

§ 55002. Standards and Criteria for Courses.

(a) Degree-Applicable Credit Course. A degree-applicable credit course is a course which has been designated as appropriate to the associate degree in accordance with the requirements of section 55062, and which has been recommended by the college and/or district curriculum committee and approved by the district governing board as a collegiate course meeting the needs of the students.

(1) Curriculum Committee. The college and/or district curriculum committee recommending the course shall be established by the mutual agreement of the college and/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 and/or district administration and the academic senate.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course for associate degree credit if it meets the following standards:

(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 section 55023. 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, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit in a manner consistent with the provisions of section 55002.5. The course outline of record shall record the total number of hours in each instructional category specified in governing board policy, the total number of expected outside-of-class hours, and the total student learning hours used to calculate the award of credit.

(C) Intensity. The course treats subject matter with a scope and intensity that requires students to study independently outside-of-class time.

(D) Prerequisites and Corequisites. When the college and/or district curriculum committee determines, 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, then the course shall require prerequisites or corequisites (credit or noncredit) that are established, reviewed, and applied in accordance with the requirements of this article.

(E) Basic Skills Requirements. If success in the course is dependent upon communication or computation skills, then the course shall require, consistent with the provisions of this article, as prerequisites or corequisites eligibility for enrollment in associate degree credit courses in English and/or mathematics, respectively.

(F) 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.

(G) Level. The course requires learning skills and a vocabulary that the curriculum committee deems appropriate for a college course.

(3) 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 unit value, the expected number of contact hours, outside-of-class hours, and total student learning hours for the course as a whole; the prerequisites, corequisites, or advisories on recommended preparation (if any) for the course; the catalog description, objectives, and content in terms of a specific body of knowledge. The course outline of record shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation.

(4) Conduct of Course. Each section of the 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.

(5) Repetition. Repeated enrollment is allowed only in accordance with the provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(b) Nondegree-Applicable Credit Course. A credit course designated by the governing board as not applicable to the associate degree is a course which, at a minimum, is recommended by the college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and is approved by the district governing board.

(1) Types of Courses. Nondegree-applicable credit courses are:

(A) nondegree-applicable basic skills courses as defined in subdivision (u) of section 55000;

(B) courses designed to enable students to succeed in degree-applicable credit courses (including, but not limited to, college orientation and guidance courses, and discipline-specific preparatory courses such as biology, history, or electronics) that integrate basic skills instruction throughout and assign grades partly upon the demonstrated mastery of those skills;

(C) precollegiate career technical preparation courses designed to provide foundation skills for students preparing for entry into degree-applicable credit career technical courses or programs;

(D) essential career technical instruction for which meeting the standards of subdivision (a) is neither necessary nor required.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course on the basis of the standards which follow.

(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 section 55023. The grade is based on demonstrated proficiency in the subject matter and the ability to demonstrate that proficiency, at least in part, by means of written expression that may include essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit in a manner consistent with the provisions of section 55002.5. The course outline of record shall record the total number of hours in each instructional category specified in governing board policy, the total number of expected outside-of-class hours, and the total student learning hours used to calculate the award of credit.

(C) Intensity. The course provides 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 successfully completing each such course, or sequence of required courses, will have acquired the skills necessary to successfully complete degree-applicable work.

(D) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, the course may require prerequisites or corequisites (credit or noncredit) for the course that are established, reviewed, and applied in accordance with this article.

(3) 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 unit value, the expected number of contact hours, outside-of-class hours, and total student learning hours for the course as a whole; the prerequisites, corequisites, or advisories on recommended preparation (if any) for the course; the catalog description, objectives, and content in terms of a specific body of knowledge. The course outline of record shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation.

(4) Conduct of Course. All sections of the course are 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.

(5) Repetition. Repeated enrollment is allowed only in accordance with the provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(c) Noncredit Course. A noncredit course is a course which, at a minimum, is recommended by the college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and approved by the district governing board as a course meeting the needs of enrolled students.

(1) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course if the course treats subject matter and uses resource materials, teaching methods, and standards of attendance and achievement that the committee deems appropriate for the enrolled students. In order to be eligible for state apportionment, such courses must be approved by the Chancellor pursuant to article 2 (commencing with section 55150) of subchapter 2 of this chapter and satisfy the requirements of section 58160 and other applicable provisions of chapter 9 (commencing with section 58000) of this division.

(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 number of contact hours normally required for a student to complete the course, the catalog description, the objectives, contents in terms of a specific body of knowledge, instructional methodology, examples of assignments and/or activities, and methods of evaluation.

(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.

(4) Repetition. Repeated enrollment is allowed only in accordance with provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(5) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, a noncredit course may serve as a prerequisite or corequisite for a credit course as established, reviewed, and applied in accordance with this article.

(d) Community Services Offering. A community services offering must meet the following minimum requirements:

(1) is approved by the 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 willing to pay fees to cover the cost of the offering; and

(6) may not be claimed for apportionment purposes.

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

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§ 55003. Policies for Prerequisites, Corequisites and Advisories on Recommended Preparation.

(a) The governing board of a community college district may establish prerequisites, corequisites, and advisories on recommended preparation, but must do so in accordance with the provisions of this article. Nothing in this subchapter shall be construed to require a district to establish prerequisites, corequisites, or advisories on recommended preparation; provided however, that a prerequisite or corequisite shall be required if the course is to be offered for associate degree credit and the curriculum committee finds that the prerequisite or corequisite is necessary pursuant to sections 55002(a)(2)(D) or 55002(a)(2)(E). Unless otherwise specified in this section, the level of scrutiny required to establish prerequisites, corequisites, and advisories on recommended preparation shall be based on content review as defined in subdivision (c) of section 55000 or content review with statistical validation as defined in subdivision (f) of this section. Determinations about prerequisites and corequisites shall be made on a course-by-course or program- by-program basis.

(b) A district governing board choosing to establish prerequisites, corequisites, or advisories on recommended preparation shall, in accordance with the provisions of sections 53200-53204, adopt policies for the following:

(1) the process for establishing prerequisites, corequisites, and advisories on recommended preparation. Such policies shall provide that in order to establish a prerequisite or corequisite, the prerequisite or corequisite must be determined to be necessary and appropriate for achieving the purpose for which it is being established.

(2) procedures to assure that courses for which prerequisites or corequisites are established will be taught in accordance with the course outline of record, particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or corequisite.

(3) the process to ensure that each section of the prerequisite or corequisite is to be taught by a qualified instructor and in accordance with a set of objectives and with other specifications defined in the course outline of record, as required in section 55002 for all courses.

(4) the process, including levels of scrutiny, for reviewing prerequisites and corequisites to assure that they remain necessary and appropriate. These processes shall provide that at least once each six years all prerequisites and corequisites established by the district shall be reviewed, except that prerequisites and corequisites for vocational courses or programs shall be reviewed every two years. These processes shall also provide for the periodic review of advisories on recommended preparation.

(5) the bases and process for an individual student to challenge the application of a prerequisite or corequisite.

(c) A district governing board choosing to use content review as defined in subdivision (c) of section 55000 to establish prerequisites or corequisites in reading, written expression or mathematics for degree-applicable courses not in a sequence shall first adopt a plan specifying:

(1) the method to be used to identify courses to which prerequisites or corequisites might be applied;

(2) assurance that courses are reasonably available to students when prerequisites or corequisites have been established using content review as defined in subdivision (c) of section 55000. Such assurance shall include sufficient availability of the following:

(A) appropriate courses that do not require prerequisites or corequisites, whether noncredit, credit basic skills or degree-applicable courses; and

(B) prerequisite or corequisite courses;

(3) provisions for training the curriculum committee; and

(4) the research to be used to determine the impact of new prerequisites and corequisites based on content review.

(d) Prerequisites or corequisites may be established only for any of the following purposes:

(1) the prerequisite or corequisite is expressly required, expressly required by institutions for which the college has transfer agreements, or expressly authorized by statute or regulation; or

(2) the prerequisite will assure, consistent with section 55002, that a student has the skills, concepts, and/or information that is presupposed in terms of the course or program for which it is being established, such that a student who has not met the prerequisite is highly unlikely to receive a satisfactory grade in the course (or at least one course within the program) for which the prerequisite is being established; or

(3) the corequisite course will assure, consistent with section 55002, that a student acquires the necessary skills, concepts, and/or information, such that a student who has not enrolled in the corequisite is highly unlikely to receive a satisfactory grade in the course or program for which the corequisite is being established, and if the corequisite course is intended as additional support for students enrolling in transfer-level English or mathematics and quantitative reasoning courses, then it must be determined that the corequisite course increases the likelihood that the student will pass the transfer-level course; or

(4) the prerequisite or corequisite is necessary to protect the health or safety of a student or the health or safety of others.

(e) Except as provided in this subdivision, no prerequisite or corequisite may be established or renewed unless it is determined to be necessary and appropriate to achieve the purpose for which it has been established. A prerequisite or corequisite need not be scrutinized using content review as defined by subdivision (c) of section 55000 or content review with statistical validation as defined by subdivision (f) of this section, if:

- (1) it is required by statute or regulation; or
- (2) it is part of a closely-related lecture-laboratory course pairing within a discipline; or
- (3) it is required by four-year institutions; or
- (4) baccalaureate institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite; or

(5) it is a corequisite that has been recommended through placement guidelines approved by the chancellor.

(f) Content review with statistical validation is defined as conducting a content review (as defined in subdivision (c) of section 55000) and the compilation of data according to sound research practices which shows that a student is highly unlikely to succeed in the course unless the student has met the proposed prerequisite or corequisite.

(g) If the curriculum committee, using content review with statistical validation, initially determines, pursuant to section 55002(a)(2) (E), that a new course needs to have a communication or computation skill prerequisite or corequisite, then, despite subdivision (e) of this section, the prerequisite or corequisite may be established for a single period of not more than two years while the research is being conducted and the final determination is being made, provided that all other requirements for establishing the prerequisite or corequisite have been met. The requirements of this subdivision related to collection of data shall not apply when the prerequisite or corequisite is required for enrollment in a program, that program is subject to approval by a state agency other than the Chancellor's Office and both of the following conditions are satisfied:

- (1) colleges in at least six different districts have previously satisfied the data collection requirements of this subdivision with respect to the same prerequisite or corequisite for the same program; and
- (2) 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. When there is a disproportionate impact on any such group of students, the district shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(h) 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.

(i) By August 1 of each year districts choosing to establish prerequisites, corequisites or advisories shall submit to the Chancellor's Office in the manner specified by the Chancellor the prerequisites and corequisites that were established during the prior academic year. Districts

shall also specify the level of scrutiny, i.e., content review as defined in subdivision (c) of section 55000 or content review with statistical validation as defined in subdivision (e) of this section, used to determine whether the prerequisite or corequisite was necessary and appropriate for achieving the purpose for which it was established.

(j) Prerequisites establishing communication or computational skill requirements may not be established across the entire curriculum unless established on a course-by-course basis.

(k) 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, as required by section 55521(a)(3). Any assessment instrument shall be selected and used in accordance with the provisions of subchapter 6 (commencing with section 55500) of this chapter.

(l) If a prerequisite requires precollegiate skills in reading, written expression, or mathematics, the district shall:

(1) ensure that 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.

(2) monitor progress on student equity in accordance with section 54220. Monitoring shall include:

(A) conducting an evaluation to determine the impact on student success including 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.

(B) where there is a disproportionate impact on any such group of students, the district shall, in consultation within the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(m) 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.

(n) 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.

(o) 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 student is dropped, the applicable enrollment fees shall be 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.

(p) Any prerequisite or corequisite may be challenged by a student on one or more of the grounds listed below. The student shall bear the initial burden of showing that grounds exist for the challenge. Challenges shall 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 section;
- (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;
or
- (6) Such other grounds for challenge as may be established by the district governing board.

(q) In the case of a challenge under subdivision (p)(3) of this section, the district shall promptly 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. If the student elects to proceed with the challenge, completion of the challenge procedure shall be deemed to constitute an informal complaint pursuant to section 59327.

(r) District policies adopted pursuant to this section shall be submitted to the Chancellor's Office as part of the district's matriculation plan pursuant to section 55510.

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

§ 55063. Minimum Requirements for the Associate Degree.

The governing board of a community college district shall confer the associate degree upon a student who has demonstrated competence in reading, in written expression, and in mathematics, and who has satisfactorily completed at least 60 semester units or 90 quarter units of degree-applicable credit course work (as defined in section 55002(a)) which falls into the categories described in section 55062. A college may also accept toward satisfaction of this requirement courses that were not completed at a California community college that would reasonably be expected to meet or exceed the standards of section 55002(a).

Effective for all students admitted to a community college for the Fall 200~~1~~⁹ term or any term thereafter, competence in written expression shall be demonstrated by obtaining a satisfactory grade in an English course at the level of the course typically known as Freshman Composition (either Freshman Composition or another English course at the same level and with the same rigor, approved locally) or by ~~completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500)~~ demonstrating competency and achieving a score ~~determined to be~~ that is comparable to satisfactory completion of the specified English course, determined locally. Satisfactory completion of an English course at the level of Freshman Composition shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(i) of this section.

Effective for all students admitted to a community college for the Fall 200~~1~~⁹ term or any term thereafter, competence in mathematics shall be demonstrated by obtaining a satisfactory grade in a mathematics course at or above the level of the course typically known as Intermediate Algebra (either Intermediate Algebra or another mathematics course at or above the same level, with the same rigor and with Elementary Algebra as a prerequisite, approved locally) or by ~~completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500)~~ demonstrating competency and achieving a score determined to be that is comparable to satisfactory completion of the specified a mathematics course at or above the level of the course typically known as Intermediate Algebra, determined locally. Satisfactory completion of a mathematics course at or above the level of Intermediate Algebra shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(ii) of this section.

The competency requirements for written expression and mathematics may also be met by obtaining a satisfactory grade in courses in English and mathematics taught in or on behalf of other departments and disciplines, and which, as determined by the local governing board, require entrance skills at a level equivalent to those necessary for Freshman Composition and Intermediate Algebra respectively. Requirements for demonstrating competency in reading shall be locally determined.

The required 60 semester or 90 quarter units of course work must be fulfilled in a curriculum accepted toward the degree by a college within the district (as shown in its catalog). It must include at least 18 semester or 27 quarter units in general education and at least 18 semester or 27 quarter units in a major or area of emphasis as prescribed in this section. Of the total required units, at least 12 semester or 18 quarter units must be completed in residence at the college

granting the degree. Exceptions to residence requirements for the associate degree may be made by the governing board when it determines that an injustice or undue hardship would be placed on the student.

(a) Requirements for a major or area of emphasis.

(1) At least 18 semester or 27 quarter units of study must be taken in a single discipline or related disciplines, as listed in the community colleges "Taxonomy of Programs," or in an area of emphasis involving lower division coursework which prepares students for a field of study or for a specific major at the University of California or the California State University.

(2) Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, each course counted toward the unit requirement of this subdivision must be completed with a grade of C or better or a "P" if the course is taken on a "pass-no pass" basis.

(b) General Education Requirements.

(1) Students receiving an associate degree shall complete a minimum of 18 semester or 27 quarter units of general education coursework which includes a minimum of three semester or four quarter units in each of the areas specified in paragraphs (A), (B) and (C) and the same minimum in each part of paragraph (D). The remainder of the unit requirement is also to be selected from among these four divisions of learning or as determined by local option:

(A) Natural Sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.

(B) Social and Behavioral Sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed 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. This category would include introductory or integrative survey courses in cultural anthropology, cultural geography, economics, history, political science, psychology, sociology and related disciplines.

(C) Humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course shall be designed to help the student 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 an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion, and advanced English as a Second Language.

(D) Language and Rationality. Courses in language and rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses. Such courses include:

(i) English Composition. Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing. Such courses may be taught in disciplines such as, but not limited to, English and English as a Second Language.

(ii) Communication and Analytical Thinking. Courses fulfilling the communication and analytical thinking requirement include oral communication, mathematics, and quantitative reasoning such as logic, statistics, computer languages and programming, and related disciplines.

(2) Ethnic Studies will be offered in at least one of the areas required by subdivision (1).

(c) While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major or area of emphasis requirement. Whether it may be counted again for a different degree requirement is a matter for each college to determine. Students may use the same course to meet a general education requirement for the associate degree and to partially satisfy a general education requirement at the California State University or University of California, if such course is accepted by that system to satisfy a general education requirement.

(d) For the purpose of this section, “satisfactorily completed” means either credit earned on a “pass-no pass” basis or a grade point average of 2.0 of C or better in California community college credit courses in the curriculum upon which the degree is based. For a course from another accredited institution, “satisfactorily completed” may mean a grade of C– or better provided that course and grade is accepted by that institution as “satisfactorily completed”.

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

§ 55522. Placement and Assessment.

(a) Placement.

(1) The goals of these regulations include:

(A) For students with a goal of transfer to a four-year institution, increase the numbers of students who enter and complete transfer-level English and mathematics (or quantitative reasoning) within a one-year time frame;

(B) For students with a goal of earning a certificate or local associate degree, increase the numbers of students who enter and complete transfer-level or the required college-level English and mathematics (or quantitative reasoning) within a one-year time frame;

(C) For students who are English language learners in a credit program, increase the numbers of students who enter and complete transfer-level or the required college-level English within a three-year time frame; and

(D) Minimize the disproportionate impact on students through traditional placement practices.

(2) Effective for all districts commencing with Fall 2019, processes for placing students into English, mathematics and other quantitative reasoning courses must fully comply with Education Code section 78213.

(A) Districts must use high school performance data as the primary means for placement when that information is available to students. Such data includes:

(i) High school coursework;

(ii) High school grades;

(iii) High school grade point average; and

(iv) State approved high school equivalency exams.

(B) If high school transcripts are not available to students, the districts must accept self-reported high school performance information.

(C) When placing students, districts must allow high performance on one measure to offset low performance on another measure.

(D) Districts must use placement methods that are supported by data and research that show throughput and success at or above that achieved upon direct placement into a transfer-level course (or college-level courses where appropriate). Such data and research must be validated in two years.

(E) Guided Self-Placement. Colleges may use guided self-placement processes, determined locally, that result in placement recommendations for students. In particular, if neither documented nor self-reported high school performance data is available, colleges should use guided self-placement processes.

(F) Retroactive Placement Requirements. Districts must ensure that students placed into pre-transfer level courses prior to the implementation of Education Code section 78213, and/or prior to adoption of these regulations, are re-evaluated for placement into English, mathematics and quantitative reasoning courses 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.

(3) Effective for all districts commencing with Fall 2020, processes for placing students into English as a Second Language (ESL) courses must fully comply with Education Code section 78213.

(A) Districts must use evidence-based measures for placement. Such data includes, but is not limited to:

(i) United States High school coursework;

(ii) United States High school grades;

(iii) United States High school grade point average; and

(iv) State approved high school equivalency exams.

(B) If United States high school transcripts are not available to students, the districts must accept self-reported United States high school performance information.

(C) When placing students, districts must allow high performance on one measure to offset low performance on another measure.

(D) Districts must use placement methods that are supported by data and research that show throughput and success at or above that achieved upon direct placement into a transfer-level course (or college-level courses where appropriate). Such data and research must be validated in two years.

(E) Guided Self-Placement. Colleges may use guided self-placement processes, determined locally, that result in placement recommendations for students. In particular, if neither documented nor self-reported United States high school performance data is available, colleges should use guided self-placement processes.

(F) Retroactive Placement Requirements. Districts must ensure that students placed into pre-transfer level courses prior to the implementation of Education Code section 78213, and/or

prior to adoption of these regulations, are re-evaluated for placement into English as a Second Language courses 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.

(~~a~~b) Assessment. The Chancellor shall establish and update, at least annually, a list of the approved assessment tests and instruments for use in placing students in English, mathematics and quantitative reasoning, or English as a Second Language (ESL) courses and guidelines for their use by community college districts. When using an English, mathematics and quantitative reasoning, or ESL assessment test for placement, it must be used with one or more other measures to comprise multiple measures.

(1) Districts and colleges are required to use the Chancellor's guidelines for the validation of all assessment tests used for placement to ensure that they minimize or eliminate cultural or linguistic bias and are being used in a valid manner. Based on this evaluation, the district or college shall determine whether any assessment test, method, or procedure has a disproportionate impact on particular groups of students, as defined by the Chancellor. When there is a disproportionate impact on any such group of students, the district or college shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(2) The Chancellor may identify other measures of a student's college readiness that community college districts may use for student placement into the college's curriculum.

(~~b~~c) Each community college district utilizing approved assessment tests or instruments shall adopt procedures that are clearly communicated to students, regarding the college's sample test preparation, how the student test results will be used to inform placement decisions, and the district's limits on the student's ability to re-test.

(~~e~~d) Community college districts shall not, except as provided in subdivision (~~d~~e), do any of the following:

(1) use an assessment test for placement which has not been approved by the Chancellor pursuant to section 55522, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment tests;

(2) use any assessment test in a manner or for a purpose other than that for which it was developed or has been otherwise validated;

(3) use any assessment test process to exclude any person from admission to a college, except that a college may determine the admission of special part-time or full-time students under Education Code section 76002 based on an assessment which involves multiple measures and complies with other requirements of this subchapter; ~~or~~

(4) use any assessment test, method, or procedure to exclude students from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to sections 55002 and 55003; and

(5) use any Student Success and Support Program practice which has the purpose or effect of subjecting any person to unlawful discrimination prohibited by subchapter 5 (commencing with section 59300) of chapter 10.

(~~e~~) Notwithstanding the provisions of subdivision (~~e~~d)(1) and (2), assessment tests approved by the Secretary of the United States Department of Education may be used to determine “ability to benefit” in the process of establishing a student's eligibility for federal financial aid pursuant to title 20 United States Code section 1091(d).

(~~e~~f) Notwithstanding paragraphs (1), (2), (3) or (5) of subdivision (~~e~~d) or the provisions of sections 55003 or 55522, a community college district may use an assessment test to select students for its nursing program, provided that:

(1) the district complies with all other provisions of this subchapter;

(2) the assessment test or other measures are used in conjunction with other assessment test, methods, or procedures to select students for enrollment in the nursing program; and

(3) the Chancellor has determined that the assessment test predicts likelihood of success in nursing programs, has approved use of the assessment test for that purpose and has established statewide proficiency cut-off scores for that test pursuant to Education Code section 78261.

(g) Colleges or districts that receive funding from the Student Equity and Achievement Program shall do the following pursuant to Education Code section 78213:

(1) Inform students of their rights, pursuant to Education Code section 78213, to access transfer-level coursework in English, mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;

(2) Include information about the student’s course placement options in the college catalog, in orientation and advisement materials, on the college’s website, and in any written communication by counseling services;

(3) Annually report all of the following to the Chancellor’s Office in a manner and form described by the Chancellor’s Office:

(A) The college’s placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity; and

(B) For students placed in stand-alone English or mathematics pretransfer-level coursework, colleges shall provide, based on local placement research, an explanation of how effective practices align with the regulations adopted pursuant to Section 78213.

(4) Publicly post the college's placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.

Note: Authority cited: Section 11138, Government Code; and Sections 66700 and 70901, Education Code. Reference: Section 11135, Government Code; and Sections 72011, 76002, 78211, 78212, 78213 and 78261, Education Code.

DRAFT



AB-705 Seymour-Campbell Student Success Act of 2012: matriculation: assessment. (2017-2018)

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Date Published: 10/13/2017 09:00 PM

Assembly Bill No. 705

CHAPTER 745

An act to amend Section 78213 of the Education Code, relating to community colleges.

[Approved by Governor October 13, 2017. Filed with Secretary of State October 13, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 705, Irwin. Seymour-Campbell Student Success Act of 2012: matriculation: assessment.

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law, the Seymour-Campbell Student Success Act of 2012, provides that the purpose of the act is to increase California community college student access and success by providing effective core matriculation services of orientation, assessment and placement, counseling, and other education planning services, and academic interventions. Existing law prohibits a community college district or college from using any assessment instrument for the purposes of these provisions without the authorization of the board of governors.

This bill would require a community college district or college to maximize the probability that the student will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe, and use, in the placement of students into English and mathematics courses in order to achieve this goal, one or more of the following: high school coursework, high school grades, and high school grade point average. The bill would authorize the board of governors to establish regulations governing the use of measures, instruments, and placement models to ensure that these measures, instruments, and placement models achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe, and that a student enrolled in English-as-a-second-language (ESL) instruction will enter and complete degree and transfer requirements in English within a timeframe of 3 years. The bill would also authorize the board of governors to establish regulations that ensure that, for students who seek a goal other than transfer, and who are in certificate or degree programs with specific requirements that are not met with transfer-level coursework, a community college maximizes the probability that a student will enter and complete the required college-level coursework in English and mathematics within a one-year timeframe.

The bill would prohibit a community college district or college from requiring students to enroll in remedial English or mathematics coursework that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework shows that those students are highly unlikely to succeed in transfer-level coursework in English and mathematics. The bill would authorize a community college district or college to require students to enroll in additional concurrent support, including

additional language support for ESL students, during the same semester that they take the transfer-level English or mathematics course, but only if it is determined that the support will increase their likelihood of passing the transfer-level English or mathematics course.

To the extent the bill would impose additional duties on community college districts and colleges, the bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. (a) The Legislature finds and declares all of the following:

(1) The California community college system is the nation's largest system of higher education, and a critical entry point to higher education and opportunities for upward mobility.

(2) California's community colleges identify more than 75 percent of its students as underprepared, and refer this overwhelming majority of students to remedial courses.

(3) The choice of assessment instruments and placement policies has serious implications for equity, since students of color are more likely to be placed into remedial courses.

(4) There are serious adverse consequences to a college incorrectly assigning a prepared student to remediation. These adverse consequences include discouraging some students from pursuing a postsecondary education, as well as burdening other students with higher educational costs and delaying their degree plans.

(5) Students placed into remediation are much less likely to reach their educational goals. According to the Student Success Scorecard, just 40 percent go on to complete a degree, certificate, or transfer outcome in six years, compared to 70 percent for students allowed to enroll directly in college-level courses.

(6) Numerous reputable studies suggest that community colleges are placing too many students into remediation and that many more students would complete transfer requirements in math and English if allowed to bypass remedial prerequisite courses and enroll directly in transfer-level English and math courses.

(7) Instruction in English as a second language (ESL) is distinct from remediation in English. Students enrolled in ESL credit coursework are foreign language learners who require additional language training in English, require support to successfully complete degree and transfer requirements in English, or require both of the above.

(8) The Board of Governors of the California Community Colleges has established rules to protect students from being excluded from courses in which they can be successful. This was in response to a Mexican American Legal Defense and Education Fund lawsuit that was settled in 1991 and was driven by concerns that assessment tests disproportionately placed Latino students into remedial prerequisite courses.

(9) Community colleges are prohibited from requiring students to take a prerequisite course unless they are highly unlikely to succeed in a higher-level course without it pursuant to Section 55003 of Title 5 of the California Code of Regulations, but this policy is not followed in practice. In math, broad exceptions allow community colleges to block students from courses in which they can be successful in the service of four-year university transfer policies.

(10) Colleges are also required to use multiple measures in determining course placement pursuant to Section 55522 of Title 5 of the California Code of Regulations, but Title 5 of the California Code of Regulations does not provide enough guidance in the use of multiple measures to ensure that students are not excluded from courses in which they can be successful.

(11) A 2016 report by the Public Policy Institute of California found that California community colleges still use placement tests extensively, and that the use of other student achievement measures for placement was sparse and unsystematic.

(12) There is evidence that when used as the primary criterion for placement, these tests tend to underplace students—leading colleges to assign students to remedial courses when those students could have succeeded in college-level courses. The reliance of test scores as the determinant factor for high-stakes placement decisions runs contrary to testing industry norms.

(13) Research shows that a student’s high school performance is a much stronger predictor of success in transfer-level courses than standardized placement tests.

(14) The community college system is in a good position to improve placement practices. The system’s Multiple Measures Assessment Project and Common Assessment Initiative have conducted deep and research-driven work on the use of high school performance to greatly improve the accuracy of the placement process.

(15) The Legislature has made significant investments to improve student assessment and placement. These investments most recently include the Community College Basic Skills and Student Outcomes Transformation Program grants, which are providing selected colleges with funding to redesign remedial assessment and placement, as well as curriculum and career pathways.

(16) The goal of this act is to ensure that students are not placed into remedial courses that may delay or deter their educational progress unless evidence suggests they are highly unlikely to succeed in the college-level course.

(b) It is the intent of the Legislature that the State Department of Education and the Chancellor’s Office of the California Community Colleges work collaboratively to ensure timely access to data regarding high school performance for purposes of community college student placement.

SEC. 2. Section 78213 of the Education Code is amended to read:

78213. (a) No community college district or college may use any assessment instrument for the purposes of this article without the authorization of the board of governors. The board of governors may adopt a list of authorized assessment instruments pursuant to the policies and procedures developed pursuant to this section and the intent of this article. The board of governors may waive this requirement as to any assessment instrument pending evaluation.

(b) The board of governors shall review all assessment instruments to ensure that they meet all of the following requirements:

(1) Assessment instruments shall be sensitive to cultural and language differences between students, and shall be adapted as necessary to accommodate students with disabilities.

(2) Assessment instruments shall be used as an advisory tool to assist students in the selection of appropriate courses.

(3) Assessment instruments shall not be used to exclude students from admission to community colleges.

(c) The board of governors shall establish an advisory committee to review and make recommendations concerning all assessment instruments used by districts and colleges pursuant to this article.

(d) (1) (A) A community college district or college shall maximize the probability that a student will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe, and use, in the placement of students into English and mathematics courses in order to achieve this goal, one or more of the following measures:

(i) High school coursework.

(ii) High school grades.

(iii) High school grade point average.

(B) Colleges shall use evidence-based multiple measures for placing students into English-as-a-second-

language (ESL) coursework. For those students placed into credit ESL coursework, their placement should maximize the probability that they will complete degree and transfer requirements in English within three years.

(C) Multiple measures shall apply in the placement of all students in such a manner so that either of the following may occur:

(i) Low performance on one measure may be offset by high performance on another measure.

(ii) The student can demonstrate preparedness and thus bypass remediation based on any one measure.

(D) When high school transcript data is difficult to obtain, logistically problematic to use, or not available, a community college district or community college may use self-reported high school information or guided placement, including self-placement for students.

(E) The board of governors may establish regulations governing the use of these and other measures, instruments, and placement models to ensure that the measures, instruments, and placement models selected by a community college demonstrate that they guide English and mathematics placements to achieve the goal of maximizing the probability that a student will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe and credit ESL students will complete transfer-level coursework in English within a timeframe of three years. The regulations should ensure that, for students who seek a goal other than transfer, and who are in certificate or degree programs with specific requirements that are not met with transfer-level coursework, a community college district or college maximizes the probability that a student will enter and complete the required college-level coursework in English and mathematics within a one-year timeframe.

(2) Notwithstanding Section 78218 or any other law, a community college district or college shall not require students to enroll in remedial English or mathematics coursework that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework shows that those students are highly unlikely to succeed in transfer-level coursework in English and mathematics. A community college district or college may require students to enroll in additional concurrent support, including additional language support for ESL students, during the same semester that they take a transfer-level English or mathematics course, but only if it is determined that the support will increase their likelihood of passing the transfer-level English or mathematics course. The community college district or college shall minimize the impact on student financial aid and unit requirements for the degree by exploring embedded support and low or noncredit support options.

(e) For purposes of this section, "assessment" means the process of gathering information about a student regarding the student's study skills, English language proficiency, computational skills, aptitudes, goals, learning skills, career aspirations, academic performance, and need for special services. Assessment methods may include, but not necessarily be limited to, interviews, standardized tests, attitude surveys, vocational or career aptitude and interest inventories, high school or postsecondary transcripts, specialized certificates or licenses, educational histories, and other measures of performance.

SEC. 3. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



AB-1805 Community colleges: Student Equity and Achievement Program. (2017-2018)

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Date Published: 09/19/2018 09:00 PM

Assembly Bill No. 1805

CHAPTER 531

An act to add Section 78221.5 to the Education Code, relating to community colleges.

[Approved by Governor September 19, 2018. Filed with Secretary of State September 19, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1805, Irwin. Community colleges: Student Equity and Achievement Program.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law, the Seymour-Campbell Student Success Act of 2012, provides that the purpose of the act is to increase California community college student access and success by providing effective core matriculation services of orientation, assessment and placement, counseling, and other education planning services, and academic interventions. Existing law requires a community college district or college to maximize the probability that a student will enter and complete transfer-level coursework in English and mathematics within a one-year timeframe. Existing law requires, for those students placed into credit English as a second language (ESL) coursework, community colleges to maximize the probability that the student will complete degree and transfer requirements in English within 3 years. Existing law also requires multiple measures to apply in the placement of all students, as provided.

Existing law also establishes the Student Equity and Achievement Program, pursuant to which funding may be provided to support the California Community Colleges in implementing activities and practices that, among other things, advance the systemwide goal of eliminating achievement gaps for students from traditionally underrepresented groups.

This bill would provide that, as a condition for receiving funding pursuant to the Student Equity and Achievement Program, a community college would be required to do all of the following: inform students of their rights to access transfer-level coursework and academic credit ESL coursework, and of the multiple measures placement policies developed by the community college, as provided; annually report to the Office of the Chancellor of the California Community Colleges the community college's placement policies and placement results; publicly post its placement results; and implement these provisions by a specified date. The bill would state the intent of the Legislature that the chancellor's office make the collected placement policies and placement data publicly available, except for personally identifiable information, by posting the data on its Internet Web site or making it publicly available upon request.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 78221.5 is added to the Education Code, to read:

78221.5. As a condition for receiving funding pursuant to the Student Equity and Achievement Program established by Section 78222, a community college shall do all of the following:

(a) (1) Inform students of their rights to access transfer-level coursework and academic credit English as a second language (ESL) coursework, and of the multiple measures placement policies developed by the community college, as provided in Section 78213.

(2) The information described in paragraph (1) shall be communicated in language that is easily understandable, and shall be prominently featured in the community college catalog, orientation materials, information relating to student assessment on the community college's Internet Web site, and any written communication by a college counselor to a student about the student's course placement options.

(b) Annually report both of the following to the chancellor's office in a manner and form prescribed by the chancellor's office, consistent with the requirements of Section 78213:

(1) The community college's placement policies.

(2) (A) The community college's placement results. A community college shall include the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit ESL coursework, disaggregated by race and ethnicity.

(B) For students placed in stand-alone English or mathematics pretransfer-level coursework, a community college district or college shall provide, based on local placement research, an explanation of how effective practices align with the regulations adopted pursuant to Section 78213.

(c) Publicly post its placement results, including the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit ESL coursework, disaggregated by race and ethnicity.

(d) Satisfy the requirements of this section by the implementation date, established by regulation pursuant to subdivision (d) of Section 78213, for purposes of compliance with the requirements of Section 78213.

(e) It is the intent of the Legislature that the chancellor's office shall make data collected pursuant to subdivision (b) publicly available, except for personally identifiable information, which shall be deemed confidential, by posting the data on the Internet Web site of the chancellor's office or making it publicly available upon request.