

Draft Title 5 Regulations to Implement AB 705 for Math and English 9/24/18 (ESL to follow in a separate but concurrent set of regulations)

55522 (delete all prior language, except maybe the Assessment Committee) then add:

Scope and Intent

This chapter implements and should be read in conjunction with the provisions of Assembly Bill AB 705 and codified in Education Code sections 78213. The goals of the legislation include the following:

- Increase the numbers of students with transfer as a goal who enter and complete transfer-level English and mathematics/quantitative reasoning in one year
- Increase the numbers of students with career or local degree goals who complete college-level English and mathematics/quantitative reasoning
- Minimize the disproportionate impact on students created through placement processes
- Increase the numbers of English as a Second Language learners who complete transfer-level English in three years

To accomplish this goal, districts are required to suspend the use of assessment instruments and tests unless approved by the Board of Governors and primarily use high school performance data to assist in placement that maximizes access to and the completion of transfer-level English and mathematics/quantitative reasoning appropriate to the students' goals.

Effective Dates

Districts must fully implement EC 78213 and these regulations for fall 2019, and for fall 2020 course placements for English as a Second Language

Definitions

As used in this subchapter:

- Highly unlikely to succeed: A condition in which the likely throughput rate is lower than the minimum threshold established by the Chancellor's Office through direct placement.
- One year: Two semesters or three quarters.
- Throughput rate: The rate at which students successfully complete transfer level coursework per year.
- Guided self-placement: A locally developed and validated process approved by the Chancellor used to assist in placement recommendations for students without documented or self-reported high school performance information. Guided self-placement may not include any assessment instruments that evaluate students' skills performance unless approved by the Board of Governors.
- Self-reported grade point average: A student's best recollection of high school performance information.
- Validation: A process defined and published by the Chancellor in which districts provide statistical modeling to illustrate the effectiveness of local practices related to assessment, placement, and curriculum.
- Assessment instrument or test: Any standardized or locally developed instrument or test used to influence placement recommendations or policies to students.

Assessment and Placement Policies

Districts must utilize high school performance data as the primary means for placement recommendations to students when that information is readily available to the student. These include high school course work, high school grades, and high school grade point average. If transcripts are not available to the students, then districts must accept self-reported high school performance information for placement purposes. Districts are also required to have multiple measures of student capacity to succeed in courses. A disjunctive model of placement using multiple measures is required such that the measure indicating the highest level of placement is the official placement result of the college to the student.

Districts must rely on documented high school performance records, including but not limited to high school transcripts, locally or statewide electronic transmissions containing high school performance data, or on self-reported high school performance information. Districts must comply using one of the two following methods of placement:

- Districts may implement placement guidance published by the Chancellor
- Districts that do not implement guidance published by the Chancellor may choose to conduct local research using primarily high school performance data to validate local placement recommendations. Such local placement policies must be submitted to and approved by the Chancellor and must include institutional data and research submitted according to guidance published by the Chancellor. Any standardized or local assessment instrument or test included in a recommended local placement policy must be approved by the Board of Governors before it can be used.

All local placement policies shall comply with the following requirement:

- Colleges may not place students into a remedial sequence or pre-transfer coursework in English or mathematics/quantitative reasoning unless both criteria can be demonstrated;
- A student is highly unlikely to succeed in the transfer or college level course and;
- Enrollment in pre-transfer or college level coursework, if part of the policy, will improve the student's likelihood of completing transfer or college-level courses in a one-year time frame.

The burden of proof is on the district to demonstrate these standards, not on the student.

Per § 5 CCR 55003(g), districts have two years to validate their own innovations and compare the effectiveness of those designs to the default placement rules and demonstrate the effectiveness of those designs meet and/or exceed default placement rules

The two-year validation period begins fall of 2019 for new and innovative practices, but districts must still meet requirements outlined by the Chancellor's Office until such time that the Chancellor approves the proposed local placement policy.

Districts shall be required to monitor local placement recommendations and curriculum decisions as per guidance published by the Chancellor.

Proposed local placement models must reflect placement recommendations for appropriate pathways, especially in mathematics/quantitative reasoning that align with students' educational goals.

Guided Self-Placement

In the event that neither documented nor self-reported high school performance data is available, districts may use approved guided self-placement processes that result in placement recommendations for students. The Chancellor shall publish guidance regarding the requirements and processes required for approval of guided self-placement policies. Guided Self-Placement proposals must not incorporate assessment instruments or tests, including those designed for skill assessment unless approved by the Board of Governors.

Retroactive Placement Requirements

Districts must ensure that students placed into pre-transfer level courses prior to the implementation of EC 78213, and/or prior to adoption of these regulations, are re-evaluated for placement into English, math/quantitative reasoning, or ESL according to current law and regulations. Re-evaluation and placement using one of the methods indicated above must occur by the effective date of these regulations.

Co-requisites

Education Code 78213 supports the use of co-requisite remediation, which may be provided through either a non-credit or credit course.

Co-requisites may be required of students, and colleges or districts will monitor the effectiveness of these practices and provide validation of the efficacy of the requirement according to processes published by the Chancellor.

Districts may not develop required or recommended co-requisite support that exceeds reasonable unit limits when combined with the transfer or college-level course, and may not cause a barrier to student enrollment or completion. Regardless of whether co-requisite support is recommended or required by the district, students may elect to forgo such support and pursue transfer or college-level coursework directly. Districts are required to inform students of their rights to access transfer-level courses and have challenge processes readily available to students.

Related Program Requirements

Districts that do not comply with these standards jeopardize State funding, per legislatively-set criteria. Colleges or districts that receive funding from the Student Equity and Achievement Program shall do the following:

- Inform students of their rights to access transfer-level coursework and of the multiple measures placement policies or other college processes adopted by the community college system including the availability of challenge processes.
- Communicate this information in language that is easily understandable and featured prominently in the college catalog, orientation materials, information relating to student assessment on the college's website, or any other written communication by a college counselor to a student about the student's course placement options.
- Annually report both of the following to the Chancellor's Office in a manner and form described by the Chancellor's Office: the college's placement policies, the college's placement results (the number of students assessed and the number of students placed into the colleges' curricular offerings in English, mathematics/quantitative reasoning, and English as a Second Language, and whether concurrent support was recommended, disaggregated by race and ethnicity.