Title: Attendance Accounting: In-service Training Regulations

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Background California community colleges provide instructional in-service training for police, fire, corrections, and other criminal justice agencies. This in-service training provides continued education which enables agency employees to perform more efficiently and more safely, and is also essential in limiting liability in civil actions arising from employee activities. Some in-service training is mandated through various state or federal statutes and/or regulations. There are a limitless number of topics for in-service training including new laws, court decisions, internal policies and procedures.

Existing California Code of Regulations Title 5 restricts the attendance accounting methodology for public safety in-service training provided by community colleges to the “positive attendance accounting procedure” under which actual hours are counted towards content mastery of a specific topic. The historical reason for this requirement is that some, but not all, public safety agencies responsible for establishing standards for in-service training require the calculation of the number of hours for in-service training courses. In order to support the standards imposed by these public safety agencies, the Board of Governor’s incorporated the positive attendance requirement in title 5 regulations. It is important to note that the rationale for this requirement was not rooted in educational quality or fiscal accountability for community colleges. In recent years, it has come to the attention of the Chancellor’s Office that this attendance accounting restriction has the unintended consequence of limiting the ability of colleges to offer public safety in-service training using asynchronous distance education delivery in which students are able to take courses anytime from anywhere. This is because the title 5 requirement that asynchronously delivered distance education must use the “alternative attendance accounting procedure” based on the number of units of the course and not hours. As the use of distance education has expanded, public safety agencies are increasingly interested in utilizing a spectrum of educational modalities, including asynchronous models, for in-service training. Revisions to attendance accounting rules are necessary in order to allow this to occur.

Proposal The proposed change would remove the positive attendance accounting procedure restriction from title 5 regulations, enabling community colleges to use this method of attendance accounting for in-service courses where standards and regulations of the relevant public safety agencies allow it. If, however, the standards and regulations established by the relevant public safety agency for in-service courses require the calculation of hours for completion, colleges would be required to conduct those courses using the positive attendance accounting procedure.

The draft proposed regulations and a section-by-section analysis of the proposed changes are attached for review and discussion.