-time faculty. It is the nation's largest and most diverse public university system. As reported by the CSU, it educates the most ethnically, economically, and academically diverse student bodies in the country. The CSU also houses the Central Office for the Advancement of Black Student Success at Sacramento State, which is focused on addressing the barriers to Black student success and the Mervyn Dymally African American Political and Economic Institute at CSU, Dominguez Hills. The institute dedicates itself to exploring and documenting the professional lives and achievements of African American leaders and examines the impact of their public policy efforts on the political and economic development of African Americans and other disadvantaged communities. These centers demonstrate CSU's commitment to the African American and Black community. Lastly, CSU promotes its capacity to utilize classroom based knowledge for problem-solving through applied research to address state's needs. Having CSU conduct research and develop applicable solutions seems to fall within its scope of practice. Presumably, all of these factors are likely to have influenced the decision to select CSU for implementing the provisions in this measure. This bill additionally allows CSU to collaborate with other universities or nonprofit institutions in conducting its research.
- 5) **Related budget activity.** The Budget Act of 2024 AB 108 (Gabriel, Chapter 22, Statutes of 2024) allocated moneys from the General Fund for implementation of reparations legislation that is enacted into law. This bill allocates a portion of those funds to CSU to conduct related work.
- 6) **Arguments in opposition.** Numerous individuals argue, in their opposition letter, "SB437 would waste millions of taxpayer dollars on an unnecessary study of genealogy, with no start date and no end date to the study/research. To make matters worse, the study would be conducted by unnamed academics and unaccountable non-profit organizations! California's Reparations Task Force, which already spent 2 years researching and studying issues including genealogy, made it clear: We don't need to STUDY genealogy, we need to DO genealogy!"
- 7) **Arguments in support.** According to the letter of support submitted to this committee from the Greater Sacramento Urban League, "California has taken significant steps toward addressing historical injustices through the work of the Reparations Task Force. Still, a critical component of any reparative initiative is ensuring that eligibility is clear, accessible, and based on a rigorous and standardized process. SB 437 provides a necessary framework to ensure that

individuals who are descendants of enslaved persons can access the benefits and opportunities designed to address systemic inequities.” The group further argues that, “This bill builds on the findings of AB 3121, which highlighted persistent disparities in economic, health, and educational outcomes for Black Californians. By requiring CSU to research and develop genealogical verification processes, SB 437 strengthens California’s commitment to justice and ensures that reparative programs are implemented with integrity and clarity.”

8) **Prior and related legislation.**

SB 518 (Weber Pierson, 2025) establishes the Bureau for Descendants of American Slavery within state government and requires the bureau to determine how an individual’s status as a descendant would be confirmed. It further requires proof of an individual’s descendant status to be qualifying criterion for benefits authorized by the state for descendants. To accomplish these goals, SB 518 would require the bureau to be comprised of a Genealogy Division, a Property Reclamation Division, an Education and Outreach Division, and a Legal Affairs Division. SB 518 has been referred to the Committees on Governmental Organizations and Judiciary.

AB 1315 (Essayli, 2025), establishes the California American Freedmen Affairs Agency as an agency within state government, and specifies that the purpose of the agency is to verify a resident’s status as an American Freedman, as defined, and create and maintain an accurate database registry of American Freedmen residents. AB 1315 is pending referral in the Assembly.

SB 1403 (Bradford, 2024) similar to SB 490, would have established the California American Freedmen Affairs Agency, which would implement the recommendations of the Task Force as approved by the Legislature and the Governor. It further required as part of its duties, the Agency to determine how an individual’s status as a descendant is confirmed and required proof of an individual’s descendant status be a qualifying criterion for benefits authorized by the state for descendants. SB 1403 died in the Assembly.

SB 490 (Bradford, 2023) would have established the California American Freedmen Affairs Agency in state government and required the agency to implement the recommendations of the Task Force. It would have required the agency to be comprised of specified offices, including a Genealogy Office and an Office of Strategic Communications and Media Affairs that would be responsible for specified duties related to reparations and claims. The agency would have been charged with overseeing and monitoring existing state agencies and departments tasked with engaging in direct implementation of the policies that fall within the scope of the existing state agencies and departments’ authority. Among other things, the bill would have also required the agency to include certain offices, including a Medical Services Office and a Legal Affairs Office, to perform other specified oversight and monitoring duties related to the goals of the Task Force. SB 490 died in the Assembly Judiciary Committee.

SUPPORT

Greater Los Angeles African American Chamber of Commerce
Greater Sacramento Urban League
Western Center on Law & Poverty

OPPOSITION

Numerous individuals

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 389 **Hearing Date:** March 26, 2025
Author: Ochoa Bogh
Version: February 14, 2025
Urgency: No **Fiscal:** No
Consultant: Ian Johnson

Subject: Pupil health: individuals with exceptional needs: specialized physical health care services.

NOTE: This bill has been referred to the Committees on Education and *Business, Professions, and Economic Development*. A “do pass” motion should include referral to the Committee on *Business, Professions, and Economic Development*.

SUMMARY

This bill authorizes a licensed vocational nurse (LVN) to perform specialized physical health care services for individuals with exceptional needs during the school day under the supervision of a credentialed school nurse.

BACKGROUND

Existing law:

- 1) Authorizes LVNs to perform nursing functions under the direction of a physician or registered nurse (RN), including certain specialized procedures if trained and supervised. (Business and Professions Code (BPC) § 2860.5)
- 2) Allows school personnel to assist students with specialized physical health care services, provided they are trained and supervised according to state guidelines. (Education Code (EC) § 49423.5)
- 3) Defines a credentialed school nurse and outlines their responsibilities in overseeing health care services for students. (EC § 49426)
- 4) Provides conditions under which LVNs employed by a home health agency may perform respiratory tasks and services identified by the Respiratory Care Board (RCB). Before January 1, 2028, an LVN may perform these tasks if they have completed patient-specific training satisfactory to their employer. After January 1, 2028, an LVN must complete training in accordance with guidelines developed by the RCB in collaboration with the Board of Vocational Nursing and Psychiatric Technicians and obtain a certification of competency for each respiratory task performed. (BPC § 3765)

ANALYSIS

This bill, notwithstanding any other law, authorizes a LVN to perform specialized physical health care services for individuals with exceptional needs during the school day under the supervision of a credentialed school nurse.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “California’s students are often provided important and necessary medical services in the school setting. Some students, particularly those with special needs, have unique medical requirements, and credentialed school nurses, as well as the licensed vocational nurses (LVNs) who work under their supervision, provide the care and services that they need. Recent changes to the Business and Professions Code could inadvertently negatively impact the ability of LVNs to continue providing services related to suctioning and maintenance of tracheostomies. This bill will simply ensure that regardless of any new laws, LVNs working in the school setting or in some instances, with home-schooled students, under the supervision of a credentialed school nurse, will be able to continue providing these critically needed services, and ensure these children continue to receive the care they need without disruption.”
- 2) ***Who Are LVNs, and What Do They Do?*** LVNs are trained healthcare professionals who provide essential nursing care and perform specialized medical tasks under supervision. Their training prepares them to assist with procedures such as medication administration, wound care, catheterization, suctioning, and certain respiratory therapies. LVNs play a critical role in bridging gaps in health care services, particularly in settings such as schools, where there is a shortage of credentialed school nurses.
- 3) ***How Are LVNs Regulated?*** LVNs are subject to different regulatory frameworks depending on the setting in which they practice. The Business and Professions Code defines their medical scope of practice, requiring them to work under the supervision of a physician or RN in most healthcare settings. However, in school settings, the Education Code allows them to perform specialized physical health care services under the supervision of a credentialed school nurse.
- 4) ***Prior Legislative Efforts to Define LVN Respiratory Care Authority.*** Over the past several years, the Legislature has taken steps to clarify the limited circumstances under which LVNs can provide respiratory care services. SB 1436 (Roth, Chapter 624, Statutes of 2022) allowed LVNs to perform specific manual and technical respiratory tasks that did not require a respiratory assessment, provided they received appropriate training and demonstrated competency to their employer. This effort provided much-needed guidance but was later refined by SB 1451 (Ashby, Chapter 481, Statutes of 2024), which extended LVN authorization for these tasks through 2028 and introduced new certification requirements thereafter. These measures reinforced that LVNs must operate within carefully defined parameters when performing respiratory care tasks, subject to appropriate oversight and training. While these efforts

addressed the broader role of LVNs in clinical and home health settings, they did not directly clarify the application of these rules in school settings.

- 5) ***Ongoing Regulatory Work of the Respiratory Care Board (RCB).*** The RCB remains statutorily responsible for assessing the scope of practice for respiratory care and determining under what conditions LVNs may provide such services. While past legislation has provided needed clarity on LVN responsibilities in health care settings, the RCB's ongoing regulatory work is critical for ensuring that these roles continue to be well-defined and appropriately regulated. Previous efforts largely focused on medical environments and did not explicitly address the role of LVNs in schools. As a result, school districts have expressed uncertainty about whether LVNs can continue to provide respiratory care services to students, particularly those with specialized health care needs.

This bill takes a permanent approach by ensuring that LVNs will continue to play a role in providing specialized physical health care services in schools under the supervision of a credentialed school nurse, regardless of future regulatory changes.

- 6) ***The Impact if LVNs are Restricted in Schools.*** Schools rely on LVNs to provide essential healthcare services to students with complex medical needs. Many school districts face a shortage of credentialed school nurses, making LVNs an invaluable resource for ensuring students receive necessary medical support throughout the school day. If LVNs were restricted from performing specialized physical health care services, schools could experience staffing challenges, forcing them to either hire additional school nurses—who are already in short supply—or shift responsibilities onto parents or outside providers. These changes could lead to disruptions in student care and increased burdens on families. Schools also have legal obligations under federal laws such as the Individuals with Disabilities Education Act (IDEA) to ensure students receive necessary health services. Reducing the availability of LVNs could make compliance with these laws more difficult, particularly for rural and underserved schools that may not have the resources to hire additional school nurses.
- 7) ***Further Review in Subsequent Senate Policy Committee.*** This bill has been double referred to the Senate Committee on Business, Professions and Economic Development, where the nuances of healthcare oversight and professional licensing regulations will undergo further scrutiny. Given that the RCB plays a central role in determining the scope of LVN respiratory care responsibilities, this committee's review will provide an opportunity to examine how this bill aligns with existing regulatory frameworks, future RCB actions, and broader healthcare workforce policies.

SUPPORT

California School Nurses Organization (sponsor)
Alameda County Office of Education
Association of California School Administrators
California County Superintendents
California State Council on Developmental Disabilities

Office of the Riverside County Superintendent of Schools
San Diego Unified School District

OPPOSITION

None received

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SENATE COMMITTEE ON EDUCATION

Senator Sasha Renée Pérez, Chair

2025 - 2026 Regular

Bill No: SB 438 **Hearing Date:** March 26, 2025
Author: Cabaldon
Version: February 18, 2025
Urgency: No **Fiscal:** Yes
Consultant: Ian Johnson

Subject: School attendance: College and Career Access Pathways partnerships.

SUMMARY

This bill reduces the 240-minute minimum schoolday requirement to 180 minutes for pupils enrolled under a College and Career Access Pathways (CCAP) partnership, as specified.

BACKGROUND

Existing law:

- 1) Establishes the minimum schoolday for high school students at 240 minutes, except for specified exceptions, including a reduced 180-minute minimum for Early College High Schools (ECHS) and Middle College High Schools (MCHS) students who are also enrolled in a community college or other postsecondary coursework.
- 2) Authorizes a student to enroll in a California Community College (CCC) as a special part-time or full-time student upon determination by their high school principal and with parental consent. Special part-time students may take one or more courses at a CCC and may count these courses toward high school graduation requirements.
- 3) Authorizes the governing board of a CCC district to enter into a CCAP partnership with a school district, county office of education, or charter school to expand dual enrollment opportunities, particularly for students underrepresented in higher education.
- 4) Requires CCAP partnership agreements to be approved by the governing boards of both participating entities and to outline program details, including the number of students to be served, course offerings, and student eligibility criteria.
- 5) Prohibits CCAP partnerships from offering physical education courses and requires that CCAP agreements comply with all relevant labor, academic, and reporting regulations.
- 6) Requires the CCC Chancellor's Office to report annually on CCAP participation, student demographics, and student outcomes, including the total number of full-time equivalent students (FTES) generated through CCAP partnerships.

- 7) Defines MCHS as collaborative programs that allow high school students to earn a high school diploma while concurrently taking college courses. MCHS are structured to support at-risk students and provide intensive counseling and administrative attention to help students transition into college-level coursework. These programs require a reduced adult-student ratio, flexible scheduling, and integration of work-based learning experiences.
- 8) Defines ECHS as autonomous schools designed to blend high school and college into a structured program. ECHS students begin taking college courses as soon as they demonstrate readiness, with the opportunity to earn an associate degree or a significant number of transferable college credits by the time they graduate high school. These schools focus on historically underrepresented students in higher education and integrate both high school and college coursework into a seamless educational experience.

ANALYSIS

This bill reduces the 240-minute minimum schoolday requirement to 180 minutes for pupils enrolled under a CCAP partnership if the pupil is also enrolled in a community college, as specified. This change aligns CCAP students with students enrolled in ECHS and MCHS, who are already subject to a 180-minute minimum schoolday requirement.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Structured dual enrollment programs help students succeed in college, drastically improve graduation rates, and ease the heavy financial burden of earning a degree. College and Career Access Pathways (CCAP) was specifically designed to expand access to these pivotal programs for underrepresented students. This program is remarkably successful—82% of its students are enrolled in college within a year of graduating high school, far surpassing the 66% enrollment rate for all high school graduates. The benefits of dual enrollment extend beyond college, with long-term benefits such as higher wages and economic stability that ripple through their families and communities.

“Despite the clear advantages of CCAP, the program is not granted the same flexibility as other dual enrollment programs. Under current law, early and middle college high schools benefit from a reduced instructional time requirement of 180 minutes per day for their students also enrolled in part-time college courses. However, school districts participating in a CCAP partnership are penalized as they must adhere to a higher daily instructional requirement of 240 minutes.

“SB 438 seeks to level the playing field by eliminating this inequity, ensuring that CCAP agreements are no longer penalized compared to other dual enrollment options. This bill will pave the way for the expanded reach of dual enrollment programs, providing more students with a critical opportunity to succeed and thrive in higher education.”

- 2) ***Existing Dual Enrollment Options.*** Dual enrollment allows high school students to take college courses while still completing their high school education. These courses provide an opportunity for students to earn college credit early, potentially accelerating their time to degree completion and exposing them to the academic expectations of higher education. Dual enrollment programs exist in several forms, including all of the following:
- a) ***CCAP Partnerships.*** Created to provide structured dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education. Unlike traditional dual enrollment, which often serves high-achieving students, CCAP is designed to provide seamless pathways from high school to community college, emphasizing career technical education, transfer preparation, and improving college readiness. CCAP courses are typically offered on high school campuses and are free to students, removing many of the traditional barriers to college course access.
 - b) ***ECHS.*** Small, autonomous schools that blend high school and college coursework into a unified educational program. Students start taking college courses as soon as they are ready, with the goal of completing a substantial number of transferable college credits—often an associate degree—by the time they graduate from high school. These schools are designed to serve students who may not otherwise see themselves as college-bound and provide intensive academic and advising support.
 - c) ***MCHS.*** High school programs that operate in close collaboration with community colleges, often located on or near college campuses. They target students who may be at risk of dropping out of high school or who need a non-traditional learning environment. Like ECHS, MCHS students take college courses alongside their high school coursework, but these programs are specifically designed to provide a bridge for students who might struggle in a traditional high school setting.

The key distinction between CCAP partnerships and ECHS/MCHS programs is that CCAP students remain in a traditional high school setting, taking college courses as part of their high school curriculum, whereas ECHS and MCHS students are fully integrated into a college-preparatory structure that guides them toward early college completion.

- 3) ***Balancing Increased Access with Educational Quality.*** The author and supporters of this bill argue that reducing the minimum instructional time requirement will remove a barrier to CCAP participation, allowing more students to take advantage of dual enrollment opportunities. They contend that the existing 240-minute requirement limits scheduling flexibility, making it harder for students to enroll in CCAP courses and for schools to expand dual enrollment programs.

Reducing the minimum schoolday to 180 minutes for CCAP students also enrolled in community college courses could provide greater flexibility for students facing scheduling conflicts. However, it could also lead to a net

decrease in structured instructional time, particularly for those taking only one or two college courses. Unlike students in ECHS and MCHS, who participate in fully integrated programs with academic supports, CCAP students remain in traditional high schools where advising and scheduling coordination may vary.

Additionally, many community college courses do not meet daily. A student taking only one CCAP course may have significantly reduced total instructional time on non-college course days, which could result in unintended gaps in learning. The impact of this change will likely depend on how districts implement dual enrollment programs, guide students in structuring their schedules, and ensure that students receive adequate academic engagement across both high school and college courses.

- 4) ***Is Instructional Time a Key Factor in CCAP Participation?*** While this bill seeks to make dual enrollment more accessible by reducing the minimum instructional time requirement, it is unclear whether this change will have a major impact on CCAP participation compared to other factors.

The 2021 CCCCO CCAP Legislative Report identified several challenges to CCAP expansion, including program administration, student advising, and course availability, but did not cite the 240-minute instructional time requirement as a significant barrier.

Additionally, CCAP enrollment has grown steadily even under the existing requirement. The 2021-22 CCCCO Dual Enrollment Legislative Report found that CCAP participation increased from 13,096 FTES in 2020-21 to 16,136 FTES in 2021-22, suggesting that factors such as course access and scheduling flexibility may be more significant drivers of participation than instructional time alone.

Some school districts argue that aligning CCAP instructional time with ECHS and MCHS will make dual enrollment more accessible. However, without additional data, it remains an open question whether this policy change will meaningfully increase participation or whether other programmatic adjustments—such as expanded advising and course offerings—would have a greater effect.

- 5) ***Lessons from Research on Dual Enrollment.*** A 2024 Public Policy Institute of California (PPIC) report found that dual enrollment improves college enrollment and success rates, particularly for underrepresented students. However, it also highlights persistent equity gaps, with Latino and Black students participating at lower rates than their white and Asian peers.

The report emphasizes that structured pathways, strong advising, and student support services are critical to maximizing the benefits of dual enrollment. Simply lowering instructional time requirements may not meaningfully increase participation or success without addressing these broader challenges.

A 2024 UC Davis Wheelhouse study reinforces these findings, showing that while dual enrollment participation has increased, gaps in course access, advising, and credit accumulation persist for underrepresented students. The study underscores the need for stronger coordination between high schools and

community colleges to ensure students transition successfully from dual enrollment to postsecondary education.

While increasing flexibility for CCAP students may help some students participate in dual enrollment, research suggests that providing structured supports—such as academic counseling and clear course pathways—may be equally or more important in ensuring student success.

- 6) ***Arguments in Support.*** Supporters of this bill, including the California High School Coalition, argue that the bill removes a barrier that limits student participation in dual enrollment. They contend that requiring CCAP students to meet a 240-minute instructional threshold—compared to the 180-minute requirement for early and middle college high school students—creates scheduling and funding constraints that make it harder for school districts to expand dual enrollment programs.

SUPPORT

California High School Coalition (sponsor)
 Antelope Valley Union High School District
 Association of California School Administrators
 Bret Harte Union High School District
 California Charter Schools Association
 Centinela Valley Union High School District
 Children Now
 Fall River Joint Unified School District
 Hispanas Organized for Political Equality
 Liberty Union HS District
 Los Angeles Unified School District
 Merced Union High School District
 Mountain View - Los Altos Union High School District
 Roseville Joint Union High School District
 San Diego Unified School District
 Sierra Sands Unified School District
 Summerville Union High School District
 Taft Union High School District
 The Education Trust - West
 Wheatland Union High School District

OPPOSITION

None received

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