

## **Proposed Revisions to title 5, California Code of Regulations, Related to Work Experience Education**

This document contains underlined and stricken text, which may require adjustments to screen reader settings. Underlined text denotes additions to existing regulations; ~~stricken~~ text denotes deletions from exiting regulations.

### **MULTIPLE SECTIONS OF ARTICLE 1, OF SUBCHAPTER 1, OF CHAPTER 6, OF DIVISION 6, OF TITLE 5, OF THE CALIFORNIA CODE OF REGULATIONS ARE AMENDED AS FOLLOWS:**

#### **SECTION 55002.5 IS AMENDED TO READ:**

§ 55002.5. Work Experience Education Credit Hours.

(a) One credit hour of community college work (one unit of credit) shall require a minimum of 48 semester hours of total student work or 33 quarter hours of total student work, which may include hours inside ~~and~~/or outside of class.

(b) A course requiring 96 hours or more of total student work at colleges operating on the semester system or 66 hours or more of total student work at colleges operating on the quarter system shall provide at least 2 units of credit.

(c) ~~Cooperative~~ Work experience education courses defined in section 55252 shall adhere to the formula for credit hour calculations identified in section 55256.5.

(d) Direct assessment competency-based education modules defined in section 55270 shall adhere to the formula for credit hour calculations identified in section 55270.12.

(e) For programs designated by the governing board as clock hour programs, units of credit shall be awarded in a manner consistent with the provisions of title 34, Code of Federal Regulations, part 600.2.

(f) Credit hours for all courses may be awarded in increments of one unit or less.

(g) ~~The District governing board of each community college district boards~~ boards shall establish a policy, ~~consistent with the provisions of this section,~~ defining the standards for credit hour calculations. District ~~policy~~ policies shall specify the credit hour calculation method for all academic activities, including for short-term and extended-term courses and work experience education, expected ratios of in-class to outside-of-class hours for each type of

academic activity, standards for incremental award of credit, standard term length, ~~calculation methods for short term and extended term courses~~, and provisions for monitoring compliance with state and federal regulations related to credit hour calculations.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code: and 34 Code of Federal Regulations part 600.2.

## **SECTION 55040 IS AMENDED TO READ:**

§ 55040. District Policies for Course Repetition.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the repetition of credit courses. Such policies and procedures shall not conflict with section 55025 or Education Code section 76224, pertaining to the finality of grades assigned by instructors, or with subchapter 2.5 (commencing with section 59020) of chapter 10 of this division, pertaining to the retention and destruction of student records.

(b) The policies and procedures adopted pursuant to subdivision (a) may:

(1) designate certain types of courses as “repeatable courses” consistent with the requirements of section 55041;

(2) permit a student to repeat a course in an effort to alleviate substandard academic work consistent with the requirements of section 55042;

(3) permit or require a student to repeat a course due to significant lapse of time consistent with the requirements of section 55043;

(4) permit a student to repeat a portion of a course, other than a physical education, visual arts, or performing arts course, offered for variable units on an open-entry/open-exit basis which the student previously completed only under the circumstances described in section 55044;

(5) permit a student to repeat a course which is not designated as a repeatable course, regardless of whether substandard academic work was previously recorded, where the district determines, consistent with section 55045, that there are extenuating circumstances which justify the repetition;

(6) permit a student to repeat a course in ~~cooperative~~ work experience education under the circumstances described in section 55253. When a ~~cooperative~~ work experience education course is repeated pursuant to that section, the grade received each time shall be included

for purposes of calculating the student's grade point average;

(7) permit a student to repeat a direct assessment competency-based education module and be counted as an FTE for state apportionment under the circumstances described in section 55270.9;

(8) permit a student with a disability to repeat a special class for students with disabilities any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student for one of the reasons specified in section 56029. The district policy or procedure may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated;

(9) permit a student to repeat a course determined to be legally mandated as defined in section 55000, regardless of whether substandard academic work has been recorded. Such courses may be repeated for credit any number of times. The governing board of a district may establish policies ~~and~~ or procedures requiring students to certify or document that course repetition is legally mandated;

(10) permit a student to petition the district to repeat a course as a result of a significant change in industry or licensure standards such that repetition of the course is necessary for the student's employment or licensure. Such courses may be repeated for credit any number of times. The governing board of the district may establish policies ~~and~~ or procedures requiring students to certify or document that there has been a significant change in industry or licensure standards necessitating course repetition.

(c) The policies ~~and~~ or procedures adopted by the governing board of each community college district pursuant to subdivision (a) may not permit student enrollment in active participatory courses, as defined in section 55000, in physical education, visual arts or performing arts that are related in content, as defined in section 55000, more than four times for semester courses or six times for quarter courses. This limitation applies even if a student receives a substandard grade or "W" during one or more of the enrollments in such a course or petitions for repetition due to extenuating circumstances as provided in section 55045.

(d) When course repetition occurs pursuant to this section, the student's permanent academic record shall clearly indicate any courses repeated using an appropriate symbol and be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

(e) Notwithstanding the limits set forth above, apportionment will be limited as set forth in section 58161 and 55270.13 for courses in direct assessment competency-based education courses.

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

**MULTIPLE SECTIONS OF ARTICLE 4, OF SUBCHAPTER 3, OF CHAPTER 6,  
OF TITLE 5, OF THE CALIFORNIA CODE OF REGULATIONS IS AMENDED AS  
FOLLOWS:**

Article 4. ~~Cooperative~~ Work Experience Education

## SECTION 55250 IS REPEALED.

~~§ 55250. Approved Plan Required.~~

~~Any program of Cooperative Work Experience Education conducted by the governing board of a community college district pursuant to this article and claimed for apportionment pursuant to sections 58051 and 58009.5 shall conform to a plan adopted by the district. The plan adopted by the district shall set forth a systematic design of Cooperative Work Experience Education whereby students, while enrolled in college, will gain realistic learning experiences through work. This plan shall be submitted to and approved by the local governing board.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## NEW SECTION 55250 IS ADOPTED TO READ:

§ 55250. Purpose and Definition of Work Experience Education.

(a) The purpose of work experience education is to provide students with an integrated educational program that provides opportunities to connect academic curricula to applied experiential learning in the workplace. Work experience education should be substantive in nature, linked in a way relevant to a student's educational pathway, and contribute to demonstrable learning outcomes that have value towards a degree or certificate.

(b) Work experience education within the California Community Colleges involves student employment and/or internships selected, approved, and supervised by districts to provide meaningful work experiences related to the course of study, or specific career pathway training, combined with instruction in critical workplace skills. Work experience education may include paid or unpaid employment, full or part-time employment, and may be structured as separate credit or noncredit classes, or integrated as a component of a course. It should be integrated as part of a student's educational pathway allowing students to achieve both educational and occupational goals. It should also assist the student in developing career awareness, learning industry culture, competencies and norms, and developing professional networks in their desired field to support career mobility.

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

## **SECTION 55250.2 IS REPEALED.**

~~§ 55250.2. Laws or Rules Applicable to Minor Students in Work Experience.~~

~~All laws or rules applicable to minors in employment relationships are applicable to minor students enrolled in work experience education courses.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.~~

## **SECTION 55250.3 IS REPEALED.**

~~§ 55250.3. "Work Experience Education."~~

~~Work experience education authorized by this article includes the employment of students in part time jobs selected and approved as having educational value for the students employed therein and coordinated by college employees.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.~~

## **SECTION 55250.4 IS REPEALED.**

~~§ 55250.4. Funds for Work Experience Programs for Students with Developmental Disabilities.~~

~~The governing board of any community college district which establishes and supervises a workexperience education program in which students with developmental disabilities are employed in part-time jobs may use funds derived from any source, to the extent permissible by appropriate law or regulation, to pay the wages of students so employed.~~

~~The Board of Governors hereby finds and declares that the authority granted by the provisions of this section is necessary to ensure that the workexperience education program will continue to provide a maximum educational benefit to students, particularly students with developmental disabilities, and that such program is deemed to serve a public purpose.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.~~

## **SECTION 55250.5 IS REPEALED.**

~~§ 55250.5. Work Experience Education Involving Apprenticeable Occupations.~~

~~Work experience education involving apprenticeable occupations shall be consistent with the purposes of chapter 4 (commencing with section 3070) of division 3 of the Labor Code and with standards established by the California Apprenticeship Council.~~

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

## **SECTION 55250.6 IS REPEALED.**

~~§ 55250.6. Work Experience Outside of District.~~

~~The governing board of any community college district may provide for the establishment and supervision of work experience education programs providing part time jobs for students in areas outside the district.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.~~

## **SECTION 55250.7 IS REPEALED.**

~~§ 55250.7. Wages and Workers' Compensation.~~

~~The governing board of any community college district providing work experience and work study education may provide for employment under such program of students in part-time jobs by any public or private employer. Such districts may pay wages to persons receiving such training, except that no payments may be to or for private employers. Districts may provide workers' compensation insurance for students in work experience as may be necessary.~~

~~Note: Authority Cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78249, Education Code.~~

## **SECTION 55251 IS REPEALED.**

~~§ 55251. Requirements of Plan.~~

~~(a) The district plan shall contain the following provisions:~~

~~(1) A statement that the district has officially adopted the plan, subject to approval by the local governing board.~~

~~(2) A specific description of the respective responsibilities of college, student, employer, and other cooperating agencies in the operation of the program.~~

~~(3) A specific description for each type of Cooperative Work Experience Education program.~~

~~(4) A description of how the district will:~~

~~(A) Provide guidance services for students during enrollment in Cooperative Work Experience Education.~~

~~(B) Assign a sufficient number of qualified, academic personnel as stipulated in the district plan to direct the program and to assure district services required in section 55255.~~

~~(C) Assure that students' on the job learning experiences are documented with written measurable learning objectives.~~

~~(D) With the assistance of employers, evaluate students on the job learning experiences.~~

~~(E) Describe basis for awarding grade and credit.~~

~~(F) Provide adequate clerical and instructional services.~~

~~(b) Prior to implementation, any changes or revisions to the district plan shall be submitted for approval to the local governing board.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## **NEW SECTION 55251 IS ADOPTED TO READ:**

### § 55251. District Responsibilities.

(a) Districts shall adopt policies or procedures governing work experience education offered within the district. The policies or procedures must address the following:

(1) the respective responsibilities of the college, faculty, the student, the employer, and any other cooperating individuals or agencies involved in providing work experience education;

(2) the types of work experience education offered by the district;

(3) how the district will:

(A) provide guidance services for students during enrollment in work experience education;

(B) assign academic and other personnel sufficient to direct the program and provide required district services;

(C) assess student progress in work experience education through written, measurable learning objectives and outcomes;

(D) assign grades or other evaluative symbols to mark student achievement in work

experience education courses, and award units of credit, when applicable;

(E) analyze disaggregated work experience enrollment, persistence, and course success data related to degree and transfer attainment;

(F) ensure adequate clerical and instructional services are available to facilitate the program; and

(G) ensure equitable access to work experience opportunities.

(b) Districts shall identify appropriate public or private employers to partner with in providing work experience education opportunities to students.

(c) Districts may subsidize student work experience education provided by public employers, or by private employers for the employment of students with disabilities. Any appropriate fund source may be used for such subsidies, which shall be calculated not to exceed a reasonable estimate of the net costs of providing the work experience education opportunity, and shall not be used to inflate an employer's usual compensation rate for work experience employees. Districts may provide workers' compensation insurance for students employed in unpaid work experience education.

(d) Districts shall ensure that economically disadvantaged students are given preference for placement in paid work experience education as defined in the Chancellor's Office Special Populations Data Elements (SG) codes in the data element dictionary.

(e) District governing boards may authorize work experience education programs and opportunities outside district boundaries.

(f) Districts shall provide sufficient administrative services for initiating and maintaining relationships with work experience employers, coordinating programs, and supervising students.

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

## **SECTION 55252 IS REPEALED.**

~~§ 55252. Types of Cooperative Work Experience Education.~~

Cooperative Work Experience Education is a district-initiated and district-controlled program of education consisting of the following types:

~~(a) General Work Experience Education is supervised employment which is intended to assist students in acquiring desirable work habits, attitudes and career awareness. The work experience need not be related to the students' educational goals.~~

~~(b) Occupational Work Experience Education is supervised employment extending classroom based occupational learning at an on the job learning station relating to the students' educational or occupational goal.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## **NEW SECTION 55252 IS ADOPTED TO READ:**

### § 55252. Work Experience Education Documentation.

(a) Districts shall enter a work experience employer agreement with each participating employer prior to any student placement with the employer. Such agreements shall document the following:

(1) the respective supervisory obligations of the district and the employer with respect to work experience students placed at the employer's site;

(2) arrangements for the payment of student workers' compensation coverage, which must be covered by employers of paid work experience student employees, but is subject to negotiation with respect to unpaid work experience student employees;

(3) the employer's acknowledgement of the purposes of this article, and the district's work experience education policies or procedures, and agreement to support their purposes;

(4) the employer's commitment to provide a continuous work experience during the enrollment term of each work experience student, and validate all student hours worked;

(5) the employer's agreement to provide adequate facilities, equipment, and materials at the work experience site to achieve the learning objectives;

(6) that work-experience education involving apprenticeable occupations shall be consistent will comply with the purposes of division 3, chapter 4 (commencing with section 3070) of division 3, of the Labor Code (sections 3070 through 3100), and with any applicable rules, regulations, and standards established adopted by the California Apprenticeship Council;

(7) the employer's agreement that all work experience employment shall be free from discrimination and harassment based race, sex, disability and other forms of bias, and that

the employer will afford all persons in the workplace, regardless of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other basis that is contained in the prohibition of hate crimes set forth in Penal Code, section 422, subdivision (a), equal rights and opportunities;

(8) that work experience education shall be conducted in compliance with the requirements of this article, and that all state and federal laws applicable to the employment of minors apply to work experience education courses; and

(9) any other matters deemed appropriate by the district.

(b) The appropriate college representative, the employer, and the student shall sign a learning agreement prior to the student commencing work experience employment. The learning agreement shall document the following:

(1) the work experience education student's individual educational objectives;

(2) the hours of work and a clear explanation of the student's work experience job duties;

(3) the identity of the responsible supervisors at the college and the employment site;

(4) a schedule to discuss mutual expectations and for students to discuss their educational growth with the appropriate college and employer representatives at regular intervals with a term;

(5) a commitment from the employer and the college that students will receive regular and substantive feedback, and written evaluations of their progress toward meeting their learning objectives; and

(6) any other matters deemed appropriate by the district.

(c) work experience students who are self-employed must identify an individual to serve as a work experience advisor, subject to approval of the district. This individual shall assist the student to identify work experience learning objectives, and sign the learning agreement described in subdivision (b) in place of the employer, which may be modified as appropriate to the self-employment arrangement.

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

## **SECTION 55253 IS AMENDED TO READ:**

§ 55253. College Credit, Attendance Accounting, Course Repetition.

~~(a) For the satisfactory completion of all types of Cooperative Work Experience Education, students may earn up to a total of 16 semester credit hours or 24 quarter credit hours, subject to the following limitations:~~

(a) Units of credit for work experience education shall be calculated as follows:

(1) work experience education offered as a credit course: one semester unit of credit will be awarded for every 60 hours of work experience, or one quarter unit for every 50 hours of work experience, and may be awarded in increments of .5 units; and

(2) work experience education integrated as a component of a course: units of credit will follow standards for credit hour calculations in section 55002.5 for all activity, lab, or other instructional course components. Units of credit for the work experience component shall be calculated according to the formula in subparagraph (1).

(b) Work experience education; courses apply the attendance accounting procedure described in subdivision (f), of section 58003.1, in calculating FTES.

(c) Students may earn up to 16 semester credit hours or 24 quarter credit hours of

~~(1) General Work Experience Education.~~

A maximum of six semester work experience education as part of their educational pathway with a limit of eight credit hours or nine quarter credit hours may be earned of work experience during one enrollment period in general work experience education., or the required clock hours for vocational noncredit courses.

~~(2) Occupational Work Experience Education.~~

(d) A maximum of eight credit hours may be earned during one enrollment period. Students may be permitted to re-enroll in occupational work experience education; courses up to the limits set forth in subdivision (c), and subject to The district policy on course repetition course repetition policies. adopted pursuant to section 55040, may permit a student to repeat a cooperative work experience course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education set forth in subdivision (a). Consistent with section 58161, attendance of a student repeating a cooperative work experience course pursuant to this subdivision may be claimed for state apportionment.

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

## SECTION 55254 IS REPEALED.

### ~~§ 55254. Student Qualifications.~~

~~In order to participate in Cooperative Work Experience Education students shall meet the following criteria:~~

- ~~(a) Pursue a planned program of Cooperative Work Experience Education which, in the opinion of the Instructor/Coordinator, includes new or expanded responsibilities or learning opportunities beyond those experienced during previous employment.~~
- ~~(b) Have on the job learning experiences that contribute to their occupational or education goals.~~
- ~~(c) Have the approval of the academic personnel.~~
- ~~(d) Meet the following condition if self employed: Identify a person who is approved by academic personnel to serve as the designated employer representative. This representative shall agree in writing to accept the following employer responsibilities:~~
  - ~~(1) Assist the student in identifying new or expanded on the job learning objectives.~~
  - ~~(2) Assist in the evaluation of the student's identified on the job learning objectives.~~
  - ~~(3) Validate hours worked.~~

~~Note: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## NEW SECTION 55254 ADOPTED TO READ:

### § 55254. Records.

Districts shall retain as student educational records the following documents for each work experience education student:

- (a) learning agreements verifying hours worked;
- (b) weekly or monthly timesheets or summary statements verifying hours worked;
- (c) records of consultation with the employer;
- (d) records of faculty consultation;
- (e) evaluation of student achievement of learning objectives;
- (f) the work permit for minor students; and
- (g) records of the final grade.

## SECTION 55255 IS REPEALED.

### ~~§ 55255. District Services.~~

~~(a) The district shall provide sufficient services for initiating and maintaining on the job learning stations, coordinating the program, and supervising students. The supervision of students shall be outlined in a learning agreement coordinated by the college district under a state-approved plan. The employer and the qualified Community College Instructor/Coordinator shall share responsibility for on the job supervision, which shall include but not be limited to:~~

~~(1) Instructor/Coordinator consultation in person with employers or designated representatives to discuss students' educational growth on the job.~~

~~(2) Written evaluation of students' progress in meeting planned on the job learning objectives.~~

~~(3) Consultation with students in person to discuss students' educational growth on the job.~~

~~(b) The district shall provide the above services at least once each quarter or semester for each student enrolled in the Cooperative Work Experience Education. Qualified adjunct faculty may be hired from other institutions to develop the learning contracts and make the "in-person" consultation for a student that is out of a college's geographical region, state, or in another country. For legally indentured apprentices, the requirements of this section may be delegated to the Joint Apprenticeship Committee in order to avoid duplication of supervisory services. The responsibility for compliance with Education Code and title 5 Cooperative Work Experience Education requirements remains with the college.~~

~~(c) In certain limited situations that will be defined in guidelines issued by the Chancellor, the district may substitute approved alternatives to "in-person" consultations. The guidelines will specify the types of alternatives which districts may approve and the circumstances under which they may be used. In establishing and maintaining guidelines on such alternatives, the Chancellor shall consult with, and rely primarily on the advice and judgment of, the statewide Academic Senate and shall provide a reasonable opportunity for comment by other statewide and regional representative groups.~~

~~Note: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## SECTION 55256 IS REPEALED.

### ~~§ 55256. Records.~~

~~(a) The district shall maintain records which shall include at least the following:~~

- (1) The type and units of Cooperative Work Experience Education in which each student is enrolled, where the student is employed, the type of job held and a statement signed and dated by an academic employee which sets forth the basis for determining whether the student is qualified for Occupational or General Work Experience.
  - (2) A record of the work permit issued, if applicable, signed by the designated issuing agent.
  - (3) The employer's or designated representative's statement of student hours worked and evaluation of performance on the agreed-upon learning objectives. Work hours may be verified either by weekly or monthly time sheets or by a summary statement at the end of the enrollment period.
  - (4) New or expanded on-the-job measurable learning objectives which serve as part of the basis for determining the student's grade, signed by academic personnel, the employer or designated representative, and the student.
- (b) Records must be maintained which are signed and dated by academic personnel documenting:
- (1) Consultation(s) in person with the employer or designated representative.
  - (2) Personal consultation(s) with the student.
  - (3) Evaluation of the student's achievement of the on-the-job learning objectives.
  - (4) The final grade.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

## **SECTION 55256.5 IS REPEALED.**

### **§ 55256.5. Work Experience Credit.**

- (a) One student contact hour is counted for each unit of work experience credit in which a student is enrolled during any census period. In no case shall duplicate student contact hours be counted for any classroom instruction and Cooperative Work Experience Education. The maximum contact hours counted for a student shall not exceed the maximum number of Cooperative Work Experience Education units for which the student may be granted credit as described in section 55253.
- (b) The learning experience and the identified on-the-job learning objectives shall be sufficient to support the units to be awarded.
- (c) The following formula will be used to determine the number of units to be awarded:
  - (1) Each 75 hours of paid work equals one semester credit or 50 hours equals one quarter credit.
  - (2) Each 60 hours of non-paid work equals one semester credit or 40 hours equals one quarter credit.
  - (3) Units may be awarded in 0.5 unit increments.

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

## **SECTION 55257 IS REPEALED.**

~~§ 55257. Job Learning Stations.~~

~~Job learning stations shall meet the following criteria:~~

- ~~(a) Employers or designated representatives agree with the intent and purposes of Cooperative Work Experience Education for students and are given a copy of each student's approved on-the-job learning objectives.~~
- ~~(b) Job learning stations offer a reasonable probability of continuous work experience for students during the current work experience enrollment term.~~
- ~~(c) Employers or designated representatives agree to provide adequate supervision, facilities, equipment, and materials at the learning stations to achieve on-the-job learning objectives.~~
- ~~(d) Employers agree to comply with all appropriate federal and state employment regulations.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.~~

## **MULTIPLE SECTIONS OF ARTICLE 2, OF SUBCHAPTER 1, CHAPTER 9, OF DIVISION 6, OF TITLE 5, OF THE CALIFORNIA CODE OF REGULATIONS ARE AMENDED AS FOLLOWS:**

### **SECTION 58003.1 IS AMENDED TO READ:**

§ 58003.1. Full-Time Equivalent Student; Computation of Units.

- (a) Pursuant to the provisions of section 58051, the units of full-time equivalent student for apportionment purposes shall be computed for courses, including those delivered by distance education under article 1 (commencing with section 55200) of subchapter 3 of chapter 6, based on the type of course, the way the course is scheduled, and the length of the course.
- (b) The governing board of each community college district shall, for each of its colleges or its district, select and establish a single primary term length for credit courses that are scheduled regularly with respect to the number of days of the week and the number of hours the course meets each week, inclusive of holidays. The units of full-time equivalent student of credit courses scheduled coterminously with the term, exclusive of independent study and cooperative-work experience education courses, shall be computed by multiplying the

student contact hours of active enrollment as of Monday of the weeks nearest to one-fifth of the length of the term, unless other weeks are specified by the Chancellor to incorporate past practice, by the term length multiplier, and divided by 525. The term length multiplier for attendance accounting purposes shall be determined in accordance with this chapter, provided that the maximum multiplier for semester length terms shall be 17.5 and the maximum multiplier for quarter length terms shall be 11.67.

(c) For credit courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the college's primary term established pursuant to subdivision (b), or scheduled during the summer or other intersession, the units of full-time equivalent student, exclusive of independent study and ~~cooperative~~ work experience education courses, shall be computed by multiplying the daily student contact hours of active enrollment as of the census days nearest to one fifth of the length of the course by the number of days the course is scheduled to meet, and dividing by 525.

(d) For credit courses scheduled to meet for fewer than five days, and all credit courses scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days, the units of full-time equivalent student, exclusive of independent study and ~~cooperative~~ work experience education courses, shall be computed by dividing actual student contact hours of attendance by 525.

(e) For all open entry-open exit credit courses and for all noncredit courses otherwise eligible for state aid, except those described in subdivision (f), the units of full-time equivalent student shall be computed by dividing actual student contact hours of attendance by 525.

(f) For distance education courses not computed using other attendance accounting procedures described in this section and for independent study, correspondence and ~~cooperative~~ work experience education courses, the following alternative attendance accounting procedure shall be used:

(1) For credit courses, for purposes of computing full-time equivalent student only, one weekly student contact hour shall be counted for each unit of credit for which a student is enrolled in one of those courses. The full-time equivalent student of those courses shall be computed by multiplying the units of credit for which students are enrolled as of the census day prescribed in subdivision (b) or (c), as appropriate, for the primary term or intersession and duration for which the course is scheduled, by 17.5 for colleges on the semester system and by 11.67 for colleges on the quarter system and dividing by 525.

(2) For noncredit course sections covered by this subdivision, for purposes of computing full-time equivalent student only, weekly student contact hours shall be derived by counting the

total hours of instruction or programming received by the students, plus instructor contact as defined in sections 55204 or 55234, plus outside-of-class work expected as noted in the course outline of record and approved by the curriculum committee, and dividing the total number of hours for the course thus derived by 54. Hours of instruction or programming received shall be independently verified by the instructor using a method or procedure approved by the district according to policies adopted by the local governing board as required by section 58030. Full-time equivalent student for such noncredit course sections shall be computed by:

(A) multiplying the average of the number of students actively enrolled in the section as of each census date (those dates nearest to one-fifth and three-fifths of the length of the course section) by,

(B) the weekly student contact hours as derived above in this section, by

(C) the primary term length multiplier of 17.5, and

(D) dividing by 525.

(g) Notwithstanding subdivisions (b) and (c) of this section, the units of full-time equivalent student for any credit course other than independent study, correspondence and ~~cooperative~~ work experience education courses may, at the option of the district, be computed by dividing the actual student contact hours of attendance by 525. When a district chooses to exercise the option of computing attendance for any course section by the actual student contact hours method, such method must be used consistently for all attendance accounting for that section.

Note: Authority cited: Sections 66700, 70901, 78401 and 84500, Education Code. Reference: Sections 70901 and 84500, Education Code.

## **SECTION 58009 IS AMENDED TO READ:**

§ 58009. Application of Alternate Attendance Procedure for Independent Study, Correspondence, Work Experience, and Certain Distance Education Courses.

(a) For independent study, correspondence, ~~cooperative~~ work experience education and distance education courses using the attendance accounting procedure specified in subdivision (f) of section 58003.1, one weekly student contact hour shall be counted for each unit of credit for which the student is enrolled as of the census day prescribed in section 58003.1(b) or (c), except for independent study, correspondence, or distance education laboratory courses. For independent study, correspondence, or distance education laboratory courses, weekly student contact hours shall be equivalent to those which would

be generated for the same student effort in a laboratory course computed pursuant to subdivisions (b) or (c) of section 58003.1 and that would correspond to traditional length (non-compressed) primary terms. For purposes of this section only, a “distance education laboratory course” means a distance education course which consists partly or exclusively of laboratory work.

(b) For credit courses, full-time equivalent student in courses described in subdivision (a) offered during primary terms is computed by multiplying the weekly student contact hours authorized pursuant to subdivision (a), generated as of the census date prescribed in section 58003.1(b) by 17.5 for colleges on the semester system and by 11.67 for colleges on the quarter system, and dividing by 525.

(c) For noncredit courses described in subdivision (a), full-time equivalent student is computed on a census basis as prescribed in section 58003.1(f)(2).

(d) Full-time equivalent student in credit courses described in subdivision (a) which are conducted during a summer or other intersession is computed by multiplying the weekly student contact hours, authorized pursuant to subdivision (a) of this section, generated in each course, by a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such courses conducted in the primary terms, and dividing by 525.

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

## **SECTION 58161 IS AMENDED TO READ:**

Section 58161. Apportionment for Course Enrollment.

(a) A community college district may claim the attendance of students for enrollments in credit courses for state apportionment only if so authorized by this section and if all other requirements of this division are satisfied. For purposes of this section, the definition of enrollment found in section 55000 shall apply.

(b) A district may claim state apportionment for an enrollment in a credit course for the attendance of a student who receives a satisfactory grade, as defined in section 55000, one time unless an exception applies.

(c) A district may claim state apportionment for the attendance of students for enrollments totaling a maximum of three times per credit course and if all other requirements of this division are satisfied.

(d)(1) Notwithstanding subdivisions (b) and (c) of this section, a district may claim state apportionment for the attendance of students for enrollments in credit courses designated as repeatable, as provided in section 55041, as defined in section 55000, for no more than four times for semester courses or six times for quarter courses. This limitation applies even if a student receives a substandard grade or “W” during one or more of the enrollments in such a course.

(2) Notwithstanding subdivisions (b) and (c) of this section, a district may claim state apportionment for the attendance of students in active participatory credit courses that are related in content, in physical education, visual arts, or performing arts, as provided in section 55040(c), for no more than four times for semester courses or six times for quarter courses. This limitation applies even if a student receives a substandard grade or “W” during one or more of the enrollments in such a course.

(e) Notwithstanding subdivisions (b), (c), (d) and (e) of this section, a district may claim state apportionment for one additional enrollment if all other requirements of this division are met and only in the following circumstances:

(1) The attendance of a student for an enrollment in a credit course resulting in that student's repetition of the credit course because the district determines pursuant to section 55043 that there has been a significant lapse of time of no less than 36 months since the student previously successfully completed the course, unless an exception to the 36 month

requirement applies.

(2) The attendance of a student for an enrollment in a credit course which is a repetition of the credit course pursuant to section 55045 due to extenuating circumstances, if such credit course is not designated as repeatable pursuant to section 55041.

(f) Notwithstanding subdivisions (b), (c) and (d) of this section, a district may claim state apportionment for the attendance of students in credit courses for enrollments in the credit courses without limitation if all other requirements of this division are met and in the following circumstances:

(1) The attendance of a student in legally mandated training as provided in section 55040(b)(8).

(2) The attendance of a student with a disability may be claimed for state apportionment for each enrollment by that student in a credit special class as a disability-related accommodation which is justified by one of the circumstances described in section 56029.

(3) Except for active participatory courses in physical education, visual arts, or performing arts, the attendance of a student for each enrollment in a portion of a variable unit open entry/open exit credit course, that is necessary for the student to complete one time the entire curriculum of the course as described in the course outline of record, may be counted for state apportionment only to the extent that repetition of such courses is permitted pursuant to section 55044.

(4) The attendance of a student for each enrollment in a cooperative work experience education course pursuant to section 55253.

(5) The attendance of a student for each enrollment in a direct-assessment competency-based education module pursuant to Sections 55270 and 55270.13.

(6) The attendance of a student withdrawing as a result of extraordinary conditions pursuant to section 55024(a)(10).

(7) The attendance of a student receiving a military withdrawal ("MW") pursuant to section 55024(d)(1).

(8) The attendance of a student withdrawing as a result of discriminatory treatment pursuant to section 55024(a)(8).

(9) The attendance of a student in a course as a result of a change in industry or licensure standards such that repetition of the course is necessary for employment or licensure as set forth in section 55040(b)(9).

(g) To the extent permitted by article 4 of subchapter 1 of chapter 6, a district may permit enrollment in credit courses beyond the limits set forth in this section, but such additional enrollments may not be claimed for state apportionment.

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

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