

Parameters and Guidelines Drafted by:  
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**DATED 6/16/2011**

## **CLAIMANT'S PROPOSED PARAMETERS AND GUIDELINES**

Education Code Section 70902, subdivision (b)(2), Statutes of 1988, Chapter 973

Title 5, CCR, Sections:  
55001, subdivisions (c)(1-4) (Register 94, No. 38)  
55006 (Register 91, No. 23)  
55201, subdivisions (b)(1) -(3), (e), (f)(1-5) (Register 98, No. 7)  
55002, subdivisions (a), (a)(1), (a)(2)(A-G), (a) (3), (a) (4),  
(b), (b) (2) (A-C), (b) (3 and 4), (c), (c) (1-3) (Register 93, No. 42)  
55150, subdivision (c) (Register 91, No. 23)  
55806, subdivisions (b)(1)(A), (B), (C), (D) (1) and (2) (Register 91, No. 23)

## **CURRICULUM STANDARDS**

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. Policies and Procedures**

~~44.~~ The governing board of each community college district shall (e)stablish policies

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

for ~~and approve~~ courses of instruction and educational programs. The governing board shall establish policies for individual courses that are offered in approved educational programs without referral to the board of governors. (Education Code, § 70902, subdivision (b)(2)(A) (Statutes of 1988, Chapter 973).)

12. ESTABLISHING COURSES: Adopt policies for the following in accordance with the Board of Governors regulations addressing faculty participation in district and college governance (Cal. Code Regs., Title 5, §§ 53200-53204) when establishing prerequisites or corequisites for an associate degree credit course as required by California Code of Regulations, title 5, section 55002, subdivisions (a)(2)(D) and (E) (e.g., a student is unlikely to receive a satisfactory grade in a course without the prerequisite or corequisite, or success in a course is dependent on communication or computation skills):
- a. The process for establishing prerequisites and corequisites. The policy for the process for establishing prerequisites or corequisites shall be based on content review with additional methods of scrutiny being applied depending on the type of prerequisite or corequisite established. (Cal. Code Regs., Title 5, § 55201, subdivision (b)(1) (Register 98, No. 7); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (b)(1) (Register 2007, No. 35).)
  - b. The procedures to assure that courses for which prerequisites or corequisites are established will be taught in accordance with the course outline that are the basis for the requirement to establish the prerequisite or corequisite. (Cal. Code Regs., Title 5, § 55201, subdivision (b)(2) (Register 98, No. 7); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (b)(2) (Register 2007, No. 35).)
  - c. The process, including levels of scrutiny, for reviewing prerequisites and corequisites to assure that they remain necessary and appropriate. The process shall provide that at least once each six years all prerequisites and corequisites established by the district shall be reviewed. (Cal. Code Regs., Title 5, § 55201, subdivision (b)(3) (Register 98, No. 7); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (b)(3) (Register 2007, No. 35).)
  - d. The bases and process for an individual student to challenge the application of a prerequisite or corequisite. The bases to challenge a prerequisite or corequisite are:
    - i. The prerequisite or corequisite was not established in accordance

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

- with the district's process for establishing prerequisites and corequisites;
- ii. The prerequisite or corequisite violates California Code of Regulations, title 5, sections 55200-55202, which address the authority, requirements, and limitations on authority, when establishing prerequisites and corequisites;
- iii. The prerequisite or corequisite are either unlawfully discriminatory or are being applied in an unlawfully discriminatory manner;
- iv. The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite; and
- v. 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. (Cal. Code Regs., Title 5, § 55201, subdivisions (b)(2) and (f)(1)-(5) (Register 98, No. 7); for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (b)(2) and (m)(1)-(5) (Register 2007, No. 35).)

43. NECESSITY REVIEW: Gather data according to sound research practices and show that a student is highly unlikely to succeed in the course unless the student has met the proposed prerequisite or corequisite, in addition to conducting a content review, if the community college district seeks to establish a course in communication or computation skills as a prerequisite or corequisite for any non-communication or non-computation skills course.

This data gathering requirement does not apply when:

- 1) a. Four-year institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite; or
- 2) b. The prerequisite or corequisite is required for enrollment in a program that is subject to approval by a state agency other than the Chancellor's Office and both of the following conditions are satisfied:
  - A) i. Colleges in at least six different districts have previously satisfied the data collection requirement with respect to the same prerequisite or corequisite for the same program; and
  - B) ii. The district establishing the prerequisite or corequisite conducts an evaluation to determine whether the prerequisite or corequisite has a disproportionate impact on particular groups of students described in terms of race, ethnicity, gender, age or disability, as defined by the Chancellor, and if there is a disproportionate impact the district in consultation with the Chancellor develops and implements a plan setting forth the steps the district will take to

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

correct the disproportionate impact. (Cal. Code Regs., Title 5, § 55201, subdivision (e) (Register 98, No. 7) ; for current requirement see Cal. Code Regs., Title 5, § 55003, subdivision (e) (Register 2007, No. 35).)

B. Course Approval

- 11 1. GOVERNING BOARD APPROVAL: The governing board of each community college district shall ~~Establish policies for and~~ approve courses of instruction and educational programs. ~~The educational programs shall be submitted to the board of governors for approval. Courses of instruction that are not offered in approved educational programs shall be submitted to the board of governors for approval. The governing board shall approve individual courses that are offered in approved educational programs without referral to the board of governors.~~ (Education Code, § 70902, subdivision (b)(2)(A) (Statutes of 1988, Chapter 973).)
2. CURRICULUM COMMITTEE RECOMMENDATION: Establish a college or district curriculum committee by mutual agreement of the college or district administration and the academic senate. The committee shall be either a committee of the academic senate or a committee that includes faculty and is otherwise comprised in a way that is mutually agreeable to the college or district administration and academic senate. (Cal. Code Regs., Title 5, § 55002, subdivision (a)(1) (Register 93, No. 42).)
3. When seeking to offer a course as an associate degree credit course, nondegree credit course, or noncredit course, the course must be recommended by the college or district curriculum committee and approved by the district governing board. (Cal. Code Regs., Title 5, § 55002, subdivisions (a), (b), and (c) (Register 93, No. 42).)
- 5 3. STANDARDS FOR RECOMMENDATION:

Proposed associate degree credit courses and nondegree credit courses must meet the following requirements found in California Code of Regulations, title 5, section 55002, subdivisions (a)(2) and (b)(2), in order to receive a recommendation by the college or district curriculum committee:

  - a. Grading policy: The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with California Code of Regulations, title 5, section 55758

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

(Register 2000, No. 50), which details the academic record symbols and associated grade points to be used by community colleges.

The grade is based on demonstrated proficiency in subject matter and the ability to demonstrate that proficiency, at least in part, by means of essays for associate degree credit courses or written expression for nondegree credit courses, or in courses where the curriculum committee deems them to be appropriate, by problem-solving exercises or skills demonstrations by students. (Cal. Code Regs., Title 5, § 55002, subdivisions (a)(2)(A) and (b)(2)(A) (Register 93, No. 42).)

- b. Units: The course grants units of credit based upon a relationship specified by the governing board 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.

The course also requires a minimum of three hours of work per week, including class time (and/or demonstrated competency for nondegree credit courses) for each unit of credit, prorated for short-term, laboratory and activity courses. (Cal. Code Regs., Title 5, § 55002, subdivisions (a)(2)(B) and (b)(2)(B) (Register 93, No. 42).)

- c. Intensity: For associate degree credit course, the course must treat subject matter with a scope and intensity that requires students to study independently outside of class time. For nondegree credit courses, the course must provide instruction in critical thinking and generally treats subject matter with a scope and intensity that prepares students to study independently outside of class time and includes reading and writing assignments and homework. In particular, the assignments will be sufficiently rigorous that students completing each such course successfully will have acquired the skills necessary to successfully complete college-level work upon completion of the required sequence of such courses. (Cal. Code Regs., Title 5, § 55002, subdivisions (a)(2)(C) and (b)(2)(C) (Register 93, No. 42).)

6 Proposed associate degree credit courses must also meet the following requirements found in California Code of Regulations, title 5, section 55002, subdivisions (a)(2), in order to receive a recommendation by the college or district curriculum committee:

- a. Prerequisites and Corequisites: Require prerequisites or corequisites when: (a) the college and/or district curriculum committee determines,

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

based on a review of the course outline of record, that a student would be highly unlikely to receive a satisfactory grade unless the student has knowledge or skills not taught in the course; or (b) success in the course is dependent upon communication or computation skills, then the course shall require as prerequisites or corequisites eligibility for enrollment in associate degree credit courses in English and/or mathematics. (Cal. Code Regs., Title 5, § 55002, subdivision (a)(2)(D) and (E) (Register 93, No. 42).)

- b. Difficulty: The course work calls for critical thinking and the understanding and application of concepts determined by the curriculum committee to be at college level. (Cal. Code Regs., Title 5, § 55002, subdivision (a)(2)(F) (Register 93, No. 42).)
  - c. Level: The course work calls for critical thinking and the understanding and application of concepts determined by the curriculum committee to be at college level. (Cal. Code Regs., Title 5, § 55002, subdivision (a)(2)(G) (Register 93, No. 42).)
8. Proposed noncredit courses must treat subject matter and use resource materials, teaching methods, and standards of attendance and achievement that is deemed appropriate for the enrolled students by the college or district curriculum committee in order to receive a recommendation by the college or district curriculum committee. (Cal. Code Regs., Title 5, § 55002, subdivision (c)(1) (Register 93, No. 42).)

C. Qualified Instructor

- 4. Each section of an associate degree course, nondegree course, or noncredit course is to be taught by a qualified instructor in accordance with a set of objectives and with other specifications defined in the course outline of record. (Cal. Code Regs., Title 5, § 55002, subdivisions (a)(4), (b)(4), and (c)(3) (Register 93, No. 42).)

D. Course Outlines

- 7. Maintain a course outline of record for associate degree credit courses, nondegree credit courses, and noncredit courses in the official college files that describe the course and make the outline available to each instructor.

For associate degree credit courses and nondegree credit courses, the course outline shall specify the unit value, scope, objectives, and content of the course

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

in terms of a specific body of knowledge. Also, the course outline shall specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation for determining whether the stated objectives have been met by students.

For noncredit course, the course outline shall specify the scope, objectives, contents, instructional methodology, and methods of evaluation for determining whether the stated objectives have been met. (Cal. Code Regs., Title 5, § 55002, subdivisions (a)(3), (b)(3), and (c)(2) (Register 93, No. 42); and Cal. Code Regs., Title 5, § 55150, subdivision (b) (Register 91, No. 23).)

E. Course Design

- ~~10.~~ NATURAL SCIENCES: Design a course to help students develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities, in order to satisfy the general education requirement in natural sciences. (Cal. Code Regs., Title 5, § 55806 (b)(1)(A) (Register 91, No. 23); for current requirement see Cal. Code Regs., Title 5, § 55063, subdivision (b)(1)(A) (Register 2007, No. 35).)
11. SOCIAL SCIENCES: Design a course to develop an awareness of the method of inquiry used by the social and behavioral sciences and to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate, in order to satisfy the general education requirement in social and behavioral sciences. (Cal. Code Regs., Title 5, § 55806 (b)(1)(B) (Register 91, No. 23); for current requirement see Cal. Code Regs., Title 5, § 55063, subdivision (b)(1)(B) (Register 2007, No. 35).)
12. HUMANITIES: Design a course to help students to develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and ability to make value judgments, in order to satisfy the general education requirement in humanities. (Cal. Code Regs., Title 5, § 55806 (b)(1)(C) (Register 91, No. 23); for current requirement see Cal. Code Regs., Title 5, § 55063, subdivision (b)(1)(C) (Register 2007, No. 35).)
- ~~13.~~ ENGLISH COMPOSITION: Design courses fulfilling the written composition (English composition) requirement to include both expository and argumentative

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

writing. (Cal. Code Regs., Title 5, § 55806 (b)(1)(D)(1) (Register 91, No. 23); for current requirement see Cal. Code Regs., Title 5, § 55063, subdivision (b)(1)(D)(1) (Register 2007, No. 35).)

14. COMMUNICATIONS: Design a course to fulfill the communication and analytical thinking requirement. (Cal. Code Regs., Title 5, § 55806 (b)(1)(D)(2) (Register 91, No. 23); for current requirement see Cal. Code Regs., Title 5, § 55063, subdivision (b)(1)(D)(2) (Register 2007, No. 35).)

F. State Reporting

1. CLASSIFICATION REPORT: Report the classification of all courses, classes, and activities offered in accordance with California Code of Regulations, title 5, sections 55001, subdivision (a) (describing instructional services of community colleges), and 55002 (standards and criteria for associate degree credit course, nondegree credit course, and noncredit course) by transmitting the following information to the Chancellor's Office:
- a. The unique static course identifier and the course title for all credit and noncredit courses. (Cal. Code Regs., Title 5, § 55001, subdivision (c)(1) (Register 94, No. 38) ending April 14, 2006.)
  - b. The classification of each credit and noncredit course in accordance with its primary objective, consistent with guidelines published by the Chancellor. (Cal. Code Regs., Title 5, § 55001, subdivision (c)(2) (Register 94, No. 38) ending April 14, 2006.)
  - c. Whether the course is offered as credit or noncredit. (Cal. Code Regs., Title 5, § 55001, subdivision (c)(3) (Register 94, No. 38) ending April 14, 2006.)
  - d. Whether the course transfers to the California State University or the University of California or both. (Cal. Code Regs., Title 5, § 55001, subdivision (c)(4) (Register 94, No. 38) ending April 14, 2006.)
- 10 2. CREDIT/NON-CREDIT/COMMUNITY SERVICE CLASSES: Each community college must keep and submit such current records and reports concerning their total activities as may be required by the Chancellor to fulfill statutory responsibilities. (Cal. Code Regs., Title 5, §§ 55006 and 55150, subdivision (c) (Register 91, No. 23).)

V. CLAIM PREPARATION AND SUBMISSION

The preamble per Commission boilerplate language.

Proposed Parameters and Guidelines 6/16/11  
CSM 02-TC-25 and 31 Curriculum Standards (Effective Beginning July 1, 2001)

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.