**AP 4106**

**Administrative Procedure**

Chapter 4 – Academic Affairs

**AP 4106 NURSING PROGRAMS**

**References:**

Education Code Sections 66055.8, 66055.9, 70101-70106, 70120, 70124, 70125, 70128.5, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645;

Title 5 Sections 55060 et seq. and 55521;

Health and Safety Code Section 128050

Nursing Practice Act, Chapter 6, Article 4

California Code of Regulations, Title 16, Sections 1420 et seq.

Students applying to the Registered Nursing Program must submit completed application materials by the application deadlines. It is the applicant’s responsibility to provide complete and accurate materials by the closing date. A description of what constitutes a complete application is listed in the catalog. Students must submit official transcripts with the degree posted directly to the Nursing Department. Students who provide documentation through the official transcript that they possess a bachelor’s degree or higher from a regionally accredited institution of higher education in the United States will have the general education requirements waived. The student must complete all of the coursework necessary for licensure as a registered nurse. This includes all of the prerequisites to the program, all required application materials, assessment testing, and/or required remediation and the degree requirements for nursing.

While a criminal record clearance is not required for admission to the program if a student cannot obtain a background clearance form the clinical agencies, it will not be possible to place the student in a clinical area, which is a required component of the program.

Nursing students who have already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning are not required to complete any general education requirements that may be required for an associate degree.

Current and prospective nursing students must at all times meet applicable hospital security standards for placement in mandatory clinical rotations at selected hospitals. Every student offered a space in the program will be required to submit to a background screening prior to beginning clinical rotations as part of their clinical requirements for admission. A history of felony conviction(s) or any bar, exclusion or other ineligibility for federal program participation? could render a student ineligible for clinical placement, as determined by the clinical agencies. Screening also includes a national sex offender search.

If a student cannot obtain background clearance from the clinical agencies, it will not be possible to place the student in the clinical area, which is a required component of the program. In the event that a student cannot obtain a background clearance prior to the commencement of classes, the space will be forfeited.

Students who are ineligible for clinical placement after admission to the nursing program shall be subject to dismissal from the program, as they will be unable to complete mandatory clinical rotations.

The State of California Board of Registered Nursing requires the Associate Degree Nursing Program faculty to determine admission criteria within the CCCCO Guidelines for ADN Program admission based on the Ed. Code, Title 5, and Health and Safety Code Sections.

Faculty will annually review admission criteria and analyze the data.

A nursing student who has already earned a baccalaureate or higher degree from a regionally accredited institution of higher learning is not required to complete any general education requirements that may be required for an associate degree. Instead, the student only needs to complete coursework necessary for licensing as a registered nurse.

The District shall consider all of the following when screening nursing students:

* Prerequisite grade point average (GPA);
* A fixed set GPA in relevant coursework;
* Exam of Essential Academic Skills (TEAS) scores;
* Academic degrees or diplomas, or relevant certificates, held by the applicant;
* Grade point average in relevant coursework;
* Life experiences or special circumstances of an applicant;
* Any relevant work or volunteer experience; and
* Proficiency or advanced level coursework in languages other than English.

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| **Date Approved:** |  |
| *(This is a new procedure)* |  |

**Legal Citations for AP 4106**

Education Code Sections 66055.8, 66055.9, 70101-70106, 70120, 70124, 70125, 70128.5, 78260, 78261, 78261.3, 78261.5, 87482, 89267, 89267.3, and 92645

**66055**.8. Notwithstanding any other provision of law, a campus of

the California State University or the California Community Colleges

that operates a registered nursing program shall not require a

student who has been admitted to that registered nursing program and

who has already earned a baccalaureate or higher degree from a

regionally accredited institution of higher **education** to complete

general **education** requirements, but rather shall require that student

to complete only the coursework that is necessary to prepare him or

her for licensing as a registered nurse.

**66055**.9. Notwithstanding any other provision of law, any college,

university, or other entity that operates an accredited registered

nursing program may require any prospective student to provide

criminal record clearance within the meaning of Section 1265.5 of the

Health and Safety **Code** prior to enrollment.

**Ed Code Sections 70101 – 70106** – These sections relate to the State Nursing Assumption Programs of Loans for Education (SNAPLE) for Nursing Faculty members. The commission referenced is the “Student Aid Commission”

**70101**. (a) Program participants shall meet all of the following

eligibility criteria prior to selection into the program, and shall

continue to meet these criteria, as appropriate, during the payment

periods:

(1) The participant shall be a United States citizen or eligible

noncitizen.

(2) The participant shall be a California resident who, at a

minimum, possesses a baccalaureate degree in nursing or a field

related to nursing.

(3) The participant shall have complied with United States

Selective Service requirements.

(4) The participant shall not owe a refund on any state or federal

educational grant or have delinquent or defaulted student loans.

(b) (1) Any person who has obtained a baccalaureate or graduate

degree from an institution of postsecondary **education**, and who is

participating in the loan assumption program set forth in this

article, may be eligible to receive a conditional loan assumption

agreement, to be redeemed pursuant to this chapter upon meeting the

criteria of Section 70102.

(2) A person who is currently teaching nursing at a regionally

accredited California college or university is not eligible to enter

into an agreement for loan assumption under this article.

(c) (1) The commission shall award loan assumption agreements to

either of the following applicants who otherwise meet the eligibility

criteria of this section:

(A) An applicant who has been admitted to or enrolled in an

academic program leading to a graduate level degree and demonstrates

academic ability.

(B) An applicant with a baccalaureate, or baccalaureate and

graduate degrees.

(2) (A) An applicant who is pursuing a graduate degree shall be

enrolled on at least a half-time basis each academic term as defined

by an eligible institution and shall agree to maintain satisfactory

academic progress.

(B) Except as provided in subparagraph (C), if a program

participant fails to maintain half-time enrollment as required by

this article, under the terms of the agreement pursuant to

subparagraph (A), the loan assumption agreement shall be deemed

invalid. The participant shall assume full liability for all student

loan obligations. The participant is excused from the half-time

enrollment requirement if the student is in his or her final term in

school and has no additional coursework required to obtain his or her

graduate degree in nursing or a field related to nursing.

(C) Notwithstanding subparagraph (B), a program participant shall

be excused from the half-time enrollment requirement for a period not

to exceed one calendar year, unless approved by the commission for a

longer period, if a program participant becomes unable to maintain

half-time enrollment due to any of the following:

(i) Serious illness, pregnancy, or other natural causes.

(ii) The participant is called to military active duty status.

(iii) A natural disaster prevents the participant from maintaining

half-time enrollment due to the interruption of instruction at the

eligible institution.

(3) The applicant shall have been judged by his or her

postsecondary institution or employer, whichever is applicable, to

have outstanding ability on the basis of criteria that may include,

but need not be limited to, any of the following:

(A) Grade point average.

(B) Test scores.

(C) Faculty evaluations.

(D) Interviews.

(E) Other recommendations.

(4) The applicant shall have received, or be approved to receive,

a loan under one or more of the following designated loan programs:

(A) The Federal Family **Education** Loan Program (20 U.S.C. Sec. 1071

et seq.).

(B) The Federal Direct Loan Program.

(C) Any loan program approved by the commission.

(5) (A) The applicant shall have agreed to teach nursing on a

full-time basis at one or more regionally accredited California

colleges or universities for at least three years, or on a part-time

basis for the equivalent of three full-time academic years,

commencing not more than 12 months after obtaining an academic

degree, unless the applicant, within 12 months after obtaining the

academic degree, enrolls in an academic degree program leading to a

more advanced degree in nursing or a field related to nursing.

(B) A participant who possesses a baccalaureate or graduate degree

at the time of application to the program shall agree to teach

nursing on a full-time or part-time basis commencing not more than 12

months after receiving a loan assumption award.

(6) An applicant who teaches on less than a full-time basis may

participate in the program, but is not eligible for loan repayment until that person teaches for the equivalent of a full-time academic year.

(d) A person participating in the program pursuant to this section

shall not receive more than one loan assumption agreement, and shall

not be eligible to receive a grant pursuant to Article 3.51

(commencing with Section 78260) of Chapter 2 of Part 48.

70102. The commission shall commence loan assumption payments

pursuant to this article upon verification that the participant has

fulfilled all of the following:

(a) The participant has received a baccalaureate degree or a

graduate degree from an accredited, participating institution.

(b) The participant has provided the equivalent of full-time

nursing instruction at one or more regionally accredited California

colleges or universities for one academic year or the equivalent.

(c) The participant has met the requirements of the loan

assumption agreement and all other conditions of this article.

70103. The terms of the loan assumptions granted under this article

shall be as follows, subject to the specific terms of each loan

assumption agreement:

(a) After a program participant has completed one academic year,

or the equivalent, of full-time teaching nursing studies at one or

more regionally accredited, eligible California colleges or

universities, pursuant to Section 70102, the commission shall assume

up to eight thousand three hundred thirty-three dollars ($8,333) of

the outstanding liability of the participant under one or more of the

designated loan programs.

(b) After the program participant has completed two consecutive

academic years, or the equivalent, of full-time teaching at one or

more regionally accredited California colleges or universities,

pursuant to Section 70102, the commission shall assume up to an

additional eight thousand three hundred thirty-three dollars ($8,333)

of the outstanding liability of the participant under one or more of

the designated loan programs, for a total loan assumption of up to

sixteen thousand six hundred sixty-six dollars ($16,666).

(c) After a program participant has completed three consecutive

academic years, or the equivalent of full-time teaching, at one or

more regionally accredited California colleges or universities,

pursuant to Section 70102, the commission shall assume up to an

additional eight thousand three hundred thirty-four dollars ($8,334)

of the outstanding liability of the participant under one or more of

the designated loan programs, for a total loan assumption of up to

twenty-five thousand dollars ($25,000).

(d) The commission may assume liability for loans received by the

program participant to pay for the costs of obtaining the program

participant's undergraduate and graduate degrees.

(e) The term of the loan assumption agreement shall be not more

than 10 years from the date on which the agreement was executed by

the program participant and the commission.

70104. (a) Except as provided in subdivisions (b) and (c), if a

program participant fails to complete a minimum of three academic

years of teaching on a full-time basis or the equivalent on a

part-time basis, as required by this article under the terms of the

agreement pursuant to paragraph (5) of subdivision (c) of Section

**70101**, the loan assumption agreement is no longer effective and shall

be deemed terminated, and the commission shall not make any further

payments. The participant shall resume responsibility for any

remaining loan obligations, but shall not be required to repay any

loan payments previously made through this program.

(b) Notwithstanding subdivision (a), if a program participant

becomes unable to complete one of the three years of teaching service

on a full-time basis, or the equivalent on a part-time basis, due to

a serious illness, pregnancy, or other natural causes, or due to

being called to military active duty status, the term of the loan

assumption agreement shall be extended for a period not to exceed one

academic year, unless extended by the commission on a case-by-case

basis. The commission shall make no further payments under the loan

assumption agreement until the applicable teaching requirements

specified in Section 70103 have been satisfied.

(c) Notwithstanding subdivision (a), if a natural disaster

prevents a program participant from completing one of the required

years of teaching service due to the interruption of instruction at

the employing regionally accredited California college or university,

the term of the loan assumption agreement shall be extended for the

period of time equal to the period from the interruption of

instruction at the employing regionally accredited California college

or university to the resumption of instruction. The commission shall make no further payments under the loan assumption agreement until the applicable teaching requirements specified in Section 70103 have been satisfied.

70105. (a) The commission shall accept nominations from accredited

colleges and universities made pursuant to this article.

(b) The commission shall choose from among those nominations of

graduate students and applicants who have completed their

baccalaureate or graduate degrees with outstanding student loans,

based upon criteria that may include, but are not necessarily limited

to, all of the following:

(1) Grades at the undergraduate level in a subject field related

to nursing.

(2) Grades in the undergraduate program.

(3) Aptitude for graduate work in the field of nursing.

(4) General aptitude for graduate study.

(5) Critical human resource needs.

(c) The commission may develop additional criteria for the

selection of award recipients consistent with the purposes of this article.

70106. (a) The commission shall administer this article, and shall

adopt rules and regulations for that purpose. The rules and

regulations shall include, but need not be limited to, provisions

regarding the period of time for which a loan assumption agreement

shall remain valid and the development of projections for funding

purposes. In developing these rules and regulations, the commission

shall solicit the advice of representatives from postsecondary

**education** institutions, the Office of Statewide Health Planning and

Development, and the nursing community.

(b) If this article is amended and the commission deems it

necessary to adopt a rule or regulation to implement that amendment,

the commission shall develop and adopt that rule or regulation no

later than 12 months after the operative date of the statute that

amends the article.

**70120**. (a) (1) Any person enrolled in an eligible institution, or

any person who agrees to work full time as a registered nurse in a

state-operated 24-hour facility that employs registered nurses, may

be eligible to enter into an agreement for loan assumption, to be

redeemed pursuant to Section 70122 upon becoming employed as a

clinical registered nurse in a state-operated 24-hour facility that

employs registered nurses and that has a clinical registered nurse

vacancy rate of greater than 10 percent as reported annually to the

commission by the Department of Personnel Administration pursuant to

Section 70121. In order to be eligible to enter into an agreement for

loan assumption, an applicant shall satisfy all of the conditions

specified in subdivision (b).

(2) As used in this article, "eligible institution" means a

postsecondary institution that is determined by the Student Aid

Commission to meet both of the following requirements:

(A) The institution is eligible to participate in state and

federal financial aid programs.

(B) The institution maintains an accredited program of professional preparation for licensing as a registered nurse in California.

(3) As used in this article, "state-operated 24-hour facility"

includes, but is not necessarily limited to, a state-operated prison,

psychiatric hospital, or veterans' home.

(b) (1) The applicant has been admitted to, or is enrolled in, or

has successfully completed an accredited program of professional

preparation for licensing as a registered nurse in California.

However, a person who is currently employed as a registered nurse in

a state-operated 24-hour facility may be eligible to enter into an

agreement for loan assumption under Article 1 (commencing with

Section 70100), but is not eligible to enter into an agreement for

loan assumption under this article.

(2) The applicant is currently enrolled, or has been admitted to a

program in which he or she will be enrolled, on a full-time basis,

as determined by the participating institution. The applicant shall

agree to maintain satisfactory academic progress and a minimum of full-time enrollment, as defined by the participating eligible institution.

(3) The applicant has been judged by his or her postsecondary

institution to have outstanding ability on the basis of criteria that

may include, but need not be limited to, any of the following:

(A) Grade point average.

(B) Test scores.

(C) Faculty evaluations.

(D) Interviews.

(E) Other recommendations.

(4) The applicant has received, or is approved to receive, a loan

under one or more of the following designated loan programs:

(A) The Federal Family **Education** Loan Program (20 U.S.C. Sec. 1071

et seq.).

(B) Any loan program approved by the Student Aid Commission.

(5) The applicant has agreed to work full time for at least four

consecutive years as a clinical registered nurse in a state-operated

24-hour facility that employs registered nurses and that has a

clinical registered nurse vacancy rate of greater than 10 percent as reported annually to the commission by the Department of Personnel Administration.

(c) No applicant who has completed fewer than 60 semester units,

or the equivalent, shall be eligible under this section to

participate in the loan assumption program set forth in this article.

(d) An agreement shall remain valid even if the state-operated

facility at which the applicant is employed ceases to be listed

pursuant to Section 70121 after the applicant is employed there.

(e) A person participating in the program pursuant to this section

shall not enter into more than one agreement.

70124. (a) Except as provided in subdivision (b), if a program

participant fails to complete a minimum of four consecutive years of

full-time employment as required by this article, under the terms of

the agreement pursuant to paragraph (5) of subdivision (b) of Section

**70120**, the participant shall assume full liability for all student

loan obligations remaining after the commission's assumption of loan

liability for the last year of qualifying clinical registered nursing

service pursuant to Section 70123.

(b) Notwithstanding subdivision (a), if a program participant

becomes unable to complete one of the four consecutive years of

qualifying clinical registered nursing service due to serious

illness, pregnancy, or other natural causes, the term of the loan

assumption agreement shall be extended for a period not to exceed one

year. The commission shall make no further payments under the loan

assumption agreement until the applicable work requirements as

specified in Section 70122 have been satisfied.

(c) If a natural disaster prevents a program participant from

completing one of the required years of work due to the interruption

of employment at the employing state facility, the term of the loan

assumption agreement shall be extended for the period of time equal

to the period from the interruption of employment at the employing

state facility to the resumption of employment. The commission shall

make no further payments under the loan assumption agreement until

the applicable employment requirements specified in Section 70123

have been satisfied.

70125. (a) The commission shall administer this article, and shall

adopt rules and regulations for that purpose. The rules and

regulations shall include, but need not be limited to, provisions

regarding the period of time during which an agreement shall remain

valid, the reallocation of resources in light of agreements that are

not utilized by program participants, the failure, for any reason, of

a program participant to complete a minimum of four consecutive

years of qualifying clinical registered nursing service, and the

development of projections for funding purposes.

(b) If a provision is added to this article and the commission

deems it necessary to adopt a rule or regulation to implement that

provision, the commission shall develop and adopt that rule or

regulation no later than six months after the operative date of the

statute that adds the provision.

70128.5. Notwithstanding any other provision of law, in any fiscal year, the commission shall award no more than the number of warrants that are authorized by the Governor and the Legislature in the annual Budget Act for that year for the assumption of loans pursuant to this article.

**78260**. (a) (1) In order to further the state's interests in a major

expansion in the number of educated nurses in California, the

Legislature finds that it is necessary to ensure a significant

expansion in the number of qualified nursing faculty at California

Community Colleges. Therefore, the Legislature hereby creates the

California Community Colleges Nursing Faculty Recruitment and

Retention Program in the Chancellor's Office of the California

Community Colleges for purposes of facilitating the recruitment and

retention of qualified nursing faculty. The Chancellor of the

California Community Colleges shall allocate funds on a competitive

grant basis to community college districts that commit to sustained

increases in the number of full-time equivalent students taught in the district's nursing programs, as specified by the chancellor, and that also commit to the terms and conditions specified in this section.

(2) It is the intent of the Legislature that the grants awarded

under this article should be one-time grants and that the total

amount of the funding for this article in any fiscal year should be

limited to the amount appropriated for that purpose in the annual Budget Act. The Legislature finds and declares that the initial funding for this article is the appropriation contained in paragraph (30) of subdivision (a) of Section 43 of Chapter 79 of the Statutes of 2006.

(b) (1) (A) The grant amount to each participating district shall

be based on the number of full-time faculty at the district who are

in their first through fifth year of service as an instructor in a

California Community College registered nursing program in the fiscal

year for which funds are disbursed. Notwithstanding any other

provision of law, a community college district that receives an

allocation for the making of grants under this article shall have up

to five years to disburse these funds.

(B) Except as provided in paragraph (3), the amount granted to any

person under this article shall not exceed a total of twenty

thousand dollars ($20,000) disbursed over a five-year period with a

maximum of six thousand dollars ($6,000) in any one year.

(2) Disbursements under this section shall be based on the

following schedule:

(A) Six thousand dollars ($6,000) for each instructor in his or

her first year.

(B) Five thousand dollars ($5,000) for each instructor in his or

her second year.

(C) Four thousand dollars ($4,000) for each instructor in his or

her third year.

(D) Three thousand dollars ($3,000) for each instructor in his or

her fourth year.

(E) Two thousand dollars ($2,000) for each instructor in his or

her fifth year.

(3) Notwithstanding the amounts listed in paragraph (2), the

amount granted to a person under this article may be supplemented, in

any year of the five-year cycle of disbursements under paragraph

(2), by up to one thousand dollars ($1,000) in local matching funds,

plus an equal amount of funds disbursed pursuant to this program.

(4) A person who receives a grant under this article shall not be

eligible for participation in the State Nursing Assumption Program of

Loans for **Education** Chapter 3 (commencing with Section 70100) of

Part 42.

(c) Each district is authorized, through its shared governance and

collective bargaining relationships, to allocate actual payments to

faculty in their first through fifth years of service as a nursing

instructor on a different basis if the district finds that its

ability to recruit and retain nursing faculty is thereby enhanced.

(d) Each district may use a portion of the grant proceeds to offer

incentives to either full-time or part-time nursing instructors for

the purpose of instruction in clinical settings during weekends and

evenings. This subdivision shall not construed to be limited to faculty in their first through fifth years of service as nursing instructors.

(e) As a condition of receiving grant funds under this article,

each district agrees to provide the chancellor with all data requested by the chancellor on the expenditure of funds and program outcomes.

(f) The chancellor shall report annually by March 1 to the

Legislature and the Governor on program expenditures and outcomes by

participating district and college.

**78261**. (a) The Legislature finds and declares both of the following:

(1) The Legislature intends to facilitate both the expansion of

associate degree nursing programs and the improvement in completion

rates in those programs.

(2) The Legislature also intends that community colleges employ

nationally recognized diagnostic assessment tools that are aligned

with national nursing licensure requirements. Both students and the

state benefit when diagnostic assessments are supplemented with

educational opportunities to assist students in meeting skill levels.

(b) It is the intent of the Legislature to create a Nursing

Enrollment Growth and Retention program in the Chancellor's Office of

the California Community Colleges. The purpose of this program shall

be to provide grants to community college associate degree of

nursing programs that meet either of the following conditions:

(1) The nursing program has low or moderate program attrition levels.

(2) The nursing program provides a comprehensive program of

diagnostic assessment, pre-nursing preparation, and program-based

support to students.

(c) (1) It is the intent of the Legislature that this program

shall be funded, beginning in the 2006-07 fiscal year, by a

redirection of the ten million dollars ($10,000,000) provided

annually pursuant to the Budget Act of 2005, along with an additional

investment of two million eight hundred eighty-six thousand dollars

($2,886,000) annually, for a total program budget of twelve million

eight hundred eighty-six thousand dollars ($12,886,000) annually.

Unencumbered funds that were appropriated in the Budget Act of 2005 may be used for capacity building and equipment in the 2006-07 fiscal year.

(2) Up to 3 percent of the funds appropriated for this program may

be used for statewide administration, program development, program

evaluation, and program accountability. As used in this paragraph,

"program development" includes, but is not necessarily limited to,

activities related to partnerships or collaborations between

community colleges and institutions of higher **education** offering

baccalaureate degrees in order to increase the number of students completing bachelor of the science of nursing (BSN), master of the science of nursing (MSN), and master's entry programs in nursing (MEPN) courses of study.

(d) The Board of Governors of the California Community Colleges

may award grants to community college districts with associate degree

nursing programs to expand enrollment, reduce program attrition, or

both. Funds shall be used only for the following purposes: expanding

enrollment, providing diagnostic assessments, and offering pre-entry

coursework to prospective nursing students and diagnostic assessments

and supportive services to enrolled nursing students. For purposes

of this section, supportive services include, but are not necessarily

limited to, tutoring, case management, mentoring, and counseling

services. Funds may also be used to develop alternative delivery

models such as part-time, evening, weekend, and summer program

offerings. In order to qualify for these funds, a community college

associate degree nursing program shall do either of the following:

(1) Have a program attrition rate, as determined by the Board of

Registered Nursing's Annual School Report or the Information Program Data System of the Chancellor's Office of the California Community Colleges, of 15 percent or less for the year prior to application for funding.

(2) Commit to implement a comprehensive program of diagnostic

assessment, pre-nursing enrollment preparation, and program-based

support to enrolled students, as defined in this article.

(e) Notwithstanding Section 78213 or any other provision of law,

prior to awarding any funds to be used for reducing program

attrition, the chancellor's office shall do all of the following:

(1) Identify, in collaboration with community college associate

degree nursing programs, nationally recognized diagnostic assessment

tools that determine the likelihood of academic success in community

college registered nursing **education** programs.

(2) Establish, in collaboration with community college associate

degree nursing programs, the systemwide proficiency level necessary

for academic success for each diagnostic assessment tool.

(3) Define the kinds of educational and support services that

qualify for funding under this program.

(f) As a condition of receiving grants under paragraph (2) of

subdivision (d), a community college district shall, at a minimum, do

all of the following:

(1) Utilize diagnostic assessment tools prior to enrollment to determine readiness for community college associate degree nursing programs.

(2) Offer, or identify, educational preentry coursework,

including, but not necessarily limited to, tutorials, instructional

resources, or noncredit instruction, aligned to the entry level

nursing standards and curriculum for students who fail to demonstrate

readiness based upon the diagnostic assessment tools.

(3) Provide access to pre-nursing coursework for all students who do not demonstrate readiness based upon the diagnostic assessment tools.

(4) Require that students demonstrate readiness through the

diagnostic assessment or successful completion of the pre-nursing coursework specified above prior to commencing the registered nursing program.

(5) Ensure that students that participate in educational pre-entry coursework in order to demonstrate readiness based upon the diagnostic assessment tools are not disadvantaged in the program enrollment process.

(g) As a condition of receiving grant funds pursuant to paragraph

(2) of subdivision (d), each recipient district shall report to the

chancellor's office the following data for the academic year on or

before a date determined by the chancellor's office:

(1) The number of students enrolled in the nursing program.

(2) The number of students taking diagnostic assessments.

(3) The number of students failing to meet proficiency levels as

determined by diagnostic assessment tools.

(4) The number of students failing to meet proficiency levels that

undertake pre-entry preparation classes.

(5) The number of students who successfully complete pre-entry

preparation coursework.

(6) The average number of months between initial diagnostic

assessment, demonstration of readiness, and enrollment in the nursing

program for students failing to meet proficiency standards on the

initial diagnostic assessment.

(7) The average number of months between diagnostic assessment and

program enrollment for students meeting proficiency standards on the

initial diagnostic assessment.

(8) The number of students who completed the associate degree

nursing program and the number of students who pass the National

Council Licensure Examination (NCLEX).

(h) (1) Data reported to the chancellor under this article shall be disaggregated by age, gender, ethnicity, and language spoken at home.

(2) The chancellor's office shall compile and provide this information to the Legislature and the Governor by March 1 of each year.

(i) It is the intent of the Legislature that, pursuant to funding

to be provided in the annual Budget Act, in the 2009-10 academic

year, the California Community Colleges should increase the statewide

enrollment of full-time equivalent registered nursing students by

450 and, beginning in the 2010-11 academic year and continuing each

academic year thereafter, add 900 new full-time equivalent registered

nursing students.

**78261**.3. Notwithstanding any other provision of law:

(a) Any community college district, irrespective of whether it participates in the program established by this article, may use any diagnostic assessment tool that is commonly used in registered nursing programs and is approved by the chancellor.

(b) If, after using an approved diagnostic assessment tool, a

community college registered nursing program determines that the

number of applicants to that program exceeds its capacity, the

program is authorized to use additional multi-criteria screening

measures. This subdivision does not prohibit or prevent a community

college registered nursing program from using an approved diagnostic

assessment tool before or during a multi-criteria screening process.

(c) A community college district may not exclude an applicant to a

registered nursing program on the sole basis that the applicant is

not a resident of that district or has not completed prerequisite

courses in that district.

**78261**.5. (a) A community college registered nursing program that determines that the number of applicants to that program exceeds its capacity may admit students in accordance with any of the following procedures:

(1) Administration of a multi-criteria screening process, as authorized by Section **78261**.3, in a manner that is consistent with the standards set forth in subdivision (b).

(2) A random selection process.

(3) A blended combination of random selection and a multi-criteria screening process.

(b) A community college registered nursing program that elects, on or after January 1, 2008, to use a multi-criteria screening process to evaluate applicants pursuant to this article shall apply those measures in accordance with **all** of the following:

(1) The criteria applied in a multi-criteria screening process under this article shall include, but shall not necessarily be limited to, all of the following:

(A) Academic degrees or diplomas, or relevant certificates, held by an applicant.

(B) Grade-point average in relevant coursework.

(C) Any relevant work or volunteer experience.

(D) Life experiences or special circumstances of an applicant, including, but not necessarily limited to, the following experiences or circumstances:

(i) Disabilities.

(ii) Low family income.

(iii) First generation of family to attend college.

(iv) Need to work.

(v) Disadvantaged social or educational environment.

(vi) Difficult personal and family situations or circumstances.

(vii) Refugee or veteran status.

(E) Proficiency or advanced level coursework in languages other

than English. Credit for languages other than English shall be

received for languages that are identified by the chancellor as

high-frequency languages, as based on census data. These languages

may include, but are not necessarily limited to, any of the

following:

(i) American Sign Language.

(ii) Arabic.

(iii) Chinese, including its various dialects.

(iv) Farsi.

(v) Russian.

(vi) Spanish.

(vii) Tagalog.

(viii) The various languages of the Indian subcontinent and

Southeast Asia.

(2) Additional criteria, such as a personal interview, a personal

statement, letter of recommendation, or the number of repetitions of

prerequisite classes, or other criteria, as approved by the

chancellor, may be used, but are not required.

(3) A community college registered nursing program using a

multicriteria screening process under this article may use an

approved diagnostic assessment tool, in accordance with Section

**78261**.3, before, during, or after the multicriteria screening

process.

(4) As used in this section:

(A) "Disabilities" has the same meaning as used in Section 2626 of

the Unemployment Insurance **Code**.

(B) "Disadvantaged social or educational environment" includes,

but is not necessarily limited to, the status of a student who has

participated in Extended Opportunity Programs and Services (EOPS).

(C) "Grade-point average" refers to the same fixed set of required

prerequisite courses that all applicants to the nursing program

administering the multicriteria screening process are required to

complete.

(D) "Low family income" shall be measured by a community college

registered nursing program in terms of a student's eligibility for,

or receipt of, financial aid under a program that may include, but is

not necessarily limited to, a fee waiver from the board of governors

under Section 76300, the Cal Grant Program under Chapter 1.7

(commencing with Section 69430) of Part 42 of Division 5, the federal

Pell Grant program, or CalWORKs.

(E) "Need to work" means that the student is working at least part

time while completing academic work that is a prerequisite for

admission to the nursing program.

(5) A community college registered nursing program that uses a

Multi-criteria screening process pursuant to this article shall report

its nursing program admissions policies to the chancellor annually,

in writing. The admissions policies reported under this paragraph

shall include the weight given to any criteria used by the program,

and shall include demographic information relating to both the

persons admitted to the program and the persons of that group who

successfully completed that program.

(c) The chancellor is encouraged to develop, and make available to

community college registered nursing programs by July 1, 2008, a

model admissions process based on this section.

(d) This section shall remain in effect only until January 1, 2016,

and as of that date is repealed, unless a later enacted statute,

that is enacted before January 1, 2016, deletes or extends that date.

**87482**. (a) (1) Notwithstanding Section 87480, the governing board

of a community college district may employ any qualified individual

as a temporary faculty member for a complete school year but not less

than a complete semester or quarter during a school year. The

employment of those persons shall be based upon the need for

additional faculty during a particular semester or quarter because of

the higher enrollment of students during that semester or quarter as

compared to the other semester or quarter in the academic year, or

because a faculty member has been granted leave for a semester,

quarter, or year, or is experiencing long-term illness, and shall be

limited, in number of persons so employed, to that need, as

determined by the governing board.

(2) Employment of a person under this subdivision may be pursuant

to contract fixing a salary for the entire semester or quarter.

(b) No person, other than a person serving as clinical nursing

faculty and exempted from this subdivision pursuant to paragraph (1)

of subdivision (c), shall be employed by any one district under this

section for more than two semesters or three quarters within any

period of three consecutive years.

(c) (1) Notwithstanding subdivision (b), a person serving as

full-time clinical nursing faculty or as part-time clinical nursing

faculty teaching 60 percent or more of the hours per week considered

a full-time assignment for regular employees may be employed by any

one district under this section for up to four semesters or six

quarters within any period of three consecutive academic years

between July 1, 2007, and June 30, 2014, inclusive.

(2) A district that employs faculty pursuant to this subdivision

shall provide data to the chancellor's office as to how many faculty

members were hired under this subdivision, and what the ratio of

full-time to part-time faculty was for each of the three academic

years prior to the hiring of faculty under this subdivision and for

each academic year for which faculty is hired under this subdivision.

This data shall be submitted, in writing, to the chancellor's office

on or before June 30, 2012.

(3) The chancellor shall report, in writing, to the Legislature

and the Governor on or before September 30, 2012, in accordance with

data received pursuant to paragraph (2), how many districts hired

faculty under this subdivision, how many faculty members were hired

under this subdivision, and what the ratio of full-time to part-time

faculty was for these districts in each of the three academic years

prior to the operation of this subdivision and for each academic year

for which faculty is hired under this subdivision.

(4) A district may not employ a person pursuant to this

subdivision if the hiring of that person results in an increase in

the ratio of part-time to full-time nursing faculty in that district.

**89267**. It is the intent of the Legislature:

(a) That, pursuant to funding to be appropriated in the Budget Act

of 2007, the trustees should increase, by at least 340, the number

of full-time equivalent students in baccalaureate degree nursing

programs, beginning in the 2007-08 fiscal year.

(b) That the trustees provide a report to the Governor and the

Legislature on or before March 15, 2007, on the proposed expenditure

plans to expand nursing programs to enroll an additional 340

full-time equivalent students as a result of the funds appropriated

in the Budget Act of 2007.

(c) To support the expansion of future baccalaureate degree nursing enrollment with annual appropriations in the State Budget Act.

(d) That the funding for the baccalaureate degree enrollment

expansions referenced in this section be funded within the general

enrollment growth funding that is traditionally provided to the

California State University during the annual state budget process.

(e) To encourage the university, in providing programs under this

article, to establish partnerships or collaborations with community

colleges to facilitate the **education** of students in bachelor of the

science of nursing (BSN) or entry-level master's nursing programs.

**89267**.3. The California State University may establish priorities

for admission to baccalaureate degree nursing programs, but it shall

not disqualify or prohibit any student who possesses a baccalaureate

or higher degree from enrolling in, and completing, a baccalaureate

degree nursing program on the sole basis of that student's possession

of the degree.

**92645**. It is the intent of the Legislature that all of the following occur:

(a) That, pursuant to funding to be appropriated in the Budget Act

of 2007, the Regents of the University of California should offer at

least 175 full-time equivalent students in baccalaureate degree

nursing programs, at least 140 state-supported full-time equivalent

students in accelerated master's level nursing programs, including

entry-level master's programs and entry-level master's clinical

programs, at least 41 full-time equivalent associate degree nursing

(ADN) transitional to bachelor's of science of nursing (BSN) and

full-time equivalent master of science of nursing (MSN) students, and

at least 40 full-time equivalent students in traditional master of

science in nursing (MSN) degree programs by the 2007-08 academic year.

(b) That the regents provide a report to the Governor and the

Legislature on or before March 15, 2007, on the proposed expenditure

plans to expand nursing programs to enroll the additional students

identified in subdivision (a).

(c) That the expansion of future baccalaureate, accelerated master's degree, ADN transitional to BSN and MSN degrees, and traditional

MSN degree nursing enrollment be supported with appropriations in the

annual Budget Act.

(d) That the funding for the baccalaureate degree enrollment

expansions referenced in this section be funded within the general

enrollment growth funding that is traditionally provided to the

University of California during the annual state budget process.

Title 5 Sections 55060 et seq.

5 CCR § 55060  
Cal. Admin. Code tit. 5, § 55060

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 6. THE ASSOCIATE DEGREE

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|  | § 55060. District Policy. |  |

The governing board of each community college district shall adopt policy consistent with the provisions of this article. The policy shall be published in the college catalog under appropriate headings, and filed with the Chancellor's Office as required by section 51004.

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|  | Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code. |  |

5 CCR § 55061  
Cal. Admin. Code tit. 5, § 55061

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 6. THE ASSOCIATE DEGREE

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|  | § 55061. Philosophy and Criteria for Associate Degree and General Education. |  |

(a) The governing board of a community college district shall adopt a policy which states its specific philosophy on General Education. In developing this policy governing boards shall consider the following policy of the Board of Governors:  
  
The awarding of an Associate Degree is intended to represent more than an accumulation of units. It is to symbolize a successful attempt on the part of the college to lead students through patterns of learning experiences designed to develop certain capabilities and insights. Among these are the ability to think and to communicate clearly and effectively both orally and in writing; to use mathematics; to understand the modes of inquiry of the major disciplines; to be aware of other cultures and times; to achieve insights gained through experience in thinking about ethical problems; and to develop the capacity for self-understanding. In addition to these accomplishments, the student shall possess sufficient depth in some field of knowledge to contribute to lifetime interest.  
  
Central to an Associate Degree, General Education is designed to introduce students to the variety of means through which people comprehend the modern world. It reflects the conviction of colleges that those who receive their degrees must possess in common certain basic principles, concepts and methodologies both unique to and shared by the various disciplines. College educated persons must be able to use this knowledge when evaluating and appreciating the physical environment, the culture, and the society in which they live. Most importantly, General Education should lead to better self-understanding.  
  
In establishing or modifying a general education program, ways shall be sought to create coherence and integration among the separate requirements. It is also desirable that general education programs involve students actively in examining values inherent in proposed solutions to major social problems.  
  
(b) The governing board of a community college district shall also establish criteria to determine which courses may be used in implementing its philosophy on the associate degree and general education.  
  
(c) The governing board of a community college district shall, on a regular basis, review the policy and criteria established pursuant to subdivisions (a) and (b) of this section.

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|  | Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code. |

5 CCR § 55062  
Cal. Admin. Code tit. 5, § 55062

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 6. THE ASSOCIATE DEGREE

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|  | § 55062. Types of Courses Appropriate to the Associate Degree. |  |

The criteria established by the governing board of a community college district to implement its philosophy on the associate degree shall permit only courses that conform to the standards specified in section 55002(a) and that fall into the following categories to be offered as degree-applicable credit courses:  
(a) All lower division courses accepted toward the baccalaureate degree by the California State University or University of California or designed to be offered for transfer.  
  
(b) Courses that apply to the major or area of emphasis in non-baccalaureate career technical fields.  
  
(c) English composition courses not more than one level below the first transfer level composition course, typically known as Freshman Composition. Each student may count only one English composition course below transfer level for credit toward the associate degree. English as a Second Language (ESL) courses which teach composition skills are not considered to be English composition courses for purposes of this subdivision.  
  
(d) All mathematics courses above and including Elementary Algebra.  
  
(e) Credit courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board require entrance skills at a level equivalent to those necessary for the courses specified in subdivisions (c) and (d) above.

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|  | Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code. |

5 CCR § 55063  
Cal. Admin. Code tit. 5, § 55063

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 6. THE ASSOCIATE DEGREE

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|  | § 55063. Minimum Requirements for the Associate Degree. |  |

The governing board of a community college district shall confer the associate degree upon a student who has demonstrated competence in reading, in written expression, and in mathematics, and who has satisfactorily completed at least 60 semester units or 90 quarter units of degree-applicable credit course work (as defined in section 55002(a)) which falls into the categories described in section 55062. A college may also accept toward satisfaction of this requirement courses that were not completed at a California community college that would reasonably be expected to meet or exceed the standards of section 55002(a).  
Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in written expression shall be demonstrated by obtaining a satisfactory grade in an English course at the level of the course typically known as Freshman Composition (either Freshman Composition or another English course at the same level and with the same rigor, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified English course. Satisfactory completion of an English course at the level of Freshman Composition shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(i) of this section.  
Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, competence in mathematics shall be demonstrated by obtaining a satisfactory grade in a mathematics course at the level of the course typically known as Intermediate Algebra (either Intermediate Algebra or another mathematics course at the same level, with the same rigor and with Elementary Algebra as a prerequisite, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) and achieving a score determined to be comparable to satisfactory completion of the specified mathematics course. Satisfactory completion of a mathematics course at the level of Intermediate Algebra shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(ii) of this section.  
The competency requirements for written expression and mathematics may also be met by obtaining a satisfactory grade in courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board, require entrance skills at a level equivalent to those necessary for Freshman Composition and Intermediate Algebra respectively. Requirements for demonstrating competency in reading shall be locally determined.  
The required 60 semester or 90 quarter units of course work must be fulfilled in a curriculum accepted toward the degree by a college within the district (as shown in its catalog). It must include at least 18 semester or 27 quarter units in general education and at least 18 semester or 27 quarter units in a major or area of emphasis as prescribed in this section. Of the total required units, at least 12 semester or 18 quarter units must be completed in residence at the college granting the degree. Exceptions to residence requirements for the associate degree may be made by the governing board when it determines that an injustice or undue hardship would be placed on the student.  
(a) Requirements for a major or area of emphasis.

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|  | (1) At least 18 semester or 27 quarter units of study must be taken in a single discipline or related disciplines, as listed in the community colleges "Taxonomy of Programs," or in an area of emphasis involving lower division coursework which prepares students for a field of study or for a specific major at the University of California or the California State University. |  |

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|  | (2) Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, each course counted toward the unit requirement of this subdivision must be completed with a grade of C or better or a "P" if the course is taken on a "pass-no pass" basis. |  |

(b) General Education Requirements.

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|  | (1) Students receiving an associate degree shall complete a minimum of 18 semester or 27 quarter units of general education coursework which includes a minimum of three semester or four quarter units in each of the areas specified in paragraphs (A), (B) and (C) and the same minimum in each part of paragraph (D). The remainder of the unit requirement is also to be selected from among these four divisions of learning or as determined by local option: |  |

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|  | (A) Natural Sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines. |  |

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|  | (B) Social and Behavioral Sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. This category would include introductory or integrative survey courses in cultural anthropology, cultural geography, economics, history, political science, psychology, sociology and related disciplines. |  |

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|  | (C) Humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion. |  |

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|  | (D) Language and Rationality. Courses in language and rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses. Such courses include: |  |

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|  | (i) English Composition. Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing. |  |

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|  | (ii) Communication and Analytical Thinking. Courses fulfilling the communication and analytical thinking requirement include oral communication, mathematics, logic, statistics, computer languages and programming, and related disciplines. |  |

(3) Ethnic Studies will be offered in at least one of the areas required by subdivision (2).

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|  | (c) While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major or area of emphasis requirement. Whether it may be counted again for a different degree requirement is a matter for each college to determine. Students may use the same course to meet a general education requirement for the associate degree and to partially satisfy a general education requirement at the California State University, if such course is accepted by that system to satisfy a general education requirement. |  |

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|  | (d) For the purpose of this section, "satisfactorily completed" means either credit earned on a "pass-no pass" basis or a grade point average of 2.0 or better in community college credit courses in the curriculum upon which the degree is based. |  |

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

5 CCR § 55064  
Cal. Admin. Code tit. 5, § 55064

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 6. THE ASSOCIATE DEGREE

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|  | § 55064. Acceptance of Noncredit Courses. |  |

The governing board of each community college district shall establish procedures by which a student may petition to have completion of a noncredit course counted toward satisfaction of the requirements for an associate degree. The petition shall be granted if the instructor of the noncredit course certifies that the student has achieved competence in the subject matter at a level and with academic rigor equivalent to that required for a degree-applicable credit course.

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|  | Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 78405, Education Code. |

5 CCR § 55070  
Cal. Admin. Code tit. 5, § 55070

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 1. PROGRAMS, COURSES AND CLASSES

ARTICLE 7. CREDIT CERTIFICATES

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|  | § 55070. Credit Certificates. |  |

(a) Any sequence of courses consisting of 18 or more semester units or 27 or more quarter units of degree-applicable credit coursework shall constitute an educational program subject to approval by the Chancellor pursuant to section 55130. The college-awarded document confirming that a student has completed such a program shall be known as a certificate of achievement and may not be given any other designation. The award of a certificate of achievement is intended to represent more than an accumulation of units. Listing of the certificate of achievement on a student transcript symbolizes successful completion of patterns of learning experiences designed to develop certain capabilities that may be oriented to career or general education. For purposes of this subdivision, the term "general education" includes coursework taken to satisfy transfer patterns established by the University of California, the California State University, or accredited public postsecondary institutions in adjacent states which award the baccalaureate degree.  
  
(b) Shorter credit programs leading to a certificate may be established without review and approval by the Chancellor after approval by the college curriculum committee and the district governing board. Such a certificate may be given any name or designation deemed appropriate by the district governing board, except that such a certificate may not be referred to as a certificate of achievement, a certificate of completion, or a certificate of competency, unless approved by the Chancellor pursuant to subdivision (c). Such a certificate may not be listed on a student's transcript, unless approved by the Chancellor pursuant to subdivision (c).  
  
(c) A district may submit any sequence of courses consisting of 12 or more semester units or 18 or more quarter units of degree-applicable credit coursework to the Chancellor and request that it be approved as a program leading to a certificate of achievement. The Chancellor may approve such a program if he or she determines that it satisfies the requirements of subdivision (a) despite requiring fewer than 18 semester or 27 quarter units of degree-applicable credit coursework.  
  
(d) Content and assessment standards for certificates shall be defined by the local curriculum committee and comply with the requirements of this chapter. Such standards should also ensure that certificate programs will be consistent with the mission of the college, meet a demonstrated need, be feasible, and adhere to guidelines on academic integrity which may be developed by the Chancellor, the Academic Senate for California Community Colleges or other appropriate statewide bodies.  
  
(e) A description of each approved program shall be included in the college catalog.  
  
(f) The Chancellor shall develop forms and procedures for submission of applications for approval of a program leading to a certificate of achievement.  
  
(g) Provisions of this section regarding the naming or designation of certificates shall become effective for the Fall 2008 term.

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

5 CCR § 55521  
Cal. Admin. Code tit. 5, § 55521

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 6. CURRICULUM AND INSTRUCTION

SUBCHAPTER 6. MATRICULATION PROGRAMS

ARTICLE 3. MATRICULATION SERVICES

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|  | § 55521. Prohibited Practices. |  |

(a) In implementing matriculation services, community college districts shall not, except as provided in subdivision (b), do any of the following:

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|  | (1) use an assessment instrument which has not been approved by the Chancellor pursuant to section 55524, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment instruments, where such instruments are not used for placement and are evaluated only in order to determine whether they should be added to the list of approved instruments; |  |

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|  | (2) use any assessment instrument in a manner or for a purpose other than that for which it was developed or has been otherwise validated; |  |

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|  | (3) use any single assessment instrument, method or procedure, by itself, for placement, required referral to appropriate services, or subsequent evaluation of any student; provided however that, in the case of assessment instruments, the use of two or more highly correlated instruments does not satisfy the requirement for use of multiple measures; |  |

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|  | (4) use any assessment instrument, method or procedure to exclude any person from admission to a community college, except that a college may determine the admission of special part-time or full-time students under Education Code section 76002 based on an assessment which involves multiple measures and complies with other requirements of this subchapter; |  |

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|  | (5) use any assessment instrument, method or procedure for mandatory placement of a student in or exclusion from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to sections 55002 and 55003; or |  |

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|  | (6) use any matriculation practice which has the purpose or effect of subjecting any person to unlawful discrimination prohibited by subchapter 5 (commencing with section 59300) of chapter 10. |  |

(b) Notwithstanding the provisions of subdivisions (a)(1) and (2), assessment instruments approved by the Secretary of the United States Department of Education may be used to determine "ability to benefit" in the process of establishing a student's eligibility for federal financial aid pursuant to subdivision (d) of section 1091 of title 20 of the United States Code.  
  
(c) Notwithstanding paragraphs (1), (2), (3) or (5) of subdivision (a) or the provisions of sections 55003 or 55524, a community college district may use an assessment test to select students for its nursing program, provided that:

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|  | (1) the district complies with all other provisions of this subchapter; |  |

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|  | (2) the assessment instrument is used in conjunction with other assessment instruments, methods or procedures to select students for enrollment in the nursing program; and |  |

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|  | (3) the Chancellor has determined that the assessment instrument predicts likelihood of success in nursing programs, has approved use of the assessment instrument for that purpose and has established statewide proficiency cut-off scores for that instrument pursuant to Education Code section 78261. |  |

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|  | Note: Authority cited: Section 11138, Government Code; and Sections 66700 and 70901, Education Code. Reference: Section 11135, Government Code; and Sections 72011, 76002, 78211, 78213 and 78261, Education Code. |

**HEALTH AND** **SAFETY** **CODE** **SECTION 128050**

**128050**. The Office of Statewide Health Planning and Development

shall establish a health care workforce clearinghouse to serve as the

central source of health care workforce and educational data in the

state. The clearinghouse shall be responsible for the collection,

analysis, and distribution of information on the educational and

employment trends for health care occupations in the state. The

activities of the clearinghouse shall be funded by appropriations

made from the California Health Data and Planning Fund in accordance

with subdivision (h) of Section 127280.