

Parameters and Guidelines Drafted by:

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CLAIMANT'S PROPOSED PARAMETERS AND GUIDELINES

Title 5, CCR, Sections:
55201, subdivision (g) (Register 98, No. 7)
55202, subdivisions (c), (e), and (g) (Register 93, No. 42)
58106 (Register 93, No. 42)

OPEN COURSES

CSM 02-TC-25 and 31

(Effective Beginning July 1, 2001)

I. SUMMARY OF THE MANDATE

Per Statement of Decision

II. ELIGIBLE CLAIMANTS

Community college districts only.

III. PERIOD OF REIMBURSEMENT

Per Commission boilerplate language.

The parameters and guidelines are effective beginning July 1, 2001.

IV. REIMBURSABLE ACTIVITIES

The preamble per Commission boilerplate language.

A. Prerequisites Eligibility

- 20 1. VERIFICATION: Make a determination of whether a student meets a prerequisite prior to the student's enrollment in the course requiring the prerequisite. (Cal. Code Regs., Title 5, § 55202, subdivision (g) (Register 93, No. 42); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (l) (Register 2007, No. 35).)

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- ~~16.~~ ASSESSMENT: Determine whether a student meets a prerequisite based on successful completion of an appropriate course. (Cal. Code Regs., Title 5, § 55202, subdivision (c) (Register 93, No. 42); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (h) (Register 2007, No. 35).)
- ~~19~~ 2. WAIVER: Waive a corequisite for any student whom space in the corequisite course is not available. (Cal. Code Regs., Title 5, § 55202, subdivision (e) (Register 93, No. 42); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (j) (Register 2007, No. 35).)
- ~~14~~ 3. STUDENT CHALLENGE: If a prerequisite or corequisite is challenged on the basis that it is either unlawfully discriminatory or applied in an unlawfully discriminatory manner (pursuant to Cal. Code Regs., Title 5, § 55201, subdivision (f)(3)), advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to the title 5 regulations addressing discrimination complaint procedures (Cal. Code Regs., Title 5, § 59300 et seq.). (Cal. Code Regs., Title 5, § 55201, subdivision (g) (Register 98, No. 7); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (n) (Register 2007, No. 35).) See the parameters and guidelines for Discrimination Complaint Procedures for reimbursable activities.

B. Enrollment Limitations Challenges

- ~~2.~~ Resolve ~~Handle~~ challenges to enrollment limitations made by students pursuant to title 5, section 58106, subdivision (c), in a timely manner. (Cal. Code Regs., Title 5, § 58106 (Register 93, No. 42).)
- ~~3.~~ Waive the enrollment limitation with respect to a student that challenged an enrollment limitation, if the challenge is upheld. (Cal. Code Regs., Title 5, § 58106 (Register 93, No. 42).)
- ~~4.~~ Advise a student that he or she may file a formal complaint of unlawful discrimination pursuant to title 5, section 59300 et seq., upon completion of handling a challenge to an enrollment limitation made by a student alleging that an enrollment limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner (pursuant to Cal. Code Regs., Title 5, § 58106, subdivision (c)(1) (Register 93, No. 42)). (Cal. Code Regs., Title 5, § 58106 (Register 93, No. 42).) See the parameters and guidelines for Discrimination Complaint Procedures for reimbursable activities.

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V. CLAIM PREPARATION AND SUBMISSION

The preamble per Commission boilerplate language.

A. Direct cost Reporting

Per Commission boilerplate (e.g., the Mandate Reimbursement Process 2 parameters and guidelines adopted May 26, 2011)

B. Indirect Cost Reporting

Community colleges have the option of using:

1. A federally approved rate, utilizing the cost accounting principles from the OMB Circular A-21.
2. The rate calculated using the Controller's Form FAM 29-C.
3. A 7% indirect cost rate.

VI. RECORD RETENTION

Per Commission boilerplate language.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Per Commission boilerplate language. The Statement of Decision does not identify any specific offsetting state or federal funds.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Per Commission boilerplate language.

IX. REMEDIES BEFORE THE COMMISSION

Per Commission boilerplate language.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

Per Commission boilerplate language.