Kern Community College District
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

NOTE: *BP 4106 titled Nursing Programs contains the minimum necessary to meet statutory requirements, and may be repeated here, with additional procedures on awarding grants or participating in a* ***loan assumption agreement****.*

NOTE: *The* ***red ink*** *signifies language that is* ***suggested as good practice*** *by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The language in* ***blue ink*** *is included for consideration.*

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

§ 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.

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

§ 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.

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

§ 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.

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

§ 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.

(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.

(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.

(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:

(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.

(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.

(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.

(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:

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

(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).

(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.

(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.

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

§ 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.

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

§ 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.

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

§ 55521. Prohibited Practices.

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

(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;

(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;

(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;

(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;

(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

(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:

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

(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

(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.

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.