

APPENDIX I

CURRICULUM HANDBOOK STATEMENTS ON ADAPTED PHYSICAL EDUCATION SPECIAL CLASS AND REPEATABILITY

From the Curriculum Standards Handbook for the California Community Colleges

4.8 Particular Legal Provisions

Several kinds of courses have legal requirements over and above those explained above, that relate either to their functions or their subject matter. These requirements are explained in this section.

4.8.1 Special Classes for the Disabled (DSP&S Courses or Sections)

Beginning January 1, 1995, the local authority to approve new *credit* courses designed specifically for disabled students will be the same as for all other credit courses. That is, new DSP&S credit courses *not* part of approved programs, are covered under the delegated approval authority for stand-alone courses. New *noncredit* DSP&S courses, like all other noncredit courses, continue to require the approval of the state Chancellor's Office.

Classes specially designed for disabled students may be a section of an existing course, taught in accordance with the Outline of Record for that course, but supplemented to define the specific conditions that obtain in that particular section in order accommodate stated disabilities.

Special classes may also refer, however, to distinct courses with their own Outlines of Record designed either to meet educational objectives unique to a population with specific disabilities or to supplement the standard objectives in an otherwise similar course, with objectives unique to that population.

In either case, special classes--like all courses and sections of courses--must be primarily instructional in nature and must have objectives that fall within the instructional mission of the California Community Colleges. Such courses cannot be designed primarily to provide group activities or services, (e.g. physical activity, counseling, or assessment) but must provide systematic rather than incidental instruction in a body of content or skills whose mastery forms the basis of the student grade.

Courses designed to meet the needs of students with specific functional limitations **"...shall be open to enrollment of students who do not have disabilities..." CCR T.5 §56028.** The course description published in the college catalog may note that it has been designed for students with specific disabilities, but it may *not* restrict enrollment to such students, nor require students to register for classes through the DSP&S program or counselor, nor otherwise violate the open-enrollment provisions of state law for the California Community Colleges.

Special classes are part of an approved program when they are designed to provide alternative ways to fulfill the course requirements for an approved degree or certificate program. Such alternatives include the restructuring of the content, modification of the pace of instruction, use of instructional methods and/or equipment adapted to the students' specific needs. Assignments and examination methods may also be used that allow disabled students to demonstrate their mastery of course and program objectives by alternative means.

As part of an approved program, such new courses do *not* require separate Chancellor's Office approval, although they will need to be submitted to the Chancellor's Office with the new program application.

Sections of courses in the regular curriculum especially adapted to enable students to meet the regular course objectives in alternative ways, also do not require separate Chancellor's Office approval.

In the case of new DSP&S courses, in demonstrating that they have met the three conditions necessary to maintain delegation authority with respect to stand-alone courses, college training and curriculum approval processes must assure that in the case of new DSP&S courses:

...Curriculum committees responsible for reviewing and/or recommending special class offerings shall have or obtain the expertise appropriate for determining whether the requirements of this section are satisfied [CCR §56028]

In addition, the Course Outlines of Record for DSP&S courses must demonstrate that those who implement the curriculum review processes on the local campus are fully cognizant of DSP&S regulations, able to apply all Title 5 and other state standards to such courses with the expected rigor, and able to clearly distinguish instructional objectives that fall within the mission of the community colleges from activity and service objectives that do not.

In summary, DSP&S course Outlines of Record must:

- Specify what disability or disabilities the course is designed to address
- Clarify what objectives the course is to fulfill as they relate to these disabilities
- Show why a special course is needed to meet this need, rather than its being met through accommodation in a regular course
- Specify how it will be determined that the objectives have been achieved
- Explain what disability-specific instructional methods, materials, equipment, etc. will be used and why.

CCR T.5 §56028. Special Class Instruction

Special classes are instructional activities offered consistent with the provisions of Section 56000 and designed to address the educational limitations of students with disabilities who are admitted to the institution pursuant to Education Code Sections 76000 et seq. and who would be unable to substantially benefit from regular class college classes even with appropriate support services or accommodations. Such classes generate revenue based on the number of full-time equivalent students (FTES) enrolled in the classes.

Such classes shall be open to enrollment of students who do not have disabilities. However, to qualify as a special class, a majority of those enrolled in the class must

be students with disabilities. Special classes offered for credit or noncredit shall meet the applicable requirement for degree credit, non-degree credit, or noncredit set forth in Sections 55002 and 55805.5 of this part. In addition, special classes shall:

- (a) Be designed to enable disabled students to compensate for educational limitations and/or acquire the skills necessary to complete their educational objectives;**
- (b) Employ instructors who meet minimum qualifications set forth in Section 53414 of this division.**
- (c) Utilize instructional methods, or materials specifically designed to address the educational limitations of students with disabilities. Curriculum committees responsible for reviewing and/or recommending special class offerings shall have or obtain the expertise appropriate for determining whether the requirements of this section are satisfied.**
- (d) Utilize student/instructor ratios determined to be appropriate by the district given the educational limitations of the students with disabilities enrolled in each class. Class size should not be so large as to impede measurable progress or to endanger the well-being and safety of students or staff.**

CCR T.5 §56029 Special Class Course Repeatability

Repetition of special classes is subject to the provisions of Sections 55761-63 and 52161 of this division. However, districts are authorized to permit additional repetitions of special classes to provide an accommodation to a student's educational limitations pursuant to state and federal nondiscrimination law. Districts shall develop policies and procedures providing for repetition under the following circumstances:

- (a) When continuing success of the student in other general and/or special classes is dependent on additional repetitions of a specific class;**
- (b) When additional repetitions of a specific class are essential to completing a student's preparation for enrollment into other regular or special classes; or**
- (c) When the student has a student educational contract which involves a goal other than completion of the special class in question and repetition of the course will further the achievement of that goal.**

4.8.2 Repeatable Courses

Courses that develop similar skills but (a) at increasingly sophisticated levels of practice, and/or (b) that are applied to different content (*such as a drama course in which students master increasingly demanding roles in different plays*) may be offered as repeatable courses, if approved for that purpose by the Chancellor's Office, or if the college has delegated course approval authority.

Each such repetition of a course must be designed to create a discernibly higher level of achievement such that the academic progress is clearly defined and the grading standards increase substantially with each repetition.

A given student may take the repeatable course for credit, and for state apportionment, for up to the number of times the college has specified, but for no more than a total of four times altogether.

A college may indicate the sequence of repeatable courses with differing letters or numbers or course titles, such as 101A-D, or 101-4, or "Beginning", "Intermediate", and "Advanced". Or the college may simply permit a student to enroll up to three additional times after completion the course in question for the first time. But the college may *not* do both: it cannot both designate a series of courses of increasingly advanced work in the same subject area, and then permit repeated enrollment at each of those levels.

CCR T.5 §58161(c)

State apportionment for repetition of courses not expressly authorized by this section may be claimed upon approval of the Chancellor in accordance with the following procedure:

(1) The district must identify the courses which are to be repeatable, and designate such courses in its catalog;

(2) The district must determine and certify that each identified course is one in which the course content differs each time it is offered, and that the student who repeats it is gaining an expanded educational experience for one of the two following reasons:

(A) Skills or proficiencies are enhanced by supervised repetition and practice within class periods; or

(B) Active participatory experience in individual study or group assignments is the basic means by which learning objectives are obtained.

(3) The district must develop and implement a mechanism for the proper monitoring of such repetition. The attendance of students repeating a course pursuant to this subsection when approved by the Chancellor, may be claimed for state apportionment for more than three semesters or five quarters.

Colleges with delegated approval authority are not required to submit courses they wish to designate as repeatable to the Chancellor's Office for approval, but may approve repeatability locally on the basis of the standards laid out above. Repeatable courses are reported to the Chancellor's Office through the statewide Management Information System (MIS).