



**NOTICE OF PROPOSED RULEMAKING  
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING  
DISTANCE EDUCATION**

**45-Day Notice published April 30, 2026**

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2 of the California Community Colleges Board of Governors (Board) Procedures and Standing Orders, that the Board proposes to adopt the regulatory action described below after a public hearing, and consideration of all comments, objections, or recommendations received regarding the proposed regulatory action during the public comment period, which closes on June 14, 2026.

**BOARD OF GOVERNORS PUBLIC HEARING**

A public hearing will be held during the next regularly scheduled Board of Governors meeting on May 19, 2026.

**In-Person Participation**

California Community Colleges, Chancellor's Office Building  
Sixth Floor, Board of Governors Chambers  
1102 Q Street  
Sacramento, CA 95811

Parking options can be found on our website.

All Board meetings are held in locations that are open to the public and wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real-time transcription, may be provided to persons with disabilities upon request. Persons requesting such accommodations should notify the Board Liaison at [ccastro@cccco.edu](mailto:ccastro@cccco.edu), (916) 323-5889, no less than five business days prior to the meeting.

**Public Comments at the Board Meeting**

Members of the public seeking to comment on the proposed regulatory action at the Board meeting should refer to the Board's agenda for information on how public comment on Board items will be received. The [Board's agendas](https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas) are available here: <https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas>.

## **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](mailto:regcomments@cccco.edu)

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on June 14, 2026. All written comments received by Chancellor's Office 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 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 subject to a second 15-day notice period prior to its adoption at a subsequent Board meeting.

## **INFORMATIVE DIGEST**

In 2025, the Distance Education and Education Technology Advisory Committee (DEETAC) worked with constituency group members to provide modernized distance education modality definitions. The recommended modality definitions

were submitted to the California Community Colleges Curriculum Committee (5C) which made definitions updates. The modality definitions were approved and are to be introduced in the next edition of the Program and Course Approval Handbook (PCAH). The update to section 55200 in this regulatory action clarifies that distance education modality definitions are established by the Chancellor's Office through the PCAH.

Additionally, on July 1, 2026, the federal government's definition of "*distance education course*" (34 C.F.R. § 600.2) will go into effect. This new federal definition establishes that distance education courses do not lose "distance education course" status even if they contain certain in-person activities such as orientation, testing, and student support services, which the federal government considers to be non-instructional in nature, but which are nevertheless considered instructional for various state law purposes. The update to section 55204 aligns title 5 to the new federal definition of distance education courses.

Section 55210 of Title 5 of the California Code of Regulations currently defines a distance education course as one in which 51 percent or more of course sessions are conducted via distance education. This definition is not established within current federal regulations. Updated distance education modality definitions, along with forthcoming revisions to MIS data element codes, will improve the accuracy of reporting for instructional delivery, including courses offered through multiple modalities (e.g., HyFlex) and create a more accurate picture of course offerings that include distance education sessions and student performance in courses that include distance education sessions.

The longstanding requirement for colleges to annually report distance education outcomes to local governing boards was established when distance education was not a standard instructional modality. Given the significant expansion and normalization of distance education across the California Community Colleges system, this requirement is now outdated and creates an unnecessary administrative burden. The amendment to Section 55210 also removes this reporting requirement, recognizing distance education as a standard course delivery method that no longer necessitates separate annual efficacy review.

## **ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS**

The estimated cost or savings attributable to the proposed regulatory action 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](mailto:regcomments@cccco.edu).

### **TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS**

Copies of the 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 May 19, 2026, 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.