

**LEGAL AUTHORITIES PERTAINING TO ACADEMIC CALENDARS
(as of April 22, 2019; others may also apply)**

EDUCATION CODE:

§ 70902. Governing Boards; duties; rules and regulations; duties; delegation.

(a) (1) Every community college district shall be under the control of a board of trustees, which is referred to herein as the “governing board.” The governing board of each community college district shall establish, maintain, operate, and govern one or more community colleges in accordance with law. In so doing, the governing board may initiate and carry on any program, activity, or may otherwise act in any manner that is not in conflict with or inconsistent with, or preempted by, any law and that is not in conflict with the purposes for which community college districts are established.

(2) The governing board of each community college district shall establish rules and regulations not inconsistent with the regulations of the board of governors and the laws of this state for the government and operation of one or more community colleges in the district.

(b) In furtherance of subdivision (a), the governing board of each community college district shall do all of the following:...

(12) Within the framework provided by law, determine the district’s academic calendar, including the holidays it will observe....

§ 84890. Offering courses under flexible calendar; approval; and regulations.

A community college district board may offer, subject to the approval of the Board of Governors of the California Community Colleges, and in accordance with rules and regulations to be adopted by the board of governors, courses under a flexible calendar.

CALIFORNIA CODE OF REGULATIONS, TITLE 5

§ 55002.5. Credit Hour Definition.

(a) One credit hour of community college work (one unit of credit) shall require a minimum of 48 semester hours of total student work or 33 quarter hours of total student work, which may include inside and/or outside-of-class hours.

(b) A course requiring 96 hours or more of total student work at colleges operating on the semester system or 66 hours or more of total student work at colleges operating on the quarter system shall provide at least 2 units of credit.

(c) Cooperative work experience courses defined in section 55252 shall adhere to the formula for credit hour calculations identified in section 55256.5.

- (d) For programs designated by the governing board as clock hour programs, units of credit shall be awarded in a manner consistent with the provisions of 34 Code of Federal Regulations part 600.2.
- (e) Credit hours for all courses may be awarded in increments of one unit or less.
- (f) The governing board of each community college district shall establish policy, consistent with the provisions of this section, defining the standards for credit hour calculations. District policy shall specify the credit hour calculation method for all academic activities, expected ratios of in-class to outside-of-class hours for each type of academic activity, standards for incremental award of credit, standard term length, calculation methods for short term and extended term courses, and provisions for monitoring compliance with state and federal regulations related to credit hour calculations.

§ 55700. Scope.

The provisions of this article pertain to changes made to any traditional academic year calendar consisting of at least 35 weeks of instruction and evaluation. The conversion to a flexible calendar operation is not addressed by the provisions of this article; rather, the provisions of article 2 (commencing with section 55720) govern the flexible calendar option.

§ 55700.1. Studies on a Quarter System, Trimester Basis or Flexible Calendar.

At the request of a community college district, the Chancellor may approve a program of studies on a quarter system or a trimester basis, or a flexible calendar.

§ 55701. College and Academic Year.

- (a) The “college year” begins on the first day of July and ends on the last day of June. The “academic year” means that portion of the college year during which the community college is maintained, which period shall include not less than 175 days of instruction as defined by section 58120. The academic year does not include summer or other intersessions.
- (b) Under no circumstances may a district adopt an academic calendar which results in provision of less than 32 weeks of instruction (inclusive of days of final examination) during the primary terms of each academic year. Nor may a district adopt an academic calendar which would result in fewer hours of instruction per unit of credit awarded than permitted pursuant to section 55002.5.

§ 55702. Approval of Changes.

- (a) Prior to any change in academic year configuration, including the addition, deletion, shortening or lengthening of any primary term, the governing board of a district shall obtain the approval of the Chancellor.
- (b) Requests for approval shall be made on a form provided by the Chancellor, and shall address or provide:
 - (1) A complete description of the calendar configuration;
 - (2) The district's ability to comply with the 175-Day Rule as provided in section 58142; and

- (3) The educational implications, positive and negative, of the proposed change.
- (c) The Chancellor shall approve a requested change in a college's academic year configuration if it is found that:
 - (1) The state aid implications of the requested change have been addressed; and
 - (2) The district will be able to comply with the 175-Day Rule; and
 - (3) The change in configuration is consistent with the continued delivery of quality education.

§ 55720. Operating Under Flexible Calendar; Accountability of Employees; Activities.

- (a) Subject to the approval of the Chancellor pursuant to section 55724, a community college district may designate an amount of time in each fiscal year for employees to conduct staff, student, and instructional improvement activities. These activities may be conducted at any time during the fiscal year. The time designated for these activities shall be known as “flexible time.”
- (b) A district with an approved flexible calendar may designate as flexible time for an employee not more than 8.57 percent of that employee's contractual obligation for hours of classroom instruction which are eligible for state apportionments in that academic year, exclusive of any intersessions.
- (c) Under no circumstances may a district operate a flexible calendar program which results in an academic calendar which would be inconsistent with the requirements of subdivision (b) of section 55701.

§ 55722. Schedule Configurations.

A flexible calendar is a community college calendar and course scheduling plan pursuant to Section 84890 of the Education Code and Section 55720 of this Part which may include, but is not limited to, the following scheduling configurations:

- (a) 4-1-4 calendar comprised of two 16-week semesters with an intersession;
- (b) traditional semester or quarters with some or all courses scheduled irregularly with respect to the number of times the course meets per week or the number of hours the courses meet during the scheduled days;
- (c) modular scheduling for all or part of the courses within the traditional semester, quarter, or academic year;
- (d) courses scheduled for student enrollment on an open entry-open exit basis;
- (e) courses scheduled independently of any term configuration; or
- (f) a combination of any one or more of the configurations in subdivisions (a) through (e).

§ 55724. Request for Approval.

- (a) The governing board of a district wishing to conduct a flexible calendar pursuant to this article shall obtain the advance approval of the Chancellor. The request for approval shall be on a form provided by the Chancellor, and shall address at least the following:
 - (1) A complete description of the calendar configuration.
 - (2) The number of days of instruction and evaluation which will meet the requirements of the 175-Day Rule (Section 58120 of this part).

- (3) The number of days during which instructional staff will participate in staff, student, and instructional improvement activities in lieu of part of regular classroom instruction.
 - (4) The activities which college personnel will be engaged in during their designated staff, student and instructional improvement days. Activities for college personnel may also include, but need not be limited to, the following:
 - (A) course instruction and evaluation;
 - (B) staff development, in-service training and instructional improvement.
 - (C) program and course curriculum or learning resource development and evaluation;
 - (D) student personnel services;
 - (E) learning resource services;
 - (F) related activities, such as student advising, guidance, orientation, matriculation services, and student, faculty, and staff diversity;
 - (G) departmental or division meetings, conferences and workshops, and institutional research;
 - (H) other duties as assigned by the district;
 - (I) the necessary supporting activities for the above;
 - (5) A certification that all college personnel, as defined, will be involved in at least one of the activities authorized in subsection (4). For the purposes of this section, “all college personnel” shall include any district employee specified by the district in its approved plan to participate in such activities; and
 - (6) A certification that the district will fully implement the provisions of Section 55730, as well as a description of the current status of such implementation, and a timetable for completion of the initial implementation.
- (b) The Chancellor shall approve a request which is found to be complete and meets the requirements of law.

§ 55726. Activities During Designated Days.

- (a) For each instructor specified by the district to participate in staff, student, and instructional improvement activities in lieu of classroom instruction the district shall enter into an agreement with such employee specifying the particular activities during the designated days which the instructor will perform in lieu of classroom instruction. The agreement shall also specify the number of classroom hours which are being substituted with such activities, and the number of hours the instructor is required to spend carrying out the in-lieu-of instruction activities. The required hours of in-lieu-of instruction activities must at least be equal to the sum of the classroom hours from which the instructor is released plus those out-of-classroom hours of responsibilities which will no longer need to be performed as the result of being released from classroom instruction.
- (b) For each employee specified by the district to participate in staff, student and instructional improvement activities during the designated days the district shall also maintain records on the type and number of activities assigned, and the number of such employees participating in these activities.

§ 55728. Flexible Calendar Attendance Reporting.

- (a) On forms provided by the Chancellor, districts with approved flexible calendar operations shall report at least the following:
 - (1) the total hours of classroom assignments (teaching time) which instructors specified in the district's approved plan were required to teach;
 - (2) of the total in Subsection (a)(1), the total faculty contact hours of instruction for which staff, student, and instructional improvement activities are being substituted. This total of faculty contact hours shall further be reported in terms of credit and noncredit faculty contact hours of instruction; and
 - (3) the number of faculty contact hours of instruction for which instruction during the designated days is being substituted. Such instruction during the designated days meeting the attendance accounting standards may be claimed for apportionment; and the faculty contact hours shall not be eligible for adjustment pursuant to Section 55729.
- (b) Districts with approved flexible calendar operations shall also report such additional data as deemed necessary by the Chancellor including any data necessary to compute the FTES adjustment specified in Section 55729.

§ 55729. Full-Time Equivalent Student (FTES) Units; Adjustments to Reflect Activities; Computation by Multiplier Factor.

- (a) The Chancellor's Office shall adjust the actual units of full-time equivalent student of a district operating under a plan approved in accordance with this article to reflect the conduct of staff, student, and instructional improvement activities in lieu of scheduled instruction during flexible time. The adjusted units of full-time equivalent student shall be computed by multiplying the actual units of full-time equivalent student in the academic year, exclusive of any intersessions, computed pursuant to section 58003.1, by a factor which does not change the full-time equivalent student which would have otherwise been generated if the time for the improvement activities had not been permitted and scheduled instruction had instead taken place.
- (b) For courses other than those described in subdivision (b) of section 58003.1, the multiplier factor shall equal the sum of the following:
 - (1) 1.0; and
 - (2) the total of all the actual hours of flexible time of all instructors pursuant to section 55720 in the fiscal year, divided by the total of all the actual hours of classroom instruction of all instructors in the academic year, exclusive of any intersessions.
- (c) For those courses described in subdivision (b) of section 58003.1, this multiplier factor shall equal the term length multiplier applicable to the district.
- (d) The Chancellor shall also withhold the appropriate amount of state aid whenever there is a final audit finding that an instructor did not spend at least as much time performing staff, student, and instructional improvement activities as the amount of time he or she was released from classroom instruction.

§ 55730. Ongoing Responsibilities of Districts.

A district conducting an approved flexible calendar shall do all of the following to ensure effective use of resources during flex days:

- (a) conduct and annually update a survey of the most critical staff, student, and instructional improvement needs in the district;
- (b) develop and carry out a plan of activities to address the critical needs;
- (c) maintain records on the description, type and number of activities scheduled and the number of district employees and students participating in these activities;
- (d) evaluate annually the effectiveness of conducted activities and update the plan to reflect needed changes;
- (e) appoint and hold regular meetings of an advisory committee composed of faculty, students, administrators and other interested persons to make recommendations on staff, student, and instructional improvement activities; and
- (f) provide, upon request of the Chancellor, copies of documents and information specified in Subsections (a) through (d), inclusive.

§ 58002. Change in Academic Year Terms.

Prior to any change in academic year terms, including the addition, deletion, shortening, or lengthening of any term, the governing board of a district shall request and obtain the approval of the Chancellor. The provisions of Subchapter 8 (commencing with Section 55700) of Chapter 6 shall govern the content, review, and approval of such requests.