

**Board of Governors of the
California Community Colleges**

**California Code of Regulations, Title 5, Division 6
Revisions to Chapter 6 and Related Provisions
Regarding Curriculum**

1. A new chapter 3 is added to division 6 of title 5 of the California Code of Regulations to read:

Chapter 3. General Provisions

§ 52000. Effect of Specified Board of Governors Regulations.

Regulations that incorporate the text of former Education Code sections described in section 708 of Statutes 1990, chapter 1372 (S.B. 1854) still retain equal dignity to their predecessor statutes as described in *Barnhart v. Cabrillo Community College* (1999) 76 Cal.App.4th 818, to the extent that amendments to such regulations are grammatical or involve only technical changes, renumbering or reordering sections, removal of outdated terms or references to inapplicable or repealed statutory authorities, and the correction of gender references.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code; Statutes 1990, chapter 1372.

§ 52010. Effect of Regulations, Revision of District Policies and Publications.

Each community college district must comply with all regulatory requirements set forth in this division once such requirements take effect. Notwithstanding the foregoing, unless otherwise expressly provided in a particular regulation, a district will not be considered to be out of compliance with a regulatory requirement solely because its written district policies or procedures have not been revised, provided that it conforms such policies or procedures to the regulatory requirement within one hundred and eighty (180) days after the effective date of such regulations and, at the first available opportunity, incorporates necessary changes into its catalog and class schedules.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

2. Section 55000 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55000. Definitions.

For the purpose of this chapter, the following definitions shall apply:

*Board of Governors of the California Community Colleges
Revisions to title 5, division 6, chapter 6 and related provisions*

(a) “Advisory on recommended preparation” means a condition of enrollment that a student is advised, but not required, to meet before or in conjunction with enrollment in a course or educational program.

(b) “Community Services Offering” means a fee-supported community services class authorized pursuant to Education Code section 78300 and approved pursuant to subdivision (d) of section 55002 for which state apportionment is not claimed and credit is not awarded.

(c) “Content review” means a rigorous, systematic process developed in accordance with sections 53200 to 53204, approved by the Chancellor as part of the district matriculation plan required under section 55510, and that is conducted by faculty to identify the necessary and appropriate body of knowledge or skills students need to possess prior to enrolling in a course, or which students need to acquire through simultaneous enrollment in a corequisite course.

(d) “Contract Course” means a course which a community college district offers under a contract pursuant to Education Code section 78021 with a public or private agency, corporation, association, or other organization.

(e) “Corequisite” means a condition of enrollment consisting of a course that a student is required to simultaneously take in order to enroll in another course.

(f) “Course” means an organized pattern of instruction on a specified subject offered by a community college pursuant to subdivisions (a), (b) or (c) of section 55002.

~~(g)~~(b) “Educational program” is an organized sequence of courses leading to a defined objective, a degree, a certificate, a diploma, a license, or transfer to another institution of higher education.

~~(e) “Class” means a community services offering.~~

(h) “Necessary and appropriate” means that a strong rational basis exists for concluding that a prerequisite or corequisite is reasonably needed to achieve the purpose that it purports to serve. This standard does not require absolute necessity.

(i) “Noncredit basic skills courses” are those courses in reading, writing, computation, and English as a Second Language which are designated by the community college district as noncredit courses pursuant to subdivision (c) of section 55002.

(j) “Nondegree-applicable basic skills courses” are those courses in reading, writing, computation, and English as a Second Language which are designated by the community college district as nondegree-applicable credit courses pursuant to subdivision (b) of section 55002.

(k) “Prerequisite” means a condition of enrollment that a student is required to meet in order to demonstrate current readiness for enrollment in a course or educational program.

(l) “Satisfactory grade” means that, for the course in question, the student’s academic record has been annotated with the symbol A, B, C or P as those symbols are defined in section 55023.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

3. Section 55000.5 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55000.5. Handbook; Monitoring and Review of Approved Courses and Programs.

(a) The Chancellor shall prepare, distribute, and maintain a detailed handbook for use by ~~the local educational agencies~~ community college districts. The handbook shall contain course approval criteria, ~~implementation plans for administrative regulations,~~ and procedures for securing course and program approvals.

(b) The Board of Governors hereby adopts and incorporates by reference into this section The California Community Colleges Program and Course Approval Handbook issued March 2003, as it may be revised from time to time, along with any addenda thereto. In the event of a conflict between the provisions of the Handbook and the provisions of this chapter, the provisions of this chapter shall control. ~~The Chancellor shall monitor and review courses and programs which were approved under the provisions of section 70901 of the Education Code for compliance with applicable statutes and regulations on a periodic basis.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

4. Section 55002 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55002. Standards and Criteria for Courses ~~and Classes~~.

(a) ~~Associate-Degree-Applicable~~ Associate-Degree-Applicable Credit Course. ~~An associate degree-applicable~~ credit course is a course which has been designated as appropriate to the associate degree in accordance with the requirements of section ~~55805.5~~ 55062, and which has been recommended by the college and/or district curriculum committee and approved by the district governing board as a collegiate course meeting the needs of the students ~~eligible for admission~~.

(1) Curriculum Committee. The college and/or district curriculum committee recommending the course shall be established by the mutual agreement of the college and/or district administration and the academic senate. The committee shall be either a committee of the academic senate or a committee that includes faculty and is otherwise comprised in a way that is mutually agreeable to the college and/or district administration and the academic senate.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course for associate degree credit if it meets the following standards:

(A) Grading Policy. The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with section ~~55758~~ 55023. The grade is based on demonstrated proficiency in subject matter and the ability to demonstrate that proficiency, at least in part, by means of essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit based upon a relationship specified by the governing board between the number of units assigned to the course and the number of lecture and/or laboratory hours or performance criteria specified in the course outline. The course also requires a minimum of three hours of student work per week, including class time for each unit of credit, prorated for short-term, extended term, laboratory and/or activity courses.

(C) Intensity. The course treats subject matter with a scope and intensity that requires students to study independently outside of class time.

(D) Prerequisites and Corequisites. When the college and/or district curriculum committee determines, based on a review of the course outline of record, that a student would be highly unlikely to receive a satisfactory grade unless the student has knowledge or skills not taught in the course, then the course shall require prerequisites or corequisites that are established, reviewed, and applied in accordance with the requirements of this article 2.5 (commencing with section 55200) of this subchapter.

(E) Basic Skills Requirements. If success in the course is dependent upon communication or computation skills, then the course shall require, consistent with the provisions of this article 2.5 (commencing with section 55200) of this subchapter, as prerequisites or corequisites eligibility for enrollment in associate degree credit courses in English and/or mathematics, respectively.

(F) Difficulty. The course work calls for critical thinking and the understanding and application of concepts determined by the curriculum committee to be at college level.

(G) Level. The course requires learning skills and a vocabulary that the curriculum committee deems appropriate for a college course.

(3) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the unit value, the expected number of contact hours for the course as a whole, the prerequisites, corequisites or advisories on recommended preparation (if any) for the course, the catalog description, scope, objectives, and content in terms of a specific body of knowledge. The course outline shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation for determining whether the stated objectives have been met by students.

(4) Conduct of Course. Each section of the course is to be taught by a qualified instructor in accordance with a set of objectives and with other specifications defined in the course outline of record.

(5) Repetition. Repeated enrollment is allowed only in accordance with provisions of sections 51002, ~~55761-55763~~ 55040-55043 and 58161.

(b) ~~Nondegree-Applicable~~ Credit Course. A credit course designated by the governing board as not applicable to the associate degree is a course which, at a minimum, is recommended by the college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and is approved by the district governing board ~~and falls within one of the following categories~~.

(1) Types of Courses. Nondegree-applicable credit courses are:

(A) ~~precollegiate nondegree-applicable~~ basic skills courses as defined in subdivision (j) of section ~~55502(d)~~ 55000;

(B) ~~courses designed to enable students to succeed in college-level work degree-applicable credit courses~~ (including, but not limited to, college orientation and guidance courses, and discipline-specific preparatory courses such as biology, history, or electronics) that integrate basic skills instruction throughout and assign grades partly upon the demonstrated mastery of those skills;

(C) precollegiate ~~occupational career technical~~ preparation courses designed to provide foundation skills for students preparing for entry into ~~college-level degree-applicable credit occupational career technical~~ courses or programs;

(D) essential ~~occupational career technical~~ instruction for which meeting the standards of ~~section 505002(a) subdivision (a)~~ is neither necessary nor required.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course on the basis of the standards which follow. ~~In order to be eligible for state apportionment, such courses must be approved (as courses not part of programs) by the Chancellor's Office as provided by section 55100.~~

(A) Grading Policy. The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with ~~section 55758~~ 55023. The grade is based on demonstrated proficiency in the subject matter and the ability to demonstrate that proficiency, at least in part, by means of written expression that may include essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit based upon a relationship specified by the governing board between the number of units assigned to the course and the number of lecture and/or laboratory hours or performance criteria specified in the course outline. The course requires a minimum of three hours of student work per week, per unit, including class time and/or demonstrated competency, for each unit of credit, prorated for short-term, extended term, laboratory, and/or activity courses.

(C) Intensity. The course provides instruction in critical thinking and generally treats subject matter with a scope and intensity that prepares students to study independently outside of class time and includes reading and writing assignments and homework. In particular, the assignments will be sufficiently rigorous that students successfully completing each such course successfully, or sequence of required courses, will have acquired the skills necessary to successfully complete ~~college-level degree-applicable work upon completion of the required sequence of such courses.~~

(D) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, the course may require prerequisites or corequisites for the course that are established, reviewed, and applied in accordance with this article 2.5 ~~(commencing with section 55200) of this subchapter.~~

(3) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the unit value, the expected number of contact hours for the course as a whole, the prerequisites, corequisites or advisories on recommended preparation (if any) for the course, the catalog description, scope, objectives, and content in terms of a specific body of knowledge. The course outline shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation for determining

whether the stated objectives have been met by students. Taken together, these course specifications shall be such as to typically enable any student who successfully completes all of the assigned work prescribed in the outline of record to successfully meet the course objectives.

(4) Conduct of Course. All sections of the course are to be taught by a qualified instructor in accordance with a set of objectives and with other specifications defined in the course outline of record.

(5) Repetition. Repeated enrollment is allowed only in accordance with provisions of sections 51002, ~~55761-55763~~ 55040-55043 and 58161.

(c) Noncredit Course. A noncredit course is a course which, at a minimum, is recommended by the college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and approved by the district governing board as a course meeting the needs of enrolled students.

(1) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course if the course treats subject matter and uses resource materials, teaching methods, and standards of attendance and achievement that the committee deems appropriate for the enrolled students. In order to be eligible for state apportionment, such courses must be approved by the ~~Chancellor's Office~~ pursuant to article ~~2.2~~ (commencing with section 55150) of subchapter 2 of this chapter and satisfy the requirements of section 58160 and other applicable provisions of chapter 9 (commencing with section 58000) of this division.

(2) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the number of contact hours normally required for a student to complete the course, the catalog description, the ~~scope~~, objectives, contents in terms of a specific body of knowledge, instructional methodology, examples of assignments and/or activities, and methods of evaluation for determining whether the stated objectives have been met.

(3) Conduct of Course. All sections of the course are to be taught by a qualified instructor in accordance with the set of objectives and other specifications defined in the course outline of record.

(4) Repetition. Repeated enrollment is allowed only in accordance with provisions of section 58161.

(d) ~~Community Services Class Offering.~~ A community services ~~class offering is a class that meets~~ must meet the following minimum requirements:

- (1) is approved by the ~~local~~ district governing board;
- (2) is designed for the physical, mental, moral, economic, or civic development of persons enrolled therein;
- (3) provides subject matter content, resource materials, and teaching methods which the district governing board deems appropriate for the enrolled students;
- (4) is conducted in accordance with a predetermined strategy or plan;
- (5) is open to all members of the community willing to pay fees to cover the cost of the offering; and
- (6) may not be claimed for apportionment purposes.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5. Section 55002.5 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55002.5. Credit Hour; Allowance for Shorter Term.

(a) One credit hour of community college work is approximately three requires a minimum of 48 hours of recitation lecture, study, or laboratory work per week throughout a term of 16 weeks at colleges operating on the semester system or 33 hours of lecture, study or laboratory work at colleges operating on the quarter system.

(b) A course requiring 96 hours or more of lecture, study or laboratory work at colleges operating on the semester system or 66 hours or more of lecture, study, or laboratory work at colleges operating on the quarter system shall provide at least 2 units of credit.

(c) The amount of credit awarded shall be adjusted in proportion to the number of hours of lecture, study or laboratory work in half unit increments.

(d) A district may elect to adjust the amount of credit awarded in proportion to the number of hours of lecture, study or laboratory work in increments of less than one half unit.

~~Where a term is more or less than 16 weeks, more or less than one credit hour shall be allowed in the same ratio that the length of the term is to 16 weeks.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

6. Section 55003 is added to article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§ 55003. Policies for Prerequisites, Corequisites and Advisories on Recommended Preparation.

(a) The governing board of a community college district may establish prerequisites, corequisites, and advisories on recommended preparation, but must do so in accordance with the provisions of this article. Nothing in this subchapter shall be construed to require a district to establish prerequisites, corequisites, or advisories on recommended preparation; provided however, that a prerequisite or corequisite shall be required if the course is to be offered for associate degree credit and the curriculum committee finds that the prerequisite or corequisite is necessary pursuant to sections 55002(a)(2)(D) or 55002(a)(2)(E).

(b) A governing board choosing to establish prerequisites, corequisites, or advisories on recommended preparation shall, in accordance with the provisions of sections 53200-53204, adopt policies for the following:

(1) The process for establishing prerequisites, corequisites, and advisories on recommended preparation. Such policies shall provide that in order to establish a prerequisite or corequisite, the prerequisite or corequisite must be determined to be necessary and appropriate for achieving the purpose for which it is being established.

District policies shall also specify the level of scrutiny that shall be required in order to establish different types of prerequisites, corequisites, and advisories on recommended preparation. At a minimum, prerequisites, corequisites, and advisories on recommended preparation shall be based on content review, with additional methods of scrutiny being applied depending on the type of prerequisite or corequisite being established. The policy shall provide that the types of prerequisites described in subdivision (e) may be established only on the basis of data collected using sound research practices. Determinations about prerequisites and corequisites shall be made on a course-by-course or program-by-program basis.

(2) Procedures to assure that courses for which prerequisites or corequisites are established will be taught in accordance with the course outline of record, particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or corequisite.

(3) The process, including levels of scrutiny, for reviewing prerequisites and corequisites to assure that they remain necessary and appropriate. These processes shall provide that at least once each six years all prerequisites and corequisites established by the district shall be reviewed, except that prerequisites and corequisites for vocational courses or programs shall be reviewed every two years. These processes shall also provide for the periodic review of advisories on recommended preparation.

(4) The bases and process for an individual student to challenge the application of a prerequisite or corequisite.

(c) Prerequisites or corequisites may be established only for any of the following purposes:

(1) the prerequisite or corequisite is expressly required or expressly authorized by statute or regulation; or

(2) the prerequisite will assure, consistent with section 55002, that a student has the skills, concepts, and/or information that is presupposed in terms of the course or program for which it is being established, such that a student who has not met the prerequisite is highly unlikely to receive a satisfactory grade in the course (or at least one course within the program) for which the prerequisite is being established; or

(3) the corequisite course will assure, consistent with section 55002, that a student acquires the necessary skills, concepts, and/or information, such that a student who has not enrolled in the corequisite is highly unlikely to receive a satisfactory grade in the course or program for which the corequisite is being established; or

(4) the prerequisite or corequisite is necessary to protect the health or safety of a student or the health or safety of others.

(d) Except as provided in this subdivision, no prerequisite or corequisite may be established or renewed pursuant to subdivision (b)(3) unless it is determined to be necessary and appropriate to achieve the purpose for which it has been established. A prerequisite or corequisite need not be so scrutinized until it is reviewed pursuant to subdivision (b) (3) if:

(1) it is required by statute or regulation; or

(2) it is part of a closely-related lecture-laboratory course pairing within a discipline; or

(3) it is required by four-year institutions.

(e) A course in communication or computation skills may be established as a prerequisite or corequisite for any course other than another course in communication or

computation skills only if, in addition to conducting a content review, the district gathers data according to sound research practices and shows that a student is highly unlikely to succeed in the course unless the student has met the proposed prerequisite or corequisite. If the curriculum committee initially determines, pursuant to section 55002(a)(2)(E), that a new course needs to have a communication or computation skill prerequisite or corequisite, then, despite subdivision (d) of this section, the prerequisite or corequisite may be established for a single period of not more than two years while the research is being conducted and the final determination is being made, provided that all other requirements for establishing the prerequisite or corequisite have been met. The requirements of this subdivision related to collection of data shall not apply when:

(1) baccalaureate institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite; or

(2) the prerequisite or corequisite is required for enrollment in a program, that program is subject to approval by a state agency other than the Chancellor's Office and both of the following conditions are satisfied:

(A) colleges in at least six different districts have previously satisfied the data collection requirements of this subdivision with respect to the same prerequisite or corequisite for the same program; and

(B) the district establishing the prerequisite or corequisite conducts an evaluation to determine whether the prerequisite or corequisite has a disproportionate impact on particular groups of students described in terms of race, ethnicity, gender, age or disability, as defined by the Chancellor. When there is a disproportionate impact on any such group of students, the district shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(f) Prerequisites, corequisites, and advisories on recommended preparation must be identified in college publications available to students as well as the course outline of any course for which they are established.

(g) Prerequisites establishing communication or computational skill requirements may not be established across the entire curriculum unless established on a course-by-course basis.

(h) The determination of whether a student meets a prerequisite shall be based on successful completion of an appropriate course or on an assessment using multiple measures. Any assessment instrument shall be selected and used in accordance with the provisions of subchapter 6 (commencing with Section 55500) of this chapter.

(i) If a prerequisite requires precollegiate skills in reading, written expression, or mathematics, the governing board of a district shall ensure that nondegree-applicable basic skills courses designed to teach the required skills are offered with reasonable frequency and that the number of sections available is reasonable given the number of students who are required to meet the associated skills prerequisites and who diligently seek enrollment in the prerequisite course.

(j) Whenever a corequisite course is established, sufficient sections shall be offered to reasonably accommodate all students who are required to take the corequisite. A corequisite shall be waived as to any student for whom space in the corequisite course is not available.

(k) No exit test may be required to satisfy a prerequisite or corequisite unless it is incorporated into the grading for the prerequisite or corequisite course.

(l) The determination of whether a student meets a prerequisite shall be made prior to his or her enrollment in the course requiring the prerequisite, provided, however, that enrollment may be permitted pending verification that the student has met the prerequisite or corequisite. If the verification shows that the student has failed to meet the prerequisite, the student may be involuntarily dropped from the course if the applicable enrollment fees are promptly refunded.

Otherwise a student may only be involuntarily removed from a course due to excessive absences or as a result of disciplinary action taken pursuant to law or to the student code of conduct.

(m) Any prerequisite or corequisite may be challenged by a student on one or more of the grounds listed below. The student shall bear the initial burden of showing that grounds exist for the challenge. Challenges shall be resolved in a timely manner and, if the challenge is upheld, the student shall be permitted to enroll in the course or program in question. Grounds for challenge are:

(1) The prerequisite or corequisite has not been established in accordance with the district's process for establishing prerequisites and corequisites;

(2) The prerequisite or corequisite is in violation of this section;

(3) The prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

(4) The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite;

(5) The student will be subject to undue delay in attaining the goal of his or her educational plan because the prerequisite or corequisite course has not been made reasonably available; or

(6) Such other grounds for challenge as may be established by the district governing board.

(n) In the case of a challenge under subdivision (m)(3) of this section, the district shall promptly advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division. If the student elects to proceed with the challenge, completion of the challenge procedure shall be deemed to constitute an informal complaint pursuant to section 59327.

(o) District policies adopted pursuant to this section shall be submitted to the Chancellor as part of the district's matriculation plan pursuant to section 55510.

NOTE: Authority cited: Section 70901, Education Code. Reference: Section 70901, Education Code.

7. Section 55004 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 55004. Social Science Courses.~~

~~The course of instruction in social sciences shall include a study of the role, participation, and contribution of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic,~~

~~political, and social development of California and the United States of America.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

8. Section 55005 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55005. Publication of Course Standards.

For each course offered, a community college shall make available to students through college publications all of the following facts before they enroll in the course:

- (a) ~~Whether the~~ The designation of the course is offered as a degree-applicable credit course, a nondegree-applicable credit course, a ~~or~~ noncredit course, or a community services class offering.
- (b) Whether the course is transferable to baccalaureate institutions.
- (c) Whether the course fulfills a major/area of emphasis or general education requirement.
- (d) Whether the course is offered on the “pass-no pass” ~~basis of credit no credit.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 70901, Education Code.

9. Section 55006 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55006. Records and Reports.

~~Authorities of each~~ Each community college ~~maintaining credit and non-credit courses and community services classes and activities~~ shall keep and submit such ~~current~~ records and reports concerning ~~their total activities~~ its courses and offerings as may be required by the Chancellor to fulfill statutory responsibilities.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.

10. Section 55007 is added to article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§ 55007. Multiple and Overlapping Enrollments.

(a) A community college district may not permit a student to enroll in two or more sections of the same credit course during the same term unless the length of the course is such that a student may enroll in two or more sections of the same course during the same term without being enrolled in more than one section at any given time. Students needing additional instruction in the subject matter while enrolled in a course may be referred for

individualized tutoring pursuant to section 58170 or supplemental learning assistance pursuant to sections 58172 and 58164.

(b) A district may not permit a student to enroll in two or more courses where the meeting times for the courses overlap, unless the district has established and incorporated into its attendance accounting procedures adopted pursuant to section 58030 a mechanism for ensuring that the following requirements are satisfied:

(1) the student provides a sound justification, other than mere scheduling convenience, of the need for the overlapping schedule;

(2) an appropriate district official approves the schedule;

(3) the college maintains documentation describing the justification for the overlapping schedule and showing that the student made up the hours of overlap in the course partially or wholly not attended as scheduled at some other time during the same week under the supervision of the instructor of the course.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

11. Article 2 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Article 2. Approval of Courses, Programs and Classes~~

~~§ 55100. Course Approval.~~

~~Except as provided in subsection (b) and section 55160, each course to be offered by a community college shall be approved by the Chancellor before the course is offered by the college. The course shall be submitted to the Chancellor on forms provided by the Chancellor's Office.~~

~~(b) If an educational program has been approved by the Chancellor, the governing board of a district shall establish policies for, and may approve individual courses which are offered as part of an approved program. Such courses need not be approved by the Chancellor, but shall be reported in the manner provided in subsection (c).~~

~~(c) For each course approved by a district, whether or not approval by the Chancellor is required, the district shall designate the appropriate classification of the course or activity in accordance with section 55001.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.~~

~~§ 55130. Approval of Credit Programs.~~

~~(a) Before offering any course as part of an educational program at a college, the governing board of a district shall obtain approval of the educational program from the Chancellor in accordance with the provisions of this article. Approval shall be requested on forms provided by the Chancellor.~~

~~(b) The application for approval shall contain at least the following:~~

~~(1) The name of the proposed program.~~

- ~~(2) The description of the proposed program.~~
- ~~(3) The purposes and specific objectives of the proposed program.~~
- ~~(4) The place of the proposed program in the district master plan.~~
- ~~(5) An explanation of whether the program is appropriate to the objectives and conditions of higher education and community college education in California and whether it conforms to statewide master planning.~~
- ~~(6) The need for the proposed program ascertained with regard to at least the following factors:
 - ~~(A) Other community colleges in the area currently offering the program.~~
 - ~~(B) Other programs closely related to the proposed program offered by the college.~~
 - ~~(C) Relation of the proposed program to job market analysis.~~
 - ~~(D) Enrollment projection for the proposed program.~~
 - ~~(E) Recommendations of area vocational master plan committees when applicable.~~
 - ~~(F) The classification of the courses in the program in accordance with section 55001.~~
 - ~~(7) The need for and present adequacy of the following resources shall be determined in relation to the proposed program:
 - ~~(A) Library and media center resources.~~
 - ~~(B) Facilities and equipment required to initiate and sustain the program. If a new facility is to be used, reference should be made to the five-year master plan.~~
 - ~~(C) Availability of adequate or proposed financial support.~~
 - ~~(D) Availability of faculty.~~
 - ~~(e) The development, establishment and evaluation of an education program shall include representative faculty involvement.~~
 - ~~(d) An approval is effective until the program or implementation of the program is discontinued or modified in any substantial way. From time to time the Chancellor may evaluate an educational program, after its approval, on the basis of factors listed in this section. If on the basis of such an evaluation the Chancellor determines that an educational program should no longer be offered, the Chancellor may terminate the approval and determine the effective date of termination.~~
 - ~~(e) In multicollege districts, program approval is granted for a specific college.~~~~~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

12. A new article 2 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 2. Grading and Academic Record Symbols

§ 55020. Regulations.

The governing board of each community college district shall adopt regulations consistent with this article. The regulations shall be published in the college catalog under appropriate headings and filed with the Chancellor's Office as required by section 51002.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55021. Grading Policies.

(a) The governing board of each community college district shall establish a uniform grading policy for all colleges within the district. The policy shall be based on sound academic principles and be consistent with the requirements of this chapter.

(b) The grading policy shall require that all work in all degree-applicable and nondegree-applicable credit courses shall be graded in accordance with a grading system adopted by the governing board consistent with section 55023.

(c) The grading policy may provide for award of grades in noncredit courses, including courses which are part of a high school diploma program or may be accepted for high school credit by a high school.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55022. Pass-No Pass Options.

(a) The policy adopted pursuant to section 55021 may permit courses to be offered in either or both of the following categories and, if so, shall require that each college catalog specify the category into which each course falls:

(1) Courses wherein all students are evaluated on a “pass-no pass” basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30 percent of the term, whether the basis of evaluation is to be “pass-no pass” or a letter grade.

(b) All units of credit earned on a “pass-no pass” or “credit-no credit” basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a “pass-no pass” basis shall not be used to calculate grade point averages. However, units attempted for which the symbol “NP” (as defined in section 55023) is recorded shall be considered in probation and dismissal procedures.

(d) Notwithstanding any provision of this chapter, a district may continue to designate courses as being offered on a “credit-no credit basis” instead of a “pass-no pass” basis and may continue to use the “CR” and “NC” symbols, as defined in section 55030, instead of the “P” and “NP” symbols until the Fall 2009 term. Until the Fall 2009 term, any reference in this chapter to the “P” symbol shall be deemed to include the “CR” symbol and any reference to the “NP” symbol shall be deemed to include the “NC” symbol.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55023. Academic Record Symbols and Grade Point Average.

(a) Except as provided in subdivisions (b) and (c), grades from a grading system shall be averaged on the basis of the point equivalencies to determine a student's grade point average using only the following evaluative symbols:

<u>Symbol</u>	<u>Definition</u>	<u>Grade Point</u>
<u>A</u>	<u>Excellent</u>	<u>4</u>
<u>B</u>	<u>Good</u>	<u>3</u>
<u>C</u>	<u>Satisfactory</u>	<u>2</u>
<u>D</u>	<u>Less than satisfactory</u>	<u>1</u>
<u>F</u>	<u>Failing</u>	<u>0</u>
<u>P</u>	<u>Passing (At least satisfactory - units awarded not counted in GPA. Has the same meaning as “CR” as that symbol was defined prior to June 30, 2007.)</u>	
<u>NP</u>	<u>No Pass (Less than satisfactory, or failing - units not counted in GPA. NP has the same meaning as “NC” as that symbol was defined prior to June 30, 2007.)</u>	

(b) The governing board of a community college district may use “plus” and “minus” designations in combination with letter grades, except that the grade of C minus shall not be used. If pluses and minuses are used, the grade point value of a plus shall be computed by adding 0.3 to the value assigned to the letter grade with which it is combined, and the grade point value of a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade with which it is combined, except that no grade point value shall be less than 0 or greater than 4.0.

(c) Regardless of whether the governing board elects to use plus and minus grading, it may provide for the use of the “FW” grade symbol to indicate that a student has both ceased participating in a course some time after the last day to officially withdraw from the course without having achieved a final passing grade, and that the student has not received district authorization to withdraw from the course under extenuating circumstances. The “FW” symbol may not be used if a student has qualified for and been granted military withdrawal. If “FW” is used, its grade point value shall be zero (0).

(d) The governing board of each community college district shall publish the point equivalencies for the grades used in subdivision (a), or, subdivisions (a) and (b) (if pluses and minuses are used) in the catalog or catalogs of each college in the district as a part of its grading policies. In the event the governing board chooses to use the “FW” described in subdivision (c), it shall be included in the grading system and point equivalencies published in the catalog.

(e) The governing board of each community college district may authorize the use, under controls and conditions specified below, of only the following nonevaluative symbols:

<u>Symbol</u>	<u>Definition</u>
<u>I</u>	<u>Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an “I” symbol being entered in the student's record. The condition for the removal of the “I” shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the “I” and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with</u>

the registrar until the “I” is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The “I” may be made up no later than one year following the end of the term in which it was assigned.

The “I” symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.

IP In progress: The “IP” symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is “in progress,” but that assignment of an evaluative symbol (grade) must await its completion. The “IP” symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The “IP” shall not be used in calculating grade point averages. If a student enrolled in an “open-entry, open-exit” course is assigned an “IP” at the end of a term and does not re-enroll in that course during the subsequent term, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subdivision (a) or (a) and (b) if plus and minus grading is used) to be recorded on the student's permanent record for the course.

RD Report Delayed: The “RD” symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. “RD” shall not be used in calculating grade point averages.

W Withdrawal: The “W” symbol may be used to denote withdrawal in accordance with the requirements of section 55024.

MW Military Withdrawal: The “MW” symbol may be used to denote military withdrawal in accordance with section 55024.

(f) In calculating students’ degree-applicable grade point averages, grades earned in nondegree-applicable credit courses shall not be included.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55024. Withdrawal.

(a) The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:

(1) Withdrawal from a course or courses shall be authorized through the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30 percent of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The academic record of a student who remains in a course beyond the time allowed by district policy must reflect a symbol as authorized in section 55023.

(2) The governing board may by regulation authorize withdrawal from a course or courses in extenuating circumstances after the last day of the fourteenth week (or 75 percent of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.

(3) No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30 percent of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30 percent of a term, during which no notation shall be made.

(4) Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less) shall be authorized after informing the appropriate faculty.

(5) Withdrawal after the end of the fourteenth week (or 75 percent of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."

(6) For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course section in question or, in the event the instructor cannot be contacted, the department chair or appropriate administrator.

(7) The "W" shall not be used in calculating grade point averages, but shall be used in determining probation and dismissal pursuant to article 3 of this subchapter.

(8) A "W" shall not be assigned, or if assigned shall be removed, from a student's academic record, if a determination is made pursuant to sections 59300 et seq. that the student withdrew from the course due to discriminatory treatment or due to retaliation for alleging discriminatory treatment or that the student withdrew because he or she reasonably believed that remaining in the course would subject him or her to discriminatory treatment or retaliation for alleging discriminatory treatment.

(b) Within the parameters set forth in subdivision (a), criteria for withdrawal and the procedures to accomplish it shall be established by the district governing board and published in college catalogs.

(c) A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

(d) The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:

(1) "Military Withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW."

(2) Military withdrawals shall not be counted in progress probation and dismissal calculations.

(3) In no case may a military withdrawal result in a student being assigned an "FW" grade.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55025. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with this article. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency.

(b) For purposes of this section, "mistake" may include, but is not limited to, clerical errors and errors made by an instructor in calculating a student's grade.

(c) Procedures for the correction of grades shall be consistent with Education Code section 76232 or provide an alternative mechanism which will ensure that students receive a reasonable and objective review of the requested grade change. If the procedure requires the student to first request a grade change from the instructor, provisions shall be made for another faculty member to substitute for the instructor if the instructor is not available, the student has filed a discrimination complaint or the district determines that it is possible there has been gross misconduct by the original instructor.

(d) Procedures shall also include expunging the incorrect grade from the record.

(e) When grade changes are made as a result of course repetition in accordance with article 4 of this subchapter, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

13. Article 2.2 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Article 2.2. Approval of Noncredit Courses and Programs~~

~~§ 55150. Approval of Noncredit Courses and Programs.~~

~~(a) Courses or programs offered for noncredit shall be approved by the Chancellor in accordance with this article and section 55100 on forms provided by the Chancellor's Office.~~

~~(b) Course outlines for all noncredit courses shall be on file in the community college offering the course.~~

~~(c) Authorities of each community college maintaining noncredit courses shall keep such current records and reports as may be required by the Chancellor.~~

~~(d) In order to be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5, a career development or college preparation noncredit course must be part of a program or sequence of courses approved by the Chancellor pursuant to section 55151.~~

~~NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.~~

~~§ 55151. Career Development and College Preparation Noncredit Courses.~~

~~A noncredit course involving career development or college preparation will be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it satisfies the requirements set forth in subdivisions (a), (b) and (c) below.~~

~~(a) The course is approved by the college curriculum committee and the district governing board pursuant to subdivision (c) of section 55002 and by the Chancellor's Office pursuant to section 55150 and is part of either:~~

~~(1) A short-term vocational program which The Chancellor, in consultation with the Employment Development Department, has determined to have high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.~~

~~(2) A sequence of courses involving:~~

~~(A) Courses in elementary and secondary basic skills;~~

~~(B) Workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision-making, and problem solving skills that are necessary to participate in job-specific technical training; or~~

~~(C) Courses in English as a second language and vocational English as a second language.~~

~~(b) The program or sequence of courses is designed to result in either:~~

~~(1) A noncredit certificate of completion leading to improved employability or job opportunities; or~~

~~(2) A noncredit certificate of competency in a recognized career field articulated with degree applicable coursework, completion of an associate degree or transfer to a baccalaureate institution. A certificate of competency in a recognized career field may be articulated with degree applicable coursework, an associate degree, or transfer to a baccalaureate institution by means of nondegree applicable coursework which may be completed prior to or taken concurrently with degree applicable or transferable coursework.~~

~~(c) Each program or sequence of courses must be submitted to and approved by the Chancellor. Each application for approval shall include a list of required courses to be included in the program or sequence of courses, course outlines for each course, and an explanation of how the program or sequence of courses is designed to lead students to one of the outcomes described in subdivision (b). For short term vocational programs, the application shall also include an analysis of labor market need or job availability.~~

~~(d) The Chancellor shall develop forms and procedures for electronic submission of applications for approval.~~

~~(e) Notwithstanding section 55100, if the Chancellor approves a sequence of courses or a short term vocational program pursuant to this section, the sequence of courses or program may not be subsequently modified by the inclusion of additional courses unless the course or courses to be added are of one of the types listed in subdivision (a) and have themselves been individually approved by the Chancellor pursuant to section 55150.~~

~~(f) Under no circumstances may a district separate an existing noncredit course which provides less than one hundred and ten (110) hours of instruction into two or more courses for the purpose of forming a sequence of courses to satisfy the requirements of this section.~~

~~(g) Nothing in this section shall be construed to prevent a particular student from taking additional degree applicable coursework, pursuing an associate degree, or pursuing transfer to a baccalaureate institution in addition to or instead of seeking immediate employment.~~

~~NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.~~

~~§ 55151.5. Additional Requirements.~~

~~(a) The purpose of the emergency regulations set forth in this article is to take the steps minimally necessary to implement Education Code sections 84750.5 and 84760.5 as expeditiously as possible for the 2006-07 fiscal year. It is the intent of the Board of Governors to adopt final regulations in May 2007 to establish requirements which will apply to noncredit courses and programs for future fiscal years. These final regulations may address, among other matters:~~

~~(1) Standards for approval of short term vocational programs providing 288 hours or more of instruction;~~

~~(2) The development of policies on repetition of noncredit courses; and~~

~~(3) Other standards appropriate for noncredit courses and programs.~~

~~(b) In developing a proposed set of final regulations to address the matters described in subdivision (a), the Chancellor shall consult with the Academic Senate for the California Community Colleges, the Chief Instructional Officers and other appropriate groups.~~

~~NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.~~

~~§ 55151.7. Duration of Article.~~

~~The provisions of this article shall remain in effect only until August 31, 2007, and are repealed as of that date, unless a subsequent amendment to this section deletes or extends that date.~~

~~NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.~~

~~§ 55160. Approval of Community Service Classes.~~

~~(a) Districts are authorized in accordance with the provisions of article 7 (commencing with section 78300) of chapter 2, part 48 of the Education Code to approve and conduct community services classes without the approval of the Chancellor.~~

~~(b) Community services classes shall not be referred to as noncredit classes.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78300, Education Code.~~

~~§ 55170. Contract Classes.~~

~~(a) Notwithstanding subdivision (c) of section 55000, "contract classes" means those classes which a community college district offers in fulfillment of a contract with a public or private agency, corporation, association, or other body or person.~~

~~(b) No approval of a contract class is required if the district does not claim state support for the class and if the legislation which authorizes that class does not require approval. If the district claims state support for a contract class, approval of the class shall be obtained in the manner provided for classes of the same type, as provided in this article. Approval of the contract shall be obtained in the manner provided for by law.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 8092, 70902 and Article 1.5 (commencing with Section 78020) of Chapter 1, Part 48, Education Code.~~

~~§ 55182. Reinstatement of Deleted Courses.~~

~~The governing board of a community college district may reinstate any course which was deleted from the credit or noncredit curriculum during the 1982-83 fiscal year, in response to provision Number 11 of Item 6870-101-001 of the Budget Act of 1982 (Chapter 326, Statutes of 1982); provided that the following criteria and procedures shall be applied in conjunction with such reinstatement:~~

~~(a) The governing board of the district shall only reinstate such courses in a manner which is consistent with the policy of the Board of Governors that offerings which are primarily avocational, or recreational shall be offered as community services classes, and not as credit or noncredit courses;~~

~~(b) The governing board of the district shall determine that the course meets the criteria and standards for courses specified in section 55002;~~

~~(c) The governing board may act to reinstate a course only after it has been reviewed through the college's or district's established procedure for the approval of new courses;~~

~~(d) The governing board must submit the course to the Chancellor for approval, or report approval of the course, depending on the requirements of section 55100. A separate designation shall be used to distinguish reinstated courses from new courses; and~~

~~(e) The governing board must determine that reinstatement of the course maintains or improves the curriculum balance of the district in accordance with the mission of the community college and local needs.~~

~~(f) Any category of courses restored to the curriculum pursuant to a separate authorization of the Board of Governors shall be exempt from the requirements of this section.~~

~~NOTE: Authority cited: Sections 66700, 70901 and 78401, Education Code. Reference: Sections 70901, 70902 and 78401, Education Code.~~

~~**§ 55183. Authority of Partner District to Offer Courses Previously Approved by Chancellor.**~~

~~Notwithstanding the provisions of sections 55100, 55130 or 55150, a community college district that enters into an instructional services agreement with another district which has lost accreditation as described in section 51016.5, may offer any and all courses and/or programs for which the unaccredited college has previously obtained the Chancellor's approval. The partner district shall not be required to obtain separate approval from the Chancellor before offering those courses and/or programs.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

14. Article 2.5 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~**Article 2.5. Prerequisites, Corequisites, and Recommended Preparation**~~

~~**§ 55200. Definitions.**~~

~~For the purposes of this Division, the following definitions apply:~~

~~(a) "Prerequisite" means a condition of enrollment that a student is required to meet in order to demonstrate current readiness for enrollment in a course or educational program.~~

~~(b) "Corequisite" means a condition of enrollment consisting of a course that a student is required to simultaneously take in order to enroll in another course.~~

~~(c) "Advisory on recommended preparation" means a condition of enrollment that a student is advised, but not required, to meet before or in conjunction with enrollment in a course or educational program.~~

~~(d) "Satisfactory grade" means that, for the course in question, the student's academic record has been annotated with the symbol A, B, C or "CR" as those symbols are defined in Section 55758 of this Division.~~

~~(e) "Necessary and appropriate" means that a strong rational basis exists for concluding that a prerequisite or corequisite is reasonably needed to achieve the purpose that it purports to serve. This standard does not require absolute necessity.~~

~~(f) "content review" means a rigorous, systematic process developed in accordance with Sections 53200 to 53204, approved by the Chancellor as part of the district matriculation plan required under Section 55510, and is conducted by faculty to identify the necessary and appropriate body of knowledge or skills students need to possess prior to enrolling in a course, or which students need to acquire through concurrent enrollment in a corequisite course.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

~~§ 55201. Policies for Prerequisites, Corequisites and Advisories on Recommended Preparation.~~

~~(a) The governing board of a community college district may establish prerequisites, corequisites, and advisories on recommended preparation, but must do so in accordance with the provisions of this Article. Nothing in this subchapter shall be construed to require a district to establish prerequisites, corequisites, or advisories on recommended preparation; provided however, that a prerequisite or corequisite shall be required if the course is to be offered for associate degree credit and the curriculum committee finds that the prerequisite or corequisite is necessary pursuant to Section 55002(a)(2)(D) or 55002(a)(2)(E).~~

~~(b) A governing board choosing to establish prerequisites, corequisites, or advisories on recommended preparation shall, in accordance with the provisions of Sections 53200-53204 of this Division, adopt policies for the following:~~

~~(1) The process for establishing prerequisites, corequisites, and advisories on recommended preparation. Such policies shall provide that in order to establish a prerequisite or corequisite, the prerequisite or corequisite must be determined to be necessary and appropriate for achieving the purpose for which it is being established. District policies shall also specify the level of scrutiny that shall be required in order to establish different types of prerequisites, corequisites, and advisories on recommended preparation. At a minimum, prerequisites, corequisites, and advisories on recommended preparation shall be based on content review, with additional methods of scrutiny being applied depending on the type of prerequisite or corequisite being established. The policy shall provide that the types of prerequisites described in Subsection (e) may be established only on the basis of data collected using sound research practices. Determinations about prerequisites and corequisites shall be made on a course-by-course or program-by-program basis.~~

~~(2) Procedures to assure that courses for which prerequisites or corequisites are established will be taught in accordance with the course outline particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or corequisite.~~

~~(3) The process, including levels of scrutiny, for reviewing prerequisites and corequisites to assure that they remain necessary and appropriate. These processes shall provide that at least once each six years all prerequisites and corequisites established by the district shall be reviewed. These processes shall also provide for the periodic review of advisories on recommended preparation.~~

~~(4) The bases and process for an individual student to challenge the application of a prerequisite or corequisite.~~

~~(c) Prerequisites or corequisites may be established only for any of the following purposes:~~

~~(1) the prerequisite or corequisite is expressly required or expressly authorized by statute or regulation; or~~

~~(2) the prerequisite will assure, consistent with Section 55002(a)(2)(D), that a student has the skills, concepts, and/or information that is presupposed in terms of the course or program for which it is being established, such that a student who has not met the prerequisite is highly unlikely to receive a satisfactory grade in the course (or at least one course within the program) for which the prerequisite is being established; or~~

~~(3) the corequisite course will assure, consistent with Section 55002(a)(2)(D), that a student acquires the necessary skills, concepts, and/or information, such that a student who has not enrolled in the corequisite is highly unlikely to receive a satisfactory grade in the course or program for which the corequisite is being established; or~~

~~(4) the prerequisite or corequisite is necessary to protect the health and safety of a student or the health and safety of others.~~

~~(d) Except as provided in this Subsection, no prerequisite or corequisite may be established or renewed pursuant to Subsection (b)(3) unless it is determined to be necessary and appropriate to achieve the purpose for which it has been established. A prerequisite or corequisite need not be so scrutinized until it is reviewed pursuant to Subsection (b)(3) if:~~

~~(1) it was established prior to July 6, 1990, and is part of a sequence of degree-applicable courses within a given discipline; or~~

~~(2) it was established between July 6, 1990, and the effective date of this regulation, in accordance with regulations in effect during this period of time; or~~

~~(3) it is required by statute or regulation; or~~

~~(4) it is part of a closely related lecture laboratory course pairing within a discipline; or~~

~~(5) it is required by four year institutions.~~

~~(e) A course in communication or computation skills may be established as a prerequisite or corequisite for any course other than another course in communication or computation skills only if, in addition to conducting a content review, the district gathers data according to sound research practices and shows that a student is highly unlikely to succeed in the course unless the student has met the proposed prerequisite or corequisite. If the curriculum committee initially determines, pursuant to Section 55002(a)(2)(E), that a new course needs to have a communication or computation skill prerequisite or corequisite, then, despite Subsection (d) of this Section, the prerequisite or corequisite may be established for a single period of not more than two years while the research is being conducted and the final determination is being made, provided that all other requirements for establishing the prerequisite or corequisite have been met. The requirements of this subdivision related to collection of data shall not apply when:~~

~~(1) four year institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite; or~~

~~(2) the prerequisite or corequisite is required for enrollment in a program, that program is subject to approval by a state agency other than the Chancellor's Office and both of the following conditions are satisfied:~~

~~(A) colleges in at least six different districts have previously satisfied the data collection requirements of this subdivision with respect to the same prerequisite or corequisite for the same program; and~~

~~(B) the district establishing the prerequisite or corequisite conducts an evaluation to determine whether the prerequisite or corequisite has a disproportionate impact on particular groups of students described in terms of race, ethnicity, gender, age or disability, as defined by the Chancellor. When there is a disproportionate impact on any such group of~~

~~students, the district shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.~~

~~(f) Any prerequisite or corequisite may be challenged by a student on one or more of the grounds listed below. The student shall bear the initial burden of showing that grounds exist for the challenge. Challenges shall be resolved in a timely manner and, if the challenge is upheld, the student shall be permitted to enroll in the course or program in question. Grounds for challenge are:~~

~~(1) The prerequisite or corequisite has not been established in accordance with the district's process for establishing prerequisites and corequisites;~~

~~(2) The prerequisite or corequisite is in violation of this Article;~~

~~(3) The prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;~~

~~(4) The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite;~~

~~(5) The student will be subject to undue delay in attaining the goal of his or her educational plan because the prerequisite or corequisite course has not been made reasonably available; and~~

~~(6) Such other grounds for challenge as may be established by the district governing board.~~

~~(g) In the case of a challenge under Subsection (f)(3) of this Section, the district shall, upon completion of the challenge procedure established pursuant to this Section, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to Subchapter 5 (commencing with Section 59300) of Chapter 10 of this Division. Completion of the challenge procedure shall be deemed to satisfy the requirement of Section 59328(b) that the district and the student attempt informal resolution of the complaint.~~

~~(h) District policies adopted pursuant to this section shall be submitted to the Chancellor as part of the district's matriculation plan pursuant to Section 55510 of Subchapter 6 of Chapter 6 of this Division.~~

~~NOTE: Authority cited: Section 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55202. Additional Rules.~~

~~The following additional rules apply to the establishment of prerequisites and corequisites:~~

~~(a) Prerequisites, corequisites, and advisories on recommended preparation must be identified in college publications available to students as well as the course outline of any course for which they are established.~~

~~(b) Prerequisites establishing communication or computational skill requirements may not be established across the entire curriculum unless established on a course by course basis.~~

~~(c) The determination of whether a student meets a prerequisite shall be based on successful completion of an appropriate course or on an assessment using multiple measures. Any assessment instrument used shall be selected and used in accordance with~~

~~the provisions of Subchapter 6 (commencing with Section 55500) of Chapter 6 of this Division.~~

~~(d) If a prerequisite requires precollegiate skills in reading, written expression, or mathematics, the governing board of a district shall ensure that precollegiate basic skills courses designed to teach the required skills are offered with reasonable frequency and that the number of sections available is reasonable given the number of students who are required to meet the associated skills prerequisites and who diligently seek enrollment in the prerequisite course.~~

~~(e) Whenever a corequisite course is established, sufficient sections shall be offered to reasonably accommodate all students who are required to take the corequisite. A Corequisite shall be waived as to any student for whom space in the corequisite course is not available.~~

~~(f) No exit test may be required to satisfy a prerequisite or corequisite unless it is incorporated into the grading for the prerequisite or corequisite course.~~

~~(g) The determination of whether a student meets a prerequisite shall be made prior to his or her enrollment in the course requiring the prerequisite, provided, however, that enrollment may be permitted pending verification that the student has met the prerequisite or corequisite. If the verification shows that the student has failed to meet the prerequisite, the student may be involuntarily dropped from the course if the applicable enrollment fees are promptly refunded. Otherwise a student may only be involuntarily removed from a course due to excessive absences or as a result of disciplinary action taken pursuant to law or to the student code of conduct.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

15. Article 3 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Article 3. Distance Education~~

~~§ 55205. Definition and Application.~~

~~Distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All distance education is subject to the general requirements of this chapter as well as the specific requirements of this article. In addition, instruction provided as distance education is subject to the requirements that may be imposed by the Americans with Disabilities Act (42 U.S.C. Sec. 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 794d).~~

~~NOTE: Authority cited: Section 66700 and 70901, Education Code. References: Sections 70901 and 70902, Education Code.~~

~~§ 55207. Course Quality Standards.~~

~~The same standards of course quality shall be applied to distance education as are applied to traditional classroom courses, in regard to the course quality judgment made pursuant to the requirements of section 55002 of this part, and in regard to any local course quality determination or review process.~~

~~NOTE: Authority cited: Section 66700 and 70901, Education Code. References: Sections 70901 and 70902, Education Code.~~

~~§ 55209. Course Quality Determination.~~

~~Determination and judgments about the quality of distance education under the course quality standards referred to in section 55207, shall be made with the full involvement of faculty in accordance with the provisions of subchapter 2 (commencing with section 53200) of chapter 2 of division 4 of this part.~~

~~NOTE: Authority cited Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55211. Instructor Contact.~~

~~In addition to the requirements of section 55002 and any locally established requirements applicable to all courses, district governing boards shall ensure that:~~

~~(a) All approved courses offered as distance education include regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e mail, or other activities.~~

~~(b) All distance education courses are delivered consistent with guidelines issued by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors. Regular effective contact is an academic and professional matter pursuant to title 5, section 53200.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55213. Separate Course Approval.~~

~~Each proposed or existing course, if delivered by distance education, shall be separately reviewed and approved according to the district's certified course approval procedures.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55215. Faculty Selection.~~

~~Instructors of sections delivered via distance education technology shall be selected by the same procedures used to determine all instructional assignments. Instructors shall possess the minimum qualifications for the discipline into which the course's subject matter most appropriately falls, in accordance with article 2 of chapter 4 of division 4 of this part~~

~~(commencing with section 53410), and with the list of disciplinary definitions and requirements adopted by the Board of Governors to implement that article, as such list may be amended from time to time.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55217. Number of Students.~~

~~The number of students assigned to any one course section offered by distance education shall be determined by and be consistent with other district procedures related to faculty assignment. Procedures for determining the number of students assigned to a course section offered by distance education may include a review by the curriculum committee established pursuant to section 55002(a)(1).~~

~~Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55219. Ongoing Responsibility of Districts.~~

~~Any district conducting courses under section 55316.5 shall:~~

~~(a) Maintain records and report data through the Chancellor's Office Management Information System on the number of students and faculty participating in new courses or sections of established courses;~~

~~(b) Provide to the local governing board, no later than August 31st of each year, a report on all distance education activity;~~

~~(c) Provide other information consistent with reporting guidelines developed by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

16. A new article 3 is added to subchapter 1 of chapter 6 of division 6 of title 5 of California Code of Regulations to read:

Article 3. Probation and Dismissal

§ 55030. Definitions.

For the purposes of this chapter, the following terms shall have the specified meanings:

(a) "All units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion or exclusion of units in which a student did not receive a grade or "pass-no pass" or from which the student withdrew in accordance with rules adopted by the district governing board.

(b) "CR" means "credit" and is a symbol used to denote that a student received credit for at least satisfactory work in a course taken on a "credit-no credit basis" prior to the Fall 2009 term.

(c) "NC" means "no credit" and is a symbol used to denote that a student did not receive credit for a course taken on a "credit-no credit basis" prior to the Fall 2009 term.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55031. Standards for Probation.

(a) Academic probation. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading system described in section 55023.

(b) Progress probation. A student who has enrolled in a total of at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," "NP" and "NC" (as defined in sections 55023 and 55030) are recorded reaches or exceeds fifty percent (50 percent).

(c) The governing board of a community college district may adopt standards for probation not lower than those standards specified in subdivisions (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum number of units before academic or progress probation is assessed, a number of units fewer than 12 semester or 18 quarter units; or

(2) A district may establish, as the minimum grade point average for academic probation purposes, a grade point average greater than 2.0; or

(3) A district may establish, as the minimum percentage of units of "W," "I," "NP," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55032. Removal from Probation.

(a) A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade point average is 2.0 or higher.

(b) A student on progress probation because of an excess of units for which entries of "W," "I," "NP" and "NC" (as defined in section 55023 and 55030) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

(c) The governing board of a district shall adopt and publish procedures and conditions for probation and appeal of probation and request for removal from probation. Such procedures and conditions may establish standards not lower than those standards specified in subdivisions (a) and (b) of this section. Specifically:

(1) A district may establish, as a minimum grade point average for removal from academic probation, a grade point average greater than 2.0; or

(2) A district may establish, as the minimum percentage of units of “W,” “I,” “NP,” and “NC,” a percentage less than fifty percent (50%) for removal from probation.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55033. Standards for Dismissal.

For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment, so long as the break in the student's enrollment does not exceed one full primary term.

(a) A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade point average of less than 1.75 in all units attempted in each of 3 consecutive semesters (5 consecutive quarters) which were graded on the basis of the grading system described in section 55023.

(b) A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been enrolled for which entries of “W,” “I,” “NP” and “NC” (as defined in section 55023 and 55030) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55031.

(c) The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subdivisions (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or

(2) A district may establish, as the minimum percentage of units of “W,” “I,” “NP” and “NC,” a percentage less than fifty percent (50%), or

(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55034. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55035. Remedial Coursework Limit.

(a) A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to subchapter 6 (commencing with section 55500) of this chapter. However, except as provided in subdivision (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred for further remedial work to appropriate adult noncredit education services provided by a college, adult school, community-based organization, or other appropriate local provider.

(b) For the purposes of this section, "remedial coursework" refers to nondegree-applicable basic skills courses as defined in subdivision (j) of section 55000.

(c) The following students are exempted from the limitation on remedial coursework described in subdivision (a) of this section:

(1) Students enrolled in one or more courses of English as a Second Language (ESL);

(2) Students identified by the district as having a learning disability as defined in section 56036.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in degree-applicable credit courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for degree-applicable credit courses within the limit described in subdivision (a) of this section shall, unless provided with a waiver, be restricted to taking only noncredit courses, nondegree-applicable courses which do not involve remediation, and those degree-applicable credit courses which do not have basic skills prerequisites or advisories on recommended preparation.

(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will reasonably assure success in degree-applicable credit courses, request reinstatement to proceed with such coursework.

(g) The governing board of each district shall submit, through the established Management Information System, information necessary to enable the Chancellor to determine the following:

(1) The effect of this section on students by sex, age, and ethnicity;

(2) Success rates for students enrolled in "remedial coursework;"

(3) Attrition rates for students enrolled in "remedial coursework;"

(4) Rates at which students are referred to and enroll in adult noncredit instruction;

(5) Rates at which students who are referred to adult noncredit instruction subsequently enroll in degree-applicable credit courses;

(6) Term-to-term persistence rates for students;

(7) Rates at which students enter employment immediately after completing remedial coursework;

(8) The extent to which students are exempted from the limitation specified in subdivision (b);

(9) The extent to which students receive waivers, as authorized by subdivision (d); and

(10) The rate at which students are dismissed as described in subdivision (e).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 84500, Education Code; and Statutes of 1988, Chapter 973, Section 68.

17. A new article 4 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 4. Course Repetition and Academic Renewal

§ 55040. District Policy for Course Repetition.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the repetition of credit courses for which substandard academic work has been recorded. Such procedures shall not conflict with section 55025 or Education Code section 76224, pertaining to the finality of grades assigned by instructors, or with chapter 2.5 (commencing with section 59020) of division 10 of this part, pertaining to the retention and destruction of student records. Such procedures may:

(1) Permit repetition of any course which was taken in an accredited college or university and for which substandard academic work is recorded;

(2) Indicate any specific courses or categories of courses where repetition pursuant to this section is not permitted; and

(3) In determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities.

(b) For purposes of course repetition, academic renewal, and all other related provisions in this division, the following terms shall have the meanings specified below:

(1) "Course repetition" occurs when a student who has previously received a grade as defined in section 55023, in a particular course re-enrolls in that course.

(2) "Substandard academic work" means course work for which the grading symbols "D," "F," "FW," "NP" or "NC" (as defined in section 55023 and 55030) have been recorded.

(c) The procedures or regulations adopted pursuant to subdivision (a) may allow a student to repeat a course two times in an effort to alleviate substandard academic work. A district may, upon petition by the student, permit a third repetition of a course in which substandard academic work has previously been recorded, provided the district finds that there are extenuating circumstances which justify an additional repetition. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. The district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.

(d) The policy adopted pursuant to subdivision (a) may permit a student with a disability to repeat a special class for students with disabilities any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student for one of the reasons specified in section 56029.

The district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.

(e) When course repetition occurs pursuant to this section , the student's permanent academic record shall clearly indicate any courses repeated using an appropriate symbol and be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55041. Course Repetition Absent Substandard Academic Work.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of credit courses for which substandard academic work has not been recorded.

(b) If a district permits repetition of courses where substandard academic work has not been recorded, repetition shall be permitted, without petition, in instances when such repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment. Such courses must conform to all attendance accounting, course approval, and other requirements imposed by applicable provisions of law. Such courses may be repeated for credit any number of times, regardless of whether or not substandard academic work was previously recorded, and the grade received each time shall be included for purposes of calculating the student's grade point average. The governing board of a district may establish policies and procedures requiring students to certify or document that course repetition is necessary to complete legally mandated training pursuant to this subdivision.

(c) The district policy adopted pursuant to subdivision (a) may allow repetition in activity courses subject to the following conditions:

(1) The district must identify the courses which are to be repeatable, and designate such courses in its catalog.

(2) The district must determine and certify that each identified course is one in which the course content differs each time it is offered, and that the student who repeats it is gaining an expanded educational experience for one of the following reasons:

(A) Skills or proficiencies are enhanced by supervised repetition and practice within class periods; or

(B) Active participatory experience in individual study or group assignments is the basic means by which learning objectives are obtained.

(3) The district must develop and implement a mechanism for the proper monitoring of such repetition.

(4) Students may repeat a course pursuant to this subdivision for not more than three semesters or five quarters. For purposes of this subdivision, semesters or quarters include summer or intersessions.

(d) The policy adopted pursuant to subdivision (a) may permit a student with a disability to repeat a special class for students with disabilities any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student for one of the reasons specified in section 56029.

(e) Except as provided in subdivisions (b), (c) or (d), repetition of courses for which substandard academic work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that the student's previous grade is, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. Grades awarded for courses repeated under this subdivision shall not be counted in calculating a student's grade point average.

(f) In addition to permitting course repetition in the circumstances described in this section, a district may also require repetition of a course where substandard academic work has not been recorded if the district determines that there has been a significant lapse of time since the student previously took the course. A district may require a student to repeat a course pursuant to this paragraph where the district has properly established a recency prerequisite for a course pursuant to section 55003 or has otherwise defined "significant lapse of time" in its policy on course repetition. If the district determines that a student needs to repeat an activity course due to significant lapse of time, that repetition shall be counted in applying the limit on repetitions set forth in subdivision (c)(4) except that, if the student has already exhausted the number of repetitions permitted under subdivision (c)(4), an additional repetition due to significant lapse of time may be required by the district.

(g) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

§ 55042. Course Repetition in Activity Courses.

(a) For purposes of subdivision (c) of section 55041, "activity courses" include courses where the student meets course objectives by repeating a similar primary educational activity and the student continues or builds on skills or proficiencies by supervised repetition and practice within class periods. Such courses include but are not limited to the following:

- (1) Physical education courses;
- (2) Visual or performing arts courses in music, fine arts, theater or dance;
- (3) Career technical courses where the content differs each time the course is offered, but the primary educational activity remains the same.

(b)(1) Except as provided in paragraph (2) of this subdivision, where a college establishes several levels of courses which consist of similar educational activities, the repetition limitation in subdivision (c) of section 55041 applies to all levels of courses that involve a similar primary educational activity regardless of whether the repetitions reflect multiple enrollments in a single course or in multiple courses involving the same primary activity.

(2) Visual or performing arts courses in music, fine arts, theater or dance which are part of a sequence of transfer courses are not subject to paragraph (1) of this subdivision.

(c) ESL courses and nondegree-applicable basic skills courses are not considered "activity courses" for purposes of subdivision (c) of section 55041.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55043. Repetition of Variable Unit Courses.

(a) If a community college district offers credit courses for variable units on an open-entry/ open-exit basis pursuant to section 58164, the district policies on course repetition shall provide that a student may enroll in the course as many times as necessary to complete the entire curriculum of the course as described in the course outline of record. However, the district policy may not permit the student to repeat any portion of the curriculum for the course, regardless of the grade the student received for that portion of the course, unless:

- (1) the course is required for legally mandated training;
- (2) the course is a special class for students with disabilities which the student needs to repeat for one of the reasons described in section 56029; or
- (3) repetition of the course to retake a portion of the curriculum is justified by extenuating circumstances pursuant to subdivision (e) of section 55041.

(b) Notwithstanding subdivision (a), each time a student enrolls in a physical education activity course offered on an open entry/open exit basis, regardless of the number of units for which the student enrolls, the enrollment shall count as a repetition of the course for purposes of sections 55040-41 and 58161.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55044. Academic Renewal Without Course Repetition.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the alleviation of previously recorded substandard academic work, as defined in section 55040, which is not reflective of a student's demonstrated ability. Such policies and procedures shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal procedures. When academic renewal procedures adopted by the district permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(b) Policies and procedures adopted pursuant to subdivision (a) shall not conflict with:

- (1) Section 55025 of this subchapter and Education Code section 76224, pertaining to the finality of grades assigned by instructors; or
- (2) Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records.

(c) The policies and procedures adopted pursuant to subdivision (a) shall address all of the following:

- (1) The maximum amount of coursework that may be alleviated;
- (2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;

- (3) The length of time to have elapsed since the coursework to be alleviated was recorded; (4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation procedures;
(5) The procedures to be followed by students in petitioning for alleviation; and
(6) The personnel responsible for implementing the procedures.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

18. A new article 5 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 5. Alternative Methods for Awarding Credit

§ 55050. Credit by Examination.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to credit by examination in accordance with the provisions of this section.

(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(c) The nature and content of the examination shall be determined solely by faculty in the discipline who normally teach the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an examination conducted at a location other than the community college for this purpose.

(d) A separate examination shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which examinations are conducted pursuant to this section.

(e) The student's academic record shall be clearly annotated to reflect that credit was earned by examination.

(f) Grading shall be according to the regular grading system approved by the governing board pursuant to section 55023, except that students shall be offered a "pass-no pass" option if that option is ordinarily available for the course.

(g) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

(h) A district may charge a student a fee for administering an examination pursuant to this section, provided the fee does not exceed the enrollment fee which would be associated with enrollment in the course for which the student seeks credit by examination.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55051. Articulation of High School Courses.

(a) For purposes of this section, the term “articulated high school course” means a high school course or courses that the faculty in the appropriate discipline, using policies and procedures approved by the curriculum committee established pursuant to section 55002, have determined to be comparable to a specific community college course.

(b) The governing board of a community college district may adopt policies to permit articulated high school courses to be applied to community college requirements in accordance with this section. Articulated high school courses may be accepted in lieu of comparable community college courses to partially satisfy:

(1) requirements for a certificate program, including the total number of units required for the certificate; or,

(2) The major or area of emphasis requirements in a degree program.

(c) Articulated high school courses used to partially satisfy certificate or major/area of emphasis requirements shall be clearly noted as such on the student's academic record. Notations of community college course credit shall be made only if community college courses are successfully completed or if credit is earned via credit by examination.

(d) Except through credit by examination, as defined in section 55753, high school courses may not be used to satisfy:

(1) The requirement of section 55063 that students complete at least 60 semester or 90 quarter units in order to receive an associate degree; or,

(2) Any general education requirement for the associate degree established by the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700, 70901 and 70902, Education Code.

§ 55052. Advanced Placement Examinations.

The governing board of a community college district may adopt policies to grant credit for satisfactory completion of advanced placement examinations typically recognized by colleges and universities as measuring competencies comparable to those achieved in baccalaureate level courses.

The faculty in the appropriate discipline must approve advanced placement examinations, scores deemed to constitute satisfactory performance, courses offered by the college for which credit will be granted, and requirements that may be met by such examinations in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002.

The student's academic record shall be clearly annotated to reflect that credit was earned through an advanced placement examination.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700, 70901 and 70902, Education Code.

19. A new article 6 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 6. The Associate Degree

§ 55060. District Policy.

The governing board of each community college district shall adopt policy consistent with the provisions of this article. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

§ 55061. Philosophy and Criteria for Associate Degree and General Education.

(a) The governing board of a community college district shall adopt a policy which states its specific philosophy on General Education. In developing this policy governing boards shall consider the following policy of the Board of Governors:

The awarding of an Associate Degree is intended to represent more than an accumulation of units. It is to symbolize a successful attempt on the part of the college to lead students through patterns of learning experiences designed to develop certain capabilities and insights. Among these are the ability to think and to communicate clearly and effectively both orally and in writing; to use mathematics; to understand the modes of inquiry of the major disciplines; to be aware of other cultures and times; to achieve insights gained through experience in thinking about ethical problems; and to develop the capacity for self-understanding. In addition to these accomplishments, the student shall possess sufficient depth in some field of knowledge to contribute to lifetime interest.

Central to an Associate Degree, General Education is designed to introduce students to the variety of means through which people comprehend the modern world. It reflects the conviction of colleges that those who receive their degrees must possess in common certain basic principles, concepts and methodologies both unique to and shared by the various disciplines. College educated persons must be able to use this knowledge when evaluating and appreciating the physical environment, the culture, and the society in which they live. Most importantly, General Education should lead to better self-understanding.

In establishing or modifying a general education program, ways shall be sought to create coherence and integration among the separate requirements. It is also desirable that general education programs involve students actively in examining values inherent in proposed solutions to major social problems.

(b) The governing board of a community college district shall also establish criteria to determine which courses may be used in implementing its philosophy on the associate degree and general education.

(c) The governing board of a community college district shall, on a regular basis, review the policy and criteria established pursuant to subdivisions (a) and (b) of this section.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

§ 55062. Types of Courses Appropriate to the Associate Degree.

The criteria established by the governing board of a community college district to implement its philosophy on the associate degree shall permit only courses that conform to the standards specified in section 55002(a) and that fall into the following categories to be offered as degree-applicable credit courses:

(a) All lower division courses accepted toward the baccalaureate degree by the California State University or University of California or designed to be offered for transfer.

(b) Courses that apply to the major or area of emphasis in non-baccalaureate career technical fields.

(c) English composition courses not more than one level below the first transfer level composition course, typically known as Freshman Composition. Each student may count only one English composition course below transfer level for credit toward the associate degree. English as a Second Language (ESL) courses which teach composition skills are not considered to be English composition courses for purposes of this subdivision.

(d) All mathematics courses above and including Elementary Algebra.

(e) Credit courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board require entrance skills at a level equivalent to those necessary for the courses specified in subdivisions (c) and (d) above.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

§ 55063. Minimum Requirements for the Associate Degree.

The governing board of a community college district shall confer the associate degree upon a student who has demonstrated competence in reading, in written expression, and in mathematics, and who has satisfactorily completed at least 60 semester units or 90 quarter units of degree-applicable credit course work (as defined in section 55002(a)) which falls into the categories described in section 55062. A college may also accept toward satisfaction of this requirement courses that were not completed at a California community college that would reasonably be expected to meet or exceed the standards of section 55002(a).

Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in written expression shall be demonstrated by obtaining a satisfactory grade in an English course at the level of the course typically known as Freshman Composition (either Freshman Composition or another English course at the same level and with the same rigor, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified English course. Satisfactory completion of an English course at the level of Freshman Composition shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(i) of this section.

Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in mathematics shall be demonstrated by obtaining a satisfactory grade in a mathematics course at the level of the course typically known as Intermediate Algebra (either Intermediate Algebra or another mathematics course at the same level, with the same rigor and with Elementary Algebra as a prerequisite, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified mathematics course. Satisfactory completion of a mathematics course at the level of Intermediate Algebra shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(ii) of this section.

The competency requirements for written expression and mathematics may also be met by obtaining a satisfactory grade in courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board, require entrance skills at a level equivalent to those necessary for Freshman Composition and Intermediate Algebra respectively. Requirements for demonstrating competency in reading shall be locally determined.

The required 60 semester or 90 quarter units of course work must be fulfilled in a curriculum accepted toward the degree by a college within the district (as shown in its catalog). It must include at least 18 semester or 27 quarter units in general education and at least 18 semester or 27 quarter units in a major or area of emphasis as prescribed in this section. Of the total required units, at least 12 semester or 18 quarter units must be completed in residence at the college granting the degree. Exceptions to residence requirements for the associate degree may be made by the governing board when it determines that an injustice or undue hardship would be placed on the student.

(a) Requirements for a major or area of emphasis.

(1) At least 18 semester or 27 quarter units of study must be taken in a single discipline or related disciplines, as listed in the community colleges "Taxonomy of Programs," or in an area of emphasis involving lower division coursework which prepares students for a field of study or for a specific major at the University of California or the California State University.

(2) Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, each course counted toward the unit requirement of this subdivision must be completed with a grade of C or better or a "P" if the course is taken on a "pass-no pass" basis.

(b) General Education Requirements.

(1) Students receiving an associate degree shall complete a minimum of 18 semester or 27 quarter units of general education coursework which includes a minimum of three semester or four quarter units in each of the areas specified in paragraphs (A), (B) and (C) and the same minimum in each part of paragraph (D). The remainder of the unit requirement is also to be selected from among these four divisions of learning or as determined by local option:

(A) Natural Sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an

understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.

(B) Social and Behavioral Sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. This category would include introductory or integrative survey courses in cultural anthropology, cultural geography, economics, history, political science, psychology, sociology and related disciplines.

(C) Humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion.

(D) Language and Rationality. Courses in language and rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses. Such courses include:

(i) English Composition. Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing.

(ii) Communication and Analytical Thinking. Courses fulfilling the communication and analytical thinking requirement include oral communication, mathematics, logic, statistics, computer languages and programming, and related disciplines.

(3) Ethnic Studies will be offered in at least one of the areas required by subdivision (2).

(c) While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major or area of emphasis requirement. Whether it may be counted again for a different degree requirement is a matter for each college to determine. Students may use the same course to meet a general education requirement for the associate degree and to partially satisfy a general education requirement at the California State University, if such course is accepted by that system to satisfy a general education requirement.

(d) For the purpose of this section, "satisfactorily completed" means either credit earned on a "pass-no pass" basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55064. Acceptance of Noncredit Courses.

The governing board of each community college district shall establish procedures by which a student may petition to have completion of a noncredit course counted toward satisfaction of the requirements for an associate degree. The petition shall be granted if the instructor of the noncredit course certifies that the student has achieved competence in the subject matter at a level and with academic rigor equivalent to that required for a degree-applicable credit course.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 78405, Education Code.

20. A new article 7 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 7. Credit Certificates

§ 55070. Credit Certificates.

(a) Any sequence of courses consisting of 18 or more semester units or 27 or more quarter units of degree-applicable credit coursework shall constitute an educational program subject to approval by the Chancellor pursuant to section 55130. The college-awarded document confirming that a student has completed such a program shall be known as a certificate of achievement and may not be given any other designation. The award of a certificate of achievement is intended to represent more than an accumulation of units. Listing of the certificate of achievement on a student transcript symbolizes successful completion of patterns of learning experiences designed to develop certain capabilities that may be oriented to career or general education. For purposes of this subdivision, the term "general education" includes coursework taken to satisfy transfer patterns established by the University of California, the California State University, or accredited public postsecondary institutions in adjacent states which award the baccalaureate degree.

(b) Shorter credit programs leading to a certificate may be established without review and approval by the Chancellor after approval by the college curriculum committee and the district governing board. Such a certificate may be given any name or designation deemed appropriate by the district governing board, except that such a certificate may not be referred to as a certificate of achievement, a certificate of completion, or a certificate of competency, unless approved by the Chancellor pursuant to subdivision (c). Such a certificate may not be listed on a student's transcript, unless approved by the Chancellor pursuant to subdivision (c).

(c) A district may submit any sequence of courses consisting of 12 or more semester units or 18 or more quarter units of degree-applicable credit coursework to the Chancellor and request that it be approved as a program leading to a certificate of achievement. The Chancellor may approve such a program if he or she determines that it satisfies the requirements of subdivision (a) despite requiring fewer than 18 semester or 27 quarter units of degree-applicable credit coursework.

(d) Content and assessment standards for certificates shall be defined by the local curriculum committee and comply with the requirements of this chapter. Such standards should also ensure that certificate programs will be consistent with the mission of the college, meet a demonstrated need, be feasible, and adhere to guidelines on academic integrity which may be developed by the Chancellor, the Academic Senate for California Community Colleges or other appropriate statewide bodies.

(e) A description of each approved program shall be included in the college catalog.

(f) The Chancellor shall develop forms and procedures for submission of applications for approval of a program leading to a certificate of achievement.

(g) Provisions of this section regarding the naming or designation of certificates shall become effective for the Fall 2008 term.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55072. Award of Certificates.

The governing board, or its designee, shall award the appropriate certificate to any student who has completed the prescribed curriculum leading to that certificate as approved pursuant to section 55070.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

21. A new article 8 is added to subchapter 1 of chapter 6 of division 6 of title 5 of the California code of Regulations to read:

Article 8. Educational Master Plans

§ 55080. Adoption and Content of Plans.

(a) The governing board of each community college district shall establish policies for, and approve, current and long range educational plans and programs for each community college which it maintains and for the district as a whole.

(b) Each plan shall be modified and brought up to date periodically as deemed necessary by the governing board.

(c) Each plan shall contain the educational objectives of the community college or district and the future plans for transfer programs, career technical programs, noncredit courses and programs, and remedial and developmental programs. On the basis of current and future enrollment, it shall contain plans for the development and expansion of ancillary services, including services in the library and for counseling, placement, and financial aid.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70902, Education Code.

22. Subchapter 2 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Subchapter 2. Programs and Classes Outside of District~~

~~§ 55230. Classes, Property and Buildings Outside of District.~~

~~The governing board of a community college district may conduct community college classes and acquire the necessary property and erect the necessary buildings therefor, outside of the boundaries of the district if all of the following conditions exist:~~

- ~~(a) The proposed location is within the state.~~
- ~~(b) The activities, trades, businesses, or work to be carried on at the proposed location is such as to offer educational opportunities to students who are residents of the district in the subject or all of the subjects proposed to be taught at that location, and facilities for such instruction are not available either at the location of the principal buildings of the community college, or elsewhere within the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55231. Establishment of Courses Outside of District.~~

~~The governing board of a community college district may establish courses outside the district primarily for students who are nonresidents of the district, providing one of the following conditions is fulfilled:~~

- ~~(a) The governing board of a high school district in territory that is not included in any community college district requests that community college courses be offered in the high school district.~~
- ~~(b) The governing board of a high school district requests that community college courses be offered in the high school district in accordance with other applicable provisions of law and either:

 - ~~(1) the community college district where the high school district is located chooses not to offer such courses; or~~
 - ~~(2) the courses will be offered only to pupils of the high school and will not be claimed for apportionment by the community college district.~~~~
- ~~(c) Another community college district requests that community college courses be offered in its territory.~~

~~Nothing in this section or any other provision of this subchapter shall be construed to prohibit districts from establishing study abroad programs as described in Education Code section 66015.7 for students who are district residents or students who are not residents of the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55232. Use of Facilities Outside of District.~~

~~The governing board of a community college district may conduct community college classes for students who are residents of the district and utilize existing facilities necessary~~

~~therefor outside of the boundaries of the district if the district is unable to construct adequate facilities within the district because of the failure of the electors of the district to authorize the issuance of bonds for such purpose at an election held for such purpose and if the district is unable to obtain adequate facilities within the district with the funds available to the district for such purpose.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~**§ 55233. Contract with Federal Government to Provide Classes and Courses for Servicemen.**~~

~~The governing board of a community college district may enter into a contract on a full-cost basis with the federal government or any agency of the federal government to provide community college courses and classes to persons in the military service of the United States at any military camp, post, installation, base, vessel, or location, whether within or outside the district or the state.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~**§ 55234. Classes in a Nursing Program; Insurance.**~~

~~The governing board of any community college district offering a nursing program, or related program in the healing arts, either in regular graded classes or in classes for adults, may maintain classes in such a program at hospitals located within or without the district for the purpose of providing the hospital training for students in such classes.~~

~~The governing board may purchase liability insurance for the students with district funds.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~**§ 55235. Classes for Convalescents in a Hospital Maintained by a County or City in Another County.**~~

~~Anything in this chapter to the contrary notwithstanding, whenever any county or city and county maintains a tuberculosis ward, hospital or sanitarium in another county of this state, the governing board of any community college district of the county or city and county maintaining such institution, if authorized to maintain classes for adults, may establish and maintain such classes in such institution for pretuberculosis, tuberculosis, and convalescent minors and adults, and the attendance of students in the classes shall be credited to the district maintaining the classes.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55236. Classes Outside of State for Aircraft Pilot Training Program.~~

~~The governing board of community college district may establish and maintain community college classes outside of the state, comprising a part of an aircraft pilot training program conducted by the district under an agreement with the federal government or any agency thereof, during the time that it is unlawful by reason of any law or order of the federal government or any agency thereof for such classes to be maintained within the district.~~

~~The governing board may make such expenditures and do such things in connection with the establishment and maintenance of classes under this section as it could do were the classes established and maintained within the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55240. Location of Required Colleges or Instructional Facilities in District.~~

~~Except as provided in this part or in the Education Code, any college or instructional facility required to be maintained by the governing board of a community college district shall be maintained within the boundaries of the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55241. Use of Federal Facilities.~~

~~Notwithstanding any other provision of this part to the contrary, whenever under the provisions of section 310 of the act of Congress entitled, "An act relating to the construction of school facilities in areas affected by federal activities, and for other purposes" (Public Law 81-815), or under any similar provisions of any other act of Congress, school facilities are constructed by any agency of the federal government on federal property for the education of students residing on property owned by the federal government, the governing board of the community college district in which such facilities are located or the governing board of any adjacent community college district, may make arrangements with the agency of the federal government to maintain school in such facilities. The students residing on such federal property and attending such school shall be deemed to be residents of the district maintaining such school.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55242. Maintenance of College Outside District.~~

~~The maintenance of a college by a district outside the boundaries of the district as provided in sections 55230-55232, inclusive, shall be deemed for all purposes to be or have been the maintenance of a college within the boundaries of the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55243. Classes Conducted at Airport or County Jail.~~

~~The governing board of a community college district coterminous with the boundaries of a city and county, may conduct classes at the airport and at the county jail which are owned and operated by the city and county, outside of the boundaries of the community college district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55245. Public School or Nonprofit Organization Facilities.~~

~~Special classes for handicapped adults may be conducted under the direction of the governing board of the community college district in workshop and training facilities provided by nonprofit organizations, or in public school facilities.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

23. A new subchapter 2 is added to chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Subchapter 2. Approval by the Chancellor

Article 1. Approval of Credit Educational Programs

§ 55100. Course Approval.

(a) The governing board of each community college district shall establish policies for, and may approve individual degree-applicable credit courses which are offered as part of an educational program approved by the Chancellor pursuant to section 55130. Such courses need not be separately approved by the Chancellor.

(b) Effective for courses to be offered beginning in Fall 2007, a community college district may, until December 31, 2012, approve and offer nondegree-applicable credit courses and degree-applicable credit courses which are not part of an approved educational program without separate approval by the Chancellor, provided that the district continuously complies with the following requirements:

(1) the college curriculum committee and district governing board have approved each such course pursuant to section 55002;

(2) the district submits a certification by September 30th of each year verifying that the persons who will serve on the curriculum committee and others who will be involved in the curriculum approval process at each college within the district for that academic year have received training consistent with guidelines prescribed by the Chancellor on the review and approval of courses not part of educational programs;

(3) no course which has previously been denied separate approval by the Chancellor or is part of a program that has been disapproved by the Chancellor may be offered pursuant to this subdivision unless the proposed course has been modified to adequately address the

reasons for denial and has been subsequently reapproved by the college curriculum committee and district governing board;

(4) no group of courses approved pursuant to this subdivision which total 18 or more semester units or 27 or more quarter units in a single four-digit Taxonomy of Programs code may be linked to one another by means of prerequisites or corequisites;

(5) no student may be permitted to count 18 or more semester units or 27 or more quarter units of coursework approved pursuant to this subdivision toward satisfying the requirements for a certificate or other document evidencing completion of an educational program or towards a major or area of emphasis for completion of an associate degree; and

(6) the district promptly reports all courses approved pursuant to this subdivision to the Chancellor through the Chancellor's Office Management Information System.

(c) The Chancellor may, at any time, terminate the ability of a district to offer courses pursuant to subdivision (b) if he or she determines that a district has failed to comply with all of the conditions set forth in that subdivision. In that event, the district will become immediately subject to the requirements of subdivision (d).

(d) Effective January 1, 2013, or earlier if so required by subdivision (c), the governing board of each community college district shall separately submit for approval by the Chancellor all nondegree-applicable credit courses and individual degree-applicable credit courses which are not part of any approved educational program.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, Education Code.

§ 55130. Approval of Credit Programs.

(a) Before offering any credit course as part of an educational program at a college, the governing board of a district shall obtain approval of the educational program from the Chancellor in accordance with the provisions of this article. Approval shall be requested on forms provided by the Chancellor.

(b) The application for approval shall contain at least the following:

(1) The name of the proposed program.

(2) The description of the proposed program.

(3) a list of required courses to be included in the program.

(4) course outlines of records for all courses in the program.

(5) The purposes and specific objectives of the proposed program.

(6) The place of the proposed program in the district master plan.

(7) An explanation of how the program is appropriate to the objectives and conditions of higher education and community college education in California and how it conforms to statewide master planning.

(8) The need for the proposed program ascertained with regard to at least the following factors:

(A) Other community colleges in the area currently offering the program;

(B) Other programs closely related to the proposed program offered by the college;

(C) Relation of the proposed program to job market analysis, where applicable;

(D) Enrollment projection for the proposed program;

(E) Recommendations of career technical education regional consortia, when applicable; and

(F) The classification of the courses in the program in accordance with section 55001.

(9) The need for and present adequacy of the following resources shall be determined in relation to the proposed program:

(A) Library and media center resources;

(B) Facilities and equipment required to initiate and sustain the program. If a new facility is to be used, reference should be made to the five-year master plan.

(C) Availability of adequate or proposed financial support; and

(D) Availability of faculty.

(c) The development, establishment and evaluation of an education program shall include representative faculty involvement.

(d) An approval is effective until the program or implementation of the program is discontinued or modified in any substantial way. The Chancellor may evaluate an educational program, after its approval, on the basis of factors listed in this section. If on the basis of such an evaluation the Chancellor determines that an educational program should no longer be offered, the Chancellor may terminate the approval and determine the effective date of termination.

(e) In multicollege districts, program approval is granted for a specific college.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

Article 2. Approval of Noncredit Courses and Programs

§ 55150. Approval of Noncredit Courses and Programs.

(a) Each noncredit course shall be approved by the Chancellor in accordance with this article on forms provided by the Chancellor.

(b) Noncredit programs shall be approved by the Chancellor as provided in sections 55152, 55153 and 55154 on forms provided by the Chancellor. An approval is effective until the program or implementation of the program is discontinued or modified in any substantial way. The Chancellor may evaluate a noncredit program, after its approval, on the basis of factors listed in sections 55152, 55153 or 55154, as applicable. If on the basis of such an evaluation the Chancellor determines that the program should no longer be offered, the Chancellor may terminate the approval and determine the effective date of termination.

(c) Course outlines for all noncredit courses prepared in accordance with subdivision (c) of section 55002 shall be on file in the community college offering the course.

(d) Authorities of each community college maintaining noncredit courses shall keep such current records and reports as may be required by the Chancellor.

(e) In order to be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5, a career development or college preparation noncredit course must be part of a program or sequence of courses approved by the Chancellor pursuant to sections 55151 or 55152.

NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

§ 55151. Career Development and College Preparation.

A noncredit course involving career development or college preparation will be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it satisfies the requirements set forth in subdivisions (a), (b) and (c) below.

(a) The course is approved by the college curriculum committee and the district governing board pursuant to subdivision (c) of section 55002 and by the Chancellor's Office pursuant to section 55150 and is part of either:

(1) A short-term vocational program providing less than 288 hours of instruction which the Chancellor, in consultation with the Employment Development Department, has determined to have high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.

(2) A sequence of courses involving:

(A) Courses in elementary and secondary basic skills;

(B) Workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision-making, and problem solving skills that are necessary to participate in job-specific technical training; or

(C) Courses in English as a second language and vocational English as a second language.

(b) The program or sequence of courses is designed to result in either:

(1) A noncredit certificate of completion leading to improved employability or job opportunities; or

(2) A noncredit certificate of competency in a recognized career field articulated with degree-applicable coursework, completion of an associate degree or transfer to a baccalaureate institution. A certificate of competency in a recognized career field may be articulated with degree-applicable coursework, an associate degree, or transfer to a baccalaureate institution by means of nondegree-applicable coursework which may be completed prior to or taken concurrently with degree-applicable or transferable coursework.

(c) Each program or sequence of courses must be submitted to and approved by the Chancellor. Each application for approval shall include a list of required courses to be included in the program or sequence of courses, course outlines for each course, and an explanation of how the program or sequence of courses is designed to lead students to one of the outcomes described in subdivision (b). For short-term vocational programs, the application shall also include an analysis of labor market need or job availability.

(d) The Chancellor shall develop forms and procedures for electronic submission of applications for approval.

(e) If the Chancellor approves a sequence of courses or a short-term vocational program pursuant to this section, the sequence of courses or program may not be subsequently modified by the inclusion of additional courses unless the course or courses to be added are of one of the types listed in subdivision (a) and have themselves been individually approved by the Chancellor pursuant to section 55150.

(f) Under no circumstances may a district separate an existing noncredit course which provides less than one hundred and ten (110) hours of instruction into two or more courses for the purpose of forming a sequence of courses to satisfy the requirements of this section.

(g) Nothing in this section shall be construed to prevent a particular student from taking additional degree-applicable coursework, pursuing an associate degree, or pursuing transfer to a baccalaureate institution in addition to or instead of seeking immediate employment.

(h) For purposes of this article, the term “certificate of completion” means a document confirming that a student has completed a program or sequence of noncredit courses that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a Taxonomy of Programs (T.O.P.) Code number and program discipline, identify the goal of the program, and list the courses completed by the student.

(i) For purposes of this article, the term “certificate of competency” means a document confirming that a student enrolled in a program or sequence of noncredit courses has demonstrated achievement of a set of competencies that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a T.O.P. Code number and program discipline, and list the relevant competencies achieved by the student.

(j) Content and assessment standards for certificates shall be defined by the local curriculum committee. The review of noncredit certificate programs by the curriculum committee shall be conducted using the same standards as applied to credit programs with respect to academic integrity, consistency with college mission, meeting a demonstrated need and program feasibility.

(k) Each noncredit certificate program shall be approved by the governing board of the district.

(l) Noncredit certificates may be awarded to students who have earned them on behalf of the governing board of the district by any appropriate district official or by a particular department or division pursuant to a delegation of authority from the governing board.

(m) this section shall become inoperative on June 30, 2008.

NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

§ 55152. Short-term Vocational Programs Providing 288 Hours or More of Instruction.

(a) Before offering any noncredit short-term vocational program providing 288 hours or more of instruction on or after June 30, 2008, the governing board of a community college district shall obtain approval of the program pursuant to this section. Each course which is to be part of the program must be approved by the college curriculum committee pursuant to subdivision (c) of section 55002.

(b) The Chancellor, in consultation with the Employment Development Department, must determine that the program has high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment

Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.

(c) If a district seeks to claim enhanced funding for the program pursuant to Education Code sections 84750.5 and 84760.5, the program must also be designed to lead to one of the types of certificates described in subdivision (b) of section 55151.

(d) Applications shall include all of the following:

(1) a list of required courses to be included in the program;

(2) course outlines for all courses in the program;

(3) a statement of the goals and objectives of the program;

(4) a description of the relationship of the proposed program to other programs;

(5) a discussion of the possible impact of the proposed program on nearby community colleges; and

(6) an analysis of labor market need or job availability.

(e) The Chancellor shall develop forms and procedures for review and approval of such programs. If a program was approved pursuant to section 55151 prior to June 30, 2007, information provided with the prior application need not be resubmitted.

(f) If a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor.

(g) Nothing in this section shall be construed to require a particular student to complete a certificate or to characterize failure to do so as a negative outcome.

(h) Nothing in this section shall be construed to prevent a particular student from taking additional degree-applicable coursework, pursuing an associate degree, or pursuing transfer to a baccalaureate institution in addition to or instead of seeking immediate employment.

NOTE: Authority cited: sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

§ 55153. Other Noncredit Programs Providing 288 Hours or More of Instruction.

(a) Before offering any noncredit program on or after June 30, 2008, which provides 288 hours or more of instruction in any area of noncredit instruction other than those covered by sections 55152 and 55154, the governing board of a community college district shall obtain approval of the program pursuant to this section. Each course which is to be part of the program must be approved by the college curriculum committee pursuant to subdivision (c) of section 55002.

(b) Applications shall include all of the following:

(1) a list of courses to be included in the program;

(2) course outlines for all courses in the program;

(3) documentation of the need or demand for the program;

(4) a statement of the goals and objectives of the program;

(5) a description of the relationship of the proposed program to other programs; and

(6) a discussion of the possible impact of the proposed program on nearby colleges.

(c) A community college district may submit to the Chancellor for approval any noncredit program providing 288 hours or more of instruction in an area not described in

section 55152 or subdivision (a) of this section. The Chancellor may approve such programs if he or she determines that the program would satisfy the requirements of this section.

(d) The Chancellor shall develop forms and procedures for review and approval of programs submitted for approval pursuant to this section.

(e) If a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor.

(f) A district may, but is not required to, award a noncredit certificate pursuant to section 55155 to students who complete such a program, provided that such a certificate may not be designated or referred to as a certificate of achievement, a certificate of completion or a certificate of competency.

NOTE: Authority cited: sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

§ 55154. Adult High School Diploma Programs.

(a) Before offering any noncredit course as part of a high school diploma program on or after June 30, 2008, the governing board of a community college district shall obtain approval of its high school diploma program as provided in section 55150.

(b) For purposes of this section, the term “high school diploma program” means an organized sequence of noncredit courses designed to meet the needs of adult learners which leads to a high school diploma which is awarded by the community college district or jointly by the district and a high school.

(c) The application for approval shall include all of the following:

(1) A statement that both the local curriculum committee(s) and the district governing board have reviewed and approved the high school diploma program.

(2) Information demonstrating that there exists demand for the college to offer a high school diploma program for adult learners in the area.

(3) Course content standards that meet or exceed the standards for the high school curriculum established by the California State Board of Education and that ensure that students will be able to demonstrate levels of knowledge, skills, abilities and competency comparable to students in comprehensive secondary school programs.

(4) Comprehensive descriptions of program organization, instructional support services, student services, facilities and ongoing staffing efforts to demonstrate that the district has the resources to maintain the high school diploma program.

(5) A copy of the proposed catalog description.

(6) Requirements or conditions by which a student can obtain high school credit by examination or by successfully completing college degree-applicable or nondegree-applicable credit course work and any alternative means for students to complete the prescribed course of study.

(7) A description of the student assessment procedures for academic placement in the program and a description of how the district will evaluate student progress.

(d) Once a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor.

(e) Notwithstanding the requirements of subdivision (c), any student enrolled in a high school diploma program prior to December 1, 2007, may receive a high school diploma based on completion of the curriculum required for the program as set forth in the college catalog in effect at the time the student first enrolled in the program; provided the student remains continuously enrolled without a break of more than one term subsequent to the Fall 2007 term.

(f) In order for a high school diploma program to qualify for enhanced noncredit funding pursuant to Education Code sections 84750.5 and 84760.5, the application for approval must satisfy the requirements of section 55151.

NOTE: Authority cited: sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 60851, 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

§ 55155. Noncredit Certificates.

(a) Any noncredit program leading to a certificate must be approved by the college curriculum committee and the district governing board and all courses in the program must be individually approved by the Chancellor pursuant to section 55150, except where a course is subsequently added to a program after it is approved by the Chancellor pursuant to sections 55152, 55153 or 55154.

(b) All programs or sequences of courses leading to a noncredit certificate of completion or competency are subject to approval by the Chancellor pursuant to sections 55151 or 55152.

(c) If a district does not seek enhanced funding for a program or sequence of noncredit courses, or the program or sequence of courses does not qualify for enhanced funding pursuant to section 55151, a noncredit certificate program may be established by the district without approval by the Chancellor except as required in sections 55152, 55153 or 55154. A district may award a noncredit certificate to a student completing such a program, but may not designate or refer to it as a certificate of completion or a certificate of competency.

(d) A noncredit certificate may not be referred to as a certificate of achievement regardless of its length or whether or not it has been approved by the Chancellor.

(e) A description of each approved program shall be included in the college catalog.

(f) Provisions of this section regarding the naming or designation of certificates shall become effective for the Fall 2008 term.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

Article 3. Approval of Other Courses

§ 55160. Approval of Community Service Offerings.

(a) Districts are authorized in accordance with the provisions of article 7 (commencing with section 78300) of chapter 2, part 48, division 7, of title 3 of the Education Code to approve and provide community service offerings pursuant to subdivision (d) section 55002. The approval of the Chancellor is not required for community service offerings.

(b) Community service offerings shall not be referred to as noncredit courses.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78300, Education Code.

§ 55170. Contract Courses.

(a) Any course approved pursuant to section 55002 may be offered by a college through contract education pursuant to Education Code section 78021. Approval of such a contract course may be required by other state agencies, but approval by the Chancellor is not required unless the course is part of a credit educational program subject to approval pursuant to section 55130 or is a noncredit course subject to approval pursuant to article 2 of this subchapter.

(b) The approval of the Chancellor is not required for any contract except for vocational education contracts pursuant to subchapter 7.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 8092, 70902 and Article 1.5 (commencing with Section 78020) of Chapter 1, Part 48, Education Code.

Article 4. Approval of Colleges and Educational Centers

§ 55180. Definitions.

(a) College. As used in this chapter, “college” means a degree-granting institution intended to provide instruction through the second year of college, including but not limited, to one or more of the following categories:

- (1) standard collegiate courses for transfer to higher institutions;
- (2) career technical fields leading to employment; or
- (3) general or liberal arts courses for which institution the district intends to obtain accreditation.

(b) Educational Center. As used in this chapter, “educational center” means a postsecondary operation established and administered by an existing college or district at a location away from the campus of the parent institution. An educational center is an operation planned to continue for three or more years and expected to enroll over 500 FTES by the third year of operation. The center typically has an on-site administrator and may offer programs leading to certificates and/or degrees conferred by the parent institution.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 66700, Education Code.

§ 55181. Responsibilities.

(a) The Chancellor shall maintain an inventory of all off campus programs and facilities in the community colleges. This inventory shall be updated annually, and shall be distributed to each community college district and the California Postsecondary Education Commission for use in planning activities.

(b) The Chancellor shall develop procedures to identify and review plans for new colleges and new educational centers within the district's Five -Year Academic and Capital Outlay Master Plans.

(c) Community college districts shall develop procedures to identify and review plans for new colleges and new educational centers as defined in this article. These proposals shall contain at least the following elements:

(1) Assessment of Needs and Preferences (section 55182),

(2) Identification of Objectives (section 55183), and

(3) Analysis of Alternative Delivery Systems (section 55184).

(d) The Chancellor shall review each proposed new college and new educational center and shall recommend approval or disapproval to the Board of Governors. The Chancellor's analysis of these proposals shall stress inter-district concerns and evaluation of the delivery system proposed.

(e) The Chancellor shall notify the community college district initiating the proposal and the California Postsecondary Education Commission of the findings and actions of the Board of Governors on the proposal.

NOTE: Authority cited: Section 66700, 70901 and 81805, Education Code. Reference: Section 66700, 81805, Education Code.

§ 55182. Assessment of Needs and Preferences.

Applications for approval of new colleges or centers shall do all of the following:

(a) describe the community area and characteristics of individuals to be served;

(b) provide projections of potential enrollment demand in the service area which demonstrate significant unmet need, taking into account plans of nearby secondary and postsecondary institutions;

(c) demonstrate significant community support and identify possible community opposition;

(d) identify preferences for community college programs and services on the part of individuals in the service area;

(e) insofar as possible, identify present and future labor market requirements for the proposed service area, a broader adjacent region, and the state; and

(f) if possible, reconcile projected labor market requirements and community program preferences.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.

§ 55183. Identification of Objectives.

(a) Proposed college or educational center programs and services must be directed to the identified educational needs and preferences of the community to be served.

(b) Objectives of the proposed programs and services must be sufficiently specific that the district board may evaluate the success with which needs and preferences are met.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.

§ 55184. Analysis of Alternative Delivery Systems.

(a) The proposed operation must be the most effective and equitable of feasible delivery system alternatives for providing intended programs and services.

(b) Criteria for selecting the proposed delivery system must include:

(1) accessibility of programs and services to individuals in the service area,

(2) content and quality of programs and services, and

(3) cost of programs and services.

(c) Depending on the delivery system proposed, alternatives for providing the proposed programs and services must include, but need not be limited to:

(1) increased utilization of existing district resources,

(2) forming a new college, educational center, and/or outreach locations, and

(3) use of media such as television, computer-assisted instruction or programmed learning packages. Alternative delivery systems considered must be adequately described, generally mutually exclusive, and limited to a manageable number to facilitate analysis and review.

(d) Proposed sources of funding for needed resources must be identified for both short and long-term operations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.

Article 5. Approval of Educational Master Plans

§ 55190. Review and Approval by Chancellor.

(a) Upon request by the Chancellor, a community college district shall submit to the Chancellor a copy of its current educational master plan as adopted pursuant to section 55080.

(b) the Chancellor shall review each master plan as he or she considers appropriate. The Chancellor shall approve the plan and so notify the district or send a statement of deficiencies to the chief executive officer of the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

24. The heading for subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

Subchapter 3. ~~Cooperative Work Experience Education~~ Alternative Instructional Methodologies

25. Article 1 is added to subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 1. Distance Education

§ 55200. Definition and Application.

Distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All distance education is subject to the general requirements of this chapter as well as the specific requirements of this article. In addition, instruction provided as distance education is subject to the requirements that may be imposed by the Americans with Disabilities Act (42 U.S.C. § 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d).

NOTE: Authority cited: Section 66700 and 70901, Education Code. References: Sections 70901 and 70902, Education Code; title 29 United States Code section 794d, and title 42 United States Code section 12100 et seq.

§ 55202. Course Quality Standards.

The same standards of course quality shall be applied to any portion of a course conducted through distance education as are applied to traditional classroom courses, in regard to the course quality judgment made pursuant to the requirements of section 55002, and in regard to any local course quality determination or review process. Determinations and judgments about the quality of distance education under the course quality standards shall be made with the full involvement of faculty in accordance with the provisions of subchapter 2 (commencing with section 53200) of chapter 2.

NOTE: Authority cited: Section 66700 and 70901, Education Code. References: Sections 70901 and 70902, Education Code.

§ 55204. Instructor Contact.

In addition to the requirements of section 55002 and any locally established requirements applicable to all courses, district governing boards shall ensure that:

(a) Any portion of a course conducted through distance education includes regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone contact, correspondence, voice mail, e-mail, or other activities. Regular effective contact is an academic and professional matter pursuant to sections 53200 et seq.

(b) Any portion of a course provided through distance education is conducted consistent with guidelines issued by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55206. Separate Course Approval.

If any portion of the instruction in a proposed or existing course or course section is designed to be provided through distance education in lieu of face-to-face interaction between instructor and student, the course shall be separately reviewed and approved according to the district's adopted course approval procedures.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

55208. Faculty Selection and Workload.

(a) Instructors of course sections delivered via distance education technology shall be selected by the same procedures used to determine all instructional assignments. Instructors shall possess the minimum qualifications for the discipline into which the course's subject matter most appropriately falls, in accordance with article 2 (commencing with section 53410) of subchapter 4 of chapter 4, and with the list of discipline definitions and requirements adopted by the Board of Governors to implement that article, as such list may be amended from time to time.

(b) The number of students assigned to any one course section offered by distance education shall be determined by and be consistent with other district procedures related to faculty assignment. Procedures for determining the number of students assigned to a course section offered in whole or in part by distance education may include a review by the curriculum committee established pursuant to section 55002(a)(1).

(c) Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55210. Ongoing Responsibility of Districts.

If a district offers one or more courses or course sections in which instruction is provided through distance education for at least 51 percent of the hours of instruction in the course or course section, the district shall:

(a) maintain records and report data through the Chancellor's Office Management Information System on the number of students and faculty participating in new courses or sections of established courses offered through distance education ;

(b) provide to the local governing board, no later than August 31st of each year, a report on all distance education activity;

(c) provide other information consistent with reporting guidelines developed by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

26. A new article 2 is added to subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 2. Excursions and Field Trips

§ 55220. Excursions and Field Trips.

- (a) The governing board of a community college district may:
- (1) Conduct field trips or excursions in connection with courses of instruction or instructionally-related social, educational, cultural, athletic, or band activities to and from places in the state, or any other state, the District of Columbia, or a foreign country for students enrolled in a college. A field trip or excursion to and from a foreign country may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies relative to the district's course of study for the students.
 - (2) Engage instructors, supervisors, and other personnel who desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for the field trip or excursion.
 - (3) Transport students, instructors, supervisors or other personnel to and from places in the state, any other state, the District of Columbia, or a foreign country where the excursion or field trip is being conducted. Transportation may be provided by use of district equipment, by contracting with a transportation provider, or by arranging transportation by the use of other equipment. When district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.
 - (4) Provide supervision of students involved in field trips or excursions by academic employees of the district.
- (b) No student shall be prevented from taking a field trip or excursion which is integral to the completion of a course because of lack of sufficient funds. To this end the governing board shall coordinate efforts of community service groups to supply funds for students in need of them.
- (c) No group shall be permitted to take a field trip or excursion which is integral to the completion of a course if any student who is a member of such an identifiable group will be excluded from participation in the field trip or excursion because of lack of sufficient funds. Nothing in this subdivision or subdivision (b) shall be construed to prevent a district from offering a study abroad course or program because a particular student or group of students is unable to participate in the course or program due to lack of funds.
- (d) Expenses of students participating in a field trip or excursion authorized by this section may not be paid with public funds, except where:
- (1) the expenditure is authorized pursuant to subdivision (a); or
 - (2) funds from a state or federal grant or categorical program are used consistent with the statutory, regulatory or contractual conditions applicable to the expenditure of such funds.
- (e) For purposes of subdivision (d), funds of an auxiliary organization duly established pursuant to education Code section 72670 et seq. shall not be considered to be public funds.
- (f) Expenses of instructors, chaperons, and other personnel participating in a field trip or excursion authorized by this section may be paid from district funds, and the district may

pay from district funds all incidental expenses for the use of district equipment during a field trip or excursion authorized by this section.

(g) The attendance or participation of a student in a field trip or excursion authorized by this section may be claimed for apportionment to the extent that the field trip or excursion is part of a course. However, attendance claimed for apportionment as a result of a field trip or excursion shall be limited to the amount of attendance that would have accrued had the students not been engaged in the field trip or excursion. No more contact hours shall be generated by a field trip or excursion than if the class were held on campus.

(h) All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out-of-state field trips or excursions and all parents or guardians of minor students taking out-of-state field trips or excursions shall sign a statement waiving such claims.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55222. Provision of Medical or Hospital Service for Students.

The governing board of any community college district conducting excursions or field trips pursuant to these regulations shall provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or through group, blanket or individual policies of accident insurance from an authorized insurer, for students of the district injured while participating in the excursions and field trips under the jurisdiction of, or sponsored or controlled by, the district or the authorities of any college of the district. The cost of the insurance or membership may be paid from the funds of the district, or by the insured student, or his or her parent or guardian.

The insurance may be purchased from, or the membership may be taken in, only companies or corporations that are authorized to do business in this state.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

27. A new article 3 is added to subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 3. Independent Study

§ 55230. Purpose.

The provisions of this article should be read in conjunction with the provisions of sections 58051 and 58003.1 concerning attendance in approved courses and programs designed and conducted as independent study.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55232. Academic Standards.

Academic standards applicable to courses of independent study shall be the same as those applied to other credit or noncredit courses, as appropriate, at the college.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55234. Student Progress.

Procedures for evaluation of student progress shall be in accordance with regulations established by the college. A report by an instructor on appropriate records bearing the student's name for purposes of state apportionment shall certify that adequate and proper progress toward accomplishment of the course objectives is being maintained by the student.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55236. Availability of Instructor.

The college shall provide access to the instructor for the students enrolled in courses offered pursuant to this article at least equivalent to that commonly available to students enrolled in courses conducted by other instructional methods in addition to regularly scheduled office hours as practiced at that college.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55238. Eligibility for State Funds.

In order for attendance in a course of independent study to be eligible for state apportionment pursuant to the provisions of this article, the course must be reported as required by this article, and meet all other requirements of statute and regulation relative to eligibility for state apportionment.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78310, Education Code.

§ 55240. Instruction.

The instructor assigned to a course conducted pursuant to this article shall:

(a) Be qualified to provide service in that capacity during the period in which that service is rendered;

(b) Be responsible for the supervision, control, and evaluation of the course and the enrolled students;

(c) Provide orientation, guidance, and information regarding course content materials and services for each student as soon as possible subsequent to the student's official enrollment by the college; and

(d) Provide each student with the instructor's consultation schedule for the semester, quarter, or other prescribed term of the course. This schedule is to be included in the written record of student progress required by section 55234.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

28. A new heading is added for article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 4. Cooperative Work Experience Education

29. Section 55250 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250. Approved Plan Required.

Any program of Cooperative Work Experience Education conducted by the governing board of a community college district pursuant to ~~sections 55250.2, 55250.7,~~ this article and claimed for apportionment pursuant to sections 58051, and 58009.5 shall conform to a plan adopted by the district. The plan adopted by the district shall set forth a systematic design of Cooperative Work Experience Education whereby students, while enrolled in college, will gain realistic learning experiences through work. This plan shall be submitted to and approved by the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

30. Section 55250.2 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250.2. Laws or Rules Applicable to Minor Students in Work Experience.

All laws or rules applicable to minors in employment relationships are applicable to minor students enrolled in work-experience education courses.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.

31. Section 55250.3 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250.3. “Work Experience Education.”

Work-experience education authorized by this ~~chapter~~ article includes the employment of students in part-time jobs ~~selected or~~ and approved as having educational value for the students employed therein and coordinated by ~~school~~ college employees.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.

32. Section 55250.4 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250.4. Funds for Work Experience Programs for ~~Mentally Retarded Pupils~~ Students with Developmental Disabilities.

The governing board of any community college district which establishes and supervises a work-experience education program in which ~~mentally retarded~~ students with developmental disabilities are employed in part-time jobs may use funds derived from any source, to the extent permissible by appropriate law or regulation, to pay the wages of students so employed.

The Board of Governors hereby finds and declares that the authority granted by the provisions of this section is necessary to ensure that the work-experience education program will continue to provide a maximum educational benefit to students, particularly ~~mentally retarded~~ students with developmental disabilities, and that such program is deemed to serve a public purpose.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.

33. Section 55250.6 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250.6. Work Experience in ~~Contiguous Areas~~ Outside of District.

The governing board of any community college district may provide for the establishment and supervision of work-experience education programs providing part-time jobs for students in areas outside the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.

34. Section 55250.7 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55250.7. ~~Employment of Pupils in Part-Time Jobs Located Outside the District~~ Wages and Workers' Compensation.

The governing board of any community college district providing work-experience and work-study education may provide for employment under such program of students in part-time jobs ~~located in areas outside the district and such employment may be~~ by any public or private employer. Such districts may pay wages to persons receiving such training ~~whether assigned within or without the district~~, except that no payments may be to or for private employers, ~~and~~. Districts may provide workers' compensation insurance for students in work experience as may be necessary.

NOTE: Authority Cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.

35. Section 55252 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55252. Types of Cooperative Work Experience Education.

~~(a)~~ Cooperative Work Experience Education is a district-initiated and district-controlled program of education consisting of the following types:

~~(1)~~ (a) General Work Experience Education is supervised employment which is intended to assist students in acquiring desirable work habits, attitudes and career awareness. The work experience need not be related to the students' educational goals.

~~(2)~~ (b) Occupational Work Experience Education is supervised employment extending classroom based occupational learning at an on-the-job learning station relating to the students' educational or occupational goal.

~~(b)~~ ~~Participation may be under either of the following formats:~~

~~(1) A Parallel Plan is a form of Cooperative Work Experience Education designed to offer students the opportunity to attend college classes and earn college credit for concurrent learning on the job as specified in section 55254.~~

~~(2) An Alternate Plan is a form of Cooperative Work Experience Education designed to offer students opportunities alternately to attend college and work as stipulated in the district plan.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

36. Section 55253 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55253. College Credit.

For the satisfactory completion of all types of Cooperative Work Experience Education, students may earn up to a total of 16 semester credit hours or 24 quarter credit hours, subject to the following limitations:

(a) General Work Experience Education.

(1) ~~Under the Parallel Plan, a maximum of three credit hours per semester or five credit hours per quarter may be earned up to a total of six semester credit hours or nine quarter credit hours.~~

(2) ~~Under the Alternate Plan a, A~~ maximum of six semester credit hours or nine quarter credit hours may be earned in general work experience education.

(b) Occupational Work Experience Education.

(1) ~~Under the Parallel Plan, a maximum of four credit hours per semester or six credit hours per quarter may be earned up to a total of 16 semester or 24 quarter credit hours.~~

(2) ~~Under the Alternate Plan a, A~~ maximum of eight credit hours may be earned in occupational work experience education during one enrollment period up to a total of 16 semester or 24 quarter credit hours.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

37. Section 55256 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55256. Records.

(a) The district shall maintain records which shall include at least the following:

(1) The type and units of Cooperative Work Experience Education in which each student is enrolled, where the student is employed, the type of job held and a statement signed and dated by an academic employee which sets forth the basis for determining whether the student is qualified for Occupational or General Work Experience Education; signed and dated by academic personnel.

(2) A record of the work permit issued, if applicable; signed by the designated issuing agent.

(3) The employer's or designated representative's statement of student hours worked and evaluation of performance on the agreed-upon learning objectives. Work hours may be verified either by weekly or monthly time sheets or by a summary statement at the end of the enrollment period.

(4) New or expanded on-the-job measurable learning objectives which serve as part of the basis for determining the student's grade, signed by academic personnel, the employer or designated representative, and the student.

(b) Records must be maintained which are signed and dated by ~~certificated academic~~ academic personnel documenting:

(1) Consultation(s) in person with the employer or designated representative.

(2) Personal consultation(s) with the student.

(3) Evaluation of the student's achievement of the on-the-job learning objectives.

(4) The final grade.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, ~~and 70902 and 78249,~~ Education Code.

38. Section 55257 of article 4 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55257. Job Learning Stations.

Job learning stations shall meet the following criteria:

(a) Employers or designated representatives agree with the intent and purposes of Cooperative Work Experience Education for students and are given a copy of each student's approved on-the-job learning objectives.

(b) Job learning stations offer a reasonable probability of continuous work experience for students during the current work experience enrollment term.

(c) Employers or designated representatives agree to provide adequate supervision, facilities, equipment, and materials at the learning stations to achieve on-the-job learning objectives.

(d) Employers ~~as required by law~~ agree to comply with all appropriate federal and state employment regulations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

39. Subchapter 4 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Subchapter 4. Courses and Programs Conducted As Independent Study~~

~~Article 1. General Provision and Requirements~~

~~§ 55300. Application of Subchapter.~~

~~The provisions of this subchapter apply to and implement the provisions of sections 58051 and 58003.1 in relation to attendance in approved courses and programs designed and conducted as independent study.~~

~~Approved courses conducted as independent study shall be reported to the Chancellor in accordance with specified procedures as required by law.~~

~~All heretofore approved credit courses offered in whatever mode meeting the above requirements shall remain approved provided such courses meet the requirements of this subchapter and any other approval requirements.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55316. Criteria.~~

~~Courses offered pursuant to this subchapter shall:~~

~~(a) Be accepted by the college toward completion of an appropriate educational sequence leading to an associate degree, and~~

~~(b) Be recognized by an institution of the University of California or the California State University upon transfer to that institution.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~**§ 55316.5. Additional Courses.**~~

~~Notwithstanding any other provision of law, the following additional types of courses may be offered as independent study if conducted by distance education consistent with the requirements of article 3 of subchapter 1 (commencing with section 55205) of this chapter, and the guidelines developed by the Chancellor:~~

~~(a) Nontransferable courses designed to meet the requirements of sections 55805.5, 55806, and 55002(a) or (b);~~

~~(b) Noncredit courses.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~**§ 55320. Academic Standards.**~~

~~Academic standards applicable to courses of independent study shall be the same as those applied to other credit courses in the college.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~**§ 55321. Student Progress.**~~

~~Procedures for evaluation of student progress shall be in accordance with regulations set by the college. A report by an instructor on appropriate records bearing the student's name for purposes of state apportionment shall certify that adequate and proper progress toward accomplishment of the course objectives is being maintained by the student.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~**§ 55322. Availability of Instructor.**~~

~~The college shall provide access to the instructor for the students enrolled in courses offered pursuant to this subchapter at least equivalent to that commonly available to students enrolled in courses conducted by other instructional methods in addition to regularly scheduled office hours as practiced at that college.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~**§ 55340. Eligibility for State Funds.**~~

~~In order for attendance in a course of independent study to be eligible for state apportionment pursuant to the provisions of this subchapter, the course must be reported as required by this subchapter, and meet all other requirements of statute and regulation relative to eligibility for state apportionment.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55350. Instruction.~~

~~The instructor assigned to a course conducted pursuant to this subchapter shall:~~

~~(a) Be qualified to provide service in that capacity during the period in which that service is rendered;~~

~~(b) Be responsible for the supervision, control, and evaluation of the course and the enrolled students;~~

~~(c) Provide orientation, guidance, and information regarding course content materials and services for each student as soon as possible subsequent to the student's official enrollment by the college; and~~

~~(d) Provide each student with the instructor's consultation schedule for the semester, quarter, or other prescribed term of the course, and this schedule is to be included in the written record.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

40. A new subchapter 4 is added to chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Subchapter 4. Programs and Classes Outside of District

§ 55300. Classes, Property and Buildings Outside of District.

The governing board of a community college district may conduct community college classes and acquire the necessary property and erect the necessary buildings therefore, outside of the boundaries of the district if all of the following conditions exist:

(a) The proposed location is within the state.

(b) The activities, trades, businesses, or work to be carried on at the proposed location is such as to offer educational opportunities to students who are residents of the district in the subject or all of the subjects proposed to be taught at that location, and facilities for such instruction are not available either at the location of the principal buildings of the community college, or elsewhere within the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55301. Establishment of Courses Outside of District.

The governing board of a community college district may establish courses outside the district primarily for students who are nonresidents of the district, providing one of the following conditions is fulfilled:

(a) The governing board of a high school district in territory that is not included in any community college district requests that community college courses be offered in the high school district.

(b) The governing board of a high school district requests that community college courses be offered in the high school district in accordance with other applicable provisions of law and either:

(1) the community college district where the high school district is located chooses not to offer such courses; or

(2) the courses will be offered only to pupils of the high school and will not be claimed for apportionment by the community college district.

(c) Another community college district requests that community college courses be offered in its territory.

Nothing in this section or any other provision of this subchapter shall be construed to prohibit districts from establishing study abroad programs as described in Education Code section 66015.7 for students who are district residents or students who are not residents of the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55302. Use of Facilities Outside of District.

The governing board of a community college district may conduct community college classes for students who are residents of the district and utilize existing facilities necessary therefor outside of the boundaries of the district if the district is unable to construct adequate facilities within the district because of the failure of the electors of the district to authorize the issuance of bonds for such purpose at an election held for such purpose and if the district is unable to obtain adequate facilities within the district with the funds available to the district for such purpose.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55303. Contract with Federal Government to Provide Classes and Courses for Servicemen.

The governing board of a community college district may enter into a contract on a full-cost basis with the federal government or any agency of the federal government to provide community college courses and classes to persons in the military service of the United States at any military camp, post, installation, base, vessel, or location, whether within or outside the district or the state.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55304. Classes in a Nursing Program; Insurance.

The governing board of any community college district offering a nursing program, or related program in the healing arts, either in regular graded classes or in classes for adults,

may maintain classes in such a program at hospitals located within or without the district for the purpose of providing the hospital training for students in such classes.

The governing board may purchase liability insurance for the students with district funds.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55305. Classes for Convalescents in a Hospital Maintained by a County or City in Another County.

Anything in this chapter to the contrary notwithstanding, whenever any county or city and county maintains a tuberculosis ward, hospital or sanitarium in another county of this state, the governing board of any community college district of the county or city and county maintaining such institution, if authorized to maintain classes for adults, may establish and maintain such classes in such institution for pretuberculosis, tuberculosis, and convalescent minors and adults, and the attendance of students in the classes shall be credited to the district maintaining the classes.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55306. Classes Outside of State for Aircraft Pilot Training Program.

The governing board of community college district may establish and maintain community college classes outside of the state, comprising a part of an aircraft pilot training program conducted by the district under an agreement with the federal government or any agency thereof, during the time that it is unlawful by reason of any law or order of the federal government or any agency thereof for such classes to be maintained within the district.

The governing board may make such expenditures and do such things in connection with the establishment and maintenance of classes under this section as it could do were the classes established and maintained within the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55307. Location of Required Colleges or Instructional Facilities in District.

Except as provided in this part or in the Education Code, any college or instructional facility required to be maintained by the governing board of a community college district shall be maintained within the boundaries of the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55308. Use of Federal Facilities.

Notwithstanding any other provision of this part to the contrary, whenever under the provisions of section 310 of the act of Congress entitled, "An act relating to the

construction of school facilities in areas affected by federal activities, and for other purposes” (Public Law 81-815), or under any similar provisions of any other act of Congress, school facilities are constructed by any agency of the federal government on federal property for the education of students residing on property owned by the federal government, the governing board of the community college district in which such facilities are located or the governing board of any adjacent community college district, may make arrangements with the agency of the federal government to maintain school in such facilities. The students residing on such federal property and attending such school shall be deemed to be residents of the district maintaining such school.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55309. Maintenance of College Outside District.

The maintenance of a college by a district outside the boundaries of the district as provided in sections 55300-55302, inclusive, shall be deemed for all purposes to be or have been the maintenance of a college within the boundaries of the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55310. Classes Conducted at Airport or County Jail.

The governing board of a community college district coterminous with the boundaries of a city and county, may conduct classes at the airport and at the county jail which are owned and operated by the city and county, outside of the boundaries of the community college district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55311. Public School or Nonprofit Organization Facilities.

Special classes for handicapped adults may be conducted under the direction of the governing board of the community college district in workshop and training facilities provided by nonprofit organizations, or in public school facilities.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

41. Subchapter 5 of chapter 6 of division 6 of title 5 of the California Code of regulations is repealed:

Subchapter 5. Educational Master Plans

~~§ 55400. Definitions.~~

~~The definitions provided in the Student Attendance Accounting Manual issued by the Chancellor shall apply to the provisions of this chapter.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55401. Current and Long Range Plans.~~

~~The governing board of each community college district shall establish policies for, and approve, current and long range educational plans and programs for each community college which it maintains and for the district as a whole.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55402. Educational Master Plans.~~

~~The governing board of each community college district shall submit to the Chancellor an educational master plan for each community college which it maintains and for the district as a whole. Each plan shall be modified and brought up to date annually and shall be submitted to the Chancellor upon his or her request.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55403. Form.~~

~~Each plan shall be submitted on a form provided by the Chancellor and shall contain such information as the Chancellor shall require.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55404. Contents.~~

~~Each plan shall contain the educational objectives of the community college or district and the future plans for transfer programs, occupational programs, continuing education courses, and remedial and developmental programs. On the basis of current and future enrollment, it shall contain plans for the development and expansion of ancillary services, including services in the library and for counseling, placement, and financial aid.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55405. Review and Approval.~~

~~The Chancellor shall review each master plan as he or she considers necessary. Following the submission of each plan requested by the Chancellor, the Chancellor shall~~

~~send a copy of the plan approval or statement of deficiencies to the chief executive officer of the district.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

42. Subchapter 5.5 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~Subchapter 5.5. Excursions and Field Trips~~

~~§ 55450. Excursions or Field Trips.~~

~~The governing board of a community college district may:~~

~~(a) Conduct field trips or excursions in connection with courses of instruction or school related social, educational, cultural, athletic, or college band activities to and from places in the state, or any other state, the District of Columbia, or a foreign country for students enrolled in a college. A field trip or excursion to and from a foreign country may be permitted to familiarize students with the language, history, geography, natural sciences, and other studies relative to the district's course of study for the students.~~

~~(b) Engage instructors, supervisors, and other personnel who desire to contribute their services over and above the normal period for which they are employed by the district, if necessary, and provide equipment and supplies for the field trip or excursion.~~

~~(c) Transport by use of district equipment, contract to provide transportation, or arrange transportation by the use of other equipment, of students, instructors, supervisors or other personnel to and from places in the state, any other state, the District of Columbia, or a foreign country where the excursions and field trips are being conducted; provided that, when district equipment is used, the governing board shall secure liability insurance, and if travel is to and from a foreign country, the liability insurance shall be secured from a carrier licensed to transact insurance business in the foreign country.~~

~~(d) Provide supervision of students involved in field trips or excursions by academic employees of the district.~~

~~No student shall be prevented from making the field trip or excursion because of lack of sufficient funds. To this end the governing board shall coordinate efforts of community service groups to supply funds for students in need of them.~~

~~No group shall be authorized to take a field trip or excursion authorized by this section if any student who is a member of such an identifiable group will be excluded from participation in the field trip or excursion because of lack of sufficient funds.~~

~~No expenses of students participating in a field trip or excursion to any other state, the District of Columbia, or a foreign country authorized by this section shall be paid with district funds. Expenses of instructors, chaperons, and other personnel participating in a field trip or excursion authorized by this section may be paid from district funds, and the district may pay from district funds all incidental expenses for the use of district equipment during a field trip or excursion authorized by this section.~~

~~The attendance or participation of a student in a field trip or excursion authorized by this section shall be considered attendance for the purpose of crediting attendance for~~

~~apportionments from the State School Fund in the fiscal year. Credited attendance resulting from such field trip or excursion shall be limited to the amount of attendance that would have accrued had the students not been engaged in the field trip or excursion. No more contact hours shall be generated by a field trip or excursion than if the class were held on campus.~~

~~All persons making the field trip or excursion shall be deemed to have waived all claims against the district or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip or excursion. All adults taking out of state field trips or excursions and all parents or guardians of students taking out of state field trips or excursions shall sign a statement waiving such claims.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~**§ 55451. Provision for Medical or Hospital Service for Students.**~~

~~The governing board of any community college district conducting excursions and field trips pursuant to these regulations shall provide, or make available, medical or hospital service, or both, through nonprofit membership corporations defraying the cost of medical service or hospital service, or both, or through group, blanket or individual policies of accident insurance from an authorized insurer, for students of the district injured while participating in the excursions and field trips under the jurisdiction of, or sponsored or controlled by, the district or the authorities of any college of the district. The cost of the insurance or membership may be paid from the funds of the district, or by the insured student, or his or her parent or guardian.~~

~~The insurance may be purchased from, or the membership may be taken in, only companies or corporations that are authorized to do business in this state.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

43. Section 55500 of article 1 of subchapter 6 of chapter 6 of division 6 of title 5 of the California code of Regulations is amended to read:

§ 55500. Scope and Implementation.

(a) This chapter implements and should be read in conjunction with the provisions of the Seymour-Campbell Matriculation Act of 1986, Statutes 1986, chapter 1467, e. 1467, Stats. 1986, codified as Education Code Sections 78210, et seq. The purpose of this subchapter is to further equality of educational opportunity and success for all students in the California Community Colleges.

(b) The requirements of this subchapter apply only to districts receiving funds pursuant to Education Code Section 78216 for the period of time during which such funds are received. ~~The Chancellor shall, in consultation with districts and other interested parties, adopt a schedule for implementing the provisions of this chapter as expeditiously as possible within the constraints of available funding. The schedule shall be coordinated with~~

~~the implementation and funding of the systemwide management information system and the accountability mechanisms established pursuant to Education Code Section 71020.5.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections ~~71020.5 and~~ 78210-78218, Education Code.

44. Section 55502 of article 1 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55502. Definitions.

For purposes of this ~~Chapter~~ subchapter, the following definitions shall apply:

(a) “Matriculation” means a process that brings a college and a student who enrolls for credit into an agreement for the purpose of realizing the student's educational goal through the college's established programs, policies, and requirements. This agreement is to be implemented by means of the student's individual educational plan developed pursuant to ~~§~~section 55525.

(b) “Assessment” means the process of gathering information about individual students to facilitate student success. Assessment shall include, but is not limited to, information regarding the student's study skills, English language proficiency, computational skills, aptitudes, goals, learning skills, career aspirations, academic performance, and need for special services. Assessment involves the collection of such information at any time before or after enrollment, except that the process of assigning a grade by an instructor shall not be considered part of the assessment process. Once a grade has been assigned and recorded ~~in~~ on a student's transcript, it can be used in the assessment process.

(c) “Assessment instruments, methods, or procedures” means one or more assessment instruments, assessment methods, or assessment procedures, or any combination thereof. These include, but are not limited to, interviews, standardized tests, holistic scoring processes, attitude surveys, vocational or career aptitude and interest inventories, high school or college transcripts, specialized certificates or licenses, educational histories and other measures of performance. The term “assessment instruments, methods, or procedures” also includes assessment procedures such as the identification of test scores which measure particular skill levels, the administrative process by which students are referred for assessment, the manner in which assessment sessions are conducted, the manner in which assessment results are made available, and the length of time required before such results are available.

~~(d) “Pre-collegiate basic skills courses” are those courses in reading, writing, computation, and English as a Second Language which are designated by the community college district as nondegree credit courses pursuant to Section 55002(b).~~

~~(e) “Disproportionate impact” occurs when the percentage of persons from a particular racial, ethnic, gender, age or disability group who are directed to a particular service or placement based on an assessment instrument, method, or procedure is significantly different from the representation of that group in the population of persons being assessed, and that discrepancy is not justified by empirical evidence demonstrating that the assessment instrument, method or procedure is a valid and reliable predictor of performance in the relevant educational setting.~~

~~(f)~~(e) “Exemption” means waiving or deferring a student's participation in orientation, assessment, counseling, or advisement required pursuant to ~~Subsections~~subdivisions (b),(c), and (f) of ~~§~~section 55520.

~~(g)~~(f) “Matriculation services” are those services listed in ~~§~~section 55520.

~~(h)~~(g) “Matriculation practices” means one or more instruments, methods, or procedures, or any combination thereof, used in providing any of the matriculation services listed in ~~§~~section 55520.

~~(i)~~(h) “Student” means a person enrolled in at least one credit course.

~~(j)~~(i) “Orientation” is a process which acquaints students and potential students with college programs, services, facilities and grounds, academic expectations, and institutional procedures.

~~(k)~~(j) “Student follow-up” is the process of monitoring a student's progress toward his or her educational goals and providing the student with appropriate advice based on the results of such monitoring.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 78212 and 78213, Education Code.

45. Section 55510 of article 2 of subchapter 6 of chapter 6 of division 6 of title 5 of the California code of Regulations is amended to read:

§ 55510. Matriculation Plans.

(a) Each community college district shall adopt a matriculation plan describing the services to be provided to its students. The plan shall include, but not be limited to:

- (1) a description of the methods by which required services will be delivered;
- (2) the district's budget for matriculation;
- (3) plans for faculty and staff development;
- (4) computerized information services and institutional research and evaluation necessary to implement this ~~Chapter~~subchapter;
- (5) criteria for exempting students from participation in the matriculation process;
- (6) procedures for establishing and periodically reviewing prerequisites pursuant to ~~Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of this Division section 55003;~~
- (7) procedures for considering student challenges to prerequisites established pursuant to ~~Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of this Division section 55003;~~ and
- (8) in districts with more than one college, arrangements for coordination by the district of the matriculation plans of its various colleges.

(b) The plan shall be developed through consultation with representatives of the academic senate, students, and staff with appropriate expertise, pursuant to ~~§~~section 51023 et seq.

(c) Such plans shall conform to the requirements of this ~~Chapter~~subchapter and shall be submitted to the Chancellor for review and approval. ~~Plans submitted prior to the effective date of this Section need not be revised or resubmitted if the Chancellor finds that~~

~~they meet the requirements of this Chapter. Regardless of when plans are initially submitted, the~~ The Chancellor may require periodic updates of such plans.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78216, Education Code.

46. Section 55514 of article 2 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55514. Data Collection.

Each community college district shall submit an annual report describing the district's efforts to implement its matriculation plan and expenditures made for that purpose. In this report, or through the established management information system or otherwise, the data to be collected for evaluation purposes pursuant to Education Code section 78214 and section 55512 of this ~~part subchapter~~. Such data shall specifically include, but is not limited to, the information necessary to permit the Chancellor to determine the following:

(a) the proportion of students from various ethnic, gender, age or disability groups, as defined by the Chancellor, who are placed in ~~pre-collegiate, associate-degree-applicable, nondegree-applicable credit courses, degree-applicable credit courses,~~ or transfer level courses in reading, writing, computation or English as a Second Language.

(b) the proportion of students from various ethnic, gender, age or disability groups, as defined by the Chancellor, who enter and complete ~~pre-collegiate nondegree-applicable~~ basic skills courses.

(c) The proportion of students from various ethnic, gender, age or disability groups, as defined by the Chancellor, completing ~~pre-collegiate nondegree-applicable~~ basic skills courses who subsequently enter and complete ~~courses applicable to the associate-degree degree-applicable credit courses;~~

(d) outcome and retention data, as described in section 55512(a), indicating the effectiveness of matriculation;

(e) the basis on which the use of particular assessment instruments, methods or procedures was validated by a district;

(f) the numbers of students exempted, pursuant to section 55532, from participation in the district's matriculation program, by category of exemption;

(g) the number of students filing complaints pursuant to section 55534 and the bases of those complaints;

(h) the particular matriculation services, as listed in section 55520, which each student received; and

(i) any other matter the Chancellor, after consultation with community college districts, deems necessary for the effective evaluation of matriculation programs.

NOTE: Authority cited: Sections 66700, and 70901, Education Code. Reference: Section 78214, Education Code.

47. Section 55518 of article 2 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55518. Funding.

(a) The Chancellor shall adopt a funding formula, consistent with the requirements of this section, for allocating matriculation funds to community college districts complying with the requirements of this subchapter.

(b) Each dollar of state matriculation funding shall be matched by three dollars of other district resources devoted to the matriculation program.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78216, Education Code.

48. Section 55521 of article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55521. Prohibited Practices.

(a) In implementing matriculation services, community college districts shall not, except as provided in subdivision (b), do any of the following:

(1) use an assessment instrument which has not been approved by the Chancellor pursuant to ~~§~~section 55524, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment instruments, where such instruments are not used for placement and are evaluated only in order to determine whether they should be added to the list of approved instruments;

(2) use any assessment instrument in a manner or for a purpose other than that for which it was developed or has been otherwise validated;

(3) use any single assessment instrument, method or procedure, by itself, for placement, required referral to appropriate services, or subsequent evaluation of any student; provided however that, in the case of assessment instruments, the use of two or more highly correlated instruments does not satisfy the requirement for use of multiple measures;

(4) use any assessment instrument, method or procedure to exclude any person from admission to a community college;

(5) use any assessment instrument, method or procedure for mandatory placement of a student in or exclusion from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to ~~§~~sections 55002 and ~~58106~~ 55003 ~~of Division 9 of this Part~~; or

(6) use any matriculation practice which has the purpose or effect of subjecting any person to unlawful discrimination prohibited by ~~Chapter subchapter 5~~ (commencing with ~~§~~section 59300) of ~~Division chapter 10 of this Part~~.

(b) Notwithstanding the provisions of subdivisions (a)(1) and (2), assessment instruments approved by the Secretary of the United States Department of Education may be used to determine “ability to benefit” in the process of establishing a student's eligibility for federal financial aid pursuant to subdivision (d) of ~~§~~section 1091 of ~~¶~~title 20 of the United States Code.

(c) Notwithstanding paragraphs (1), (2), (3) or (5) of subdivision (a) or the provisions of sections 55003 or 55524, a community college district may use an assessment test to select students for its nursing program, provided that:

- (1) the district complies with all other provisions of this subchapter;
- (2) the assessment instrument is used in conjunction with other assessment instruments, methods or procedures to select students for enrollment in the nursing program; and
- (3) the Chancellor has determined that the assessment instrument predicts likelihood of success in nursing programs, has approved use of the assessment instrument for that purpose and has established statewide proficiency cut-off scores for that instrument pursuant to Education Code section 78261.

NOTE: Authority cited: Section 11138, Government Code; and Sections 66700 and 70901, Education Code. Reference: Section 11135, Government Code; and Sections 72011, 78211, ~~and 78213~~ and 78261, Education Code.

49. Section 55523 of article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55523. Counseling and Advisement.

(a) If not already required to do so by the minimum standards for counseling services set forth in section 51018 ~~of division 1 of this Part~~, each community college district shall do all of the following:

- (1) make reasonable efforts to ensure that all nonexempt students who are on probation participate in counseling as provided in section ~~55759 of this Part~~ 55034;
- (2) make reasonable efforts to ensure that all nonexempt students who have not declared a specific educational goal participate in counseling to assist them in the process of selecting a specified educational goal pursuant to section 55525;
- (3) make reasonable efforts to ensure that all nonexempt students who are enrolled in ~~pre-collegiate~~ nondegree-applicable basic skills courses participate in counseling or advisement; and
- (4) make available to all students, as defined in section 55502 ~~(+)(h)~~ (h), advisement or counseling on general academic requirements and the selection of specific courses by counselors or appropriately trained instructor/advisors, and/or other appropriately trained staff working in consultation with counselors.

(b) Counseling by appropriately trained counselors or advisement by appropriately trained staff may also be made available in any other area the district deems appropriate, including but not limited to, the interpretation of assessment results and the development of a student's educational plan as required by section 55525.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

50. Section 55530 of article 4 of subchapter 6 of chapter 6 of division 6 of title 5 of the California code of Regulations is amended to read:

§ 55530. Student Rights and Responsibilities.

(a) Nothing in this subchapter shall be construed to interfere with the right of a student admitted to a community college in accord with district admission policies adopted pursuant to Education Code sections 76000, et seq. to enroll in any course for which he or she can meet necessary and appropriate prerequisites, if any, which have been established pursuant to the requirements of ~~article 2.5 (commencing with section 55200) of subchapter 1 of chapter 6~~ section 55003.

(b) Community college districts shall take steps to ensure that information is available in written form to all students during or prior to enrollment (e.g., during orientation) and is included in class schedules, catalogs or other appropriate publications, describing their rights and responsibilities under this subchapter.

(c) Districts shall also take steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs. Whenever possible, students should be permitted to avoid additional testing by submitting scores on recently taken tests that correlate with those used by the district.

(d) Students shall be required to express at least a broad educational intent upon admission; declare a specific educational goal within a reasonable period after admission; participate in counseling or advisement pursuant to section 55523(a)(1), (2), and (3); diligently attend class and complete assigned coursework; and complete courses and maintain progress toward an educational goal according to standards established by the district, consistent with the requirements of ~~subchapter 9 (commencing with section 55750) of Chapter 6 1 (commencing with section 55000) of this chapter~~. The governing board of each community college district shall adopt clear written policies not inconsistent with law, specifically defining these responsibilities of students and the consequences of failure to fulfill such responsibilities. This policy shall define the period of time within which a student must identify a specific educational goal as required by this subdivision, provided however, that all students shall be required to declare such a goal during the term after which the student completes 15 semester units or 22 quarter units of degree-applicable credit course work, unless the district policy establishes a shorter period. Once the student has developed a specific educational goal, the district must provide the student with an opportunity to develop a student educational plan pursuant to section 55525. Student responsibilities shall also be identified in the student's educational plan developed pursuant to section 55525. If a student fails to fulfill the responsibilities listed in this subdivision, fails to cooperate with the district in the development of a student educational plan within 90 days after declaring his or her specific educational goal, or fails to abide by the terms of his or her student educational plan, the district may, subject to the requirements of this subchapter, suspend or terminate the provision of services authorized in section 55520, provided however, that nothing in this section shall be construed to permit a district to suspend or terminate any service to which a student is otherwise entitled under any other provision of law.

(e) Information obtained from the matriculation process shall be considered student records and shall be subject to the requirements of subchapter 6 (commencing with section 54600) of chapter 5.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76000, 76001 and 78212, Education Code.

51. The heading of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

Subchapter 7. ~~Occupational~~Contract Education

52. The heading of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

Article 1. ~~Vocational Education~~Contracts with Providers of Career Technical Education

53. Section 55600 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California code of Regulations is amended to read:

§ 55600. Definitions.

For the purposes of this subchapter the following definitions apply:

(a) “Vocational education contract” or “career technical education contract” means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide ~~vocational~~career technical instruction to students enrolled in community colleges. Such agreements shall also be required to comply with the provisions of article 5 (commencing with section 8090) of chapter 1, part 6 of the Education Code.

(b) “The California State Plan for Vocational Education” or “Carl D. Perkins Career Technical Education Act of 2006 California State Plan” means an official agreement between the United States Commissioner of Education and the California State Board of Education which provides standards, policies, and procedures that shall apply to the operation of various phases of ~~vocational~~career technical education to qualify for financial support from the ~~Education Amendments of 1976 (Public Law 94-482 and 95-40), part A, Vocational Education~~ Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270), or any ~~subsequent~~successor federal legislation.

(c) “Contractor” as used in section 55602 means any private postsecondary school authorized or approved pursuant to the provisions of chapter 7 of part 59 of division 10 of the Education Code (commencing with section 94700), and which has been in operation not less than two (2) full calendar years prior to the effective date of the contract, to provide ~~vocational~~career technical skill training authorized by the Education Code and this subchapter.

(d) “Eligible costs” means all direct and indirect related instructional costs but does not include expenditures for capital outlay (object of expenditure code 6000 category as defined in the California Community Colleges Budget and Accounting Manual).

(e) “Public or private postsecondary educational institution in a neighboring state that borders on the district boundary” for purposes of Education Code section 8092.5 means a public or private institution which:

- (1) is located in a neighboring state that borders on the district boundary; and
- (2) is a contractor under subdivision (c); or
- (3) a private postsecondary school that meets standards established by the Chancellor.

(f) “Qualified faculty of the district” for purposes of section 55630(e) may include persons who have entered into contracts with the district pursuant to section 58058(b).

NOTE: Authority cited: Sections 8092, 66700, 70901 and 71024, Education Code. Reference: Title 20 United States Code section 2301, et seq.; Chapter 1, Article 5 (commencing with Section 8090), Division 1 and Section 70901, Education Code.

54. Section 55601 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55601. Appointment of Vocational Education Advisory Committee by School District Participating in Vocational Education Program.

The governing board of each community college district participating in a vocational education program shall appoint a vocational education advisory committee to develop recommendations on the program and to provide liaison between the district and potential employers.

The committee shall consist of one or more representatives of the general public knowledgeable about the educational needs of disadvantaged populations, students, teachers, business, industry, school-the college administration, and the field office of the Department of Employment Development Department.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

55. Section 55602.5 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55602.5. Contracts for Vocational Education for Students with Impaired Physical Capacity Disabilities.

Notwithstanding any ~~provision in the Education Code to the contrary, other provision of law, the governing board of a community college district and may enter into a contract with~~ a proprietary or nonprofit organization, a public entity, or a proprietary or nonprofit private corporation ~~may enter into a contract for the to provide vocational education of community college students with disabilities whose capacity to function is impaired by physical deficiency or injury in vocational education classes to be conducted for such students by the proprietary or nonprofit organization, the public entity, or the proprietary or nonprofit private corporation maintaining the vocational education classes.~~ All instruction pursuant to this Section shall be approved of and supervised by the governing board of the

community college district and shall be conducted by academic employees. The ~~full-time equivalent student attendance~~ of such community college students ~~attending classes participating in training~~ under the provisions of this ~~Section shall be credited to section~~ may be claimed for purposes of state apportionment by the community college district, and college credit may be granted to students who satisfactorily complete the course of instruction ~~in such classes~~.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

56. Section 55603 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 55603. Instructional Purpose.~~

~~Contractors shall provide vocational, technical, and occupational instruction related to attainment of skills, knowledge, and attitudes so that students may be prepared for:~~

- ~~(a) Gainful employment in the occupational area for which training was provided, or~~
- ~~(b) Occupational upgrading so students will have higher level skills required by new and changing technology and employment practices, or~~
- ~~(c) Enrollment in more advanced training programs.~~

~~NOTE: Authority cited: Sections 8092, 66700 and 70901, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090), Division 1, Education Code.~~

57. Section 55605 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55605. Contract Approval and Limitations.

Vocational education contracts entered into pursuant to section 55602 shall:

- (a) Not exceed one year in length;
- (b) Be approved by the Chancellor;
- (c) ~~Include such details to explain and justify~~ Be accompanied with an explanation of the need for intended offerings.

(d) Be maintained in conformity with applicable provisions of this division, the Education Code, ~~title 5 of the California Code of Regulations~~, the California Community Colleges Budget and Accounting Manual, and the ~~California State Plan for Vocational Education~~ Carl D. Perkins Career Technical Education Act of 2006 California State Plan; and

(e) Be organized and administered by community college districts in such a manner that there will be separate accounts for all income and expenditures applicable to the contract.

NOTE: Authority cited: Sections 8092, 66700, 70901, 70902 and 71024, Education Code. Reference: Article 5 (commencing with ~~§~~section 8090), ~~€~~chapter 1, ~~Ɔ~~part 6, ~~Ɔ~~division 1, ~~Ɔ~~title 1, and ~~§~~section 70901, Education Code.

58. Section 55607 of article 1 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 55607. Reporting.~~

~~All records relating to district income and expenditures applicable to contracts with a contractor pursuant to section 55602 shall be made available for audit by the state or federal government and will be retained for five (5) years or one year after audited, whichever comes first.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Article 5 (commencing with section 8090), of chapter 1, part 6, division 1, title 1, Education Code.~~

59. Section 55630 of article 3 of subchapter 7 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55630. Terms and Conditions.

Each contract shall expressly include but not be limited to, the following provisions:

- (a) The governing board of the community college district has determined, by resolution, the appropriateness of offering the program through a contract with a contractor pursuant to Education Code section 78015.
- (b) Methods for identifying eligible costs and payment procedures for compliance with section 55602 ~~subdivisions (b)(2) and (b)(3).~~
- (c) Procedures, terms and conditions relating to:
- (1) enrollment period;
 - (2) transfer of students between the community college district and contractor;
 - (3) number of class hours sufficient to meet the stated performance objectives;
 - (4) supervision and evaluation of students; and
 - (5) withdrawal of students prior to completion of a course or program.
- (d) ~~The contractor and the community college district will insure that~~ A description of the ancillary and support services are provided which the district and the contractor will provide for the students including, but not limited to:
- (1) counseling and guidance; and
 - (2) placement assistance.
- (e) ~~Instruction~~ Provisions ensuring that instruction will be provided under the immediate supervision and control of qualified faculty of the district.
- (f) Performance objectives for each instructional area and the requirement for a report by the contractor regarding accomplishment of the objectives at the end of each contract period.
- (g) ~~Designation of responsibility to~~ A requirement that the contractor for maintaining records of student attendance and achievement. Such and provide such records shall be available for review at all times and submitted on a schedule developed by to the community college district upon request or according to a specified schedule.
- (h) Terms and conditions relating to cancellation and termination of the contract.

(i) ~~The A certification that the~~ contractor is in compliance with title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq. and 2000e et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681 et seq.), section 504 of the federal Vocational Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.), the Age Discrimination Act (42 U.S.C. § 6101), the U.S. Presidential Executive Order 11246 and subsequent amendments (if applicable), California Fair Employment and Housing Act (Government Code, §§12900 et seq.), the California Unruh Civil Rights Act (Civ. Code, §§ 51-53), and all applicable state and federal health and safety regulations.

(j) ~~The A requirement that the~~ contractor provides, when required by law and at the contractor's own expense, workers' compensation insurance coverage for any student.

(k) ~~The A certification that the~~ contractor provides indemnity and defense for the state and the community college district and their respective officers and employees, against any and all claims and liability for death, injury, loss and damage arising out of, or in any manner connected with, the performance of the contract. Such indemnity and defense shall be provided by an appropriate hold harmless clause and a policy of liability insurance coverage, the cost of which is to be borne by the contractor. Such policy shall name the Board of Governors of the California Community Colleges, the State and the community college district, along with their respective officers and employees as additional insureds.

(l) Minimum qualifications established by subchapter 4 (commencing with section 53400) of chapter 4 apply to persons who provide instruction under contracts entered into pursuant to Education Code section 8092.5, except that a district contracting for instruction under section 58058(b) may substitute a valid certificate to work or license to practice in the neighboring state for a certificate to work or license to practice in California under section 53417.

NOTE: Authority cited: Sections 8090, 66700 and 70901 and 71024, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090), Division 1 and Section 70901, Education Code.

60. Section 55700 of article 1 of subchapter 8 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55700. Scope.

The provisions of this article pertain to changes made ~~on or after July 1, 1982,~~ to any traditional academic year calendar consisting of at least ~~175 days~~ 35 weeks of instruction and evaluation. The conversion to a flexible calendar operation is not addressed by the provisions of this article; rather, the provisions of article 2 (commencing with section 55720) govern the flexible calendar option.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

61. Section 55701 of article 1 of subchapter 8 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55701. College and Academic Year.

(a) The “college year” begins on the first day of July and ends on the last day of June. The “academic year” means that portion of the college year during which the community college is maintained, which period shall include not less than ~~the number of days required by regulations adopted by the Board of Governors~~ 175 days of instruction as defined by section 58120. The academic year does not include summer or other intersessions.

(b) Under no circumstances may a district adopt an academic calendar which results in provision of less than 32 weeks of instruction (inclusive of days of final examination) during the primary terms of each academic year. Nor may a district adopt an academic calendar which would result in fewer hours of instruction per unit of credit awarded than permitted pursuant to section 55002.5.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

62. Section 55702 of article 1 of subchapter 8 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55702. Approval of Changes.

(a) Prior to any change in academic year configuration, including the addition, deletion, shortening or lengthening of any primary term, the governing board of a district shall obtain the approval of the Chancellor.

(b) Requests for approval shall be made on a form provided by the Chancellor, and shall address or provide:

(1) A complete description of the calendar configuration;

(2) The district's ability to comply with the 175-Day Rule as provided in section 58142; and

(3) The educational implications, positive and negative, of the proposed change.

(c) The Chancellor shall approve a requested change in a college's academic year terms configuration if it is found that:

(1) The state aid implications of the requested change have been addressed; and

(2) The district will be able to comply with the 175-Day Rule; and

(3) The change in configuration is consistent with the continued delivery of quality education.

NOTE: Authority cited: Sections 66700, 70901, and 84890, Education Code. Reference: Section 84890, Education Code.

63. Section 55720 of article 2 of subchapter 8 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55720. ~~Offering Classes Operating Under Flexible Calendar; Accountability of Employees Under Contract for 175 Days; Activities.~~

(a) Subject to the approval of the Chancellor pursuant to section 55724, a community college district may designate an amount of time in each fiscal year for employees to conduct staff, student, and instructional improvement activities. These activities may be conducted at any time during the fiscal year. The time designated for these activities shall be known as “flexible time.”

(b) A district with an approved flexible calendar may designate as flexible time for an employee not more than 8.57 percent of that employee's contractual obligation for hours of classroom instruction which are eligible for state apportionments in that academic year, exclusive of any intersessions.

(c) Under no circumstances may a district operate a flexible calendar program which results in an academic calendar which would be inconsistent with the requirements of subdivision (b) of section 55701.

NOTE: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Sections 70901 and 84890, Education Code.

64. Section 55732 of article 2 of subchapter 8 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55732. Ongoing Responsibilities of the Chancellor.

The Chancellor shall:

(a) Adjust state aid for districts with approved flexible calendar operations in accordance with the provisions of section 55729-~~of this Part~~;

(b) Periodically review documentation from selected districts to determine whether they are in compliance with the provisions of sections 55720, 55726, 55728, and 55730, and to determine whether they are conducting their flexible calendar operations in a manner consistent with the approved requests. Districts which are found to be out of compliance shall be notified and be given an opportunity to respond; and

(c) Terminate approval of any flexible calendar operation if it is found that the district has, without good cause:

(1) failed to conduct its flexible calendar operation in a manner consistent with its approved request;

(2) failed to comply with the requirements of section 55720;

(3) failed to carry out the responsibilities specified in section 55726; or

~~(3)~~(4) failed to meet its ongoing responsibilities as specified in section 55730.

NOTE: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

65. Subchapter 9 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed.

~~Subchapter 9. Standards of Scholarship~~

~~§ 55750. Regulations.~~

~~The governing board of a district maintaining a community college shall adopt regulations consistent with this chapter. The regulations shall be published in the college catalog under appropriate headings and filed with the Chancellor's Office as required by section 51002 of this part.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55751. Grading Practices.~~

~~Each governing board maintaining one or more community colleges shall determine a uniform grading practice for the district which shall be based on sound academic principles and conform to the following standards:~~

~~(a) Work in all courses acceptable in fulfillment of the requirements for an associate or baccalaureate degree, a certificate, diploma or license shall be graded in accordance with a grading scale adopted by the governing board consistent with section 55758.~~

~~(b) Such work shall also be graded in accordance with the provisions of section 55752 or section 55753.~~

~~NOTE: Authority cited: Sections 66700, 70901, 71020, and 71024, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55752. Credit-No Credit Options.~~

~~(a) The governing board of a district maintaining a community college may by resolution and regulation offer courses in either or both of the following categories and shall specify in its catalog the category into which each course falls:~~

~~(1) Courses wherein all students are evaluated on a "credit no credit" basis.~~

~~(2) Courses wherein each student may elect on registration, or no later than the end of the first 30% of the term, whether the basis of evaluation is to be "credit no credit" or a letter grade.~~

~~(b) All units earned on a "credit no credit" basis in accredited California institutions of higher education or equivalent out of state institutions shall be counted in satisfaction of community college curriculum requirements.~~

~~(c) Units earned on a "credit no credit" basis shall not be used to calculate grade point averages. However, units attempted for which "NC" (as defined in section 55758) is recorded shall be considered in probation and dismissal procedures.~~

~~(d) Independent study courses offered in accordance with sections 55300 55352 of this part may be graded on a "credit no credit" basis in accordance with subdivision (a) of this section.~~

~~(e) When a district offers courses in which there is a single standard of performance for which unit credit is assigned, the "CR/NC" grading system shall be used to the exclusion of other grades. Credit shall be assigned for meeting that standard, no credit for failure to do so.~~

~~NOTE: Authority cited: Sections 70901 and 71020, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55753. Credit by Examination.~~

~~(a) The governing board of each community college district shall adopt and publish procedures and regulations pertaining to credit by examination in accordance with the provisions of this Subchapter.~~

~~(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.~~

~~(c) The nature and content of the examination shall be determined solely by faculty in the discipline that normally teaches the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to Section 55002. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an examination conducted at a location other than the community college for this purpose.~~

~~(d) A separate examination shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which examinations are conducted pursuant to this section.~~

~~(e) The student's academic record shall be clearly annotated to reflect that credit was earned by examination.~~

~~(f) Grading shall be according to the regular grading scale approved by the governing board pursuant to Section 55758, except that students shall be offered a credit no credit option if that option is ordinarily available for the course.~~

~~(g) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55753.5. Articulation of High School Courses.~~

~~(a) For purposes of this section, the term "articulated high school course" means a high school course or courses that the faculty in the appropriate discipline, using policies and procedures approved by the curriculum committee established pursuant to section 55002, have determined to be comparable to a specific community college course.~~

~~(b) The governing board of a community college district may adopt policies to permit articulated high school courses to be applied to community college requirements in~~

~~accordance with this section. Articulated high school courses may be accepted in lieu of comparable community college courses to partially satisfy:~~

~~(1) requirements for a certificate program, including the total number of units required for the certificate; or,~~

~~(2) the major requirements in a degree program.~~

~~(c) Articulated high school courses used to partially satisfy certificate or major requirements shall be clearly noted as such on the student's academic record. Notations of community college course credit shall be made only if community college courses are successfully completed or if credit is earned via credit by examination.~~

~~(d) Except through credit by examination, as defined in section 55753, high school courses may not be used to satisfy:~~

~~(1) the requirement of section 55806 that students complete at least 60 semester or 90 quarter units in order to receive an associate degree; or,~~

~~(2) any general education requirement for the associate degree established by the district.~~

~~(e) All community college district high school articulation agreements shall be subject to the provisions of this section. However, any student who, prior to the date this section takes effect, has successfully completed a high school course articulated under the terms of a previous agreement shall be permitted to apply the credit so earned according to the terms of the previous agreement.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700, 70901 and 70902, Education Code.~~

~~§ 55753.7. Advanced Placement Examinations.~~

~~The governing board of a community college district may adopt policies to grant credit for satisfactory completion of advanced placement examinations typically recognized by colleges and universities as measuring competencies comparable to those achieved in baccalaureate level courses.~~

~~The faculty in the appropriate discipline must approve advanced placement examinations, scores deemed to constitute satisfactory performance, courses offered by the college for which credit will be granted, and requirements that may be met by such examinations in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002.~~

~~The student's academic record shall be clearly annotated to reflect that credit was earned through an advanced placement examination.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700, 70901 and 70902, Education Code.~~

~~§ 55754. Standards for Probation.~~

~~(a) Academic probation. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading scale described in section 55758.~~

~~(b) Progress probation. A student who has enrolled in a total of at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded reaches or exceeds fifty percent (50%).~~

~~(c) The governing board of a community college district may adopt standards for probation not lower than those standards specified in subsections (a) and (b) of this section. Specifically:~~

~~(1) A district may establish, as the minimum number of units before academic or progress probation is assessed, a number of units fewer than 12 semester or 18 quarter units; or~~

~~(2) A district may establish, as the minimum grade point average for academic probation purposes, a grade point average greater than 2.0; or~~

~~(3) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55755. Removal from Probation.~~

~~(a) A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade point average is 2.0 or higher.~~

~~(b) A student on progress probation because of an excess of units for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).~~

~~(c) The governing board of a district shall adopt and publish procedures and conditions for probation and appeal of probation and request for removal from probation. Such procedures and conditions may establish standards not lower than those standards specified in subsections (a) and (b) of this section. Specifically:~~

~~(1) A district may establish, as a minimum grade point average for removal from academic probation, a grade point average greater than 2.0; or~~

~~(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55756. Standards for Dismissal.~~

~~For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment (i.e., a fall quarter followed by a spring quarter shall be considered consecutive if the student was not enrolled in the winter quarter of that academic year).~~

~~(a) A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade point average of less than 1.75 in all units attempted in each of 3 consecutive semesters (5 consecutive quarters) which were graded on the basis of the grading scale described in section 55758.~~

~~(b) A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been enrolled for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55754.~~

~~(c) The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subsections (a) and (b) of this section. Specifically:~~

~~(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or~~

~~(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%); or~~

~~(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.~~

~~(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55756.5. Remedial Coursework Limit.~~

~~(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subdivision (d) of section 55502.~~

~~(b) A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to subchapter 6 (commencing with section 55500) of chapter 6. However, except as provided in subdivision (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by a college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.~~

~~(c) The following students are exempted from the limitation on remedial coursework described in subdivision (b) of this section:~~

~~(1) Students enrolled in one or more courses of English as a Second Language (ESL);~~

~~(2) Students identified by the district as having a learning disability as defined in section 56036.~~

~~(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions~~

~~which ensure that waivers are only given for specified periods of time or for specified numbers of units.~~

~~(e) A student who does not attain full eligibility status for college-level work within the limit described in subdivision (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.~~

~~(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will reasonably assure success in college-level courses, request reinstatement to proceed with college-level coursework.~~

~~(g) The governing board of each district shall submit, through the established Management Information System, information necessary to enable the Chancellor to determine the following:~~

- ~~(1) The effect of this section on students by sex, age, and ethnicity;~~
- ~~(2) Success rates for students enrolled in "remedial coursework;"~~
- ~~(3) Attrition rates for students enrolled in "remedial coursework;"~~
- ~~(4) Rates at which students are referred to and enroll in adult noncredit instruction;~~
- ~~(5) Rates at which students who are referred to adult noncredit instruction subsequently enroll in college-level courses;~~
- ~~(6) Term-to-term persistence rates for students;~~
- ~~(7) Rates at which students directly enter employment after completing remedial coursework;~~
- ~~(8) The extent to which students are exempted from the limitation specified in subdivision (b);~~
- ~~(9) The extent to which students receive waivers, as authorized by subdivision (d); and~~
- ~~(10) The rate at which students are dismissed as described in subdivision (e).~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 84500, Education Code; and Statutes of 1988, Chapter 973, Section 68.~~

~~§ 55757. Units Attempted.~~

~~For the purposes of sections 55754 and 55756, "all units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion in or exclusion of units in which a student did not receive a grade or "credit no credit" or from which the student withdrew in accordance with rules adopted by the district governing board.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55758. Academic Record Symbols and Grade Point Average.~~

~~(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average using only the following evaluative symbols, except as provided in subsections (b) and (c):~~

Symbol	Definition	Grade Point
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A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory— units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing— units not counted in GPA)	

(b) The governing board of a community college district may use “plus” and “minus” designations in combination with letter grades, except that the grade of C minus shall not be used. If pluses and minuses are used, the grade point value of a plus shall be computed by adding 0.3 to the value assigned to the letter grade with which it is combined, and the grade point value of a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade with which it is combined, except that no grade point value shall be less than 0 or greater than 4.0.

(c) Regardless of whether the governing board elects to use plus and minus grading, it may provide for the use of the “FW” grade symbol to indicate that a student has both ceased participating in a course some time after the last day to officially withdraw from the course without having achieved a final passing grade, and that the student has not received district authorization to withdraw from the course under extenuating circumstances. The “FW” symbol may not be used if a student has qualified for and been granted military withdrawal. If “FW” is used, its grade point value shall be zero (0).

(d) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) or subsections (a) and (b) (if pluses and minuses are used) in the catalog or catalogs of that community college district as a part of its grading practices. In the event the governing board chooses to use the “FW” described in subsection (c), it shall be included in the grading scale and point equivalencies published in the catalog.

(e) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an “I” symbol being entered in the student's record. The condition for the removal of the “I” shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the “I” and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the “I” is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

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- The "I" may be made up no later than one year following the end of the term in which it was assigned.
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- The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.
- IP In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open entry, open exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
- RD Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.
- W Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following: Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in this Section other than a "W."
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- The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty.

~~Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.~~

~~No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.~~

~~Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.~~

~~Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."~~

~~For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.~~

~~The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in Sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.~~

~~Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.~~

~~A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.~~

MW ~~Military Withdrawal: The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following: "Military Withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990 and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to~~

~~“MW”s. In no case would a military withdrawal result in a student being assigned an “FW” grade.~~

~~NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55758.5. Grade Point Averaging.~~

~~(a) This section augments and should be read in conjunction with Section 55758 relating to academic record symbols and grade point average.~~

~~(b) In calculating students' degree applicable grade point averages, grades earned in nondegree credit courses shall not be included.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55759. Notification of Probation and Dismissal.~~

~~Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55760. Grade Changes.~~

~~(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.~~

~~(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.~~

~~§ 55761. District Policy for Course Repetition.~~

~~The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this division, the term “substandard” shall be defined as meaning course work for which the grading symbols “D,” “F,” “FW,” and/or “NC” (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55762. Course Repetition: Implementation.~~

~~In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:~~

- ~~(a) Shall not adopt any regulation or procedure which conflicts with:
 - ~~(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and~~
 - ~~(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;~~~~
- ~~(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;~~
- ~~(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;~~
- ~~(d) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;~~
- ~~(e) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;~~
- ~~(f) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and~~
- ~~(g) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.~~

~~NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.~~

~~§ 55763. Course Repetition: Special Circumstances.~~

~~(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded.~~

~~(b) Except as provided in Subsection (c), repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition. Grades awarded for courses repeated under the provisions of this subsection shall not be counted in calculating a student's grade point average.~~

~~(c) If a district permits repetition of courses where substandard work has not been recorded, repetition shall be permitted, without petition, in instances when such repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment. Such courses must conform to all attendance accounting, course approval, and other requirements imposed by applicable provisions of law. Such courses may be repeated for credit any number of times, regardless of whether or not substandard work was previously recorded, and the grade received each time shall be included for purposes of calculating the student's grade point average. The governing board of a district may establish policies and procedures requiring students to certify or document that course repetition is necessary to complete legally mandated training pursuant to this subsection.~~

~~(d) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.~~

~~NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.~~

~~§ 55764. District Policy for Academic Renewal Without Course Repetition.~~

~~The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the alleviation of previously recorded substandard academic performance, as defined in section 55761, which is not reflective of a student's demonstrated ability. Such procedures or regulations shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal regulations. When academic renewal procedures or regulations adopted by the districts permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.~~

~~§ 55765. Academic Renewal Without Course Repetition: Implementation.~~

~~In adopting procedures or regulations pertaining to the alleviation of previously recorded, substandard academic performance, as defined in section 55764, which is not~~

~~reflective of a student's demonstrated ability, the governing board of a district maintaining a community college:~~

~~(a) Shall not adopt any regulation or procedure which conflicts with:~~

~~(1) Education Code section 76224, pertaining to the finality of grades assigned by instruction, and~~

~~(2) Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records, and particularly subdivision (d) of section 59023, relating to the permanency of certain student records.~~

~~(b) Shall, when the adopted procedures or regulations permit such alleviation, state:~~

~~(1) The maximum amount of coursework that may be alleviated;~~

~~(2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;~~

~~(3) The length of time to have elapsed since the coursework to be alleviated was recorded; and~~

~~(4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation regulations.~~

~~(c) Shall, when the adopted procedures or regulations permit such alleviation, publish specific procedures to be followed in implementing procedures or regulations adopted pursuant to this section and section 55764 stating, at a minimum:~~

~~(1) The procedures to be followed by students in petitioning for alleviation; and~~

~~(2) The officers and/or personnel responsible for implementing the procedures or regulations.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.~~

66. Subchapter 10 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed.

~~**Subchapter 10. Degrees and Certificates**~~

~~**§ 55800. Regulations.**~~

~~The governing board of community college districts shall adopt policy consistent with the provisions of this chapter. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004 of this part.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.~~

~~**§ 55800.5. Minimum Credit Hours for Graduation from Two-Year Course.**~~

~~An associate degree shall be awarded to any student who successfully completes the prescribed course of study for the degree while maintaining the requisite grade point average, the course of study required for the student's major, and any required academic elective courses.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

§ 55801. Definitions.

For the purpose of this chapter, “satisfactorily completed” means either credit earned on a “credit no credit” basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

§ 55805. Philosophy and Criteria for Associate Degree and General Education.

(a) The governing board of a community college district shall adopt policy which states its specific philosophy on General Education. In developing this policy governing boards shall consider the following policy of the Board of Governors:

The awarding of an Associate Degree is intended to represent more than an accumulation of units. It is to symbolize a successful attempt on the part of the college to lead students through patterns of learning experiences designed to develop certain capabilities and insights. Among these are the ability to think and to communicate clearly and effectively both orally and in writing; to use mathematics; to understand the modes of inquiry of the major disciplines; to be aware of other cultures and times; to achieve insights gained through experience in thinking about ethical problems; and to develop the capacity for self-understanding. In addition to these accomplishments, the student shall possess sufficient depth in some field of knowledge to contribute to lifetime interest.

Central to an Associate Degree, General Education is designed to introduce students to the variety of means through which people comprehend the modern world. It reflects the conviction of colleges that those who receive their degrees must possess in common certain basic principles, concepts and methodologies both unique to and shared by the various disciplines. College educated persons must be able to use this knowledge when evaluating and appreciating the physical environment, the culture, and the society in which they live. Most importantly, General Education should lead to better self-understanding.

In establishing or modifying a general education program, ways shall be sought to create coherence and integration among the separate requirements. It is also desirable that general education programs involve students actively in examining values inherent in proposed solutions to major social problems.

(b) The governing board of a community college district shall also establish criteria to determine which courses may be used in implementing its philosophy on the associate degree and general education.

(c) The governing board of a community college district shall, on a regular basis, review the policy and criteria established pursuant to subsections (a) and (b) of this section.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

§ 55805.5. Types of Courses Appropriate to the Associate Degree.

~~The criteria established by the governing board of a community college district to implement its philosophy on the associate degree shall permit only courses that conform to the standards specified in section 55002(a) and that fall into the following categories to be offered for associate degree credit:~~

~~(a) All lower division courses accepted toward the baccalaureate degree by the California State University or University of California or designed to be offered for transfer.~~

~~(b) Courses that apply to the major in non-baccalaureate occupational fields.~~

~~(c) English courses not more than one level below the first transfer level composition course, typically known as English 1A. Each student may count only one such course as credit toward the associate degree.~~

~~(d) All mathematics courses above and including Elementary Algebra.~~

~~(e) Credit courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board require entrance skills at a level equivalent to those necessary for the courses specified in subsections (c) and (d) above.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.~~

§ 55806. Minimum Requirements for the Associate Degree.

~~The governing board of a community college district shall confer the degree of associate in arts or associate in science upon a student who has demonstrated competence in reading, in written expression, and in mathematics, and who has satisfactorily completed at least 60 semester units or 90 quarter units of college work. "College work" is defined as college credit courses acceptable toward the associate degree which have been properly approved pursuant to section 55002(a), or those courses that were not completed at a California community college district that would reasonably be expected to meet the standards of section 55002(a) if they were offered by a California community college district.~~

~~Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in written expression shall be demonstrated by obtaining a satisfactory grade in an English course at the level of the course typically known as English 1A (either English 1A or another English course at the same level and with the same rigor, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified English course. Satisfactory completion of an English course at the level of English 1A shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(i) of this section.~~

~~Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in mathematics shall be demonstrated by obtaining a satisfactory grade in a mathematics course at the level of the course typically known as intermediate algebra (either intermediate algebra or another mathematics course at the same~~

~~level, with the same rigor and with elementary algebra as a prerequisite, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified mathematics course. Satisfactory completion of a mathematics course at the level of intermediate algebra shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(ii) of this section.~~

~~The competency requirements for written expression and mathematics may also be met by obtaining a satisfactory grade in courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board, require entrance skills at a level equivalent to those necessary for English 1A and intermediate algebra respectively. Requirements for demonstrating competency in reading shall be locally determined.~~

~~The required 60 semester or 90 quarter units of course work must be fulfilled in a curriculum accepted toward the degree by a college within the district (as shown in its catalog). It must include at least 18 semester or 27 quarter units in general education and at least 18 semester or 27 quarter units in a major as prescribed in this section. Of the total required units, at least 12 semester or 18 quarter units must be completed in residence at the college granting the degree. Exceptions to residence requirements for the associate degree may be made by the governing board when it determines that an injustice or undue hardship would be placed on the student.~~

~~(a) Major Requirements. At least 18 semester or 27 quarter units of study taken in a single discipline or related disciplines, as listed in the community colleges "Taxonomy of Programs," shall be required.~~

~~(b) General Education Requirements.~~

~~(1) Students receiving an associate degree shall complete a minimum of 18 semester or 27 quarter units of general education, including a minimum of three semester or four quarter units in each of the areas (A), (B) and (C) and the same minimum in each part of (D). The remainder of the unit requirement is also to be selected from among these four divisions of learning or as determined by local option:~~

~~(A) Natural Sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.~~

~~(B) Social and Behavioral Sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. This category would include introductory or integrative survey courses in cultural~~

~~anthropology, cultural geography, economics, history, political science, psychology, sociology and related disciplines.~~

~~(C) Humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion.~~

~~(D) Language and Rationality. Courses in language and rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses.~~

~~(i) English Composition. Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing.~~

~~(ii) Communication and Analytical Thinking. Courses fulfilling the communication and analytical thinking requirement include oral communication, mathematics, logic, statistics, computer languages and programming, and related disciplines.~~

~~(2) While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major requirement. Whether it may be counted again for a different degree requirement is a matter for each college to determine. Students may use the same course to meet a general education requirement for the associate degree and to partially satisfy a general education requirement at the California State University, if such course is accepted by that system to satisfy a general education requirement.~~

~~(3) Ethnic Studies will be offered in at least one of the required areas.~~

~~(c) Except for revised competency requirements which apply to students admitted for the Fall 2009 term or any term thereafter, all other provisions of this section shall be applicable to all students who enter a community college on or after July 1, 1983, unless the governing board of a community college district specified an earlier implementation date pursuant to former section 55810.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

~~§ 55807. Conversion to Credit.~~

~~Upon student petition to and certification by a governing board of credit level achievement and prescribed academic rigor, and evidence of prescribed competence as approved by the faculty, noncredit courses may count toward associate degrees.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 78405, Education Code.~~

~~§ 55808. Certificate of Achievement.~~

~~The governing board of a community college district shall issue a certificate of achievement to any student whom the governing board determines has completed successfully any course of study or curriculum for which a certificate of achievement is offered.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.~~

~~§ 55809. Duty to Grant Diploma.~~

~~The governing board of a community college district shall award the appropriate diploma, degree or certificate whenever a student has completed all requirements for the degree, diploma or certificate without regard to the length of time actually taken by the student to complete such requirements. The governing board shall grant to any student, who has satisfactorily completed the requirements of any course of study in less than the prescribed time, credit for the full number of semester hours scheduled for such course.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.~~

67. Subchapter 11 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed.

~~Subchapter 11. New Colleges and Education Centers~~

~~§ 55825. Responsibilities of District Governing Boards.~~

~~The governing board of a community college district planning the formation of a new college or educational center as defined in section 55827 shall employ and comply with the standards contained in sections 55829, 55830 and 55831 of this chapter.~~

~~NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 66700, 81800 and 81805, Education Code.~~

~~§ 55827. Definitions.~~

~~(a) College. As used in this Chapter, "college" means a degree granting institution intended to provide instruction through the second year of college, including but not limited, to one or more of the following categories:~~

- ~~(1) standard collegiate courses for transfer to higher institutions;~~
- ~~(2) vocational and technical fields leading to employment; or~~
- ~~(3) general or liberal arts courses for which institution the district intends to obtain accreditation.~~

~~(b) Educational Center. As used in this Chapter, "educational center" means a postsecondary operation established and administered by an existing college or district at a location away from the campus of the parent institution. An educational center is an~~

~~operation planned to continue for three or more years and expected to enroll over 500 FTES by the third year of operation. The center typically has an on-site administrator and may offer programs leading to certificates and/or degrees conferred by the parent institution.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 66700, Education Code.~~

~~**§ 55828. Responsibilities of the Chancellor's Office, Community College Districts and the Board of Governors.**~~

~~(a) The Chancellor's office shall maintain an inventory of all off-campus programs and facilities in the community colleges. This inventory shall be updated annually, and shall be distributed to each community college district and the Postsecondary Education Commission for use in planning activities.~~

~~(b) The Chancellor's office shall develop procedures to identify and review plans for new colleges and new educational centers within the district's Five-Year Academic and Capital Outlay Master Plans.~~

~~(c) Community college districts shall develop procedures to identify and review plans for new colleges and new educational centers as defined in this chapter. These proposals should contain at least the following elements:~~

- ~~(1) Assessment of Needs and Preferences (section 55829),~~
- ~~(2) Identification of Objectives (section 55830), and~~
- ~~(3) Analysis of Alternative Delivery Systems (section 55831).~~

~~(d) The Chancellor's Office shall review each proposed new college and new educational center and shall recommend approval or disapproval to the Board of Governors. The Chancellor's Office analysis of these proposals shall stress inter-district concerns and evaluation of the delivery system proposed.~~

~~(e) The Board of Governors shall approve or disapprove each new college or educational center and transmit its findings to the community college district initiating the proposal and to the California Postsecondary Educational Commission.~~

~~NOTE: Authority Cited: Section 66700, 70901 and 81805, Education Code. Reference: Section 66700, 81805, Education Code.~~

~~**§ 55829. Assessment of Needs and Preferences.**~~

~~(a) The community area and characteristics of individuals to be served must be identified adequately.~~

~~(b) Projections of potential enrollment demand in the service area must demonstrate significant unmet need, taking into account plans of nearby secondary and postsecondary institutions.~~

~~(c) Significant community support must be evident and possible community opposition must be identified.~~

~~(d) Preferences for community college programs and services on the part of individuals in the service area must be identified.~~

~~(e) Insofar as possible, present and future labor market requirements must be identified for the proposed service area, a broader adjacent region, and the state.~~

~~(f) Projected labor market requirements and community program preferences must be reconciled, if possible.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.~~

~~§ 55830. Identification of Objectives.~~

~~(a) Proposed college or educational center programs and services must be directed to the identified educational needs and preferences of the community to be served.~~

~~(b) Objectives of the proposed programs and services must be sufficiently specific that the district board may evaluate the success with which needs and preferences are met.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.~~

~~§ 55831. Analysis of Alternative Delivery Systems.~~

~~(a) The proposed operation must be the most effective and equitable of feasible delivery system alternatives for providing intended programs and services.~~

~~(b) Criteria for selecting the proposed delivery system must include:~~

~~(1) accessibility of programs and services to individuals in the service area,~~

~~(2) content and quality of programs and services, and~~

~~(3) cost of programs and services.~~

~~(c) Depending on the delivery system proposed, alternatives for providing the proposed programs and services must include, but need not be limited to:~~

~~(1) increased utilization of existing district resources,~~

~~(2) forming a new college, educational center, and/or outreach locations, and~~

~~(3) use of media such as television, computer-assisted instruction or programmed learning packages. Alternative delivery systems considered must be adequately described, generally mutually exclusive, and limited to a manageable number to facilitate analysis and review.~~

~~(d) Proposed sources of funding for needed resources must be identified for both short and long-term operations.~~

~~NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 81810, Education Code.~~

68. Subchapter 12 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed.

~~Subchapter 12. Libraries~~

~~55840. Appointment and Qualification of District Librarian.~~

~~The governing board of a community college district maintaining its own library or libraries may appoint a librarian who shall meet minimum qualifications established pursuant to chapter 4 (commencing with section 53400) of division 4 of this part.~~

NOTE: Authority cited: ~~Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

~~§ 55841. Annual Report by Governing Board to Department of Education.~~

~~The governing board of a district shall, on or before August 31st, in each year, report to the Chancellor on the condition of district libraries, for the year ending June 30th preceding. The report shall, in addition to other matters deemed expedient by the governing board or the librarians, contain such statistical and other information as is deemed desirable by the Chancellor. For this purpose the Chancellor may send to the districts instructions or question blanks so as to obtain the material for a comparative study of library conditions in the state.~~

NOTE: Authority cited: ~~Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.~~

69. Subchapter 9 of chapter 6 of division 6 of title 5 of the California Code of Regulations is added to read:

Subchapter 9. Libraries

§ 55800. Annual Report to Chancellor.

The governing board of each community college district shall, on or before August 31st of each year, report to the Chancellor on the condition of district libraries, for the preceding fiscal year. The report shall, in addition to other matters deemed appropriate by the governing board or the librarians, contain such statistical and other information as is deemed desirable by the Chancellor. For this purpose the Chancellor may send to the districts instructions and/or forms so as to obtain the material for a comparative study of library conditions in the state.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

70. Section 56029 of article 2 of subchapter 1 of chapter 7 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 56029. Special Class Course Repeatability.

Repetition of special classes is subject to the provisions of Sections 55761-63 sections 55040-55043 and 58161 of this division. However, districts are authorized to permit additional repetitions of credit or noncredit special classes to provide an accommodation to a student's educational limitations pursuant to state and federal nondiscrimination laws. Districts shall develop policies and procedures providing for repetition under the following circumstances:

- (a) When continuing success of the student in other general and/or special classes is dependent on additional repetitions of a specific special class;
- (b) When additional repetitions of a specific special class are essential to completing a student's preparation for enrollment into other regular or special classes; or
- (c) When the student has a student educational contract which involves a goal other than completion of the special class in question and repetition of the course will further achievement of that goal.

NOTE: Authority cited: Sections 67312, 70901 and 84850, Education Code. Reference: Sections 67310-12 and 84850, Education Code; and title 29 United States Code .S.C. See section 794.

71. Section 58003.1 of article 2 of subchapter 1 of chapter 9 of division 6 title 5 of the California Code of Regulations is amended to read:

§ 58003.1. Full-time Equivalent Student; Computation.

(a) Pursuant to the provisions of section 58051, the units of full-time equivalent student for apportionment purposes shall be computed for courses, including those delivered by distance education under ~~article 3 (commencing with section 55205) of subchapter 1 1~~ (commencing with section 55200) of subchapter 3 of chapter 6, based on the type of course, the way the course is scheduled, and the length of the course.

(b) The governing board of each community college district shall, for each of its colleges or its district, select and establish a single primary term length for credit courses that are scheduled regularly with respect to the number of days of the week and the number of hours the course meets each week, inclusive of holidays. The units of full-time equivalent student of credit courses scheduled coterminously with the term, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the student contact hours of active enrollment as of Monday of the weeks nearest to one-fifth of the length of the term, unless other weeks are specified by the Chancellor to incorporate past practice, by the term length multiplier, and divided by 525. The term length multiplier for attendance accounting purposes shall be determined in accordance with ~~regulations of the Board of Governors~~ this chapter, provided that the maximum multiplier for semester length terms shall be 17.5 and the maximum multiplier for quarter length terms shall be 11.67.

(c) For credit courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the college's primary term established pursuant to subdivision (b), or scheduled during the summer or other intersession, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the daily student contact hours of active enrollment as of the census days nearest to one fifth of the length of the course by the number of days the course is scheduled to meet, and ~~divided~~ dividing by 525.

(d) For credit courses scheduled to meet for fewer than five days, and all credit courses scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days, the units of full-time equivalent student,

exclusive of independent study and cooperative work-experience education courses, shall be computed by dividing actual student contact hours of attendance by 525.

(e) For all open entry-open exit credit courses and for all noncredit courses otherwise eligible for state aid, the units of full-time equivalent student shall be computed by dividing actual student contact hours of attendance by 525.

(f) For independent study and cooperative work-experience education courses:

(1) For credit courses, for purposes of computing full-time equivalent student only, one weekly student contact hour shall be counted for each unit of credit for which a student is enrolled in one of those courses. The full-time equivalent student of those courses shall be computed by multiplying the units of credit for which students are enrolled as of the census day prescribed in subdivision (b) or (c), as appropriate, for the primary term or intersession and duration for which the course is scheduled, by the term length multiplier as provided for in subdivision (b), and dividing by 525.

(2) For noncredit course sections ~~conducted as distance education pursuant to section 55316.5~~ as independent study, for purposes of computing full-time equivalent student only, weekly student contact hours shall be derived by counting the total hours of instruction or programming received by the students, ~~plus instructor contact as defined in programming received by the students, plus instructor contact as defined in section 55211 55234 (or 55204 if the course is conducted through distance education)~~, plus outside-of-class work expected as noted in the course outline of record and approved by the curriculum committee, and dividing the total number of hours for the course thus derived by 54. Hours of instruction or programming received shall be independently verified by the instructor using a method or procedure approved by the district according to policies adopted by the local governing board as required by section 58030. Full-time equivalent student for such noncredit ~~distance instruction~~ independent study course sections shall be computed by multiplying:

(A) multiplying the average of the number of students actively enrolled in the section as of each census date (those dates nearest to one-fifth and three-fifths of the length of the course section) by,

(B) the weekly student contact hours as derived above in this section, by

(C) the primary term length multiplier of 17.5, and

(D) dividing by 525.

(g) Notwithstanding subdivisions (b) and (c) of this section, the units of full-time equivalent student for any credit course other than independent study and cooperative work-experience education courses may, at the option of the district, be computed by dividing the actual student contact hours of attendance by 525. When a district chooses to exercise the option of computing attendance for any course section by the actual student contact hours method, such method must be used consistently for all attendance accounting for that section.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

72. Section 58007 of article 2 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58007. ~~Noncredit Classes~~ Courses.

Contact hours of enrollment in noncredit courses shall be based upon the count of students present at each course meeting. Full-time equivalent students in noncredit courses shall be computed by dividing the sum of contact hours of enrollment by 525.

~~Noncredit~~ except for noncredit distance education courses ~~may be~~ conducted as independent study pursuant to section 55316.5, and for which the computation of full-time equivalent students ~~for such courses~~ is prescribed in section 58003.1(f)(2).

Nonresidents may be claimed for purposes of calculating full-time equivalent students only if they are living in California during the period of attendance and are otherwise eligible for such purposes as provided in this chapter.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

73. Section 58009 of article 2 of subchapter 1 of chapter 9 of division 6 title 5 of the California Code of Regulations is amended to read:

58009. Application of Independent Study or Work-Experience Attendance Procedure.

(a) One weekly student contact hour shall be counted for each unit of credit for which the student is enrolled as of the census day prescribed in section 58003.1(b) or (c) except for independent study laboratory courses. For independent study laboratory courses, weekly student contact hours shall be equivalent to those which would be generated for the same student effort in a laboratory course not offered as independent study.

(b) For credit courses, full-time equivalent students in independent study or work-experience education courses in primary terms is computed by multiplying the weekly student contact hours authorized pursuant to subdivision (a) of this section, generated as of the census date prescribed in section 58003.1(b) by the term length multiplier as provided for in section 58003.1, and dividing by 525.

(c) For noncredit courses conducted as ~~distance education~~ independent study, full-time equivalent students is computed on a census basis as prescribed in section 58003.1(f)(2).

(d) Full-time equivalent student in independent study or work-experience education courses conducted during a summer or other intersession is computed by multiplying the weekly student contact hours, authorized pursuant to subdivision (a) of this section, generated in each course, by a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such courses conducted in the primary terms, and dividing by 525.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

74. Section 58051 of article 5 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58051. Method for Computing Full-Time Equivalent Student (FTES).

(a)(1) Except as otherwise provided, in computing the full-time equivalent student of a community college district, there shall be included only the attendance of students while they are engaged in educational activities required of students and while they are under the immediate supervision and control of an academic employee of the district authorized to render service in the capacity and during the period in which he or she served.

(2)(A) A community college district may also include the attendance of students enrolled in approved courses or programs of independent study, ~~including courses or programs formerly conducted as coordinated instruction systems,~~ who are under the supervision, control, and evaluation, but not necessarily in the immediate presence, of an academic employee of the district who is authorized to render such service. ~~Such attendance may only be included for college level credit courses and programs which are accepted for completion of an appropriate educational sequence leading to an associate degree, and which generally are recognized upon transfer by institutions of the University of California or the California State University.~~

(B) The community college district shall determine the nature, manner, and place of conducting any independent study courses or program in accordance with rules and regulations adopted by the Board of Governors of the California Community Colleges to implement the purposes of this subsection. The rules and regulations the requirements of this section and article 3 (commencing with section 55230) of subchapter 3 of chapter 6. shall require community college districts to

(C) Each district conducting independent study courses shall ensure that the components of each individual independent study course or program for each student shall be set out in a written record or program, including the number of units (if applicable) and hours of study required, the arrangements for consultation with the instructor, and the work product to be evaluated, and the college facility required. The rules and regulations shall also provide for input from, and participation by, faculty who are selected by academic senates or faculty councils, and students, in the development and evaluation of approved educational courses and programs.

(3) A community college district may also include the attendance of students enrolled in approved distance education in accordance with the provisions of article 3 ~~(commencing with section 55205) of subchapter 1~~ 1 (commencing with section 55200) of subchapter 3 of chapter 6.

(b) For the purpose of work-experience education programs ~~in the community colleges meeting the standards of the California State Plan for Vocational Education~~ Carl D. Perkins Career Technical Education Act of 2006 California State Plan (or any successor agreement related to career technical education), “immediate supervision” of off-campus work training stations means student participation in on-the-job training as outlined under a training agreement, coordinated by the community college district under a state-approved plan, wherein the employer and academic school personnel share the responsibility for on-the-job supervision. The student/instructor ratio in the work-experience education program shall not exceed 125 students per full-time equivalent academic coordinator.

(c) For purposes of computing the full-time equivalent student of a community college district, attendance shall also include student attendance and participation in in-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations that conform to all apportionment attendance and course of study requirements otherwise imposed by law, if the courses are fully open to the enrollment and participation of the public. However, prerequisites for the courses shall not be established or construed so as to prevent academically qualified persons who are not employed by agencies in the criminal justice system from enrolling in and attending the courses.

(d) Notwithstanding ~~Subsection-subdivision~~ (c) and any regulations related thereto, a community college may give preference in enrollment to persons who are employed by, or serving in a voluntary capacity with, a fire protection or fire prevention agency in any course of in-service fire training at the community college in cooperation with any fire protection or fire prevention agency or association. Preference shall only be given when such persons could not otherwise complete the course within a reasonable time and when no other training program is reasonably available. At least 15 percent of the enrollment in in-service fire training courses shall consist of persons who are neither volunteers of, nor employed by, a fire protection or fire prevention agency or association, if the persons are available to attend a course. Full-time equivalent student for the courses ~~shall~~ may be reported for state aid.

(e) ~~Subsection-Subdivision~~ (d) shall apply only to the following:

(1) Community colleges which, in cooperation with any fire protection or fire prevention agency or association, have been, as of January 1, 1980, the primary source of in-service fire training for any fire protection or fire prevention agency or association.

(2) Community colleges which, in cooperation with any fire protection or fire prevention agency or association, establish in-service fire training for any fire protection or fire prevention agency or association which did not have in-service fire training, prior to January 1, 1980.

(f) In the event that in-service training courses are restricted to employees of police, fire, corrections, and other criminal justice agencies, attendance for the restricted courses shall not be reported for purposes of state apportionments. A community college district which restricts enrollment in in-service training courses may contract with any public agency to provide compensation for the cost of conducting such courses.

(g) Positive records of student admissions and full-time equivalent student in all in-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations, as described in ~~Subsection-subdivision~~ (c), shall be maintained by each district ~~and shall be separately reported annually to the Chancellor's Office.~~

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

75. Section 58161 of article 5 of subchapter 2 of chapter 9 division 6 of title 5 of the California Code of Regulations is repealed.

~~§ 58161. State Apportionment for Course Repetition.~~

~~(a) Except as specifically authorized by statute or by this section, no state apportionment shall be allowed for the attendance of a student in a course in which the student has previously received a grade from the district.~~

~~(b) State apportionment may be claimed for the attendance of a student in a course in which the student has received a grade only if:~~

~~(1) The student is repeating the course to alleviate substandard work which has been recorded on the student's record. The term "substandard" shall be defined as course work for which the grading symbol "D," "F," "FW," or "N/C" has been recorded; or~~

~~(2) The district finds that the student's previous grade is, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student; or~~

~~(3) The district has determined that a student should repeat a course because there has been a significant lapse of time since the student previously took the course.~~

~~The attendance of students repeating a course as authorized by this subdivision may be claimed only once for state apportionment.~~

~~(c) When course repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment, the district may claim state apportionment each time the student repeats the course.~~

~~(d) State apportionment for repetition of courses not expressly authorized by this section may be claimed in accordance with the following procedure:~~

~~(1) The district must identify the courses which are to be repeatable, and designate such courses in its catalog.~~

~~(2) The district must determine and certify that each identified course is one in which the course content differs each time it is offered, and that the student who repeats it is gaining an expanded educational experience for one of the following reasons:~~

~~(A) Skills or proficiencies are enhanced by supervised repetition and practice within class periods; or~~

~~(B) Active participatory experience in individual study or group assignments is the basic means by which learning objectives are obtained.~~

~~(3) The district must develop and implement a mechanism for the proper monitoring of such repetition.~~

~~(4) The attendance of students repeating a course pursuant to this subdivision may be claimed for state apportionment for not more than three semesters or five quarters.~~

~~NOTE: Authority cited: Section 70901, Education Code. Reference: Section 70901, Education Code.~~

76. Section 58161 is added to article 5 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations to read:

§ 58161. Apportionment for Course Repetition.

A community college district may claim the attendance of students who repeat courses for state apportionment only if so authorized by this section and if all other requirements of this chapter are satisfied.

(a) Where substandard academic work (as defined in section 55040) has been recorded for the attendance of a student in a credit course, apportionment may be claimed for a maximum of two repetitions of the course to alleviate substandard work.

(b) The attendance of students in legally mandated training as provided in section 55041 may be claimed for state apportionment without limitation.

(c) The attendance of students in credit activity courses, as defined in section 55041 and 55042, may be claimed for state apportionment for a maximum of four semesters or six quarters (the original enrollment and three semesters or five quarters of repeated enrollment). For purposes of this subdivision, semesters and quarters include summer sessions and intersessions. This limitation applies even if the student receives a substandard grade during one or more of the enrollments in an activity course or petitions for repetition due to special circumstances as provided in subdivision (e) of section 55041.

(d) The attendance of a student with a disability may be claimed for state apportionment each time the student repeats a credit special class as a disability-related accommodation which is justified by one of the circumstances described in section 56029.

(e) The attendance of a student repeating a credit course by petition pursuant to subdivision (e) of section 55041 may be claimed for state apportionment for a maximum of two repetitions beyond the original enrollment.

(f) The attendance of a student repeating a credit course because the district determines pursuant to subdivision (f) of section 55041 that there has been a significant lapse of time since the student previously took the course may be counted for only one repetition beyond the prior enrollment.

(g) State apportionment may be claimed for the attendance of a student repeating a variable unit open entry/open exit credit course or portion thereof only to the extent that repetition of such courses is permitted pursuant to section 55043.

(h) To the extent permitted by article 4 of subchapter 1 of chapter 6, a district may permit repetition of credit courses beyond the limits set forth in this section, but such additional repetitions may not be claimed for state apportionment.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

77. Section 58161.5 is added to article 5 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations to read:

§ 58161.5. Apportionment for Re-enrollment after Withdrawal.

A community college district may not claim apportionment for the attendance of a student in a credit course if the “W” symbol, as defined in section 55023, has previously been assigned to that student for that same course at colleges within the district on four or more occasions.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.