



**TO:** Chief Executive Officers

Chief Business Officers

Chief Instructional Officers

Chief Student Services Officers

**FROM:** Aisha Lowe, Vice Chancellor, Educational Services & Support

Lizette Navarette, Vice Chancellor, College Finance and Facilities Planning

John Stanskas, ASCCC President

**RE:** Flexible Calendar Changes to Reflect Instructional Improvement Activities in Response to the COVID-19 Pandemic

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The purpose of this guidance memorandum is to explain how colleges should address their flexible calendar obligations to reflect changes in instructional improvement activities necessitated by the response to the COVID-19 pandemic.

Community college districts may designate time in each fiscal year for employees to conduct staff, student, and instructional improvement activities. The time designated for these activities may occur at any time during the fiscal year, and is known as “flexible” or “flex” time<sup>1</sup>. A “flexible calendar” is a community college calendar and course-scheduling plan which includes alternative scheduling configurations described in Education Code section 55722. Flexible calendars must be approved by the Chancellor’s Office, and these calendars may designate up to 8.57 percent of an employee's classroom instruction obligation as flex time<sup>2</sup>.

Due to the COVID-19 emergency, colleges’ rapid conversion of face-to-face courses to online or alternative formats have many faculty and students experiencing distance education for the first time. Given this unprecedented and unexpected transition, in many cases, professional development priorities for the current year have changed to support teaching and learning under unexpected circumstances.

This guidance memorandum focuses on the following areas that are relevant to administering a flexible calendar program under current conditions:

- Current Year 2019-20 Flexible Calendar Obligations
- Impact on Term Length Multiplier (TLM) and Full-Time Equivalent Student (FTES) Enrollment

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<sup>1</sup> 5 Cal. Code Regs, § 55720, subd. (a)

<sup>2</sup> 5 Cal. Code Regs, §§ 55720, subd. (b), and 55724, subd. (a)(3)

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- Future Year 2020-21 Flexible Calendar Obligations
- Revisions to the Form Submission Process

### Current Year 2019-20 Flexible Calendar Obligations

Due to the COVID-19 emergency, professional development activities reported on the 2019-20 data submission form to the Chancellor's Office may have changed to accommodate the pressing needs of supporting faculty during this transition. Districts may count these new professional development activities in lieu of the original plans, consistent with a district's responsibility to "develop and carry out a plan of activities to address the critical needs."<sup>3</sup> For auditing purposes, please document and maintain records of all hours and types of activities accumulated, and the reasons for these changes, according to the [Flexible Calendar Program Guidelines](#). Please work with your college's flex coordinator and professional development committee to determine how best to document these changes.

Pursuant to title 5, section 55724, districts opting to use a flexible calendar must obtain advance approval from the Chancellor's Office. If your district is participating in the flexible calendar program, approval of your 2019-20 plans was completed in 2019. Districts may now need additional flex days to support the transition from face-to-face courses to distance education. A district may add flex days without approval if there is no decline in instructional days and flex days remain within the Education Code's 8.57 percent cap<sup>4</sup>. Districts should notify the Chancellor's Office of such changes by contacting Devin Rodriguez at [flexcalendar@cccco.edu](mailto:flexcalendar@cccco.edu).

The June 30, 2020, deadline to complete flex time obligations for the current 2019-20 academic year remains unchanged. As always, please make sure that all records are maintained according to the [Flexible Calendar Program Guidelines](#).

### Impact on CCFS-320 Attendance Accounting Report: TLM and FTES

The number of approved flex days may affect a college's Term Length Multiplier (TLM), which is used to calculate the Full-Time Equivalent Student (FTES) enrollment. Colleges that are on a traditional academic calendar will not have any change to the TLM if they add flex days. For compressed calendar districts, the TLM increases for each flex day added; therefore, the flex days need to be in addition to the hours scheduled in the primary term.

For districts using a compressed calendar with 16-week semesters, flex days need to be scheduled outside the primary term unless they are variable flex days. Pursuant to title 5, section 55701, a district may not adopt an academic calendar resulting in fewer than 32 weeks of instruction (e.g., two 16-week primary terms for a semester system college). Since mandatory flex days are offered in lieu of instruction, flex days need to be scheduled outside of the 16-week semesters so that the length of the academic year does not fall below the 32-week minimum. If a district receives approval to extend the

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<sup>3</sup> 5 Cal. Code Regs§ 55730, subd. (b)

<sup>4</sup> Ed. Code, § 55720, subd. (b)

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term and the result is a term that is longer than 16 weeks, districts can schedule flex days within the term, provided the number of flex days does not result in less than 16 weeks of instruction.

For questions about TLM and FTES calculations and accounting, please contact Wrenna Finche at [fiscalstandards@cccco.edu](mailto:fiscalstandards@cccco.edu).

### **Future Year 2020-21 Flexible Calendar Obligations**

The purpose of the flexible calendar program is to provide compensated time for faculty who teach apportionment-generating courses to participate in professional development activities related to faculty, staff, student, and instructional improvement<sup>5</sup>. Under section 55720(b) of title 5, a community college district may, with the approval of the Chancellor's Office, designate up to 8.57 percent (15 days out of 175 days) of flexible time per year. Flex time is not required, but is an option districts can take advantage of to support professional development efforts, and for which districts set the plan and usage of those hours. Chancellor's Office approval for how to count individual faculty flex hours is not required and remains a local decision.

The Chancellor's Office recognizes and supports the critical need for ongoing professional development. As colleges plan 2020-21 flex time offerings, professional development coordinators are encouraged to conduct a comprehensive evaluation of upcoming academic year professional development activities as determined through shared governance processes. Colleges should also institute contingency plans for carrying out professional development offerings virtually. While professional development planning for next year must continue, and the online data submission forms remain due, college districts may determine how to make use of the additional time committed to professional development this spring.

### **Revisions to the Form Submission Process**

To obtain advanced approval to participate in the flexible calendar program, colleges must complete an online data submission form by the first week of June each year, summarizing the program's various components, followed by a certification form due mid-June, signed by the college's flex calendar coordinator, chief business officer and chief instructional officer. Deadlines to complete the data submission form and the signed certification form remain unchanged. However, the certification form will be sent from the Chancellor's Office electronically through Adobe Sign. The current reporting and submission deadlines for the 2020-21 academic year are as follows:

- June 1 deadline for 2020-21 data submission form
- June 15 deadline for the 2020-21 certification form

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<sup>5</sup> 5 Cal. Code Regs., §55720

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The flex coordinator will receive an email requesting the name (first and last) and email of the chief business officer and chief instructional officer. The certification form will be sent to all three via Adobe Sign.

As is current practice, the chief instructional officer will receive a memo notification via email regarding flexible calendar planning and certification. The flex coordinator will receive a unique link to submit the 2020-21 online data submission form, along with additional instructions on how to complete the certification form. If your college is negatively impacted or is unable to meet these deadlines, please contact Devin Rodriguez at [flexcalendar@cccco.edu](mailto:flexcalendar@cccco.edu).

If you have questions about this guidance, please contact Vice Chancellor Aisha Lowe at [alowe@cccco.edu](mailto:alowe@cccco.edu) or (916) 322-4285.

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