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AB-576 Community colleges: apportionments: waiver of open course provisions: military personnel.
(2021-2022)

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Assembly Bill No. 576

CHAPTER 562

An act to add Section 84811 to the Education Code, relating to public postsecondary education.

[Approved by Governor October 06, 2021. Filed with Secretary of State October 06, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 576, Maienschein. Community colleges: apportionments: waiver of open course provisions: military personnel.

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 waives 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 certain facilities, and authorizes the board of governors to include the units of full-time equivalent students generated in those classes for purposes of state apportionments.

This bill would waive open course provisions in statute or regulations of the board of governors for any governing board of a community college district for community college courses the district provides to military personnel, their dependents, and authorized civilian employees on a military base, and would authorize the board of governors to include the units of full-time equivalent students generated in those community college courses for purposes of state apportionments.

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

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

SECTION 1. Section 84811 is added to the Education Code, to read:

84811. (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 community college courses the district provides to military personnel, their dependents, and authorized civilian employees on a military base. 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 community college courses for purposes of state apportionments.

(2) The attendance hours generated by credit courses shall be funded at the marginal credit rate determined pursuant to subdivision (c) of Section 84750.4. 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.