

# SixTen and Associates Mandate Reimbursement Services

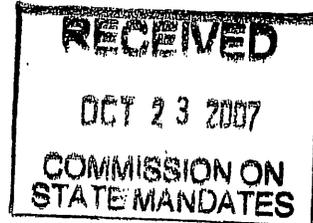
Exhibit H

KEITH B. PETERSEN, MPA, JD, President  
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October 22, 2007



Paula Higashi, Executive Director  
Commission on State Mandates  
U.S. Bank Plaza Building  
980 Ninth Street, Suite 300  
Sacramento, California 95814

Re: Chapter 187, Statutes of 2000  
Test Claim 02-TC-25  
State Center Community College District  
Notice to Students

Dear Ms. Higashi:

Please find enclosed the response to your request for supplemental information on the above referenced test claim. Specifically, a history of the Title 5, CCR, sections included in the test claim.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith B. Petersen".

Keith B. Petersen

C: Distribution List Attached

Keith B. Petersen  
SixTen and Associates  
3841 North Freeway Blvd, Suite 170  
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BEFORE THE  
COMMISSION ON STATE MANDATES  
STATE OF CALIFORNIA

11	<b>Supplement to the:</b>	)	No. CSM. 02-TC -25
		)	
13	Test Claim Filed June 05, 2003	)	<u>Notice to Students</u>
14		)	
15		)	History Index for
16		)	Title 5, California Code of Regulations
17	by Los Rios Community College District	)	
18		)	Section 51006
		)	Section 54626
20		)	Section 54805
21		)	Section 55005
22		)	Section 55202
23		)	Section 55530
24		)	Section 55534
25		)	Section 55750
		)	Section 55752
27		)	Section 55753
28		)	Section 55758
29		)	Section 55759
30		)	Section 55760
31		)	Section 55761
32		)	Section 55762
33		)	Section 55764
34		)	Section 55765
35		)	Section 55800
36		)	Section 58102
37		)	Section 58104
38		)	Section 59404
39		)	Section 59410
40		)	

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## 1                   REQUEST FOR SUPPLEMENTAL INFORMATION

2           In a letter October 2, 2007, the Commission on State Mandates requested that  
3 the claimant "specify the effective dates and register numbers of the regulations  
4 alleged to contain mandates," and that the claimant "provide a copy of each regulation  
5 from the register number specified for each regulation."

6           In response, this supplement to the test claim provides an index and copy of  
7 each change to the Title 5, CCR, sections included in the test claim. The Registers  
8 cited are attached as Exhibit A. Amended language is underlined (new language) or  
9 stricken out (deleted language).

## 10                   HISTORY OF TITLE 5, CCR, SECTIONS INCLUDED IN THE TEST CLAIM

11	<b>Register 71-09</b>	§ 55005: Previously part of § 55002.
12	<b>Register 72-01</b>	§ 58102: Prior History of the section (Repealed in 77-45).
13	<b>Register 76-10</b>	§ 54626: Added.
14	<b>Register 77-12</b>	§ 54626: Amended section (see attachment).
15	<b>Register 77-45</b>	§ 54626: Amendment of subsection (d).
16		§ 58102: Repealed.
17	<b>Register 78-31</b>	§ 54626: Amendment of subsection (b) and (d).
18	<b>Register 79-46</b>	§ 58102: Reprint for Repealer in 77-45.
19	<b>Register 80-11</b>	§ 55005: Prior History, previously part of § 55002.
20	<b>Register 81-52</b>	§ 55005: Added.
21	<b>Register 82-31</b>	§ 58102: Added.
22		§ 58104: Added.

1	<b>Register 83-18</b>	§ 54626: Amendment of section.
2	<b>Register 83-29</b>	§ 51006: Added.
3		§ 55750: Added.
4		§ 55758: Added.
5		§ 55759: Added.
6		§ 55760: Added.
7		§ 55761: Added.
8		§ 55762: Added.
9		§ 55763: Added.
10		§ 55764: Added.
		§ 55765: Added.
12		§ 55800: Added.
13	<b>Register 85-20</b>	§ 59404: Added.
14	<b>Register 88-20</b>	§ 54805: Added.
15	<b>Register 90-37</b>	§ 55530: Amended
16		§ 55534: Added.
17	<b>Register 91-23</b>	§ 51006: Amendment of section submitted to OAL for printing only
18		pursuant to Government Code section 11343.8.
19		§ 54805: Amendment of section submitted to OAL for printing only
20		pursuant to Government Code section 11343.8.
21		§ 55005: Amendment of section submitted to OAL for printing only
22		pursuant to Government Code section 11343.8.

- 1                   § 55750: Amendment of section submitted to OAL for printing only  
2                                   pursuant to Government Code section 11343.8.
- 3                   § 55752.5: Amendment of section submitted to OAL for printing  
4                                   only pursuant to Government Code section 11343.8.
- 5                   § 55753: Amendment of section submitted to OAL for printing only  
6                                   pursuant to Government Code section 11343.8.
- 7                   § 55758: Amendment of section submitted to OAL for printing only  
8                                   pursuant to Government Code section 11343.8.
- 9                   § 55759: Amendment of section submitted to OAL for printing only  
10                                   pursuant to Government Code section 11343.8.
- 11                   § 55760: Amendment of section submitted to OAL for printing only  
12                                   pursuant to Government Code section 11343.8.
- 13                   § 55761: Amendment of section submitted to OAL for printing only  
14                                   pursuant to Government Code section 11343.8.
- 15                   § 55762: Amendment of section submitted to OAL for printing only  
16                                   pursuant to Government Code section 11343.8.
- 17                   § 55763: Amendment of section submitted to OAL for printing only  
18                                   pursuant to Government Code section 11343.8.
- 19                   § 55764: Amendment of section submitted to OAL for printing only  
20                                   pursuant to Government Code section 11343.8.
- 21                   § 55765: Amendment of section submitted to OAL for printing only  
22                                   pursuant to Government Code section 11343.8.

- 1 § 55800: Amendment of section submitted to OAL for printing only  
2 pursuant to Government Code section 11343.8.
- 3 § 59404: Amendment of section submitted to OAL for printing only  
4 pursuant to Government Code section 11343.8.
- 5 § 59410: Added.
- 6 **Register 91-31** § 55758: Amended subsection (c).
- 7 **Register 91-43** § 55758: Editorial correction of printing error in NOTE.  
8 § 55765: Editorial correction of printing error in NOTE.
- 9 **Register 92-05** § 55758: Editorial correction restoring omitted definition of "Military  
10 Withdrawal" and its HISTORY NOTE.
- Register 92-15** § 55530: Amended subsection (b).
- 12 **Register 93-25** § 58102: Amendment of NOTE.  
13 § 58104: Amendment of NOTE.
- 14 **Register 93-42** § 51006: Amendment of subsections (a) and (b) for reprinting.  
15 § 55202: Added.  
16 § 55530: Amendment of subsections (a), (b), and (d).  
17 § 55534: Amendments of subsections (a) and (b) for reprinting.
- 18 **Register 94-38** § 51006: Amendment of subsection (b).  
19 § 55534: Amendment of subsection (b).  
20 § 59404: Amendment of NOTE.  
21 § 59410: New subchapter heading.
- 22 **Register 95-15** § 51006: Editorial correction of HISTORY 1.

- 1     **Register 95-20**     § 54805: Editorial correction of HISTORY 2.
- 2                             § 55005: Editorial correction of HISTORY 1.
- 3     **Register 95-22**     § 55750: Editorial correction of HISTORY 2.
- 4                             § 55752: Editorial correction of HISTORY 1.
- 5                             § 55753: Editorial correction of HISTORY 1.
- 6                             § 55758: Editorial correction of HISTORY 1.
- 7                             § 55759: Editorial correction of HISTORY 1.
- 8                             § 55760: Editorial correction of HISTORY 1.
- 9                             § 55761: Editorial correction of HISTORY 1.
- 10                            § 55762: Editorial correction of HISTORY 1.
- 11                            § 55763: Editorial correction of HISTORY 1.
- 12                            § 55764: Editorial correction of HISTORY 1.
- 13                            § 55765: Editorial correction of HISTORY 1.
- 14     **Register 95-29**     § 59404: Editorial correction of HISTORY 1.
- 15                            § 59410: Editorial correction of HISTORY 1.
- 16     **Register 98-03**     § 55758: Amendment of subsection (a), new subsection (b),
- 17   subsection relettering, amendment of newly
- 18   designated subsection (c), and amendment of NOTE.
- 19     **Register 00-50**     § 55758: Amendment of subsection (a), new subsection (c),
- 20                            subsection relettering, and amendment of newly designated
- 21                            subsections (d) and (e).
- 22     **Register 02-08**     § 55753: Amendment to section.

1 **Subsequent Registers:** There may be changes to the regulations after the date the  
2 test claim was filed, which are not included.

3 CERTIFICATION

4 By my signature below, I hereby declare, under penalty of perjury under the laws  
5 of the State of California, that the information in this document is true and complete to  
6 the best of my own knowledge or information or belief, and that the attached  
7 regulations are true and correct copies of documents from archives of a recognized law  
8 library.

9 EXECUTED this 22 day of October 2007, at Sacramento, California

  
\_\_\_\_\_

11 FOR THE TEST CLAIMANT

12 Keith Petersen, President

13 SixTen and Associates

14 ATTACHMENT

15 Exhibit A Title 5, CCR Registers

16 Distributed to COSM mailing list dated 10/02/2007.

1 **DECLARATION OF SERVICE**

2 Re: Test Claim 02-TC-25  
3 Notice to Students  
4 Los Rios Community College District  
5  
6

7 I declare:

8  
9 I am employed in the office of SixTen and Associates, which is the  
10 appointed representative of the above named claimants. I am 18 years of  
11 age or older and not a party to the entitled matter. My business address is  
12 3841 North Freeway Blvd, Suite 170, Sacramento, CA 95834.  
13

14 On the date indicated below, I served the attached letter dated October 22,  
15 2007, with attachments, to Paula Higashi, Executive Director, Commission  
16 on State Mandates, to the Commission mailing list dated 10/02/07 for this  
17 test claim, and to:  
18

19 Paula Higashi, Executive Director  
20 Commission on State Mandates  
21 980 Ninth Street, Suite 300  
22 Sacramento, CA 95814  
23

24  **U.S. MAIL:** I am familiar with the  
25 business practice at SixTen and  
26 Associates for the collection and  
27 processing of correspondence for mailing  
28 with the United States Postal Service. In  
30 accordance with that practice,  
31 correspondence placed in the internal  
32 mail collection system at SixTen and  
33 Associates is deposited with the United  
34 States Postal Service that same day in  
35 the ordinary course of business.

36  **OTHER SERVICE:** I caused such  
37 envelope(s) to be delivered to the office  
38 of the addressee(s) listed above by:

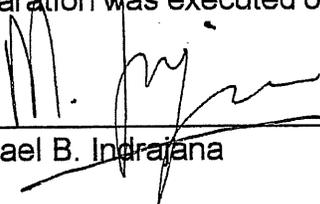
39 \_\_\_\_\_  
40 (Describe)  
41  
42

**FACSIMILE TRANSMISSION:** On the  
date below from facsimile machine  
number (858) 514-8645, I personally  
transmitted to the above-named  
person(s) to the facsimile number(s)  
shown above, pursuant to California  
Rules of Court 2003-2008. A true copy of  
the above-described document(s)  
was(were) transmitted by facsimile  
transmission and the transmission was  
reported as complete and without error.

A copy of the transmission report issued  
by the transmitting machine is attached to  
this proof of service.

**PERSONAL SERVICE:** By causing a true  
copy of the above-described document(s)  
to be hand delivered to the office(s) of the  
addressee(s).

43 I declare under penalty of perjury under the laws of the State of California that the  
44 foregoing is true and correct and that this declaration was executed on October 22, 2007,  
45 at Sacramento, California.  
46  
47  
48

  
\_\_\_\_\_  
Michael B. Indrajana

Register 71-09

§ 55005

## CHAPTER 4. COORDINATED INSTRUCTION SYSTEMS PROGRAMS

## Article 1. General Provisions

Section	Section
55300. Implementation	55308. "Coordinated Instruction System Program"
55301. Coordinated Instruction System	55309. "Direct Expenses"
55302. Definitions	55310. "Evaluation"
55303. "Automated Audio-visual System"	55311. "Other Similar Teaching Techniques"
55304. "College"	55312. "Programmed Learning Materials"
55305. "Course"	55313. "System"
55306. "Computer-assisted Instruction"	55314. "Teach"
55307. "Coordinate"	55315. "Television"

## Article 2. Approval of Programs

Section	Section
55320. Eligibility for State Apportionments	55323. Approval
55321. Action by the Governing Board	55324. Approval Date
55322. Request for Approval	55325. Duration of Approval

## Article 3. Operation of a Coordinated Instruction Systems Program

Section	Section
55331. Supervision of Program	55335. Support Services
55332. Instructor	55336. Attendance
55333. Supervision of Activities	55337. Credit
55333.5. Availability of Instructor	55338. Records
55334. Enrollment	55339. Academic Standards

## Article 4. State Support

Section	Section
55340. Requirements for State Support	55342. Current Costs
55341. Extent of Support	55343. Operation Reports
	55344. Evaluation Reports

## CHAPTER 1. COURSE OF STUDY

## SUBCHAPTER 1. COURSE STANDARDS

**55000. Definitions.** For the purposes of this chapter, the following definitions shall apply:

(a) "Course" means an organized pattern of instruction on a specific subject offered by a Community College for grades 13 and 14.

(b) "Course of study" means an organized sequence of courses offered by a Community College for grades 13 and 14 within a general subject area.

**NOTE:** Authority cited for Chapters 1 and 2: Sections 198, 197, 25515.5 and 25516.5, Education Code.

**55001. Criteria.** A graded course shall possess one or more of the following characteristics:

(a) It provides credit toward an associate degree, is normally considered of collegiate level, and is approved by the board as a component of, a prerequisite to, or eligible as a required or elective course within a course of study which leads toward an associate degree.

(b) It is approved by the board and is part of an occupational course of study beyond high school level within the scope of the term "vocational and technical fields leading to employment," as the term is used in Education Code Section 22651, which leads toward an associate degree, an occupational certificate, or both.

(c) It is approved by the board and is recognized upon transfer by the University of California, a California state college, or an accredited independent college or university in California, as a part of:

- (1) The required preparation toward a major;
- (2) The general, or general education, requirement; or
- (3) The permissible or recommended elective credits.

**55002. Standards.** A graded course shall meet all of the following standards:

(a) The content is organized to meet the requirements for the associate degree as specified in Chapter 7 (commencing with Section 51600) of Division 2 of this part or the requirements for an occupational certificate and is a part of a course of study not exceeding 70 units in length.

(b) It is offered as described in the college catalog, or a supplement thereto, which provides an appropriate title, number, and accurate description of course content. A course outline is available at the college. Course requirements and credit awarded are consistent with Education Code Section 22651.

(c) Only those students who have met the prerequisites for the course are enrolled.

(d) It is subject to the published standards of matriculation, attendance, and achievement of the college.

(e) The enrollees are awarded marks or grades on the basis of methods of evaluation set forth by the college and are subject to the standards of retention set forth in Chapter 4 (commencing with Section 51300) of Division 2 of this part or to such additional standards as may be established by the governing board of the district.

(f) Enrollment cannot be repeated except in unusual circumstances and with the prior written permission from the district superintendent or his authorized representative or representatives.

#### **SUBCHAPTER 2. APPROVAL OF COURSES**

**55100. Approval.** Each course to be offered by a Community College shall be approved by the Chancellor before the course is offered by the college.

The course shall be submitted to the Chancellor on forms provided by his office.

**55101. Chancellor's Report.** The Chancellor shall report to the board at a fall and a spring meeting the actions which he has taken in approving courses submitted to him pursuant to the provisions of this chapter.

Register 72-01

§ 58102

**CHAPTER 1. GENERAL PROVISIONS**

**58000. Continuing Education.** Continuing education in Community Colleges is comprised of the following kinds of classes:

- (a) Adult classes.
- (b) Graded classes.
- (c) Community service classes offered under the provisions of Article 12 (commencing with Section 6321) of Chapter 6, Division 6, of the Education Code.
- (d) Contract classes.

**NOTE:** Authority cited for Division 9: Sections 197, 5708, 22650, Education Code.

**History:** 1. New Division 9, Chapters 1 through 4 (§§ 58000-58253, not consecutive) filed 12-29-71; effective thirtieth day thereafter (Register 72, No. 1).

**58001. Function of Community Colleges.** Continuing education is one of the major functions of the Community Colleges and should be fully supported, organized, and supervised.

**CHAPTER 2. ADULT CLASSES**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**58100. Credit.** District boards of trustees may grant credit toward an associate of arts or sciences degree for an adult class provided that the class also meets the criteria and standards for graded classes as set forth in Sections 55001 and 55002 of this title.

**58101. Definitions.** For purposes of this chapter the following definitions are adopted:

- (a) "District" means a Community College district.
- (b) "Adult class" means an ungraded course which has been designed primarily to meet the special needs of adult students and determined to be an adult class by the governing board of the district.

**58102. Payment for Attendance.** For the purposes of Section 5753 of the Education Code, state support may not be claimed for students attending an adult class (except classes in hospitals for military personnel) who are paid by their employers while in attendance when all the following conditions exist:

- (a) Class membership consists of persons regularly employed by one company, concern, or agency public or private.
- (b) The class is conducted on other than school premises.
- (c) The class is conducted during the hours of paid employment of class members.

**SUBCHAPTER 2. STANDARDS FOR CONTINUING EDUCATION CENTERS**

**58110. Standards Defined.** In addition to the requirements established elsewhere in the law for the conduct of adult classes, continuing education centers must meet the requirements set forth in this article.

Register 76-10

§ 54626

## Article I. General

**54600. Purpose.** This chapter is adopted pursuant to and for implementation of Chapter 1.5 (commencing with Section 25430) of Division 18.5 of the Education Code regarding Student Records.

NOTE: Authority cited: Sections 25430.2, 25430.7 and 25430.18, Education Code. Reference: Chapter 1.5 (commencing with Section 25430), Division 18.5 Education Code.

*History:* 1. New Chapter 6 Articles 1-7, (Sections 54600-54662, not consecutive) filed 3-5-76; effective thirtieth day thereafter (Register 76, No. 10).

**54602. Construction.** The provisions of this Chapter shall be construed consistent with the rights of students as students as provided under Chapter 816, Statutes of 1975 and the needs of the institution to meet their responsibilities, and in a manner to achieve conformity with the Federal Family Educational Rights and Privacy Act.

**54604. Policy.** Community College districts may establish and maintain only such information on students relevant to admission, registration, academic history, career, student benefits or services, extracurricular activities, counseling and guidance, discipline or matters relating to student conduct, and shall establish and maintain such information required by law.

**54606. Definitions.**

(a) **Student.** "Student" as used in this Chapter means a currently enrolled or formerly enrolled student.

(b) **Access.** "Access" means a personal inspection and review of a record, an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record, or a request to release a copy of any record.

(c) **Student Record.** "Student Record" means any item of information directly related to an identifiable student maintained by a Community College or required to be maintained by an employee in the performance of his duties, whether recorded by handwriting, print, tapes, film, microfilm or other means, except:

(1) Information provided by a student's parents relating to applications for financial aid or scholarships,

(2) Information related to a student compiled by a Community College officer or employee:

(A) appropriate for such officer or employee's performance of his or her responsibility; and

(B) which remains in the sole possession of the maker thereof; and

(C) is not accessible or revealed to any other person, provided that information related to a student created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting or assisting in that capacity, and which are created, maintained, or used only in connection with treatment to the student may be available to other officers or employees providing such treatment; and provided further, that such records may be reviewed personally by a physician or other appropriate professional of the student's choice.

**54622. Discretionary Access.** Access may be permitted to the following:

(a) Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons.

(b) Officials and employees of other public or private schools or school systems, including local, county, or state correctional facilities where educational programs are provided, where the student has been enrolled, intends to enroll, or is directed to enroll, subject to the rights of students as provided in Section 25430.7 of the Education Code, and set forth in Article 5 of this chapter.

(c) Agencies or organizations in connection with a student's application for, or receipt of, financial aid.

(d) Accrediting associations carrying out accrediting functions.

(e) Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, provided;

(1) such studies are conducted in such a manner as will not permit personal identification of students or their parents by persons other than representatives of such organizations, and

(2) such information will be destroyed when no longer needed for the purpose for which it is conducted.

No person, persons, agency or organization permitted access to student records pursuant to this subsection (e) shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student. Prior student consent is not required when information obtained pursuant to this section is shared with other persons within the educational institution, agency, or organization obtaining access, provided such persons have an equal legitimate interest in the information.

**54624. Access to Statistical Data.** Districts may provide statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interest of students.

**54626. Directory Information.**

(a) Community College districts shall adopt a policy identifying any of the following categories of directory information which may be released: student's name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student.

(b) Directory information, as established by the local governing board, may be released as to any student currently attending the Community College, provided that public notice is given at least annually of the categories of information which the district plans to release and of the recipients. No directory information shall be released regarding any student when the student has notified the school in writing pursuant to procedures established by the district that such information shall not be released.

(c) Other information may be added to the categories set forth in (a) of this subsection, provided that release of such information shall be authorized in writing by the student.

(d) Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of students.

(1) The district shall determine which officials or organizations may receive directory information, provided, however, that no information may be released to a private profitmaking entity other than prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations.

(2) The names and addresses of students may be provided to a private school or college operating under the provisions of Division 21 of the Education Code, provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution.

**5268. Record of Access.** The district shall maintain a log or record for each student's record which lists all persons or organizations (excepting school personnel as authorized in Section 54618(a)) requesting or receiving information from the record, and the reasons therefor. The log shall be open to inspection only by the student and the official or his designee responsible for the maintenance of student records.

#### Article 4. Challenge

**54630. Request.** (a) Any student may file a written request with the chief administrative officer of a district to remove information recorded in his student records which he alleges to be: (1) inaccurate, (2) an unsubstantiated personal conclusion of inference, (3) a conclusion or inference outside of the observer's area of competence, or (4) not based on the personal observation of a named person with the time and place of the observation noted.

(b) Within 30 days of receipt of such request, the chief administrative officer or his designee shall meet with the student and the employee who recorded the information in question, if any, and if such employee is presently employed by the district. The chief administrative officer shall then sustain or deny the allegations.

Register 77-12

§ 54626

No person, persons, agency or organization permitted access to student records pursuant to this section shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student; provided, however, that this paragraph shall not be construed as to require prior student consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency or organization obtaining access, so long as such persons have a legitimate educational interest in the information.

*History:* 1. Repealer and new section filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).

**54624. Access to Statistical Data.** Districts may provide statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interest of students.

**54626. Directory Information.** (a) Community College districts shall adopt a policy identifying any of the following categories of directory information which may be released: student's name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student.

(b) Directory information, as established by the local governing board, may be released as to any student currently attending the Community College, provided that public notice is given at least annually of the categories of information which the district plans to release and of the recipients. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student. No directory information shall be released regarding any student when the student has notified the school in writing pursuant to procedures established by the district that such information shall not be released.

(c) Other information may be added to the categories set forth in (a) of this subsection, provided that release of such information shall be authorized in writing by the student.

(d) Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of students. The names and addresses of students may be provided to a private school or college operating under the provisions of Division 21 of the Education Code, provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution.

*History:* 1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).

Register 77-45

§ 51006

§ 54626

§ 58102

**CHAPTER 1. GENERAL PROVISIONS**

**51000. State Aid.** The provisions of this division are adopted under the authority of Education Code Section 71025 and comprise the rules and regulations affirming and fixing the minimum standards, satisfaction of which entitles a district maintaining Community Colleges to receive state aid for the support of their Community Colleges. Other regulations fixing minimum standards are contained in this part.

*NOTE:* Authority cited for Division 2: Sections 71020, 71024 and 71025, Education Code.

*History:* 1. Amendment of section and *NOTE* filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**CHAPTER 2. INSTRUCTIONAL PROGRAM**

**51100. Objectives.** Each Community College shall have stated objectives for its instructional program and for the functions which it undertakes to perform.

*NOTE:* Authority cited: Sections 71028 and 72231.5, Education Code.

*History:* 1. New *NOTE* filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**51101. Curriculum.** Each Community College shall establish such programs of education and courses as will permit the realization of the objectives and functions of the Community College. All courses shall be approved by the Chancellor in the manner provided in Chapter 2 (commencing with Section 55100) of Division 6 of this part.

**51102. Identification of Courses.** For each course offered, a Community College shall make available to students through college publications at least all of the following facts before he enrolls in the course:

(a) Whether the course is offered on the basis of credit—no credit and, if so, which provision of Section 51302, subdivision (a) is applicable.

(b) Whether the course is other than a graded course.

(c) Whether the course is a college credit course under the provisions of Section 51103.

*History:* 1. New section filed 7-1-71; effective thirtieth day thereafter (Register 71, No. 27). Former section 51102 renumbered to 51302.

2. Repealer of *NOTE* filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**51103. College Credit Course.** A "college credit course" is a course given in a Community College which meets one or more of the following requirements:

(a) The course is part of an approved educational program.

(b) The credit awarded by the Community College for completion of the course is accepted as completion of a portion of an appropriate educational sequence leading to an associate degree or baccalaureate degree by one or more of the following:

(1) The University of California

(2) A California State College

(3) An accredited independent college or university.

*History:* 1. New section filed 7-1-71; effective thirtieth day thereafter (Register 71, No. 27).

2. Repealer of *NOTE* filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

No person, persons, agency or organization permitted access to student records pursuant to this section shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student; provided, however, that this paragraph shall not be construed as to require prior student consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency or organization obtaining access, so long as such persons have a legitimate educational interest in the information.

*History:* 1. Repealer and new section filed 3-15-77, effective thirtieth day thereafter (Register 77, No. 12).

**54624. Access to Statistical Data.** Districts may provide statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interest of students.

**54626. Directory Information.** (a) Community College districts shall adopt a policy identifying any of the following categories of directory information which may be released: student's name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student

(b) Directory information, as established by the local governing board, may be released as to any student currently attending the Community College, provided that public notice is given at least annually of the categories of information which the district plans to release and of the recipients. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student. No directory information shall be released regarding any student when the student has notified the school in writing pursuant to procedures established by the district that such information shall not be released.

(c) Other information may be added to the categories set forth in (a) of this subsection, provided that release of such information shall be authorized in writing by the student.

(d) Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of students. The names and addresses of students may be provided to a private school or college operating under the provisions of Division 10 of the Education Code, provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution.

*History:* 1. Amendment filed 3-15-77, effective thirtieth day thereafter (Register 77, No. 12)

2. Amendment of subsection (d) filed 11-4-77, effective thirtieth day thereafter (Register 77, No. 45)

**CHAPTER 1. COURSE OF STUDY**

**SUBCHAPTER 1. COURSE STANDARDS**

**55000. Definitions.** For the purposes of this chapter, the following definitions shall apply:

(a) "Course" means an organized pattern of instruction on a specific subject offered by a Community College for grades 13 and 14.

(b) "Course of study" means an organized sequence of courses offered by a Community College for grades 13 and 14 within a general subject area.

**NOTE:** Authority cited for Chapter 1: Sections 71020, 71024, 71027, 78200 and 78203, Education Code.

**History:** 1. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**55001. Criteria.** A graded course shall possess one or more of the following characteristics:

(a) It provides credit toward an associate degree, is normally considered of collegiate level, and is approved by the board as a component of, a prerequisite to, or eligible as required or elective course within a course of study which leads toward an associate degree.

(b) It is approved by the board and is part of an occupational course of study beyond high school level within the scope of the term "vocational and technical fields leading to employment," as the term is used in Education Code Section 66701, which leads toward an associate degree, an occupational certificate, or both.

(c) It is approved by the board and is recognized upon transfer by the University of California, a California state college, or an accredited independent college or university in California, as a part of:

- (1) The required preparation toward a major;
- (2) The general, or general education, requirement; or
- (3) The permissible or recommended elective credits.

**History:** 1. Amendment of subsection (b) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**55002. Standards.** A graded course shall meet all of the following standards:

(a) The content is organized to meet the requirements for the associate degree as specified in Chapter 7 (commencing with Section 51600) of Division 2 of this part or the requirements for an occupational certificate and is a part of a course of study not exceeding 70 units in length.

(b) It is offered as described in the college catalog, or a supplement thereto, which provides an appropriate title, number, and accurate description of course content. A course outline is available at the college. Course requirements and credit awarded are consistent with Education Code Section 66701.

(c) Only those students who have met the prerequisites for the course are enrolled.

(d) It is subject to the published standards of matriculation, attendance, and achievement of the college.

(e) The enrollees are awarded marks or grades on the basis of methods of evaluation set forth by the college and are subject to the standards of retention set forth in Chapter 4 (commencing with Section 51300) of Division 2 of this part or to such additional standards as may be established by the governing board of the district.

(f) Enrollment cannot be repeated except in unusual circumstances and with the prior written permission from the district superintendent or authorized representative or representatives.

*History:* 1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

## SUBCHAPTER 2. APPROVAL OF COURSES

**55100. Approval.** Each course to be offered by a Community College shall be approved by the Chancellor before the course is offered by the college.

The course shall be submitted to the Chancellor on forms provided by the Chancellor's office.

*History:* 1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**55101. Chancellor's Report.** The Chancellor shall report to the board at a fall and a spring meeting the actions which the Chancellor has taken in approving courses submitted to the Chancellor pursuant to the provisions of this chapter.

*History:* 1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

## SUBCHAPTER 3. APPROVAL OF EDUCATIONAL PROGRAMS

### Article 1. General Provisions

**55130. Definitions.** For the purposes of this subchapter, the following definitions will apply:

(a) "Course of instruction" means an instructional unit of an area or field of organized knowledge, usually provided on a quarter, semester, year, or prescribed length-of-time basis.

(b) "Educational program" is an organized sequence of courses of instruction leading to a defined objective, a degree, a certificate, a diploma, a license, or transfer to another institution of higher education.

NOTE: Authority cited for Subchapter 3: Sections 71025, 71026, 71027 and 78200, Education Code.

*History:* 1. New Subchapter 3 (Sections 55130-55132, 55135-55138, 55140-55144) filed 2-26-71; effective thirtieth day thereafter (Register 71, No. 9).

2. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**CHAPTER 1. GENERAL PROVISIONS**

**58000. Continuing Education.** Continuing education in Community Colleges is comprised of the following kinds of classes:

- (a) Adult classes.
- (b) Graded classes.
- (c) Community service classes offered under the provisions of Article 7 (commencing with Section 78300) of Chapter 2, Division 7, of the Education Code.
- (d) Contract classes.

*NOTE:* Authority cited for Division 9: Sections 71020, 78405 and 66700, Education Code.

*History:* 1. New Division 9, Chapters 1 through 4 (§§ 58000-58253, not consecutive) filed 12-29-71; effective thirtieth day thereafter (Register 72, No. 1).

2. Amendment of section and NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**58001. Function of Community Colleges.** Continuing education is one of the major functions of the Community Colleges and should be fully supported, organized, and supervised.

**CHAPTER 2. ADULT CLASSES**

**SUBCHAPTER 1. GENERAL PROVISIONS**

**58100. Credit.** District boards of trustees may grant credit toward an associate of arts or sciences degree for an adult class provided that the class also meets the criteria and standards for graded classes as set forth in Sections 55001 and 55002 of this title.

**58101. Definitions.** For purposes of this chapter the following definitions are adopted:

- (a) "District" means a Community College District.
- (b) "Adult class" means an ungraded course which has been designed primarily to meet the special needs of adult students and determined to be an adult class by the governing board of the district.

**58102. Payment for Attendance.**

*History:* 1. Repealer filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**SUBCHAPTER 2. STANDARDS FOR CONTINUING EDUCATION CENTERS**

**58110. Standards Defined.** In addition to the requirements established elsewhere in the law for the conduct of adult classes, continuing education centers must meet the requirements set forth in this article.

**58111. Standards for Continuing Education Centers.** Continuing education centers may be defined as adult schools under the provisions of Education Code Sections 78400 and 78410.

*History:* 1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

Register 78-31

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(h) Appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student or other persons, or subject to such regulations as may be issued by the Secretary of Health, Education, and Welfare.

No person, persons, agency or organization permitted access to student records pursuant to this section shall permit access to any information obtained from such records by any other person, persons, agency or organization without the written consent of the student; provided, however, that this paragraph shall not be construed as to require prior student consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency or organization obtaining access, so long as such persons have a legitimate educational interest in the information.

*History:* 1. Repealer and new section filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).

2. Amendment filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).

**54624. Access to Statistical Data.** Districts may provide statistical data from which no student may be identified to any public agency or entity or private nonprofit college, university, or educational research and development organization when such actions would be in the best educational interest of students.

**54626. Directory Information.** (a) Community College districts shall adopt a policy identifying any of the following categories of directory information which may be released: student's name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student.

(b) Directory information, as established by the local governing board, may be released as to any student or former student currently attending the Community College, provided that public notice is given at least annually of the categories of information which the district plans to release and of the recipients. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student. No directory information shall be released regarding any student or former student when the student or former student has notified the school in writing pursuant to procedures established by the district that such information shall not be released.

(c) Other information may be added to the categories set forth in (a) of this subsection, provided that release of such information shall be authorized in writing by the student.

(d) Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of students. The names and addresses of students may be provided to a private school or college operating under the provisions of Division 10 of the Education Code, or its authorized representative, provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution.

- History:* 1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).  
2. Amendment of subsection (d) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).  
3. Amendment of subsections (b) and (d) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).

**54628. Record of Access.** A log or record shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate interests therefor. Such listing need not include:

- (a) Students to whom access is granted pursuant to Section 54610 of this Chapter.
- (b) Parties to whom directory information is released pursuant to Section 54626 of this Chapter.
- (c) Parties for whom written consent has been executed by the student pursuant to Section 54616 of this Chapter.
- (d) Officials or employees having a legitimate educational interest pursuant to subdivision (a) of Section 54622 of this Chapter.

The log or record shall be open to inspection only by the student and the community college official or his designee responsible for the maintenance of student records, and to the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, and administrative head of an education agency as defined in Public Law 93-380, and state educational authorities as a means of auditing the operation of the system.

- History:* 1. Repealer and new section filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).  
2. Amendment of subsection (d) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).

#### Article 4. Challenge

**54630. Request.** (a) Any student may file a written request with the chief administrative officer of a district to correct or remove information recorded in the student's own records which the student alleges to be: (1) inaccurate, (2) an unsubstantiated personal conclusion or inference, (3) a conclusion or inference outside of the observer's area of competence, or (4) not based on the personal observation of a named person with the time and place of the observation noted.

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CHAPTER 1. GENERAL PROVISIONS

**58000. Continuing Education.**

Continuing education in Community Colleges is comprised of the following kinds of classes:

- (a) Adult classes.
- (b) Graded classes.
- (c) Community service classes offered under the provisions of Article 7 (commencing with Section 78300) of Chapter 2, Division 7, of the Education Code.
- (d) Contract classes.

NOTE: Authority cited for Division 9: Sections 71020, 78405 and 66700, Education Code.

**HISTORY:**

1. New Division 9, Chapters 1 through 4 (§§ 58000-58253, not consecutive) filed 12-29-71; effective thirtieth day thereafter (Register 72, No. 1).
2. Amendment of section and NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**58001. Function of Community Colleges.**

Continuing education is one of the major functions of the Community Colleges and should be fully supported, organized, and supervised.

CHAPTER 2. ADULT CLASSES

SUBCHAPTER 1. GENERAL PROVISIONS

**58100. Credit.**

District boards of trustees may grant credit toward an associate of arts or sciences degree for an adult class provided that the class also meets the criteria and standards for graded classes as set forth in Sections 55001 and 55002 of this title.

**58101. Definitions.**

For purposes of this chapter the following definitions are adopted:

- (a) "District" means a Community College District.
- (b) "Adult class" means an ungraded course which has been designed primarily to meet the special needs of adult students and determined to be an adult class by the governing board of the district.

**58102. Payment for Attendance.**

**HISTORY:**

1. Repealer filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

SUBCHAPTER 2. STANDARDS FOR CONTINUING EDUCATION CENTERS

**58110. Standards Defined.**

In addition to the requirements established elsewhere in the law for the conduct of adult classes, continuing education centers must meet the requirements set forth in this article.

**58111. Standards for Continuing Education Centers.**

Continuing education centers may be defined as adult schools under the provisions of Education Code Sections 78400 and 78410.

**HISTORY:**

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

Register 80-11

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## CHAPTER 1. COURSE OF STUDY

## SUBCHAPTER 1. COURSE STANDARDS

**55000. Definitions.**

For the purposes of this chapter, the following definitions shall apply:

(a) "Course" means an organized pattern of instruction on a specific subject offered by a Community College for grades 13 and 14.

(b) "Course of study" means an organized sequence of courses offered by a Community College for grades 13 and 14 within a general subject area.

NOTE: Authority cited for Chapter 1: Sections 71020, 71024, 71027, 78200 and 78203, Education Code.

**HISTORY:**

1. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**55001. Criteria.**

A graded course shall possess one or more of the following characteristics:

(a) It provides credit toward an associate degree, is normally considered of collegiate level, and is approved by the board as a component of, a prerequisite to, or eligible as required or elective course within a course of study which leads toward an associate degree.

(b) It is approved by the board and is part of an occupational course of study beyond high school level within the scope of the term "vocational and technical fields leading to employment," as the term is used in Education Code Section 66701, which leads toward an associate degree, an occupational certificate, or both.

(c) It is approved by the board and is recognized upon transfer by the University of California, a California state college, or an accredited independent college or university in California, as a part of:

- (1) The required preparation toward a major;
- (2) The general, or general education, requirement; or
- (3) The permissible or recommended elective credits.

**HISTORY:**

1. Amendment of subsection (b) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

**55002. Standards.**

A graded course shall meet all of the following standards:

(a) The content is organized to meet the requirements for the associate degree as specified in Chapter 7 (commencing with Section 51600) of Division 2 of this part or the requirements for an occupational certificate and is a part of a course of study not exceeding 70 units in length.

(b) It is offered as described in the college catalog, or a supplement thereto, which provides an appropriate title, number, and accurate description of course content. A course outline is available at the college. Course requirements and credit awarded are consistent with Education Code Section 66701.

(c) Only those students who have met the prerequisites for the course are enrolled.

(d) It is subject to the published standards of matriculation, attendance, and achievement of the college.

(e) The students are awarded marks or grades on the basis of methods of evaluation set forth in Chapter 4 (commencing with Section 51300) of Division 2 of this part or to such additional standards as may be established by the governing board of the district.

(f) Enrollment cannot be repeated except: to alleviate substandard work which has been recorded on the student's record; or as permitted in Section 51315 of this part; or in unusual circumstances and with the prior written permission from the district superintendent or authorized representative or representatives.

NOTE: Authority cited: Sections 66700, 71020, 71025, and 71027, Education Code. Reference: Section 71027, Education Code.

**HISTORY:**

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Amendment filed 3-14-80; effective thirtieth day thereafter (Register 80, No. 11).

## SUBCHAPTER 2 APPROVAL OF COURSES

### 55100. Approval.

Each course to be offered by a Community College shall be approved by the Chancellor before the course is offered by the college.

The course shall be submitted to the Chancellor on forms provided by the Chancellor's office.

**HISTORY:**

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

### 55101. Chancellor's Report.

The Chancellor shall report to the board at a fall and a spring meeting the actions which the Chancellor has taken in approving courses submitted to the Chancellor pursuant to the provisions of this chapter.

**HISTORY:**

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

## SUBCHAPTER 3. APPROVAL OF EDUCATIONAL PROGRAMS

### Article 1. General Provisions

#### 55130. Definitions.

For the purposes of this subchapter, the following definitions will apply:

(a) "Course of instruction" means an instructional unit of an area or field of organized knowledge, usually provided on a quarter, semester, year, or prescribed length-of-time basis.

(b) "Educational program" is an organized sequence of courses of instruction leading to a defined objective, a degree, a certificate, a diploma, a license, or transfer to another institution of higher education.

NOTE: Authority cited for Subchapter 3: Sections 71025, 71026, 71027 and 78200, Education Code.

**HISTORY:**

1. New Subchapter 3 (Sections 55130-55132, 55135-55138, 55140-55144) filed 2-26-71; effective thirtieth day thereafter (Register 71, No. 9).
2. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).

Register 81-52

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## CHAPTER 1. PROGRAMS, COURSES AND CLASSES

## Article 1. Program, Course and Class Classification and Standards

**55000. Definitions.**

For the purpose of this chapter, the following definitions shall apply:

(a) "Course" means an organized pattern of instruction on a specified subject offered by a community college.

(b) "Educational program" is an organized sequence of courses leading to a defined objective, a degree, a certificate, a diploma, a license, or transfer to another institution of higher education.

(c) "Class" means a community services offering.

NOTE: Authority cited: Sections 71020 and 71062, Education Code. Reference: Sections 78200 and 78201, Education Code.

**HISTORY:**

1. Repealer of Chapter 1 (Subchapters 1-3, Sections 55000-55144, not consecutive) and new Chapter 1 (Articles 1-2, Sections 55000-55180, not consecutive) filed 12-21-81; effective thirtieth day thereafter (Register 81, No. 52). For prior history, see Registers 80, No. 11; 77, No. 45; and 71, No. 9.

**55001. Community College Educational Program.**

(a) The instructional services of community colleges include:

- (1) Liberal Arts and Sciences Education
- (A) Baccalaureate Oriented/Transfer Programs and Courses
- (B) Associate Degree Programs and Courses
- (C) Developmental Programs and Courses
  1. Compensatory Programs and Courses
  2. Adult Elementary and Secondary Basic Skills Programs and Courses
- (D) Community Education Programs and Courses
  1. Personal Development and Survival Courses
  2. Parenting and Family Support Courses
  3. Community and Civic Development Courses
  4. General and Cultural Courses

(2) Occupational Education

- (A) Vocational/Technical Transfer Programs and Courses
- (B) Vocational/Technical Associate Degree and Certificate Programs and

Courses

(C) Continuing Education Vocational/Technical Certificates, Programs and Courses

(b) The community services (Non ADA generating) of community colleges include:

- (1) Community Services Classes
  - (A) Avocational Classes
  - (B) Recreational Classes
  - (C) Seminars, Lecture Series, Forum Series, Workshops, and Conferences
  - (D) Professional and Occupational Inservice Classes
- (2) Community Services Activities
  - (A) Civic Center Act Activities
  - (B) Cultural Activities
  - (C) Community Development Activities
  - (D) Recreational Activities

(c) All districts shall report the classification of all courses, classes, and activities offered in accordance with the system contained in subsections (a) and (b) and the standards in Section 55002 by transmitting the following information to the Chancellor's Office:

(1) The unique static course identifier and the course title for all credit and noncredit courses.

(2) The classification of each credit and noncredit course in accordance with its primary objective, consistent with guidelines published by the Chancellor.

(3) Whether the course is offered as credit or noncredit.

(4) Whether the course transfers to CSUC or UC or both.

(5) The number of community services classes in each category, and the number of participants.

(6) The number of community services activities in each category and the number of participants.

(d) Not later than January 21, 1982, the chief executive officer of each community college district, in consultation with the academic senate or other appropriate faculty body and other appropriate persons or groups, shall report in the manner required by subsection (c) on the initial classification of all existing courses, classes and activities. The Chancellor shall review and comment upon, as necessary, this initial classification of courses, classes, and activities by districts. Not later than June 30, 1982, the governing board of each district, after a public hearing, shall adopt and report to the Chancellor on the classification of all existing courses, classes and activities.

(e) For courses, classes and activities which are added after June 30, 1982, the district shall report the classification of all courses, classes and activities in the manner provided by subsection (c). The Chancellor shall review and comment upon, as necessary, the classification of such courses, classes and activities.

NOTE: Authority cited: Sections 66700, 71020, 71027, 71062, and 78405, Education Code. Reference: Sections 66701, 71027, 78200, 78201, 78300, 78401, 78405, 84603, and 84621, Education Code.

#### **55002. Standards and Criteria for Courses and Classes.**

(a) A credit course is a course which, at a minimum:

(1) Is recommended by the responsible college officials and the academic senate or other appropriate faculty body as being of appropriate rigor and has been approved by the local district governing board as a collegiate course meeting the needs of the students eligible for admission.

(2) Is taught by a credentialed instructor.

(3) Is offered as described in an outline and/or curriculum guide in official college files. That outline and/or curriculum guide shall specify the unit value, scope, objectives, content instructional methodology and methods of evaluation for determining whether the stated objectives have been met by students.

(4) Is taught in accordance with a set of instructional objectives common to all students.

(5) Provides for measurement of student performance in terms of the stated course objectives and culminates in a formal recorded grade based upon uniform standards which is permanently recorded and is available as an official student evaluation.

(6) Grants units of credit based upon a specified relationship between the number of units assigned to the course and the number of lecture and/or laboratory hours or performance criteria specified in the course outline.

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(Register 81, No. 52—12-28-81)

(7) Only those students who have met the prerequisites for the course are enrolled.

(8) Allows repeated enrollment only as permitted by provisions of Division 2 (commencing with Section 51000 of this part).

(b) A noncredit course is a course which, at a minimum:

(1) Is approved by the local district governing board as a course meeting the educational needs of the enrolled students.

(2) Is taught by a credentialed instructor. A supplementary lecturer need not hold a credential if he or she lectures fewer than four times in a semester or quarter.

(3) Treats subject matter and uses resource materials, teaching methods, and standards of attendance and achievement appropriate for the enrolled students.

(4) Is conducted in accordance with a course outline and/or curriculum guide in official college files. That outline and/or curriculum guide shall specify the scope, objectives, content, instructional methodology, and methods of evaluation for determining whether the course objectives have been met.

(c) A community services class at a minimum:

(1) Is approved by the local district governing board.

(2) Is designed for the physical, mental, moral, economic, or civic development of persons enrolled therein.

(3) Provides subject matter content, resource materials, and teaching methods appropriate for the enrolled students.

(4) Is conducted in accordance with a predetermined strategy or plan.

(5) Is open to all members of the community.

(6) Attendance in community services classes may not be claimed for apportionment purposes.

NOTE: Authority cited: Sections 66700, 71020, 71027, and 78405, Education Code. Reference: Sections 71027, 78200, and 78405, Education Code.

**55005. Publication of Course Standards.**

For each course offered, a community college shall make available to students through college publications all of the following facts before they enroll in the course:

(a) Whether the course is offered as a credit or noncredit course, or a community services class.

(b) Whether the course is transferable to four-year colleges and universities.

(c) Whether the course fulfills a major or general education requirement.

(d) Whether the course is offered on the basis of credit-no credit, and if so, which provision of subsection (a) of Section 51302 is applicable.

NOTE: Authority cited: Sections 66700, 71020, and 71062, Education Code. Reference: Sections 66700 and 71020, Education Code.

**55006. Records and Reports.**

Authorities of each community college maintaining credit and non-credit courses and community services classes and activities shall keep and submit such current records and reports concerning their total activities as may be required by the Chancellor to fulfill statutory responsibilities.

NOTE: Authority cited: Sections 66700, 71020, and 71062, Education Code. Reference: Sections 78200, 78401, 78405, and 84603, Education Code.

Register 82-31

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§ 58104

## CHAPTER 2. LIMITATIONS ON STATE AID

### Article 1. Open Courses

#### 58100. Open Enrollment.

Unless specifically exempted by statute, every course, course section or class for which average daily attendance is to be reported for state aid shall be open for enrollment and participation by any person who has been admitted to the college and who meets the prerequisites of such course as defined in Section 58104 of this chapter.

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

#### 58102. Course Description.

The description of each course shall be clear and understandable to the prospective student and shall be published in the official catalog, and/or schedule of classes, and/or addenda.

A course description may indicate that the course is designed to meet certain specialized needs. If so indicated, the availability of the course to all qualified students must also be affirmed.

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

#### 58104. Dissemination of Information.

All courses to be conducted shall be described in the official general catalog and/or addenda and listed in the schedules of classes.

Courses which are established or conducted after publication of the general catalog or regular schedule of classes shall be reasonably well publicized.

Announcements of course offerings shall not be limited to a specialized clientele, nor shall any group or individual receive notice prior to the general public for the purposes of preferential enrollment, limiting accessibility, or exclusion of qualified students.

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

#### 58106. Prerequisites.

Prerequisites shall not state or imply that enrollment in a course is limited to a specialized clientele, unless such limitation is specifically authorized by law.

(a) Academic prerequisites for a course shall be clearly related to course content and academic foundation of such course.

(b) In activity or laboratory type courses, prerequisites may require demonstrated ability or technical performance to a level of proficiency to be determined by equitable district procedures. Experience requirements may not be established solely on the basis of "hours of exposure."

(c) That a course is one in a related sequence of courses in which understanding or technical performance of the one is dependent upon successful completion of the preceding is an acceptable prerequisite.

(d) "Permission of the instructor" as an alternative to a prerequisite shall be limited in application to the determination of equivalence to stated academic prerequisites or performance standards in activity or laboratory type courses.

(e) Concurrent enrollment in a course may be a prerequisite only when the objectives of the courses are clearly complementary and the interrelation of the units of instruction is evident.

Register 83-18

§ 54626

§ 54612  
(p. 638.6.4)

CALIFORNIA COMMUNITY COLLEGES

TITLE 5

(Register 83, No. 18—4-30-83)

**54612. Waiver.**

A student may waive his or her right to access to student records as provided in Education Code Section 76231. Such waivers shall be in writing and signed by the student.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76231, Education Code; 20 USC 1232(g); and 45 CFR 99.6.

**HISTORY:**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer and new section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54614. Confidential Maintenance of Records.**

**HISTORY:**

1. Repealer of Article 3 heading and Section 54614 filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54616. Consent.**

A community college district may, when the student has provided consent, permit access to the student's records pursuant to Education Code Section 76242. Such consent must be signed and dated by the student.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Sections 76230 and 76242, Education Code; 20 USC 1232(g); and 45 CFR 99.30-99.40.

**HISTORY:**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Repealer and new section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54618. Mandatory Access.**

**HISTORY:**

1. Repealer filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).

**54620. Court Orders.**

**HISTORY:**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54622. Access.**

**HISTORY:**

1. Repealer and new section filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54624. Access to Statistical Data.**

**HISTORY:**

1. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54626. Directory Information.**

(a) Community college districts shall adopt a policy identifying any of the following categories of directory information which may be released: student's name, address, telephone number, date and place of birth, major field of study, class schedule, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student.

(b) Directory information, as established by the local governing board, may be released as to any student or former student currently attending the community college, provided that public notice is given at least annually of the categories of information which the district plans to release and of the recipients. Such notice shall also specify the period of time within which the student must inform the district in writing that such personally identifiable information is not to be designated as directory information with respect to that student. No directory information shall be released regarding any student or former student when the student or former student has notified the school in writing pursuant to procedures established by the district that such information shall not be released.

(c) Other information may be added to the categories set forth in subsection (a) of this section, provided that release of such information shall be authorized in writing by the student.

(d) Any district may, in its discretion, limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of students. The names and addresses of students may be provided to a private school or college operating under the provisions of Division 10 of the Education Code, or its authorized representative, provided, however, that no such private school or college shall use such information for other than purposes directly related to the academic or professional goals of the institution.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Sections 76240 and 76242, Education Code; 20 USC 1232(g); and 45 CFR 99.40.

**HISTORY:**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment of subsection (d) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of subsections (b) and (d) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
4. Amendment filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54628. Record of Access.**

**HISTORY:**

1. Repealer and new section filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment of subsection (d) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
3. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

**54630. Challenging Content of Records.**

Any student may challenge the content of his or her student records pursuant to Education Code Section 76232. The decision of the chief administrative officer and governing board must be in writing.

NOTE: Authority cited: Sections 76220 and 76246, Education Code. Reference: Section 76232, Education Code; 20 USC 1232(g); and 45 CFR 99.20-99.22.

**HISTORY:**

1. Amendment filed 3-15-77; effective thirtieth day thereafter (Register 77, No. 12).
2. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Amendment of subsections (a) and (b) filed 8-4-78; effective thirtieth day thereafter (Register 78, No. 31).
4. Repealer of Article 4 heading and Section 54630 and new section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

Register 83-29

§ 51006

§ 55750

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§ 55800

**CHAPTER 1. MINIMUM STANDARDS**

**51000. Scope.**

The provisions of this chapter are adopted under the authority of Education Code Section 71025 and comprise the rules and regulations affirming and fixing the minimum standards, satisfaction of which entitles a district maintaining community colleges to receive state aid for the support of their community colleges. The provisions of this chapter are to be distinguished from the regulations contained in Chapter 15 (commencing with Section 51950) of this division. Those regulations constitute minimum standards for the formation and operation of a college which operates pursuant to Education Code Section 78007 and which will not receive or utilize state or local funds.

NOTE: Authority cited: Sections 66700 and 71025, Education Code. Reference: Sections 66700 and 71025, Education Code.

**HISTORY:**

1. Repealer of Chapter 1 (Section 51000) and new Chapter 1 (Sections 51000-51021, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29). For history of former Chapter 1, see Registers 81, No. 4 and 77, No. 45.

**51002. Standards of Scholarship.**

The governing board of a community college district shall:

(a) Adopt regulations consistent with the standards of scholarship adopted by the Board of Governors, as contained in Chapter 9 (commencing with Section 55750) of Division 6 of this part;

(b) File a copy of its regulations, and any amendments thereto, with the Chancellor; and

(c) Substantially comply with its regulations and the regulations of the Board of Governors pertaining to standards of scholarship.

NOTE: Authority cited: Sections 66700, 71025 and 71066, Education Code. Reference: Sections 71025, 71066 and 72285, Education Code.

**51004. Degrees and Certificates.**

The governing board of a community college district shall:

(a) Adopt regulations consistent with regulations of the Board of Governors pertaining to degrees and certificates, which are contained in Chapter 10 (commencing with Section 55800) of Division 6 of this part;

(b) File a copy of its regulations and any amendments thereto with the Chancellor; and

(c) Substantially comply with its regulations and the regulations of the Board of Governors pertaining to degrees and certificates.

NOTE: Authority cited: Sections 66700, 71025 and 71066, Education Code. Reference: Sections 71025, 71066 and 72285, Education Code.

**51006. Open Courses.**

(a) The governing board of a community college district shall adopt by resolution the following or a comparable statement: "It is the policy of this district that, unless specifically exempted by statute, every course, course section or class, the average daily attendance of which is to be reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in Article 1 (commencing with Section 58100) of Chapter 2, Division 9 of Title 5 of the California Administrative Code."

(b) The statement of policy adopted by the board pursuant to subsection (a) of this section shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which average daily attendance is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

NOTE: Authority cited: Sections 66700, 71025 and 84500.1, Education Code. Reference: Sections 71025 and 84500.1, Education Code.

**51008. Comprehensive Plan.**

(a) The governing board of a community college district shall establish policies for and approve comprehensive or master plans which include, among other plans, academic master plans and long range master plans for facilities. The content of such plans shall be locally determined, except that they shall also address planning requirements specified by the Board of Governors.

(b) Such plans, as well as any annual updates or changes to such plans, shall be submitted to the Chancellor's Office for review and approval in accordance with Section 71028 of the Education Code and regulations of the Board of Governors pertaining to such plans.

NOTE: Authority cited: Sections 66700, 71025 and 81805, Education Code. Reference: Sections 71025, 71028, 71091, 72231.5, 81820, 81821 and 81822, Education Code.

**51010. Affirmative Action.**

The governing board of a community college shall:

(a) Adopt a district affirmative action policy which meets the requirements of Section 53002 of this part;

(b) Develop and adopt a district affirmative action plan which meets the requirements of Section 53003 of this part;

(c) Annually survey its employment patterns in the manner required by Section 53004 of this part;

(d) Undertake a program of recruitment as required by Section 53021 of this part; and

(e) Substantially comply with the provisions of Chapter 1 (commencing with Section 53000) of Division 4 of this part.

NOTE: Authority cited: Sections 66700, 71025, 71068 and 87105, Education Code. Reference: Sections 71025, 71068, and Article 4 (commencing with Section 87100) of Chapter 1, Part 51, Education Code.

**51012. Student Fees.**

The governing board of a community college district may only establish such mandatory student fees as it is expressly authorized to establish by law.

NOTE: Authority cited: Sections 66700 and 71025, Education Code. Reference: Sections 71025 and 72289, Education Code.

**51014. Approval of New Colleges and Educational Centers.**

(a) The governing board of a community college district planning the formation of a new college or educational center shall obtain approval of such college or educational center by the Board of Governors. Approval shall be obtained prior to the commencement of classes at the new college or educational center.

(b) The provisions of Chapter 11 (commencing with Section 55825) of Division 6 shall govern the approval of new colleges and educational centers.

NOTE: Authority cited: Sections 66700 and 71025, Education Code. Reference: Sections 66700 and 71025, Education Code.

## CHAPTER 9. STANDARDS OF SCHOLARSHIP

**55750. Regulations.**

The governing board of a district maintaining a community college shall adopt regulations consistent with the provisions of this chapter. The regulations shall be published in the college catalog under appropriate headings and filed with the Chancellor's Office as required by Section 51002 of this part.

NOTE: Authority cited: Sections 71020, 71025 and 71066, Education Code. Reference: Sections 71066, 72285 and 76000, Education Code.

**HISTORY:**

1. New Chapter 9 (Sections 55750-55765) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).

**55751. Grading Practices.**

Each governing board maintaining one or more community colleges shall determine a uniform grading practice for the district which shall be based on sound academic principles and conform to the following standards:

(a) Work in all courses acceptable in fulfillment of the requirements for an associate or baccalaureate degree, a certificate, diploma or license shall be graded in accordance with a grading scale adopted by the governing board consistent with Section 55758.

(b) Such work shall also be graded in accordance with the provisions of Section 55752 or Section 55753.

NOTE: Authority cited: Sections 66700, 71020, 71024, 71025, 71027 and 71066, Education Code. Reference: Sections 71066 and 72285, Education Code.

**55752. Credit—No Credit Options.**

(a) The governing board of a district maintaining a community college may by resolution and regulation offer courses in either or both of the following categories and shall specify in its catalog the category into which each course falls:

(1) Courses wherein all students are evaluated on a "credit—no credit" basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30% of the term, whether the basis of evaluation is to be "credit—no credit" or a letter grade.

(b) All units earned on a "credit—no credit" basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a "credit—no credit" basis shall not be used to calculate grade point averages. However, units attempted for which "NC" (as defined in Section 55758) is recorded shall be considered in probation and dismissal procedures.

(d) Independent study courses offered in accordance with Sections 55300-55352 of this part may be graded on a "credit—no credit" basis in accordance with subdivision (a) of this section.

(e) When a district offers courses in which there is a single satisfactory standard of performance for which unit credit is assigned, the "CR/NC" grading system shall be used to the exclusion of other grades. Credit shall be assigned for meeting that standard, no credit for failure to do so.

NOTE: Authority cited: Sections 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71027, 71066 and 78207, Education Code.

**55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory— units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as a part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

**Symbol**

**Definition**

I

**Incomplete:**

Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The "I" may be made up no later than one year following the end of the term in which it was assigned.

The "I" Symbol shall not be used in calculating units attempted nor for grade points.

The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.

IP

**In progress:** The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the

Symbol	Definition
	student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
RD	Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.
W	<p>Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:</p> <p>Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less).</p> <p>The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."</p> <p>The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.</p> <p>No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.</p> <p>Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.</p> <p>Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."</p>

For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.

The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in Sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.

Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.

A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

NOTE: Authority cited: Sections 71020, 71025 and 71066, Education Code. Reference: Sections 72285 and 76000, Education Code.

**55759. Notification of Probation and Dismissal.**

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

NOTE: Authority cited: Sections 71020, 71025 and 71066, Education Code. Reference: Sections 72285 and 76000, Education Code.

**55760. Grade Changes.**

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with Section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with Sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71066 and 76224, Education Code.

**55761. District Policy for Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in Section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71066 and 72285, Education Code.

**55762. Course Repetition: Implementation.**

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code Section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with Section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of Section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in Section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under Section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives;"

(e) Shall clearly indicate any courses repeated under the provisions of this section and Section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and Section 55761, since periodic reports may be required by the Chancellor.

NOTE: Authority cited: Sections 66700, 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71066, 72285, 76224, 78205 and 78207, Education Code.

**55763. Course Repetition: Special Circumstances.**

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the district superintendent or authorized representative based on a finding that circumstances exist which justify such repetition.

(b) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(c) Grades awarded for courses repeated under the provisions of this section shall not be counted in calculating a student's grade point average.

NOTE: Authority cited: Sections 71020, 71025 and 71066, Education Code. Reference: Sections 72285 and 76000, Education Code.

**55764. District Policy for Academic Renewal Without Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the alleviation of previously recorded substandard academic performance, as defined in Section 55761, which is not reflective of a student's demonstrated ability. Such procedures or regulations shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal regulations. When academic renewal procedures or regulations adopted by the districts permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700, 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71066, 72285, 76224, 78205 and 78207, Education Code.

**55765. Academic Renewal Without Course Repetition: Implementation.**

In adopting procedures or regulations pertaining to the alleviation of previously recorded, substandard academic performance, as defined in Section 55764, which is not reflective of a student's demonstrated ability, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code Section 76224, pertaining to the finality of grades assigned by instruction, and

(2) Chapter 2.5 (commencing with Section 59020) of Division 10 of this part pertaining to the retention and destruction of records, and particularly subdivision (d) of Section 59023, relating to the permanency of certain student records.

(b) Shall, when the adopted procedures or regulations permit such alleviation, state:

(1) The maximum amount of coursework that may be alleviated;

(2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;

(3) The length of time to have elapsed since the coursework to be alleviated was recorded; and

(4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation regulations.

(c) Shall, when the adopted procedures or regulations permit such alleviation, publish specific procedures to be followed in implementing procedures or regulations adopted pursuant to this section and Section 55764 stating, at a minimum:

(1) The procedures to be followed by students in petitioning for alleviation; and

(2) The officers and/or personnel responsible for implementing the procedures or regulations.

NOTE: Authority cited: Sections 66700, 71020, 71025, 71027 and 71066, Education Code. Reference: Sections 71066, 72285, 76224, 78205 and 78207, Education Code.

**CHAPTER 10. DEGREES AND CERTIFICATES**

**55800. Regulations.**

The governing board of community college districts shall adopt policy consistent with the provisions of this chapter. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by Section 51004 of this part.

NOTE: Authority cited: Sections 66700, 71022 and 71066, Education Code. Reference: Sections 66701, 71066 and 72285, Education Code.

**HISTORY:**

1. New Chapter 10 (Sections 55800-55810, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).

**55801. Definitions.**

For the purpose of this chapter, "satisfactorily completed" means either credit earned on a "credit—no credit" basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

NOTE: Authority cited: Sections 66700, 71022 and 71066, Education Code. Reference: Sections 66701, 71066 and 72285, Education Code.

**55802. Associate in Arts Degree (Applicable Until July 1, 1983).**

The governing board of a community college district shall confer the degree of associate in arts upon a student who in grades 13 and 14 has satisfactorily completed from 60 to 64 semester hours of work in a curriculum which the district accepts toward the degree (as shown by its catalog) and which includes all of the following minimum requirements, provided that 12 hours of the required credit hours were secured in residence at that community college:

(a) 18 semester units of study taken in a discipline or from related disciplines as listed in the Community Colleges "Classification of Instructional Disciplines."

(b) 15 semester units of general education which shall include at least one course in each of the following areas:

(1) Natural sciences. Those courses of study which deal with matter and energy and their interrelations and transformations (e.g., chemistry, physics, biology).

(2) Social sciences. The body of knowledge that relates to the human being as a member of society or component of society, such as the state, family, or any systematized human institution (e.g., economics, political science, sociology).

(3) Humanities. Those courses of study having primarily a cultural character (e.g., languages, literature, philosophy, fine arts).

(4) Learning skills. Courses, such as oral and written communication, logic, mathematics, and statistics, designed to facilitate acquisition and utilization of knowledge in natural sciences, social sciences, and humanities.

These courses may be eligible for partial satisfaction of the general education requirements for a baccalaureate degree at the California State University in accordance with the provisions of Section 40405 of this title.

(c) Ethnic studies courses shall be offered in one or more of the areas listed in subdivision (b).

The community college may determine which courses satisfy the requirements of this subdivision.

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**CHAPTER 7. INSTRUCTIONAL AND OTHER MATERIALS**

**59400. Required Instructional and Other Materials.**

(a) The governing board of a district may, consistent with the provisions of this chapter, require students to provide instructional and other materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the district.

(b) Except as specifically authorized or required in the Education Code, the governing board of a community college district shall not require a student to pay a fee for any instructional and other materials required for a credit or noncredit course.

**NOTE:** Authority cited: Sections 66700, 71080, 71085 and 71082, Education Code; and Section 2, Chapter 1282, Statutes of 1984. Reference: Sections 71085, 72263 and 78980, Education Code; and Section 2, Chapter 1282, Statutes of 1984.

**HISTORY:**

1. New Chapter 7 (Sections 59400-59408, not consecutive) filed 5-16-85; effective: thirtieth day thereafter (Register 85, No. 30).

**59402. Definitions.**

For the purposes of this chapter the following definitions apply:

(a) "Instructional and other materials" means any tangible personal property which is owned or primarily controlled by an individual student.

(b) "Required instructional and other materials" means any instructional and other materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

(c) "Solely or exclusively available from the district" means that the material is not available except through the district, or that the district requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district's actual cost; and:

(1) The material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons; or

(2) The material is provided in lieu of other generally available but more expensive material which would otherwise be required.

(d) "Required instructional and other materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

**NOTE:** Authority cited: Sections 66700, 71080, 71085 and 71082, Education Code; and Section 2, Chapter 1282, Statutes of 1984. Reference: Sections 71085, 72263 and 78980, Education Code; and Section 2, Chapter 1282, Statutes of 1984.

**59404. District Policies and Regulations for Instructional and Other Materials.**

(a) The governing board of a community college district which requires that students provide instructional or other materials for a course shall adopt policies or regulations, consistent with the provisions of this chapter, which specify the conditions under which such materials will be required.

(D. 684.148)

(Register 65, No. 28—5-18-65)

(b) The policies or regulations specified in subsection (a) shall be adopted no later than January 1, 1966, forwarded to the Chancellor's Office upon adoption, and thereafter published in each college catalog developed after the date of adoption.

NOTE: Authority cited: Sections 66700, 71080, 71085 and 71088, Education Code; and Section 2, Chapter 1252, Statutes of 1964. Reference: Sections 71086, 72263 and 78920, Education Code; and Section 2, Chapter 1222, Statutes of 1964.

**59486. Report to Chancellor.**

The governing board of a community college district which prescribes required instructional and other materials for its courses shall respond to periodic surveys or inquiries of the Chancellor on the subject.

NOTE: Authority cited: Sections 66700, 71080, 71085 and 71088, Education Code; and Section 2, Chapter 1252, Statutes of 1964. Reference: Sections 71086, 72263 and 78920, Education Code; and Section 2, Chapter 1222, Statutes of 1964.

**59488. Operative Date and Violations of Chapter.**

(a) The regulations in this chapter shall become operative on August 15, 1965, provided that a district governing board which wishes to implement these regulations earlier may do so.

(b) The governing board of a district which prescribes required instructional and other materials in violation of this chapter shall be deemed to have established a student fee not expressly established by law.

NOTE: Authority cited: Sections 66700, 71080, 71085 and 71088, Education Code; and Section 2, Chapter 1252, Statutes of 1964. Reference: Sections 71086, 72263 and 78920, Education Code; and Section 2, Chapter 1222, Statutes of 1964.

Register 88-20

§ 54805

## CHAPTER 8. STUDENT ORGANIZATION

## Article 1. Student Representation Fee

**54901. Calling of Election.**

The governing body of each student body association authorized by Education Code Section 76000 shall establish procedures for elections conducted for the purpose of collecting a student representation fee, and call an election for such purpose. The election shall, at a minimum, meet the following criteria:

(a) The student body association on each campus shall maintain in its office written information regarding election procedures. Such information shall be made available to the public upon request.

(b) Adequate notice of the election shall be given by the student body association. Adequate notice is deemed to be at least ten school days prior to the election date.

(c) Each election shall be held on a day which counts toward the 175 day requirement (Education Code Section 84370) as defined in Section 58190 of this part. In instances where an election is conducted for more than one day, those days shall be consecutive and shall be limited to a maximum of five days.

NOTE: Authority cited: Section 76000.5, Education Code. Reference: Sections 76000 and 76000.5, Education Code.

**HISTORY:**

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).

**54903. Termination of Fee.**

(a) Any student representation fee that has been instituted pursuant to the procedures enumerated in Section 54901 may be terminated by a majority of the students voting in an election called in one of the following two manners:

(1) By placing the issue on the ballot for the next regular associated student body election. The issue shall be placed on the ballot upon receipt of a petition indicating an interest in the termination of the representation fee signed by a majority of the number of students who voted in the election establishing the fee.

(2) Pursuant to procedures pre-established by the student body association for calling such an election. Such procedures shall be available for public inspection during regular business hours.

(b) The elections shall be conducted in accordance with the procedures established pursuant to Section 54901.

NOTE: Authority cited: Section 76000.5, Education Code. Reference: Sections 76000 and 76000.5, Education Code.

**HISTORY:**

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).

**54905. Collection of the Fee.**

District governing boards shall include in the materials given to each student at registration, information pertaining to the representation fee. The form used by a college for the purpose of collecting the fee shall contain, at a minimum, the following:

(a) a statement indicating that the money collected pursuant to this article shall be expended to provide support for students or representatives who may be stating their positions and viewpoints before city, county, and district government, and before offices and agencies of the state and federal government;

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- (b) the amount of the fee;
- (c) a statement informing the students of their right to refuse to pay the fee for religious, political, moral or financial reasons.

NOTE: Authority cited: Section 76000.5, Education Code. References: Sections 76060 and 76000.5, Education Code.

HISTORY:

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).

Register 90-37

§ 55530

§ 55534

printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

**§ 4. Assessment.**

Chancellor shall establish and update, at least annually, a list of approved assessment instruments and guidelines for their use by community college districts. These guidelines shall identify modifications of an assessment instrument or the procedures for its use which may be made in order to provide special accommodations required by section 55522 without separate approval by the Chancellor. Such guidelines shall also describe the procedure by which districts may seek to have assessment instruments approved and added to the list. The Chancellor shall ensure that all assessment instruments included on the list minimize or eliminate cultural or linguistic bias, are normed on the appropriate populations, yield valid and reliable information, identify the learning needs of students, make efficient use of student and staff time, and are otherwise consistent with the educational and psychological testing standards of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education. **NOTE:** Authority cited: Sections 66700, and 70901, Education Code. Reference: Section 78213, Education Code.

**HISTORY**

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

**§ 55525. Student Educational Plan.**

(a) Each community college district shall establish a process for assisting students to select a specific educational goal within a reasonable time after admission as required by section 55530 (d). This shall include, but not be limited to, the provision of counseling as required by section 55523(a)(2).

(b) Once a student has selected a specific educational goal, the district shall afford the student the opportunity to develop a student educational plan defining the responsibilities of the student, the requirements he or she must meet, and the courses, programs, and services required to achieve the stated goal.

(c) The student educational plan developed pursuant to subsection (b) shall be recorded in written or electronic form. The plan, and its implementation shall be reviewed as necessary to ensure that it continues to accurately reflect the needs and goals of the student.

(d) If a student believes the district has failed to make good faith efforts to develop a plan, has failed to provide services specified in the student educational plan, or has otherwise violated the requirements of this section, the student may file a complaint pursuant to section 55534 (c).

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

**HISTORY**

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

**§ 55526. Student Follow-up.**

Each community college district shall establish a student follow-up process to assist the student in achieving his/her educational goal. The follow-up system shall ensure that the academic progress of each student is regularly monitored to detect early signs of academic difficulty and students shall be provided with advice or referral to specialized services or curriculum offerings where necessary. Districts shall also identify and refer to counseling or advisement, as appropriate pursuant to section 55523(a), any students who have not declared a specific educational goal as required by section 55530, who are enrolled in pre-collegiate basic skills courses, or who have been placed on probation.

**NOTE:** Authority cited: Sections 66700 and 70901, Educational Code. Reference: Section 78212, Education Code.

**HISTORY**

1. Section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for

**Article 4. Appeals, Waivers, Student Rights and Responsibilities**

**§ 55530. Student Rights and Responsibilities.**

(a) Nothing in this chapter shall be construed to interfere with the right of a student, if admitted to a community college in accord with district admission policies adopted pursuant to Education Code section 76000 et seq., from enrolling in any course for which he or she can meet necessary and valid prerequisites, if any, which have been established pursuant to the requirements of section 58106 of division 9 of this part.

(b) Community college districts shall take steps to ensure that information, in written form, is available to all students, in class schedules, catalogues, or other appropriate publications, describing their rights and responsibilities under this chapter.

(c) Districts shall also take steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs. Whenever possible, students should be permitted to avoid additional testing by submitting scores on recently taken tests which correlate with those used by the district.

(d) Students shall be required to express at least a broad educational intent upon admission, declare a specific educational objective within a reasonable period after admission, participate in counseling or advisement pursuant to section 55523(a)(1),(2), and (3), diligently attend class and complete assigned coursework, and complete courses and maintain progress toward an educational goal according to standards established by the district, consistent with the requirements of chapter 9 (commencing with section 55750) of division 6 of this part. The governing board of each community college district shall adopt clear written policies not inconsistent with law, specifically defining these responsibilities of students and the consequences of failure to fulfill such responsibilities. This policy shall define the period of time within which a student must identify a specific educational goal as required by this subsection, provided however, that all students shall be required to declare such a goal during the term after which the student completes 15 semester units or 22 quarter units of degree applicable credit coursework, unless the district policy establishes a shorter period. Once the student has developed a specific educational goal, the district must provide the student with an opportunity to develop a student educational plan pursuant to section 55525. Student responsibilities shall also be identified in the student's educational plan developed pursuant to section 55525. If a student fails to fulfill the responsibilities listed in this subsection, fails to cooperate with the district in the development of a student educational plan within 90 days after declaring his/her specific educational goal, or fails to abide by the terms of his/her student educational plan, the district may, subject to the requirements of this chapter, suspend or terminate the provision of services authorized in section 55520; provided however, the nothing in this section shall be construed to permit a district to suspend or terminate any service to which a student is otherwise entitled under any other provision of law.

(e) Information obtained from the matriculation process shall be considered student records and shall be subject to the requirements of chapter 6 (commencing with section 54600) of Division 5 of this part.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

**HISTORY**

1. Amendment filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

**§ 55532. Exemptions.**

(a) Community college districts may elect to exempt certain students from participation in orientation, assessment, counseling or advisement, as required by subsections (b), (c), or (d) of section 55520. Each such district shall establish policies specifying the grounds for exemption. Such

policies shall be identified in the matriculation plan required under section 55510 and the number of students so exempted shall be reported, by proxy, to the Chancellor pursuant to section 55514.

(c) District policies may exempt from orientation, assessment, counseling, or advisement any student who has completed a associate degree or higher.

(c) Any student exempted pursuant to this section shall be notified that he or she is covered by an exemption and shall be given the opportunity to choose whether or not to participate in that part of the matriculation process.

(d) District policies may not use any of the following as the sole criterion for exempting any student who does not wish to participate:

- (1) the student has enrolled only in evening classes;
- (2) the student has enrolled in fewer than some specified number of units;
- (3) the student is undecided about his or her educational objectives; or
- (4) the student does not intend to earn a degree or certificate.

(e) As part of the statewide evaluation provided for under subsection (c) of section 55512, the Chancellor shall analyze and recommend necessary changes regarding the impact on the matriculation program of the exemption policies adopted by community college districts.

NOTE: Authority cited: Sections 66700, 70901, and 78215, Education Code. Reference: Section 78215, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

### § 55534. Violations, Waivers and Appeals.

(a) Where students are required by a community college district to meet prerequisites under section 58106(b)(2) or (b)(3), a student may object to such requirement on the grounds that the necessary course is not available. The district shall promptly (within 5 working days) determine whether the required course was available and if not, the district shall waive the prerequisite for that term.

(b) An allegation that a community college district has violated the provisions of subsection (f) of section 55521 or has established a discriminatory prerequisite subject to challenge under subsection (d)(3) of section 58106 shall be considered a complaint of unlawful discrimination and shall be filed, investigated and resolved pursuant to chapter 5 (commencing with section 59300) of Division 10 of this part.

(c) Each community college district shall establish written procedures by which students may challenge any other alleged violation of the provisions of this chapter or of section 58106. Districts shall investigate and attempt to resolve any such complaints. Such complaint procedures may, by action of the governing board, be consolidated with existing student grievance procedures. Records of all such complaints shall be retained for at least three years after the complaint has been resolved and shall be subject to review by the Chancellor as part of the state wide evaluation required under section 55512(c).

NOTE: Authority cited: Section 11138, Government Code; Sections 66700 and 70901, Education Code. Reference: Sections 11135-11139.5, Government Code; Sections 78211, and 78213, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

## Subchapter 7. Occupational Education

### Article 1. Vocational Education Contracts

#### 00. Definitions.

For the purposes of this article the following definitions apply:

(a) Vocational education contract means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide vocational instruction to students enrolled in community colleges. Such agreements shall also be required to comply with the provisions of Article 5 (commencing with Section 8090) of Chapter 1, Part 6 of the Education Code.

(b) The California State Plan for Vocational Education means an official agreement between the United States Commissioner of Education and the California State Board of Education which provides standards, policies, and procedures that shall apply to the operation of various phases of vocational education to qualify for financial support from the Education Amendments of 1976 (Public Law 94-482 and 95-40), Part A, Vocational Education, or any subsequent federal legislation.

(c) Contractor as used in Education Code Section 8092 means any private postsecondary school authorized or approved pursuant to the provisions of Chapter 3 (commencing with Section 94300), and which has been in operation not less than two (2) full calendar years prior to the effective date of the contract, to provide vocational skill training authorized by this Code.

(d) Eligible costs means all direct and indirect related instructional costs but does not include expenditures for capital outlay (600 category in the California Community Colleges Budget and Accounting Manual).

NOTE: Authority cited: Sections 8092 and 71020, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090), Division 1, Education Code.

#### HISTORY

1. New Chapter 7 (Sections 55600 through 55631, not consecutive) filed 4-26-74; effective thirtieth day thereafter (Register 74, No. 17).
2. Amendment of section and NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
3. Repealer of Subchapter 1 heading, amendment of Article 1 heading, and repealer and new Section 55600 filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

### § 55601. Definitions.

NOTE: Authority cited: Sections 71020, 8092, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090) of Division 1 of the Education Code.

#### HISTORY

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Amendment of subsection (g) filed 1-16-81; effective thirtieth day thereafter (Register 81, No. 3).
3. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

### § 55602. Occupational Purposes.

#### HISTORY

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Repealer filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

### § 55603. Instructional Purpose.

Contractors shall provide vocational, technical, and occupational instruction related to attainment of skills, knowledge, and attitudes so that students may be prepared for:

(a) Gainful employment in the occupational area for which training was provided, or

(b) Occupational upgrading so students will have higher level skills required by new and changing technology and employment practices, or

(c) Enrollment in more advanced training programs.

NOTE: Authority cited: Sections 8092 and 71020, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090) of Division 1, Education Code.

#### HISTORY

1. New NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).

### § 55604. Application for Approval.

NOTE: Authority cited: Sections 8092, 71020, 71024, Education Code. Reference: Chapter 1, Article 5 (commencing with Section 8090) of Division 1 of the Education Code.

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§ 55800

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§ 59410

4. Designated employees in Category 4 must report any business entity in which they have an investment or business position, and income if the business entity or source of income provides education, training, or experience to persons toward attaining a valid credential for employment as an instructor, supervisor, chief administrative officer, librarian, counselor, supervisor of health, student personnel worker, or other similar position within a Community College district.

### Subchapter 3. Committees

#### HISTORY

Repealer of Chapter 3 (Sections 50200-50208) filed 5-17-78 as procedural and organizational; effective upon filing (Register 78, No. 20). For prior history, see Registers 77, No. 45 and 70, No. 16.

### Subchapter 4. Coordinating Council of Higher Education

#### HISTORY

Repealer of Chapter 4 (Sections 50300 and 50301) filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45). For prior history, see Register 70, No. 44.

### Subchapter 5. Chancellor

#### HISTORY

Repealer of Chapter 5 (Sections 50400-50407) filed 5-17-78 as procedural and organizational; effective upon filing (Register 78, No. 20). For prior history, see Registers 77, No. 45 and 70, No. 44.

### Subchapter 6. Board of Governors and Chancellor's Office—Conflict of Interest Code

#### HISTORY

Redesignation of Chapter 6 (Sections 50500-50510, Exhibits A and B) to Chapter 1, Article 10 (Sections 50500-50510, Exhibits A and B) filed 5-16-78 as procedural and organizational; effective upon filing (Register 78, No. 20). For prior history, see Register 77, No. 9.

## Chapter 2. Community College Standards

### Subchapter 1. Minimum Conditions

#### 51000. Scope.

The provisions of this chapter are adopted under the authority of Education Code section 70901(b)(6) and comprise the rules and regulations governing and fixing the minimum conditions, satisfaction of which enables a district maintaining community colleges to receive state aid for the support of their community colleges.

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

#### HISTORY

Repealer of chapter 1 (section 51000) and new chapter 1 (sections 51000-51021, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29). For history of former chapter 1, see Registers 81, No. 4 and 77, No. 45.

Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### 51002. Standards of Scholarship.

The governing board of a community college district shall:

- (a) Adopt regulations consistent with the standards of scholarship established by the Board of Governors, as contained in chapter 9 (commencing with section 55750) of division 6 of this part;
- (b) File a copy of its regulations, and any amendments thereto, with the Chancellor; and

(c) Substantially comply with its regulations and the regulations of the Board of Governors pertaining to standards of scholarship.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### § 51004. Degrees and Certificates.

The governing board of a community college district shall:

- (a) Adopt regulations consistent with regulations of the Board of Governors pertaining to degrees and certificates, which are contained in chapter 10 (commencing with section 55800) of division 6 of this part;
- (b) File a copy of its regulations and any amendments thereto with the Chancellor; and
- (c) Substantially comply with its regulations and the regulations of the Board of Governors pertaining to degrees and certificates.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### § 51006. Open Courses.

(a) The governing board of a community college district shall adopt by resolution the following or a comparable statement: "It is the policy of this district that, unless specifically exempted by statute or regulation, every course, course section or class, reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in article 1 (commencing with section 58100) of chapter 2, division 9 of title 5 of the California Code of Regulations."

(b) The statement of policy adopted by the board pursuant to subsection (a) of this section shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which average daily attendance is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78020 et seq., Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### § 51008. Comprehensive Plan.

(a) The governing board of a community college district shall establish policies for and approve comprehensive or master plans which include, among other plans, academic master plans and long range master plans for facilities. The content of such plans shall be locally determined, except that they shall also address planning requirements specified by the Board of Governors.

(b) Such plans, as well as any annual updates or changes to such plans, shall be submitted to the Chancellor's Office for review and approval in accordance with section 70901(b)(9) of the Education Code and regulations of the Board of Governors pertaining to such plans.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 70901, 70902, 71020.5, 81820, 81821 and 81822, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### § 51010. Affirmative Action.

The governing board of a community college shall:

- (a) Adopt a district affirmative action policy which meets the requirements of section 53002 of this part;
- (b) Develop and adopt a district affirmative action plan which meets the requirements of section 53003 of this part;
- (c) Annually survey its employment patterns in the manner required by section 53004 of this part;
- (d) Undertake a program of recruitment as required by section 53021 of this part; and

(i) **Sabbatical expenses for health service personnel.**

Nothing within these provisions should deny a student participating in athletic programs a service which is properly supported by student health fees.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 72246, Education Code.

**HISTORY**

1. New section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18). For prior history, see Register 79, No. 28.
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 54708. Fundable Expenses.**

Student health fees may be expended for the following.

- (a) Cost of instructional materials for health education;
- (b) Consultants directly involved in student health service programs;
- (c) Rental and lease of space for the conduct of student health programs and services;
- (d) Cost of equipment and medical supplies;
- (e) Salaries of student health personnel (including fringe benefits);
- (f) Student health and/or hospitalization insurance.
- (g) Travel with student health services funds is limited to student health personnel and only for student health related activities.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 72246, Education Code.

**HISTORY**

1. New section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18). For prior history, see Register 79, No. 28.
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 54710. Emergency Information.**

For the protection of a student's health and welfare the governing board of a community college district may require the parent or legal guardian of a minor to keep current at the minor's school of attendance, emergency information including the home address and telephone number, business address, and telephone number of the parents or guardian, and the name, address, and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent or legal guardian cannot be reached.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**Subchapter 8. Student Organization****Article 1. Student Representation Fee****§ 54801. Calling of Election.**

The governing body of each student body association authorized by Education Code section 76060 shall establish procedures for elections conducted for the purpose of collecting a student representation fee, and call an election for such purpose. The election shall, at a minimum, meet the following criteria:

- (a) The student body association on each campus shall maintain in its office written information regarding election procedures. Such information shall be made available to the public upon request.
- (b) Adequate notice of the election shall be given by the student body association. Adequate notice is deemed to be at least ten school days prior to the election date.
- (c) Each election shall be held on a day which counts toward the 175 day requirement as defined in section 58120 of this part. In instances where an election is conducted for more than one day, those days shall be consecutive and shall be limited to a maximum of five days.

**NOTE:** Authority cited: Section 66700, 70901, and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

**HISTORY**

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 54803. Termination of Fee.**

(a) Any student representation fee that has been instituted pursuant to the procedures enumerated in section 54801 may be terminated by a majority of the students voting in an election called in one of the following two manners:

(1) By placing the issue on the ballot for the next regular associated student body election. The issue shall be placed on the ballot upon receipt of a petition indicating an interest in the termination of the representation fee signed by a majority of the number of students who voted in the election establishing the fee.

(2) Pursuant to procedures pre-established by the student body association for calling such an election. Such procedures shall be available for public inspection during regular business hours.

(b) The elections shall be conducted in accordance with the procedures established pursuant to section 54801.

**NOTE:** Authority cited: Section 66700, 70901 and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

**HISTORY**

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 54805. Collection of the Fee.**

District governing boards shall include in the materials given to each student at registration, information pertaining to the representation fee. The form used by a college for the purpose of collecting the fee shall contain, at a minimum, the following:

(a) a statement indicating that the money collected pursuant to this article shall be expended to provide support for students or representatives who may be stating their positions and viewpoints before city, county, and district government, and before offices and agencies of the state and federal government;

(b) the amount of the fee;

(c) a statement informing the students of their right to refuse to pay the fee for religious, political, moral or financial reasons.

**NOTE:** Authority cited: Sections 66700, 70901 and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

**HISTORY**

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 54912. Residence Questionnaires.**

(a) Each community college district shall use a residence questionnaire in making residence classifications.

(b) The residence questionnaire shall ask each student where the student has maintained his or her home for the last two years and whether the student has engaged in any activity listed in subsection (f) of section 54024.

(c) The questionnaire shall ask each student under 19 years of age where the parent has lived for the last two years and whether the parent has engaged in any activity listed in subsection (f) of section 54024.

(d) If the student, or the student's parent if the student is under age 19, has either maintained a home outside of California at any time during the last two years, or has engaged in any activity listed in subsection (f) of section 54024, the student shall be asked for additional evidence of intent to reside in California such as that identified in subsection (e) of section 54024.

(e) The Chancellor shall provide a sample residence questionnaire which districts may use in complying with this requirement.

**NOTE:** Authority cited: Sections 66700, 68044 and 70901, Education Code. Reference: Sections 68044 and 68062, Education Code.

**HISTORY**

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55004. Social Science Courses.**

The course of instruction in social sciences shall include a study of the role, participation, and contribution of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States of America.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55005. Publication of Course Standards.**

For each course offered, a community college shall make available to students through college publications all of the following facts before they enroll in the course:

(a) Whether the course is offered as a credit or noncredit course, or a community services class.

(b) Whether the course is transferable to four-year colleges and universities.

(c) Whether the course fulfills a major or general education requirement.

(d) Whether the course is offered on the basis of credit-no credit, and if so, which provision of subsection (a) of section 51302 is applicable.

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

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55006. Records and Reports.**

Authorities of each community college maintaining credit and noncredit courses and community services classes and activities shall keep and submit such current records and reports concerning their total activities as may be required by the Chancellor to fulfill statutory responsibilities.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55008. Appointment of Vocational Education Advisory Committee by School District Participating in Vocational Education Program.**

The governing board of each community college district participating in a vocational education program shall appoint a vocational education advisory committee to develop recommendations on the program and to provide liaison between the district and potential employers.

The committee shall consist of one or more representatives of the general public knowledgeable about the disadvantage, students, teachers, business, industry, school administration, and the field office of the Department of Employment Development.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**Article 2. Approval of Courses, Programs and Classes****§ 55000. Course Approval.**

Except as provided in subsection (b) and section 55160, each course to be offered by a community college shall be approved by the Chancellor

before the course is offered by the college. The course shall be submitted to the Chancellor on forms provided by the Chancellor's Office.

(b) If an educational program has been approved by the Chancellor, the governing board of a district shall establish policies for, and may approve individual courses which are offered as part of an approved program. Such courses need not be approved by the Chancellor, but shall be reported in the manner provided in subsection (c).

(c) For each course approved by a district, whether or not approval by the Chancellor is required, the district shall designate the appropriate classification of the course or activity in accordance with section 55001.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55101. Chancellor's Report.****HISTORY**

1. Amendment filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Repealer filed 3-7-85; effective thirtieth day thereafter (Register 85, No. 10).

**§ 55130. Approval of Credit Programs.**

(a) Before offering any course as part of an educational program at a college, the governing board of a district shall obtain approval of the educational program from the Chancellor in accordance with the provisions of this article. Approval shall be requested on forms provided by the Chancellor.

(b) The application for approval shall contain at least the following:

(1) The name of the proposed program.

(2) The description of the proposed program.

(3) The purposes and specific objectives of the proposed program.

(4) The place of the proposed program in the district master plan.

(5) An explanation of whether the program is appropriate to the objectives and conditions of higher education and community college education in California and whether it conforms to statewide master planning.

(6) The need for the proposed program ascertained with regard to at least the following factors:

(A) Other community colleges in the area currently offering the program.

(B) Other programs closely related to the proposed program offered by the college.

(C) Relation of the proposed program to job market analysis.

(D) Enrollment projection for the proposed program.

(E) Recommendations of area vocational master plan committees when applicable.

(F) The classification of the courses in the program in accordance with section 55001.

(7) The need for and present adequacy of the following resources shall be determined in relation to the proposed program:

(A) Library and media center resources.

(B) Facilities and equipment required to initiate and sustain the program. If a new facility is to be used, reference should be made to the five-year master plan.

(C) Availability of adequate or proposed financial support.

(D) Availability of faculty.

(c) The development, establishment and evaluation of an education program shall include representative faculty involvement.

(d) An approval is effective until the program or implementation of the program is discontinued or modified in any substantial way. From time to time the Chancellor may evaluate an educational program, after its approval, on the basis of factors listed in this section. If on the basis of such an evaluation the Chancellor determines that an educational program should no longer be offered, the Chancellor may terminate the approval and determine the effective date of termination.

(e) In multicollege districts, program approval is granted for a specific college.

commendations on staff, student, and instructional improvement activities.

(f) Provide, upon request of the Chancellor, copies of documents and information specified in Subsections (a) through (d), inclusive.

NOTE: Authority cited: Sections 71020 and 84890, Education Code. Reference: Section 84894, Education Code.

### § 55732. Ongoing Responsibilities of the Chancellor.

The Chancellor shall:

(a) Adjust state aid for districts with approved flexible calendar operations in accordance with the provisions of Sections 84895 and 84895.5 of the Education Code. For fiscal year 1982-83, the Chancellor shall also adjust the ADA of any district which has been newly approved to operate a flexible calendar operation during that fiscal year. The adjustment shall be made in order that those districts do not experience an arbitrary gain or loss in average daily attendance as a result of shifting to a flexible calendar operation.

(b) Periodically review documentation from selected districts to determine whether they are in compliance with the provisions of Sections 55726, 55728, and 55730, and to determine whether they are conducting their flexible calendar operations in a manner consistent with the approved requests. Districts which are found to be out of compliance shall be notified and be given an opportunity to respond.

(c) Terminate approval of any flexible calendar operation if it is found that the district has, without good cause:

(1) Failed to conduct its flexible calendar operation in a manner consistent with its approved request.

(2) Failed to carry out the responsibilities specified in Section 55726.

(3) Failed to meet its ongoing responsibilities as specified in Section 55730.

(d) Withhold the appropriate amount of state aid whenever there is a final audit finding that an instructor did not spend at least as much time performing staff, student, and instructional improvement activities as the amount of time he or she was released from classroom instruction.

(e) Report to the Legislature as required by Section 84896 of the Education Code.

NOTE: Authority cited: Sections 71020 and 84890, Education Code. Reference: Sections 84890, 84893, 84894, 84895, 84895.5 and 84896, Education Code.

## Subchapter 9. Standards of Scholarship

### § 55750. Regulations.

The governing board of a district maintaining a community college shall adopt regulations consistent with this chapter. The regulations shall be published in the college catalog under appropriate headings and filed with the Chancellor's Office as required by section 51002 of this part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. New chapter 9 (sections 55750-55765) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).

2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55751. Grading Practices.

Each governing board maintaining one or more community colleges shall determine a uniform grading practice for the district which shall be based on sound academic principles and conform to the following standards:

(a) Work in all courses acceptable in fulfillment of the requirements for an associate or baccalaureate degree, a certificate, diploma or license shall be graded in accordance with a grading scale adopted by the governing board consistent with section 55758.

(b) Such work shall also be graded in accordance with the provisions of section 55752 or section 55753.

NOTE: Authority cited: Sections 66700, 70901, 71020, and 71024, Education Code. Reference: Sections 70901 and 70902, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55752. Credit-No Credit Options.

(a) The governing board of a district maintaining a community college may by resolution and regulation offer courses in either or both of the following categories and shall specify in its catalog the category into which each course falls:

(1) Courses wherein all students are evaluated on a "credit-no credit" basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30% of the term, whether the basis of evaluation is to be "credit-no credit" or a letter grade.

(b) All units earned on a "credit-no credit" basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a "credit-no credit" basis shall not be used to calculate grade point averages. However, units attempted for which "NC" (as defined in section 55758) is recorded shall be considered in probation and dismissal procedures.

(d) Independent study courses offered in accordance with sections 55300-55352 of this part may be graded on a "credit-no credit" basis in accordance with subdivision (a) of this section.

(e) When a district offers courses in which there is a single standard of performance for which unit credit is assigned, the "CR/NC" grading system shall be used to the exclusion of other grades. Credit shall be assigned for meeting that standard, no credit for failure to do so.

NOTE: Authority cited: Sections 70901 and 71020, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55753. Credit by Examination.

(a) The governing board maintaining one or more community colleges shall adopt and publish procedures and regulations pertaining to credit by examination in accordance with the provisions of this section and the provisions of sections 55751, 55752, 55758, 55760, 55761, 55762, and 55764.

(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(c) The student's academic record shall be clearly annotated to reflect that credit was earned by examination.

(d) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55754. Standards for Probation.

(a) Academic probation. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading scale described in section 55758.

(b) Progress probation. A student who has enrolled in a total of at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded reaches or exceeds fifty percent (50%).

(c) The governing board of a community college district may adopt standards for probation not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum number of units before academic or progress probation is assessed, a number of units fewer than 12 semester or 18 quarter units; or

(2) A district may establish, as the minimum grade point average for academic probation purposes, a grade point average greater than 2.0; or

(3) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55755. Removal from Probation.

(a) A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade point average is 2.0 or higher.

(b) A student on progress probation because of an excess of units for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

(c) The governing board of a district shall adopt and publish procedures and conditions for probation and appeal of probation and request for removal from probation. Such procedures and conditions may establish standards not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as a minimum grade point average for removal from academic probation, a grade point average greater than 2.0; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55756. Standards for Dismissal.

For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment (i.e., a fall quarter followed by a spring quarter shall be considered consecutive if the student was not enrolled in the winter quarter of that academic year).

(a) A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade point average of less than 1.75 in all units attempted in each of 3 consecutive semesters (5 consecutive quarters) which were graded on the basis of the grading scale described in section 55758.

(b) A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been enrolled for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55754.

(c) The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%), or

(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55756.5. Remedial Coursework Limit.

(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subsection (d) of section 55502 of this part.

(b) A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to chapter 6 (commencing with section 55500) of division 6 of this part. However, except as provided in subsection (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.

(c) The following students are exempted from the limitation on remedial coursework described in subsection (b) of this section:

(1) Students enrolled in one or more courses of English as a Second Language (ESL);

(2) Students identified by the district as having a learning disability as defined in section 56014 of this part.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for college-level work within the limit described in subsection (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.

(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will reasonably assure success in college-level courses, request reinstatement to proceed with college-level coursework.

(g) The governing board of a each district shall submit, through the established Management Information System, information necessary to enable the Chancellor to determine the following:

(1) The effect of this section on students by sex, age, and ethnicity;

(2) Success rates for students enrolled in "remedial coursework";

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

### § 55757. Units Attempted.

For the purposes of sections 55754 and 55756, "all units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion in or exclusion of units in which a student did not receive a grade or "credit-no credit" or from which the student withdrew in accordance with rules adopted by the district governing board.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The "I" may be made up no later than one year following the end of the term in which it was assigned.

The "I" Symbol shall not be used in calculating units attempted nor for grade points.

The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.

IP	In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
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**Symbol**  
**RD**

**Definition**

Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

**W**

Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:

Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less).

The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."

The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.

No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.

Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.

Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."

For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.

The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.

Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.

A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 72285 and 76000, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55759. Notification of Probation and Dismissal.**

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timeliness established by the district. Probation and dismissal policies and procedures shall be published in the college catalog. **NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55760. Grade Changes.**

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55761. District Policy for Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55762. Course Repetition: Implementation.**

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college shall:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55763. Course Repetition: Special Circumstances.**

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

(b) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(c) Grades awarded for courses repeated under the provisions of this section shall not be counted in calculating a student's grade point average.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55764. District Policy for Academic Renewal Without Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the alleviation of previously recorded substandard academic performance, as defined in section 55761, which is not reflective of a student's demonstrated ability. Such procedures or regulations shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal regulations. When academic renewal procedures or regulations adopted by the districts permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

**Note:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55765. Academic Renewal Without Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the alleviation of previously recorded, substandard academic performance, as defined in section 55764, which is not reflective of a student's demonstrated ability, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code section 76224, pertaining to the finality of grades assigned by instruction, and

(2) Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records, and particularly subdivision (d) of section 59023, relating to the permanency of certain student records.

(b) Shall, when the adopted procedures or regulations permit such alleviation, state:

(1) The maximum amount of coursework that may be alleviated;

(2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;

(3) The length of time to have elapsed since the coursework to be alleviated was recorded; and

(4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation regulations.

(c) Shall, when the adopted procedures or regulations permit such alleviation, publish specific procedures to be followed in implementing procedures or regulations adopted pursuant to this section and section 55764

as, at a minimum:

(1) The procedures to be followed by students in petitioning for alleviation; and

(2) The officers and/or personnel responsible for implementing the procedures or regulations.

**Note:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902, and 76624, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## Subchapter 10. Degrees and Certificates

### § 55800. Regulations.

The governing board of community college districts shall adopt policy consistent with the provisions of this chapter. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004 of this part.

**Note:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

#### HISTORY

1. New chapter 10 (sections 55800-55810, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55800.5. Minimum Credit Hours for Graduation from Two-Year Course.

An associate degree shall be awarded to any student who successfully completes the prescribed course of study for the degree while maintaining the requisite grade point average, the course of study required for the student's major, and any required academic elective courses.

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

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55801. Definitions.

For the purpose of this chapter, "satisfactorily completed" means either credit earned on a "credit-no credit" basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55802. Associate In Arts Degree (Applicable Until July 1, 1983).

The governing board of a community college district shall confer the degree of associate in arts upon a student who in grades 13 and 14 has satisfactorily completed from 60 to 64 semester hours of work in a curriculum which the district accepts toward the degree (as shown by its catalog) and which includes all of the following minimum requirements, provided that 12 hours of the required credit hours were secured in residence at that community college:

(a) 18 semester units of study taken in a discipline or from related disciplines as listed in the Community Colleges "Classification of Instructional Disciplines."

(b) 15 semester units of general education which shall include at least one course in each of the following areas

(1) Natural sciences. Those courses of study which deal with matter and energy and their interrelations and transformations (e.g., chemistry, physics, biology).

(2) Social sciences. The body of knowledge that relates to the human being as a member of society or component of society, such as the state, family, or any systematized human institution (e.g., economics, political science, sociology).

(3) Humanities. Those courses of study having primarily a cultural character (e.g., languages, literature, philosophy, fine arts).

(4) Learning skills. Courses, such as oral and written communication, logic, mathematics, and statistics, designed to facilitate acquisition and utilization of knowledge in natural sciences, social sciences, and humanities.

These courses may be eligible for partial satisfaction of the general education requirements for a baccalaureate degree at the California State University in accordance with the provisions of Section 40405 of this title.

(c) Ethnic studies courses shall be offered in one or more of the areas listed in subdivision (b).

The community college may determine which courses satisfy the requirements of this subdivision.

The governing board may make exceptions to the residence requirement in any instance in which it determines that an injustice or hardship would otherwise be placed upon an individual student.

(d) The provisions of this section shall be applicable to all students in attendance prior to July 1, 1983, unless provided otherwise by governing board policy adopted pursuant to subsection (b) of section 55810.

**Note:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701 and 70901, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55803. Associate In Science Degree (Applicable Until July 1, 1983).

The governing board of a community college district may confer the degree of associate in science upon a student who in grades 13 and 14 has completed satisfactorily a minimum of 60 semester hours of work, which shall satisfy all the requirements for an associate in arts degree and shall

## Subchapter 7. Instructional and Other Materials

### § 59400. Required Instructional and Other Materials.

(a) The governing board of a district may, consistent with the provisions of this chapter, require students to provide instructional and other materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the district.

(b) Except as specifically authorized or required in the Education Code, the governing board of a community college district shall not require a student to pay a fee for any instructional and other materials required for a credit or noncredit course.

NOTE: Authority cited: Sections 66700, 70901 and 72249, Education Code. Reference: Sections 70901, 70902 and 72249, Education Code.

#### HISTORY

1. New chapter 7 (sections 59400-59408, not consecutive) filed 5-16-85; effective thirtieth day thereafter (Register 85, No. 20).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59402. Definitions.

For the purposes of this chapter the following definitions apply:

(a) "Instructional and other materials" means any tangible personal property which is owned or primarily controlled by an individual student.

(b) "Required instructional and other materials" means any instructional and other materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

(c) "Solely or exclusively available from the district" means that the material is not available except through the district, or that the district requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district's actual cost; and:

(1) The material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons; or

(2) The material is provided in lieu of other generally available but more expensive material which would otherwise be required.

"Required instructional and other materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

NOTE: Authority cited: Sections 66700, 70901 and 72249, Education Code. Reference: Sections 70901, 70902 and 72249, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59404. District Policies and Regulations for Instructional and Other Materials.

(a) The governing board of a community college district which requires that students provide instructional or other materials for a course shall adopt policies or regulations, consistent with the provisions of this chapter, which specify the conditions under which such materials will be required.

(b) The policies or regulations specified in subsection (a) shall be adopted no later than January 1, 1986, forwarded to the Chancellor's Office on adoption, and thereafter published in each college catalog developed after the date of adoption.

NOTE: Authority cited: Sections 66700, 70901 and 72249, Education Code. Reference: Sections 70901, 70902 and 72249, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59406. Report to Chancellor.

The governing board of a community college district which prescribes required instructional and other materials for its courses shall respond to periodic surveys or inquiries of the Chancellor on the subject.

NOTE: Authority cited: Sections 66700, 70901 and 72249, Education Code. Reference: Sections 70901, 70902 and 72249, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59406.5. Reports Re Instructional Materials Used.

Each district board shall make reports, whenever required, directly to the Board of Governors or Chancellor's Office, concerning the instructional materials used in its colleges.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59408. Operative Date and Violations of Chapter.

(a) The regulations in this chapter shall become operative on August 15, 1985, provided that a district governing board which wishes to implement these regulations earlier may do so.

(b) The governing board of a district which prescribes required instructional and other materials in violation of this chapter shall be deemed to have established a student fee not expressly established by law.

NOTE: Authority cited: Sections 66700, 70901 and 72249, Education Code. Reference: Sections 70901, 70902 and 72249, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 59410. Withholding Grades, Transcripts, etc., for Nonrepayment of Financial Obligations.

The governing board of a community college district may provide by appropriate rules and regulations that grades, transcripts, diplomas and registration privileges, or any combination thereof, shall be withheld from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the district or a college. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## Chapter 11. Regulations of the Chancellor

### Subchapter 1. Standards for the Determination of Proportional Level of Service for Adult Noncredit Programs for Substantially Handicapped Persons

#### § 59500. Purpose.

NOTE: Authority cited: Section 84730, Education Code. Reference: Section 84730, Education Code.

#### HISTORY

1. New Chapter 1 (Sections 59500-59503) filed 10-3-80; effective thirtieth day thereafter (Register 80, No. 40).
2. Repealer filed 3-29-88; operative 4-28-88 (Register 88, No. 16).

Register 91-31

§ 55758

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as a part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The "I" may be made up no later than one year following the end of the term in which it was assigned.

The "I" symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.

IP	In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
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**Symbol**  
RD

**Definition**

Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

W

Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:

Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in section 55758 of this part, other than a "W."

The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.

No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.

Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.

Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."

For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.

The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.

Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.

A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

## Symbol

## Definition

**Military Withdrawal:** The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:

"Military withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990, and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to "MW"s.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 72285 and 76000, Education Code.

## History

1. Amendment of sections submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of subsection (c) filed 5-20-91 and submitted to OAL on 5-24-91 for printing only pursuant to Education Code section 10901.5; operative 6-19-91 (Register 91, No. 31).

## § 55759. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timeliness established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

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

## History

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## § 55760. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

## History

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## § 55761. District Policy for Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

## History

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## § 55762. Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:  
(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

## History

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

## § 55763. Course Repetition: Special Circumstances.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

Register 91-43

§ 55758

§ 55765

§ 55758. Academic Record Symbols and Grade Point Average.

(a) Grades from a grading scale shall be averaged on the basis of the equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as a part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	<b>Incomplete:</b> Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.  The "I" may be made up no later than one year following the end of the term in which it was assigned.  The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.
IP	<b>In progress:</b> The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
RD	<b>Report Delayed:</b> The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

Symbol  
W

Definition

**Withdrawal:** The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:

Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."

The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.

No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.

Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.

Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."

For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.

The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.

Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.

A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

HISTORY

1. Amendment of sections submitted to OAL for printing only pursuant to Government Code sections 11343.8 (Register 91, No. 23).
2. Editorial correction of printing error in NOTE (Register 91, No. 43).

§ 55759. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning

of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other supervisory services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.  
**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

**HISTORY**

1. Amendment of sections submitted to OAL for printing only pursuant to Government Code sections 11343.8 (Register 91, No. 23).
2. Editorial correction of printing error (Register 91, No. 43).

**§ 55760. Grade Changes.**

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55761. District Policy for Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and work to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55762. Course Repetition: Implementation.**

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

- (1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and
- (2) Chapter 2.5 (commencing with section 59020) of Division 10 of his part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55763. Course Repetition: Special Circumstances.**

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

(b) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(c) Grades awarded for courses repeated under the provisions of this section shall not be counted in calculating a student's grade point average.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 55764. District Policy for Academic Renewal Without Course Repetition.**

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the alleviation of previously recorded substandard academic performance, as defined in section 55761, which is not reflective of a student's demonstrated ability. Such procedures or regulations shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal regulations. When academic renewal procedures or regulations adopted by the districts permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55765. Academic Renewal Without Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the alleviation of previously recorded, substandard academic performance, as defined in section 55764, which is not reflective of a student's demonstrated ability, the governing board of a district maintaining a community college:

- (a) Shall not adopt any regulation or procedure which conflicts with:
- (1) Education Code section 76224, pertaining to the finality of grades assigned by instruction, and
  - (2) Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records, and particularly subdivision (d) of section 59023, relating to the permanency of certain student records.
- (b) Shall, when the adopted procedures or regulations permit such alleviation, state:
- (1) The maximum amount of coursework that may be alleviated;
  - (2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;
  - (3) The length of time to have elapsed since the coursework to be alleviated was recorded; and
  - (4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation regulations.

(c) Shall, when the adopted procedures or regulations permit such alleviation, publish specific procedures to be followed in implementing procedures or regulations adopted pursuant to this section and section 55764 stating, at a minimum:

- (1) The procedures to be followed by students in petitioning for alleviation; and
- (2) The officers and/or personnel responsible for implementing the procedures or regulations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment of sections submitted to OAL for printing only pursuant to Government Code sections 11343.8 (Register 91, No. 23).
2. Editorial correction of printing error in NOTE (Register 91, No. 43).

## Subchapter 10. Degrees and Certificates

### § 55800. Regulations.

The governing board of community college districts shall adopt policy consistent with the provisions of this chapter. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004 of this part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

#### HISTORY

1. New chapter 10 (sections 55800-55810, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55800.5. Minimum Credit Hours for Graduation from Two-Year Course.

An associate degree shall be awarded to any student who successfully completes the prescribed course of study for the degree while maintaining the requisite grade point average, the course of study required for the student's major, and any required academic elective courses.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55801. Definitions.

For the purpose of this chapter, "satisfactorily completed" means either credit earned on a "credit-no credit" basis or a grade point average

of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55802. Associate in Arts Degree (Applicable Until July 1, 1983).

The governing board of a community college district shall confer the degree of associate in arts upon a student who in grades 13 and 14 has satisfactorily completed from 60 to 64 semester hours of work in a curriculum which the district accepts toward the degree (as shown by its catalog) and which includes all of the following minimum requirements, provided that 12 hours of the required credit hours were secured in residence at that community college:

(a) 18 semester units of study taken in a discipline or from related disciplines as listed in the Community Colleges "Classification of Instructional Disciplines."

(b) 15 semester units of general education which shall include at least one course in each of the following areas

(1) Natural sciences. Those courses of study which deal with matter and energy and their interrelations and transformations (e.g., chemistry, physics, biology).

(2) Social sciences. The body of knowledge that relates to the human being as a member of society or component of society, such as the state, family, or any systematized human institution (e.g., economics, political science, sociology).

(3) Humanities. Those courses of study having primarily a cultural character (e.g., languages, literature, philosophy, fine arts).

(4) Learning skills. Courses, such as oral and written communication, logic, mathematics, and statistics, designed to facilitate acquisition and utilization of knowledge in natural sciences, social sciences, and humanities.

These courses may be eligible for partial satisfaction of the general education requirements for a baccalaureate degree at the California State University in accordance with the provisions of Section 40405 of this title.

(c) Ethnic studies courses shall be offered in one or more of the areas listed in subdivision (b).

The community college may determine which courses satisfy the requirements of this subdivision.

The governing board may make exceptions to the residence requirement in any instance in which it determines that an injustice or hardship would otherwise be placed upon an individual student.

(d) The provisions of this section shall be applicable to all students in attendance prior to July 1, 1983, unless provided otherwise by governing board policy adopted pursuant to subsection (b) of section 55810.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701 and 70901, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55803. Associate in Science Degree (Applicable Until July 1, 1983).

The governing board of a community college district may confer the degree of associate in science upon a student who in grades 13 and 14 has completed satisfactorily a minimum of 60 semester hours of work, which shall satisfy all the requirements for an associate in arts degree and shall include a major of at least 18 semester hours in the fields of engineering, physical and biological sciences, or occupational curriculum.

The provisions of this section shall be applicable to all students in attendance prior to July 1, 1983, unless provided otherwise by governing board policy adopted pursuant to subsection (b) of section 55810.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701 and 70901, Education Code.

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§ 55758

**§ 55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as a part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	<b>Incomplete:</b> Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.  The "I" may be made up no later than one year following the end of the term in which it was assigned.  The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.
IP	<b>In progress:</b> The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.
RD	<b>Report Delayed:</b> The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.

**Symbol**  
**W**

**Definition**

**Withdrawal:** The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:

Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."

The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.

No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.

Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.

Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."

For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.

The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.

Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.

A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.

**Military Withdrawal:** The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:

"Military withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal

symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990 and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to "MW"s.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of subsection (c) filed 5-20-91 and submitted to OAL on 5-24-91 for printing only pursuant to Education Code section 10901.5; operative 6-19-91 (Register 91, No. 31).
3. Editorial correction of printing error in NOTE (Register 91, No. 43).
4. Editorial correction restoring omitted definition of "Military Withdrawal" and its HISTORY NOTE (Register 92, No. 5).

### § 55759. Notification of Probation and Dismissal.

A community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog. NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

#### HISTORY

1. Amendment of sections submitted to OAL for printing only pursuant to Government Code sections 11343.8 (Register 91, No. 23).
2. Editorial correction of printing error (Register 91, No. 43).

### § 55760. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55761. District Policy for Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning

course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55762. Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

- (1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance with section 59020 of Division 10 of this part, require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 55763. Course Repetition: Special Circumstances.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

(b) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(c) Grades awarded for courses repeated under the provisions of this section shall not be counted in calculating a student's grade point average.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

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§ 55530

(3) make reasonable efforts to ensure that all nonexempt students who rolled in pre-collegiate basic skills courses participate in counseling and advisement; and

(4) make available to all students, as defined in section 55502(i), advisement or counseling on general academic requirements and the selection of specific courses by counselors or appropriately trained instructor/advisors, and/or other appropriately trained staff working in consultation with counselors.

(b) Counseling by appropriately trained counselors or advisement by appropriately trained staff may also be made available in any other area the district deems appropriate, including but not limited to, the interpretation of assessment results and the development of a student's educational plan as required by section 55525.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

#### § 55524. Assessment.

The Chancellor shall establish and update, at least annually, a list of approved assessment instruments and guidelines for their use by community college districts. These guidelines shall identify modifications of an assessment instrument or the procedures for its use which may be made in order to provide special accommodations required by section 55522 without separate approval by the Chancellor. Such guidelines shall also describe the procedure by which districts may seek to have assessment instruments approved and added to the list. The Chancellor shall ensure that all assessment instruments included on the list minimize or eliminate cultural or linguistic bias, are normed on the appropriate populations, yield valid and reliable information, identify the learning needs of students, make efficient use of student and staff time, and are otherwise consistent with the educational and psychological testing standards of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education.

NOTE: Authority cited: Sections 66700, and 70901, Education Code. Reference: Section 78213, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

#### § 55525. Student Educational Plan.

(a) Each community college district shall establish a process for assisting students to select a specific educational goal within a reasonable time after admission as required by section 55530 (d). This shall include, but not be limited to, the provision of counseling as required by section 55523(a)(2).

(b) Once a student has selected a specific educational goal, the district shall afford the student the opportunity to develop a student educational plan describing the responsibilities of the student, the requirements he or she must meet, and the courses, programs, and services required to achieve the stated goal.

(c) The student educational plan developed pursuant to subsection (b) shall be recorded in written or electronic form. The plan, and its implementation shall be reviewed as necessary to ensure that it continues to accurately reflect the needs and goals of the student.

(d) If a student believes the district has failed to make good faith efforts to develop a plan, has failed to provide services specified in the student educational plan, or has otherwise violated the requirements of this section, the student may file a complaint pursuant to section 55534 (c).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

#### § 55526. Student Follow-up.

Each community college district shall establish a student follow-up process to assist the student in achieving his/her educational goal. The follow-up system shall ensure that the academic progress of each student is regularly monitored to detect early signs of academic difficulty and students shall be provided with advice or referral to specialized services or curriculum offerings where necessary. Districts shall also identify and refer to counseling or advisement, as appropriate pursuant to section 55523(a), any students who have not declared a specific educational goal as required by section 55530, who are enrolled in pre-collegiate basic skills courses, or who have been placed on probation.

NOTE: Authority cited: Sections 66700 and 70901, Educational Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

## Article 4. Appeals, Waivers, Student Rights and Responsibilities

#### § 55530. Student Rights and Responsibilities.

(a) Nothing in this chapter shall be construed to interfere with the right of a student, if admitted to a community college in accord with district admission policies adopted pursuant to Education Code Sections 76000, et seq., from enrolling in any course for which he or she can meet necessary and valid prerequisites, if any, which have been established pursuant to the requirements of Section 58106 of Division 9 of this Part.

(b) Community college districts shall take steps to ensure that information, in written form, is available to all students during or prior to enrollment (e.g., during orientation) and is included in class schedules, catalogs or other appropriate publications, describing their rights and responsibilities under this chapter.

(c) Districts shall also take steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs. Whenever possible, students should be permitted to avoid additional testing by submitting scores on recently taken tests which correlate with those used by the district.

(d) Students shall be required to express at least a broad educational intent upon admission, declare a specific educational goal within a reasonable period after admission, participate in counseling or advisement pursuant to Section 55523(a)(1), (2) and (3), diligently attend class and complete assigned coursework, and complete courses and maintain progress toward an educational goal according to standards established by the district, consistent with the requirements of Chapter 9 (commencing with Section 55750) of Division 6 of this Part. The governing board of each community college district shall adopt clear written policies not inconsistent with law, specifically defining these responsibilities of students and the consequences of failure to fulfill such responsibilities. This policy shall define the period of time within which a student must identify a specific educational goal as required by this subsection, provided however, that all students shall be required to declare such a goal during the term after which the student completes 15 semester units or 22 quarter units of degree-applicable credit coursework, unless the district policy establishes a shorter period. Once the student has developed a specific educational goal, the district must provide the student with an opportunity to develop a student educational plan pursuant to Section 55525. Student responsibilities shall also be identified in the student's educational plan developed pursuant to Section 55525. If a student fails to fulfill the responsibilities listed in this subsection, fails to cooperate with the district in the development of a student educational plan within 90 days after declaring

his/her specific educational goal, or fails to abide by the terms of his/her student educational plan, the district may, subject to the requirements of Chapter 5, suspend or terminate the provision of services authorized in section 55520; provided however, that nothing in this section shall be construed to permit a district to suspend or terminate any service to which a student is otherwise entitled under any other provision of law.

(e) Information obtained from the matriculation process shall be considered student records and shall be subject to the requirements of Chapter 6 (commencing with Section 54600) of Division 5 of this Part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76000, 76001, 76001.5 and 78212, Education Code.

#### HISTORY

1. Amendment filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

2. Amendment of subsection (b) filed 4-3-92; operative 5-4-92 (Register 92, No. 15).

#### § 55532. Exemptions.

(a) Community college districts may elect to exempt certain students from participation in orientation, assessment, counseling or advisement, as required by subsections (b), (c), or (d) of section 55520. Each such district shall establish policies specifying the grounds for exemption. Such policies shall be identified in the matriculation plan required under section 5510 and the number of students so exempted shall be reported, by category, to the Chancellor pursuant to section 55514.

(b) District policies may exempt from orientation, assessment, counseling, or advisement any student who: has completed a associate degree or higher.

(c) Any student exempted pursuant to this section shall be notified that he or she is covered by an exemption and shall be given the opportunity to choose whether or not to participate in that part of the matriculation process.

(d) District policies may not use any of the following as the sole criteria exempting any student who does not wish to participate:

(1) the student has enrolled only in evening classes;

(2) the student has enrolled in fewer than some specified number of units;

(3) the student is undecided about his or her educational objectives; or

(4) the student does not intend to earn a degree or certificate.

(e) As part of the statewide evaluation provided for under subsection (c) of section 55512, the Chancellor shall analyze and recommend necessary changes regarding the impact on the matriculation program of the exemption policies adopted by community college districts.

NOTE: Authority cited: Sections 66700, 70901, and 78215, Education Code. Reference: Section 78215, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

#### § 55534. Violations, Waivers and Appeals.

(a) Where students are required by a community college district to meet prerequisites under section 58106(b)(2) or (b)(3), a student may object to such requirement on the grounds that the necessary course is not available. The district shall promptly (within 5 working days) determine whether, the required course was available and if not, the district shall waive the prerequisite for that term.

(b) An allegation that a community college district has violated the provisions of subsection (f) of section 55521 or has established a discriminatory prerequisite subject to challenge under subsection (d)(3) of section 58106 shall be considered a complaint of unlawful discrimination and shall be filed, investigated and resolved pursuant to chapter 5 (commencing with section 59300) of Division 10 of this part.

(c) Each community college district shall establish written procedures by which students may challenge any other alleged violation of the provisions of this chapter or of section 58106. Districts shall investigate and attempt to resolve any such complaints. Such complaint procedures may, by action of the governing board, be consolidated with existing student grievance procedures. Records of all such complaints shall be retained for at least three years after the complaint has been resolved and shall be subject to review by the Chancellor as part of the statewide evaluation required under section 55512(c).

NOTE: Authority cited: Section 11138, Government Code; Sections 66700 and 70901, Education Code. Reference: Sections 11135-11139.5, Government Code; Sections 78211, and 78213, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

## Subchapter 7. Occupational Education

### Article 1. Vocational Education Contracts

#### § 55600. Definitions.

For the purposes of this article the following definitions apply:

(a) Vocational education contract means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide vocational instruction to students enrolled

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work, salary and other compensation, work to be performed, and employment classification; and,

(3) The district compensates the person according to an adopted salary or wage schedule which complies with the provisions of Article 8 (commencing with Section 87801), Chapter 3, Part 51 of the Education Code.

(b) For the purposes of complying with the requirements of this section, a district may also contract for instruction to be provided by a public or private agency. Such contracts shall specify that the district has the primary right to control and direct the activities of the person or persons furnished by the public or private agency during the term of the contract. In addition, the district shall enter into a written contract with each person furnished by the public or private agency; and said contracts shall meet the requirements of subsection (a)(1) and (2) of this section. In this manner an individual employed will continue to be an employee of a public or private agency, while at the same time qualifying as an employee of the district.

NOTE: Authority cited: Sections 66700, 70901 and 84500, Education Code. Reference: Sections 70901, 84500 and 87801, Education Code.

#### HISTORY

1. Amendment of subsections (a) and (a)(3) and NOTE filed 10-25-91; operative 11-24-91 (Register 92, No. 9).

### § 58060. Valid Employment Qualifications.

For the purposes of Sections 58051 and 58056, the employee is deemed authorized to perform the services because he or she is employed pursuant to a valid, unrevoked credential issued by the Board of Governors or pursuant to minimum qualifications adopted by the Board of Governors or equivalencies pursuant to Section 53430.

(a) If the person serves pursuant to a credential,

(1) It must authorize the holder to provide instruction in the particular subject matter or matters; and

(2) It must authorize the holder to provide that instruction during the period in which the holder is providing it.

(b) If the person serves pursuant to minimum qualifications adopted by the Board of Governors or equivalencies, the qualifications or equivalencies must be related to the assignment and effective during the period of instruction for which attendance is being claimed.

(c) For purposes of this section, an employee is deemed authorized to perform the services if he or she is employed as a faculty intern.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 84500 and 87487, Education Code.

#### HISTORY

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 9).

## Subchapter 2. Limitations on State Aid

### Article 1. Open Courses

#### § 58100. Open Enrollment.

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Section 84500 and 84500.1, Education Code.

#### HISTORY

1. Repealer filed 4-3-92; operative 5-4-92 (Register 92, No. 15).

#### § 58102. Course Description.

The description of each course shall be clear and understandable to the prospective student and shall be published in the official catalog, and/or schedule of classes, and/or addenda.

A course description may indicate that the course is designed to meet certain specialized needs. If so indicated, the availability of the course to all qualified students must also be affirmed.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 84500, Education Code.

#### HISTORY

1. Amendment of NOTE filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

#### § 58104. Dissemination of Information.

All courses to be conducted shall be described in the official general catalog and/or addenda and listed in the schedules of classes.

Courses which are established or conducted after publication of the general catalog or regular schedule of classes shall be reasonably well publicized.

Announcements of course offerings shall not be limited to a specialized clientele, nor shall any group or individual receive notice prior to the general public for the purposes of preferential enrollment, limiting accessibility, or exclusion of qualified students.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 84500, Education Code.

#### HISTORY

1. Amendment of NOTE filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

#### § 58106. Prerequisites and Other Limitations On Enrollment.

(a) In order to be claimed for purposes of State apportionment, all courses shall be open to enrollment by any student who has been admitted to the college, except that students may be required to meet prerequisites established pursuant to this section. In addition, a community college district may also limit enrollment in a course based on health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning, or legal requirements imposed by statute, regulations or contracts. The district governing board shall adopt policies identifying any such requirements and establishing fair and equitable procedures for determining who may enroll in affected courses. Such procedures may:

(1) limit enrollment on a "first come first served" basis or utilize other nonevaluative selection techniques to determine who may enroll; or

(2) limit enrollment to those students capable of safely performing required tasks as measured by relevant skill prerequisites established pursuant to subsection (b)(3) of this section.

(b) After review pursuant to Sections 53200-53203, and 55002 of this Part, a district may, subject to the conditions set forth in subdivision (c), require a student to meet any of the following types of prerequisites as a condition for enrollment in a course:

(1) It is permissible to require, as a prerequisite, the completion of any course where understanding or technical performance taught in that course is necessary for success in later courses.

(2) As used in this section, the term "prerequisite" also includes "corequisites" which require a student to concurrently enroll in one course as a condition of enrollment in another course. A student may be required to concurrently enroll in a corequisite only when the college has conducted a comprehensive assessment of the student using multiple measures and the objectives of the courses are clearly complementary, the interrelation of the units of instruction is evident, and completion of the corequisite is necessary for success in the related course. In addition, community college districts shall ensure that corequisite courses are available at the college in sufficient numbers to accommodate all students who are required to take them. If this is not the case, the corequisite shall be waived pursuant to Section 55534(a) of this Division.

(3) Prerequisites may be defined in terms of skills necessary to success in a particular course or program. This includes, but is not limited to, skill competencies in reading, written expression, and mathematics established pursuant to Section 55806 of this Division. The determination of whether a student possesses the required skills shall be based on a comprehensive assessment using multiple measures and any assessment instruments relied upon shall be selected and used in accordance with the provisions of Subchapter 6 (commencing with Section 55500) of Chapter 6 of this Division. Community college districts shall ensure that pre-collegiate basic skills courses designed to teach required skills are available to accommodate students required to meet the associated skill prerequisites. Any student obtaining a satisfactory grade in such a pre-collegiate basic skills course shall be deemed to meet the associated skill prerequisite.

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**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51004. Degrees and Certificates.**

The governing board of a community college district shall:

(a) Adopt regulations consistent with regulations of the Board of Governors pertaining to degrees and certificates, which are contained in chapter 10 (commencing with section 55800) of division 6 of this part;

(b) File a copy of its regulations and any amendments thereto with the Chancellor; and

(c) Substantially comply with its regulations and the regulations of the Board of Governors pertaining to degrees and certificates.

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

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51006. Open Courses.**

(a) The governing board of a community college district shall adopt by resolution the following or a comparable statement: "The policy of this district is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of this Division."

(b) The statement of policy adopted by the board pursuant to Subsection (a) of this Section shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which average daily attendance\* is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

\* The reference to average daily attendance (ADA) rather than full-time equivalent student (FTES) is being retained in this Section to accommodate prior year recalculations. Title 5, Section 58782, provides the transition from ADA to FTES.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78020 et seq., Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

**§ 51008. Comprehensive Plan.**

(a) The governing board of a community college district shall establish policies for and approve comprehensive or master plans which include, among other plans, academic master plans and long range master plans for facilities. The content of such plans shall be locally determined, except that they shall also address planning requirements specified by the Board of Governors.

(b) Such plans, as well as any annual updates or changes to such plans, shall be submitted to the Chancellor's Office for review and approval in accordance with section 70901(b)(9) of the Education Code and regulations of the Board of Governors pertaining to such plans.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 70901, 70902, 71020.5, 81820, 81821 and 81822, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51010. Affirmative Action.**

The governing board of a community college district shall:

(a) adopt a district policy which describes its affirmative action employment program and meets the requirements of Section 53002 of this Division;

(b) develop and adopt a district faculty and staff diversity plan which meets the requirements of Section 53003 of this Division;

(c) ensure that its employment patterns are annually surveyed in the manner required by Section 53004 of this Division;

(d) ensure that a program of recruitment is carried out as required by Section 53021 of this Division; and

(e) ensure that screening and selection procedures are developed and utilized in accordance with Section 53024 of this Division;

(f) ensure that the pattern of hiring decisions, when viewed over time, furthers the goals established in the district's faculty and staff diversity plan; and

(g) substantially comply with the other provisions of Subchapter 1 (commencing with Section 53000) of this Division.

NOTE: Authority cited: Sections 70901 and 87105, Education Code. Reference: Article 4 (commencing with Section 87100) of Chapter 1, Part 51, Education Code.

**HISTORY**

1. Amendment submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

2. Amendment filed 3-26-92; operative 4-24-92 (Register 92, No. 17).

**§ 51012. Student Fees.**

The governing board of a community college district may only establish such mandatory student fees as it is expressly authorized to establish by law.

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

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51014. Approval of New Colleges and Educational Centers.**

(a) The governing board of a community college district planning the formation of a new college or educational center shall obtain approval of such college or educational center by the Board of Governors. Approval shall be obtained prior to the commencement of classes at the new college or educational center.

(b) The provisions of chapter 11 (commencing with section 55825) of division 6 shall govern the approval of new colleges and educational centers.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 66700 and 70901, and Articles 1, 2, and 3 (commencing with Section 81800) of Chapter 4, Part 49, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51016. Accreditation.**

Each community college within a district shall be an accredited institution. Accreditation shall be determined by the Accrediting Commission for Community and Junior Colleges.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 51018. Counseling Programs.**

(a) The governing board of a community college district shall adopt regulations and procedures consistent with the provisions of this section. A copy of these regulations and procedures, as well as any amendments, shall be filed with the Chancellor's Office.

(b) The governing board of a community college district shall provide and publicize in each college within the district, an organized and functioning counseling program. Counseling programs shall include, but not be limited to, the following:

(1) Academic counseling, in which the student is assisted in assessing, planning and implementing his or her immediate and long-range academic goals.

(2) Career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends.

be resolved in a timely manner and, if the challenge is upheld, the student shall be permitted to enroll in the course or program in question. Grounds for challenge are:

(1) The prerequisite or corequisite has not been established in accordance with the district's process for establishing prerequisites and corequisites;

(2) The prerequisite or corequisite is in violation of this Article;

(3) The prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

(4) The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite;

(5) The student will be subject to undue delay in attaining the goal of his or her educational plan because the prerequisite or corequisite course has not been made reasonably available; and

(6) Such other grounds for challenge as may be established by the district governing board.

(g) In the case of a challenge under Subsection (f)(3) of this Section, the district shall, upon completion of the challenge procedure established pursuant to this Section, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to Subchapter 5 (commencing with Section 59300) of Chapter 10 of this Division. Completion of the challenge procedure shall be deemed to satisfy the requirement of Section 59328(b) that the district and the student attempt informal resolution of the complaint.

(h) District policies adopted pursuant to this section shall be submitted to the Chancellor as part of the district's matriculation plan pursuant to Section 55510 of Subchapter 6 of Chapter 6 of this Division.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. New section filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

#### 55202. Additional Rules.

The following additional rules apply to the establishment of prerequisites and corequisites:

(a) Prerequisites, corequisites, and advisories on recommended preparation must be identified in college publications available to students as well as the course outline of any course for which they are established.

(b) Prerequisites establishing communication or computational skill requirements may not be established across the entire curriculum unless established on a course-by-course basis.

(c) The determination of whether a student meets a prerequisite shall be based on successful completion of an appropriate course or on an assessment using multiple measures. Any assessment instrument used shall be selected and used in accordance with the provisions of Subchapter 6 (commencing with Section 55500) of Chapter 6 of this Division.

(d) If a prerequisite requires precollegiate skills in reading, written expression, or mathematics, the governing board of a district shall ensure that precollegiate basic skills courses designed to teach the required skills are offered with reasonable frequency and that the number of sections available is reasonable given the number of students who are required to meet the associated skills prerequisites and who diligently seek enrollment in the prerequisite course.

(e) Whenever a corequisite course is established, sufficient sections shall be offered to reasonably accommodate all students who are required to take the corequisite. A Corequisite shall be waived as to any student for whom space in the corequisite course is not available.

(f) No exit test may be required to satisfy a prerequisite or corequisite unless it is incorporated into the grading for the prerequisite or corequisite course.

(g) The determination of whether a student meets a prerequisite shall be made prior to his or her enrollment in the course requiring the prerequisite, provided, however, that enrollment may be permitted pending verification that the student has met the prerequisite or corequisite. If the verification shows that the student has failed to meet the prerequisite, the

student may be involuntarily dropped from the course if the applicable enrollment fees are promptly refunded. Otherwise a student may only be involuntarily removed from a course due to excessive absences or as a result of disciplinary action taken pursuant to law or to the student code of conduct.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. New section filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

### Article 3. Bilingual Crosscultural Programs and Courses

#### § 55225. Annual Articulation Agreement Plans.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 52150-52158, Education Code.

#### HISTORY

1. New article 3 (section 55225) filed 6-8-83; effective thirtieth day thereafter (Register 83, No. 24).

2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

3. Repealer filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

### Subchapter 2. Programs and Classes Outside of District

NOTE: Authority cited: Section 72012, Education Code.

#### HISTORY

1. Repealer of chapter 2 (sections 55200-55204) filed 12-21-81; effective thirtieth day thereafter (Register 81, No. 52). For prior history, see Register 77, No. 45.

2. Amendment of subchapter 2 heading filed 5-15-93; operative 6-14-93 (Register 93, No. 25).

#### § 55230. Classes, Property and Buildings Outside of District.

The governing board of a community college district may conduct community college classes and acquire the necessary property and erect the necessary buildings therefor, outside of the boundaries of the district if all of the following conditions exist:

(a) The proposed location is within the state.

(b) The activities, trades, businesses, or work to be carried on at the proposed location is such as to offer educational opportunities to students who are residents of the district in the subject or all of the subjects proposed to be taught at that location, and facilities for such instruction are not available either at the location of the principal buildings of the community college, or elsewhere within the district.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

#### § 55231. Establishment of Classes Outside of District.

The governing board of a community college district may establish courses outside the district primarily for students who are nonresidents of the district, providing the following conditions are fulfilled:

(a) The governing board of a high school district or another community college district, requests that community college classes be offered in the high school district or community college district.

(b) The community college district annually reports to the Board of Governors, in advance of their offering, on the classes to be established or continued pursuant to this authorization.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

(commencing with section 56200) of division 7 of this part, to provide specialized matriculation services and modified or alternative matriculation services to their respective student populations. Notwithstanding this authorization, participation in the EOPS and DSPS programs is voluntary and no student may be denied necessary accommodations in the assessment process because he or she chooses not to use specialized matriculation services provided by these programs. Modified or alternative matriculation services for limited or non-English-speaking students may be provided in English as a Second Language programs.

NOTE: Authority cited: Section 11138, Government Code; Sections 66700, 70901, and 84500.1, Education Code. Reference: Section 11135, Government Code; Sections 72011, 78211, 78213, and 84500.1, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

#### § 55523. Counseling and Advisement.

(a) If not already required to do so by the minimum standards for counseling services set forth in section 51018 of division 1 of this Part, each community college district shall do all of the following:

(1) make reasonable efforts to ensure that all nonexempt students who are on probation participate in counseling as provided in section 55759 of this Part;

(2) make reasonable efforts to ensure that all nonexempt students who have not declared a specific educational goal participate in counseling to assist them in the process of selecting a specified educational goal pursuant to section 55525;

(3) make reasonable efforts to ensure that all nonexempt students who are enrolled in pre-collegiate basic skills courses participate in counseling or advisement; and

(4) make available to all students, as defined in section 55502(i), advisement or counseling on general academic requirements and the selection of specific courses by counselors or appropriately trained instructor/assistants, and/or other appropriately trained staff working in consultation with counselors.

(b) Counseling by appropriately trained counselors or advisement by appropriately trained staff may also be made available in any other area the district deems appropriate, including but not limited to, the interpretation of assessment results and the development of a student's educational plan as required by section 55525.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

#### § 55524. Assessment.

The Chancellor shall establish and update, at least annually, a list of approved assessment instruments and guidelines for their use by community college districts. These guidelines shall identify modifications of an assessment instrument or the procedures for its use which may be made in order to provide special accommodations required by section 55522 without separate approval by the Chancellor. Such guidelines shall also describe the procedure by which districts may seek to have assessment instruments approved and added to the list. The Chancellor shall ensure that all assessment instruments included on the list minimize or eliminate cultural or linguistic bias, are normed on the appropriate populations, yield valid and reliable information, identify the learning needs of students, make efficient use of student and staff time, and are otherwise consistent with the educational and psychological testing standards of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education.

NOTE: Authority cited: Sections 66700, and 70901, Education Code. Reference: Section 78213, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for

printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

#### § 55525. Student Educational Plan.

(a) Each community college district shall establish a process for assisting students to select a specific educational goal within a reasonable time after admission as required by section 55530 (d). This shall include, but not be limited to, the provision of counseling as required by section 55523(a)(2).

(b) Once a student has selected a specific educational goal, the district shall afford the student the opportunity to develop a student educational plan describing the responsibilities of the student, the requirements he or she must meet, and the courses, programs, and services required to achieve the stated goal.

(c) The student educational plan developed pursuant to subsection (b) shall be recorded in written or electronic form. The plan, and its implementation shall be reviewed as necessary to ensure that it continues to accurately reflect the needs and goals of the student.

(d) If a student believes the district has failed to make good faith efforts to develop a plan, has failed to provide services specified in the student educational plan, or has otherwise violated the requirements of this section, the student may file a complaint pursuant to section 55534 (c).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

#### § 55526. Student Follow-up.

Each community college district shall establish a student follow-up process to assist the student in achieving his/her educational goal. The follow-up system shall ensure that the academic progress of each student is regularly monitored to detect early signs of academic difficulty and students shall be provided with advice or referral to specialized services or curriculum offerings where necessary. Districts shall also identify and refer to counseling or advisement, as appropriate pursuant to section 55523(a), any students who have not declared a specific educational goal as required by section 55530, who are enrolled in pre-collegiate basic skills courses, or who have been placed on probation.

NOTE: Authority cited: Sections 66700 and 70901, Educational Code. Reference: Section 78212, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governor's, California Community Colleges, with the Secretary of State, operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (b) (Register 90, No. 37).

## Article 4. Appeals, Waivers, Student Rights and Responsibilities

#### § 55530. Student Rights and Responsibilities.

(a) Nothing in this Subchapter shall be construed to interfere with the right of a student admitted to a community college in accord with district admission policies adopted pursuant to Education Code Section 76000, et seq. to enroll in any course for which he or she can meet necessary and appropriate prerequisites, if any, which have been established pursuant to the requirements of Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of this Division.

(b) Community college districts shall take steps to ensure that information is available in written form to all students during or prior to enrollment (e.g., during orientation) and is included in class schedules, catalogs or other appropriate publications, describing their rights and responsibilities under this Chapter.

(c) Districts shall also take steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs. Whenever possible, students should be permitted to

avoid additional testing by submitting scores on recently taken tests that correlate with those used by the district.

(d) Students shall be required to express at least a broad educational intent upon admission; declare a specific educational goal within a reasonable period after admission; participate in counseling or advisement pursuant to Section 55523(a)(1), (2), and (3); diligently attend class and complete assigned coursework; and complete courses and maintain progress toward an educational goal according to standards established by the district, consistent with the requirements of Chapter 9 (commencing with Section 55750) of Division 6 of this Part. The governing board of each community college district shall adopt clear written policies not inconsistent with law, specifically defining these responsibilities of students and the consequences of failure to fulfill such responsibilities. This policy shall define the period of time within which a student must identify a specific educational goal as required by this Subsection, provided however, that all students shall be required to declare such a goal during the term after which the student completes 15 semester units or 22 quarter units of degree-applicable credit course work, unless the district policy establishes a shorter period. Once the student has developed a specific educational goal, the district must provide the student with an opportunity to develop a student educational plan pursuant to Section 55525. Student responsibilities shall also be identified in the student's educational plan developed pursuant to Section 55525. If a student fails to fulfill the responsibilities listed in this Subsection, fails to cooperate with the district in the development of a student educational plan within 90 days after declaring his or her specific educational goal, or fails to abide by the terms of his or her student educational plan, the district may, subject to the requirements of this Chapter, suspend or terminate the provision of services authorized in Section 55520, provided however, that nothing in this Section shall be construed to permit a district to suspend or terminate any service to which a student is otherwise entitled under any other provision of law.

(e) Information obtained from the matriculation process shall be considered student records and shall be subject to the requirements of Chapter 5 (commencing with Section 54600) of Division 5 of this Part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76000, 76001, 76001.5 and 78212, Education Code.

#### History

1. Amendment filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).
2. Amendment of subsection (b) filed 4-3-92; operative 5-4-92 (Register 92, No. 15).
3. Amendment of subsections (a), (b) and (d) filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

#### § 55532. Exemptions.

(a) Community college districts may elect to exempt certain students from participation in orientation, assessment, counseling or advisement, as required by subsections (b), (c), or (d) of section 55520. Each such district shall establish policies specifying the grounds for exemption. Such policies shall be identified in the matriculation plan required under section 55510 and the number of students so exempted shall be reported, by category, to the Chancellor pursuant to section 55514.

(b) District policies may exempt from orientation, assessment, counseling, or advisement any student who; has completed a associate degree or higher.

(c) Any student exempted pursuant to this section shall be notified that he or she is covered by an exemption and shall be given the opportunity to choose whether or not to participate in that part of the matriculation process.

(d) District policies may not use any of the following as the sole criterion for exempting any student who does not wish to participate:

- (1) the student has enrolled only in evening classes;
- (2) the student has enrolled in fewer than some specified number of units;
- (3) the student is undecided about his or her educational objectives; or
- (4) the student does not intend to earn a degree or certificate.

(e) As part of the statewide evaluation provided for under subsection (c) of section 55512, the Chancellor shall analyze and recommend necessary changes regarding the impact on the matriculation program of the exemption policies adopted by community college districts.

NOTE: Authority cited: Sections 66700, 70901, and 78215, Education Code. Reference: Section 78215, Education Code.

#### History

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

#### § 55534. Violations, Waivers and Appeals.

(a) Each community college district shall establish written procedures by which students may challenge any alleged violation of the provisions of this Subchapter. Districts shall investigate and attempt to resolve any such complaints in a timely manner. Such complaint procedures may be consolidated with existing student grievance procedures by action of the governing board. Records of all such complaints shall be retained for at least three years after the complaint has been resolved and shall be subject to review by the Chancellor as part of the statewide evaluation required under Section 55512(c).

(b) When a challenge contains an allegation that a community college district has violated the provisions of Subsection (f) of Section 55521, the district shall, upon completion of the challenge procedure established pursuant to this Section, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to Subchapter 5 (commencing with Section 59300) of Chapter 10 of this Division. Completion of the challenge procedure shall be deemed to satisfy the requirement of Section 59328(b) that the district and the student attempt informal resolution of the complaint.

NOTE: Authority cited: Section 11138, Government Code; Sections 66700 and 70901, Education Code. Reference: Sections 11135-11139.5, Government Code; Sections 78211 and 78213, Education Code.

#### History

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).
2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

## Subchapter 7. Occupational Education

### Article 1. Vocational Education Contracts

#### § 55600. Definitions.

For the purposes of this article the following definitions apply:

(a) "Vocational education contract" means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide vocational instruction to students enrolled in community colleges. Such agreements shall also be required to comply with the provisions of article 5 (commencing with section 8090) of chapter 1, part 6 of the Education Code.

(b) "The California State Plan for Vocational Education" means an official agreement between the United States Commissioner of Education and the California State Board of Education which provides standards, policies, and procedures that shall apply to the operation of various phases of vocational education to qualify for financial support from the Education Amendments of 1976 (Public Law 94-482 and 95-40), part A, Vocational Education, or any subsequent federal legislation.

(c) "Contractor" as used in section 55602 means any private postsecondary school authorized or approved pursuant to the provisions of chapter 3 (commencing with section 94300), and which has been in operation not less than two (2) full calendar years prior to the effective date of the contract, to provide vocational skill training authorized by this Code.

(d) "Eligible costs" means all direct and indirect related instructional costs but does not include expenditures for capital outlay (6000 category in the California Community Colleges Budget and Accounting Manual).

Register 94-38

§ 51006  
§ 55534  
§ 59404  
§ 59410

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

#### HISTORY

Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51004. Degrees and Certificates.

The governing board of a community college district shall:

- (a) adopt regulations consistent with regulations contained in Subchapter 10 (commencing with Section 55800) of Chapter 6;
- (b) file a copy of its regulations and any amendments thereto with the Chancellor; and
- (c) substantially comply with its regulations and the regulations of the Board of Governors pertaining to degrees and certificates.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51006. Open Courses.

The governing board of a community college district shall adopt by resolution the following or a comparable statement: "The policy of this district is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations."

The statement of policy adopted by the board pursuant to Subsection (a) shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which full-time equivalent student (FTEs) is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902 et seq., Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51008. Comprehensive Plan.

(a) The governing board of a community college district shall establish policies for, and approve, comprehensive or master plans which include academic master plans and long range master plans for facilities. The content of such plans shall be locally determined, except that the plans shall also address planning requirements specified by the Board of Governors.

(b) Such plans, as well as any annual updates or changes to such plans, shall be submitted to the Chancellor's Office for review and approval in accordance with Section 70901(b)(9) of the Education Code and with regulations of the Board of Governors pertaining to such plans.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 70901, 70902, 71020.5, 81820, 81821 and 81822, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51010. Affirmative Action.

The governing board of a community college district shall:

- (a) adopt a district policy which describes its affirmative action employment program and meets the requirements of Section 53002;
- (b) develop and adopt a district faculty and staff diversity plan which meets the requirements of Section 53003;
- (c) ensure that its employment patterns are annually surveyed in the manner required by Section 53004;
- (d) ensure that a program of recruitment is carried out as required by Section 53021; and
- (e) ensure that screening and selection procedures are developed and used in accordance with Section 53024;
- (f) ensure that the pattern of hiring decisions, when viewed over time, furthers the goals established in the district's faculty and staff diversity plan; and
- (g) substantially comply with the other provisions of Subchapter 1 (commencing with Section 53000) Chapter 4.

NOTE: Authority cited: Sections 70901 and 87105, Education Code. Reference: Article 4 (commencing with Section 87100) of Chapter 1, Part 51, Education Code.

#### HISTORY

1. Amendment submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 3-26-92; operative 4-24-92 (Register 92, No. 17).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51012. Student Fees.

The governing board of a community college district may only establish such mandatory student fees as it is expressly authorized to establish by law.

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

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

### § 51014. Approval of New Colleges and Educational Centers.

(a) The governing board of a community college district planning the formation of a new college or educational center shall obtain approval for such college or educational center from the Board of Governors. Approval shall be obtained before classes begin at the new college or educational center.

(b) The provisions of Subchapter 11 (commencing with Section 55825) of Chapter 6 shall govern the approval of new colleges and educational centers.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 66700 and 70901, and Articles 1, 2, and 3 (commencing with Section 81800) of Chapter 4, Part 49, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51016. Accreditation.

Each community college within a district shall be an accredited institution. The Accrediting Commission for Community and Junior Colleges shall determine accreditation.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

### § 51018. Counseling Programs.

(a) The governing board of a community college district shall adopt regulations and procedures consistent with the provisions of this section. A copy of district regulations and procedures, as well as any amendments, shall be filed with the Chancellor's Office.

(b) The governing board of a community college district shall provide and publicize an organized and functioning counseling program in each

(c) Districts shall also take steps to ensure that the matriculation process is efficient so that students are not discouraged from participating in college programs. Whenever possible, students should be permitted to avoid additional testing by submitting scores on recently taken tests that correlate with those used by the district.

(d) Students shall be required to express at least a broad educational intent upon admission; declare a specific educational goal within a reasonable period after admission; participate in counseling or advisement pursuant to Section 55523(a)(1), (2), and (3); diligently attend class and complete assigned coursework; and complete courses and maintain progress toward an educational goal according to standards established by the district, consistent with the requirements of Chapter 9 (commencing with Section 55750) of Division 6 of this Part. The governing board of each community college district shall adopt clear written policies not inconsistent with law, specifically defining these responsibilities of students and the consequences of failure to fulfill such responsibilities. This policy shall define the period of time within which a student must identify a specific educational goal as required by this Subsection, provided however, that all students shall be required to declare such a goal during the term after which the student completes 15 semester units or 22 quarter units of degree-applicable credit course work, unless the district policy establishes a shorter period. Once the student has developed a specific educational goal, the district must provide the student with an opportunity to develop a student educational plan pursuant to Section 55525. Student responsibilities shall also be identified in the student's educational plan developed pursuant to Section 55525. If a student fails to fulfill the responsibilities listed in this Subsection, fails to cooperate with the district in the development of a student educational plan within 90 days after declaring his or her specific educational goal, or fails to abide by the terms of his or her student educational plan, the district may, subject to the requirements of this Chapter, suspend or terminate the provision of services authorized in Section 55520, provided however, that nothing in this Section shall be construed to permit a district to suspend or terminate any service which a student is otherwise entitled under any other provision of law.

Information obtained from the matriculation process shall be considered student records and shall be subject to the requirements of Chapter 6 (commencing with Section 54600) of Division 5 of this Part.  
NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76000, 76001, 76001.5 and 78212, Education Code.

#### HISTORY

1. Amendment filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).
2. Amendment of subsection (b) filed 4-3-92; operative 5-4-92 (Register 92, No. 15).
3. Amendment of subsections (a), (b) and (d) filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).

#### § 55532. Exemptions.

(a) Community college districts may elect to exempt certain students from participation in orientation, assessment, counseling or advisement, as required by subsections (b), (c), or (d) of section 55520. Each such district shall establish policies specifying the grounds for exemption. Such policies shall be identified in the matriculation plan required under section 55510 and the number of students so exempted shall be reported, by category, to the Chancellor pursuant to section 55514.

(b) District policies may exempt from orientation, assessment, counseling, or advisement any student who has completed an associate degree or higher.

(c) Any student exempted pursuant to this section shall be notified that he or she is covered by an exemption and shall be given the opportunity to choose whether or not to participate in that part of the matriculation process.

(d) District policies may not use any of the following as the sole criterion for exempting any student who does not wish to participate:

- 1) the student has enrolled only in evening classes;
- 2) the student has enrolled in fewer than some specified number of units;

(3) the student is undecided about his or her educational objectives; or

(4) the student does not intend to earn a degree or certificate.

(e) As part of the statewide evaluation provided for under subsection (c) of section 55512, the Chancellor shall analyze and recommend necessary changes regarding the impact on the matriculation program of the exemption policies adopted by community college districts.

NOTE: Authority cited: Sections 66700, 70901, and 78215, Education Code. Reference: Section 78215, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

#### § 55534. Violations, Waivers and Appeals.

(a) Each community college district shall establish written procedures by which students may challenge any alleged violation of the provisions of this Subchapter. Districts shall investigate and attempt to resolve any such complaints in a timely manner. Such complaint procedures may be consolidated with existing student grievance procedures by action of the governing board. Records of all such complaints shall be retained for at least three years after the complaint has been resolved and shall be subject to review by the Chancellor as part of the statewide evaluation required under Section 55512(c).

(b) When a challenge contains an allegation that a community college district has violated the provisions of Section 55521(a)(6), the district shall, upon completion of the challenge procedure established pursuant to this Section, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to Subchapter 5 (commencing with Section 59300) of Chapter 10 of this Division. Completion of the challenge procedure shall be deemed to satisfy the requirement of Section 59328(b) that the district and the student attempt informal resolution of the complaint.

NOTE: Authority cited: Section 11138, Government Code; Sections 66700 and 70901, Education Code. Reference: Sections 11135-11139.5, Government Code; Sections 78211 and 78213, Education Code.

#### HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).
2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).
3. Amendment of subsection (b) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

## Subchapter 7. Occupational Education

### Article 1. Vocational Education Contracts

#### § 55600. Definitions.

For the purposes of this article the following definitions apply:

(a) "Vocational education contract" means a written agreement between any community college district and a contractor which meets standards prescribed herein to provide vocational instruction to students enrolled in community colleges. Such agreements shall also be required to comply with the provisions of article 5 (commencing with section 8090) of chapter 1, part 6 of the Education Code.

(b) "The California State Plan for Vocational Education" means an official agreement between the United States Commissioner of Education and the California State Board of Education which provides standards, policies, and procedures that shall apply to the operation of various phases of vocational education to qualify for financial support from the Education Amendments of 1976 (Public Law 94-482 and 95-40), part A, Vocational Education, or any subsequent federal legislation.

(c) "Contractor" as used in section 55602 means any private postsecondary school authorized or approved pursuant to the provisions of chapter 3 (commencing with section 94300), and which has been in operation

Chancellor shall allow the district to acquiesce in this finding prior to filing an accusation against the district.

(b) Notify the district and the complainant that there is no reasonable cause to believe the district has violated the provisions of this chapter.

NOTE: Authority cited: Section 11138, Government Code; Sections 71020 and 71025, Education Code. Reference: Sections 11135, 11136, and 11138, Government Code.

#### § 59358. Hearing.

If the Chancellor finds the district has violated the provisions of this chapter, and if the district does not acquiesce in that finding, the Chancellor shall initiate the hearing process pursuant to Chapter 5 (commencing with Section 11500) of Part I, Division 3, Title 2 of the Government Code, to determine whether the violation did occur.

NOTE: Authority cited: Section 11138, Government Code; Sections 71020 and 71025, Education Code. Reference: Sections 11135, 11136, and 11138, Government Code.

#### § 59360. Enforcement.

(a) Upon a determination that a district has violated the provisions of this chapter, the Chancellor shall notify the district of the action he or she will take to effect compliance. The Chancellor may use any means authorized by law to effect compliance, including:

- (1) Withhold all or part of the district's state support;
- (2) Probationary eligibility for future state support, conditional on compliance with specified conditions;
- (3) Proceeding in a court of competent jurisdiction for an appropriate order compelling compliance.

(b) No decision to curtail state funding to a district under this chapter shall be made until the Chancellor has determined that compliance cannot be secured by voluntary means.

NOTE: Authority cited: Section 11138, Government Code; Sections 71020 and 71025, Education Code. Reference: Sections 11135, 11136, and 11138, Government Code.

#### 59362. Judicial Review.

A decision by the Chancellor pursuant to Section 59360 is subject to judicial review by the district, as provided by Section 1094.5 of the Code of Civil Procedure.

NOTE: Authority cited: Section 11138, Government Code; Sections 71020 and 71025, Education Code. Reference: Sections 11135, and 11138, Government Code.

### Subchapter 6. Waiver of Part-Time Instructor Limit

NOTE: Authority cited: Sections 71020 and 87613, Education Code. Reference: Section 87613, Education Code.

#### HISTORY

1. New Chapter 6 (Sections 59380-59388, not consecutive) filed 6-1-82; effective thirtieth day thereafter (Register 82, No. 23).
2. Repealer of Chapter 6 (Sections 59380-59388, not consecutive) filed 3-7-85; effective thirtieth day thereafter (Register 85, No. 10).

### Subchapter 7. Instructional and Other Materials

#### § 59400. Required Instructional and Other Materials.

(a) The governing board of a district may, consistent with the provisions of this Subchapter, require students to provide instructional and other materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the district.

(b) Except as specifically authorized or required in the Education Code, the governing board of a community college district shall not require a student to pay a fee for any instructional and other materials required for a credit or noncredit course.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

#### HISTORY

1. New chapter 7 (sections 59400-59408, not consecutive) filed 5-16-85; effective thirtieth day thereafter (Register 85, No. 20).
2. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
3. Amendment of subsection (a) and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

#### § 59402. Definitions.

For the purposes of this Subchapter the following definitions apply:

(a) "Instructional and other materials" means any tangible personal property which is owned or primarily controlled by an individual student.

(b) "Required instructional and other materials" means any instructional and other materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

(c) "Solely or exclusively available from the district" means that the material is not available except through the district, or that the district requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district's actual cost and:

- (1) the material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons; or
- (2) the material is provided in lieu of other generally available but more expensive material which would otherwise be required.

(d) "Required instructional and other materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of opening statement, subsections (a) and (c)-(c)(2) and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

#### § 59404. District Policies and Regulations for Instructional and Other Materials.

(a) The governing board of a community college district which requires that students provide instructional or other materials for a course shall adopt policies or regulations, consistent with the provisions of this Subchapter, which specify the conditions under which such materials will be required.

(b) The policies or regulations specified in Subsection (a) shall be adopted no later than January 1, 1986, forwarded to the Chancellor's Office upon adoption, and thereafter published in each college catalog developed after the date of adoption.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

#### HISTORY

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of section and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

#### § 59406. Report to Chancellor.

The governing board of a community college district which prescribes required instructional and other materials for its courses shall respond to periodic surveys or inquiries of the Chancellor on the subject.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

## History

1. Amendment of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

**§ 59406.5. Reports Re Instructional Materials Used.**

Each district board shall make reports, whenever required, directly to the Board of Governors or Chancellor's Office, concerning the instructional materials used in its colleges.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

## History

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).

**§ 59408. Operative Date and Violations of Subchapter.**

(a) The regulations in this Subchapter shall become operative on August 15, 1985, provided that a district governing board which wishes to implement these regulations earlier may do so.

(b) The governing board of a district which prescribes required instructional and other materials in violation of this Subchapter shall be deemed to have established a student fee not expressly established by law.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

## History

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. Amendment of section heading, text and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

## Subchapter 7.5. Student Financial Obligations

**§ 59410. Withholding Grades, Transcripts, etc., for Nonrepayment of Financial Obligations.**

The governing board of a community college district may provide by appropriate rules and regulations that grades, transcripts, diplomas and registration privileges, or any combination thereof, shall be withheld from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the district or a college. Any item or items withheld shall be released to the student satisfactorily meets the financial obligation.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

## History

1. Adoption of section submitted to OAL for printing only pursuant to Government Code section 11343.8 (Register 91, No. 23).
2. New subchapter 7.5 heading filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

## Subchapter 8. District Reorganization

**§ 59420. Newly Formed District.**

A community college district is a newly formed district up to the close of the fiscal year in which its formation became effective for all purposes.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

## History

1. New subchapter 8 and section filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

**§ 59422. Use of Bond Proceeds.**

When the territory of a district is reorganized, any funds derived from the proceeds of the bonds issued by the former district shall be used for the acquisition, construction, or improvement of college property only in the

territory which comprised the former district or to discharge the bonded indebtedness of the former district, except that if the bonded indebtedness is assumed by the new district, the funds may be used in any area of the new district for the purposes for which the bonds were originally voted.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

## History

1. Renumbering and amendment of former section 53530 to section 59422 filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

**§ 59424. Territory of District Becoming Part of Two or More Districts; Disposition of Records.**

If all the territory of any reorganized district becomes part of two or more districts, and the inclusion in the two or more districts of the several portions of territory comprising the whole of the original district is effective for all purposes on the same date, the records of the original district shall be disposed of as follows:

(a) All records of the original district which are required by law to be kept on file shall be deposited with the governing board of the district which, after the reorganization has become effective for all purposes, has located within its boundaries the former office of the superintendent of the original district.

(b) Records of employees shall be transferred to the district thereafter employing the personnel or thereafter maintaining the last place of employment.

(c) Records of students shall be transferred to the district which, after the date on which the reorganization becomes effective for all purposes, maintains the college in which a student was last enrolled.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

## History

1. Renumbering and amendment of former section 53540 to section 59424 filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

## Subchapter 9. Minority, Women, and Disabled Veteran Business Enterprise Participation Goals for the California Community Colleges

**§ 59500. Scope of Subchapter.**

(a) The California Community Colleges shall provide opportunities for minority, women, and disabled veteran business enterprise participation in the award of district contracts consistent with this Subchapter. The statewide goal for such participation is not less than 15 percent minority business enterprise participation, not less than 5 percent women business enterprise participation, and not less than 3 percent disabled veteran business enterprise participation of the dollar amount expended by all districts each year for construction, professional services, materials, supplies, equipment, alteration, repair, or improvement. However, each district shall have flexibility to determine whether or not to seek participation by minority, women, and disabled veteran business enterprises for any given contract.

(b) Nothing in this Subchapter authorizes any district to discriminate in awarding contracts on the basis of ethnic group identification, ancestry, religion, age, sex, race, color, or physical or mental disability.

NOTE: Authority cited: Sections 66700, 70901 and 71028, Education Code. Reference: Section 71028, Education Code; Article 1.5, Chapter 1, Part 1, Public Contract Code.

## History

1. New subchapter 9 and section filed 12-29-93; operative 1-28-94. Submitted to OAL for printing only (Register 94, No. 6).

**§ 59502. Definitions.**

The definitions set forth in Subsections (d), (e), and (f) of Section 10115.1 of the Public Contract Code, as they may be amended from time to time, apply to this Subchapter and are incorporated herein as though fully set forth in addition, for purposes of this Subchapter.

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(b) file a copy of its regulations, and any amendments thereto, with the Chancellor; and

(c) substantially comply with its regulations and the regulations of the Board of Governors pertaining to standards of scholarship.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51004. Degree and Certificates.

The governing board of a community college district shall:

(a) adopt regulations consistent with regulations contained in Subchapter 10 (commencing with Section 55800) of Chapter 6;

(b) file a copy of its regulations and any amendments thereto with the Chancellor; and

(c) substantially comply with its regulations and the regulations of the Board of Governors pertaining to degrees and certificates.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51006. Open Courses.

(a) The governing board of a community college district shall adopt by resolution the following or a comparable statement: "The policy of his district is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, whenever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in Article 2.5 (commencing with Section 55200) of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations."

(b) The statement of policy adopted by the board pursuant to Subsection (a) shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which full-time equivalent student (FTES) is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78020 et seq., Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51008. Comprehensive Plan.

(a) The governing board of a community college district shall establish policies for, and approve, comprehensive or master plans which include academic master plans and long range master plans for facilities. The content of such plans shall be locally determined, except that the plans shall also address planning requirements specified by the Board of Governors.

(b) Such plans, as well as any annual updates or changes to such plans, shall be submitted to the Chancellor's Office for review and approval in accordance with Section 70901(b)(9) of the Education Code and with regulations of the Board of Governors pertaining to such plans.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 70901, 70902, 71020.5, 81820, 81821 and 81822, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51010. Affirmative Action.

The governing board of a community college district shall:

(a) adopt a district policy which describes its affirmative action employment program and meets the requirements of Section 53002;

(b) develop and adopt a district faculty and staff diversity plan which meets the requirements of Section 53003;

(c) ensure that its employment patterns are annually surveyed in the manner required by Section 53004;

(d) ensure that a program of recruitment is carried out as required by Section 53021; and

(e) ensure that screening and selection procedures are developed and used in accordance with Section 53024;

(f) ensure that the pattern of hiring decisions, when viewed over time, furthers the goals established in the district's faculty and staff diversity plan; and

(g) substantially comply with the other provisions of Subchapter 1 (commencing with Section 53000) Chapter 4.

NOTE: Authority cited: Sections 70901 and 87105, Education Code. Reference: Article 4 (commencing with Section 87100) of Chapter 1, Part 51, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 3-26-92; operative 4-24-92 (Register 92, No. 17).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51012. Student Fees.

The governing board of a community college district may only establish such mandatory student fees as it is expressly authorized to establish by law.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 15).

#### § 51014. Approval of New Colleges and Educational Centers.

(a) The governing board of a community college district planning the formation of a new college or educational center shall obtain approval for such college or educational center from the Board of Governors. Approval shall be obtained before classes begin at the new college or educational center.

(b) The provisions of Subchapter 11 (commencing with Section 55825) of Chapter 6 shall govern the approval of new colleges and educational centers.

NOTE: Authority cited: Sections 66700, 70901 and 81805, Education Code. Reference: Sections 66700 and 70901, and Articles 1, 2, and 3 (commencing with Section 81800) of Chapter 4, Part 49, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23).

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- (d) Athletic insurance for the intercollegiate athletic team;
- (e) Medical supplies for athletics;
- (f) Physical examinations for intercollegiate athletics;
- (g) Ambulance services and salaries of health professionals for athletic events;
- (h) Any deductible expenses for accident claims filed for athletic team members;

(i) Sabbatical expenses for health service personnel.  
Nothing within these provisions should deny a student participating in athletic programs a service which is properly supported by student health fees.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 72246, Education Code.

#### HISTORY

1. New section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18). For prior history, see Register 79, No. 28.
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 20).

#### § 54708. Fundable Expenses.

Student health fees may be expended for the following.

- (a) Cost of instructional materials for health education;
- (b) Consultants directly involved in student health service programs;
- (c) Rental and lease of space for the conduct of student health programs and services;
- (d) Cost of equipment and medical supplies;
- (e) Salaries of student health personnel (including fringe benefits);
- (f) Student health and/or hospitalization insurance.
- (g) Travel with student health services funds is limited to student health personnel and only for student health related activities.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 72246, Education Code.

#### HISTORY

1. New section filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18). For prior history, see Register 79, No. 28.
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 20).

#### § 54710. Emergency Information.

For the protection of a student's health and welfare the governing board of a community college district may require the parent or legal guardian of a minor to keep current at the minor's school of attendance, emergency information including the home address and telephone number, business address, and telephone number of the parents or guardian, and the name, address, and telephone number of a relative or friend who is authorized to care for the student in any emergency situation if the parent or legal guardian cannot be reached.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 20).

## Subchapter 8. Student Organization

### Article 1. Student Representation Fee

#### § 54801. Calling of Election.

The governing body of each student body association authorized by Education Code section 76060 shall establish procedures for elections

conducted for the purpose of collecting a student representation fee, and call an election for such purpose. The election shall, at a minimum, meet the following criteria:

- (a) The student body association on each campus shall maintain in its office written information regarding election procedures. Such information shall be made available to the public upon request.
- (b) Adequate notice of the election shall be given by the student body association. Adequate notice is deemed to be at least ten school days prior to the election date.

(c) Each election shall be held on a day which counts toward the 175 day requirement as defined in section 58120 of this part. In instances where an election is conducted for more than one day, those days shall be consecutive and shall be limited to a maximum of five days.

NOTE: Authority cited: Section 66700, 70901, and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

#### HISTORY

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 20).

#### § 54803. Termination of Fee.

(a) Any student representation fee that has been instituted pursuant to the procedures enumerated in section 54801 may be terminated by a majority of the students voting in an election called in one of the following two manners:

(1) By placing the issue on the ballot for the next regular associated student body election. The issue shall be placed on the ballot upon receipt of a petition indicating an interest in the termination of the representation fee signed by a majority of the number of students who voted in the election establishing the fee.

(2) Pursuant to procedures pre-established by the student body association for calling such an election. Such procedures shall be available for public inspection during regular business hours.

(b) The elections shall be conducted in accordance with the procedures established pursuant to section 54801.

NOTE: Authority cited: Sections 66700, 70901 and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

#### HISTORY

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 20).

#### § 54805. Collection of the Fee.

District governing boards shall include in the materials given to each student at registration, information pertaining to the representation fee. The form used by a college for the purpose of collecting the fee shall contain, at a minimum, the following:

(a) a statement indicating that the money collected pursuant to this article shall be expended to provide support for students or representatives who may be stating their positions and viewpoints before city, county, and district government, and before offices and agencies of the state and federal government;

(b) the amount of the fee;

(c) a statement informing the students of their right to refuse to pay the fee for religious, political, moral or financial reasons.

NOTE: Authority cited: Sections 66700, 70901 and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.

#### HISTORY

1. New section filed 5-12-88; operative 5-12-88 (Register 88, No. 20).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 20).

dards of attendance and achievement that the committee deems appropriate for the enrolled students. In order to be eligible for state apportionment, such courses are limited to the categories of instruction listed in Education Code Section 84711 and must be approved by the Chancellor's Office as noted in Title 5, Section 55150.

(2) **Course Outline of Record.** The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the scope, objectives, contents, instructional methodology, and methods of evaluation for determining whether the stated objectives have been met.

(3) **Conduct of Course.** All sections of the course are to be taught by a qualified instructor in accordance with the set of objectives and other specifications defined in the course outline of record.

(d) **Community Services Class.** A community services class is a class that meets the following minimum requirements:

- (1) is approved by the local district governing board;
- (2) is designed for the physical, mental, moral, economic, or civic development of persons enrolled therein;
- (3) provides subject matter content, resource materials, and teaching methods which the district governing board deems appropriate for the enrolled students;
- (4) is conducted in accordance with a predetermined strategy or plan;
- (5) is open to all members of the community; and
- (6) may not be claimed for apportionment purposes.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

- 1. Amendment of subsection (a) filed 12-28-83; effective upon filing pursuant to Government Code section 11346.2(d) (Register 83, No. 53).
- 2. Amendment filed 5-18-84; effective thirtieth day thereafter (Register 84, No. 20).
- 3. Repealer and new section filed 10-7-88; operative 11-6-88 (Register 88, No. 20).
- 4. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- 5. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).
- 6. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).
- 7. Editorial correction of HISTORY 4 (Register 95, No. 20).

**§ 55002.5. Credit Hour; Allowance for Shorter Term.**

One credit hour of community college work is approximately three hours of recitation, study, or laboratory work per week throughout a term of 16 weeks. Where a term is more or less than 16 weeks, more or less than one credit hour shall be allowed in the same ratio that the length of the term is to 16 weeks.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

- 1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- 2. Editorial correction of HISTORY 1 (Register 95, No. 20).

**§ 55004. Social Science Courses.**

The course of instruction in social sciences shall include a study of the role, participation, and contribution of both men and women, black Americans, American Indians, Mexicans, Asians, Pacific Island people, and other ethnic groups to the economic, political, and social development of California and the United States of America.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

- 1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23).

Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

- 2. Editorial correction of HISTORY 1 (Register 95, No. 20).

**§ 55005. Publication of Course Standards.**

For each course offered, a community college shall make available to students through college publications all of the following facts before they enroll in the course:

- (a) Whether the course is offered as a credit or noncredit course, or a community services class.
  - (b) Whether the course is transferable to four-year colleges and universities.
  - (c) Whether the course fulfills a major or general education requirement.
  - (d) Whether the course is offered on the basis of credit-no credit, and if so, which provision of subsection (a) of section 51302 is applicable.
- NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66700 and 70901, Education Code.

**HISTORY**

- 1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- 2. Editorial correction of HISTORY 1 (Register 95, No. 20).

**§ 55006. Records and Reports.**

Authorities of each community college maintaining credit and non-credit courses and community services classes and activities shall keep and submit such current records and reports concerning their total activities as may be required by the Chancellor to fulfill statutory responsibilities.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.

**HISTORY**

- 1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- 2. Editorial correction of HISTORY 1 (Register 95, No. 20).

**§ 55008. Appointment of Vocational Education Advisory Committee by School District Participating in Vocational Education Program.**

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

- 1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- 2. Editorial correction of printing error in second paragraph (Register 91, No. 43).
- 3. Repealer filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
- 4. Editorial correction of HISTORY 1 (Register 95, No. 20).

**Article 2. Approval of Courses, Programs and Classes**

**§ 55100. Course Approval.**

Except as provided in subsection (b) and section 55160, each course to be offered by a community college shall be approved by the Chancellor before the course is offered by the college. The course shall be submitted to the Chancellor on forms provided by the Chancellor's Office.

(b) If an educational program has been approved by the Chancellor, the governing board of a district shall establish policies for, and may approve individual courses which are offered as part of an approved program. Such courses need not be approved by the Chancellor, but shall be reported in the manner provided in subsection (c).

(c) For each course approved by a district, whether or not approval by the Chancellor is required, the district shall designate the appropriate classification of the course or activity in accordance with section 55001.

**NOTE:** Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78401, Education Code.

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**§ 55728. Flexible Calendar Attendance Reporting.**

(a) On forms provided by the Chancellor, districts with approved flexible calendar operations shall report at least the following:

(1) the total hours of classroom assignments (teaching time) which instructors specified in the district's approved plan were required to teach;

(2) of the total in Subsection (a)(1), the total faculty contact hours of instruction for which staff, student, and instructional improvement activities are being substituted. This total of faculty contact hours shall further be reported in terms of credit and noncredit faculty contact hours of instruction; and

(3) the number of faculty contact hours of instruction for which instruction during the designated days is being substituted. Such instruction during the designated days meeting the attendance accounting standards may be claimed for apportionment; and the faculty contact hours shall not be eligible for adjustment pursuant to Section 55729.

(b) Districts with approved flexible calendar operations shall also report such additional data as deemed necessary by the Chancellor including any data necessary to compute the FTES adjustment specified in Section 55729.

NOTE: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

**HISTORY**

1. New section filed 11-10-82; effective thirtieth day thereafter (Register 82, No. 46).
2. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).
3. Amendment of subsections (a)(1), (a)(3), (b) and NOTE filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
4. Amendment of subsections (a)(2)-(b) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

**§ 55729. Full-time Equivalent Student (FTES) Units; Adjustments to Reflect Activities; Computation by Multiplier Factor.**

(a) The Chancellor's Office shall adjust the actual units of full-time equivalent student of a district operating under a plan approved in accordance with Sections 55720-32 to reflect the conduct of staff, student, and instructional improvement activities in lieu of scheduled instruction during flexible time. The adjusted units of full-time equivalent student shall be computed by multiplying the actual units of full-time equivalent student in the academic year, exclusive of any intersessions, computed pursuant to Section 58003.1, by a factor which does not change the full-time equivalent student which would have otherwise been generated if the time for the improvement activities had not been permitted and scheduled instruction had instead taken place.

(b) For courses other than those described in Subsection (b) of Section 58003.1, the multiplier factor shall equal the sum of the following:

- (1) 1.0; and
- (2) the total of all the actual hours of flexible time of all instructors pursuant to Section 55720 in the fiscal year, divided by the total of all the actual hours of classroom instruction of all instructors in the academic year, exclusive of any intersessions.

(c) For those courses described in Subsection (b) of Section 58003.1, this multiplier factor shall equal the maximum term length multiplier set forth in that Subsection.

(d) The Chancellor shall also withhold the appropriate amount of state aid whenever there is a final audit finding that an instructor did not spend at least as much time performing staff, student, and instructional improvement activities as the amount of time he or she was released from classroom instruction.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. New section filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
2. Amendment of section heading and text filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

**§ 55730. Ongoing Responsibilities of Districts.**

A district conducting an approved flexible calendar shall do all of the following to ensure effective use of resources during flex days:

(a) conduct and annually update a survey of the most critical staff, student, and instructional improvement needs in the district;

(b) develop and carry out a plan of activities to address the critical needs;

(c) maintain records on the description, type and number of activities scheduled and the number of district employees and students participating in these activities;

(d) evaluate annually the effectiveness of conducted activities and update the plan to reflect needed changes;

(e) appoint and hold regular meetings of an advisory committee composed of faculty, students, administrators and other interested persons to make recommendations on staff, student, and instructional improvement activities; and

(f) provide, upon request of the Chancellor, copies of documents and information specified in Subsections (a) through (d), inclusive.

NOTE: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

**HISTORY**

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

**§ 55732. Ongoing Responsibilities of the Chancellor.**

The Chancellor shall:

(a) Adjust state aid for districts with approved flexible calendar operations in accordance with the provisions of section 55729 of this Part;

(b) Periodically review documentation from selected districts to determine whether they are in compliance with the provisions of sections 55726, 55728, and 55730, and to determine whether they are conducting their flexible calendar operations in a manner consistent with the approved requests. Districts which are found to be out of compliance shall be notified and be given an opportunity to respond; and

(c) Terminate approval of any flexible calendar operation if it is found that the district has, without good cause:

(1) failed to conduct its flexible calendar operation in a manner consistent with its approved request;

(2) failed to carry out the responsibilities specified in section 55726; or

(3) failed to meet its ongoing responsibilities as specified in section 55730.

NOTE: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

**HISTORY**

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).
2. Amendment filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

**Subchapter 9. Standards of Scholarship**

**§ 55750. Regulations.**

The governing board of a district maintaining a community college shall adopt regulations consistent with this chapter. The regulations shall be published in the college catalog under appropriate headings and filed with the Chancellor's Office as required by section 51002 of this part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. New chapter 9 (sections 55750-55765) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 22).

**§ 55751. Grading Practices.**

Each governing board maintaining one or more community colleges shall determine a uniform grading practice for the district which shall be based on sound academic principles and conform to the following standards:

(a) Work in all courses acceptable in fulfillment of the requirements for an associate or baccalaureate degree, a certificate, diploma or license shall be graded in accordance with a grading scale adopted by the governing board consistent with section 55758.

(b) Such work shall also be graded in accordance with the provisions of section 55752 or section 55753.

NOTE: Authority cited: Sections 66700, 70901, 71020, and 71024, Education Code. Reference: Sections 70901 and 70902, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55752. Credit-No Credit Options.

(a) The governing board of a district maintaining a community college may by resolution and regulation offer courses in either or both of the following categories and shall specify in its catalog the category into which each course falls:

(1) Courses wherein all students are evaluated on a "credit-no credit" basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30% of the term, whether the basis of evaluation is to be "credit-no credit" or a letter grade.

(b) All units earned on a "credit-no credit" basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a "credit-no credit" basis shall not be used to calculate grade point averages. However, units attempted for which "NC" (as defined in section 55758) is recorded shall be considered in probation and dismissal procedures.

(d) Independent study courses offered in accordance with sections 55300-55352 of this part may be graded on a "credit-no credit" basis in accordance with subdivision (a) of this section.

(e) When a district offers courses in which there is a single standard of performance for which unit credit is assigned, the "CR/NC" grading system shall be used to the exclusion of other grades. Credit shall be assigned for meeting that standard, no credit for failure to do so.

NOTE: Authority cited: Sections 70901 and 71020, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55753. Credit by Examination.

(a) The governing board maintaining one or more community colleges shall adopt and publish procedures and regulations pertaining to credit by examination in accordance with the provisions of this section and the provisions of sections 55751, 55752, 55758, 55760, 55761, 55762, and 55764.

(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(c) The student's academic record shall be clearly annotated to reflect that credit was earned by examination.

(d) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55754. Standards for Probation.

(a) Academic probation. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading scale described in section 55758.

(b) Progress probation. A student who has enrolled in a total of at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded reaches or exceeds fifty percent (50%).

(c) The governing board of a community college district may adopt standards for probation not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum number of units before academic or progress probation is assessed, a number of units fewer than 12 semester or 18 quarter units; or

(2) A district may establish, as the minimum grade point average for academic probation purposes, a grade point average greater than 2.0; or

(3) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55755. Removal from Probation.

(a) A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade point average is 2.0 or higher.

(b) A student on progress probation because of an excess of units for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

(c) The governing board of a district shall adopt and publish procedures and conditions for probation and appeal of probation and request for removal from probation. Such procedures and conditions may establish standards not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as a minimum grade point average for removal from academic probation, a grade point average greater than 2.0; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55756. Standards for Dismissal.

For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment (i.e., a fall quarter followed by a spring quarter shall be considered consecutive if the student was not enrolled in the winter quarter of that academic year).

(a) A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade point average of less than 1.75 in all units attempted in each of 3 consecutive semesters (5 consecutive quarters) which were graded on the basis of the grading scale described in section 55758.

(b) A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been

enrolled for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55754.

The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subsections (a) and (b) of this section. Specifically:

- (1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or
- (2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%); or
- (3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 25). Submitted to OAL for printing only pursuant to Education Code Section 71.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

**§ 55756.5. Remedial Coursework Limit.**

(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subsection (d) of section 55502 of this part.

A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to chapter 6 (commencing with section 55500) of division 6 of this part. However, except as provided in subsection (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.

(b) The following students are exempted from the limitation on remedial coursework described in subsection (a) of this section:

- (1) Students enrolled in one or more courses of English as a Second Language (ESL);
- (2) Students identified by the district as having a learning disability as defined in section 56014 of this part.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for college-level work within the limit described in subsection (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.

(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will rea-

sonably assure success in college-level courses, request reinstatement to proceed with college-level coursework.

(g) The governing board of a each district shall submit, through the established Management Information System, information necessary to enable the Chancellor to determine the following:

- (1) The effect of this section on students by sex, age, and ethnicity;
- (2) Success rates for students enrolled in "remedial coursework";

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

**HISTORY**

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

**§ 55757. Units Attempted.**

For the purposes of sections 55754 and 55756, "all units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion in or exclusion of units in which a student did not receive a grade or "credit-no credit" or from which the student withdrew in accordance with rules adopted by the district governing board.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

**§ 55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average. The highest grade shall receive four points, and the lowest grade shall receive 0 points, using only the following evaluative symbols:

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) of this section in the catalog or catalogs of that community college district as a part of its grading practices.

(c) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition
I	Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.

The "I" may be made up no later than one year following the end of the term in which it was assigned.

Symbol	Definition	Symbol	Definition
	The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.		Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."
IP	In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.		For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.
RD	Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.		The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.
W	Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:  Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."  The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.  Nonotation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.  Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.		Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.  A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.  Military Withdrawal: The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:  "Military withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990 and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to "MW"s.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment of subsection (c) filed 5-20-91 and submitted to OAL on 5-24-91 for printing only pursuant to Education Code section 10901.5; operative 6-19-91 (Register 91, No. 31).
3. Editorial correction of printing error in NOTE (Register 91, No. 43).
4. Editorial correction restoring omitted definition of "Military Withdrawal" and its HISTORY NOTE (Register 92, No. 5).
5. Editorial correction of HISTORY 1 (Register 95, No. 22).

#### § 55758.5. Grade Point Averaging.

(a) This section augments and should be read in conjunction with Section 55758 relating to academic record symbols and grade point average.

(b) In calculating students' degree applicable grade point averages, grades earned in nondegree credit courses shall not be included.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. New section filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

#### § 55759. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning

of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of printing error (Register 91, No. 43).
3. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55760. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging an incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55761. District Policy for Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55762. Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college

shall not adopt any regulation or procedure which conflicts with:

(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55763. Course Repetition: Special Circumstances.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

(b) When course repetition under this section occurs, the student's permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(c) Grades awarded for courses repeated under the provisions of this section shall not be counted in calculating a student's grade point average.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55764. District Policy for Academic Renewal Without Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the alleviation of previously recorded substandard academic performance, as defined in section 55761, which is not reflective of a student's demonstrated ability. Such procedures or regulations shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal regulations. When academic renewal procedures or regulations adopted by the districts permit previously recorded, substandard course work to be disregarded in the computation of

grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55765. Academic Renewal Without Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the alleviation of previously recorded, substandard academic performance, as defined in section 55764, which is not reflective of a student's demonstrated ability, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

- (1) Education Code section 76224, pertaining to the finality of grades assigned by instruction, and
- (2) Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records, and particularly subdivision (d) of section 59023, relating to the permanency of certain student records.

(b) Shall, when the adopted procedures or regulations permit such alleviation, state:

- (1) The maximum amount of coursework that may be alleviated;
- (2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;
- (3) The length of time to have elapsed since the coursework to be alleviated was recorded; and
- (4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation regulations.

(c) Shall, when the adopted procedures or regulations permit such alleviation, publish specific procedures to be followed in implementing procedures or regulations adopted pursuant to this section and section 55764 stating, at a minimum:

- (1) The procedures to be followed by students in petitioning for alleviation; and
- (2) The officers and/or personnel responsible for implementing the procedures or regulations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of printing error in NOTE (Register 91, No. 43).
3. Editorial correction of HISTORY 1 (Register 95, No. 22).

## Subchapter 10. Degrees and Certificates

### § 55800. Regulations.

The governing board of community college districts shall adopt policy consistent with the provisions of this chapter. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004 of this part.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

#### HISTORY

1. New chapter 10 (sections 55800-55810, not consecutive) filed 7-13-83; effective thirtieth day thereafter (Register 83, No. 29).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

3. Editorial correction of HISTORY 2 (Register 95, No. 22).

### § 55800.5. Minimum Credit Hours for Graduation from Two-Year Course.

An associate degree shall be awarded to any student who successfully completes the prescribed course of study for the degree while maintaining the requisite grade point average, the course of study required for the student's major, and any required academic elective courses.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55801. Definitions.

For the purpose of this chapter, "satisfactorily completed" means either credit earned on a "credit-no credit" basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55802. Associate in Arts Degree (Applicable Until July 1, 1983).

The governing board of a community college district shall confer the degree of associate in arts upon a student who in grades 13 and 14 has satisfactorily completed from 60 to 64 semester hours of work in a curriculum which the district accepts toward the degree (as shown by its catalog) and which includes all of the following minimum requirements, provided that 12 hours of the required credit hours were secured in residence at that community college:

- (a) 18 semester units of study taken in a discipline or from related disciplines as listed in the Community Colleges "Classification of Instructional Disciplines."
- (b) 15 semester units of general education which shall include at least one course in each of the following areas
  - (1) Natural sciences. Those courses of study which deal with matter and energy and their interrelations and transformations (e.g., chemistry, physics, biology).
  - (2) Social sciences. The body of knowledge that relates to the human being as a member of society or component of society, such as the state, family, or any systematized human institution (e.g., economics, political science, sociology).
  - (3) Humanities. Those courses of study having primarily a cultural character (e.g., languages, literature, philosophy, fine arts).
  - (4) Learning skills. Courses, such as oral and written communication, logic, mathematics, and statistics, designed to facilitate acquisition and utilization of knowledge in natural sciences, social sciences, and humanities.

These courses may be eligible for partial satisfaction of the general education requirements for a baccalaureate degree at the California State University in accordance with the provisions of Section 40405 of this title.

(c) Ethnic studies courses shall be offered in one or more of the areas listed in subdivision (b).

The community college may determine which courses satisfy the requirements of this subdivision.

The governing board may make exceptions to the residence requirement in any instance in which it determines that an injustice or hardship would otherwise be placed upon an individual student.

Register 95-29

§ 59404

§ 59410

**HISTORY**

1. New chapter 7 (sections 59400-59408, not consecutive) filed 5-16-85; effective thirtieth day thereafter (Register 85, No. 20).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Amendment of subsection (a) and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Editorial correction of HISTORY 2 (Register 95, No. 29).

**59402. Definitions.**

For the purposes of this Subchapter the following definitions apply:

- (a) "Instructional and other materials" means any tangible personal property which is owned or primarily controlled by an individual student.
- (b) "Required instructional and other materials" means any instructional and other materials which a student must procure or possess as a condition of registration, enrollment or entry into a class; or any such material which is necessary to achieve those required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

(c) "Solely or exclusively available from the district" means that the material is not available except through the district, or that the district requires that the material be purchased or procured from it. A material shall not be considered to be solely or exclusively available from the district if it is provided to the student at the district's actual cost and:

- (1) the material is otherwise generally available, but is provided solely or exclusively by the district for health and safety reasons; or
- (2) the material is provided in lieu of other generally available but more expensive material which would otherwise be required.

(d) "Required instructional and other materials which are of continuing value outside of the classroom setting" are materials which can be taken from the classroom setting, and which are not wholly consumed, used up, or rendered valueless as they are applied in achieving the required objectives of a course which are to be accomplished under the supervision of an instructor during class hours.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

**HISTORY**

Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

Amendment of opening statement, subsections (a) and (c)-(c)(2) and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38). Editorial correction of HISTORY 1 (Register 95, No. 29).

**59404. District Policies and Regulations for Instructional and Other Materials.**

(a) The governing board of a community college district which requires that students provide instructional or other materials for a course shall adopt policies or regulations, consistent with the provisions of this subchapter, which specify the conditions under which such materials will be required.

(b) The policies or regulations specified in Subsection (a) shall be adopted no later than January 1, 1986, forwarded to the Chancellor's Office upon adoption, and thereafter published in each college catalog developed after the date of adoption.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

**HISTORY**

Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

Amendment of section and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

Editorial correction of HISTORY 1 (Register 95, No. 29).

**§ 59408. Report to Chancellor.**

The governing board of a community college district which prescribes required instructional and other materials for its courses shall respond to periodic surveys or inquiries of the Chancellor on the subject.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment of NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 29).

**§ 59406.5. Reports Re Instructional Materials Used.**

Each district shall make reports, whenever required, directly to the Board of Governors or Chancellor's Office, concerning the instructional materials used in its colleges.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 29).

**§ 59408. Operative Date and Violations of Subchapter.**

(a) The regulations in this Subchapter shall become operative on August 15, 1985, provided that a district governing board which wishes to implement these regulations earlier may do so.

(b) The governing board of a district which prescribes required instructional and other materials in violation of this Subchapter shall be deemed to have established a student fee not expressly established by law.

NOTE: Authority cited: Sections 66700, 70901 and 76365, Education Code. Reference: Sections 70901, 70902 and 76365, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment of section heading, text and NOTE filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 29).

**Subchapter 7.5. Student Financial Obligations****§ 59410. Withholding Grades, Transcripts, etc., for Nonrepayment of Financial Obligations.**

The governing board of a community college district may provide by appropriate rules and regulations that grades, transcripts, diplomas and registration privileges, or any combination thereof, shall be withheld from any student or former student who has been provided with written notice that he or she has failed to pay a proper financial obligation due to the district or a college. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

**HISTORY**

1. New section filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. New subchapter 7.5 heading filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
3. Editorial correction of HISTORY 1 (Register 95, No. 29).

Register 98-03

§ 55758

enrolled for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55754.

The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%), or

(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

**§ 55756.5. Remedial Coursework Limit.**

(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subsection (d) of section 55502 of this part.

A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to chapter 6 (commencing with section 55500) of division 6 of this part. However, except as provided in subsection (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.

(c) The following students are exempted from the limitation on remedial coursework described in subsection (b) of this section:

(1) Students enrolled in one or more courses of English as a Second Language (ESL);

(2) Students identified by the district as having a learning disability as defined in section 56014 of this part.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for college-level work within the limit described in subsection (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.

(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will reasonably assure success in college-level courses, request reinstatement to proceed with college-level coursework.

(g) The governing board of each district shall submit, through the established Management Information System, information necessary to enable the Chancellor to determine the following:

- (1) The effect of this section on students by sex, age, and ethnicity;
- (2) Success rates for students enrolled in "remedial coursework";

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

**HISTORY**

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

**§ 55757. Units Attempted.**

For the purposes of sections 55754 and 55756, "all units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion in or exclusion of units in which a student did not receive a grade or "credit-no credit" or from which the student withdrew in accordance with rules adopted by the district governing board.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

**HISTORY**

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

**§ 55758. Academic Record Symbols and Grade Point Average.**

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average using only the following evaluative symbols, except as provided in subsection (b):

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory—units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing—units not counted in GPA)	

(b) The governing board of a community college district may use "plus" and "minus" designations in combination with letter grades, except that the grade of C minus shall not be used. If pluses and minuses are used, the grade point value of a plus shall be computed by adding 0.3 to the value assigned to the letter grade with which it is combined, and the grade point value of a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade with which it is combined, except that no grade point value shall be less than 0 or greater than 4.0.

(c) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) or subsections (a) and (b) (if pluses and minuses are used) in the catalog or catalogs of that community college district as a part of its grading practices.

(d) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

<i>Symbol</i>	<i>Definition</i>	<i>Symbol</i>	<i>Definition</i>
<b>I</b>	<p><b>Incomplete:</b> Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.</p> <p>The "I" may be made up no later than one year following the end of the term in which it was assigned.</p> <p>The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.</p>	<b>I</b>	<p>The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.</p> <p>No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.</p> <p>Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.</p> <p>Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."</p> <p>For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.</p> <p>The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.</p> <p>Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.</p> <p>A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.</p> <p><b>Military Withdrawal:</b> The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:</p> <p>"Military withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990 and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to "MW"s.</p>
<b>IP</b>	<p><b>In progress:</b> The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.</p>		
<b>RD</b>	<p><b>Report Delayed:</b> The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.</p>		
<b>W</b>	<p><b>Withdrawal:</b> The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:</p> <p>Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in Section 55758 of this part, other than a "W."</p>		

Note: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23).

Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

- Amendment of subsection (c) filed 5-20-91 and submitted to OAL on 5-24-91 for printing only pursuant to Education Code section 10901.5; operative 6-19-91 (Register 91, No. 31).

Editorial correction of printing error in NOTE (Register 91, No. 43).

- Editorial correction restoring omitted definition of "Military Withdrawal" and its HISTORY NOTE (Register 92, No. 5).

- Editorial correction of HISTORY 1 (Register 95, No. 22).

- Amendment of subsection (a), new subsection (b), subsection relettering, amendment of newly designated subsection (c), and amendment of NOTE filed 1-12-98; operative 2-11-98. Submitted to OAL for printing only (Register 98, No. 3).

#### § 55758.5. Grade Point Averaging.

(a) This section augments and should be read in conjunction with Section 55758 relating to academic record symbols and grade point average.

(b) In calculating students' degree applicable grade point averages, grades earned in nondegree credit courses shall not be included.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

##### HISTORY

- New section filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

#### § 55759. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

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

##### HISTORY

- Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- Editorial correction of printing error (Register 91, No. 43).
- Editorial correction of HISTORY 1 (Register 95, No. 22).

#### § 55760. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

##### HISTORY

- Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- Editorial correction of HISTORY 1 (Register 95, No. 22).

#### § 55761. District Policy for Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For pur-

poses of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

##### HISTORY

- Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- Editorial correction of HISTORY 1 (Register 95, No. 22).

#### § 55762. Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall, in accordance, deem any course repetition permitted under section 55761 to require "prior written permission from the district superintendent or the district superintendent's authorized representative or representatives";

(e) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(f) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(g) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(h) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

##### HISTORY

- Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
- Editorial correction of HISTORY 1 (Register 95, No. 22).

#### § 55763. Course Repetition: Special Circumstances.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded. Repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the governing board or its designee based on a finding that circumstances exist which justify such repetition.

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(c) The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards lower than the standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%), or

(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

§ 55756.5 Remedial Coursework Limit.

(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subsection (d) of section 55502 of this part.

(b) A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to chapter 6 (commencing with section 55500) of division 5 of this part. However, except as provided in subsection (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.

(c) The following students are exempted from the limitation on remedial coursework described in subsection (b) of this section:

(1) Students enrolled in one or more courses of English as a Second Language (ESL);

(2) Students identified by the district as having a learning disability as defined in section 56014 of this part.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for college-level work within the limit described in subsection (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.

(f) A student may, upon successful completion of appropriate "remedial coursework," or upon demonstration of skills levels which will reasonably assure success in college-level courses, request reinstatement to proceed with college-level coursework.

(g) The governing board of a each district shall submit, through the established Management Information System, information necessary to the Chancellor to determine the following:

- (1) The effect of this section on students by sex, age, and ethnicity;
- (2) Success rates for students enrolled in "remedial coursework";

NOTE: Authority cited: Sections 71020, 71062 and 84500.1, Education Code. Reference: Sections 84500 and 84500.1, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-6-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

§ 55757. Units Attempted.

For the purposes of sections 55754 and 55756, "all units attempted" means all units of credit for which the student is enrolled in the current community college of attendance. The governing board of each district shall adopt rules and regulations governing the inclusion in or exclusion of units in which a student did not receive a grade or "credit-no credit" or from which the student withdrew in accordance with rules adopted by the district governing board.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

§ 55758. Academic Record Symbols and Grade Point Average.

(a) Grades from a grading scale shall be averaged on the basis of the point equivalencies to determine a student's grade point average using only the following evaluative symbols, except as provided in subsections (b) and (c):

Symbol	Definition	Grade Point
A	Excellent	4
B	Good	3
C	Satisfactory	2
D	Passing, less than satisfactory	1
F	Failing	0
CR	Credit (at least satisfactory---units awarded not counted in GPA)	
NC	No Credit (less than satisfactory, or failing---units not counted in GPA)	

(b) The governing board of a community college district may use "plus" and "minus" designations in combination with letter grades, except that the grade of C minus shall not be used. If pluses and minuses are used, the grade point value of a plus shall be computed by adding 0.3 to the value assigned to the letter grade with which it is combined, and the grade point value of a minus shall be computed by subtracting 0.3 from the value assigned to the letter grade with which it is combined, except that no grade point value shall be less than 0 or greater than 4.0.

(c) Regardless of whether the governing board elects to use plus and minus grading, it may provide for the use of the "FW" grade symbol to indicate that a student has both ceased participating in a course some time after the last day to officially withdraw from the course without having achieved a final passing grade, and that the student has not received district authorization to withdraw from the course under extenuating circumstances. The "FW" symbol may not be used if a student has qualified for and been granted military withdrawal. If "FW" is used, its grade point value shall be zero (0).

(d) The governing board for each community college district shall publish the point equivalencies for the grades used in subsection (a) or subsections (a) and (b) (if pluses and minuses are used) in the catalog or catalogs of that community college district as a part of its grading practices. In the event the governing board chooses to use the "FW" described in subsection (c), it shall be included in the grading scale and point equivalencies published in the catalog.

(e) The governing board of each community college district may authorize the use under specified controls and conditions of only the following nonevaluative symbols:

Symbol	Definition	Symbol	Definition
I	<p>Incomplete: Incomplete academic work for unforeseeable, emergency and justifiable reasons at the end of the term may result in an "I" symbol being entered in the student's record. The condition for the removal of the "I" shall be stated by the instructor in a written record. This record shall contain the conditions for the removal of the "I" and the grade assigned in lieu of its removal. This record must be given to the student with a copy on file with the registrar until the "I" is made up or the time limit has passed. A final grade shall be assigned when the work stipulated has been completed and evaluated, or when the time limit for completing the work has passed.</p> <p>The "I" may be made up no later than one year following the end of the term in which it was assigned.</p> <p>The "I" Symbol shall not be used in calculating units attempted nor for grade points. The governing board shall provide a process whereby a student may petition for a time extension due to unusual circumstances.</p>		<p>The governing board may by regulation authorize withdrawal from a class or classes in extenuating circumstances after the last day of the fourteenth week (or 75% of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the instructor(s) or appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.</p> <p>No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30% of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30% of a term, during which no notation shall be made.</p> <p>Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less) shall be authorized after informing the appropriate faculty.</p> <p>Withdrawal after the end of the fourteenth week (or 75% of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."</p> <p>For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course in question or, in the event the instructor cannot be contacted, the department chair or equivalent faculty officer.</p> <p>The "W" shall not be used in calculating grade point averages, but excessive "W"s (as defined in Sections 55754 and 55756 of this part) shall be used as factors in probation and dismissal procedures.</p> <p>Within these guidelines, criteria for withdrawal and the procedures to accomplish it shall be established by governing boards and published in college catalogs.</p> <p>A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.</p>
IP	<p>In progress: The "IP" symbol shall be used only in those courses which extend beyond the normal end of an academic term. It indicates that work is "in progress," but that assignment of an evaluative symbol (grade) must await its completion. The "IP" symbol shall remain on the student's permanent record in order to satisfy enrollment documentation. The appropriate evaluative symbol (grade) and unit credit shall be assigned and appear on the student's permanent record for the term in which the course is completed. The "IP" shall not be used in calculating grade point averages. If a student enrolled in an "open-entry, open-exit" course is assigned an "IP" at the end of an attendance period and does not re-enroll in that course during the subsequent attendance period, the appropriate faculty will assign an evaluative symbol (grade) in accordance with subsection (a) of this part to be recorded on the student's permanent record for the course.</p>		<p>Military Withdrawal: The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:</p> <p>"Military Withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW." Military withdrawals shall not be counted in progress probation and dismissal calculations. "W"s incurred during the period between January 1, 1990 and the effective date of this paragraph, which meet the definition of military withdrawal herein, shall not be counted in progress probation and dismissal calculations and may be changed to "MW"s. <u>In no case would a military withdrawal result in a student being assigned an "FW" grade.</u></p>
RD	<p>Report Delayed: The "RD" symbol may be assigned by the registrar only. It is to be used when there is a delay in reporting the grade of a student due to circumstances beyond the control of the student. It is a temporary notation to be replaced by a permanent symbol as soon as possible. "RD" shall not be used in calculating grade point averages.</p>	MW	
W	<p>Withdrawal: The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy consistent with the following:</p> <p>Withdrawal from a class or classes shall be authorized through the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30% of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75% of a term, whichever is less). The academic record of a student who remains in a class beyond the time allowed by district policy must reflect a symbol as authorized in this Section other than a "W."</p>		

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23).

Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

Amendment of subsection (c) filed 5-7-91 and submitted to OAL on 5-24-91 printing only pursuant to Education Code section 10901.5; operative 1-9-91 (Register 91, No. 31).

3. Editorial correction of printing error in NOTE (Register 91, No. 43).
4. Editorial correction restoring omitted definition of "Military Withdrawal" and its HISTORY NOTE (Register 92, No. 5).
5. Editorial correction of HISTORY 1 (Register 95, No. 22).
6. Amendment of subsection (a), new subsection (b), subsection relettering, amendment of newly designated subsection (c), and amendment of NOTE filed 1-12-98; operative 2-11-98. Submitted to OAL for printing only (Register 98, No. 3).
7. Amendment of subsection (a), new subsection (c), subsection relettering, and amendment of newly designated subsections (d) and (e) filed 12-8-2000; operative 1-7-2001. Submitted to OAL for printing only (Register 2000, No. 50).

### § 55758.5. Grade Point Averaging.

(a) This section augments and should be read in conjunction with Section 55758 relating to academic record symbols and grade point average.

(b) In calculating students' degree applicable grade point averages, grades earned in nondegree credit courses shall not be included.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

#### HISTORY

1. Section filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

### § 55759. Notification of Probation and Dismissal.

Each community college shall make reasonable efforts to notify a student subject to academic probation or dismissal at or near the beginning of the semester or quarter in which it will take effect but, in any case, no later than the start of the fall semester or quarter. Each community college shall also make a reasonable effort to provide counseling and other support services to a student on probation to help the student overcome any academic difficulties. Each community college shall make reasonable effort to notify a student of removal from probation or reinstatement after dismissal within timeliness established by the district. Probation and dismissal policies and procedures shall be published in the college catalog.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of printing error (Register 91, No. 43).
3. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55760. Grade Changes.

(a) In any course of instruction in a community college district for which grades are awarded, the instructor of the course shall determine the grade to be awarded each student in accordance with section 55758 of this chapter. The determination of the student's grade by the instructor shall be final in the absence of mistake, fraud, bad faith, or incompetency. Procedures for the correction of grades given in error shall include expunging the incorrect grade from the record.

(b) The governing board of a district shall adopt and publish procedures and regulations pertaining to the repetition of courses for which substandard work has been recorded in accordance with sections 55761 and 55762. When grade changes are made in accordance with these sections, appropriate annotations of any courses repeated shall be entered on the student's permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55761. District Policy for Course Repetition.

The governing board of a district maintaining a community college shall adopt and publish procedures or regulations pertaining to the repetition of courses for which substandard work has been recorded. For purposes of course repetition, academic renewal, and all other related provisions in this part, the term "substandard" shall be defined as meaning course work for which the grading symbols "D," "F," and/or "NC" (as defined in section 55758) have been recorded. The procedures or regulations may allow such courses to be repeated and the previous grade and credit to be disregarded in the computation of grade point averages. When course repetition occurs, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55762. Course Repetition: Implementation.

In adopting procedures or regulations pertaining to the repetition of courses for which substandard academic performance has been previously recorded, the governing board of a district maintaining a community college:

(a) Shall not adopt any regulation or procedure which conflicts with:

(1) Education Code section 76224, pertaining to the finality of grades assigned by instructors, and

(2) Chapter 2.5 (commencing with section 59020) of Division 10 of this part, pertaining to the retention and destruction of records and particularly subdivision (d) of section 59023, relating to the permanency of certain student records;

(b) May permit repetition of any course which was taken in an accredited college or university and for which substandard academic performance as defined in section 55761 is recorded;

(c) Shall, when adopted procedures or regulations permit course repetition, indicate any specific courses or categories of courses which are exempt from consideration under these regulations;

(d) Shall clearly indicate any courses repeated under the provisions of this section and section 55761 on the student's permanent academic record, using an appropriate symbol;

(e) Shall, when adopted procedures or regulations permit course repetition, publish specific procedures to implement this section;

(f) May, in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities; and

(g) Shall maintain a careful record of actions taken under course repetition procedures or regulations adopted in compliance with this section and section 55761, since periodic reports may be required by the Chancellor.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).
3. Repealer of subsection (d), subsection relettering, and amendment of NOTE filed 3-25-98; operative 4-24-98. Submitted to OAL for printing only (Register 98, No. 14).

### § 55763. Course Repetition: Special Circumstances.

(a) The governing board of a district may adopt procedures or regulations pertaining to the repetition of courses for which substandard work has not been recorded.

(b) Except as provided in Subsection (c), repetition of courses for which substandard work has not been recorded shall be permitted only upon petition of the student and with the written permission of the gov-

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(b) Such work shall also be graded in accordance with the provisions of section 55752 or section 55753.

NOTE: Authority cited: Sections 66700, 70901, 71020, and 71024, Education Code. Reference: Sections 70901 and 70902, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55752. Credit-No Credit Options.

(a) The governing board of a district maintaining a community college may by resolution and regulation offer courses in either or both of the following categories and shall specify in its catalog the category into which each course falls:

(1) Courses wherein all students are evaluated on a "credit-no credit" basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30% of the term, whether the basis of evaluation is to be "credit-no credit" or a letter grade.

(b) All units earned on a "credit-no credit" basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a "credit-no credit" basis shall not be used to calculate grade point averages. However, units attempted for which "NC" (as defined in section 55758) is recorded shall be considered in probation and dismissal procedures.

(d) Independent study courses offered in accordance with sections 55300-55352 of this part may be graded on a "credit-no credit" basis in accordance with subdivision (a) of this section.

(e) When a district offers courses in which there is a single standard of performance for which unit credit is assigned, the "CR/NC" grading system shall be used to the exclusion of other grades. Credit shall be assigned for meeting that standard, no credit for failure to do so.

NOTE: Authority cited: Sections 70901 and 71020, Education Code. Reference: section 70901, Education Code.

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).

### § 55753. Credit by Examination.

(a) The governing board of each community college district shall adopt and publish procedures and regulations pertaining to credit by examination in accordance with the provisions of this Subchapter.

(b) The governing board may grant credit to any student who satisfactorily passes an examination approved or conducted by proper authorities of the college. Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(c) The nature and content of the examination shall be determined solely by faculty in the discipline that normally teaches the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to Section 55002. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an examination conducted at a location other than the community college for this purpose.

(d) A separate examination shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which examinations are conducted pursuant to this section.

(e) The student's academic record shall be clearly annotated to reflect that credit was earned by examination.

(f) Grading shall be according to the regular grading scale approved by the governing board pursuant to Section 55758, except that students

shall be offered a credit-no credit option if that option is ordinarily available for the course.

(g) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

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

#### HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Editorial correction of HISTORY 1 (Register 95, No. 22).
3. Amendment filed 1-4-2002; operative 7-1-2002. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2002, No. 8).

### § 55753.5. Articulation of High School Courses.

(a) For purposes of this section, the term "articulated high school course" means a high school course or courses that the faculty in the appropriate discipline, using policies and procedures approved by the curriculum committee established pursuant to Section 55002, have determined to be comparable to a specific community college course.

(b) The governing board of a community college district may adopt policies to permit articulated high school courses to be applied to community college requirements in accordance with this Section. Articulated high school courses may be accepted in lieu of comparable community college courses to partially satisfy:

(1) requirements for a certificate program, including the total number of units required for the certificate; or,

(2) the major requirements in a degree program.

(c) Articulated high school courses used to partially satisfy certificate or major requirements shall be clearly noted as such on the student's academic record. Notations of community college course credit shall be made only if community college courses are successfully completed or if credit is earned via credit by examination.

(d) Except through credit by examination, as defined in Section 55753, high school courses may not be used to satisfy:

(1) the requirement of Section 55806 that students complete at least 60 semester or 90 quarter units in order to receive an associate degree; or,

(2) any general education requirement for the associate degree established by the district.

(e) All community college district-high school articulation agreements shall be subject to the provisions of this Section. However, any student who, prior to the date this Section takes effect, has successfully completed a high school course articulated under the terms of a previous agreement shall be permitted to apply the credit so earned according to the terms of the previous agreement.

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

#### HISTORY

1. New section filed 1-4-2002; operative 7-1-2002. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2002, No. 8).

### § 55753.7. Advanced Placement Examinations.

The governing board of a community college district may adopt policies to grant credit for satisfactory completion of advanced placement examinations typically recognized by colleges and universities as measuring competencies comparable to those achieved in baccalaureate level courses.

The faculty in the appropriate discipline must approve advanced placement examinations, scores deemed to constitute satisfactory performance, courses offered by the college for which credit will be granted, and requirements that may be met by such examinations in accordance with policies and procedures approved by the curriculum committee established pursuant to Section 55002.

The student's academic record shall be clearly annotated to reflect that credit was earned through an advanced placement examination.

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

## HISTORY

New section filed 1-4-2002; operative 7-1-2002. Submitted to OAL for printing pursuant to Education Code section 70901.5 (Register 2002, No. 8).

## 5. Standards for Probation.

(a) Academic probation. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic probation if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading scale described in section 55758.

(b) Progress probation. A student who has enrolled in a total of at least 2 semester or 18 quarter units as shown by the official academic record shall be placed on progress probation when the percentage of all units in which a student has enrolled and for which entries of "W," "I," and "NC" as defined in section 55758) are recorded reaches or exceeds fifty percent (50%).

(c) The governing board of a community college district may adopt standards for probation not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum number of units before academic or progress probation is assessed, a number of units fewer than 2 semester or 18 quarter units; or

(2) A district may establish, as the minimum grade point average for academic probation purposes, a grade point average greater than 2.0; or

(3) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

## HISTORY

Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

Editorial correction of HISTORY 1 (Register 95, No. 22).

## 55755 Removal from Probation.

(a) A student on academic probation for a grade point deficiency shall be removed from probation when the student's accumulated grade point average is 2.0 or higher.

(b) A student on progress probation because of an excess of units for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

(c) The governing board of a district shall adopt and publish procedures and conditions for probation and appeal of probation and request for removal from probation. Such procedures and conditions may establish standards not lower than those standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as a minimum grade point average for removal from academic probation, a grade point average greater than 2.0;

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

## HISTORY

Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

Editorial correction of HISTORY 1 (Register 95, No. 22).

## 55756 Standards for Dismissal.

For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment (i.e., a fall quarter followed by a spring quarter shall be considered consecutive if the student was not enrolled in the winter quarter of that academic year).

(a) A student who is on academic probation shall be subject to dismissal if the student earned a cumulative grade point average of less than 1.75 in all units attempted in each of 3 consecutive semesters (5 consecutive

quarters) which were graded on the basis of the grading scale described in section 55758.

(b) A student who has been placed on progress probation shall be subject to dismissal if the percentage of units in which the student has been enrolled for which entries of "W," "I," and "NC" (as defined in section 55758) are recorded in at least 3 consecutive semesters (5 consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55754.

(c) The governing board of a district shall adopt and publish procedures and conditions for dismissal and appeal of dismissal and request for reinstatement. Such procedures and conditions may establish standards not lower than the standards specified in subsections (a) and (b) of this section. Specifically:

(1) A district may establish, as the minimum cumulative grade point average for dismissal purposes, a grade point average greater than 1.75; or

(2) A district may establish, as the minimum percentage of units of "W," "I," and "NC," a percentage less than fifty percent (50%); or

(3) A district may establish, as a minimum number of consecutive semesters or quarters, a number fewer than 3 consecutive semesters or 5 consecutive quarters.

(d) The district board shall adopt rules setting forth the circumstances that shall warrant exceptions to the standards for dismissal herein set forth and shall file a copy of such rules with the Chancellor.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

## HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).

2. Editorial correction of HISTORY 1 (Register 95, No. 22).

## § 55756.5 Remedial Coursework Limit.

(a) This section implements and should be read in conjunction with the provisions of section 68 of chapter 973 of the Statutes of 1988, relating to the establishment of a limit on the amount of remedial coursework community college students may take. For the purposes of this section, "remedial coursework" refers to precollegiate basic skills courses as defined in subsection (d) of section 55502 of this part.

(b) A student's need for remedial coursework shall be determined using appropriate assessment instruments, methods, or procedures administered pursuant to chapter 6 (commencing with section 55500) of division 6 of this part. However, except as provided in subsection (c) of this section, no student shall receive more than 30 semester units (or 45 quarter units) of credit for remedial coursework. Students having exhausted the unit limitation shall be referred to appropriate adult noncredit education services provided by college, adult school, community-based organization, or other appropriate local provider with which the district has an established referral agreement.

(c) The following students are exempted from the limitation on remedial coursework described in subsection (b) of this section:

(1) Students enrolled in one or more courses of English as a Second Language (ESL);

(2) Students identified by the district as having a learning disability as defined in section 56014 of this part.

(d) The governing board of a district may provide a waiver of the limitation on remedial coursework with respect to any student who shows significant, measurable progress toward the development of skills appropriate to his or her enrollment in college-level courses. Such waivers, if granted, shall be provided pursuant to locally developed standards which are reviewed and approved by the governing board. The standards shall include provisions which ensure that waivers are only given for specified periods of time or for specified numbers of units.

(e) A student who does not attain full eligibility status for college-level work within the limit described in subsection (b) of this section shall, unless provided with a waiver, be dismissed and referred to adult noncredit education courses.