



Executive Order: 2020-13

Effective Date: September 23, 2020

Title: Temporary Suspension of Various Specified Regulations Regarding Extended Opportunity Programs and Services (EOPS) Expenditure Restrictions Due to the COVID-19 State of Emergency

Executive Order 2020-13 is issued pursuant to title 5, section 52020, of the California Code of Regulations, adopted by the Board of Governors of the California Community Colleges on September 21, 2020, conferring on the Chancellor authority to take emergency actions, upon a written finding made in consultation with the President and Vice President of the Board of Governors, for the purpose of maintaining the continuity of educational services. This authority allows the temporary suspension of regulations adopted by the Board of Governors and the temporary suspension of local rules and regulations that are a barrier to the continuity of educational services; and the temporary establishment of procedures in order to promote the continuity of educational services.

WHEREAS, the COVID-19 state of emergency declared by the Governor on March 4, 2020 continues; and

WHEREAS, the COVID-19 pandemic and the resulting public health measures, such as required social distancing, have substantially disrupted instruction in the California Community Colleges; and

WHEREAS, to address the disruption of instruction, community college districts throughout the state have converted face-to-face courses to online or alternative formats, which has led to many faculty members and students experiencing these instructional methods for the first time; and

WHEREAS, teaching online and in alternative formats requires certain technology that is not readily available to all community college students and places additional financial burdens on both students and community colleges; and



WHEREAS, students and community college districts who are adversely impacted by the sudden change in instructional methods should not be unnecessarily burdened by circumstances beyond their control; and

WHEREAS, Extended Opportunity Programs and Services (EOPS) offers certain qualified students the opportunity to obtain grants and loans for their unmet financial needs during an academic year; and

WHEREAS, community college districts may expend EOPS funds to cover certain supplemental costs with financial limitations. These limitations prevent colleges from using available EOPS funds to the maximum extent needed during this declared state of emergency; and

WHEREAS, the timely procurement of technology needed to support the transition to remote instruction is imperative during the declared emergency. EOPS funding for technology procurement requires approval by the Chancellor of the California Community Colleges. This approval will cause unnecessary delay in the procurement of technology that is required for remote or online instruction; and

WHEREAS, under current EOPS eligibility regulations, students must be enrolled full-time in order to be eligible for EOPS services; and

WHEREAS, under current EOPS eligibility regulations, a community college district EOPS Director has discretion to allow up to ten percent (10%) of students accepted into EOPS to be part-time students, provided they are enrolled in at least 9 units; and

WHEREAS, due to the disruptions in the delivery of instruction caused by the pandemic, many students have been, or will be, unable to enroll in a full-time course load; and

WHEREAS, students who are adversely impacted by an inability to enroll in a full-time course load should not be unnecessarily burdened by circumstances largely beyond their control; and

WHEREAS, the President and Vice-President of the Board of Governors have authorized the issuance of this executive order.

THEREFORE, as the Chancellor of the California Community Colleges, I declare the following:

1. The above recitals are true and correct.



2. Section 52020, of the California Code of Regulations, authorizes me to take all appropriate actions to maintain the continuity of educational services for community college students during the period of emergency proclaimed by the Governor of the State of California on March 4, 2020, including the temporary suspension of regulations adopted by the Board of Governors and the suspension of local rules and regulations that are a barrier to the continuity of educational services; and the temporary establishment of procedures in order to promote the continuity of educational services.
3. After consultation with the California Community Colleges Extended Opportunity Programs and Services Association Board, and with the Student Senate for California Community Colleges, I find that the continuing nature of the COVID-19 pandemic and its resulting negative impacts on large segments of the economy continues to impose significant economic hardships on large numbers of people, including community college students. Accordingly, providing financial assistance to our students so they can access education remains an important tool the California Community Colleges can use to ensure the continuity of educational services to community college students.
4. I further find that due to the disruptions in the delivery of instruction caused by the COVID-19 pandemic, many students otherwise eligible for EOPS aid and services may be unable to enroll in a full-time course load. I further find that unless mitigated, these conditions will negatively impact the continuity of educational services.
5. Due to the existing state of emergency, strict adherence to the following sections of title 5 of the California Code of Regulations will create barriers to the continuity of educational services and are hereby temporarily suspended through the end of the 2020-2021 academic year:
 - a. Sections 56254(a), (c): the requirement that a grant award is “not to exceed \$900” and the total award amount is “not to exceed \$1800” are suspended.



- b. Section 56254(d): the requirement that a grant award “be disbursed to each student equally among terms in the college academic year” is suspended.
 - c. Section 56258(a): the requirement that an emergency loan “not exceed \$300 in a single academic year,” and that the loan be “repaid within the academic year” are suspended. However, community college districts authorizing such emergency loans must require them to be repaid within a reasonable timeframe.
 - d. Section 56295(a): the requirement that “expenditures for other expenses in object categories 4000-6000 (except for EOPS financial aid) shall not exceed 10% of the EOPS allocation or \$50,000, whichever is less” is suspended.
 - e. Sections 56295(b): the requirement that a request to purchase “hardware and/or software” be approved by the Chancellor of the California Community Colleges is suspended.
 - f. Section 56220(b): the 10% cap on the number of part-time EOPS students enrolled in at least nine units is suspended. Accordingly, community college EOPS Directors have discretion to allow as many part-time students taking at least 9 units to participate in the college EOPS program as resources permit.
6. Any local district board policies or regulations in conflict with the above regulatory suspensions shall also be suspended through the end of the 2020-2021 academic year.
 7. This executive order shall remain in full force and effect through the end of the 2020-2021 academic year.

A handwritten signature in black ink, appearing to read 'ELOY ORTIZ OAKLEY'.

Eloy Ortiz Oakley, Chancellor

Dated: September 23, 2020