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January 26, 2009

TO: Superintendents/Presidents
Chief Instructional Officers
Chief Student Services Officers
Chief Business Officers
Admissions Officers and Registrars
Academic Senate Presidents

FROM: Carole Bogue-Feinour, Vice Chancellor
Academic Affairs Division

SUBJECT: To Be Arranged (TBA) Hours Follow Up

After Legal Advisory 08-02 was sent to districts on August 1, 2008, the Chancellor's Office received several inquiries regarding the guidelines provided, and certain concerns were expressed at the CIO fall conference, October 29 – 31, 2008. On December 10, 2008 representatives from the Chief Instructional Officers, Academic Senate for the California Community Colleges, and the System Office discussed specific concerns. This group agreed that the following steps should be taken to address the issues described below:

1. Early Childhood Education

Issue: Students completing Early Childhood Education (ECE) programs need experience working with children in child care centers or student teaching experience. Since on-campus centers cannot always accommodate all ECE students, our colleges schedule student teaching in local child care centers and add a number of TBA hours/week to the appropriate ECE course. While the ECE course instructor visits the child care centers regularly and discusses relevant issues with the students during on-campus classroom hours, those providing immediate supervision of our students engaged in student teaching activities in the child care centers do not meet minimum qualifications to teach ECE courses.

Solution: Title 5 language will be developed permitting immediate supervision for students engaged in student teaching activities to be shared by academic personnel of the district and a person at the local child care center who is not an academic district employee but who possesses, at a minimum, a Master Teacher Child Development Permit issued by the California Commission on Teacher Credentialing or equivalent.

Status: Language has been drafted and will be shared with appropriate groups and submitted to the Consultation Council and Board of Governors during Spring 2009.

2. Foreign Language Lab

Issue: At a large number of community colleges, TBA hours are added to foreign language lecture courses to provide students additional instruction and practice. These TBA hours are provided in foreign language labs that accommodate a limited number of students during any given hour. Due to class schedules, students in different foreign language courses may access the lab during the same hour. The instructor providing immediate supervision for the foreign language lab may meet minimum qualifications to teach only one of the languages in which students are engaged. Instructors who meet minimum qualifications for each of the languages are not scheduled during all hours of lab operation, and such a practice would likely be cost prohibitive.

Solution: Through the System Advisory Committee on Curriculum (SACC), the Chief Instructional Officers and Academic Senate, Title 5 language will be discussed addressing immediate supervision of foreign language labs and the minimum qualifications appropriate for the faculty member assigned. Language will be proposed to permit a foreign language instructor who meets minimum qualifications for any of the foreign languages offered at the college to provide immediate supervision of the foreign language lab.

Status: Title 5 language is being drafted and will be discussed at the February 10, 2009 SACC meeting. Language will be reviewed and shared with appropriate groups and submitted to Consultation Council and the Board of Governors during Spring 2009.

3. Definition of “regularly scheduled” TBA Hours

Issue: Census-based attendance is normally computed on the basis of regularly scheduled class hours applicable to all enrolled students, as published in the official schedule of classes or addendum e.g., M-W from 8:00 a.m. to 9:00 a.m. each day. If a credit census-based course includes required instructional hours for enrolled students that are not scheduled in this manner and instead are listed as “TBA” in the class schedule, documentation is required to demonstrate that each student has completed the TBA requirement as appropriate for either the Weekly or Daily Census attendance accounting procedures. For weekly census procedure courses, TBA hours must be scheduled the same number of hours each week of the term and specific days and times for each week must be arranged for each enrolled student. For daily census procedure courses, TBA hours must be scheduled for the same number of hours on each scheduled day of the course or as a portion of the hours the course is regularly scheduled for each day it meets.

Solution: Rather than making a change in Title 5, the System Office will address TBA scheduling through administrative guidance. Guidance will be drafted regarding the interpretation of the term “regularly scheduled” when applied to TBA hours attached to a weekly census or daily census course section. This guidance would permit regularly

scheduled TBA hours to mean that, within the format of weekly census and daily census courses, students would be required to participate for the same number of stated hours per week for each week that the class is scheduled, and documentation would demonstrate that enrolled students have done so. Audit language will include requirements for regular monitoring of student participation in TBA activities and criteria and conditions that, if not met, would result in invalidation for apportionment purposes of TBA hours for a course. For example, if an audit determined that all students or a significant number of students enrolled in a section did not fulfill the TBA obligation, then the TBA hours would be invalidated for apportionment purposes.

Status: System Office is drafting guidance including:

- a. Requirements for monitoring student participation.
- b. Criteria and conditions that must be met.

Guidance for these matters will be provided during Spring 2009.

As these Title 5 changes and administrative guidance move forward, it is important that the colleges address some areas fundamental to appropriate use of TBA hours at this time. **Please note that the following conditions must be met:**

1. The official course outline of record must include the number of TBA hours and specific instructional activities/learning outcomes for TBA hours expected of all students enrolled in the course.
2. The TBA hours must provide instruction that is not homework and the student work completed for TBA must be evaluated. In this regard, do not include within TBA hours unsupervised activities such as attendance at plays and concerts. Apportionment may not be collected for such activities.
3. The TBA hours/week required for the course must be included in the published catalog and class schedule.
4. The designated location for the TBA hours must be specified in a way that appropriately informs students.
5. All students enrolled in a course with TBA hours must be required to fulfill the hours and other conditions for TBA. Make sure that all student participation is documented.
6. TBA hours may not be claimed for apportionment under the auspices of individual student tutoring.

When reviewing courses with TBA, please note that a couple of options might be considered:

1. For courses across disciplines, it is acceptable to include TBA hours that specify student learning objectives focused on reading, writing, and math skill development that are related to the content area of the course. In this case, the instructor providing immediate supervision and instruction should meet minimum qualifications in reading, writing and/or math. For example, for a history course, it could be desirable to specify learning outcomes focused on research and writing within the history discipline. Students may be assigned to a learning center to meet those objectives

where such instruction can be appropriately provided by a faculty member who meets minimum qualifications in writing. In this case, the college should reference “team teaching” as a means of addressing the student outcomes related to writing for TBA hours on the course outline.

2. If TBA hours are problematic for various reasons including availability of facilities to accommodate the students who need to complete TBA hours or availability of instructors who meet minimum qualifications for the area where TBA hours are scheduled, you might examine the possibility of offering hybrid courses instead of courses with TBA hours. In this way, some of the contact hours could be offered in the classroom and others could be provided online as Distance Education (DE) hours. This type of offering may be subject to the Alternative Attendance Accounting Procedure as provided by Title 5, Section 58003.1 (f) and 58009. The Distance Education Guidelines (distributed August 18, 2008) provide additional information.

For further information or questions, you may contact Stephanie Low, Specialist, Academic Affairs at (916) 322-6888 or Carole Bogue-Feinour, Vice Chancellor, Academic Affairs at (916) 322-6881.