
THIRD READING

Bill No: AB 1705
Author: Irwin (D), et al.
Amended: 6/15/22 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 6-0, 6/22/22
AYES: Leyva, Cortese, Dahle, Glazer, McGuire, Pan
NO VOTE RECORDED: Ochoa Bogh

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/11/22
AYES: Portantino, Bates, Bradford, Jones, Laird, McGuire, Wieckowski

ASSEMBLY FLOOR: 76-0, 5/25/22 - See last page for vote

SUBJECT: Seymour-Campbell Student Success Act of 2012: matriculation:
assessment

SOURCE: Author

DIGEST: This bill makes a number of changes and additions to existing law relative to the placement and enrollment of students into transfer-level English and Math courses at the California Community Colleges (CCC).

ANALYSIS:

Existing law:

- 1) Requires CCC districts and colleges to maximize the probability that a student will enter and complete either transfer-level coursework in English or math within a one-year timeframe and use in the placement and enrollment of students, multiple measures comprised of high school transcript data.
- 2) Permits CCC districts or colleges to use self-reported high school information and guided placement including self-placement, when high school transcript data is not available.

- 3) Requires CCC districts or colleges when using multiple measures to ensure low performance on one measure is offset by a higher performance on another measure and when a student demonstrates preparedness they can bypass remediation based on any one measure.
- 4) Requires CCCs to maximize the probability that English as a second language (ESL) students when placed into credit ESL courses will maximize the probability the ESL student will complete transfer-level English within three years.
- 5) Authorizes the board of governors to establish regulations governing the use of placement models, as defined to ensure the models selected by a community college will (a) guide English and math placements and enrollments to achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and math and (b) will guide the placement of ESL students so that they complete transfer-level coursework within a timeframe of three years. Requires the regulations to require a community college or district, for students who seek a goal other than transfer, and who are in a certificate or degree program with specific requirements that are not met with transfer-level coursework, to maximize the probability the student will enter and complete the required college-level coursework in English and math within a one-year timeframe.
- 6) Prohibits a CCC district or college from requiring a student to enroll in remedial English or math that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework shows that the student is highly unlikely to succeed in transfer-level coursework. (EC Section 78213 et. al.).

This bill:

- 1) Modifies the requirement that a community college or district maximize the probability that a student will enter and complete transfer-level coursework in English and math within one year by specifying that the timeframe applies to the student's initial attempt in the discipline and adding a requirement that the transfer-level coursework satisfy the English and math requirement of the intended certificate or associate degree, or a requirement for transfer within the intended major, within a one-year timeframe of their initial attempt in the discipline for a student with a declared academic goal.
- 2) Requires the college, when using multiple measures to apply them in the placement and enrollment of all students in a specified manner. The bill also

clarifies the use of high school grade point average, as a composite of student performance over multiple years of high school coursework is a sufficient use of multiple evidence-based measures.

- 3) Requires the use of high school transcript data as the primary means for determining placement in English and math courses. When high school transcript data is difficult to obtain, logistically problematic to use, or not available, a community college district or community college to use self-reported high school information. The bill allows community colleges to use guided placement or self-placement methods for students who have not graduated from high school or for high school graduates unable to provide self-reported high school information.
- 4) Requires that, for placements and enrollments that result from guided or self-placement methods, districts and colleges maximize the probability that students enter and complete transfer-level math and English coursework that satisfies a requirement of the intended certificate or associate degree or a requirement for transfer within the intended major, within a one-year timeframe of their initial attempt in the discipline. The bill allows a community college to use guided placement or self-placement method to direct English language learners who are not U.S. high school graduates into credit ESL programs and requires a community college to maximize the probability that students in credit ESL programs enter and complete transfer-level English within a timeframe of three years.
- 5) Prohibits district placement methods based upon guided placement, including self-placement, from including sample problems, assignments, assessment instruments, or tests, including those designed for skill assessment and requesting students to solve problems, answer curricular questions, present demonstrations and examples of coursework designed to knowledge or mastery of prerequisite skills, or demonstrate skills through tests or surveys.
- 6) Modifies provisions that authorize the board of governors to establish regulations governing the use of placement models and instead requires the establishment of regulations governing the use of multiple measures, instruments, and placement models to ensure that each model selected by a community college demonstrates that they guide English and math placement and enrollment to achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and mathematics that satisfies a requirement of the intended certificate or associate degree or a requirement for transfer within the intended major within a one-year

timeframe, and credit ESL students will complete transfer-level coursework in English within a timeframe of three years.

- 7) Requires a community college district or college to maximize the probability that a student will enter and complete college-level coursework in English and math within a one-year timeframe for students who seek a goal other than transfer, and who are in certificate or degree programs with specific math and English requirements, as determined by the program's advisory board or accrediting body, that cannot be met with transfer-level course work.
- 8) Prohibits a community college district or community college from recommending or requiring a student to enroll in pre-transfer-level English or math coursework unless both of the following are true: the student is highly unlikely to succeed in a transfer-level English or math course based on their high school grade point average coursework, or the enrollment in pre-transfer-level coursework will improve the student's probability of completing transfer-level coursework in English and math within a one-year timeframe or for credit ESL students, completing transfer-level course work in English within a three-year timeframe.
- 9) Requires, by July 2023, a community college that places and enrolls students into transfer-level mathematics or English coursework that does not satisfy a requirement for the student's intended certificate or associate degree or a requirement for transfer within the intended major, verify the benefit of the coursework to students, as specified.
- 10) Prohibits a community college from recommending or requiring students to enroll in a course that does not satisfy the student's intended academic goal as specified and requires the college to notify students who continue to enroll in the course that it is optional and does not improve their chances of completing subsequent coursework that satisfies a requirement for their intended certificate or associate degree, or a requirement for transfer within their intended major.
- 11) Requires, by July 1, 2024, for calculus-based associate degrees or transfer majors in science, technology, engineering, and math (STEM), community colleges examine the impact of placing and enrolling students into transfer-level course sequences, composed of no more than two transfer-level courses, that prepare students for the STEM calculus course, in order to verify the benefit of the coursework to students, as specified.
- 12) Prohibits, after July 1, 2025, a college from recommending or requiring a student to enroll in course sequences that are composed of no more than two

transfer-level courses that prepare students for the STEM calculus course, if the benefit of the coursework is not verified. A community college is required to notify students who continue to enroll in the course that it is optional and that it does not improve their chances of completing calculus for their STEM program. The bill encourages community colleges to explore the impact of concurrent support for the first STEM calculus course as an alternative to transfer-level preparatory courses that are not part of the STEM degree or transfer coursework for the STEM major.

- 13) Prohibits a community college or district, by July 1, 2023, from relying upon specified components as a justification for placing and enrolling a student into pretransfer-level math or English coursework or into transfer-level math or English coursework that does not satisfy a requirement of the student's intended certificate or associate degree, or a requirement for transfer within the intended major.
- 14) Requires, by July 1, 2023, all U.S. high school graduates, and those who have a High School Equivalency certificate, regardless of background or special population status, who plan to pursue a certificate, degree, or transfer program offered by CCCs, to be directly placed into, and, when beginning coursework in English or math, enrolled in, transfer-level English and math courses. The bill requires, if students have a declared academic goal, that the math and English course satisfy a requirement of the student's intended certificate or associate degree or a requirement for transfer within the intended major.
- 15) Prohibits a community college from requiring students to repeat coursework that they have successfully completed in high school or college or take coursework that repeats competencies that the student has demonstrated through other methods of credit for prior learning. It also prohibits a community college from enrolling students into noncredit coursework who are U.S. high school graduates or students with a high school equivalency certificate, as a substitute or replacement for direct placement and enrollment into transfer-level math and English as specified.
- 16) Provides for specified exceptions to transfer-level placement and enrollment into math and English coursework.
- 17) Requires a community college, for students who need or desire extra academic support when enrolled in transfer-level math or English coursework, to provide access to tutoring support enhancing transfer-level math and English courses, concurrent low-unit credit or similar contact hours non-credit co-requisite course for transfer-level math and English, or other academic supports. It

clarifies that a community college is authorized to require students to enroll in additional concurrent support, including additional language support for ESL students, during the same term that they take a transfer-level English or math course if it is determined the support will increase the student's likelihood of passing the transfer-level English or math.

- 18) Authorizes the Chancellor's Office to require a community college or community college district to change or adopt a placement policy or practice identified by the chancellor's office to ensure that a community college or district's placement and enrollment of students into math, English, and ESL is consistent with the requirements of this measure.
- 19) Requires, beginning July 1, 2023, the Chancellor's Office of the CCC post a dashboard containing multiyear data, beginning from 2015, as specified.

Comments

- 1) *Need for this bill.* According to the author, "According to the Public Policy Institute of California, the passage of AB 705 has led to tens of thousands of more students entering and successfully completing transfer-level English and math. Importantly, AB 705 contributed to significant reductions in racial equity gaps in access to and completion of transfer-level courses. More students enrolled in and completed Business, Science, Technology, Engineering, and Math (BSTEM) math courses due to AB 705. These gains are noteworthy for Latino and Black students, who have been historically underrepresented in BSTEM majors.

"Nevertheless, implementation of AB 705 has been uneven across the CCCs and a substantial number of students are still required or directed to enroll in below transfer-level courses. A significant number of remedial English courses have been eliminated and replaced with transfer-level sections; however, remedial math courses are still widely available. At one in five colleges, a third or more of students are still being enrolled in remedial courses and these students are disproportionately Black and Latino. Research demonstrates that the chances of completing a transfer-level course are significantly diminished for those who start in a course below transfer-level: only a third of these students subsequently enrolled in a transfer-level course."

"Previous attempts to make such clarifications through the regulatory process were unsuccessful and even led to the publishing of a General Counsel letter that grossly misstated the legislative intent of AB 705. The decentralized nature of the CA Community College System and lack of direct oversight by

CCCCO necessitates further clarification and fine-tuning of the relevant statute based on feedback from relevant stakeholders.”

- 2) *What does this bill do?* At its core, this bill expands the provisions established by AB 705 by explicitly requiring community colleges to place and *enroll* students who are U.S. high school graduates and those with a high school equivalency certificate directly into transfer-level English and math courses. The bill further requires that the transfer-level courses also meet the student’s intended certificate or degree or transfer within the major requirements. This specific provision only applies to students who have declared an academic goal. There are certain exceptions to the general transfer-level placement/enrollment rules, discussed later in this analysis. The bill would also limit a college’s ability to place and enroll students into, or recommend pre-transfer-level courses (i.e. basic skills, remedial and college-level courses) or transfer-level courses that are outside of meeting the requirements of the student’s intended degree, certificate, or transfer goal. The measure aims to ensure that a student, more likely than not, enters into and completes courses that count toward their educational goals.
- 3) *Concurrent academic support.* For students needing additional academic support with transfer-level coursework co-requisite supports such as tutoring or concurrent low-unit credit courses are permissible under the bill and in some cases, colleges may require a student to enroll in additional these types of supports.
- 4) *Exceptions to transfer-level placement and enrollment requirement.* Transfer-level placement and enrollment is not required for every student. The bill exempts certain students and identifies exceptions to those requirements. Exempt groups include, but are not limited to, students with documented disabilities, students in a certificate program without English or math requirements, students who have *not* graduated from a U.S. high school or completed a high school equivalency certificate including English learners, and adult education students. Additionally, college-level placements and enrollments in lieu of transfer-level may happen for specific subgroups of students for whom a college has met the prescribed evidence standards that allow for alternative placement and enrollment of that subgroup.
- 5) *Career Technical Education (CTE).* Under the bill, transfer-level placement and enrollment applies to students seeking a certificate who have graduated from a U.S high school (or earned the equivalent certificate) and whose English and math requirements can be met by transfer-level coursework. If

however, certification cannot be achieved through transfer-level coursework then *college-level* placement and enrollment may occur (EC section 78213 (j)(9)(A)) and as previously noted, students in CTE programs that *do not* have math or English requirements are clearly exempt from the transfer-level requirements in the bill.

- 6) *Transfer-level does not mean harder.* A critique of direct transfer-level enrollment policies is that some students may need to take remedial courses as those courses act as a safety net for students who are initially unable to succeed in accelerated courses or that those policies do not take into account students whose educational goals do not include transfer. The recently released statewide AB 705 update drafted by the California Acceleration Project (CAP), however, asserts, “transfer-level does not mean harder.” The report examined the AB 705 improvement plans submitted by every community college within the CCC system. It notes “most colleges with plans to enroll all students into transfer-level math say they will develop new transferable math and quantitative reasoning options for students who do not intend to transfer, including students in career education programs. At colleges leading the way, these students take a transfer-level course in financial literacy, liberal arts, or technical math for the trades to satisfy math requirements for their associate degree, instead of taking a pre-transfer-level course like intermediate algebra. Students are typically more successful in these courses than in Intermediate Algebra at colleges that adopted this approach.” The report goes on to note, that rethinking of math choices provides an additional advantage if at some point a student decides to continue their studies they will have met quantitative reasoning requirements for the CSU baccalaureate degree without taking additional courses.

Seemingly, transfer-level coursework can serve students whose goals do not include university transfer in a manner that is relevant to their interests and consistent with their educational objectives. This bill seeks to ensure that transfer-level coursework meets the student’s intended certificate or degree requirements as well as transfer goals.

NOTE: See Senate Education Committee analysis for the complete analysis of the bill.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- The Chancellor's Office estimates Proposition 98 General Fund costs in the tens of millions of dollars statewide for community colleges to scale up transfer-level course offerings as a result of this measure. The 2022 Budget Act includes a \$64 million block grant for community college districts to implement strategies consistent with this measure.
- The Chancellor's Office also estimates ongoing General Fund costs of approximately \$812,000 to hire six new staff to support the necessary steps to ensure compliance with the bill's requirements and ongoing implementation efforts on AB 705 (Irwin, Chapter 745, Statutes of 2017) and AB 1805 (Irwin, Chapter 531, Statutes of 2018).

SUPPORT: (Verified 8/10/22)

Lieutenant Governor Eleni Kounalakis

Blu Educational Foundation

California Acceleration Project

California Community Colleges Chancellor's Office

California Community Colleges Chief Instructional Officers

California Competes

California Edge Coalition

California LULAC

Californians Together

Campaign for College Opportunity

Career Ladders Project

CCHALES Research Collective

Central Valley Higher Education Consortium

Cerritos College

Citrus Community College District

Community College Higher Education Access, Leadership, and Equity Scholarship

Complete College America

Compton Community College District

Congregations Organized for Prophetic Engagement

Generation Up

GENup

Growing Inland Achievement

Hispanas Organized for Political Equality

Improve Your Tomorrow, Inc.

Just Equations

Pasadena Area Community College District
Pasadena City College
Promesa Boyle Heights
Public Advocates Inc.
Readynation
Southern California College Attainment Network
Student Senate for California Community Colleges
Students Making a Change
The Education Trust - West
The Institute for College Access & Success
Tipping Point Community
Tv Academy
Uaspire
UnidosUS
United Way of Greater Los Angeles
University of California Student Association
USC Race and Equity Center
Young Invincibles
38 individuals

OPPOSITION: (Verified 8/10/22)

Academic Senate for California Community Colleges
California Federation of Teachers, AFL-CIO
Faculty Association of California Community Colleges
Mt. San Antonio College
Three individuals

ARGUMENTS IN SUPPORT: According to Chief Instructional Officers within the CCCs, “National and regional studies have repeatedly affirmed that direct placement maximizes the probability that students will enter and complete transfer-level coursework in mathematics and English in a timely manner compared to the historical practice of requiring students to complete a series of remedial courses.” Their letter further asserts, “The California community colleges have made tremendous strides in improving transfer-level ‘throughput’ in English and mathematics, but remediation remains a practice in some colleges despite the data and the system-wide desire to fulfill the goals outlined in the Vision for Success to ‘fully close achievement gaps’ by 2027 and increase the numbers of students who earn transfer degrees and matriculate to the UC and CSU systems. Overcoming barriers inadvertently created by past practices can only be achieved through structural reform, and AB 1705 strengthens such reform.”

ARGUMENTS IN OPPOSITION: The Faculty Association of California Community Colleges (FACCC) argue, in part, in their opposition letter, “According to the Chancellor’s Office Transfer Level Gateway Completion Dashboard, transfer-level completion rates in English held steady at 75-77 percent until colleges began adopting AB 705 in 2018. The most recent data shows completion rates dropped down to 70 percent. In math, the transfer rates held between 72-73 percent until the adoption and implementation of AB 705 and have now dropped to 60 percent. Clearly, many students are struggling when placed directly into transfer-level courses. AB 1705 does not address this new barrier that it creates.”

FACCC additionally stresses that “To support these students and eliminate the new barrier, faculty need support, yet AB 1705 does not provide a way for faculty to develop new pedagogy to better serve those students. This support should include significant ongoing funding for professional development and faculty tutors in the classrooms. The colleges that have the most success implementing AB 705 have incorporated significant faculty support. Without clear guidance from the state, any support will be uneven and inequitable. Educators will be tasked with making AB 1705 work, but they will be set up to fail without the necessary tools to support a broader range of students.”

ASSEMBLY FLOOR: 76-0, 5/25/22

AYES: Aguiar-Curry, Arambula, Bauer-Kahan, Bennett, Bigelow, Bloom, Boerner Horvath, Mia Bonta, Bryan, Calderon, Carrillo, Cervantes, Chen, Choi, Cooley, Cooper, Cunningham, Megan Dahle, Daly, Davies, Flora, Mike Fong, Fong, Friedman, Gabriel, Gallagher, Cristina Garcia, Eduardo Garcia, Gipson, Gray, Grayson, Haney, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Lee, Levine, Low, Maienschein, Mathis, Mayes, McCarty, Medina, Mullin, Muratsuchi, Nazarian, Nguyen, Patterson, Petrie-Norris, Quirk, Quirk-Silva, Ramos, Reyes, Luz Rivas, Robert Rivas, Rodriguez, Blanca Rubio, Salas, Santiago, Seyarto, Smith, Stone, Ting, Valladares, Villapudua, Voepel, Waldron, Ward, Akilah Weber, Wicks, Wilson, Wood, Rendon

NO VOTE RECORDED: Berman, O'Donnell

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8/13/22 16:31:27

**** **END** ****