

Articulation News Brief

San Diego Mesa College
February – March 2020 Edition



California
Community
Colleges

CHANCELLOR'S OFFICE
1102 Q Street
Sacramento, California 95811

NOTICE OF PROPOSED RULEMAKING
AMENDMENT OF CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING
AB 705 ENGLISH AS A SECOND LANGUAGE REGULATION (ESL)
45-Day Notice Published January 10, 2020

NOTICE IS HEREBY GIVEN that, pursuant to Standing Order 200, the Board of Governors of the California Community Colleges proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on January 13, 2020, at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 1:00 p.m., or as soon thereafter as the business of the Agency will permit. The room is wheelchair accessible. Other disability-related accommodations such as materials in alternate media, sign language interpreters, or real time transcription will be provided to persons with disabilities upon request. Parking accessible for persons with disabilities is available near the facility. Persons requesting such accommodations should notify Christina Castro, 1102 Q Street, Suite 4500 Sacramento, CA 95811-6549, ccastro@ccccc.edu, 916-323-5889, no less than five working days prior to the meeting. The Chancellor's Office will make efforts to meet requests made after such date, if possible.

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed regulatory action described in the Informative Digest. The Board of Governors requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their comments. No oral comments will be accepted subsequent to this public hearing.

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Proposed Changes to Title 5 AB 705 ESL *Continued*

WRITTEN COMMENT PERIOD

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

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

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on February 25, 2020. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be available for 15 days prior to its adoption, and will be provided to those persons who have requested or are required to receive notification of regulatory actions, or who have provided written or oral comments relevant to the proposed regulatory action.

AUTHORITY AND REFERENCE

Authority: Education Code Sections 66700 and 70901; Government Code section 11138.

Reference: Education Code Sections 72011, 76002, 78211, 78212, 78213 and 78261; Government Code Section 11135.



Proposed Changes to Title 5 AB 705 ESL *Continued*

INFORMATIVE DIGEST

Assembly Bill (AB) 705 was signed into law in October of 2017. In order to address the requirements set forth in the legislation, the Chancellor's Office convened the AB 705 English as a Second Language (ESL) Advisory Committee. The AB 705 ESL Advisory Committee's main objective was to establish protocols and guidance with regards to ESL courses and placement of ESL students. The Advisory Committee members includes Chancellor's Office staff, instructors and researchers. Accomplishments of the committee includes, setting an AB 705 Credit ESL Implementation Timeline, evaluating relevant research, determining the use of assessment tools, defining key terms, and establishing ESL default placement rules. More information on the work of this Committee, including memorandums, is available at the [AB 705 ESL Advisory Committee website](#).

In addition, the Chancellor's Office, in partnership with the Academic Senate for the California Community Colleges (ASCCC), issued the following memorandums AA 18-41 AB 705 Initial Guidance Language for Credit ESL (July 20, 2018) and AA 19-43 Credit ESL Guidance (September 26, 2019) as well as a Frequently Asked Questions (FAQ) document. Also, the Chancellor's Office and the ASCCC jointly participated in a number of presentations and learning opportunities including six regional convening's and continues working with researchers to aggregate survey data, all in the effort to provide continual support to the colleges.

With the implementation date of fall 2020 for AB 705 ESL, the Chancellor's Office has developed regulatory language that reflects and aligns with the work of the past two-years. These regulations have had feedback from the AB 705 ESL Advisory Committee, the California Community Colleges Curriculum Committee (5C). Legal counsel has also reviewed and revised the language, using appropriate input, in order for the language to be prepared for a First Reading.

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings of the proposed amendments are anticipated to be as follows:
Mandate on local agencies or community college districts: No.



Proposed Changes to Title 5 AB 705 ESL *Continued*

Cost or savings to state agencies: *None*

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

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

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

The fiscal effects of the adoption of the proposed regulations will not differ from those effects anticipated by the State Legislature, and described in the Senate Appropriations Committee analysis of Assembly Bill 705, which these regulations implement. (Sen. Approps. Com. Rep. on Sen Bill No. 705 (2016-2017 Reg. Sess.), Aug. 21, 2017.)

Placement activities required by Assembly Bill 705 may impose costs on community college districts that the Commission on State Mandates may determine are reimbursable by the state resulting in current unknown Proposition 98 General Fund costs in the low millions of dollars. Assembly Bill 705 may also require colleges to expand transfer-level courses, and these costs may also be eligible for reimbursement by the state.

CONTACT PERSON

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

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

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

[Office of the General Council— Pending Regulatory Action](#)

Those who receive the Board of Governors Agenda package for the January 13, 2020, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.

Proposed Changes to Title 5 AB 705 ESL *Continued*

Item 4.2, Attachment 1: AB 705 English as a Second Language Placement and Assessment Regulations

1. Section 55522.5 is added to article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations:

§ 55522.5. ENGLISH AS A SECOND LANGUAGE PLACEMENT AND ASSESSMENT

(a) Scope and intent.

- (1) Instruction in credit English as a Second Language (ESL) is distinct from remediation in English.
- (2) Students enrolled in ESL coursework are foreign language learners who require additional language training in English, require support to successfully complete degree and transfer requirements in English, or require both.
- (3) ESL students with a goal of transfer to a four-year institution or an associate degree should enter and complete a transfer-level English composition course or an ESL course equivalent to transfer-level English within a three-year timeframe of declaring a transfer- or degree-seeking goal.
- (4) Credit ESL placement methods should minimize disproportionate impacts on students.

(b) Placement Methods

- (1) Districts shall place students who are English language learners using evidence-based multiple measures from the placement methods for ESL identified below:
 - (A) Any Chancellor's Office ESL placement method published by the Chancellor's Office to implement Education Code section 78213.
 - (B) An evidence-based district placement method collected from local research using high school performance data, including self-reported high school performance data.
 - (C) A district placement method based upon guided placement, including self-placement.
 - (D) Methods based on articulation agreements between the district and partners as defined in 55003.
- (2) Students who have acquired a United States high school diploma or the equivalent shall be placed according to 55522.

Proposed Changes to Title 5 AB 705 ESL *Continued*

(3) Placement methods authorized by this section shall be designed to maximize the probability that transfer- or degree-seeking students enrolled in credit ESL will enter and complete a transfer-level English composition or an equivalent ESL course within a three-year timeframe.

(4) Districts adopting a district placement method under subparagraph (b)(1)(B) or (b)(1)(C) shall, by July 1, 2020, provide an adoption plan on a form prescribed by the Chancellor, explaining the placement method and the evidence the district has demonstrating that it will be effective. Within two years of the adoption of a district placement method, the district shall report to the Chancellor on the method's efficacy. The Chancellor may order the district to relinquish the district placement method and adopt a placement method published by the Chancellor's Office under any of the following circumstances:

(A) the district's failure to report within two years of adoption;

(B) the district's failure to demonstrate that the local placement method meets or exceeds the credit ESL throughput rate(s) of a placement method once published by the Chancellor's Office.

(5) Districts must inform students placed into credit ESL coursework prior to fall 2020 of their right to access the newly adopted placement processes that comply with this section and students who have completed a United States high school diploma or the equivalent shall be placed according to 55522. Districts shall disclose their plans to implement retroactive placement recommendations as part of the adoption plan described in subparagraph (b)(4).

(6) Any placement for the fall semester or quarter of 2020 must comply with this section and California Education Code section 78213.

(c) Assessment

The Chancellor shall establish and update, at least annually, a list of the approved assessment tests and instruments for use in placing students in credit ESL courses and guidelines for their use by community college districts. When using an ESL assessment test for placement into credit ESL coursework, it must be used with one or more other measures to comprise multiple measures.

(1) Districts and colleges are required to use the Chancellor's guidelines for the validation of all assessment tests used for placement to ensure that they minimize or eliminate cultural or linguistic bias and are being used in a valid manner. Based on this evaluation, the district or college shall determine whether any assessment test, method, or procedure has a disproportionate im-

Proposed Changes to Title 5 AB 705 ESL *Continued*

(2) The Chancellor may identify other measures of a student's college readiness that community college districts may use for student placement into the college's curriculum.

(d) Each community college district utilizing approved assessment tests or instruments shall adopt procedures that are clearly communicated to students, regarding the college's sample test preparation, how the student test results will be used to inform placement decisions, and the district's limits on the student's ability to re-test.

(e) Community college districts shall not, except as provided in subdivision (g), do any of the following:

(1) use an assessment test for placement which has not been approved by the Chancellor pursuant to this section, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment tests;

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

(3) use any assessment test process to exclude any person from admission to a 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;

(4) use any assessment test, method, or procedure to exclude students from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to sections 55002 and 55003; or

(5) use any Student Success and Support Program 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.

(f) Colleges or districts that receive funding from the Student Equity and Achievement Program shall do the following pursuant to Education Code section 78213:

(1) Inform students of their rights, pursuant to Education Code section 78213, to access transfer-level coursework in English or in credit academic ESL and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;

(2) Include information about the student's course placement options in the college catalog, in orientation and advisement materials, on the college's website, and in any written communication by counseling services;

(3) Annually report to the Chancellor's Office, in a manner and form described by the Chancellor's Office:

Proposed Changes to Title 5 AB 705 ESL *Continued*

(A)The college's placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level English composition or ESL equivalent, transfer-level English composition or ESL equivalent with concurrent support or transfer-level or credit ESL coursework, disaggregated by race and ethnicity; and

(4) Publicly post the college's placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level English composition or ESL equivalent, transfer-level English composition or ESL equivalent with concurrent support, or transfer-level or credit ESL coursework, disaggregated by race and ethnicity.

(g) The Chancellor shall provide districts with notice and an opportunity to cure actions found to be out of compliance with this section. The Chancellor may use any means authorized by law to obtain compliance in the event of a failure or refusal to cure.

Comments and questions must be received by the Regulations Coordinator at regcomments@ccc.co.edu prior to 4:00 p.m. on February 25, 2020 .



California State University General Education (CSUGE-B) Submission

The following courses have been submitted to the California State University for 2020 – 2021 CSUGE-B consideration:

AMSL 155	Implications of Deafness
CISC 246	Discrete Mathematics for Computer Science
DANC 127	Movement for Wellness
ENGL 237	Women in Literature
HEAL 103	Introduction to Public Health
HEAL 104	Public Health and Social Justice
HEAL 107	Lifestyle Medicine for Health and Wellness
HIST 205	Methodology and Practice in History
PHYS 180A	General Physics I
PHYS 180B	General Physics II
PHYS 181A	General Physics Laboratory I
PHYS 181B	General Physics Laboratory II
POLI 123	Gender and Politics
POLI 124	Introduction to Political Theory: Power and Justice

Note: The response to the submission is expected April 2020



Intersegmental General Education Transfer Curriculum (IGETC) Submission

The following courses have been submitted to the California State University and University of California for 2020 – 2021:

AMSL 155	Implications of Deafness
CISC 246	Discrete Mathematics for Computer Science
ENGL 237	Women in Literature
HIST 205	Methodology and Practice in History
PHYS 180A	General Physics I
PHYS 180B	General Physics II
PHYS 181A	General Physics Laboratory I
PHYS 181B	General Physics Laboratory II
POLI 123	Gender and Politics
POLI 124	Introduction to Political Theory: Power and Justice

Note: The response to the submission is expected April 2020.

Mesa College Curriculum Review Committee (CRC)

2019 - 2020 Meeting Schedule (Thursdays, 2:15P.M.)

SPRING 2020

February 20, 2020

March 5, 2020

March 19, 2020

April 16, 2020

May 7, 2020



2019 - 2020 Publication Deadlines

CRC MEETING PUBLICATION

April 16, 2020 2021 Intersession/Spring Schedule

*Please note that all items submitted prior to and by these deadlines remain dependent upon subsequent CIC, Board of Trustee's and/or State approval. Until the appropriate subsequent approvals are given, items cannot be included in the listed publications. For updates and changes to deadlines please contact Curriculum Co-Chair Andrew Hoffman @ (619) 388-2367.

SDCCD Curriculum and Instructional Council (CIC) Meeting Schedule

CIC MEETING DATES

February 13, 2020
February 27, 2020
March 12, 2020
March 26, 2020
April 9, 2020
April 23, 2020
May 14, 2020

PROPOSALS DUE TO DISTRICT

January 24, 2020
February 7, 2020
February 21, 2020
March 6, 2020
March 20, 2020
March 27, 2020
April 24, 2020

Important Dates

APRIL 2020

CSUGE-B/IGETC Submission Response for 2020-2021

SDSU Articulation Renewal Deadline for 2020-2021

SAN DIEGO MESA COLLEGE

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7250 Mesa College Drive
San Diego CA 92111-4998

[www: sdmesa.edu/articulation](http://www.sdmesa.edu/articulation)

ARTICULATION NEWSBRIEF

A communication link for the Mesa College
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