Where’s the Code?

How to get what you need when you need it
New CSSO Training
September 22, 2019
Your Trainer – Ross Miyashiro

• Decades of Admissions & Records Experience
• California Education Code
• California Education Code and Title 5.
Not Covering Today

• Having a test at the end.
• Having a memory contest.
What you will Learn

• How the California Education Code and the California code of Regulations are structured
• How to find topics within the California Education Code and the California Code of Regulations (Title V)
• Demystify the codes
Relationships of the Codes
The hierarchy of laws, codes, and regulations

- California Senate & Assembly Bills (SB & AB) are housed in the California Education Code.
- Federal law is housed in the Department of Education and/or the Federal Registry.
- Both the Federal Registry and California Education Code are laws passed by the Federal and State Governments.
California Code of Regulations (Title 5)

- CCR - Title V - Division 6 body of code is passed through the California Community College Board of Governors.
- Why do we follow Title V like law?
- Because it has the “force of law.”
- Every code citation in Title V - Division 6 begins will 66700 (CEC)
- 66700.
- The California Community Colleges are postsecondary schools and shall continue to be a part of the public school system of this state. The Board of Governors of the California Community Colleges shall prescribe minimum standards for the formation and operation of the California Community Colleges and exercise general supervision over the California Community Colleges.
Local Regulation or Code

- Your locally elected Board is also given authority to implement Federal, State, and/or Title 5 code locally. Each code gives discretion on how to implement various initiatives locally. Some Boards are strict, others are flexible, and still other are in between.
Examples

• Priority Registration: some districts have a 75 unit limit instead of the code’s 100 unit limit; 100 is the ceiling of the requirement - but there is no floor.
• Probation dismissal varies from district to district.
• AB 540 varies from district to district.
This Presentation will focus on our own California State Codes

- The California Education Code
- The California Code of Regulations - Title 5: Education, Division 6: California Community Colleges
California Laws & Codes
Official Web sites for California laws, Education Code, and California Code of Regulations.

California Bills and Laws
Official site for all California legislative information allows you to search for bill information and California law (including Education Code).

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Text of the regulations that have been formally adopted by state agencies, reviewed and approved by the Office of Administrative Law (OAL), and filed with the Secretary of State.

Public Access
Information relating to public access to written information, open meetings, school facilities, and pupil records and grades.

Local Control - Districts and Counties
Information on the local responsibility granted to school districts and county education officials.

The immigration status of students in California has been the subject of a variety of laws and legal challenges.

Questions: California Department of Education | 916-319-0800
Last Reviewed: Monday, September 9, 2019
WELCOME
Welcome to the website for California Legislative Information! This site has been updated to include legislative publications starting with the 2017 session and forward. A "Daily Updates" report feature has been added. The report displays, by house, measures for which there was activity the previous day such as new analyses, hearings, placement on the Daily File, amendments, History actions, or votes. Measures prior to 1999 can be still be found at http://leginfo.ca.gov which will remain as an archive for legislative information.

To access a complete listing of California Law Codes and Bill Search features, click the California Law or Bill Information Tabs on the Tabbed Panel above.

Quick Bill Search:
- Bill Number: AB1 or ab1 or ABX1-1
- Keywords(s): Search phrase

Quick Code Search:
- Code: Select Code
- Code Section
- Keywords(s): Keyword(s) Input

Pursuant to Section 10248.5 of the Government Code, the information described in subdivision (a) of Section and made available on this Web site is within the public domain and the State of California retains no copy in the information.
Education Code - EDC

**TITLE 1. GENERAL EDUCATION CODE PROVISIONS [1 - 32500]**

**TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 64100]**

**TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060]**
The California Education Code

- Higher Education spans from 66000 to 101060
- Title 3 is the Higher Education facet of the California Education Code
- Parts 40 - 50 pertain to Community Colleges
- Parts 41 - Residency
- 42 - Student Financial Aid Program
- 45 - Districts and Governing Boards
- 47 - Students: The Most Important Part
- 48 - Community College Education Programs are the parts
Parts of Parts

- Each “Part” of the Education code is broken into Chapters and then into Articles and then into Sections.

- PART
  - Chapter
    - Article
      - Section
EDUCATION CODE - EDC

TITLE 3. POSTSECONDARY EDUCATION [66000 - 101060] (Title 3 enacted by Stats. 1976, Ch. 1010.)

DIVISION 7. COMMUNITY COLLEGES [70900 - 88933] (Division 7 enacted by Stats. 1976, Ch. 1010.)

PART 48. COMMUNITY COLLEGES, EDUCATION PROGRAMS [78015 - 79500] (Part 48 enacted by Stats. 1976, Ch. 1010.)

CHAPTER 2. Courses of Study [78210 - 78300] (Chapter 2 enacted by Stats. 1976, Ch. 1010.)

ARTICLE 1.5. Student Equity Plans [78220 - 78222] (Article 1.5 added by Stats. 2014, Ch. 34, Sec. 6.)
What CSSO’s use the Most

• Unfortunately, unlike your Direct Reports and their managers you will most likely end up being a generalist.
• It is important you know what is in each Part.
Chapter 41 deals with California Residency as it pertains to higher education.

This Chapter defines, Classifies, Determines, and gives the exceptions to Residency.
Part 42 – Financial Aid Programs

• This Chapter deals with all things Financial Aid with the exception of Student Financials that you will see later.

• Cal Grants
• Financial Aid Programs
• The Student Aid Commission
• Military and Veterans Offices (G.I.Bill Award Program)
• DREAM
• Loans
• EOPS
Part 45 – Districts & Governing Boards

• I added this into the list due to the following Articles:
  • Chapter 3: Article 2: College Police
  • Chapter 6: Article 2: Counseling Services; Article 6: Auxiliary Organizations
Part 47 - Students

• Most of your reference into the California Education Code will end up here in Part 47

• Article 1: Admission of Students also include Dual Enrollment or Special Admissions. You will also have to reference another part of the California Education Code when dealing with Dual Enrollment and/or Special Admissions that is found in the K-12 part of the code.

• Title 2, Division 4, Part 27, Chapter 5, Article 1 & 1.5, Sections 48800 - 48813.5 - Advanced Education
Part 47 Continued

- Student Housing
- Exclusion of Students
- Removal, Suspension, or Expulsion
- Student Organizations
- Federal & State Financial Aid Opportunity Act
- Student Records
- Rights of Students
- That’s just Chapter 1 of 3
Part 47, Chapter 2

- Enrollment Fees and Financial Aid
- Authorized Fees
- California College Promise (AB 19)
Part 47, Chapter 3

- Student Health Services and Supervision
- This is not a high volume chapter
Part 48 – Education Programs

- The Chief Instruction Officer will most likely use this part more than you but it does provide some useful chapters, articles, and sections.

- Interdistrict attendance: 78030: It is not in the best interests of the people of the State of California that attendance at a community college be restricted to a person’s district of residence.

- There is much more on this topic.

- Baccalaureate Degree Pilot Program

- Zero cost textbooks

- Student Matriculation

- Student Equity Plans

- Athletic Programs
California Code of Regulations (CCR)

- The California Community College Board of Governors takes the California Education Code and operationalizes them through CCR’s
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California Code of Regulations (CCR)

The California Code of Regulations (CCR), is the official compilation and publication of the regulations adopted, amended or repealed by state agencies pursuant to the Administrative Procedure Act (APA). Properly adopted regulations that have been filed with the Secretary of State have the force of law.

The CCR is compiled into Titles and organized into Divisions containing the regulations of state agencies.

The CCR is available from a variety of sources:

- **Online.** OAL contracts with Barclays, a division of Thomson-Reuters to provide a free online version of the Official CCR. If you have difficulties accessing the CCR website, please e-mail OAL at staff@oal.ca.gov or contact Barclays at 1-800-888-3600. (See Browsing Tips below.)
- **Most County Clerks and County Law Libraries** have printed copies of the CCR.
- State Depository Libraries also have a copy of the CCR.

**Quick Links**

- Proposed Regulations Under Review
- Emergency Regulations Under Review
- Recent Actions Taken By OAL On Regulations
- Underground Regulation Petitions Under Review
- Notice Register
- **California Code of Regulations**
Welcome to the newly enhanced site for the California Code of Regulations. This site has experience. This website is maintained by Thomson Reuters.

**Note:** Your browser must have cookies enabled to access the California Code of Regulations.

**Title 1. General Provisions**

**Title 2. Administration**

**Title 3. Food and Agriculture**

**Title 4. Business Regulations**

**Title 5. Education**

**Title 7. Harbors and Navigation**

**Title 8. Industrial Relations**

**Title 9. Rehabilitative and Developmental Services**

**Title 10. Investment**

**Title 11. Law**
California Code of Regulations

• There are 28 Titles in the CCR’s but we are only going to cover Title 5: Education
Title 5

• There are 10 Divisions in Title 5
• California Community Colleges are house in Division 6
T5 Chapters

• There are also 10 Chapters but most of what you will be looking for will be within these 6 chapters

• Community College Standards
• Students
• Curriculum & Instruction
• Special Programs
• Fiscal Support
• Community College Administration
Every Citation will give you the path in Title 5 to find that citation again

- Title
- Division
- Chapter
- Subchapter
- Article
- Section
Chapter 2 – Community College Standards

- Subchapter 1: Minimum Conditions
- Sections include:
  - Standards of Scholarship
  - Degrees and Certificates
  - Open Courses
  - Student Fees
  - Counseling Programs
  - Students
• 51102 - Enforcement

• After receiving the district's written response, or after the time for response has lapsed, the Chancellor shall pursue one or more of the following courses of action:

• (1) accept in whole or part the district's response regarding the alleged noncompliance;

• (2) require the district to submit and adhere to a plan and timetable for achieving compliance as a condition for continued receipt of state aid;

• (3) bar the district from eligibility for grants and/or contracts administered by the Chancellor's Office;

• (4) withhold all or part of the allocation of funds which the district would otherwise receive from any categorical program administered by the Chancellor's Office; and/or

• (5) withhold or reduce all or part of the district’s state aid, including state general apportionment, and/or growth funding.
Chapter 5 - Students

- Subchapter 1: Residency
- Subchapter 2: Parking for Students with Disabilities
- Subchapter 4: Student Equity
- Subchapter 6: Student Records
- Subchapter 7: Health Services
- Subchapter 8: Student Organizations
Chapter 6 – Curriculum & Instruction

• Subchapter 1 - Programs, Courses, and Classes
  • Article 1: Program, Course and Class Classification and Standards
  • Article 2: Grading and Academic Record Symbols
  • Article 3 Probation and Dismissal
  • Article 4 Course Repetition and Academic Renewal
  • Article 5: Alternative Methods for Awarding Credit
  • Article 6: The Associate Degree
  • Article 7: Credit Certificates
  • Article 8: Educational Master Plans
Chapter 6 continued

- Subchapter 6: Matriculation Programs
- Subchapter 8: Academic Calendar
Chapter 7 – Special Programs

- Subchapter 1: Disabled Student Programs and Services
- Subchapter 2.5: Extended Opportunity Program and Services
- Subchapter 3.5: Cooperating Agencies Foster Youth Educational Services
- Subchapter 6: Underrepresented Students Special Project Fund
Chapter 9 – Fiscal Support

• One of the MOST important Chapters to keep track of. In particular Subchapter 2: Limitations on State Aid.

• Subchapter 1: Attendance, A&R census reporting and clearing the rosters of inactive students.

• Subchapter 2: Limitations on State Aid
  • Open Courses
  • 175-Day Rule
  • Article 5: Other Limitations:
    • All the sections deal with the Chancellor’s Office the authority to adjust and/or withhold funding for various reasons.
Chapter 9 continued

- Subchapter 6: Student Fees (solves many issues)
  - 58508: Refunds (A must read for every CSSO)
  - The rest of the sections are middle of the road and should be reviewed time to time
Chapter 10

- Subchapter 2: Community College Budget and Accounting Manual is worth the review
- Subchapter 2.5: Retention and Destruction of Records, every CSSO should know this.
- Subchapter 4.5: Auxiliary Organizations, most CSSO’s will need to know this.
- Subchapter 7.5: Student Financial Obligations, every CSSO should also know this.
2 more Bedtime Novels

- Student Attendance Accounting Manual:
- Student Fee Handbook:
Oh Man That’s a LOT

Thank you for your attention any questions or comments?