

**Introduced by Senator Roth**

February 22, 2019

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An act to amend Sections 79001 and 76002 of, and to add Article 7 (commencing with Section 52620) to Chapter 10 of Part 28 of Division 4 of Title 2 of the Education Code, relating to public schools.

**legislative counsel's digest**

SB 554, as introduced, Roth. Public schools: adult school pupils: Advanced Scholastic and Vocational Training Program.

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 parental permission.

This bill would authorize the governing board of a school district and the governing board of a community college district to authorize adult school pupils who are pursuing a high school diploma or a high school equivalency certificate to enroll as special part-time students, and receive credit in one or more community college courses during any session or term. If either governing board denies an eligible pupil's request for special part-time enrollment, the bill would require the governing board to issue, at its next regular board meeting, its written recommendation and the reasons for the denial. The bill would credit or reimburse the community college through the apportionment process for the pupil's attendance at the college, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 7 (commencing with Section 52620) is added to Chapter 10 of Part 28 of Division 4 of Title 2 of the Education Code, to read:

Article 7. Advanced Scholastic and Vocational Training  
Program

52620. (a) The governing board of a school district may determine which adult school pupils who are pursuing a high school diploma or a high school equivalency certificate would benefit from advanced scholastic or vocational work. The intent of this section is to help ensure a smoother transition from secondary education to college for these pupils by providing them with greater exposure to the collegiate atmosphere. The governing board of a school district may authorize those pupils, upon recommendation of the administrator of the pupil's adult school or community college noncredit program of attendance, to attend a community college during any session or term as special part-time students, and to undertake one or more courses of instruction offered at the community college level.

(b) If the governing board of a school district denies a request for the pupil's special part-time enrollment at a community college for any academic session or term, the governing board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled board meeting that falls at least 30 days after the request has been submitted.

(c) A pupil shall receive credit for community college courses that the pupil completes at the level determined appropriate by the governing boards of the school district and community college district.

52621. (a) For purposes of allowances and apportionments from Section B of the State School Fund, a community college shall be credited with additional units of average daily attendance attributable to the attendance of pupils at the community college as special part-time students.

(b) The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section

1 is authorized attendance for which the community college shall  
2 be credited or reimbursed pursuant to Section 48802 or 76002,  
3 provided that no school district has received reimbursement for  
4 the same instructional activity.

5 SEC. 2. Section 76001 of the Education Code is amended to  
6 read:

7 76001. (a) The governing board of a community college district  
8 may admit to any community college under its jurisdiction as a  
9 special part-time or full-time student in any session or term any  
10 student who is eligible to attend community college pursuant to  
11 ~~Section 48800 or 48800.5.~~ *48800, 48800.5, or 52620.*

12 (b) If the governing board denies a request for a special part-time  
13 or full-time enrollment at a community college for a pupil who is  
14 ~~identified as highly gifted,~~ *college,* the board shall record its  
15 findings and the reasons for denial of the request in writing within  
16 60 days. The written recommendation and denial shall be issued  
17 at the next regularly scheduled board meeting that falls at least 30  
18 days after the request has been submitted.

19 (c) The attendance of a pupil at a community college as a special  
20 part-time or full-time student pursuant to this section is authorized  
21 attendance, for which the community college shall be credited or  
22 reimbursed pursuant to ~~Sections 48802 and 76002.~~ *48802, 52621,*  
23 *and 76002.* Credit for courses completed shall be at the level  
24 determined to be appropriate by the school district and community  
25 college district governing boards.

26 (d) For purposes of this section, a special part-time student may  
27 enroll in up to, and including, 11 units per semester, or the  
28 equivalent thereof, at the community college.

29 (e) (1) Except as provided in paragraph (2), the governing board  
30 of a community college district shall assign a low enrollment  
31 priority to special part-time or full-time students described in  
32 subdivision (a) in order to ensure that these students do not displace  
33 regularly admitted students.

34 (2) This subdivision does not apply to a student attending a  
35 middle college high school as described in Section 11300, if the  
36 student is seeking to enroll in a community college course that is  
37 required for the student's middle college high school program.

38 SEC. 3. Section 76002 of the Education Code is amended to  
39 read:

1 76002. (a) For the purposes of receiving state apportionments,  
2 a community college district may include high school pupils who  
3 attend a community college within the district pursuant to Sections  
4 ~~48800 and 76001~~ 48800, 52620, and 76001 in the district's report  
5 of full-time equivalent students (FTES) only if those pupils are  
6 enrolled in community college classes that meet all of the following  
7 criteria:

8 (1) The class is open to the general public.

9 (2) (A) The class is advertised as open to the general public in  
10 one or more of the following:

11 (i) The college catalog.

12 (ii) The regular schedule of classes.

13 (iii) An addenda to the college catalog or regular schedule of  
14 classes.

15 (B) If a decision to offer a class on a high school campus is  
16 made after the publication of the regular schedule of classes, and  
17 the class is solely advertised to the general public through  
18 electronic media, the class shall be so advertised for a minimum  
19 of 30 continuous days prior to the first meeting of the class.

20 (3) If the class is offered at a high school campus, the class shall  
21 not be held during the time the campus is closed to the general  
22 public, as defined by the governing board of the school district  
23 during a regularly scheduled board meeting.

24 (4) If the class is a physical education class, no more than 10  
25 percent of its enrollment may be comprised of special part-time  
26 or full-time students. A community college district shall not receive  
27 state apportionments for special part-time and full-time students  
28 enrolled in physical education courses in excess of 5 percent of  
29 the district's total reported full-time equivalent enrollment of  
30 special part-time and full-time students.

31 (b) The governing board of a community college district may  
32 restrict the admission or enrollment of a special part-time or  
33 full-time student during any session based on any of the following  
34 criteria:

35 (1) Age.

36 (2) Completion of a specified grade level.

37 (3) Demonstrated eligibility for instruction using assessment  
38 methods and procedures established pursuant to Chapter 2  
39 (commencing with Section 78210) of Part 48 and regulations

1 adopted by the Board of Governors of the California Community  
2 Colleges.

3 (c) (1) The Chancellor of the California Community Colleges  
4 shall prepare and submit to the Department of Finance and the  
5 Legislature, on or before March 1, 2004, and March 1 of each year  
6 thereafter, a report on the amount of FTES claimed by each  
7 community college district for special part-time and special  
8 full-time students for the preceding academic year in each of the  
9 following class categories:

10 (A) Noncredit.

11 (B) Nondegree-applicable.

12 (C) Degree-applicable, excluding physical education.

13 (D) Degree-applicable physical education.

14 (2) The report prepared pursuant to paragraph (1) may include  
15 information required to be reported pursuant to paragraph (4) of  
16 subdivision (d) of Section 48800.

17 (d) The Board of Governors of the California Community  
18 Colleges shall adopt rules and regulations to implement this section.