



# California

## LEGISLATIVE INFORMATION

### **SB-1391 Community colleges: inmate education programs: computation of apportionments. (2013-2014)**

#### **Senate Bill No. 1391**

#### **CHAPTER 695**

An act to amend Section 84810.5 of, and to add Section 84810.7 to, the Education Code, relating to community colleges.

[ Approved by Governor September 27, 2014. Filed with Secretary of State September 27, 2014. ]

#### **LEGISLATIVE COUNSEL'S DIGEST**

SB 1391, Hancock. Community colleges: inmate education programs: computation of apportionments.

Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law requires the board of governors to appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges.

Existing law provides that, notwithstanding open course provisions in statute or regulations of the board of governors, the governing board of a community college district that provides classes for inmates of certain facilities may include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would instead waive the open course provisions in statute or regulations of the board of governors for any governing board of a community college district for classes the district provides to inmates of those facilities and state correctional facilities, and would authorize the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

Existing law provides for the method of computing apportionments for purposes of these inmate education programs.

This bill would make revisions to that method of computation.

The bill would prohibit a community college district from claiming, for purposes of apportionments for these inmate education programs, any class for which a district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, or any class offered pursuant to a contract or instructional agreement entered into between the district and a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement, as prescribed.

This bill would require the Department of Corrections and Rehabilitation and the Office of the Chancellor of the California Community Colleges, on or before March 1, 2015, to enter into an interagency agreement to expand access to community college courses that lead to degrees or certificates that result in enhanced workforce skills or transfer to a 4-year university. This bill would require that courses for inmates in a state correctional facility developed as a result of this agreement supplement, but not duplicate or supplant, any adult education course opportunities offered at that facility by the Office of Correctional Education of the Department of Corrections and Rehabilitation. This bill would require the department, in collaboration with the Office of the Chancellor of the California Community Colleges, to develop metrics for evaluations of the efficacy and success of the

programs developed through the interagency agreement, conduct the evaluations, and, on or before July 31, 2018, report findings from the evaluations to the Legislature and the Governor.

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

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

### **SECTION 1.** Section 84810.5 of the Education Code is amended to read:

**84810.5.** (a) (1) Open course provisions in statute or regulations of the board of governors shall be waived for any governing board of a community college district for classes the district provides to inmates of any city, county, or city and county jail, road camp, farm for adults, or state or federal correctional facility. This section does not authorize the waiver of open course provisions in any context or situation other than those that are specifically authorized by this section. Subject to limitations set forth in subdivision (b), the board of governors may include the units of full-time equivalent students (FTES) generated in those classes for purposes of state apportionments.

(2) The attendance hours generated by credit courses shall be funded at the marginal credit rate determined pursuant to paragraph (2) of subdivision (d) of Section 84750.5. The attendance hours generated by noncredit courses shall be funded at the noncredit rate pursuant to paragraph (3) of subdivision (d) of Section 84750.5. The attendance hours generated by instruction in career development and college preparation shall be funded at the rate determined pursuant to paragraph (4) of subdivision (d) of Section 84750.5.

(b) (1) A community college district shall not claim, for purposes of state apportionments under this section, any class to which either of the following applies:

(A) The district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals.

(B) The district has a contract or instructional agreement, or both, for the conduct of the class with a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement.

(2) In reporting a claim for apportionment to the Chancellor of the California Community Colleges under this section, the district shall report any partial compensation it receives from the sources described in subparagraphs (A) and (B) of paragraph (1) during the period for which the claim is made. The chancellor shall subtract the amount of any partial compensation received from the total apportionment to be paid.

(c) This section does not provide a source of funds to shift, supplant, or reduce the costs incurred by the Department of Corrections and Rehabilitation in providing inmate education programs.

### **SEC. 2.** Section 84810.7 is added to the Education Code, to read:

**84810.7.** (a) On or before March 1, 2015, the Department of Corrections and Rehabilitation and the Office of the Chancellor of the California Community Colleges shall enter into an interagency agreement to expand access to community college courses that lead to degrees or certificates that result in enhanced workforce skills or transfer to a four-year university. The courses for inmates in a state correctional facility developed as a result of this agreement will serve to supplement, but not duplicate or supplant, any adult education course opportunities offered at that facility by the Office of Correctional Education of the Department of Corrections and Rehabilitation.

(b) The Department of Corrections and Rehabilitation, in collaboration with the Office of the Chancellor of the California Community Colleges, shall develop metrics for evaluations of the efficacy and success of the programs developed through the interagency agreement established pursuant to this section, conduct the evaluations, and report findings from the evaluations to the Legislature and the Governor on or before July 31, 2018.

(c) (1) The requirement for submitting a report imposed under subdivision (b) is inoperative on July 31, 2022, pursuant to Section 10231.5 of the Government Code.

(2) A report to be submitted pursuant to subdivision (b) shall be submitted in compliance with Section 9795 of the Government Code.