

**GOVERNMENT CODE - GOV**

**TITLE 7. PLANNING AND LAND USE [65000 - 66499.58]**

*( Heading of Title 7 amended by Stats. 1974, Ch. 1536. )*

**DIVISION 1. PLANNING AND ZONING [65000 - 66210]**

*( Heading of Division 1 added by Stats. 1974, Ch. 1536. )*

**CHAPTER 1.5. Office of Planning and Research [65025 - 65059.3]**

*( Chapter 1.5 repealed and added by Stats. 1970, Ch. 1534. )*

**ARTICLE 7. California Education Learning Laboratory [65059.1 - 65059.3]**

*( Article 7 added by Stats. 2018, Ch. 33, Sec. 60. )*

**65059.1.**

For purposes of this article, the following definitions shall apply:

- (a) “Adaptive learning” means a technology-mediated environment in which the learner’s experience is adapted to learner behavior and responses.
  - (b) “Learning lab” means the California Education Learning Laboratory established in Section 65059.2.
  - (c) “Office” means the Office of Planning and Research.
  - (d) “STEM” means science, technology, engineering, and mathematics.
- (Added by Stats. 2018, Ch. 33, Sec. 60. (AB 1809) Effective June 27, 2018.)*

**65059.2.**

- (a) The California Education Learning Laboratory is hereby established as a program under the Office of Planning and Research. The purpose of the learning lab is to increase learning outcomes and to close equity and achievement gaps, using learning science and adaptive learning technologies in online or hybrid college-level lower division courses in science, technology, engineering, and mathematics (STEM) and other disciplines.
- (b) (1) In administering the learning lab, the office shall issue calls for, evaluate, and annually award funds to, competitive grant proposals from intersegmental faculty teams that apply principles of learning science and adaptive learning technologies in online or hybrid course series in STEM and other disciplines, based on, but not limited to, all of the following criteria:
  - (A) The potential for reducing achievement and equity gaps in the particular discipline that is the subject of the call for proposals.
  - (B) The depth and breadth of expertise in the particular discipline and deployment of learning science or adaptive learning technologies across the proposal’s team members.
  - (C) The prospects for increasing equity and accessibility in quality STEM education and other disciplines that show high initial failure or dropout rates, including scaling access to a newly developed or redesigned course or course series in the future.
  - (D) The potential to incorporate real-time learning outcome data to improve the curriculum.
  - (E) The potential to utilize a common technology platform to deliver the course or course series.
  - (F) The representation of all three public higher education segments on the proposal’s faculty team.
  - (G) The inclusion of career education and workforce pathways in the proposal.
  - (H) Opportunities to leverage nonstate funding.

- (1) The quality of the concrete metrics and goals identified in the proposal.
- (2) The office shall monitor the progress of proposals awarded funds and evaluate them upon their completion.
- (3) (A) The office shall recruit an expert selection committee to score proposals and to recommend proposals to the office.  
(B) Members of the selection committee shall be deemed to not be interested in any contract, including any recommendation to award funds by the committee, formed pursuant to this section.  
(C) The selection committee shall comply with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2), except during the deliberative process as it relates to scoring, reviewing, and ranking proposals and to making final recommendations to the office.  
(c) The office shall create, and post on a publicly available Internet Web site, guidelines for awarding funds pursuant to subdivision (b). The guidelines shall include, but are not limited to, all of the following:
  - (1) A competitive, merit-based application process that allows faculty from public higher education institutions to submit proposals. For the first three years that proposals are accepted, the office shall select STEM disciplines from which to award proposals. The office may limit the number of submissions per higher education campus.
  - (2) A comprehensive peer-reviewed proposal selection process.
  - (3) Eligibility requirements, which shall include, but not be limited to, all of the following provisions:
    - (A) At least two of the three public higher education segments must be represented by each proposal's faculty team members.
    - (B) All faculty team members must commit to teaching and evaluating the codeveloped or jointly redesigned curriculum during the grant period.
    - (C) A proposal may include team members from private nonprofit institutions or nonfaculty, as appropriate.
  - (4) Requirements regarding the use of awarded funds, including, but not limited to, a cap on indirect cost rates.
  - (5) Requirements regarding the use and sharing of research data and findings.
  - (6) Requirements for the protection of privacy and personal information.
- (d) (1) Beginning January 1, 2020, the office may, in addition to the funds awarded under subdivision (b), do both of the following as part of the learning lab:
  - (A) Award funds for professional development to faculty interested in adopting a successful course or course series developed or redesigned through the learning lab.
  - (B) Curate a "best of" learning science library of online and hybrid courses and course series, including proposals that have demonstrated successful outcomes.
- (2) The office shall create, and post on a publicly available Internet Web site, guidelines for the awarding of funds pursuant to subparagraph (A) of paragraph (1).
- (e) The office shall solicit public, nonprofit, and private sector input on any additional guidelines for the awarding of funds pursuant to subdivisions (c) and (d).
- (f) The office shall establish terms and conditions that require learning lab courses and course series, and technology and technology platforms developed or redesigned with learning lab funds, to be available as open education resources.

(g) (1) The office shall annually submit a report to the Legislature that provides a summary of awarded funds. The office shall also submit evaluations of completed proposal projects to the Legislature. Multiple project evaluations may be submitted under one report.

(2) A written report submitted pursuant to paragraph (1) shall be made in compliance with Section 9795.

(h) The office may receive nonstate funds to support the operations of the learning lab, to make additional funds available, or to increase the amount of funds previously awarded to a learning lab proposal.

(i) Up to 5 percent of any amount appropriated to the office for the learning lab may be used by the office for administrative costs.

(1) The evaluation of a project pursuant to subdivision (g) shall not be considered an administrative cost for purposes of this section.

(2) The curation of the learning science library pursuant to subdivision (d) shall not be considered an administrative cost for purposes of this section.

(j) Notwithstanding the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 commencing with Section 11340) of Part 1 of Division 3 of Title 2), the office may implement or interpret this article without taking any regulatory action.

(k) The office may enter into an agreement with a public entity, or with a nonprofit or not-for-profit organization, or a consortium of those organizations, for the purpose of administering or jointly administering the learning lab, or administering any provision of this article.

*(Added by Stats. 2018, Ch. 33, Sec. 60. (AB 1809) Effective June 27, 2018.)*

### **65059.3.**

It is the intent of the Legislature that the office award learning lab funds in compliance with all of the following:

(a) The funds are awarded to public higher education institutions located in California.

(b) Awarded funds may be used to include private nonprofit higher education institutions located in California.

(c) Recipients of awarded funds include, but are not limited to, public higher education institutions in both northern and southern California.

*(Added by Stats. 2018, Ch. 33, Sec. 60. (AB 1809) Effective June 27, 2018.)*