



**Executive Order:** 2020-02

**Effective Date:** March 27, 2020

**Title:** Temporary Suspension of Various Specified Grade-Related Regulations to Address the Continuity of Education in Community Colleges During the COVID-19 Declared State of Emergency

Executive Order 2020-02 is issued pursuant to Resolution of the California Community Colleges Board of Governors No. 2020-01 and title 5, section 52020, of the California Code of Regulations, which confers on the Chancellor emergency powers to take all appropriate actions, including the issuance of executive orders, to allow for the continued education of community college students during the period of emergency proclaimed by the Governor of the State of California on March 4, 2020. This authority allows 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.

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

WHEREAS, the COVID-19 pandemic and the resulting public health measures, such as required social distancing, have substantially disrupted instruction in the California Community Colleges; and

WHEREAS, to address these public health measures, community college districts throughout the state have converted face-to-face courses to online or alternative formats, which has led to many faculty members and students experiencing these instructional methods for the first time; and

WHEREAS, despite the great efforts of community college faculty to teach and students to learn in new ways, some students may be unable to easily adapt to the new instructional methods in such a short time; and



WHEREAS, students who are adversely impacted by the sudden change in instructional methods should not be prejudiced by them since they were implemented for reasons beyond the students' control; and

WHEREAS, current regulations of the Board of Governors that require students to make decisions about whether to take a course for a letter grade or on a pass/no pass (P/NP) basis by a date certain, that govern the awarding of "incomplete" or "in progress" marks, and that govern the ability of students to repeat courses, will create barriers to the continuity of the educational services to the extent they limit the ability of students to avoid the adverse impacts of changes in instructional methods occasioned by the COVID-19 pandemic; and

WHEREAS, certain regulations of the Board of Governors related to course repetition and to the imposition of administrative processes to allow community college districts to adjust the duration of the Spring 2020 academic term will impose unnecessary administrative burdens and thereby create barriers to the continuity of the educational services provided to students in the California Community College system.

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

1. The above recitals are true and correct.
2. Resolution of the California Community Colleges Board of Governors No. 2020-01 and title 5, section 52020, of the California Code of Regulations, authorize me to take all appropriate actions to allow for the continued education of 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 and the suspension of local rules and regulations that are a barrier to the continuity of educational services.



3. Due to the existing state of emergency, 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 are hereby temporarily suspended:
  - a. Section 55022(a)(2): the requirement that students must elect to be evaluated in a course on a letter grade or on a pass/no pass basis either upon enrollment or no later than the end of the first 30 percent of the term is suspended.
  - b. Section 55022(c): the requirement that units attempted on a pass/no pass basis and for which the symbol “NP” is recorded shall be considered in probation and dismissal procedures is suspended.
  - c. Community college officials are authorized and urged to construe section 55023(c), concerning the award of non-evaluative symbols, in accordance with the guidance memorandum issued by the Educational Services and Support Division on this date.
  - d. Section 55045(b): for purposes of allowing the repetition of courses pursuant to this section, any request submitted by a student in a course that was in progress at the time of the governor’s declaration of a state of emergency on March 4, 2020, and for which the method of instruction was affected due to the district’s response to the COVID-19 pandemic, should be presumed to present a valid “extenuating circumstance.”
  - e. Sections 55702 and 58002: the requirement under these sections that a community college district must request and obtain approval of the Chancellor before extending or in any way changing the length of the Spring 2020 academic term is suspended. Community college districts may extend their Spring 2020 term through an including June 30, 2020, as necessary, subject to the notification requirements adopted by the Chancellor’s Office in the guidance memorandum issued by the Educational Services and Support Division on this date.



4. Any local district board policies or regulations in conflict with the above regulatory suspensions shall also be suspended for the duration of the COVID-19 state of emergency or the expiration of Section 52020, whichever is earlier.
  
5. This executive order shall remain in full force and effect as long as the declaration of the COVID-19 state of emergency is in place, or the expiration of Section 52020, whichever is earlier.

A handwritten signature in black ink, appearing to read 'EOO'.

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Eloy Ortiz Oakley, Chancellor

Dated: March 27, 2020