

NOTICE PUBLICATION/REGULATIONS SUBMISSION

PRINT

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
Z-		2021-04-01-01P	
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	
2021 APR -1 P 2:19 OFFICE OF ADMINISTRATIVE LAW			
AGENCY WITH RULEMAKING AUTHORITY Board of Governors of the California Community Colleges			AGENCY FILE NUMBER (if any)

ENDORSED - FILED
In the office of the Secretary of State
of the State of CaliforniaAPR 01 2021
1:43 P.M.**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE N/A	TITLE(S) N/A	FIRST SECTION AFFECTED N/A	2. REQUESTED PUBLICATION DATE N/A
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON N/A	TELEPHONE NUMBER N/A	FAX NUMBER (Optional) N/A
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Correspondence Education	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 55260, 55261, 55262, 55263, 55264, 55265, 55266
	AMEND
TITLE(S) 5	REPEAL

3. TYPE OF FILING

- Regular Rulemaking (Gov. Code §11346)
 Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
 Emergency (Gov. Code, §11346.1(b))
- Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
 Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- Emergency Readopt (Gov. Code, §11346.1(h))
 File & Print
 Other (Specify) Authority - Ed. Code section 70901.5
- Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
 Print Only

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State \$100 Changes Without Regulatory Effect Effective other (Specify) 30 days after filed w/Secretary of State

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- Department of Finance (Form STD. 399) (SAM §6660) Fair Political Practices Commission State Fire Marshal
 Other (Specify)

7. CONTACT PERSON

Tanya Bosch - Regulations Coordinator	TELEPHONE NUMBER (916) 445-4826	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

TYPED NAME AND TITLE OF SIGNATORY

Marc A. LeForestier, General Counsel

For use by Office of Administrative Law (OAL) only

Final Text of Correspondence Education Regulations

Title 5, §55260.

Section 55260 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

Article 5. Correspondence Education

§55260. Correspondence Education Definition and Application.

Correspondence Education means education provided through one or more courses by a community college or district under which the college or district provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and student is limited due to separation, is not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced, although a regular cycle of assignment submissions and delivery of feedback should be established for facilitated learning. If a course is part correspondence and part residential training, it is considered a correspondence course. Correspondence education is not distance education.

Note: Authority cited: Sections 66700 and 70901, Education Code.

Reference: Sections 70901 and 70902, Education Code.

TITLE 5, §55261.

Section 55261 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§ 55261. Correspondence Education Course Quality Standards.

The same standards of course quality shall be applied to any portion of a class conducted through correspondence education as are applied to in-person classes, 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. The requirements of section 55002 and subchapter 2 of chapter 4 apply to the development of correspondence courses.

Note: Authority cited: Sections 66700 and 70901, Education Code.

Reference: Sections 70901 and 70902, Education Code.

TITLE 5, §55262.

Section 55262 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§55262. Correspondence Education 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 correspondence education should be established through a cycle of assignment submissions and comprehensive, responsive feedback as determined by local policy. A student's enrollment in a correspondence course in no way diminishes the instructor(s) responsibility to ensure that each student receives ongoing support toward making meaningful academic progress. Students participating in courses conducted through correspondence education shall also have access to student support services, including counseling, library services and research assistance, and tutoring or learning support, via mail, email, telephone, or in-person dependent on local practice. Determinations and judgments about the quality of correspondence education under the course quality standards shall be made with the full involvement of faculty in accordance with the provisions of section 53203.

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

TITLE 5, §55263.

Section 55263 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§55263. Correspondence Education Separate Course Approval.

(a) If any portion of the instruction in a new or existing course is to be provided through correspondence education, an addendum to the official course outline of record shall be required. In addition to addressing how course outcomes will be achieved in a correspondence education mode, the addendum shall at a minimum specify how the portion of instruction delivered via correspondence education:

(1) Documents and facilitates the progression of learning as referenced in section 55262(a);
and

(2) Meets the requirements of the Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)
and section 508 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 749d).

(b) The addendum shall be separately approved according to the district's adopted curriculum approval procedures.

Note: Authority cited: Sections 66700 and 70901, Education Code.
Reference: Sections 70901 and 70902, Education Code; Title 29, United States Code section 794d; and Title 42, United States Code sections 12100, 12101, 12102, 12103, 12131, 12132, 12133 and 12134.

TITLE 5, §55264.

Section 55264 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§55264. Correspondence Education Faculty Selection and Workload.

(a) Instructors of course sections delivered via correspondence education 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) Instructors of correspondence education shall be prepared to teach in a correspondence education delivery method consistent with local district policies and negotiated agreements.

(c) The number of students assigned to any one course section offered by correspondence 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 correspondence education may include a review by the curriculum committee established pursuant to section 55002(a)(1). When calculating the number of correspondence students, a student is considered "enrolled in correspondence courses" if correspondence courses constitute 50 percent or more of the courses in which the student is enrolled during an award year.

(d) 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.

TITLE 5, §55265.

Section 55265 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§ 55265. Correspondence Education Reporting.

Record and report data on the number of students and faculty participating in new courses or sections of established courses offered through correspondence education through the Chancellor's Office Management Information System.

Note: Authority cited: Sections 66700 and 70901, Education Code.

Reference: Sections 70901 and 70902, Education Code.

TITLE 5, §55266.

Section 55266 is added to new Article 5 of subchapter 3 of chapter 6 of division 6 of title 5 of the California Code of Regulations to read:

§ 55266. Determination of Full-Time Status for Correspondence Students.

(a) In order for a correspondence student to be considered a full-time student, at least one-half of the student's coursework shall be made up of non-correspondence coursework, meeting one-half of the institution's requirement for full-time students, pursuant to the following parameters:

(1) For a program that measures progress in credit hours and uses standard terms (semesters, trimesters, or quarters), 12 semester hours or 12 quarter hours per academic term.

(2) For a program that measures progress in credit hours and does not use terms, 24 semester hours or 36 quarter hours over the weeks of instructional time in the academic year, or the prorated equivalent if the program is less than one academic year.

(3) For a program that measures progress in credit hours and uses nonstandard-terms (terms other than semesters, trimesters, or quarters) the number of credits determined by

(A) Dividing the number of weeks of instructional time in the term by the number of weeks of instructional time in the program's academic year; and

(B) Multiplying the fraction determined under paragraph (3)(A) of this definition by the number of credit hours in the program's academic year.

(4) For a program that measures progress in clock hours, 24 clock hours per week.

(A) A "clock hour" for correspondence education purposes is defined as sixty (60) minutes of preparation in a correspondence course.

(5) A series of courses or seminars that equals 12 semester hours or 12 quarter hours in a maximum of 18 weeks.

(6) The work portion of a cooperative education program in which the amount of work performed is equivalent to the academic workload of a full-time student.

Note: Authority cited: Sections 66700 and 70901, Education Code.

Reference: Sections 70901 and 70902, Education Code.