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TO: Chief Executive Officers

FROM: Steven Bruckman
Executive Vice Chancellor and General Counsel

SUBJECT: **Significant Changes to Curriculum Regulations**

As you know, at its July 2007 meeting, the Board of Governors made a number of changes to its curriculum regulations affecting such topics as course and program approval, curriculum standards, standards of scholarship, and requirements for the associate degree. In many instances, the changes were nonsubstantive, including renumbering regulations for a more logical and accessible sequencing.

However, a number of substantive changes were also made. Two important areas of regulatory change affect stand-alone course approval at the local level and enhanced funding for certain noncredit courses. A full description of all changes was provided with the Board's July agenda item, including comments that describe the changes that were made and their significance.

The regulations took effect on August 16, 2007, so they are now binding on the districts. We have just received the updates to Barclays Official California Code of Regulations that reflect the new regulations. If you have a subscription to this service and have not yet received the updates, they should be arriving very soon.

Chancellor Woodruff wants to make your transition to the new regulations as easy as possible, so she has asked us to again summarize the more significant changes. This is not intended to be a comprehensive listing of changes; please consult the July 2007 Board agenda for a complete review.

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

This section incorporates the California Community Colleges Program and Course Approval Handbook as a Board regulation. While we expect that districts have always adhered to provisions in the Handbook, we want to point out that they now have the effect of regulation. Our Academic Affairs Unit is developing a revised Handbook, and we hope it will be ready for distribution in early 2008. That revised Handbook will provide detailed guidance on implementation of many of the regulations discussed below.

Section 55002.5. Credit Hour. The definition of a unit of college credit was amended to avoid reference to specific term lengths. The definition now more precisely describes the relationship of hours to units. A one-unit course requires a minimum of 48 hours of lecture, study, or laboratory work (on a semester system); a two-unit course requires a minimum 96 hours, etc.

Districts may need to confirm that the number of credit units assigned to various courses reflects this standard. A one-unit course that requires only 20 hours or that requires 98 hours would be problematic and should be reviewed.

Section 55007. Multiple and Overlapping Enrollments. This new provision prohibits the practice of students enrolling in two or more sections of the same credit course at the same time. It also outlines conditions for students who enroll in overlapping credit or noncredit courses, and verifies that there must be documentation confirming that overlapping time was made up. If districts allow students to enroll in overlapping courses, they will need to ensure that their Board-adopted attendance accounting procedures (required by title 5, section 58030) include the mechanism described in section 55007.

Section 55022. Pass-No Pass Options. The phrase “credit-no credit” has caused confusion with “noncredit,” so it was eliminated in favor of the phrase “pass-no pass.” To allow time to implement the new “P” and “NP” symbols, use of the “credit-no credit” terminology and symbols can continue until the Fall 2009 term. However, it is advisable for districts to start making the necessary changes to databases, catalogs, and other references as soon as possible.

Section 55024. Withdrawal. We clarified that a “W” is not appropriate if a student withdrew from a course because of discriminatory treatment or because he/she was subjected to retaliatory treatment for alleging discriminatory treatment. Because a “W” can negatively affect a student who merely withdrew to avoid exposure to the improper conduct, district nondiscrimination complaint processes should be coordinated with this section.

Section 55025. Grade Changes. New language addresses procedural problems which have arisen in past cases. In some instances, a student cannot initially request a grade change from an instructor because that person is unavailable or that person is alleged to have acted improperly towards the student (e.g., discriminated against the student). In such cases, a mechanism for an alternative and objective review must be provided.

Section 55040. District Policy for Course Repetition. The major change here is that a student is now allowed two repetitions, instead of one, to alleviate substandard grades.

Section 55041. Course Repetition Absent Substandard Academic Work. Language was added to clarify that a district can require a student to repeat a prerequisite course the student previously completed with a passing grade if there is a “recency” requirement for that prerequisite.

Section 55042. Course Repetition in Activity Courses. This section defines “activity courses” and codifies our previous administrative interpretation of repetition limitations. In particular, if several levels of courses consist of similar educational activities, the course repetition limitation applies to all levels of those courses. We also confirm that ESL courses and nondegree-applicable basic skills courses are not considered “activity courses,” so they are subject to the course repetition limits which apply to courses other than “activity” courses.

Section 55062. Types of Courses Appropriate to the Associate Degree. We removed ESL courses that teach composition skills from the definition of English courses. So long as ESL courses are accepted as transfer courses, they can be counted for the degree.

Section 55063. Minimum Requirements for the Associate Degree. The term “English 1A” has been replaced with the term “Freshman Composition,” and the regulation now allows an “area of emphasis” as an alternative to a “major” in a single discipline or related disciplines. The area of emphasis is intended to facilitate transfer by including lower division coursework preparing students for a field of study or major at UC or CSU. Effective Fall 2009, students must receive a C or better in each course counted toward their major or area of emphasis.

Section 55070. Credit Certificates. This section describes credit certificates and the approval required to authorize them. The term “certificate of achievement” must be used and reserved for the college-awarded document confirming that a student has completed a program consisting of 18 or more semester units or 27 or more quarter units of degree-applicable credit coursework. Colleges cannot use the term “certificate of achievement” for any other type of award they issue.

Section 55080. Adoption and Content of Plan. The requirement for annual updating of educational plans was removed. They must now be updated periodically or as deemed necessary by the governing board.

Section 55100. Course Approval. This section describes the circumstances under which districts may, until December 31, 2012, establish stand-alone courses without the approval of the Chancellor’s Office. It also implements the AB 1943 requirement that districts cannot use approval of stand-alone courses to establish new programs without obtaining approval from the Chancellor’s Office.

Section 55130. Approval of Credit Programs. The section spells out the kind of information that must be provided to the Chancellor’s Office in order to secure approval of credit programs.

Section 55151. Career Development and College Preparation. This section spells out the approval process for noncredit programs and course sequences for enhanced funding. The terms “certificate of completion” and “certificate of competency” are defined. Please note subdivision (h) which was specifically requested by the Department of Finance and which requires that a certificate of completion must identify the goals for the program or sequence of courses. Also note that this section sunsets on June 30, 2008, to allow for the possibility that future legislation may eliminate the requirement that all programs or sequences of courses eligible for enhanced funding must lead to a certificate.

Section 55152. Short-term Vocational Programs Providing 288 Hours or More of Instruction. This section describes the approval process for short-term vocational programs involving 288 hours or more of instruction.

Section 55153. Other Noncredit Programs Providing 288 Hours or More of Instruction. This section describes the approval process for noncredit programs in areas not eligible for enhanced funding where the program provides more than 288 hours of instruction.

Section 55154. Adult High School Diploma Programs. This section defines “high school diploma program,” describes the approval process for such programs, and confirms that they are eligible for enhanced funding if they satisfy the requirements of section 55151. There is no requirement that colleges use the CAHSEE.

Section 55155. Noncredit Certificates. This section provides that the terms “certificate of completion” and “certificate of competency” cannot be used for noncredit certificates that do not satisfy section 55151. The name changes take effect for the Fall 2008 term, but districts should begin now to rename existing certificates that do not meet those standards.

Section 55220. Excursions and Field Trips. Several revisions were made to the funding of excursions or field trips. Colleges can now use grant or categorical program funds or funds of an auxiliary organization to pay for student expenses if allowed by the funding source. The restriction on field trips or excursions where a student cannot afford to participate were removed for study abroad programs and those restrictions now relate only to field trips or excursions which are integral to completion of a course.

Section 55521. Prohibited Practices. This section lists prohibited assessment practices. It now allows use of specialized assessment instruments for nursing programs as authorized by Education Code section 78261.

Section 58161. Apportionment for Course Repetition. Attendance of students repeating a course to alleviate substandard academic work may now be claimed for apportionment three times--the original enrollment plus two repetitions. This same limit applies where a student is permitted to repeat a course by petition where substandard work was not recorded.

Section 58161.5. Apportionment for Re-enrollment after Withdrawal. Districts cannot claim apportionment for students who have previously received a “W” in the same course 4 or more times.

cc: Cabinet