

# Dual Enrollment is a Strategy for Equity:

How recent changes in California law increase the potential for Dual Enrollment to support student success and increase access to college

Studies have shown positive outcomes for students who participated in a high-quality Dual Enrollment while in high school, compared with their peers who didn't. They are more likely to graduate high school, enroll in college, and then either earn a certificate or degree, or transfer from a two-year to a four-year institution.<sup>1</sup>

**Dual Enrollment opportunities will expand in California with new amendments to state law.**

**Most notably, partnerships created under the College and Career Access Pathways law (CCAP, also known as AB288) will be available to students five years longer because CCAP now sunsets in 2027 instead of 2022. Other important changes:**

- **Simplified enrollment and application processes** – Students now submit a parental consent form, principal recommendation, and application only once for the duration of their CCAP participation, instead of completing a new set of documents each semester. (Partnerships should revisit their processes to reflect this.)
- **Priority registration** – Units earned in a CCAP program now count toward eligibility for priority registration and enrollment at community colleges.
- **Simplified CCAP agreement adoption** – Districts may now adopt a CCAP agreement at the first public meeting when it is discussed.
- **Broadened access to community college** – Continuation high school students are now named specifically among students able to participate in CCAP programs.
- **Alignment with labor market** – CCAP partnerships must now consult local Workforce Investment Boards and align career technical education courses with regional and statewide labor markets.
- **Reporting** – The California Community Colleges Chancellor's Office must report on Dual Enrollment on Jan. 1, 2020 (moved up from 2021), and then every five years.

These changes were part of AB30, which amends CCAP. Gov. Gavin Newsom signed AB30 in October, and it takes effect in January.

**Another new law, known as SB554, which also takes effect in 2020, allows students in a GED or other high school diploma equivalency program to participate in Dual Enrollment.**

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<sup>1</sup> Community College Research Center. What Happens to Students Who Take Community College "Dual Enrollment" Courses in High School? <https://ccrc.tc.columbia.edu/publications/what-happens-community-college-dual-enrollment-students.html>

California Education Codes and State Active Legislation Influencing Dual Enrollment<sup>1</sup> as of January 26, 2016

Relevant Topic / Issues	Ed Code(s)	Assembly Bill	Senate Bill
<b>Partnership Related</b>			
Secondary-postsecondary collaboration		<u>288</u>	
Long Beach Promise	<u>48810-48814, 76003</u>		<u>650</u>
Early College High Schools <sup>2</sup>	<u>11302, 46141 &amp; 46146.5, 76300</u>		<u>379, 1316</u>
Middle College High Schools	<u>11300, 46141, 46146.5, 76001</u>	<u>230</u>	
<b>Instruction-Related</b>			
Aligned sequences of coursework	<u>48800, 76004</u>	<u>288</u>	<u>650</u>
Attendance tracking	<u>46140-46147, 48802, 76001</u>		
Average Daily Attendance (ADA)			<u>292</u>
Required minutes of instruction	<u>46144, 46142, 46146</u>		<u>1316</u>
<u>Teacher / instructor qualifications</u>	<u>51225.3</u>	<u>288</u>	
Course offerings (e.g., open or closed to public, advertisement of, when offered)	<u>76002</u>	<u>288</u>	
<b>Student-Related</b>			
Nonresident students	<u>68130.5, 76000, 76140</u>	<u>540</u>	<u>150</u>
Residency for Tuition Status	<u>68000, 76140, 76140.5</u>		
Exemption of enrollment fees and nonresident tuition	<u>76300, 76140, 76141</u>		<u>150</u>
Participation eligibility / requirements	<u>48800, 76001, 76002, 76003, 76004</u>	<u>288</u>	<u>338</u>
Enrollment / FTES caps	<u>48800, 76001, 76002, 76004</u>	<u>288, 1540</u>	<u>1303</u>
Assessment	<u>48810.5</u>		<u>946</u>
Priority Registration	<u>76001, 76004</u>	<u>288, 967</u>	
Noncredit Coursework	<u>78401</u>		
<b>Funding-Related</b>			
Funding streams	<u>48813</u>		<u>70, 1070</u>

<sup>1</sup> This table is not exhaustive and there may be relevant legislation and ed codes that are not included.

<sup>2</sup> See [overview of relevant legislation](#) provided by the California Coalition of Early and Middle Colleges.

Reimbursement / apportionment	<u>48802, 76001, 76002, 76004</u>	<u>288</u>	
Evaluation and Reporting-Related			
Evaluation / reporting requirements	<u>48800(4), 48813.5, 76002, 76004</u>	<u>288</u>	
Reporting of FTES counts	<u>48800, 76001, 76002, 76004, 76140</u>	<u>288</u>	



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## Dual and Concurrent Enrollment Strategies

This page describes the pertinent statutes that concern Early College High Schools (ECHS), Middle College High Schools (MCHS) and College and Career Access Pathways (CCAP) partnerships.

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California *Education Code*(EC), Section 48800 provides that the governing board of a school district may determine which students may benefit from advanced scholastic or vocational work. The governing board may authorize those students, upon recommendation from their principal and with parental consent, to attend a community college as a special part-time student and to enroll in one or more courses offered at the community college level. The purpose of the code is to provide educational enrichment for a limited number of eligible pupils. The educational enrichment opportunity will typically result in a request for concurrent enrollment in courses not currently offered by the approving school.

### Early and Middle College High Schools

Students enrolled in Early College High Schools (ECHS) and Middle College High Schools (MCHS) can earn college credit through dual enrollment and concurrent enrollment strategies. ECHS are innovative partnerships between public or charter secondary schools and local community colleges that allow high school students to earn both their high school diplomas and Associates Degree with typically minor cost to the student. MCHS are secondary schools located on a college campus offering challenging academic programs and designed to serve high-potential, high-risk students. MCHS offer effective support services, small class size and the opportunity for students to concurrently take some college classes at typically minor cost to the student. [The California Community Colleges Chancellor's Office](#)  web page provides pertinent reference information regarding dual enrollment.

Under *EC* Section 46208, ECHS and MCHS operated by school districts must offer at least 180 days of instruction per year. All students in grades 9-12 must be offered at least 64,800 instructional minutes each year. In addition, students must be scheduled for at least the minimum school day in order for a day to count as a day of instruction. *EC* Section 46146.5 exempts an ECHS and a MCHS operated by school districts from the 240-minute minimum school day requirement for students who are concurrently enrolled. The legislation provides that a minimum school day for an ECHS or MCHS student is 180 minutes if the student is a special part-time student enrolled in a community college under specified provisions, or the student is in grades 11 or 12 and is also enrolled part-time in classes at the California State University or the University of California campuses.

Under the *California Code of Regulations*, Title 5, Section 11960, charter ECHS and charter MCHS must offer students at least 175 instructional days. Similar to school districts, all 9-12 grade students in charter ECHS and charter MCHS must be offered at least 64,800 instructional minutes per year and at least 80 percent of the instructional time offered by the charter school must be at the school site to generate classroom based attendance. For charter ECHS and charter MCHS, the minimum

instructional time scheduling requirement for generating classroom based attendance is reduced (by *EC* Section 46146.5) from 80 percent to 50 percent if the student is a special part-time student enrolled in a community college under specific provisions, or the student is in grades 11 or 12 and is also enrolled part-time in classes at the California State University or the University of California campuses. For students who are enrolled at a charter ECHS or charter MCHS and not enrolled in courses of a California State University, a University of California, or as special part time students at a community college under specified provisions, *EC* Section 46146.5 reduces the minimum 80 percent instructional time scheduling requirement to 67 percent in order to generate classroom based attendance.

## **College and Career Access Pathways Partnerships**

*EC* Section 76004 expands dual enrollment opportunities by reducing fiscal penalties and policy barriers that might discourage dual enrollment opportunities. The statute provides that the governing board of a community college district may enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or charter school for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

School districts with a CCAP partnership agreement must offer at least 180 days of instruction per year. All students in grades 9-12 must be offered at least 64,800 instructional minutes each year. In addition, students must be scheduled for at least the minimum school day in order for a day to count as a day of instruction. School districts with a CCAP partnership agreement are exempted from the 240-minute minimum school day requirement for students who are concurrently enrolled. A minimum school day for a student enrolled at a school district with a CCAP partnership agreement is 180 minutes if the student is a special part-time student enrolled in a community college under specified provisions and who will receive academic credit upon satisfactory completion of enrolled courses. Students who are scheduled for 180 minutes generate a maximum three-quarters of an ADA.

Charter schools with a CCAP partnership agreement must offer students at least 175 instructional days. Similar to school districts, all 9-12 grade students in charter schools with a CCAP partnership agreement must be offered at least 64,800 instructional minutes per year and at least 80 percent of the instructional time offered by the charter school must be at the school site to generate classroom based attendance. In addition, students must be scheduled for at least 80 percent of the required annual instructional minutes at the school site in order to generate classroom based attendance. For charter schools with a CCAP partnership agreement, *EC* Section 76004 reduces the minimum 80 percent instructional time scheduling requirement in order to generate classroom based attendance to 50 percent if the student is enrolled as special part time student at a community college and will receive academic credit upon satisfactory completion of enrolled courses.

If you have additional questions regarding this topic, please contact Carolyn Hamilton, Education Programs Consultant, Career and College Transition Division, by phone at 916-323-5765 or by e-mail at [chamilton@cde.ca.gov](mailto:chamilton@cde.ca.gov).

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**Dual Enrollment: Considerations Regarding Agreements for College and Career Access Pathway (CCAP) Partnerships and Non-CCAP Partnerships**

Both CCAP and previous legislation (non-CCAP) allow for dual enrollment of high school students in college courses. CCAP is an option, not a mandate. Colleges and their partners may:

- (1) continue to operate under non-CCAP agreements,\*
- (2) continue to operate without agreements,\*
- (3) enter into new non-CCAP agreements,\* and
- (4) enter into CCAP partnership agreements in accordance with Education Code Section 76004 (AB 288).\*\*

If a college district enters into a CCAP partnership agreement with a school district, and abide by the requirements, special part-time high school students (SPTHSS) can enroll in more units per term and colleges can claim apportionment even on classes offered at the high school that are closed to the public.

	Non-CCAP***	CCAP
<b>Purpose</b>	Providing advanced scholastic and vocational training to students who are determined to be ready to undertake college credit coursework.	Expanding dual enrollment for students who may not already be college bound or who are underrepresented in higher education.
<b>Goals</b>	Providing opportunities for eligible K12 students to benefit from advanced scholastic or vocational course work.	Goal of <i>seamless pathways</i> to community college for: CTE or transfer, improving high school graduation rates, or college and career readiness.
<b>Partners</b>	A community college and a local high school, a community college district and a school district, a community college district and a high school, and community college and a high school district.	Must be a community college <i>district</i> and a school <i>district</i> .
<b>Courses</b>	College level academic and CTE.	Must be a part of a pathway, may be college level and/or developmental math or English under certain circumstances and CTE.
<b>Enrollment for purposes of Special Part-Time Student Status</b>	<ul style="list-style-type: none"> <li>● SPTHSS allowed to enroll in up to 11.99 units per term.</li> <li>● SPTHSS have lowest enrollment priority.</li> </ul>	<ul style="list-style-type: none"> <li>● SPTHSS allowed to enroll in up to 15 units (4 courses) per term.</li> <li>● SPTHSS may have same priority enrollment as Middle College HS students.</li> </ul>

# DUAL ENROLLMENT

	Non-CCAP***	CCAP
<b>Apportionment</b>	<p>District may claim apportionment for a course that is open to the general public. If the course is offered at a high school campus, the course shall not be held during the time the campus is closed to the general public.</p> <p>The course, and FTES generated in such courses, must also comply with all other applicable statutory or regulatory requirements related to the claiming the attendance of special admit students.</p>	<p>District may claim apportionment for a course offered on the college campus and for a closed course located on a high school campus to CCAP participants.</p> <p>The course, and FTES generated in such courses, must also comply with all other applicable statutory or regulatory requirements related to claiming the attendance of special admit students as applicable to CCAP partnerships.</p>
<b>Approval Process</b>	<p>If the school district and community college district enter into an agreement, it is advised that it be approved by both boards.</p>	<p>Agreement must be presented to <u>each district's board twice at subsequent meetings</u> that are open to the public--once as an information item and again for public comments and a board vote to approve or disapprove AND submitted to CCCCCO for approval before students are enrolled.</p>
<b>Reporting</b>	MIS	Additional reporting requirements including data sharing agreement.

For more detailed information, including requirements of agreements and other requirements, please see the following resources:

- Legal Opinion 16-02: [http://extranet.cccco.edu/Portals/1/Legal/Legal%20Opinions/Legal%20Opinion%2016-02%20Dual%20Enrollment%20and%20AB%20288%20\(CCAP\).pdf](http://extranet.cccco.edu/Portals/1/Legal/Legal%20Opinions/Legal%20Opinion%2016-02%20Dual%20Enrollment%20and%20AB%20288%20(CCAP).pdf)
- College and Career Access Pathways (CCAP) Partnership Agreement Guidelines for Apportionment Eligibility: [http://extranet.cccco.edu/Portals/1/Legal/Guidelines/AB\\_288\\_College\\_and\\_Career\\_Access\\_Pathways\\_Apportionment\\_Eligibility\\_Guidelines\\_3-11-16.pdf](http://extranet.cccco.edu/Portals/1/Legal/Guidelines/AB_288_College_and_Career_Access_Pathways_Apportionment_Eligibility_Guidelines_3-11-16.pdf)
- This document is a part of the Dual Enrollment Toolkit, created by the Career Ladders Project and the RP Group in partnership with the California Community Colleges Chancellor's Office (CCCCO). Funded by the CCCCCO, Rancho Santiago Community College District and the James Irvine Foundation.
- Items 1-3 refer to non-CCAP partnerships.\*
- Item 4 refers to a CCAP partnership.\*\*

\*\*\*Please follow your local board procedure regarding contacts for off-campus courses.

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**AB 288 (Dual Enrollment)  
College and Career Access Pathways (CCAP)  
Partnership Agreement Guidelines for Apportionment Eligibility  
March 2016**

Community college districts may claim full-time equivalent student (FTES) and state apportionment for courses given through AB 288 (dual enrollment) College and Career Access Pathways (CCAP) Partnership Agreements provided that California Education Code (EC) and California Code of Regulations, Title 5 requirements are met as outlined in this document. Other regulations and/or statutes may apply, and other subject matters (e.g., facilities and student code of conduct) not related to state apportionment eligibility may also be covered in such partnership agreements.

These guidelines paraphrase applicable sections of Education Code and Title 5 and apply only to programs and/or courses conducted in an AB 288 CCAP Partnership Agreement with a California public school district. The following list of required elements should be used as a guide in the preparation of these agreements/contracts. Please also refer to Legal Opinion 16-02 (Dual Enrollment and AB 288) for legal guidance on some of these elements.

**Legal Authority, Adoption, and Terms**

1. A participating community college district may enter into a CCAP partnership with a public school district partner that is governed by an AB 288 CCAP Partnership Agreement approved by the governing boards of both districts. EC § 76004(a)
2. The AB 288 CCAP Partnership Agreement shall be for the purpose of offering or expanding dual enrollment opportunities for students who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. The community college district shall not provide physical education course opportunities to high school pupils participating in the AB 288 CCAP Partnership Agreement or any other course opportunities that do not assist in the attainment of at least one of these goals. EC §§ 76004(a) and 76004(d)
3. A community college district shall not enter into an AB 288 CCAP partnership with a school district within the service area of another community college district, except



where an agreement exists, or is established, between those community college districts authorizing that AB 288 CCAP partnership. EC §§ 76004(e) and 78032

4. Before adopting the AB 288 CCAP Partnership Agreement, the governing board of each district, at an open public meeting of that board, shall present the dual enrollment partnership agreement as an informational item. EC § 76004(b)
5. The governing board of each district, at a subsequent open public meeting of that board, shall take comments from the public and approve or disapprove the proposed AB 288 CCAP Partnership Agreement. A copy of the approved AB 288 CCAP Partnership Agreement shall be filed with the Chancellor's Office of the California Community Colleges. The Chancellor of the California Community Colleges may void any AB 288 CCAP Partnership Agreement it determines has not complied with the intent of the requirements of EC § 76004. (Note: Districts are advised to entitle the agreement/contract as "College and Career Access Pathways Partnership Agreement" to ensure that the district is triggering the legal rights under AB 288.) EC § 76004(b); 76004(c)(3)
6. The AB 288 CCAP Partnership Agreement shall outline the terms of the CCAP partnership and shall include, but not necessarily be limited to:
  - a. The total number of high school students to be served. EC § 76004(c)(1)
  - b. The total number of Full-Time Equivalent Student (FTES) projected to be claimed by the community college district. EC § 76004(c)(1)
  - c. The scope, nature, time, location and listing of community college courses to be offered. EC § 76004(c)(1)
  - d. The criteria to assess the ability of pupils to benefit from courses offered pursuant to an AB 288 CCAP Partnership Agreement. EC § 76004(c)(1)
  - e. The protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. EC § 76004(c)(1)
  - f. The point of contact for the participating community college district and school district partner. EC § 76004(c)(2)
  - g. Specification of which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education. This specification does not abrogate the "employee of the [community college] district" provisions under Cal. Code Regs., tit. 5, §§

58050(a)(6), 58051(a)(1) and 58058 and as discussed under item 14 below. EC § 76004(m)(1)

- h. Specification of which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates. EC § 76004(m)(2)

**Required AB 288 CCAP Partnership Agreement Certifications**

7. The AB 288 CCAP Partnership Agreement shall include the following certifications:

- a. That any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in ECS 87010, or any controlled substance offense as defined in ECS 87011. EC § 76004(h)
- b. That any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus. EC § 76004(i)
- c. That a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus. EC § 76004(j)
- d. That a community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus. EC § 76004(k)(1)
- e. That a community college course that is oversubscribed or has a waiting list shall not be offered in the AB 288 CCAP Partnership Agreement. EC § 76004(k)(2)
- f. That participation in the AB 288 CCAP Partnership Agreement is consistent with the core mission of the community colleges pursuant to ECS 66010.4, and that pupils participating in the AB 288 CCAP Partnership Agreement will not lead to enrollment displacement of otherwise eligible adults in the community college. EC § 76004(k)(3 )
- g. That any remedial course taught by community college faculty (which includes a qualified high school teacher teaching a college course as an “employee” of the community college district pursuant to CCR, Title 5 Section 58058(b)) at a partnering high school campus shall be offered only to high school students who do not meet their grade level standard in math, English, or both based on an interim assessment in grade 10 or 11, as determined by the partnering school

district, and that the delivery of these remedial courses shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the student's junior or senior year to ensure the student is prepared for college-level work upon high school graduation. EC § 76004(n)

- h. That both the school district and the community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching an AB 288 CCAP Partnership Agreement course offered for high school credit. EC § 76004(l)

#### **Permissive AB 288 CCAP Partnership Agreement Activities and Practices**

8. As applicable, the AB 288 CCAP Partnership Agreement shall make reference to the following permissive activities and/or practices if put into effect by the agreement:
  - a. A community college district participating in a CCAP partnership may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in ECS 11300 and consistent with middle college high school provisions in EC § 76001(e).
  - b. A community college district may limit enrollment in a community college course solely to eligible high school students if the course is offered at a high school campus during the regular school day and the community college course is offered pursuant to the AB 288 CCAP Partnership Agreement. EC § 76004(o)
  - c. A community college district may allow a special part-time student participating in the AB 288 CCAP Partnership Agreement to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied (EC § 76004(p)):
    - i. The units constitute no more than four community college courses per term.
    - ii. The units are part of an academic program that is part of a CCAP partnership agreement.
    - iii. The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

**Student Fees**

9. The AB 288 CCAP Partnership Agreement shall make reference to the following student fee prohibitions and exemptions:
- a. High school pupils enrolled in courses offered through a CCAP agreement shall not be assessed or charged a fee prohibited by EC § 49011, including a fee charged to a pupil, or a pupil's parent or guardian, as a condition for course registration or for textbooks, supplies, materials, and equipment needed to participate in the course. EC §§ 49010 et seq.; 76004(f)
  - b. High school pupils enrolled in courses offered through the AB 288 CCAP Partnership Agreement and that are properly classified as having "special part-time student" status as described by EC § 76004(p) and item 8.c. above, shall be exempt from the following community college fee requirements [ECS 76004(q)]:
    - i. Student Representation Fee. EC § 76060.5
    - ii. Nonresident Tuition Fee. EC § 76140
    - iii. Transcript Fees. EC § 76223
    - iv. Course Enrollment Fees. EC § 76300
    - v. Apprenticeship Course Fees. EC § 76350
    - vi. Child Development Center Fees. EC § 79121

**State Apportionment**

10. The AB 288 CCAP Partnership Agreement shall make reference to the following state apportionment eligibility provisions:
- a. A district shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment. EC § 76004(r)
  - b. The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to a CCAP agreement is authorized attendance for which the community college district shall be credited or reimbursed pursuant to ECS 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity. EC § 76004(s)

**Reporting to the State Chancellor's Office**

11. The AB 288 CCAP Partnership Agreement shall make reference to the following reporting requirement as prescribed by EC § 76004(t):
- a. For each AB 288 CCAP Partnership Agreement entered into, the community college district, in conjunction with the partnering school district, shall report annually to the State Chancellor's Office all of the following information:
    - i. The total number of high school pupils by school site enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.
    - ii. The total number of community college courses by course category and type and by school site enrolled in by CCAP partnership participants.
    - iii. The total number and percentage of successful course completions, by course category and type and by school site, of CCAP partnership participants.
    - iv. The total number of Full-Time Equivalent Student (FTES) generated by CCAP partnership participants.

**Other AB 288 CCAP Partnership Agreement Requirements**

12. The governing board of a community college district, prior to establishing a vocational or occupational training program (career technical education programs), shall conduct a job market study of the labor market area, and determine whether or not the results justify the proposed vocational education program. EC § 78015 et seq.
13. The AB 288 CCAP Partnership Agreement must state:
- a. the responsibilities of each party, including a notation that if operated on-site by the school district, the college or community college district is responsible for the educational program(s) and/or course(s),
  - b. the procedures, terms and conditions relating to:
    - i. enrollment period,
    - ii. student fees, including as noted above under item 9,
    - iii. the number of class hours sufficient to meet the stated performance objectives (if applicable),
    - iv. supervision and evaluation of students,
    - v. withdrawal of students prior to completion of a course or program, and

- c. the terms and conditions relating to cancellation and termination of the AB 288 CCAP Agreement.
  
14. The college or community college district has documentation that instruction claimed for apportionment under the agreement/contract is under the immediate supervision and control of an employee of the district who has met the minimum qualifications for instruction in the discipline of the course in a California community college. Instructors need to provide the supervision and control necessary for the protection of the health and safety of students and may not have any other assigned duty during the instructional activity. As a general rule, faculty must be physically present in the classroom or lab or within line-of-sight of the students. Cal. Code Regs., tit. 5, §§ 58050, 58051, 58056, 58058
  - a. Where the instructor is not a paid employee of the community college district, the college or community college district has an additional written agreement/contract with each instructor requiring student attendance and FTES to be reported by the instructor as required by the college or community college district and stating that the college or community college district has the primary right to control and direct the instructional activities of the instructor. Cal. Code Regs., tit. 5, § 58058(b)
  - b. The college or community college district must demonstrate control and direction through such actions as providing the instructor an orientation, instructor's manual, course outlines, curriculum materials, testing and grading procedures, and any other materials and services it would provide to its hourly on-campus instructors.
  
15. The college or community college district lists minimum qualifications for instructors teaching agreement/ contract courses and instructor qualifications are consistent with requirements in other similar courses given by the college or community college district. Cal. Code Regs., tit. 5, § 53410
  
16. Unless as provided under EC § 76004(o) and 8.b. above, the course(s) included in the agreement must be held at facilities which are clearly identified as being open to the general public, noting that students may be required to meet course or program prerequisites. Cal. Code Regs., tit. 5, § 58051.5
  - a. Unless as provided under EC § 76004(o) and 8.b. above, enrollment in the course must be open to any person who has been admitted to the college and has met any applicable prerequisites. Cal. Code Regs., tit. 5, §§ 51006, 58106

- b. The district policy on open enrollment (Cal. Code Regs., tit. 5, § 55005) along with a description of the course and information about whether the course is offered for credit and is transferable must be published in the college catalogue, schedule of classes, and any addenda to the schedule of classes. Cal. Code Regs., tit. 5, § 51006
  - c. Degree and certificate programs must have been approved by the California Community Colleges Chancellor's Office and courses that make up the programs must be part of the approved programs, or the college must have received delegated authority to separately approve those courses locally. Cal. Code Regs., tit. 5, § 58050(a)(1)
17. Procedures are put into place by the college to ensure that faculty teaching different sections of the same course teach in a manner consistent with the approved outline of record for that course. Cal. Code Regs., tit. 5, § 55002, 58050(a)(5)
  18. Permanent records of student attendance, grades and achievement will be maintained by the school district or college (as determined appropriate by the community college district). Records will be open for review at all times by college officials and submitted on a schedule developed by the community college district. Cal. Code Regs., tit. 5, § 55021; 55040; 58030
  19. It is agreed that both the school district and community college district will insure that ancillary and support services are provided for students (e.g. Counseling and Guidance, Placement Assistance, Assessment, and Tutoring).
  20. The community college district must certify that it does not receive full compensation for the direct education costs of the course(s) from any public or private agency, individual, or group. EC § 84752; Cal. Code Regs., tit. 5, § 58051.5
  21. The community college district is responsible for obtaining certification from the school district verifying that the instructional activity to be conducted will not be fully funded by other sources. EC § 84752; Cal. Code Regs., tit. 5, § 58051.5
  22. If the course(s) will be located outside the boundaries of the district, the district must comply with the requirements of Title 5, sections 55300 et seq., concerning approval by adjoining high school or community college districts and use of non-district facilities.
  23. In all cases, standard FTES computation rules, support documentation, course section tabulations, and record retention requirements continue to apply, including as prescribed by Cal. Code Regs., tit. 5, §§ 58003.1 et seq. , 58020 et seq., 58030 and 59020 et seq..



## AB-30 Community colleges: College and Career Access Pathways partnerships. (2019-2020)

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### Assembly Bill No. 30

#### CHAPTER 510

An act to amend Section 76004 of the Education Code, relating to community colleges.

[ Approved by Governor October 04, 2019. Filed with Secretary of State  
October 04, 2019. ]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 30, Holden. Community colleges: College and Career Access Pathways partnerships.

Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district or the governing body of a charter school with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. Existing law requires the partnership agreement to outline the terms of the partnership, as specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses. Existing law requires the governing board of each district, at an open public meeting of that board, to present the dual enrollment partnership agreement as an informational item, as a condition of, and before adopting, a CCAP partnership agreement. Existing law requires the governing board of each district, at a subsequent open public meeting of that board, to take comments from the public and approve or disapprove the proposed agreement. Existing law authorizes a community college district participating in a CCAP partnership to assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school and consistent with specified middle college high school provisions. Existing law repeals these provisions on January 1, 2022.

This bill would require those protocols described above to require a high school pupil participating under a CCAP partnership to submit only one parental consent form and principal recommendation, and would require the Chancellor of the California Community Colleges, on or before July 31, 2020, to revise the special part-time student application process to allow a pupil to complete one application, for the duration of the pupil's participation under the CCAP partnership. The bill would eliminate the requirement imposed on the governing board of each district entering into a CCAP partnership agreement to present the dual enrollment partnership agreement as an informational item at a separate open public meeting of that board before taking public comment and acting to approve or disapprove the proposed agreement. The bill would provide that units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college. The bill would require the CCAP partnership agreement to include a plan, instead of a certification, by the participating community college district



to ensure specified conditions are met. The bill would extend the operation of the CCAP partnership provisions until January 1, 2027.

This bill would incorporate additional changes to Section 76004 of the Education Code proposed by SB 586 to be operative only if this bill and SB 586 are enacted and this bill is enacted last.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** The Legislature finds and declares all of the following:

(a) Research has shown that dual enrollment can be an effective means of improving educational outcomes for a broad range of students.

(b) Dual enrollment has historically targeted high-achieving students; however, increasingly, educators and policymakers are looking toward dual enrollment as a strategy to help students who struggle academically or who are at risk of dropping out.

(c) Allowing a greater and more varied segment of high school pupils to take community college courses could provide numerous benefits to both the pupils and the state, such as reducing the number of high school dropouts, increasing the number of community college students who transfer and complete a degree, shortening the time to completion of educational goals, and improving the level of preparation of students to successfully complete for-credit, college-level courses.

(d) California should rethink its policies governing dual enrollment, and establish a policy framework under which school districts and community college districts could create dual enrollment partnerships as one strategy to provide critical support for underachieving students, those from groups underrepresented in postsecondary education, those who are seeking advanced studies while in high school, and those seeking a career technical education credential or certificate.

(e) Through dual enrollment partnerships, school districts and community college districts could create clear pathways of aligned, sequenced coursework that would allow students to more easily and successfully transition to for-credit, college-level coursework leading to an associate degree, transfer to the University of California or the California State University, or to a program leading to a career technical education credential or certificate.

(f) To facilitate the establishment of dual enrollment partnerships, the state should remove fiscal penalties and policy barriers that discourage dual enrollment opportunities. By reducing some of these restrictions, it will be possible to expand dual enrollment opportunities, thereby saving both students and the state valuable time, money, and scarce educational resources.

### **SEC. 2.** Section 76004 of the Education Code is amended to read:

#### **76004.** Notwithstanding Section 76001 or any other law:

(a) The governing board of a community college district may enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for pupils who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school, including continuation high school, to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

(b) A participating community college district may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a condition of adopting a CCAP partnership agreement, the governing board of each district, at an open public meeting of that board, shall present the dual enrollment partnership agreement, take comments from the public, and approve or disapprove the proposed agreement.

(c) (1) The CCAP partnership agreement shall outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school pupils to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those pupils; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses. The CCAP partnership agreement shall also establish protocols for

information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. The protocols shall only require a high school pupil participating in a CCAP partnership to submit one parental consent form and principal recommendation for the duration of the pupils participation in the CCAP partnership.

(2) The CCAP partnership agreement shall identify a point of contact for the participating community college district and school district partner.

(3) A copy of the CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership. The chancellor may void any CCAP partnership agreement it determines has not complied with the intent of the requirements of this section.

(d) A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school pupils pursuant to this section or any other course opportunities that do not assist in the attainment of at least one of the goals listed in subdivision (a).

(e) A community college district shall not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

(f) A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Section 49011.

(g) (1) A community college district participating in a CCAP partnership may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Section 11300 and consistent with middle college high school provisions in Section 76001.

(2) Units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college.

(h) The CCAP partnership agreement shall certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Section 87010, or any controlled substance offense as defined in Section 87011.

(i) The CCAP partnership agreement shall certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.

(j) The CCAP partnership agreement shall certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.

(k) The CCAP partnership agreement shall include a plan by the participating community college district to ensure all of the following:

(1) A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus.

(2) A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership.

(3) Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.

(l) The CCAP partnership agreement shall certify that both the school district and community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.

(m) The CCAP partnership agreement shall specify both of the following:

(1) Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education.

(2) Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

(n) The CCAP partnership agreement shall certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school pupils who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the pupil's junior or senior year to ensure the pupil is prepared for college-level work upon graduation.

(o) (1) A community college district may limit enrollment in a community college course solely to eligible high school pupils if the course is offered at a high school campus, either in person or using an online platform, during the regular schoolday and the community college course is offered pursuant to a CCAP partnership agreement.

(2) For purposes of allowances and apportionments from Section B of the State School Fund, a community college district conducting a closed course on a high school campus pursuant to paragraph (1) shall be credited with those units of full-time equivalent students attributable to the attendance of eligible high school pupils.

(p) A community college district may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

(1) The units constitute no more than four community college courses per term.

(2) The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article.

(3) The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

(q) The governing board of a community college district participating in a CCAP partnership agreement established pursuant to this article shall exempt special part-time students described in subdivision (p) from the fee requirements in Sections 76060.5, 76223, 76300, 76350, and 79121.

(r) A district shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

(s) (1) The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity.

(2) For purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the schoolsite, and the charter school shall require the attendance of a pupil for a minimum of 50 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5, if the pupil is also a special part-time student enrolled in a community college pursuant to this section and the pupil will receive academic credit upon satisfactory completion of enrolled courses.

(t) (1) For each CCAP partnership agreement entered into pursuant to this section, the affected community college district and school district shall report annually to the office of the Chancellor of the California Community Colleges all of the following information:

(A) The total number of high school pupils by schoolsite enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.

(B) The total number of community college courses by course category and type and by schoolsite enrolled in by CCAP partnership participants.

(C) The total number and percentage of successful course completions, by course category and type and by schoolsite, of CCAP partnership participants.

(D) The total number of full-time equivalent students generated by CCAP partnership community college district participants.

(E) The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

(2) On or before January 1, 2021, the chancellor shall prepare a summary report that includes an evaluation of the CCAP partnerships, an assessment of trends in the growth of special admits systemwide and by campus, and, based upon the data collected pursuant to this section, recommendations for program improvements, including, but not necessarily limited to, both of the following:

(A) Any recommended changes to the statewide cap on special admit full-time equivalent students to ensure that adults are not being displaced.

(B) Any recommendation concerning the need for additional student assistance or academic resources to ensure the overall success of the CCAP partnerships.

(3) The chancellor shall ensure that the number of full-time equivalent students generated by CCAP partnerships is reported pursuant to the reporting requirements in Section 76002.

(4) On or before July 31, 2020, the chancellor shall revise the special part-time student application process to allow a pupil to complete one application for the duration of the pupil's attendance at a community college as a special part-time student participating in a CCAP partnership agreement.

(u) The annual report required by subdivision (t) shall also be transmitted to all of the following:

(1) The Legislature, in compliance with Section 9795 of the Government Code.

(2) The Director of Finance.

(3) The Superintendent.

(v) A community college district that violates this article, including, but not necessarily limited to, any restriction imposed by the board of governors pursuant to this article, shall be subject to the same penalty as may be imposed pursuant to subdivision (d) of Section 78032.

(w) The statewide number of full-time equivalent students claimed as special admits shall not exceed 10 percent of the total number of full-time equivalent students claimed statewide.

(x) Nothing in this section is intended to affect a dual enrollment partnership agreement existing on the effective date of this section under which an early college high school, a middle college high school, or California Career Pathways Trust existing on the effective date of this section is operated. An early college high school, middle college high school, or California Career Pathways Trust partnership agreement existing on the effective date of this section shall not operate as a CCAP partnership unless it complies with this section.

(y) The governing body of a charter school may enter into a CCAP partnership agreement with the governing board of a community college district pursuant to this section. That CCAP partnership agreement shall comply with all applicable requirements of this section.

(z) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

**SEC. 2.5.** Section 76004 of the Education Code is amended to read:

**76004.** Notwithstanding Section 76001 or any other law:

(a) The governing board of a community college district may enter into a College and Career Access Pathways (CCAP) partnership with the governing board of a school district for the purpose of offering or expanding dual enrollment opportunities for pupils who may not already be college bound or who are underrepresented in higher education, with the goal of developing seamless pathways from high school, including continuation high school, to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

(b) A participating community college district may enter into a CCAP partnership with a school district partner that is governed by a CCAP partnership agreement approved by the governing boards of both districts. As a

condition of adopting a CCAP partnership agreement, the governing board of each district shall do both of the following:

(1) For career technical education pathways to be provided under the partnership, consult with, and consider the input of, the appropriate local workforce development board to determine the extent to which the pathways are aligned with regional and statewide employment needs. The governing board of each district shall have final decisionmaking authority regarding the career technical education pathways to be provided under the partnership.

(2) Present, take comments from the public on, and approve or disapprove the dual enrollment partnership agreement at an open public meeting of the governing board of the district.

(c) (1) The CCAP partnership agreement shall outline the terms of the CCAP partnership and shall include, but not necessarily be limited to, the total number of high school pupils to be served and the total number of full-time equivalent students projected to be claimed by the community college district for those pupils; the scope, nature, time, location, and listing of community college courses to be offered; and criteria to assess the ability of pupils to benefit from those courses. The CCAP partnership agreement shall also establish protocols for information sharing, in compliance with all applicable state and federal privacy laws, joint facilities use, and parental consent for high school pupils to enroll in community college courses. The protocols shall only require a high school pupil participating in a CCAP partnership to submit one parental consent form and principal recommendation for the duration of the pupil's participation in the CCAP partnership.

(2) The CCAP partnership agreement shall identify a point of contact for the participating community college district and school district partner.

(3) A copy of the CCAP partnership agreement shall be filed with the office of the Chancellor of the California Community Colleges and with the department before the start of the CCAP partnership. The chancellor may void any CCAP partnership agreement it determines has not complied with the intent of the requirements of this section.

(d) A community college district participating in a CCAP partnership shall not provide physical education course opportunities to high school pupils pursuant to this section or any other course opportunities that do not assist in the attainment of at least one of the goals listed in subdivision (a).

(e) A community college district shall not enter into a CCAP partnership with a school district within the service area of another community college district, except where an agreement exists, or is established, between those community college districts authorizing that CCAP partnership.

(f) A high school pupil enrolled in a course offered through a CCAP partnership shall not be assessed any fee that is prohibited by Section 49011.

(g) (1) A community college district participating in a CCAP partnership may assign priority for enrollment and course registration to a pupil seeking to enroll in a community college course that is required for the pupil's CCAP partnership program that is equivalent to the priority assigned to a pupil attending a middle college high school as described in Section 11300 and consistent with middle college high school provisions in Section 76001.

(2) Units completed by a pupil pursuant to a CCAP agreement may count towards determining a pupil's registration priority for enrollment and course registration at a community college.

(h) The CCAP partnership agreement shall certify that any community college instructor teaching a course on a high school campus has not been convicted of any sex offense as defined in Section 87010, or any controlled substance offense as defined in Section 87011.

(i) The CCAP partnership agreement shall certify that any community college instructor teaching a course at the partnering high school campus has not displaced or resulted in the termination of an existing high school teacher teaching the same course on that high school campus.

(j) The CCAP partnership agreement shall certify that a qualified high school teacher teaching a course offered for college credit at a high school campus has not displaced or resulted in the termination of an existing community college faculty member teaching the same course at the partnering community college campus.

(k) The CCAP partnership agreement shall include a plan by the participating community college district to ensure all of the following:

(1) A community college course offered for college credit at the partnering high school campus does not reduce access to the same course offered at the partnering community college campus.

(2) A community college course that is oversubscribed or has a waiting list shall not be offered in the CCAP partnership.

(3) Participation in a CCAP partnership is consistent with the core mission of the community colleges pursuant to Section 66010.4, and that pupils participating in a CCAP partnership will not lead to enrollment displacement of otherwise eligible adults in the community college.

(l) The CCAP partnership agreement shall certify that both the school district and community college district partners comply with local collective bargaining agreements and all state and federal reporting requirements regarding the qualifications of the teacher or faculty member teaching a CCAP partnership course offered for high school credit.

(m) The CCAP partnership agreement shall specify both of the following:

(1) Which participating district will be the employer of record for purposes of assignment monitoring and reporting to the county office of education.

(2) Which participating district will assume reporting responsibilities pursuant to applicable federal teacher quality mandates.

(n) The CCAP partnership agreement shall certify that any remedial course taught by community college faculty at a partnering high school campus shall be offered only to high school pupils who do not meet their grade level standard in math, English, or both on an interim assessment in grade 10 or 11, as determined by the partnering school district, and shall involve a collaborative effort between high school and community college faculty to deliver an innovative remediation course as an intervention in the pupil's junior or senior year to ensure the pupil is prepared for college-level work upon graduation.

(o) (1) A community college district may limit enrollment in a community college course solely to eligible high school pupils if the course is offered at a high school campus, either in person or using an online platform, during the regular schoolday and the community college course is offered pursuant to a CCAP partnership agreement.

(2) For purposes of allowances and apportionments from Section B of the State School Fund, a community college district conducting a closed course on a high school campus pursuant to paragraph (1) shall be credited with those units of full-time equivalent students attributable to the attendance of eligible high school pupils.

(p) A community college district may allow a special part-time student participating in a CCAP partnership agreement established pursuant to this article to enroll in up to a maximum of 15 units per term if all of the following circumstances are satisfied:

(1) The units constitute no more than four community college courses per term.

(2) The units are part of an academic program that is part of a CCAP partnership agreement established pursuant to this article.

(3) The units are part of an academic program that is designed to award students both a high school diploma and an associate degree or a certificate or credential.

(q) The governing board of a community college district participating in a CCAP partnership agreement established pursuant to this article shall exempt special part-time students described in subdivision (p) from the fee requirements in Sections 76060.5, 76223, 76300, 76350, and 79121.

(r) A district shall not receive a state allowance or apportionment for an instructional activity for which the partnering district has been, or shall be, paid an allowance or apportionment.

(s) (1) The attendance of a high school pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance for which the community college shall be credited or reimbursed pursuant to Section 48802 or 76002, provided that no school district has received reimbursement for the same instructional activity.

(2) For purposes of calculating classroom-based average daily attendance for classroom-based instruction apportionments, at least 80 percent of the instructional time offered by a charter school pursuant to an authorized CCAP partnership agreement shall be at the schoolsite, and the charter school shall require the

attendance of a pupil for a minimum of 50 percent of the minimum instructional time required to be offered pursuant to paragraph (1) of subdivision (a) of Section 47612.5, if the pupil is also a special part-time student enrolled in a community college pursuant to this section and the pupil will receive academic credit upon satisfactory completion of enrolled courses.

(t) (1) For each CCAP partnership agreement entered into pursuant to this section, the affected community college district and school district shall report annually to the office of the Chancellor of the California Community Colleges all of the following information:

(A) The total number of high school pupils by schoolsite enrolled in each CCAP partnership, aggregated by gender and ethnicity, and reported in compliance with all applicable state and federal privacy laws.

(B) The total number of community college courses by course category and type and by schoolsite enrolled in by CCAP partnership participants.

(C) The total number and percentage of successful course completions, by course category and type and by schoolsite, of CCAP partnership participants.

(D) The total number of full-time equivalent students generated by CCAP partnership community college district participants.

(E) The total number of full-time equivalent students served online generated by CCAP partnership community college district participants.

(2) On or before January 1, 2021, the chancellor shall prepare a summary report that includes an evaluation of the CCAP partnerships, an assessment of trends in the growth of special admits systemwide and by campus, and, based upon the data collected pursuant to this section, recommendations for program improvements, including, but not necessarily limited to, both of the following:

(A) Any recommended changes to the statewide cap on special admit full-time equivalent students to ensure that adults are not being displaced.

(B) Any recommendation concerning the need for additional student assistance or academic resources to ensure the overall success of the CCAP partnerships.

(3) The chancellor shall ensure that the number of full-time equivalent students generated by CCAP partnerships is reported pursuant to the reporting requirements in Section 76002.

(4) On or before July 31, 2020, the chancellor shall revise the special part-time student application process to allow a pupil to complete one application for the duration of the pupil's attendance at a community college as a special part-time student participating in a CCAP partnership agreement.

(u) The annual report required by subdivision (t) shall also be transmitted to all of the following:

(1) The Legislature, in compliance with Section 9795 of the Government Code.

(2) The Director of Finance.

(3) The Superintendent.

(v) A community college district that violates this article, including, but not necessarily limited to, any restriction imposed by the board of governors pursuant to this article, shall be subject to the same penalty as may be imposed pursuant to subdivision (d) of Section 78032.

(w) The statewide number of full-time equivalent students claimed as special admits shall not exceed 10 percent of the total number of full-time equivalent students claimed statewide.

(x) Nothing in this section is intended to affect a dual enrollment partnership agreement existing on the effective date of this section under which an early college high school, a middle college high school, or California Career Pathways Trust existing on the effective date of this section is operated. An early college high school, middle college high school, or California Career Pathways Trust partnership agreement existing on the effective date of this section shall not operate as a CCAP partnership unless it complies with this section.

(y) The governing body of a charter school may enter into a CCAP partnership agreement with the governing board of a community college district pursuant to this section. That CCAP partnership agreement shall comply with all applicable requirements of this section.

(z) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

**SEC. 3.** Section 2.5 of this bill incorporates amendments to Section 76004 of the Education Code proposed by both this bill and Senate Bill 586. That section shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2020, (2) each bill amends Section 76004 of the Education Code, and (3) this bill is enacted after Senate Bill 586, in which case Section 2 of this bill shall not become operative.