

**Institutional Effectiveness Partnership Initiative (IEPI)**

**Thursday, February 23rd – Mt. San Antonio College – Walnut, CA – 10 am to 3 pm**

# Dual Enrollment:

## Navigating the Opportunities and Challenges for California Community College and Secondary Partnerships for Underrepresented Students

- **Rogéair Purnell-Mack, *The RP Group***
- **Naomi Castro, *Career Ladders Project***



**Career  
Ladders  
Project**



**CALIFORNIA COMMUNITY COLLEGES**

# Agenda

1. Goals and Objectives
2. Introductions
3. Dual Enrollment / Toolkit Overview
4. Lessons Learned: Round-Robin
5. Theme Team Tables
6. Action Planning
7. Wrap-Up and Adjournment

# Goals & Objectives

**Goal:** To support the development of new and the scaling up and strengthening of existing partnerships with a focus on students from underrepresented groups.

## Objectives:

Participants will be able to:

- ▶ Use relevant research to make the case for dual enrollment,
- ▶ Build on opportunities and supports to begin to address implementation challenges and barriers,
- ▶ Identify and incorporate promising practices and models, and
- ▶ Reference tools to assist in preparing partnership agreements that are in line with legislative requirements.



**Equality**

doesn't mean

**Equity**

# Introductions

## Who we are!

- RP Group
- Career Ladders Project
- Chancellor's Office
- Advisory Committee

## Who are you!

# Advisory Committee Members

<b>Lori Bennett</b> President Clovis College	<b>Audrey Green</b> Associate VP, Acad. Affairs College of the Canyons	<b>Wendi McCaskill</b> Fiscal Consultant, School Fiscal Services California Dept. of Ed
<b>Jerry Buckley</b> Vice President of Instruction College of the Canyons	<b>Carolyn Hamilton</b> Ed Programs Consultant California Dept. of Ed	<b>John Means</b> Associate Vice Chancellor, Economic & Workforce Kern CC District
<b>Dolores M. Davison</b> Professor & Chair Foothill College Academic Senate for CCC	<b>Debra Jones</b> Director, Workforce and Adult Education Chancellor's Office	<b>April Moore</b> Dir. Curriculum & Instruction Corona-Norco Unified School District
<b>Sylvia Dorsey-Robinson</b> VP Student Services West Hill College Lemoore	<b>Sara Lundquist</b> VP Student Services Santa Ana College	<b>Meridith Randall</b> Assoc. Sup., Instruction & Institutional Effectiveness Chaffey College
<b>Jill Marks</b> California Director Gateway to College National Network	<b>Kim Schenk</b> Senior Dean, Curriculum and Instruction Diablo Valley College	<b>Sandra Sanchez</b> Dean of Economic & Workforce Development Los Angeles Harbor College



# Dual Enrollment: Definition?

For the first time in California's Education Code, the term "dual enrollment" is identified to define **"special part-time" or "special full-time" students** – that is, high school or other eligible special admit students enrolling in community college credit courses.

\* The term "concurrent enrollment" is not found in California Education Code.

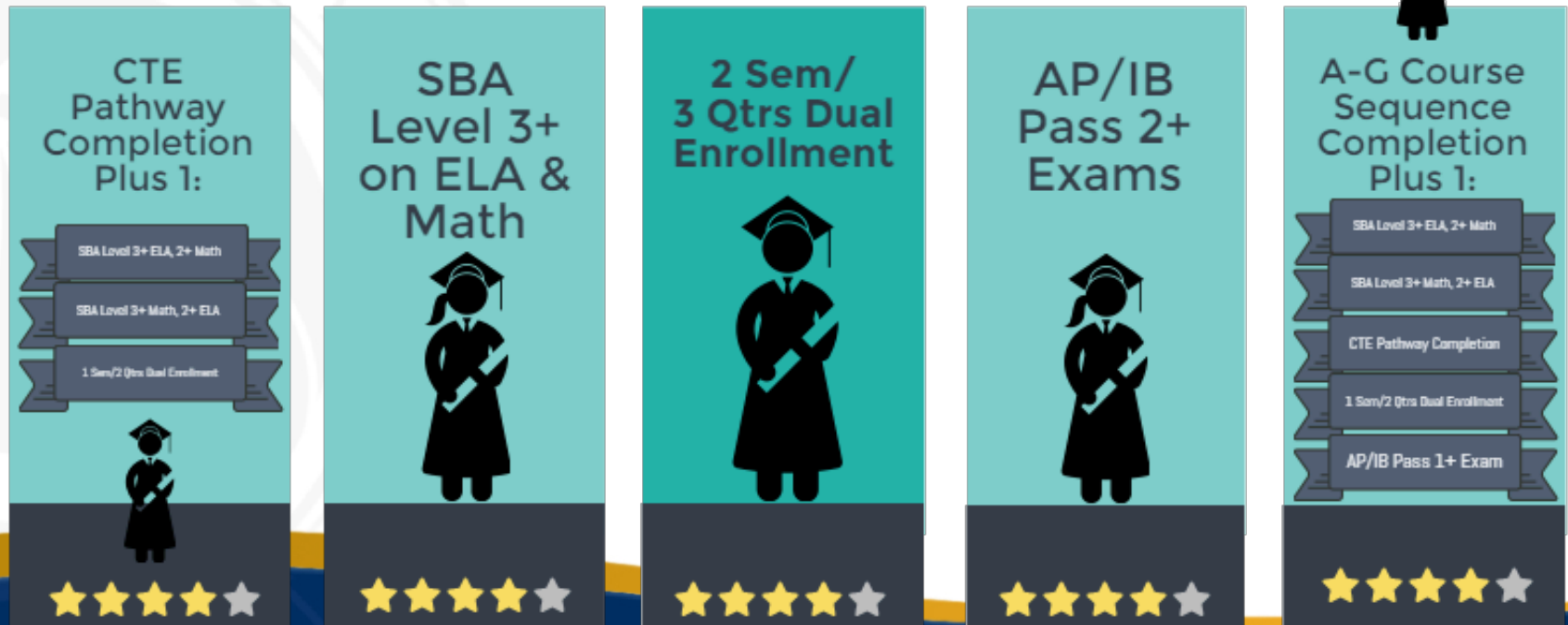
# Dual Enrollment: Common Goals

- Intro to and prep for college life
- Smoother transition from high school to college
- Ability to explore interests, careers, majors
- Opportunity to address skill gaps
- Motivation to persist and pursue a postsecondary credential or degree
- Confidence in one's academic ability
- Understanding the benefits of postsecondary ed
- Accelerated pathway through college that can save time and money
- Being college and career prepared



# College/Career Indicator Model: Prepared

To score "Prepared," a graduate needs to meet one of the following:



## College/Career Indicator Model

All students in the four-year graduation cohort minus students who take the California Alternate Assessment.

### WELL PREPARED – To Be Determined

The College/Career Indicator (CCI) measures for “Well Prepared” will be determined following further review of potential state and local CCI measures as statewide data becomes available.<sup>1</sup> California Department of Education staff, with input from education researchers, practitioners, and stakeholders, will evaluate the CCI model through the first phase of the Local Control Funding Formula evaluation rubrics and will propose a revised CCI model for implementation in 2017–18.

### PREPARED

#### Does the graduate meet at least 1 measure below?

- A. Career Technical Education (CTE) Pathway Completion **plus one** of the following criteria:
  - Smarter Balanced Summative Assessments: At least a Level 3 “Standard Met” on English language arts/literacy (ELA) or Mathematics and at least a Level 2 “Standard Nearly Met” in the other subject area
  - One semester/two quarters of Dual Enrollment with passing grade (Academic/CTE subjects)
- B. At least a Level 3 “Standard Met” on both ELA and Mathematics on Smarter Balanced Summative Assessments
- C. Completion of two semesters/three quarters of Dual Enrollment with a passing grade (Academic and/or CTE subjects)
- D. Passing Score on two Advanced Placement (AP) Exams or two International Baccalaureate (IB) Exams
- E. Completion of courses that meet the University of California (UC) a-g criteria **plus one** of the following criteria:
  - CTE Pathway completion
  - Smarter Balanced Summative Assessments: At least a Level 3 “Standard Met” on ELA or Mathematics and at least a Level 2 “Standard Nearly Met” in the other subject area
  - One semester/two quarters of Dual Enrollment with passing grade (Academic/CTE subjects)
  - Passing score on one AP Exam **OR** on one IB Exam

### APPROACHING PREPARED

#### Does the graduate meet at least 1 measure below?

- A. CTE Pathway completion
- B. Scored at least Level 2 “Standard Nearly Met” on one or both ELA and Mathematics Smarter Balanced Summative Assessments
- C. Completion of one semester/two quarters of Dual Enrollment with passing grade (Academic/CTE subjects)
- D. Completion of courses that meet the UC a-g criteria

### NOT PREPARED

**Student did not meet any measures above, so considered NOT PREPARED**

# College and Career Index

# Dual Enrollment: Research Findings

- Dual enrollment is related to increased high school graduation.  
(Karp et al., 2007; Rodriguez, Hughes, & Belfield, 2012; Cowan & Goldhaber, 2013; Haskell, 2016)
- Dual enrollment participants are more likely to enroll in college than their non-participating peers.  
(Karp et al., 2007; Speroni, 2011; Rodriguez, Hughes, & Belfield, 2012; Struhl & Vargas, 2012; Cowan & Goldhaber, 2013; Taylor, 2015)
- Dual enrollment participants are more likely to complete college than their non-participating peers.  
(An, 2013; Taylor, 2015)

# Dual Enrollment: Research Findings – *cont.*

Haskell, R. (2016). *The Latest Research on Dual and Concurrent Enrollment: Exploring Student Access and Equity of Outcomes in Illinois and Utah* (NACEP [webinar](#))

For Utah, household & state level saving from credit accumulation and time-to-completion advantage:

- 2010 high school graduation cohort
- 28,185 students with 194K college credits earned
- Average dual-credit student earns 6.9 college credits
- Savings to household: \$19M at \$687 per student
- Savings to state: \$8M at \$41.03 per student

# Dual Enrollment: Research Findings – *cont.*

Dual enrollment has positive effects for students who are traditionally underrepresented on college campuses (Haskell, 2015; Taylor 2015)

- Low-income
- First generation
- English Language Learners
- Students of color
- Males of color

**BUT** effect sizes can be smaller for underrepresented students when compared to their dual enrollment peers (Taylor, 2015)



# Dual Enrollment: Research - California

Study (2008-2011) involving 3,000 students enrolled in career-focused Dual Enrollment courses at 8 sites across California.

- 60% students of color
- 40% living in non-English speaking households

Participating students—compared to similar students not enrolled in Dual Enrollment—overall, had better academic outcomes:

- More likely to graduate from high school
- More likely to transition to a 4-year college
- More likely to persist in postsecondary education
- Less likely to take basic skills courses in college
- Accumulate more college credits

Hughes, Rodriguez, Edwards and Belfield (2012) *Broadening the Benefits of Dual Enrollment: Reaching Underachieving and Underrepresented Students with Career-Focused Programs*



# Dual Enrollment Models

- Middle College High Schools
  - High school diploma and some college credits
- Early College High Schools
  - High school diploma and at least 12 college credits up to an associate's degree or 60 transferable credits
- Gateway to College
  - Students who have left high school earn diploma and college credits
- Pathway Aligned Programming
  - Special admit students participating an ed / career pathway
- “Singletons”
  - Individual students taking one or more college courses

# Common Dual Enrollment Elements

(Cassidy, Keating, & Young, 2010; Hughes, Rodriguez, Edwards, & Belfield, 2012; Kirst, Venezia, & Nodine, 2009)

Elements	Components & Approaches
Student Recruitment & Selection	<ul style="list-style-type: none"><li>• Targeted</li><li>• Far reaching</li><li>• Multiple approaches</li></ul>
Support Services	<ul style="list-style-type: none"><li>• Bridge 'boot camps'</li><li>• Academic advisement</li><li>• Supplemental instruction</li><li>• Student success course</li><li>• Early warning/alert system</li><li>• Transportation assistance</li><li>• CBO referral network</li></ul>

# Common Dual Enrollment Elements – *continued*

Elements	Components & Approaches
Course Design & Structure	<ul style="list-style-type: none"><li>• Scaffolded</li><li>• Sequenced</li><li>• Career / theme-focused pathway</li></ul>
Evaluation & Research	<ul style="list-style-type: none"><li>• Curriculum review</li><li>• Student progress</li><li>• Student and faculty/teacher perspectives</li></ul>

# Dual Enrollment: Common Challenges

- Time for high school and college faculty to work together
- Lack of early engagement and buy-in by college faculty and high school teachers
- Understanding K-12 instructional time requirements
- Ensuring success of academically underprepared students
- Unorganized pathways of study for dual enrollment
- Belief that dual enrollment is not for every student
- Not enough focus on the secondary-postsecondary partnership
- Parents' concerns about their limited access to students' data
- ***Others?***

# Dual Enrollment: Common Cautions in Program Design

- Earned credits should be transferrable and accepted toward major courses of study.
- K-12 teachers assigned to teach those classes MUST possess the minimum qualifications to teach the specific subject.
- Community College senate MUST be involved in the vetting of anyone teaching college classes—including dual enrollment classes.
- The Course Outline of Record MUST be followed.
- Be mindful of 30-day class posting rules, if applicable.

# Dual Enrollment: Common Cautions

## Do no harm!

- Be mindful of [new BOGFW \(Board of Governor's Fee Waiver\) eligibility guidelines](#)
  - The BOGFW provides free tuition to eligible low income students
  - Effective Fall 2016 students who have 2 semesters of below "C" work OR drop out of 50% or more of the courses they enroll in become ineligible for the BOGFW
  - To regain it, they must wait two semesters or enroll at a different college
  - Note: [Life-time maximum for Pell Grants](#) should also be monitored, if applicable
- Emphasize to students and parents that dual enrollment grades will be permanently listed on the student's college transcript



# Dual Enrollment: Toolkit

## Goal & Purpose

- Offers additional resources to build the capacity of CCCs to support dual enrollment for historically underrepresented students
- Highlights and describes promising practices
- Provides specific and concrete guidance and evidence
- Complements Chancellor's Office's legal opinion

# Toolkit: Development

- Document review
- Literature review and research
- Interviews with key stakeholders
- Advisory committee input

# DE Toolkit

[http://  
www.careerladdersproj  
ect.org/cccode/](http://www.careerladdersproject.org/cccode/)

## — DUAL ENROLLMENT TOOLKIT: A RESOURCE FOR COMMUNITY COLLEGES AND SCHOOL DISTRICT PARTNERS

- [CCCCO Advisory Committee and CCCCCO Announcement](#)
- [Dual Enrollment and Assembly Bill 288 \(CCAP\) – Legal Opinion 16-02](#)
- [AB 288 College and Career Access Pathways \(CCAP\) Partnership Agreement](#)
- [Apportionment Eligibility Checklist for Community College Districts](#)
- [Frequently Asked Questions](#)
- [Dual Enrollment: Considerations for AB 288 Agreements and Non-AB 288 Partnership](#)
- [AB 288 Partnership Agreement Framework](#)
- [Comparison of Non-AB 288 Agreements and AB 288 Partnership Agreements for Dual Enrollment](#)
- [Legal Table – California Education Codes and State Active Legislation Influencing Dual Enrollment as of January 26, 2016](#)
- [Instructional Minutes – Interview with CDE’s Wendi McCaskill](#)

### **Resources:**

# DE Toolkit FAQ

## DUAL ENROLLMENT

### FAQs

Dual Enrollment Toolkit - 5.17.2016

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This Frequently Asked Questions (FAQ) section of the Dual Enrollment Toolkit is a first step in addressing important questions affecting dual enrollment implementation, raised by California Community College Boards of Trustees, School Boards, secondary and postsecondary administrators, teachers, and faculty. This toolkit links to the California Community College Chancellor's Office's (CCCCO) official documents and offers guidance for practitioners based on practices in the field and current research, and draws on information provided in California Community Colleges Office's [Legal Opinion 16-02](#) released on March 11, 2016 (and the AB 288 (Dual Enrollment) College and Career Access Pathways (CCAP) [Partnership Agreement Guidelines for Apportionment Eligibility](#)). Wherever possible throughout this FAQ section (and in future iterations of the Toolkit), we include resources, documents, and materials currently being used by California community college administrators and faculty as well as their secondary partners to attend to these issues and deliver dual enrollment offerings.

#### ORGANIZATION OF THE INFORMATION

We organize the toolkit around key topics and themes, identified through the input of an advisory committee established by the CCCCCO which included administrators, faculty and representation from the California Department of Education with experience leading dual enrollment efforts at both the secondary and postsecondary level. They identified the following 10 topics as well as related key questions addressing important challenges and opportunities:

- Definitions and Models
- Agreements: Instructional Service Agreements (ISAs), Memoranda of Understanding (MOUs), and Partnership Agreements
- Registration, Enrollment, and Scheduling
- Student Services
- Policies, Regulations, and Legislation
- Strategies and Approaches
- Budgeting and Funding
- Monitoring and Evaluation
- Marketing, Communications, and Messaging
- Professional Development

For each topic, the responses to relevant questions were drafted based on input from and interviews with the advisory committee members, other community college administrators and faculty as well as secondary administrators and teachers who have experience designing, managing, and implementing large-scale dual enrollment efforts. This resource complements and reinforces the information highlighted in the California Community Colleges Office's [Legal Opinion 16-02](#) released on March 11, 2016. If you would like to repurpose or adapt any of the embedded resources and documents, please be sure to cite the original source.

Download a separate resource list with additional sample documents, articles, and agreements (including those highlighted throughout the FAQ) [here](#).

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# DE Toolkit Legal Opinion



STATE OF CALIFORNIA

BRICE W. HARRIS, CHANCELLOR

CALIFORNIA COMMUNITY COLLEGES

LEGAL AFFAIRS DIVISION

CHANCELLOR'S OFFICE

Thuy T. Nguyen, *Interim General Counsel*

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Jake Knapp, *Deputy Counsel*

SACRAMENTO, CA 95811-6549

(916) 445-8752

Peter V. Khang, *Deputy Counsel*

<http://www.cccco.edu>

DATE: March 11, 2016

TO: Chief Executive Officers  
Chief Instructional Officers  
Chief Student Services Officers  
Admissions and Records Officers  
Transfer Center Directors  
Matriculation Coordinators  
Financial Aid Directors

FROM: Thuy Thi Nguyen *Thuy Thi Nguyen*  
Interim General Counsel

SUBJECT: **Dual Enrollment and Assembly Bill 288 (CCAP)  
Legal Opinion 16-02**

Assembly Bill 288 (Holden) was enacted January 1, 2016 and added to the California Education Code section 76004. Assembly Bill 288 enables 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. For the first time in California's Education Code, the term "dual enrollment" is identified to define "special part-time" or "special full-time" students – that is, high school or other eligible special admit students enrolling in community college credit courses.<sup>1</sup>

The purpose of this Legal Opinion is two-fold: to opine on the key legal issues regarding:

- CCAP partnerships under AB 288; and
- Districts' ability to operate outside of the CCAP framework (that is, either develop or continue existing non-CCAP partnership agreements and other dual enrollment, non-cohort programs in general).

<sup>1</sup> The term "concurrent enrollment" is not found in California Education Code.

# DE Toolkit Partnership Agreement Guidelines

STATE OF CALIFORNIA

BRICE W. HARRIS, CHANCELLOR

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

1102 Q STREET, STE. 4550  
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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

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# Non-CCAP (non-AB 288) Agreements

- Classes can be offered at the high school or partnering postsecondary institution
- Classes must be open to general community college student population
- College must approve course content
- College can grant fee waivers
- College credits capped at 11.99 units/term

# Non-CCAP Agreements – cont.

- College and high school credit
- Summer session is limited to 5% of the total number of pupils who completed that grade immediately prior
- Average daily attendance and apportionment
- Compliance with local collective bargaining agreements
- Instructional services agreements

# CCAP (AB 288) Partnership Agreements

- Require district level partnerships
- Intended to reach broader range of students, not just highly gifted or advanced scholastic or vocational work
- Emphasis on college and career readiness and CTE and transfer pathways
- Intended to reduce the number of students needing remedial math and English instruction at the community college level

# CCAP Partnership Agreements – cont.

- Increases enrollment cap from 11 to 15 units / term
- Expands who is eligible to participate
- Prohibits double dipping – HS and CCC cannot be funded for same instructional activity
- Ensures priority enrollment – same as middle/early college high schools
- Permits courses to be taught at HS campus to only HS students
- Includes provisions so as not to displace HS teachers or CC faculty and/or traditional college students
- Supports dual enrollment as part of a pathway of courses

# New legislation: AB 2364 (Holden)

## Exemption from nonresident tuition

- Exempts a nonresident special part-time student, other than a nonimmigrant alien\*, who lives in California from the nonresident tuition fee for dual enrollment community college coursework. ***(Nonresident special full-time students are excluded from this exemption.)***
  - As per Education Code 76001(d), the legal definition of a special part-time student in a non-CCAP dual enrollment program is limited to a credit unit load of 11.99 units per term.
  - As per Education Code 76004(p), a special part-time student participating in a CCAP partnership is legally permitted to retain his/her part-time status up to a maximum of 15 credit units. The units cannot constitute more than 4 courses per term.

# New legislation: AB 2364 (Holden)

- Allows community college districts to claim apportionment for attendance generated by these students.
- AB 2364 takes effect on January 1, 2017.

\* It is interpreted that T and U visa holders are not precluded from this exemption.



# New legislation: AB 526 (Holden)

## Pupils: attendance at community college

- AB 526 exempts CCAP participants from the 5 percent cap on community college summer session enrollment if the student is recommended by the principal, the course meets specified criteria, and the principal provides the CCCCCO with the data it requires to report to the Department of Finance.
- AB 526 includes an urgency clause and was signed by the governor on September 21, 2016. The bill becomes effective immediately.

# New legislation: AB 526 (Holden)

To qualify for this exemption the summer course must meet any one or more criteria listed below:

- a. The course is a lower division, college-level course for credit.
- b. The course is designated as part of the IGETC or applies toward the CSU Gen Ed breadth requirements.
- c. The course is a college level, occupational course for credit assigned a priority code of "A," "B," or "C," and is part of a sequence of vocational or CTE courses leading to a degree or certificate in the subject area covered by the sequence.

# New legislation: AB 526 (Holden)

- d. The course is necessary to assist a student with the CA High School Exit Exam and does not offer college credit in English language arts or mathematics, and the student is a senior and has completed all other graduation requirements prior to the end of his or her senior year or will complete all remaining requirements during the recommended community college summer session.

# DE Toolkit AB 288 vs. non-AB 288

## Dual Enrollment: Considerations for AB 288 Agreements and Non-AB 288 Partnership

Both AB 288 and previous legislation allow for dual enrollment of high school students in college courses. AB 288 is an option, not a mandate. Colleges and their partners may: (1) continue non-AB 288 agreements, (2) enter into new non-AB 288 agreements, and (3) enter into AB 288 partnership agreements. If a college district enters into an AB 288 partnership agreement with a school district, and abides by the requirements, special part-time high school (SPTHs) students can enroll in more units per term and colleges can claim apportionment even on courses offered at the high school that are closed to the public.

	Non-AB 288	AB 288
<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>	Not explicitly stated.	Goal of seamless pathways 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 or a community college district and a school district.	Must be a community college <i>district</i> and a school <i>district</i> within its service area.
<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</b>	<ul style="list-style-type: none"> <li>SPTHs student allowed to enroll in up to 11 units per term.</li> <li>HS students have lowest enrollment priority, with the exception of Middle College HS students.</li> </ul>	<ul style="list-style-type: none"> <li>SPTHs students allowed to enroll in up to 15 units (4 courses) per term.</li> <li>Participating students may have same priority enrollment as Middle College HS students.</li> </ul>
<b>Apportionment</b>	College may claim apportionment if course is open to the general public.	Colleges may claim apportionment and course may be offered at the high school campus for high school students and closed to the general public.
<b>Approval Process</b>	Agreement must be approved by K12 and college boards.	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 CCCC for approval before students are enrolled.
<b>Reporting</b>	MIS	Additional reporting requirements including data sharing agreement.

This is not intended as comprehensive guidance. For more detailed information, including requirements of agreements and other requirements, see the following:

- Legal Opinion 16-02: [http://extranet.cccco.edu/Portals/1/Legal/Legal%20Opinions/Legal%20Opinion%201602%20Dual%20Enrollment%20and%20AB%20288%20\(CCAP\).pdf](http://extranet.cccco.edu/Portals/1/Legal/Legal%20Opinions/Legal%20Opinion%201602%20Dual%20Enrollment%20and%20AB%20288%20(CCAP).pdf)
- AB 288 (Dual Enrollment) 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 CCCC, Rancho Santiago Community College District and the James Irvine Foundation. Rev 04/20/16.

# DE Toolkit Legal Table

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>
Teacher / instructor qualifications	<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.

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# DE Toolkit Agreement Comparison

## DUAL ENROLLMENT

COMPARISON OF NON-AB 288 AGREEMENTS AND AB 288  
Partnership Agreements for Dual Enrollment

CLP

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Dual enrollment partnerships require legal contracts. Memorandums of Understanding (MOUs), Instructional Service Agreements (ISAs) and College and Career Access Pathway (CCAP) Partnership Agreements are all contracts or agreements. These agreements outline the procedures and conditions governing student enrollment and fees, support and monitoring and withdrawal as well and which partner will be responsible for key tasks to ensure students' success.

Dual enrollment courses that are offered under AB 288 partnerships are required to have a College and Career Access Pathway (CCAP) Partnership Agreement. The name College and Career Access Pathway (CCAP) Partnership Agreement is specifically referred to in the legislation and this name, AB 288 CCAP Partnership Agreement, is what triggers the authority of the legislation.<sup>1</sup>

Dual enrollment courses offered under non-AB 288 legislation need a legal agreement. This agreement may be an MOU, an ISA, or more simply an "Agreement." To avoid confusion between the types of agreements a suggested best practice is to refer to AB 288 agreements only as CCAP Partnership Agreements and non-AB 288 agreements as Agreements. The requirements of CCAP Partnership Agreements are more specific than other agreements, please see the table *below*, the latest [legal opinion](#) from the California Community college Chancellor's Office (dated March 11, 2016) and the AB 288 [Partnership Agreement Guidelines for Apportionment Eligibility](#) for details.

Element	Agreements for non-AB 288 dual enrollment	College and Career Access Pathways (CCAP) Partnership Agreement under AB 288 **
<b>AGREEMENT</b>		
<b>Written Agreement Between Partners</b>	<ul style="list-style-type: none"> <li>Agreement must include: responsibilities of each party; procedures, terms and conditions for enrollment period, student fees, class hours, supervision and evaluation of students' progress, withdrawal of</li> </ul>	<ul style="list-style-type: none"> <li>Requires agreement between the governing boards<sup>2</sup> of the partnering community college (CC) <i>district</i> and school <i>district</i><sup>3</sup> are eligible to participate.</li> <li>Must identify employer of record<sup>4</sup> for purposes of assignment</li> </ul>

<sup>1</sup> See March 11, 2016 [Legal Opinion](#) Section II. F (page 9).

<sup>2</sup> See March 2016 [Partnership Agreement Guidelines for Apportionment Eligibility](#) #4 and #5 (page 2).

<sup>3</sup> See March 11, 2016 [Legal Opinion](#) Section III. E & F (pages 7-9) and [Partnership Agreement Guidelines for Apportionment Eligibility](#) #1 (page 1).

<sup>4</sup> See March 2016 [Partnership Agreement Guidelines for Apportionment Eligibility](#) #6.g. (page 2).



# DE Toolkit Agreement Framework

## DUAL ENROLLMENT

AB 288 COLLEGE AND CAREER ACCESS PATHWAYS Partnership Agreement Framework

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This document provides a framework to assist community college districts and their partners in crafting College and Career Access Pathways (CCAP) Partnership Agreements. As with any legal agreement, colleges and their partners should review all agreement language with their legal counsel. Please use this framework in conjunction with [Legal Opinion 16-02](#) and the [AB 288 CCAP Partnership Agreement Eligibility Guidelines for Apportionment](#) issued by the CCCCO, and all applicable statutes and regulations. *Numbering under references corresponds to the numbering of sections in the AB 288 CCAP Partnership Agreement Apportionment Eligibility Guidelines.*

### SECTION TITLE

### RECITALS

*Example:  
Whereas the purpose of dual enrollment ...*

### LEGAL AUTHORITY AND ADOPTION

### REFERENCE

A CCAP Partnership Agreement must be titled "College and Careers Access Pathways Partnership Agreement." See Legal Opinion (LO) 16-02, sec 2. f. p 9.

2. CCAP Partner Agreements be district-to-district. The purpose and goals are required elements and may be listed in the recitals. See Apportionment Guidelines (AG) sec. 2., p 1.

1. A community college district may enter into a CCAP partnership with a school district governed by a CCAP Partnership Agreement that is approved by both districts (AG sec. 1 p 1).
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 (AG sec 2, p. 1).
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



# DE Toolkit Instructional Minutes

## DUAL ENROLLMENT

### INSTRUCTIONAL MINUTES

INTERVIEW WITH WENDI MCCASKILL

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#### Wendi McCaskill

Fiscal Consultant, School Fiscal Services  
California Department of Education  
Interviewed on December 10, 2015

Wendi McCaskill works in the School Fiscal Services department of the California Department of Education (CDE). When the CDE receives questions on instructional minutes and dual or concurrent enrollment they refer them to Wendi. She graciously **took some time to explain the basics of instructional minutes for us.**

**QUESTION:** Can you give an overview of the basic instructional minute requirements for K12 students in high school who are also in a dual or concurrent enrollment program?

**RESPONSE:** All school districts and charter schools have instructional minute requirements. **Per state statute school districts and charter schools must offer students a minimum number of minutes per year and students must be scheduled for no less than a minimum number of minutes per day in order to claim Average Daily Attendance (ADA).** Annual instructional minute and daily minimum minute requirements vary by grade span. For the purposes of this conversation I am referring to the requirements for grades 9 through 12. **The minimum instructional minutes for a noncharter, public school grades 9-12 are 64,800 annual minutes and at least 240 per day.**

Statute allows for students that are concurrently enrolled in a CSU, UC, or community college to be scheduled for less than the 240 minimum day.

The minimum day requirements for students concurrently enrolled in a school district and on a part time basis in a California State University, University of California, or California community college setting are as follows:

- For students in grades 11 and 12 that are not enrolled in an Early/Middle College High School but are enrolled part time in classes of a California State University or a University of California, the minimum day per Education Code Section 46146(a) is **180 minutes**. Per Education Code Section 46146(c), students that are scheduled for 180 minutes generate  $\frac{1}{4}$  of an ADA.
- For students in grades 9 through 12 that are not enrolled in an Early/Middle College High School but are enrolled as special part time students at a community college, under Article 1 of Chapter 5 of Part 27 the minimum day per Education Code Section 46146(b) is **180 minutes**. Per Education Code Section 46146(c) students that are scheduled for 180 minutes **generate a maximum  $\frac{1}{4}$  of an ADA.**
- For students in grades 11 and 12 that are enrolled in an Early/Middle College Non-Charter High School and are enrolled part time in courses of a California State University or a University of California, the minimum day is **180 minutes** and students that are scheduled for at least 180 minutes of instructional

# Dual Enrollment: Resources

- Chancellor's Office [Legal Opinion](#)
- Chancellor's Office Instructional Service Agreement (ISA) [Guidelines](#)
- Early Middle College High School [FAQ](#)
- RP Group Dual Enrollment [Guide](#)

# For more information:

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