



**NOTICE OF PROPOSED RULEMAKING
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
BACCALAUREATE DEGREE PROGRAM**

45-Day Notice published November 6, 2024

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2 of the California Community Colleges Board of Governors (Board) Procedures and Standing Orders, that the Board proposes to adopt the regulatory action described below after a public hearing, and consideration of all comments, objections, or recommendations received regarding the proposed regulatory action during the public comment period, which closes on December 21, 2024.

BOARD OF GOVERNORS PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on November 18, 2024.

In-Person Participation

California Community Colleges, Chancellor's Office Building
Sixth Floor, Board of Governors Chambers
1102 Q Street
Sacramento, CA 95811

Parking options can be found on our website.

All Board of Governors (Board) meetings are held in locations that are open to the public and wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real-time transcription, may be provided to persons with disabilities upon request. Persons requesting such accommodations should notify the Board Liaison at ccastro@cccco.edu, (916) 323-5889, no less than five business days prior to the meeting.

Public Comments at the Board Meeting

Members of the public seeking to comment on the proposed regulatory action at the Board meeting should refer to the Board's agenda for information on how public comment on Board items will be received. The [Board's agendas](https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas) are available here: <https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas>.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

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

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on December 21, 2024. All written comments received by Chancellor's Office staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be subject to a second 15-day notice period prior to its adoption at a subsequent Board meeting.

INFORMATIVE DIGEST

This proposed regulatory action seeks to formally establish community college baccalaureate degree programs within the California Code of Regulations and amend associated code sections consistent with the requirements of Assembly Bill 927 (Medina, 2021), which converted the baccalaureate degree program from a “pilot” status to an ongoing program. This proposal removes outdated references to the “pilot” program in the California Code of Regulations and outlines standards and requirements to ensure the quality and consistency of baccalaureate degrees offered by community colleges in California.

Through two application cycles per year, baccalaureate degree programs are reviewed for quality, institutional capacity including student interest, and potential duplication with existing programs at California State University or University of California. In line with the pilot program, demonstration of unmet workforce need continues to be a priority. Currently, there are 45 approved community college baccalaureate degree programs at 36 colleges.

This transition from the pilot phase involves formally codifying community college baccalaureate degree programs within the California Code of Regulations, thereby creating a standardized framework for program delivery and quality assurance.

Proposed New Sections

- Title 5, Section 55090. Philosophy and Criteria for the Baccalaureate Degree and General Education
 - Requires adoption of local policies governing community college baccalaureate degrees that align with the mission of the California Community Colleges and the requirements of the new baccalaureate degree program regulations.
 - Rationale: Provides a clear framework for community colleges to ensure that baccalaureate degrees align with the broader mission and goals of the California Community Colleges.
- Title 5, Section 55091. Baccalaureate Degree Upper Division Course Requirements

- Defines upper division courses and identifies requirements for upper division courses as well as the upper division unit requirement to be awarded a baccalaureate degree.
- Rationale: Offers clarity on the definition of upper division courses and their requirements, ensuring consistency across baccalaureate degree programs.
- Title 5, Section 55092. Conditions for Awarding the Baccalaureate Degree
 - Identifies the minimum requirements for units, grades, and GPA. Clarifies instances of credit for prior learning, cases where students have earned a bachelor's degree from another accredited institution, and the procedure to petition for counting the completion of a noncredit course.
 - Rationale: Establishes clear criteria for awarding the degree, ensuring that all students meet consistent academic standards while providing flexibility for prior learning and qualifications.
- Title 5, Section 55093. Admissions
 - Details the student application process, including procedures for limitations on enrollment and admission criteria. Incorporates criteria such as a multi-criteria screening process, GPA, lower division general education or prerequisites, and other admission criteria. Clarifies priority enrollment guidelines.
 - Rationale: Ensures a transparent and equitable admissions process while allowing for consistent application of enrollment limitations and selection criteria.

Proposed Revisions to Existing Sections

- Title 5, Section 58501. Enrollment Fees
 - Adds a new subsection to address fees for community college baccalaureate degrees by incorporating content from the repealed section 58520. Makes fees and tuition transparent to students.

- Rationale: Retains the previously established fee structure from the pilot program, institutionalizing it as part of the regulations, while maintaining transparency for students.
- Title 5, Section 53410. Minimum Qualifications for Instructors of Credit Courses, Counselors, and Librarian
 - Adds a distinction between the minimum qualifications for teaching lower and upper division credit courses. Aligns with ASCCC recommendations and ACCJC requirements.
 - Rationale: Clarifies the minimum requirements needed to teach upper division courses, aligning with statewide recommendations and accreditation standards.
- Title 5, Section 53410. Equivalencies
 - Adds a new subsection restricting the practice of equivalency. Clarifies the distinction between teaching requirements for upper and lower division courses.
 - Rationale: Ensures that qualifications for teaching upper division courses are rigorous and consistent with the Academic Senate for California Community Colleges Resolution 10.01 F15.

Proposed Sections to be Repealed

- Title 5, Section 55009. Baccalaureate Degree Pilot Handbook
 - Rationale for Repeal: The handbook was necessary for the pilot program but is no longer needed since the program requirements are now outlined in the proposed regulations.
- Title 5, Section 58520. Baccalaureate Degree Pilot Program Fees
 - Rationale for Repeal: The content has been clarified and incorporated into section 58501, ensuring that fee structures for baccalaureate programs are now clearly stated in the main regulations.

The proposed regulatory additions, changes and repeals are designed to ensure that community college baccalaureate programs maintain high academic standards and are consistent across the state.

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings attributable to the proposed regulatory action are anticipated to be as follows:

Mandate on local agencies or community college districts: *None*. Participation in the Baccalaureate Degree Program by community college districts is voluntary.

Cost or savings to state agencies: *None*.

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: *None*.

Other non-discretionary cost or savings imposed on community college districts: *None*.

Cost or savings in federal funding to state agencies: *None*.

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the language of the proposed regulatory action, and all of the information upon which the proposal is based, may be obtained online at:

[Office of General Counsel - Pending Regulatory Action](#)

Those who receive the Board of Governors Agenda package for the November 18, 2024, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.

Proposed Revisions to Title 5, California Code of Regulations relating to Community College Baccalaureate Degree Programs (First Reading)

This document contains underlined and stricken text, which may require adjustments to screen reader settings. Underlined text denotes additions to existing regulations or new text; ~~stricken~~ text denotes deletions from existing regulations.

SECTION 53410 OF ARTICLE 2 OF SUBCHAPTER 5 OF CHAPTER 4 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS AMENDED TO READ:

§ 53410. Minimum Qualifications for Instructors of Credit Courses, Counselors, and Librarians.

(a) The minimum qualifications for service as a community college faculty member teaching any lower division credit course, or as a counselor or librarian, shall be satisfied by meeting any one of the following requirements:

~~(a1)~~ Possession of a master's degree, or equivalent foreign degree, in the discipline of the faculty member's assignment.

~~(b2)~~ Possession of a master's degree, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment and possession of a bachelor's degree, or equivalent foreign degree, in the discipline of the faculty member's assignment.

~~(c3)~~ For faculty assigned to teach courses in disciplines where the master's degree is not generally expected or available, but where a related bachelor's or associate degree is generally expected or available, possession of either:

~~(1A)~~ a bachelor's degree in the discipline directly related to the faculty member's teaching assignment or equivalent foreign degree plus two years of professional experience directly related to the faculty member's teaching assignment; or

~~(2B)~~ an associate degree in the discipline directly related to the faculty member's teaching assignment or equivalent foreign degree plus six years of professional experience directly related to the faculty member's teaching assignment.

~~(d4)~~ For faculty assigned to teach courses in disciplines where the master's degree is not generally expected or available, and where a related bachelor's or associate degree is not generally expected or available, possession of either:

~~(1A)~~ any bachelor's degree or equivalent foreign degree plus two years of professional experience directly related to the faculty member's teaching assignment; or

~~(2B)~~ any associate degree or equivalent foreign degree plus six years of professional experience directly related to the faculty member's teaching assignment.

(b) The minimum qualifications for service as a community college faculty member teaching any upper division credit course shall be satisfied by meeting any one of the following requirements:

(1) Possession of a master's degree, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(2) Possession of a master's degree, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment and possession of a bachelor's degree, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(3) For faculty assigned to teach upper division courses in disciplines where the master's degree is not generally expected or available, but where a related bachelor's or associate degree is generally expected or available, possession of either:

(A) a master's degree in the discipline directly related to the faculty member's teaching assignment or equivalent foreign degree and two years of professional experience directly related to the faculty member's teaching assignment and any appropriate licensure; or

(B) a bachelor's degree in the discipline directly related to the faculty member's teaching assignment or equivalent foreign degree and six years of professional experience directly related to the faculty member's teaching assignment and any appropriate licensure.

(4) For faculty assigned to teach upper division courses in disciplines where the master's degree is not generally expected or available, and where a related bachelor's or associate degree is not generally expected or available, possession of either:

(A) any master's degree or equivalent foreign degree and two years of professional experience directly related to the faculty member's teaching assignment and any appropriate licensure; or

(B) any bachelor's degree or equivalent foreign degree and six years of professional experience directly related to the faculty member's teaching assignment and any appropriate licensure.

Authority cited: Sections 66700, 70901, ~~and 87356~~, and 78042, Education Code. Reference: Section 70901~~(b)(1)(B)~~, 70901.5, 78040, 78041, 78042, 78043, 87003; and 87356, Education Code.

SECTION 53430 OF ARTICLE 2 OF SUBCHAPTER 5 OF CHAPTER 4 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS AMENDED TO READ:

§ 53430. Equivalencies.

(a) No one may be hired to serve as a community college faculty or educational administrator unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in this Article or elsewhere in this Division. The criteria used by the governing board in making the determination shall be reflected in the governing board's action employing the individual.

(b) The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that each individual faculty employed under the authority granted by this Section possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in this Division.

(c) The process shall further require that the academic senate be provided with an opportunity to present its views to the governing board before the governing board makes a determination; and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Education Code Section 87358.

(d) For faculty assigned to teach upper division courses, equivalency is not allowed for the bachelor's degree required of the minimum qualifications outlined in Section 53410 (b).

~~(de)~~ Until a joint agreement is reached and approved pursuant to subdivision (b), the district shall be bound by the minimum qualifications set forth in this subchapter.

Authority cited: Sections 66700, 70901 and 87359, Education Code. Reference: Section 87359, Education Code.

SECTION 55009 OF ARTICLE 1 OF SUBCHAPTER 1 OF CHAPTER 6 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS REPEALED:

~~§ 55009. Baccalaureate Degree Pilot Program Handbook.~~

~~(a) The Chancellor shall prepare and maintain a handbook detailing requirements for district baccalaureate degree pilot programs established pursuant to Education Code Section 78041. The handbook shall include, but not be limited to, requirements related to admissions, curriculum, student services, and financial aid. The Board of Governors hereby adopts and incorporates by reference into this section the Baccalaureate Degree Pilot Program Handbook established by the Chancellor's Office, as it may be revised from time to time, along with any addenda thereto.~~

~~(b) In the event of a conflict between the provisions of the Baccalaureate Degree Pilot Program Handbook identified in subsection (a) and any other provision in title 5 of these regulations, the provisions of the handbook shall control as they relate to the administration of the district baccalaureate degree pilot programs established pursuant to Education Code Section 78041.~~

~~Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78041, Education Code.~~

ADDING NEW ARTICLE 9 TO SUBCHAPTER 1 OF CHAPTER 6 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS TO READ:

Article 9. Baccalaureate Degree

ADDING NEW SECTIONS 55090, 55091, 55092 AND 55093 TO ARTICLE 9 OF SUBCHAPTER 1 OF CHAPTER 6 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS TO READ:

§ 55090. District Baccalaureate Degree Policies.

Community college baccalaureate degrees shall be offered pursuant to policies adopted and maintained by district governing boards that meet the requirements of this article. These policies shall also reflect districts' philosophy on general education, and state districts' baccalaureate degree goals which shall include addressing unmet local and regional workforce needs.

Authority cited: Section 70901, Education Code. Reference: Sections 66010.4, 70901, 70902, 78040, 78041, 78042 and 78043, Education Code.

§ 55091. Baccalaureate Degree Upper Division Course Requirements.

(a) "Upper division courses" require the application of lower division knowledge and the demonstration of critical thinking through writing, oral communication, or computation. Upper division coursework may encompass research elements, workforce training, apprenticeships, internships, and may require practicum or capstone projects. Upper division courses may have one or more lower or upper division prerequisites.

(b) "Major" has the same meaning as in section 55061.

(c) A baccalaureate degree requires fulfillment of the following upper division requirements:

(1) A minimum of 40 semester or 60 quarter units or equivalent of total upper division coursework, including units in the major and in general education;

(2) A minimum of nine semester or 13.5 quarter units of upper division general education courses; and

(3) general education courses must come from at least two disciplines outside of the major, one of which must have an emphasis in written communication, oral communication, or computation.

(d) A lower division course may meet an upper division course requirement but may not be counted toward the required minimum number of upper division units.

(e) Enrollment in upper division courses shall be limited to students admitted to a baccalaureate program at a California community college.

Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902, 78040, 78041, 78042 and 78043, Education Code.

§ 55092. Conditions for Awarding the Baccalaureate Degree.

(a) District governing boards shall confer the baccalaureate degree upon students who have fulfilled the course requirements of sections 55061 and 55091, and who have met the following conditions:

(1) Completion of a minimum of 120 semester or 180 quarter units.

(2) Completion of a minimum of 36 semester or 54 quarter units of general education that includes:

(A) Completion of the requirements in Section 55061 and 55062 to align with the lower division general education patterns of the associate and baccalaureate degrees;

(B) Completion of the upper division general education requirements in Section 55091;

(C) Completion of additional general education courses to meet the minimum total units that may be lower division, upper division, or any combination of lower and upper division.

(3) Courses designated as an upper division major requirement must be completed with a minimum grade of "C" (or "P");

(4) Satisfactory completion of at least 12 semester units (18 quarter units) of upper division courses at colleges within the awarding district. Governing boards shall adopt policies that permit students to obtain waivers of this requirement in order to alleviate undue hardship; and

(5) Completion of the requirements for the baccalaureate degree with a minimum cumulative grade point average of 2.0 in the degree-applicable courses. If units accumulated beyond those required for the degree lower a student's cumulative grade point average below 2.0, colleges may compute the grade point average based solely on those courses used to satisfy the degree requirements, provided that the coursework used to compute the grade point average fulfill all major and general education requirements.

(b) Courses shall be counted toward baccalaureate degree unit requirements if they were completed within a California segment of higher education or, if they meet district standards of rigor, were completed at another institutionally accredited institution.

(c) Courses may meet multiple requirements, including general education, a major, and additional requirements stated in sections 55061 and 55091 when courses are locally approved to meet multiple requirements. However, one course may not be counted in more than one general education area, even if the course is approved in multiple general education areas.

(d) Students may receive credit for knowledge or skills acquired through a district's procedures for awarding credit for prior learning as per Section 55050.

(e) Students who have been awarded a bachelor's degree from an institutionally accredited institution shall be deemed to have fulfilled the general education course requirements for the baccalaureate degree.

(f) Students who have completed the California General Education Transfer Curriculum (Cal-GETC) shall be deemed to have fulfilled lower division baccalaureate degree

requirements, and shall not be required to complete further lower division general education courses.

(g) District governing boards shall establish procedures for students to petition to have completion of a noncredit course counted toward satisfaction of the requirements for a baccalaureate degree, if such degrees are offered in the district.

Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902, 78040, 78041, 78042 and 78043, Education Code.

§ 55093. Admissions.

(a) Districts hosting baccalaureate degree programs shall establish separate application processes for each such program. All enrollment and admission priorities established by the Legislature for community college courses shall apply to baccalaureate degree programs.

(b) District governing boards may apply criteria for admission to baccalaureate degree programs when enrollment must be restricted due to limitations on funding, facilities, practicum sites, or other similar capacity restraints. Permissible admissions criteria shall be established and maintained by the Chancellor's Office.

Authority cited: Section 70901, Education Code. Reference: Sections 66025.8, 66025.9, 66025.91, 66025.92, 70901, 70902 and 76000, Education Code.

SECTION 58501 OF ARTICLE 1 OF SUBCHAPTER 6 OF CHAPTER 9 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS AMENDED TO READ:

§ 58501. Enrollment Fee.

(a) Semester: The enrollment fee charged of students enrolled in a regular semester shall be a per credit unit rate prescribed by the Legislature.

(b) Quarter: The enrollment fee charged of students enrolled in a regular quarter session shall be two-thirds of the per credit unit rate for a regular semester.

(c) Fractional Units: The enrollment fee charged for courses with fractional unit value shall be computed by multiplying the fraction times the applicable semester or quarter unit rate and rounding off to the nearest dollar.

(d) Baccalaureate Program Fees: The fees charged for students enrolled in upper division coursework in a baccalaureate degree program shall be a per credit unit rate prescribed by the Legislature. Students enrolled in a baccalaureate degree program pay the baccalaureate degree program fee in addition to the enrollment fee.

(e) Enrollment and all related fees shall be published in the college catalogs and on college websites.

Authority cited: Sections 66700, 70901, ~~and~~ 76300, and 78042, Education Code. Reference: Section 70901, 70901.5, 76300, and 78040, 78041, 78042 and 78043, Education Code.

SECTION 58520 AND ARTICLE 3 OF SUBCHAPTER 6 OF CHAPTER 9 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS REPEALED:

Article 3.—~~Baccalaureate Degree Program Fees~~

~~§ 58520. Baccalaureate Degree Pilot Program Fees.~~

~~(a) Baccalaureate degree programs established pursuant to Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7 of Title 3 of the Education Code, shall in addition to the fees charged pursuant to Article 1 (commencing with Section 76300) of Chapter 2 of Part 47 of Division 7 of Title 3 of the Education Code, charge a fee to students for upper division coursework in a baccalaureate degree pilot program of eighty-four dollars (\$84) per regular semester credit unit or fifty-six dollars (\$56) per regular quarter credit unit. The fee for upper division coursework charged for courses with fractional unit value shall be computed by multiplying the fraction times the applicable semester or quarter unit rate and rounding off to the nearest dollar.~~

~~(b) Revenue generated from the fee for upper division coursework in a baccalaureate degree pilot program in subdivision (a) shall be local revenues and not to be included in the apportionment adjustments described in Education Code Section 76300.~~

~~Authority cited: Sections 66700, 70901 and 78042, Education Code. Reference: Sections 70901, 70901.5, 76300 and 78040-78043, Education Code.~~