



Executive Order: 2022-01
Effective Date: January 5, 2022

Title: Suspension of Regulations Related to Cooperative Work Experience and District Audit Timelines Due to the COVID-19 State of Emergency

Executive Order 2022-01 is issued pursuant to Title 5, Section 52020, of the California Code of Regulations conferring on the Chancellor authority to take emergency actions, upon a written finding made in consultation with the President and Vice President of the Board of Governors, for the purpose of maintaining the continuity of educational services. This authority allows the temporary suspension of regulations adopted by the Board of Governors and the temporary suspension of local rules and regulations that are a barrier to the continuity of educational services, and the temporary establishment of procedures in order to promote the continuity of educational services.

WHEREAS, the COVID-19 state of emergency declared by the Governor on March 4, 2020 continues; and

WHEREAS, despite the widespread availability of safe and effective vaccines against the COVID-19 virus, the advent of the virulent Delta COVID-19 variant and societal resistance to vaccination and masking have caused the pandemic to continue, resulting in on-going public health measures and disruptions to normal California community college operations; and

WHEREAS, to address these public health measures, community college districts throughout the state continue to operate face-to-face courses in online or alternative formats; and

Concerning community college cooperative work experience education programs:

WHEREAS, cooperative work experience education programs provide hands-on, work-based learning opportunities to students and are coordinated by community colleges for the benefit of students and employers; and



WHEREAS, Board of Governors' regulations require community college districts to supervise students enrolled in cooperative work experience education programs by, among other things, conducting in-person consultation with employers and in-person consultation with students to discuss students' educational growth on the job; and

WHEREAS, these regulations permit the Chancellor, after consultation with affected stakeholders, to issue guidelines specifying approved alternatives to the required in-person consultation that districts may employ and the circumstances under which they may be employed; and

WHEREAS, due to the COVID-19 pandemic and resulting restrictions on indoor activities, community college districts are unable to fulfill their mandated supervisory duties to meet in-person with employers and students; and

Concerning community college district audits:

WHEREAS, Due to the COVID-19 pandemic, the Office of Management and Budget (OMB) has granted an extension to the due date of the federal single audit report to six months beyond the normal due date. For entities using a fiscal year calendar ending June 30, this extension results in a due date of September 30, 2022, for the 2020-21 single audit; and

WHEREAS, the continuity of educational services would be advanced by allowing the submission of community college district audit reports on a schedule aligned to the extended federal deadlines; and

WHEREAS, the Chancellor's Office has proposed permanent revisions to the California Code of Regulations to allow the Chancellor to extend the district audit deadline, but this proposed regulatory action will not be considered by the Board of Governors in time for district planning purposes for the 2020-21 year; and

WHEREAS, the Chancellor's Office has consulted with affected stakeholders, including representatives of the Academic Senate for California Community Colleges in relation to the suspension of cooperative work experience regulations, and with the Student Senate for California Community Colleges; and

WHEREAS, the President and Vice President of the Board of Governors have authorized the issuance of this executive order.



THEREFORE, as the Chancellor of the California Community Colleges, I declare the following:

1. The above recitals are true and correct.
2. Section 52020, of Title 5, of the California Code of Regulations, authorizes me to take all appropriate actions to maintain the continuity of educational services for community college students during the period of emergency proclaimed by the Governor of the State of California on March 4, 2020, including the temporary suspension of regulations adopted by the Board of Governors and the suspension of local rules and regulations that are a barrier to the continuity of educational services; and the temporary establishment of procedures necessary to promote the continuity of educational services.
3. I find that strict adherence to the following sections of Title 5 of the California Code of Regulations will create barriers to the continuity of educational services and they are hereby temporarily suspended to the extent described below:
 - a. Section 55255, subdivisions (a)(1) and (a)(3): These provisions require that districts engage in supervision of students' in Cooperative Work Experience Education programs by conducting in-person meetings with employers and with students to discuss the students' educational growth on the job. However, due to the continuing COVID-19 pandemic, adherence to this requirement continues to be infeasible due to employer-based health and safety measures, and the potential to violate state and/or local pandemic-related health and safety orders. Accordingly, the in-person meeting requirement in subdivisions (a)(1) and (a)(3) is hereby suspended. In lieu of the in-person meeting requirement, as permitted by subdivision (c) of Section 55255, alternatives to in-person meetings may be employed.



These approved alternatives include consultations conducted telephonically or through videoconferencing technologies.

- b. Section 59106, requiring district audit reports to be filed with the Chancellor's Office and other specified agencies by December 31 is hereby temporarily suspended. The 2020-21 district audit reports shall be due to the Chancellor's Office on or before February 28, 2022. Audit reports must continue to meet all other audit requirements and federal assurances.
4. Paragraph 4.a. of this executive order shall remain in full force and effect until the beginning of the fall 2022 term.
5. Paragraph 4.b. of this executive order shall remain in effect until the pending regulatory action that was presented for final Board of Governors action on November 15, 2021, and would provide the Chancellor with authority to extend the district audit deadline, takes full effect.
6. Any local district board policies or regulations in conflict with the above regulatory suspensions shall also be suspended for the periods identified in paragraphs 5 and 6 of this executive order.

A handwritten signature in black ink, appearing to read 'ELOY ORTIZ OAKLEY', written over a horizontal line.

Eloy Ortiz Oakley, Chancellor

Dated: January 5, 2022