

## CONCURRENCE IN SENATE AMENDMENTS

AB 634 (Ward)

As Amended September 1, 2023

Majority vote

**SUMMARY**

Specifies that California Community College (CCC) Career Development and College Preparation (CDCP) program courses and classes, for which credit is not given, are eligible for state funding if those courses are offered in both face-to-face and distance education instructional methods.

**Senate Amendments**

- 1) Require the CCC Chancellor, in consultation with the Department of Finance and the Legislative Analyst's Office (LAO), to develop specific outcome measures for CDCP courses for incorporation into an annual report, as specified.
- 2) Require the CCC Chancellor to prepare and submit to the Department of Finance and the Legislature, on or before November 1 of each year, a report that details, at a minimum, the following:
  - a) The amount of FTES claimed by each community college district for CDCP courses and classes; and,
  - b) The specific certificate programs and course titles of career CDCP courses and classes receiving additional funding, as specified, and the number of those courses and classes receiving additional funding.
- 3) Provide that the same courses and classes for which credit is not given are eligible for state funding if those courses are offered in both face-to-face and distance education instructional methods.
- 4) Specify the following CDCP classes and courses that are eligible for funding, as specified:
  - a) Classes and courses in elementary and secondary basic skills;
  - b) Classes and courses for students, eligible for educational services in workforce preparation classes, in the basic skills of speaking, listening, reading, writing, mathematics, decisionmaking, and problem solving skills that are necessary to participate in job-specific technical training;
  - c) Short-term vocational programs with high employment potential, as determined by the chancellor in consultation with the Employment Development Department using job demand data provided by that department; and,
  - d) Classes and courses in English as a second language and vocational English as a second language.

- 5) Requires the CCC the Board of Governors to adopt criteria and standards for the identification of CDCP courses and the eligibility of these courses for funding, including the definition of courses eligible.
- 6) Make clarifying and technical amendments.

## COMMENTS

*Background on credit, noncredit and CDCP.* According to the LAO, community colleges in general, fulfill their mission of offering the first two years of college instruction in academic and vocational subjects through credit instruction, whereas they use noncredit instruction to address much of their precollegiate adult education mission. Regulations, however, permit colleges to offer some precollegiate instruction on a credit basis, including some ESL, secondary English and math courses, and many vocational education courses.

Though CCC credit and noncredit instruction overlap, they differ in certain ways. For example, credit courses may be in any academic or vocational subject, whereas noncredit instruction is limited to ten categories. Additionally, noncredit courses may be open-entry, open-exit. Students are charged enrollment fees only for credit courses, and the state funds some noncredit courses at a lower rate than credit courses and calculates attendance differently.

Credit instruction, which all CCCs offer, accounts for 94% of FTES enrollment and noncredit instruction accounts for 5%. To note, the remaining 1% is tutoring. As aforementioned, state law permits CCCs to offer noncredit courses in ten instructional areas. Four of these instructional areas are eligible for the CDCP designation: elementary and secondary education, ESL, short-term vocational programs, and workforce preparation (such as communication skills). In addition to being in an eligible instructional area, a course must be offered as part of a sequence of related courses leading to a noncredit certificate (such as certificates in basic reading skills and healthcare careers preparation) to qualify as CDCP.

The state provides CCCs funding for instructing CCC students at three different rates. For the 2020-21 academic year, the rate are as follows: (a) \$3,381 for noncredit courses per-student; (b) \$5,622 for enhanced noncredit courses per student, also known as "career development and college preparation" courses; and (c) \$4,009 for credit courses per student, with additional funding of up to \$1,648 based on student demographics and student achievement. (Noncredit courses typically are pre-collegiate-level courses in basic math and English skills and English in a second language. Enhanced noncredit courses typically are pre-collegiate-level courses in short-term vocational programs and other programs leading to certificates or transfer. Credit courses are collegiate-level courses that lead to an associate's degree or transfer to a four-year university.)

*Census date versus positive attendance.* The number of FTES is a main component for determining CCC funding. The FTES represents the number of enrolled students whom attend 15 hours each week during the semester (or a group of students who, together, attend 15 hours each week). In an academic year, these hypothetical full-time students generate 525 student contact hours each. Even though not all students are full-time and not all classes are scheduled for the same number of weeks, FTES provides a unit of measure applicable to all classes and calendar types and is used for funding calculations only.

However, the way in which FTES is calculated depends on the course section because attendance accounting procedures vary. The meeting schedule of the course section determines the procedure. Typically, attendance is determined on a weekly census basis, meaning student attendance is measured on a single census date in the term. For courses that are irregularly scheduled, including noncredit courses, a positive attendance basis is used, meaning the classroom or lab hours that students attend must be tracked and reported.

Colleges use "census day attendance accounting" rules to generate funding for all credit CCC course enrollments. For example, if ten students are enrolled in a CCC credit course but only eight students attend the course on average, the CCC still receives funding for ten students. The rationale for this approach is that there are fixed costs associated with offering a course, regardless of how many students show up for every class. Moreover, this method is easier than positive attendance to administer because faculty do not have to record and report attendance for every class period.

### **According to the Author**

"Under current law, community college CDCP courses are funded based on positive attendance. In contrast, community college credit courses are funded based on a census date, which recognizes that there are up-front costs to offering a course regardless of whether or not all students show up daily."

The author states, "While CDCP noncredit courses and credit courses receive the same funding per full-time student, CDCP noncredit courses generate less funding than credit courses because of attendance recording requirements."

Further, the author contends that, "AB 634 will align funding for noncredit CDCP courses by authorizing the attendance of those courses to be taken according to a census date rather than on positive attendance. This measure will accurately compensate community colleges for courses that are essential to California's workforce and minority communities."

### **Arguments in Support**

According to the Faculty Association of California Community College (FACCC), "The bill would change student accounting practices for Managed Enrollment (ME) Career Development and College Preparation Courses (CDCP) (certain noncredit courses) by allowing attendance to be counted using a census date model. Noncredit is now more important than ever, as our State attempts to aid our most vulnerable community members during the COVID-19 pandemic. Noncredit offers low-cost and short-term vocational training for re-employment. Noncredit programs are typically the only alternative for underrepresented, disproportionately impacted students to train for immediate employment in a field with career advancement or transition to college. Noncredit short-term programs allow students to enter the workplace and immediately earn wages while providing a future career path that builds upon the entry level skills attained."

### **Arguments in Opposition**

None on file.

**FISCAL COMMENTS**

According to the Senate Committee Appropriations, the bill could create additional, unknown Proposition 98 General Fund costs for community college districts to update course catalogs, curriculum, and other policies related to CDCP programs. There could also be additional one-time General Fund costs of \$37,000 to \$117,000 for the Chancellor's Office to update Title 5 regulations, make the necessary changes to the Program and Course Approval Handbook, issue guidance, and provide technical assistance.

**VOTES:****ASM HIGHER EDUCATION: 10-0-2**

**YES:** Mike Fong, Ta, Addis, Arambula, Gabriel, Irwin, Ortega, Sanchez, Santiago, Wallis

**ABS, ABST OR NV:** Low, Weber

**ASM APPROPRIATIONS: 15-0-1**

**YES:** Holden, Megan Dahle, Bryan, Calderon, Wendy Carrillo, Dixon, Mike Fong, Hart, Lowenthal, Mathis, Papan, Pellerin, Sanchez, Weber, Ortega

**ABS, ABST OR NV:** Robert Rivas

**ASSEMBLY FLOOR: 76-0-4**

**YES:** Addis, Aguiar-Curry, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Juan Carrillo, Wendy Carrillo, Cervantes, Connolly, Megan Dahle, Davies, Dixon, Essayli, Flora, Mike Fong, Vince Fong, Friedman, Gabriel, Gallagher, Garcia, Gipson, Grayson, Haney, Hart, Holden, Hoover, Irwin, Jackson, Jones-Sawyer, Kalra, Lee, Low, Lowenthal, Maienschein, Mathis, McCarty, McKinnor, Muratsuchi, Stephanie Nguyen, Ortega, Pacheco, Papan, Jim Patterson, Joe Patterson, Pellerin, Petrie-Norris, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Sanchez, Santiago, Schiavo, Soria, Ta, Ting, Valencia, Villapudua, Waldron, Wallis, Ward, Weber, Wilson, Wood, Zbur, Rendon

**ABS, ABST OR NV:** Chen, Lackey, Quirk-Silva, Wicks

**SENATE FLOOR: 39-0-1**

**YES:** Allen, Alvarado-Gil, Archuleta, Ashby, Atkins, Becker, Blakespear, Bradford, Cortese, Dahle, Dodd, Durazo, Eggman, Glazer, Gonzalez, Grove, Hurtado, Jones, Laird, Limón, McGuire, Menjivar, Min, Newman, Nguyen, Niello, Ochoa Bogh, Padilla, Portantino, Roth, Rubio, Seyarto, Skinner, Smallwood-Cuevas, Stern, Umberg, Wahab, Wiener, Wilk

**ABS, ABST OR NV:** Caballero

**UPDATED**

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