

SEC. 35. Section 84754 is added to the Education Code, to read:

84754. (a) The Partnership for Excellence program is hereby established for the purpose of achieving annual performance goals and improving student learning and success. The Partnership for Excellence program is dependent on a mutual commitment by the State of California and the California Community Colleges to achieve statewide goals that reflect the highest priority for the social and economic success of the state. The state intends to provide funding for the Partnership for Excellence program as an investment to supplement funding for enrollment growth and cost-of-living adjustments to invest in program enhancements that will increase performance toward the community college's system outcome measures. The California Community Colleges, as a result of the state's investment, shall commit to improving and achieving specific outcome measures established by the Board of Governors through the consultation process pursuant to Section 70901.

(b)(1) The Board of Governors shall develop, through the consultation process, specific goals and outcome measures to improve student success and assess district performance that will include, but not necessarily be limited to, the areas of transfer, degrees and certificates, successful course completion, work force development, and basic skills improvement. It is intended that the number of system goals not exceed 10. The goals shall be rigorous and challenging to the system, and exceed what could be expected to occur based on increases in funded enrollment. In developing the goals and outcome measures, the Chancellor of the California Community Colleges shall seek the concurrence of the Director of Finance, the Legislative Analyst, and the California Postsecondary Education Commission (CPEC).

(2) On or before December 1, 1998, the Chancellor of the California Community Colleges shall propose goals and measures for the approval of the Board of Governors of the California Community Colleges. The Department of Finance, Legislative Analyst, and CPEC each shall assess the extent to which the goals and measures under consideration by the board are clear, reasonable, and adequately meet the state's interest in accountability. The board shall consider the comments of these agencies before approving the goals and measures.

(c)(1) The Chancellor of the California Community Colleges shall allocate funding for the Partnership for Excellence, pursuant to appropriations in the annual Budget Act, to those districts electing to participate in the program in the 1998-99, 1999-2000, and 2000-01 fiscal years on a per FTES basis, subject to a district minimum allocation, and districts shall have broad flexibility in expending the funds for program enhancement that will improve student success and make progress toward the system goals. Those programs shall include, but are not necessarily limited to, programs that assist students through remediation, tutoring, and mentoring.

(2) Funds provided under this program to districts shall not be considered program improvement funds within the meaning of Sections 84755 and 87482.6, and shall only be spent to improve student learning and success as determined by the Board of Governors of the California Community Colleges which shall be subject to conditions as the board may determine.

(3) Funds for this program are subject to appropriation in the annual Budget Act.

(d)(1) The Board of Governors of the California Community Colleges also shall develop, through the consultation process pursuant to Section 70901, one or more contingent funding allocation options, as well as criteria that would require the implementation of these options, that shall link allocation of Partnership for Excellence funds to individual districts to the achievement of and progress toward Partnership for Excellence goals by those individual districts. These

contingent funding options may be determined necessary to either improve system performance or to reward significant or sustained achievement.

(2) In developing contingent funding allocation options and criteria for implementation thereof, the Chancellor of the California Community Colleges shall seek the concurrence of the Director of Finance, the Legislative Analyst, and CPEC. These agencies shall each assess the extent to which the contingent allocation options and criteria under consideration by the Board of Governors of the California Community Colleges are clear, reasonable, and adequately meet the state's interest in accountability. On or before April 15, 2000, the chancellor shall propose to the board one or more contingent funding allocation methods and criteria. The board shall consider the comments of the three agencies before approving the criteria and contingent funding allocation options.

(3) The Board of Governors of the California Community Colleges shall have the authority, and shall be accountable, to determine that a funding linkage is needed to adequately improve the performance of the system and its districts and colleges. The board is authorized to allocate all or a portion of Partnership for Excellence funds among districts pursuant to a contingent funding allocation method, as described in this section, commencing in the 2001-02 fiscal year or any fiscal year thereafter as determined necessary by the board. In executing its responsibilities set forth in this subdivision, the board shall engage the consultation process pursuant to Section 70901.

(e)(1) Districts shall report data under the Management Information System (MIS) for each of the outcome measures to the Chancellor of the California Community Colleges, who shall compile and analyze this data for a report to the Legislature, the Governor, CPEC, and other interested parties by April 15 of each year. The annual reports shall include data for each district and college with respect both to levels of achievement and relative progress towards the goals that recognizes differences in student populations and student preparedness. The chancellor may provide technical assistance to districts, as he or she best determines.

(2) Acceptance of funds from Partnership for Excellence allocations shall constitute concurrence by the district or college to collect and provide to the Chancellor of the California Community Colleges all information necessary to quantify baseline performance and annually report changes in outcome measures to the chancellor if, in the judgment of the chancellor, current MIS system data are insufficient for the purpose of any of the approved measures.

(3) Beginning with the report due on April 15, 2001, the Board of Governors of the California Community Colleges shall annually assess and report the extent to which achievement of system goals has been satisfactory or less than satisfactory. Based on this assessment and on the criteria adopted as part of the contingent funding allocation plan, the board shall determine, after engaging in the consultation process pursuant to Section 70901, whether or not to implement a contingent funding allocation option described in subdivision (d).

(4) On the basis of the reports specified in this subdivision and other pertinent information, the Legislative Analyst and CPEC shall also annually provide the Legislature their respective assessments of progress toward system goals, and shall recommend necessary changes to the program, including goals and outcome measures. The Legislative Analyst and the CPEC shall recommend ways of improving incentives for districts to contribute toward achievement of system goals.

(1) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.