

**15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED
AMENDMENTS TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING
CURRICULUM AND INSTRUCTION**

15-day Notice published February 26, 2019

The Board of Governors of the California Community Colleges hereby provides notice of changes to the above-referenced proposed regulatory action that was the subject of a public hearing on January 14, 2019. Section 206, subdivision (c), of the Procedures and Standing Orders of the Board of Governors requires the Board to renotify the proposed regulatory action where the proposed regulations have been previously considered, are being modified, and the modifications are “sufficiently related” to the text of the previously-proposed regulations.

CHANGES TO THE TEXT

Following the 45-day comment period that ended on February 18, 2019, changes were made to the regulatory action in proposed section 55063, subdivision (d). The California Community College Chancellor's Office will present the regulatory action to the Board of Governors at its March 18-19, 2019 meeting. The changes are submitted for an additional 15-day comment period effective today, February 26, 2019. Comments must be received prior to 4:00 p.m. on March 12, 2019.

The Chancellor's Office proposes leaving section 55063, subsection (d), unchanged. The changes from the original noticed regulations are denoted by double bold underline and/or double bold strikeout, as indicated below.

§55063. Minimum Requirements for the Associate Degree.

(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 or 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”~~

When approved by the Office of Administrative Law, the subdivision will appear in the regulations as follows:

§55063. Minimum Requirements for the Associate Degree.

(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 or better in community college credit courses in the curriculum upon which the degree is based.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the changes to the proposed regulatory action subject to this 15-day notice. Comments must be limited to title 5, California Code of Regulations, section 55063, subdivision (d). We will accept comments concerning the changes outlined above in this 15-day notice until March 12, 2019. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549

Comments may also be submitted by facsimile at 916-322-9030 or by email at regcomments@cccco.edu.

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on March 12, 2019. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

UPDATED INFORMATIVE DIGEST

In October of 2017, the California legislature approved AB 705, and the Governor signed the bill into law. Over the past year, the Chancellor’s Office has been working with a variety of key stakeholder groups to formulate regulatory changes in title 5 to reflect the inclusion of AB 705 as both curricular and

assessment/placement elements. As the bill itself articulates, traditional placement instruments and tests historically “under-place” students into remedial education sequences that often take years to complete. This phenomenon is particularly acute for students of color and students with economic disadvantages. In order to address these inequities, Assembly Member Jacqui Irwin authored AB 705, which requires community colleges to use high school performance as the primary placement tool, as it is a more accurate predictor of student success than other placement tools. The purpose of the law included the following goals: improve the numbers of students who have direct access to transfer-level English and quantitative reasoning/mathematics; increase the numbers of student who complete transfer-level English and quantitative reasoning/mathematics, and decrease the time English as a Second Language (ESL) learners will require to complete transfer-level English. This item only includes regulatory language related to English and quantitative reasoning/mathematics; however, additional regulatory language will be provided at a future date to further align and harmonize other language within title 5 to AB 705.

When AB 705 was signed into law in October of 2017, the Chancellor’s Office created the AB 705 Implementation Advisory Committee in order to create a forum to unpack the language of the legislation and determine pathways toward implementation. This group, comprised of faculty, classified professionals, researchers, administrators, Board of Governors members, Chancellor’s Office staff, and Success Center staff, met for approximately eight months in order to set a timeline for implementation, define key terms, evaluate research, set the default placement rules, and establish a framework for understanding the implications of the bill. The history of the work of this Committee is available online at the following website: <https://assessment.cccco.edu/ab-705-implementation/>.

The fundamentals determined by the Advisory Committee provided a basis for a series of guidance memos and Frequently Asked Questions documents co-authored by the Chancellor’s Office and the Academic Senate. Those documents, also available on the web, have stimulated local dialogue about implementation and evaluation efforts throughout the System. The Committee also established a separate advisory group to delineate the implications for ESL instruction and students. Because the law had so many implications on college

processes and practices, the Chancellor's Office determined that beginning with guidance rather than regulation would support ongoing discussion and professional development, as well as provided a basis for future regulation. During this period, the Academic Senate, the Chancellor's Office, California Acceleration Project, RP Group, and West Ed have all prioritized providing professional learning for key personnel in the colleges about how to locally apply the tenets of the law to improve student success and equitable outcomes. The Chancellor's Office is also working with researchers to aggregate survey data regarding plans the colleges are making to satisfy the implementation requirements while also building the data infrastructure to provide high school performance information and MIS data collection capabilities to track curricular reforms and concurrent support efforts.

With the implementation date of fall of 2019, the Chancellor's Office has developed regulatory language that reflects and aligns with the work of the past year. These regulations have had the benefit of feedback from the AB 705 Implementation Advisory Committee, the California Community Colleges Curriculum Committee (5C), and Consultation Counsel. 5C, in particular, made additional efforts to fit the regulations into their review schedule so that they could be ready for the January 2019 Board of Governors meeting. Legal counsel has also reviewed and revised the language, using appropriate input, in order for the language to be prepared for a First and Second Reading.

The language represents not only a team effort among many stakeholders but also the best opportunity the California Community College System has to address inequities that begin at the time of placement and continue throughout students' college journeys. With AB 705, the colleges have a reasonable opportunity to address stubborn equity gaps that have not been previously addressed in scalable or significant ways. Since this is a core value in the Vision for Success, AB 705 represents a powerful tool to make progress on those equity goals.

Notice of the proposed regulation was published on January 4, 2019, to begin the 45-day public comment period. The regulations were presented to the Board of Governors on January 14, 2019 for a first reading and public hearing. The public comment period for the 45-day comment period ended on February 18, 2019. The 15-day notice of the proposed title 5 changes is issued on February 26, 2019 with a closing date for comments on March 12, 2019. Attached is the regulation text with changes to section 55063, subdivision (d). It is expected that the Board of Governors will be asked to

adopt the regulatory action, including the changes to section 55063, subsection (d), leaving the subdivision unchanged at the March 18-19, 2019 meeting.

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to:

Alice Perez, Vice Chancellor
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulatory action subject to this 15-day notice is set forth above. All of the information upon which the proposal is based, may be obtained online at:

[Board of Governors Meetings Agenda](#) or [Legal - Regulations](#).

Those who receive the Board of Governors Agenda package for the March 18-19, 2019 meeting can find a further description of the proposal and the full text of the regulations. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.