



**NOTICE OF PROPOSED RULEMAKING
AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING
CORRESPONDENCE EDUCATION**

45-Day Notice published September 8, 2020

NOTICE IS HEREBY GIVEN pursuant to Chapter 2 of the Board of Governors Procedures and Standing Orders that the Board proposes to adopt the regulatory action described below after a public hearing and considering all comments, objections, or recommendations received regarding the proposed action.

PUBLIC HEARING

A public hearing will be held via Zoom videoconferencing during the next regularly scheduled Board of Governors meeting on September 21-22, 2020. The hearing will commence at 12:30 p.m. on September 21, 2020 and will continue the next day at 9:00 a.m., September 22, 2020.

To prevent the spread of novel coronavirus (COVID-19), the Board of Governors is temporarily offering an additional method for public comment. The public is encouraged to watch the board meeting online and either submit a written public comment or provide public comment to the Board of Governors, details are below.

Public Comment: Members of the public wishing to comment on specific board items or during the Public Forum may do so using one of the following methods:

- a)** Once the Public Comment period for the Board item is open, you may use the Raise Hand feature on the Zoom platform to make a verbal public comment to the Board. A Chancellor's Office employee will announce your name and grant you the ability to speak to the Board. You are requested to identify yourself and present your public comment at that time.

b) You may submit your comment by email to boardcomments@cccco.edu. In the email subject line, specify the item number you wish to comment on or indicate “Public Forum.” You may identify yourself or specify that you wish to remain anonymous at the top of your email. A Chancellor’s Office employee will read your comment to the Board. Written public comments are accepted until the conclusion of the Board item.

Regardless of the method of comment, all comments will be limited to three minutes.

ZOOM VIDEOCONFERENCING

Please use the link below to join the webinar:

<https://cccconfer.zoom.us/j/381430034>

Dial US: +1 669 900 6833 | Webinar ID: 381 430 034
Password: **234632**

International numbers available: <https://cccconfer.zoom.us/u/acIPAzrcGq>

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor’s Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549
regcomments@cccco.edu

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on October 23, 2020. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be available for 15 days prior to its adoption, and will be provided to those persons who have requested or are required to receive notification of regulatory actions, or who have provided written or oral comments relevant to the proposed regulatory action.

AUTHORITY AND REFERENCE

Authority: Sections 70901.5 and 70902, Education Code.

Reference: Sections 70901 and 71029, Education Code.

INFORMATIVE DIGEST

On March 17, 2019, changes were made to title 5, subchapter 3, section 55204, removing correspondence as an approved method of instructor-student contact for distance education offerings, effectively removing correspondence as an approved method of instruction. This change was necessary to bring regulations into alignment with the federal definitions of correspondence education and distance education. Per federal statute, correspondence education is not a form of distance education. However, with this change all references to correspondence education were eliminated within the title 5 regulations. The proposed title 5 additions will ensure these courses are available for use within the California Community College (CCC) system and remain eligible for apportionment. Correspondence education is a valuable method of delivery, creating critical access to education for a range of students including students in rural communities and currently incarcerated students.

Correspondence education totaled approximately 3,821.75 full-time equivalent students (FTES) in 2018-2019, less than 2% of all distance education-related delivery options and less than half a percent of all CCC FTES (enrollment of 7,931 in fall 2019). The majority of these course offerings enroll currently incarcerated students, for whom in-person instruction is limited and online distance education is unavailable. Additionally, due to the current COVID-19 conditions, many of the face-to-face programs inside prisons have moved to a correspondence modality.

Correspondence education continues to be an important part of the community college system instructional portfolio and serves a critical role in ensuring access to education. To ensure that this method of delivery remains available and impactful, it is imperative that curricular standards be set to ensure students enrolled in a correspondence course receive a quality education.

The proposed title 5 sections are consistent with regulations for other alternative delivery methods, such as those for distance education, found within chapter 6, subchapter 3 Alternate Methodologies of Instruction (sections 55200-55210).

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings of the proposed amendments are anticipated to be as follows:

Mandate on local agencies or community college districts: None.

Cost or savings to state agencies: None.

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: None.

Other non-discretionary cost or savings imposed on community college districts: None.

Cost or savings in federal funding to state agencies: None.

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulatory action, and all of the information upon which the proposal is based, may be obtained online at:

[Office of General Counsel - Pending Regulatory Action](#)

Those who receive the Board of Governors Agenda package for the September 21-22, 2020, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.