



**TO:** Chief Executive Officers (CEO)  
Chief Information Officers (CIO)  
Community-Based Organizations (CBO)  
Chief Student Services Officers (CSSO)

**FROM:** Marty Alvarado, Executive Vice Chancellor  
Lizette Navarette, Executive Vice Chancellor  
Valarie Lundy-Wagner, Vice Chancellor

**RE:** GUIDANCE FOR EMERGENCY TRANSITION TO ONLINE INSTRUCTION FOR SPRING 2022

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As our system prepares for and enters the Spring 2022 semester the nation continues to grapple with rising COVID-19 cases and the introduction of new variants. Given the recent surge many colleges are prudently considering or have made the decision to transition most courses to an online modality for the next few weeks. In support of these temporary transitions, this memo provides guidance on the fiscal reporting requirements and MIS data reporting requirements for courses transitioned to an online modality on an emergency basis. Additionally, this memo provides a reminder of the title 5 distance education required curriculum addendums.

### **Fiscal/Appportionment**

[Memo FS 21-09](#), issued October 2021, provides comprehensive information on attendance accounting and scheduling for the various instructional modes being used by the colleges and considerations as colleges transition between online and face-to-face instruction. **The primary factor to consider when determining whether a conversion from face-to-face instruction to distance education would impact the attendance accounting procedure used is whether the course is converted to either synchronous or asynchronous distance education.**

For courses converted to synchronous distance education, where students and the instructor continue to meet at scheduled class times via zoom, no change is required with regards to attendance accounting. For courses converted from synchronous face-to-face to asynchronous distance education (even if only temporarily), colleges will need to use the alternative attendance accounting procedure in calculating FTES for the course. Pursuant to title 5 section 58003.1 (f), all courses that include any amount of instruction offered via asynchronous distance education, must use the alternative attendance accounting procedure.

Alternatively, for colleges that delay the start of a term, as long as the total length of the term remains the same, meaning any weeks of cancelled instruction in the beginning are added to the end of the term, there would be no attendance accounting impact. Pursuant to title 5 section 55702, Chancellor's Office approval is required to shorten or lengthen any primary term. If changes are made in a way that lead the colleges to anticipate falling below the 175-Day requirement (Title 5, section 58142), colleges need to seek a waiver (Title 5, section 58146 (d)). To do so, colleges should submit a 175-Day Waiver (CCSF-313 form). It is likely districts will not need to apply for a waiver of the 175-Day requirement under the current circumstances. However, districts should work with the College Finance and Facilities Planning Division to confirm it cannot meet the 175-Day requirement and in filing the 175-Day Waiver. For questions regarding fiscal or apportionment reporting please contact Director, Natalie Wagner at [nwagner@cccco.edu](mailto:nwagner@cccco.edu).

### **MIS Reporting**

For MIS data submission for Winter and Spring 2022 intersessions, quarters, or semesters, it is preferred that colleges update the coding for course-related elements (e.g., data element XF01, SESSION-INSTRUCTION-METHOD) for courses or sections that were or would have been conducted as in person/face-to-face lectures, labs, etc. but which changed *temporarily* to distance learning methods as a result of the Omicron variant-related surge of the COVID-19 pandemic to reflect their new distance education delivery/modality. However, given the extraordinary circumstance at play, colleges may maintain courses' original coding *for the purposes of MIS submission* for courses where the course delivery/modality changed temporarily, *where needed to mitigate the potentially sizable impact* on course schedulers, MIS data submission coordinators, and other personnel. This does not exempt the college from the requirements to use alternative attendance accounting procedures for such courses as documented above or to otherwise follow other rules and requirements for distance education courses and programs (see below). Thus, if changing the course delivery/modality is locally necessary in order to follow the fiscal/apportionment reporting requirements above, colleges will have to change the course delivery/modality and should report accordingly to MIS during the submission process. Regardless, colleges must use appropriate coding for course-related elements, e.g., distance education codes for XF01, for courses and sections that were already scheduled to be online during the term in question and should use distance education codes for courses and sections that are shifted from face-to-face to online *for the duration of the term*. For questions regarding MIS data reporting please contact Visiting Executive John Hetts at [jhetts@cccco.edu](mailto:jhetts@cccco.edu).

## **Temporary Distance Education Addendums and ACCJC Distance Education Program Approval**

Given the ongoing COVID-19 pandemic and the temporary nature of state blanket distance education addendums, colleges were specifically instructed in previous guidance memos to develop and submit plans for local approval of all courses that may need to be offered online by December 30, 2020 (see Memos [ES 20-12](#) and [ES 20-21](#)). As a result, as of January 2021 temporary blanket distance education addendum submissions to the Chancellor's Office are not in effect and are no longer an option for colleges.

Currently, title 5, section 55206, requires an addendum to the official course outline of record for all courses that have any portion of the course taught online. The distance education (DE) addendum requires, at minimum, specifying how the distance education portion of the course will ensure regular and effective contact between the instructor and students, and how compliance with the requirements of the American's with Disabilities Act will be met.

Additionally, colleges are highly encouraged to review the pending [title 5, section 55206 changes](#) that were approved by the Board of Governors on November 15, 2021 and make appropriate adjustments. These pending changes make it clear that the course design and all course materials must be accessible to every student, including students with disabilities and require colleges to inform students with details about class expectations and technical requirements when offered in a DE modality, prior to enrollment. These pending changes are awaiting approval from the Department of Finance, and will go into effect 30 days after filing with the Secretary of State. Additional guidance will be issued once these changes go into effect.

The requirement for a DE Addendum for any course taught online is a title 5 regulation and cannot be waived, suspended, or circumvented by a campus or district. Previously, state approval for temporary blanket DE Addendums provided an expedited vehicle for a streamlined temporary approval process. However, colleges were provided notice in [Memo ES 20-21](#) that this vehicle would not be available beyond the Fall 2020 term and were highly encouraged to ensure locally approved DE Addendums for all courses. DE Addendum processing and approval, per long standing title 5 regulations, is a locally determined process and colleges should work to adapt or streamline this process during an emergency transition.

During a transition to online instruction it is important to note that Distance Education and Correspondence Education are the only alternative instructional modalities recognized in title 5 that would support such a transition and maintain eligibility for state apportionment. Remote instruction or emergency remote instruction is not a recognized instructional modality and any

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course taught online, even temporarily, should be considered a distance education course and meet the related regulatory requirements.

As a reminder, compliance with federal regulations and accreditation standards, including the ability to award federal student aid, requires colleges offering programs that are 50% or more online are required to receive approval from ACCJC. For institutions that move large numbers of courses from in-person face-to-face to distance education modalities in Winter or Spring 2022, a small number of programs that were not previously offered at 50% or more online and for which colleges did not complete the local and ACCJC approval process may now fall into this category. Per [ACCJC guidelines](#), colleges that have not received prior substantive change approval for at least one program where 50% or more of the program is offered in either the distance education or correspondence education modality, must complete a substantive change application for approval. For questions regarding distance education addendums please contact Dean Raul Arambula at [rarambula@cccco.edu](mailto:rarambula@cccco.edu).

cc: Eloy Oakley, Chancellor  
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CCCCO Staff