

Title 5. Education
Division 6. California Community Colleges
Chapter 6. Curriculum and Instruction
Subchapter 8. Academic Calendar
Article 2. Flexible Calendar Operations

➡ **§ 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.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Sections 70901 and 84890, Education Code.

HISTORY

1. Amendment of subsection (b) filed 3-7-85; effective thirtieth day thereafter (Register 85, No. 10).
2. Repealer and new section filed 10-25-91; operative 11-24-91 (Register 92, No. 7).
3. Editorial correction of printing error in section heading (Register 92, No. 18)
4. Amendment of subsections (a) and (c) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
5. Amendment of section heading and subsection (a) and repealer of subsection (c) filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).
6. Amendment of section heading and new subsection (c) filed 7-17-2007; operative 8-16-2007. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2007, No. 35).

5 CCR § 55720, 5 CA ADC § 55720

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➡§ 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).

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Sections 70901 and 84890, Education Code.

HISTORY

1. Amendment filed 6-8-83; effective thirtieth day thereafter (Register 83, No. 24).
2. Repealer filed 3-7-85; effective thirtieth day thereafter (Register 85, No. 10).
3. New section filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

5 CCR § 55722, 5 CA ADC § 55722

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➡§ 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.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

HISTORY

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

5 CCR § 55724, 5 CA ADC § 55724

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➡§ 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.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

HISTORY

1. Amendment of Note filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

5 CCR § 55726, 5 CA ADC § 55726

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➡§ 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.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

HISTORY

1. New section filed 11-10-82; effective thirtieth day thereafter (Register 82, No. 46).

2. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

3. Amendment of subsections (a)(1), (a)(3), (b) and Note filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

4. Amendment of subsections (a)(2)-(b) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

5 CCR § 55728, 5 CA ADC § 55728

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➡ **§ 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.

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

HISTORY

1. New section filed 5-15-93; operative 6-4-93 (Register 93, No. 25).

2. Amendment of section heading and text filed 9-6-94; operative 10-6-94.
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Education Code section 70901.5 (Register 94, No. 38).

3. Amendment of subsections (a), (b), (b)(2) and (c) filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to
Education Code section 70901.5 (Register 2006, No. 17).

5 CCR § 55729, 5 CA ADC § 55729

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➡ **§ 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.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

HISTORY

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).

5 CCR § 55730, 5 CA ADC § 55730

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➡§ 55732. Ongoing Responsibilities of the Chancellor.

The Chancellor shall:

(a) Adjust state aid for districts with approved flexible calendar operations in accordance with the provisions of section 55729;

(b) Periodically review documentation from selected districts to determine whether they are in compliance with the provisions of sections 55720, 55726, 55728, and 55730, and to determine whether they are conducting their flexible calendar operations in a manner consistent with the approved requests. Districts which are found to be out of compliance shall be notified and be given an opportunity to respond; and

(c) Terminate approval of any flexible calendar operation if it is found that the district has, without good cause:

- (1) failed to conduct its flexible calendar operation in a manner consistent with its approved request;
- (2) failed to comply with the requirements of section 55720;
- (3) failed to carry out the responsibilities specified in section 55726; or
- (4) failed to meet its ongoing responsibilities as specified in section 55730.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

HISTORY

1. Amendment filed 10-25-91; operative 11-24-91 (Register 92, No. 7).
2. Amendment filed 5-15-93; operative 6-14-93 (Register 93, No. 25).
3. Amendment of subsections (a)-(b), new subsection (c)(2) and subsection renumbering filed 7-17-2007; operative 8-16-2007. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2007, No. 35).

5 CCR § 55732, 5 CA ADC § 55732

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