

EOPS/CARE New Directors Training
September 18-20, 2017
EOPS Title 5 Regulations

**California Code of
Regulations (Title 5)
Sections 56200 - 56298
Revised October 1987 and July 1990**

EOP&S Beginnings

- Senate Bill 164 written and introduced by
 - ✓ Senator Alquist and signed into law by
 - Governor Ronald Reagan September 4, 1969
- Over, Above and In Addition To:
 - ✓ Was introduced in the Education Code
 - Article 8 Section 69640

Program Intent and Purpose

Education Code Article 8. Section 69640:

- To encourage the enrollment, retention and transfer of students disadvantaged by language, social, economic and education
- To facilitate the successful completion of goals and objectives in college.
- Provide services which are **over, above, and in addition to** those provided to the general college population.

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- **56202. Full-Time Student**

“Full-time student” means a student who during a regular semester or quarter is enrolled in a minimum of 12 units or the equivalent in community college courses. Full-time student for a summer or inter-session shall be defined by the college district.

- Exceptions: Specified majors, ADA/504 compliance

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- **56204. Students Served**

For purposes of allocating EOPS funds, conducting audits and evaluations, an EOPS student is a person who, at minimum, the EOPS Program has documentation in the student's file of an EOPS application, Education Plan, and Mutual Responsibility Contract developed pursuant to Section 56222(c).

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- **56208 Advisory Committee**
- Must have an EOPS Advisory Committee.
- Purpose - to assist the college in developing and maintaining an effective EOPS Program.
- Must meet at least once during each academic year.
- Committee membership - no fewer members than the members of the local Board of Trustees; two years terms (may serve more than one term.)

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- Advisory Committee Representation should include:
 - College Personnel
 - EOPS/CARE Students
 - Local and feeder high schools
 - Community and business sector
 - Four Year Colleges (where possible)
 - *Department Of Social Services (CalWORKs), as appropriate)

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- **56210. Comparable Level of Services**

Beginning with the 1987-88 academic year and every year thereafter, the college shall maintain the same dollar level of services supported with non-EOPS funds as the average reported in its final budget report in the previous three academic years. At a minimum, this amount shall equal the three-year average or 15 percent of the average EOPS

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- **56210 (continued)**

allocation to that college for the same three base years, whichever is greater. The Chancellor may approve reductions in the required amount if enrollments in the EOPS program decline. [EOPS district contribution]

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- **56220. Eligibility for Programs and Services**
To receive [EOPS] programs and services, a student must:
 - a) be a resident of California [or meet AB 540/California Dream Act requirements]
 - b) be enrolled full-time when accepted into EOPS; EOPS director may authorize up to 10% of EOPS students accepted/enrolled for 9 units

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- **56220 (continued)**

c)not have completed more than 70 units of degree-applicable credit course work in any combination of postsecondary higher education institutions

d)qualify to receive a Board of Governors enrollment fee waiver, i.e., BOGFW-A, BOGFW-B, or BOGFW-C with zero EFC (eligible for Part B referral)

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- **56220 (continued)**

- e) be educationally disadvantaged

- 1) not qualified at college of attendance

- for enrollment into the minimum level English or mathematics course that is applicable to the associate degree

- 2) not have graduated from high school or obtained the GED

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- **56220 (continued)**

3) graduated from high school with a GPA below 2.50 on a 4.0 scale

4) was previously enrolled in remedial education or basic skills

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- **56220 (continued)**
 - 5) other factors (optional)
 - a. first-generation college student
 - b. underrepresented as defined by district student equity goals
 - c. primary language spoken at home is not English
 - d. emancipated foster youth

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- **56222. Student Responsibility**

To remain eligible to receive EOPS programs and services, students shall:

a) apply for state and/or federal financial aid. BOGFW application meets eligibility requirement.

b) maintain academic progress towards a certificate, associate degree or transfer goal

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- **56222 (continued)**

c)file an EOPS application and complete and adhere to a student educational plan and an EOPS mutual responsibility contract (MRC) for programs and services

d)within two months of acceptance in EOPS, provide income documentation to verify financial aid eligibility

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- **56224. Eligibility for EOPS Financial Aid**

To receive EOPS financial aid a student shall [each academic year]:

- a) be eligible for and receive EOPS programs and services
- b) demonstrate financial need
- c) have need for EOPS financial aid

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- **56226. Limitations on Eligibility**

A student who has met the EOPS eligibility requirements and participates without term-to-term interruption shall continue to be eligible until the student:

a) has completed 70 degree-applicable credit units of instruction or 6 consecutive [primary] semester terms or 9 quarter terms of enrollment – time enrolled in

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- **56226 (continued)**

remedial courses, including remedial level ESL, shall not be included when computing the requirements of this subsection. The EOPS director may waive this limitation only in cases where students are enrolled in programs which require more than 70 units, or which require prerequisites that exceed the limitations.

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- **Article 3. Program Standards**
- **56230. Full-Time EOPS Director**

Each college receiving EOPS funds shall employ a full-time EOPS director to directly manage and/or coordinate the daily operation of the programs and services offered, and to supervise and/or coordinate the staff assigned to perform EOPS activities. Colleges having less than full-time EOPS director positions

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- **56230 (continued)**

may continue such positions upon approval of the Chancellor. The Chancellor shall consider the number of students served, the size of the EOPS budget, and the scope and level of services offered when approving requests for less than full-time EOPS director positions.

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- **56232. Outreach, Orientation, and Registration Services**

Each college receiving EOPS funds shall provide access services to identify EOPS eligible students and facilitate their enrollment in the college. Access services shall include at minimum:

a) outreach and recruitment to increase the number of potential EOPS eligible students

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- **56232 (continued)**

who enroll at the college

b)orientation to familiarize EOPS eligible students with: the location and function of campus departments, offices and EOPS programs and services

c)registration assistance for priority enrollment (i.e., first tier priority registration)

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- **56234. Assessments**
- **56236. Counseling and Advisement**

Each college receiving EOPS funds shall provide counseling and advisement to EOPS eligible students of at least 3 contact sessions per term for each student as follows:

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- **56236 (continued)**

a) Interpret assessment results to prepare a student's education plan, and a mutual responsibility contract specifying what EOPS programs and services the student shall receive and what the student is expected to accomplish

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- **56236 (continued)**

b) An in-term contact session to ensure the student is succeeding adequately, that EOPS programs and services are being provided effectively, and to plan changes as may be needed to enhance student success

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- **56236 (continued)**

c) A term-end or program exit contact session to assess the success of students in reaching their objectives that term, the success of EOPS programs and services in meeting the students' needs, and to assist students in preparing for the next term of classes or to make future plans for students leaving EOPS or the college

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- **56238. Basic Skills Instruction and Tutoring Services**

Colleges receiving EOPS funds shall provide basic skills instruction and tutoring services to EOPS-eligible students who, on the basis of assessments and counseling, need such services to succeed in reach their educational goals.

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- **56240. Transfer and Career Employment Services.**

Colleges receiving EOPS funds shall provide assistance to EOPS eligible students to transfer to four-year institutions and/or to find career employment in their field of training.

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- **Article 4. EOPS Financial Aid Standards**
- **56252. Purpose**

Financial assistance in the form of EOPS grants and work-study shall be awarded...to EOPS eligible students for the purpose of reducing potential student loan indebtedness, or to reduce unmet financial need, after PELL grants and other state, federal, or institutional financial aid has been awarded to the student.

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- **56254. EOPS Grants and Workstudy Awards**
 - a) Grants may be awarded in an amount not to exceed \$900 per academic year, or the amount of a student's unmet need, whichever is less.
 - b) Workstudy awards shall not exceed \$1,800 per academic year, or the amount of a student's unmet need, whichever is less.

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- **56254 (continued)**

- c) No combination of EOPS grant and workstudy awards may exceed \$1,800 or exceed the amount of a student's unmet need, whichever is less in an academic year.
- d) EOPS grants shall be disbursed to each student equally among terms in the college academic year.

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- **56258. Emergency Loans**

EOPS programs may establish an emergency loan program for EOPS students to meet unexpected or untimely cuts for books, college supplies, and transportation, subject to the following provisions:

a) loans may not exceed \$300 [per student] in a single academic year in which the loan was made

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- **56258 (continued)**

b) loan funds shall be held in a separate account established by the district for that purpose; collected funds and interest earned shall be credited to the loan account and all loan funds may be carried over fiscal years for the life of the EOPS loan program

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- **56258 (continued)**

c) the total amount held for the EOPS loan program may not exceed three times the amount originally set aside to establish the program. Amounts in excess of this limit, or the total amount held when the program is terminated, shall be returned to the Chancellor (state).

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- **Article 5. Staffing Standards**

- **56260. Staff**

EOPS shall be provided by certificated directors, instructors and counselors and other support staff employed by the district. All staff funded by EOPS who are not supervised by the EOPS director shall be accountable to the EOPS director for services rendered to EOPS students pursuant to the approved EOPS program plan.

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- **56262. Director Qualifications**

- a) The EOPS director must meet the minimum qualifications for a student services administrator.

- b) An EOPS director must have, within the last 4 years, 2 years of full-time experience or the equivalent:

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- **56262 (continued)**

- 1) management or administration of educational programs, community organizations, government programs, or private industry in which s/he dealt predominantly with ethnic minorities or persons handicapped by language, social or economic disadvantages or

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- **56262 (continued)**

- 2) as a community college EOPS counselor or EOPS instructor, or have comparable experience in working with disadvantaged clientele

- c) In addition, an EOPS director...shall have completed a minimum of 6 units of college-level course work predominantly relating to ethnic minorities or persons handicapped by educational, language or social disadvantages

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- **56264. Counselor Qualifications**

a) EOPS counselors are...certificated [academic] counselors in the EOPS program and must possess...a master's degree in counseling, rehabilitation counseling, clinical psychology, counseling, psychology, guidance counseling, educational counseling, social work, or career development, or the equivalent, and

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- **56264 (continued)**

b) In addition, EOPS counselors shall:

- 1) have completed a minimum of 9 semester units of college course work predominantly relating to ethnic minorities or persons handicapped by language, social or economic disadvantages or

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- **56264 (continued)**

- 2) 6 semester units or equivalent of a college-level counseling practicum or counseling field work courses in a community college EOPS program, or a program dealing predominantly with ethnic minorities or persons handicapped by language, social or economic disadvantages and,

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- **56264 (continued)**

c) In addition, an EOPS counselor...shall have 2 years of occupational experience in work relating to ethnic minorities or persons handicapped by language, social or economic disadvantages.

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- **Article 6. Plans and Priorities**
- **56270. Contract Plan**
 - a) Districts wishing to participate in EOPS shall submit for approval by the Chancellor [an EOPS Program Plan]...for each college within the district which intends to conduct an EOPS Program. A college plan approved by the Chancellor shall constitute a contract between

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- **56270 (continued)**

the district which operates the college and the Chancellor. Changes to the program plan may be made only with the prior written approval of the Chancellor.

b) The Chancellor will notify in writing those districts which submit plans on or before the deadline...within 90 days whether the

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- **56270 (continued)**

district's plan is complete and whether the plan is approved or disapproved.

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- **56274. Review and Approval of District Plans**

All plans and requests for funding submitted on or before the deadline shall be reviewed and evaluated by the Chancellor. The Chancellor shall approve plans for funding in whole or in part.

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- **56278. Program Evaluation by the Chancellor**

Each college having an approved plan shall participate annually in an evaluation of the effectiveness of the program which shall be conducted by the Chancellor. The annual evaluation may include on-site operational reviews, audits, and measurements of student success in achieving their educational objectives.

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- **56290. Priorities in Serving Students**

Each plan shall incorporate the priorities of this Section in the order presented when serving students from among those who are eligible [for EOPS]. The purpose of these priorities is to ensure that colleges strive to achieve and maintain a racial, ethnic, and gender composition among income eligible students served which matches the racial, ethnic, and

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gender composition by income group of 18 years and above who reside in the college service area.

- a) Priority in outreach and recruitment services shall be directed towards correcting the greatest underrepresentation among students served. Additional priority among underrepresented students shall be given to serving individuals who are the first in their

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family to attend college.

b) Priority in serving students enrolled at the college shall be:

- 1) serving continuing EOPS students with the lowest income
- 2) serving continuing EOPS students with the lowest income who are transferring from

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another [community college] EOPS
program

3) serving first-time EOPS students with the
lowest income

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- **Article 7. Funding and Expenditures**
- **56290. Income and Expenditure
Accountability**

Districts shall maintain separately accounts for monies provided for, and expended in, support of EOPS activities by specific line item.

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- **56293. District Fiscal Responsibility and Contribution**

Districts shall ensure that colleges ...conducting EOPS programs provide to EOPS students who need them the same programs and services the college offers to all of its credit enrolled students. ...Districts accepting EOPS funds will be required to pay the salary

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- **56283 (continued)**

of the EOPS director at 100 percent of salary and benefits [for the time assigned as EOPS director].

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- **56294. EOPS Supplemental Costs**

Colleges shall expend EOPS funds only for programs and services which are over, above, and in addition to the costs which are the district's responsibility as defined by Section 56293.

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- **56295. Expenditures Allowed**

a) Colleges may expend EOPS funds to meet the EOPS supplemental costs for personnel and other expenses approved in the EOPS annual plan.

Discretionary costs: Expenditures for other expenses in object codes 4000 through 6000 (except for EOPS financial aid) in the Budget and Accounting Manual (BAM) shall not

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- **56295 (continued)**

exceed 10 percent of the EOPS allocation or \$50,000, whichever is less.

b) Requests to purchase computer hardware and/or software shall be approved by the district CEO prior to transmittal for approval by the Chancellor.

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- **56296. Expenditures Not Allowed**

EOPS funds shall not be expended for the following:

a) college administrative support costs (e.g., staff of the business office, bookstore, reproduction, staff at the dean salary level and above)

b) indirect costs (e.g., heat, lights, power, janitorial service)

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- **56296 (continued)**

c) political or professional association dues and/or contributions

d) costs of furniture (chairs, desks, coat hangers, etc.)

e) costs of construction, remodeling, renovation, or vehicles

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- **56296 (continued)**

f) travel costs other than travel costs of EOPS staff and students for EOPS activities or functions

Except for items a) through c) above, waivers may be approved by the Chancellor on a case-by-case basis.

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- **56297. Special Projects and Incentives**
 - a) The Chancellor may allocate funds for recommended special projects which seek to benefit the statewide, regional, or local conduct of EOPS programs, provided that no special project duplicates college or EOPS activities (e.g., new directors training, statewide technical assistance training, EOPS Regional Coordinators meetings)

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- **56298. EOPS Financial Aid Restrictions**

In each fiscal year the colleges shall expend for EOPS grants and work-study an amount equal to that expended in the prior fiscal year, unless waived by the Chancellor, for the following reasons:

- a) to establish a book service program
- b) the college allocations was corrected
- c) to meet the requirements of Article 3

Spending EOPS/CARE Funds Responsibly

- Must be spent in the fiscal year in which they are allocated
- Supplanting is strictly prohibited
- Serve as many eligible students as restored funding and resources allow
- Consider increasing full-time permanent staff and increasing time of hourly staff (such as counseling and outreach/recruitment staff, etc.)
- Consider providing object code 7000 direct services that couldn't be provided in the lean years (**but remember to inform the financial aid director about “resources”**)

Questions?

The END!