

Assembly Bill No. 417

Passed the Assembly May 27, 2021

Chief Clerk of the Assembly

Passed the Senate September 3, 2021

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2021, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Article 6 (commencing with Section 78070) to Chapter 1 of Part 48 of Division 7 of Title 3 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 417, McCarty. Rising Scholars Network: justice-involved students.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state and authorizes them to operate campuses and provide instruction.

This bill would authorize the office of the Chancellor of the California Community Colleges to establish a program, named the Rising Scholars Network, to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students, as defined. The bill would require a community college district that wishes to participate in the Rising Scholars Network to apply to the board of governors for funding pursuant to these provisions, as provided, and would require the board of governors to adopt regulations for the Rising Scholars Network that fulfill certain goals and guidance. The bill would require the board of governors, on or before December 31, 2023, and every 2 years thereafter, to submit a report, as specified, describing its efforts to serve justice-involved students, and including recommendations on whether and how the Rising Scholars Network can be expanded to all community college districts and campuses. The bill's provisions would be operative in a fiscal year only if funds have been appropriated for those purposes for that fiscal year by the Legislature in the annual Budget Act or another statute.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) On average 200,000 people are incarcerated in California jails and prisons on any given day, plus hundreds more in juvenile correctional facilities. Ninety-five percent of these individuals will come home. California is also home to millions of individuals who are living in the community after a history of juvenile or adult adjudication or conviction. These incarcerated, formerly incarcerated, and detained people are known as justice-involved.

(b) Research shows that postsecondary education reduces recidivism and increases the odds of finding employment for justice-involved students.

(c) Providing postsecondary opportunity to all Californians, including those who are justice-involved, is part of the mission of the California Community Colleges. Establishing the Rising Scholars Network would provide greater support to California community colleges to provide academic instruction and support services for justice-involved students.

(d) The Legislature recognizes the historic underrepresentation of justice-involved students in the California Community Colleges, and the need for equitable efforts that enhance the enrollment, retention, and success of justice-involved students in the California Community Colleges.

(e) Before 2014, there were no face-to-face community college students in California's prisons, and fewer than 10 targeted support programs for justice-involved students in the California Community Colleges. Following the passage of Senate Bill 1391 of the 2013–14 Regular Session (Chapter 695 of the Statutes of 2014), the California Community Colleges began teaching face-to-face in California's prisons and now serve more than 6,000 unique students face-to-face each semester at 34 of 35 prisons. In addition, targeted support programs for justice-involved students now exist at more than 20 California community colleges. Waitlists exist at almost every prison for these programs. Students and potential students are coming home from incarceration, self-identifying, and seeking support from the California Community Colleges.

(f) The Legislature recognizes its responsibility to provide and adequately fund postsecondary programs and services in the California Community Colleges for justice-involved students.

(g) It is therefore necessary and appropriate to take steps to encourage the enrollment, retention, and success of justice-involved students in the California Community Colleges through a program that provides education and services that promote the students' academic success. Providing this education and support to justice-involved students in California's community colleges serves a significant governmental and public interest, namely reduced recidivism and the reduction in poverty among Californians who have been involved in the criminal justice system.

SEC. 2. Article 6 (commencing with Section 78070) is added to Chapter 1 of Part 48 of Division 7 of Title 3 of the Education Code, to read:

Article 6. Support Services for Justice-Involved Students

78070. For purposes of this article, the following definitions apply:

(a) "Justice-involved" means a person who is currently or formerly incarcerated in a California correctional facility, or currently or formerly detained in a juvenile facility.

(b) "Rising Scholars Network" means the program established pursuant to subdivision (a) of Section 78071.

78071. (a) The office of the Chancellor of the California Community Colleges may establish a program to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students. This program shall be known as the Rising Scholars Network, and shall expand the number of justice-involved students participating and succeeding in the community colleges and shall not displace other students.

(b) A community college district that wishes to participate in the Rising Scholars Network shall apply to the board of governors for funding pursuant to this article. The application of each participating community college district shall identify the Rising Scholars college or colleges in the district, and shall include, but not be limited to, the number of justice-involved students who will be served. The application shall also describe the extent of

cooperation between the college and local criminal justice stakeholders including, as applicable, wardens, county sheriffs, juvenile facilities, and probation departments.

(c) To the maximum extent feasible, funds received by a community college under this article shall be used for, but not limited to, any of the following supports and services:

(1) Provide any of the following for programs serving all justice-involved students, whether on campus or in custody:

(A) Academic counseling or advising that provides clear pathways.

(B) Academic tutoring.

(C) Financial aid information and application assistance.

(D) Frequent in-person contact.

(E) Professional development for faculty and staff.

(2) Provide any of the following for programs serving formerly incarcerated students on campus:

(A) Peer-to-peer support or mentoring.

(B) Assistance with accessing campus resources, including admissions, financial aid, and student services.

(C) Career counseling and, as feasible, placement services.

(D) Assistance with accessing community resources, including record clearance, housing assistance, mental health support, and social services.

(3) Provide either of the following for programs serving currently incarcerated or detained students:

(A) Transitional materials and services to support students in enrollment and persistence in higher education upon release.

(B) Parity of academic supports and services as provided on campus.

78072. The board of governors shall adopt regulations for the Rising Scholars Network that fulfill the following goals and guidance:

(a) Participating colleges designate a staff program director, coordinator, or liaison who has experience working with currently or formerly incarcerated students.

(b) Funded programs are supported with a dedicated campus meeting space.

(c) Funded programs build support and competency from a broad range of college stakeholders.

(d) Participating colleges offer and make accessible a range of student supports to address academic and nonacademic needs.

(e) Funded programs foster peer mentors, as applicable.

(f) Funded programs develop and maintain strong relationships with external partners, including community-based programs, probation, parole, and county jails.

(g) Participating colleges provide or connect justice-involved students with direct student financial support for critical needs.

(h) Funded programs outreach and respond to prospective justice-involved students, particularly those in jail or prison.

(i) Funded programs help justice-involved students apply, matriculate, and persist to graduation.

78073. The board of governors shall be responsible for the administration of funds for the Rising Scholars Network. To the extent possible, services provided under this article to justice-involved students shall be coordinated with, and shall not supplant, other services provided by the county and state.

78074. The board of governors may authorize the chancellor, consistent with the requirements the board may impose, to designate up to 5 percent of the funds allocated pursuant to this article for program administration, program development, and program accountability.

78075. Notwithstanding Section 10231.5 of the Government Code, on or before December 31, 2023, and every two years thereafter, the board of governors shall submit a report to the Department of Finance and all relevant legislative policy and budget subcommittees describing its efforts to serve justice-involved students. The reports shall include recommendations on whether and how the Rising Scholars Network under this article can be expanded to all community college districts and campuses.

78076. This article shall be operative in a fiscal year only if funds have been appropriated for purposes of this article for that fiscal year by the Legislature in the annual Budget Act or another statute.

Approved _____, 2021

Governor