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EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060] (Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88933] (Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 48. COMMUNITY COLLEGES, EDUCATION PROGRAMS [78015 - 79500] (Part 48 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2. Courses of Study [78210 - 78300] (Chapter 2 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1.5. Student Equity Plans [78220 - 78222] (Article 1.5 added by Stats. 2014, Ch. 34, Sec. 6.)

78220. (a) As a condition for receiving Student Success and Support Program funding, and in order to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances, the governing board of each community college district shall maintain a student equity plan that includes all of the following for each community college in the community college district:

(1) Campus-based research, as to the extent of student equity by gender and for each of the following categories of students, that uses the methodology established pursuant to subdivision (d) of Section 78221:

(A) Current or former foster youth.

(B) Students with disabilities.

(C) Low-income students.

(D) Veterans.

(E) Students in the following ethnic and racial categories, as they are defined by the United States Census Bureau for the 2010 Census for reporting purposes:

(i) American Indian or Alaska Native.

(ii) Asian.

(iii) Black or African American.

(iv) Hispanic or Latino.

(v) Native Hawaiian or other Pacific Islander.

(vi) White.

(vii) Some other race.

(viii) More than one race.

(F) Homeless students.

(G) Lesbian, gay, bisexual, or transgender students.

(H) Additional categories of students determined by the governing board of the community college district.

(2) To the extent that student data described in paragraph (1) has been collected, the Office of the Chancellor of the California Community Colleges shall make the data available to community college districts for determining student equity and disproportionate impact.

(3) Goals for access and retention, degree and certificate completion, English as a Second Language and basic skills, completion, and transfer for the overall student population and for each population group of high-need or disadvantaged students, and a determination of what activities are most likely to effectively meet those goals.

(4) Whether significant underrepresentation is found to exist pursuant to paragraphs (1) and (3), based on the methodology established pursuant to subdivision (d) of Section 78221, measures for addressing the disparities in those areas, implementation activities designed to attain the goals specified in paragraph (3), including, but not necessarily limited to, the adoption of evidence-based models of remediation, implementation of assessment and placement policies that more accurately predict student success and identify students' remedial needs, and a means of coordinating with, at a minimum, the following student equity-related categorical programs or campus-based programs:

- (A) Students with disabilities.
 - (B) Extended Opportunity Programs and Services and Special Services.
 - (C) Fund for Student Success.
 - (D) Student Success and Support Program.
 - (E) Programs for foster youth.
 - (F) Programs for veterans.
 - (G) Special Services for CalWORKs Recipients.
 - (H) Student Financial Aid Administration.
 - (I) Student Success for Basic Skills Students.
- (5) Sources of funds for the activities in the plan.
- (6) A schedule and process for evaluation.

(7) An executive summary that includes, at a minimum, the student groups for whom goals have been set, the goals, the initiatives that the community college or community college district will undertake to achieve these goals, the resources that have been budgeted for that purpose, and the community college district official to contact for further information. Commencing with the 2016–17 academic year, the executive summary shall also include a detailed accounting of how funding was expended and an assessment of the progress made in achieving the identified goals.

(b) Student equity plans shall be developed with the active involvement of all groups on campus as required by law, including, but not limited to, the academic senate, academic faculty and staff, student services, and students, and with the involvement of appropriate people from the community.

(c) The plan shall be adopted by the governing board of the community college district and submitted to the Chancellor of the California Community Colleges on or before January 1, 2015, who shall publish all executive summaries, sending copies to the appropriate policy and budget committees of the Legislature, the Department of Finance, every community college and community college district, each consultation group identified in subdivision (b) that so requests, and additional individuals and organizations as deemed appropriate.

(d) The plan shall be updated every three academic years and plan updates shall be submitted to the Chancellor of the California Community Colleges for publication and distribution as provided for in subdivision (c).

(Amended by Stats. 2017, Ch. 751, Sec. 1.5. (AB 1018) Effective January 1, 2018.)

78221. The Chancellor of the California Community Colleges shall allocate funds provided for purposes of successfully implementing the activities and goals specified in the student equity plans adopted pursuant to Section 78220, consistent with all of the following:

(a) The chancellor shall ensure a community college district has submitted a student equity plan that is consistent with Section 78220. For purposes of allocating funding appropriated in the 2014–15 Budget Act, a community college district that has not submitted a student equity plan shall provide the chancellor with an outline for the community college district's completion of the student equity plan on or before January 1, 2015.

(b) The chancellor shall ensure that community college districts that serve greater populations of students who are high-need students or disadvantaged students receive greater resources to provide services to students, consistent with the goals and activities specified in their student equity plans.

(c) The chancellor shall establish criteria for calculating the number of high-need and disadvantaged students in a community college district. For purposes of this article, "high-need students" mean students who have an expected family contribution, as defined in subdivision (g) of Section 69432.7, at any time during those students' matriculation at the institution, that would qualify those students to receive federal Pell Grants and students from ZIP Codes in the bottom two quintiles of college attainment. The calculation of a student's expected family

contribution shall be based on the Free Application for Federal Student Aid (FAFSA) application or an application determined by the California Student Aid Commission to be equivalent to the FAFSA application submitted by that student. For purposes of this article, the determination of who are "disadvantaged" students shall take into account the college participation rate of the college-aged population of, and the socioeconomic status of, a community college district population.

(d) The chancellor shall establish a standard methodology, including guidelines, for measurement of student equity and disproportionate impact for disaggregated subgroups of the student population of the California Community Colleges. The chancellor shall establish the methodology for use in the student equity plans of community college districts.

(e) (1) The chancellor shall, consistent with the goal of eliminating any achievement disparities that are identified pursuant to the requirements of Section 78220, provide guidance to community college districts regarding expenditures and activities to ensure that funding is used to support evidence-based practices to implement student equity plan goals and coordinate services for the targeted student populations through evidence-based practices.

(2) On or before March 15, 2016, and on or before March 15 annually thereafter, the chancellor shall report to the Department of Finance, the Legislative Analyst, and the appropriate policy and fiscal committees of the Legislature, on the expenditure of funds for purposes of this article during the previous fiscal year.

(Amended by Stats. 2017, Ch. 751, Sec. 2.5. (AB 1018) Effective January 1, 2018.)

78222. (a) (1) The Student Equity and Achievement Program is hereby established.

(2) It is the intent of the Legislature that funds for the Student Equity and Achievement Program support the California Community Colleges in advancing the systemwide goal to boost achievement for all students with an emphasis on eliminating achievement gaps for students from traditionally underrepresented groups by doing of all of the following:

(A) Implementing activities and practices pursuant to the California Community College Guided Pathways Grant Program.

(B) Ensuring students complete their educational goals and a defined course of study.

(C) Providing quality curriculum, instruction, and support services to students who enter college deficient in English and mathematics to ensure these students complete a course of study in a timely manner.

(b) As a condition of the receipt of funds for purposes of this section, a district shall comply with all of the following:

(1) Maintain a student equity plan pursuant to Section 78220 to ensure equal educational opportunities and to promote student success for all students, regardless of race, gender, age, disability, or economic circumstances.

(2) Provide student matriculation services pursuant to Section 78212, including implementation of orientation, counseling and advising, referral to specialized student support services, and other education planning services needed to assist a student in making informed decisions about his or her educational goal and course of study and in developing an education plan. The Office of the Chancellor of the California Community Colleges shall establish guidelines on student matriculation services, including, but not limited to, the development of an education plan leading to a course of study. Notwithstanding any other law, students who are exempted from matriculation services pursuant to Section 78215 are not subject to the requirements of this paragraph.

(3) Adopt and implement placement policies consistent with the requirements of Section 78213.

(4) Provide all students with an education plan, which identifies courses, a sequence of courses, key progress milestones, and other requirements the student must complete to earn an associate degree, career technical education certificate, other community college certificate, or meet transfer requirements. Notwithstanding any other provision of law, students who are exempted from having an education plan under Section 78215 are not subject to the requirement of this paragraph.

(5) Provide a report to the chancellor's office by January 1 of each year detailing how funding pursuant to this section was expended in the prior fiscal year and for what specific purposes. A district report shall also include an assessment of the progress in advancing the goals identified in paragraph (2) of subdivision (a).

(c) (1) If the total amount of funds appropriated for purposes of this section is equal to or greater than the amount of funds appropriated in the 2017-18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student equity plans pursuant to Section 78221, and the Student Success for Basic Skills

program pursuant to Section 88815, the chancellor shall allocate to each district an amount equal to or greater than the amount allocated in the 2017–18 fiscal year.

(2) If the total amount of funds appropriated for purposes of this section is less than the amount of funds appropriated in the 2017–18 fiscal year for the Student Success and Support Program pursuant to Section 78212, the student equity plans pursuant to Section 78221, and the Student Success for Basic Skills program pursuant to Section 88815, the chancellor shall allocate to each district the pro rata share of the amount appropriated based on the amount allocated to each district in the 2017–18 fiscal year.

(3) The Board of Governors of the California Community Colleges may require districts or colleges to provide a local fund match for funding appropriated for purposes of this section.

(4) The chancellor shall provide guidance to districts regarding eligible expenditures and activities and integrated planning to ensure funding for the Student Equity and Achievement Program is used to support the goal of eliminating disparities pursuant to paragraph (2) of subdivision (a). It is the intent of the Legislature that colleges prioritize funding for high-need and disadvantaged students, as those terms are defined in subdivision (c) of Section 78221.

(5) (A) The chancellor may allocate up to 5 percent of the total funds appropriated for the purposes of this program for state administrative operations to carry out the intent of this section.

(B) Of the amount allocated pursuant to subparagraph (A), the chancellor shall allocate to a community college district no less than the amount that was provided to a district in the 2017–18 fiscal year pursuant to paragraph (1) of subdivision (b) of Section 88815 to carry out faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of basic skills and English as a second language program.

(6) By April 1 of each year, the chancellor's office shall submit a systemwide report to the Legislature and Department of Finance that provides a summary of the district reports referenced in paragraph (5) of subdivision (b). A report to the Legislature pursuant to this paragraph shall be submitted in compliance with Section 9795 of the Government Code.

(d) (1) All districts receiving an allocation of funds pursuant to subdivision (c) shall comply with the requirements of Section 78214. In meeting this requirement, the Student Success and Support Program referenced in Section 78214 shall instead mean the Student Equity and Achievement Program.

(2) For purposes of Section 87482.3, the Student Success and Support Program shall instead mean the Student Equity and Achievement Program.

(Amended by Stats. 2018, Ch. 426, Sec. 30. (AB 1840) Effective September 17, 2018.)