

**Title 5 Part One Changes**  
**In effect August 17<sup>th</sup>, 2007**

**Article 1. Distance Education (Article was mostly moved, with only minor changes)**

**(Comment: This new section 55200 defines distance education. It is similar to current section 55205 which it replaces, except that language now appearing in the guidelines is added to 55210 clarify that, for the purpose of System Reporting, a course or course section is considered to be delivered by distance education if at least 51 percent of the hours of instruction occur at a distance.)**

**§ 55200. Definition and Application.**

Distance education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. All distance education is subject to the general requirements of this chapter as well as the specific requirements of this article. In addition, instruction provided as distance education is subject to the requirements that may be imposed by the Americans with Disabilities Act (42 U.S.C. § 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d).

NOTE: Authority cited: Section 66700 and 70901, Education Code; References: Sections 70901 and 70902, Education Code; title 29 United States Code section 794d, and title 42 United States Code section 12100 et seq.

**(Comment: Section 55202 discusses course quality standards for distance education. It combines language now found in sections 55207 and 55209 which it replaces. Language is added to clarify that normal course quality standards apply to any portion of a course conducted through distance education.)**

**§ 55202. Course Quality Standards.**

The same standards of course quality shall be applied to any portion of a course conducted through distance education as are applied to traditional classroom courses, in regard to the course quality judgment made pursuant to the requirements of section 55002, and in regard to any local course quality determination or review process. Determinations and judgments about the quality of distance education under the course quality standards shall be made with the full involvement of faculty in accordance with the provisions of subchapter 2 (commencing with section 53200) of chapter 2.

NOTE: Authority cited: Section 66700 and 70901, Education Code. References: Sections 70901 and 70902, Education Code.

**(Comment: Section 55204, which requires regular instructor contact, is virtually identical to section 55211 which it replaces, except that language has been added to clarify that rules related to conduct of distance education and effective instructor contact apply to any portion of a course conducted through distance education.)**

**§ 55204. Instructor Contact.**

In addition to the requirements of section 55002 and any locally established requirements applicable to all courses, district governing boards shall ensure that:

(a) Any portion of a course conducted through distance education includes regular effective contact between instructor and students, through group or individual meetings, orientation and review sessions, supplemental seminar or study sessions, field trips, library workshops, telephone

contact, correspondence, voice mail, e-mail, or other activities. Regular effective contact is an academic and professional matter pursuant to sections 53200 et seq.

(b) Any portion of a course provided through distance education is conducted consistent with guidelines issued by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.

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

**(Comment: Section 55206, which requires separate approval of distance education courses, is similar to section 55213 which it replaces, but it is revised to clarify that separate approval is required if any portion of the instruction in a course or course section is provided through distance education in lieu of face-to-face interaction.)**

**§ 55206. Separate Course Approval.**

If any portion of the instruction in a proposed or existing course or course section is designed to be provided through distance education in lieu of face-to-face interaction between instructor and student, the course shall be separately reviewed and approved according to the district's adopted course approval procedures.

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

**(Comment: This new section 55208, which addresses faculty selection and workload for distance education, is virtually identical to sections 55215 and 55217 which it replaces.)**

**55208. Faculty Selection and Workload.**

(a) Instructors of course sections delivered via distance education technology shall be selected by the same procedures used to determine all instructional assignments. Instructors shall possess the minimum qualifications for the discipline into which the course's subject matter most appropriately falls, in accordance with article 2 (commencing with section 53410) of subchapter 4 of chapter 4, and with the list of discipline definitions and requirements adopted by the Board of Governors to implement that article, as such list may be amended from time to time.

(b) The number of students assigned to any one course section offered by distance education shall be determined by and be consistent with other district procedures related to faculty assignment. Procedures for determining the number of students assigned to a course section offered in whole or in part by distance education may include a review by the curriculum committee established pursuant to section 55002(a)(1).

(c) Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards.

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

**(Comment: Section 55210, which addresses ongoing district responsibility for distance education, is virtually identical to current section 55219 which it replaces, except that language is added to clarify that the requirements of this section apply only where distance education is used for 51 percent or more of the instruction in a course or course section.)**

**§ 55210. Ongoing Responsibility of Districts.**

If a district offers one or more courses or course sections in which instruction is provided through distance education for at least 51 percent of the hours of instruction in the course or course section, the district shall:

(a) maintain records and report data through the Chancellor's Office Management Information System on the number of students and faculty participating in new courses or sections of established courses offered through distance education ;

(b) provide to the local governing board, no later than August 31st of each year, a report on all distance education activity;

(c) provide other information consistent with reporting guidelines developed by the Chancellor pursuant to section 409 of the Procedures and Standing Orders of the Board of Governors.

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

**(Comment: Section 58003.1, which defines the basic methods of attendance accounting, is amended to make technical and conforming changes.)**

**§ 58003.1. Full-time Equivalent Student; Computation.**

(a) Pursuant to the provisions of section 58051, the units of full-time equivalent student for apportionment purposes shall be computed for courses, including those delivered by distance education under article 1 (commencing with section 55200) of subchapter 3 of chapter 6, based on the type of course, the way the course is scheduled, and the length of the course.

(b) The governing board of each community college district shall, for each of its colleges or its district, select and establish a single primary term length for credit courses that are scheduled regularly with respect to the number of days of the week and the number of hours the course meets each week, inclusive of holidays. The units of full-time equivalent student of credit courses scheduled coterminously with the term, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the student contact hours of active enrollment as of Monday of the weeks nearest to one-fifth of the length of the term, unless other weeks are specified by the Chancellor to incorporate past practice, by the term length multiplier, and divided by 525. The term length multiplier for attendance accounting purposes shall be determined in accordance with this chapter, provided that the maximum multiplier for semester length terms shall be 17.5 and the maximum multiplier for quarter length terms shall be 11.67.

(c) For credit courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the college's primary term established pursuant to subdivision (b), or scheduled during the summer or other intersession, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the daily student contact hours of active enrollment as of the census days nearest to one fifth of the length of the course by the number of days the course is scheduled to meet, and dividing by 525.

(d) For credit courses scheduled to meet for fewer than five days, and all credit courses scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by dividing actual student contact hours of attendance by 525.

(e) For all open entry-open exit credit courses and for all noncredit courses otherwise eligible for state aid, the units of full-time equivalent student shall be computed by dividing actual student contact hours of attendance by 525.

(f) For independent study and cooperative work-experience education courses:

(1) For credit courses, for purposes of computing full-time equivalent student only, one weekly student contact hour shall be counted for each unit of credit for which a student is enrolled in one of those courses. The full-time equivalent student of those courses shall be computed by multiplying the units of credit for which students are enrolled as of the census day prescribed in subdivision (b) or (c), as appropriate, for the primary term or intersession and duration for which the course is scheduled, by the term length multiplier as provided for in subdivision (b), and dividing by 525.

(2) For noncredit course sections conducted as independent study, for purposes of computing full-time equivalent student only, weekly student contact hours shall be derived by counting the total hours of instruction or programming received by the students, plus instructor contact as defined in section 55234 (or 55204 if the course is conducted through distance education), plus outside-of-class work expected as noted in the course outline of record and approved by the curriculum committee, and dividing the total number of hours for the course thus derived by 54. Hours of instruction or programming received shall be independently verified by the instructor using a method or procedure approved by the district according to policies adopted by the local governing board as required by section 58030. Full-time equivalent student for such noncredit independent study course sections shall be computed by:

(A) multiplying the average of the number of students actively enrolled in the section as of each census date (those dates nearest to one-fifth and three-fifths of the length of the course section) by,

(B) the weekly student contact hours as derived above in this section, by

(C) the primary term length multiplier of 17.5, and

(D) dividing by 525.

(g) Notwithstanding subdivisions (b) and (c) of this section, the units of full-time equivalent student for any credit course other than independent study and cooperative work-experience education courses may, at the option of the district, be computed by dividing the actual student contact hours of attendance by 525. When a district chooses to exercise the option of computing attendance for any course section by the actual student contact hours method, such method must be used consistently for all attendance accounting for that section.

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

**(Comment: §58009 was not changed in August 2007, but is proposed for change in 2008)**  
**§ 58009 Application of Independent Study or Work-Experience Attendance Procedure.**

(a) One weekly student contact hour shall be counted for each unit of credit for which the student is enrolled as of the census day prescribed in section 58003.1(b) or (c) except for independent study laboratory courses. For independent study laboratory courses, weekly student contact hours shall be equivalent to those which would be generated for the same student effort in a laboratory course not offered as independent study.

(b) For credit courses, full-time equivalent student in independent study or work-experience education courses in primary terms is computed by multiplying the weekly student contact hours

authorized pursuant to subdivision (a) of this section, generated as of the census date prescribed in section 58003.1(b) by the term length multiplier as provided for in section 58003.1, and dividing by 525.

(c) For noncredit courses conducted as independent study, full-time equivalent student is computed on a census basis as prescribed in section 58003.1(f)(2).

(d) Full-time equivalent student in independent study or work-experience education courses conducted during a summer or other intersession is computed by multiplying the weekly student contact hours, authorized pursuant to subdivision (a) of this section, generated in each course, by a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such courses conducted in the primary terms, and dividing by 525.

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