

**AP 4010 ACADEMIC CALENDAR**

**References:**

Education Code Section 79020;  
Title 5 Sections 55700 et seq. and 58142

**NOTE: This procedure is legally required.**

The academic calendar includes:

- The number of days that define an academic year (175 days of instruction and evaluation including flex days)
- Holidays, which include:
  - Labor Day
  - Veterans Day
  - Thanksgiving (Wednesday and Thursday), and Friday after (Ref. FA Contract Article 8E.1)
  - Christmas Day
  - New Year's Day
  - Dr. Martin Luther King, Jr. Day
  - President's Days (Lincoln and Washington)
  - Memorial Day
  - Independence Day

Other Holidays

The Board of Trustees may declare other days to be holidays and close the colleges and offices when good reason exists.

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**NOTE:** The **red ink** signifies language that is **legally required** and recommended by the Policy and Procedure Service and its legal counsel. The **green ink** was added during the administrative review on March 21, 2013. This document was reviewed on April 8, 2013 by Chancellor's Cabinet and on April 9, 2013 by the Chancellor's Council. The **violet ink** was added by FA on November 12, 2013. This document was reviewed by representatives of the Academic Senates on December 12, 2013.

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**Date Approved:**

*(This is a new procedure recommended by the Policy and Procedure Service)*

## Legal Citations for AP 4010

### EDUCATION CODE SECTIONS 79020 & 84890

**79020.** Except as otherwise provided the community colleges shall continue in session or close on specified holidays as follows:

(a) The community colleges shall close on January 1st, the third Monday in January, commencing in the 1989-90 fiscal year, known as "Dr. Martin Luther King, Jr. Day," February 12th known as "Lincoln Day," the third Monday in February known as "Washington Day," the last Monday in May known as "Memorial Day," July 4th, the first Monday in September known as "Labor Day," November 11th known as "Veterans Day," that Thursday in November proclaimed by the President as "Thanksgiving Day," and December 25th.

(b) Any contractual provision between any community college district and its employees in effect on the effective date of the act that adds this subdivision shall prevail over any conflict regarding Dr. Martin Luther King, Jr. Day until the termination date of the contract or upon termination by mutual agreement of the parties, whichever occurs first.

(c) The Governor in appointing any other day for a public fast, thanksgiving, or holiday may provide whether the community colleges shall close on the day. If the Governor does not provide whether the community colleges shall close, they shall continue in session on all special or limited holidays appointed by the Governor, but shall close on all other days appointed by the Governor for a public fast, thanksgiving, or holiday.

(d) The community colleges shall close on every day appointed by the President as a public fast, thanksgiving, or holiday, unless it is a special or limited holiday.

(e) The community colleges shall continue in session on all legal holidays other than those designated by or pursuant to this section, and shall hold proper exercises commemorating the day.

(f) When any of the holidays on which the schools would be closed fall on Sunday, the community colleges shall close on the Monday following, except that (1) if Lincoln Day falls on a Sunday, the community colleges may observe this holiday on the preceding or following Friday, the following Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable, or (2) if Lincoln Day falls on a Monday, the community colleges may observe this holiday on the preceding or following Friday, that Monday, or the following Tuesday, and maintain classes on the date specified in subdivision (a) where applicable.

(g) When any of the holidays on which the schools would be closed, except Lincoln Day, fall on Saturday, the community colleges shall close on the preceding Friday, and that Friday shall be declared a state holiday.

(h) If any holiday on which the community colleges are required to close pursuant to subdivision (a) occurs under federal law on a date different than the date specified in subdivision (a), the governing board of any community college district may close the community colleges of the district on the date recognized by federal law and maintain classes on the date specified in subdivision (a).

(i) When Veterans Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, and maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Wednesday, the governing board of a community college district may close the colleges on either the preceding Monday or the following Friday, and

maintain classes on the date specified in subdivision (a). When Veterans Day would fall on Thursday, the governing board of a community college district may close the colleges on the following Friday, and maintain classes on the date specified in subdivision (a).

(j) When Lincoln Day would fall on Tuesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate. When Lincoln Day would fall on Wednesday, the governing board of a community college district may close the colleges on the preceding Monday, the preceding Friday, or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day would fall on Thursday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a). When Lincoln Day falls on Saturday, the governing board of a community college district may close the colleges on the preceding Friday or the following Friday, and maintain classes on the date specified in subdivision (a) where appropriate.

(k) In addition to the holidays specified in subdivision (a), a community college may close on March 31 known as "Cesar Chavez Day" if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government **Code**, agrees to close the community college for that purpose.

(l) In addition to the holidays specified in subdivision (a), a community college may close on the fourth Friday in September known as "Native American Day" if the governing board, pursuant to a memorandum of understanding reached pursuant to Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government **Code**, agrees to close the community college for that purpose.

(m) Nothing in this section is to be interpreted as authorizing a community college district governing board to maintain community colleges in its district for a lesser number of days during the college year than the minimum established by law.

**84890.** A community college district board may offer, subject to the approval of the Board of Governors of the California Community Colleges, and in accordance with rules and regulations to be adopted by the board of governors, courses under a flexible calendar.

## **Title 5 Sections 55700 et seq. and 58142**

5 CCR s 55700

Cal. Admin. Code tit. 5, s 55700

### **TITLE 5. EDUCATION DIVISION 6. CALIFORNIA COMMUNITY COLLEGES CHAPTER 6. CURRICULUM AND INSTRUCTION SUBCHAPTER 8. ACADEMIC CALENDAR ARTICLE 1. 175-DAY MINIMUM ACADEMIC CALENDAR**

s **55700**. Scope.

The provisions of this article pertain to changes made to any traditional academic year calendar consisting of at least 35 weeks of instruction and evaluation. The conversion to a flexible calendar operation is not addressed by the provisions of this article; rather, the provisions of article 2 (commencing with section 55720) govern the flexible calendar option.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

s **55700.1**. Studies on a Quarter System, Trimester Basis or Flexible Calendar.

At the request of a community college district, the Chancellor may approve a program of studies on a quarter system or a trimester basis, or a flexible calendar.

s **55701**. College and Academic Year.

The "college year" begins on the first day of July and ends on the last day of June. The "academic year" means that portion of the college year during which the community college is maintained, which period shall include not less than the number of days required by regulations adopted by the Board of Governors.

s **55702**. Approval of Changes.

(a) Prior to any change in academic year configuration, including the addition, deletion, shortening or lengthening of any term, the governing board of a district shall obtain the approval of the Chancellor.

(b) Requests for approval shall be made on a form provided by the Chancellor, and shall address:

- (1) A complete description of the calendar configuration;
- (2) The district's ability to comply with the 175-Day Rule as provided in section 58142; and
- (3) The educational implications, positive and negative, of the proposed change.

(c) The Chancellor shall approve a requested change in academic year terms if it is found that:

- (1) The state aid implications of the requested change have been addressed; and
- (2) The district will be able to comply with the 175-Day Rule; and
- (3) The change in configuration is consistent with the continued delivery of quality education.

s **55720**. Offering Classes Under Flexible Calendar: Accountability of Employees Under Contract for 175 Days; Activities.

(a) Subject to the approval of the Chancellor pursuant to Section 55724, a community college district may designate an amount of time in each fiscal year for employees to conduct staff, student, and instructional improvement activities. These activities may be conducted at any time during the fiscal year. The time designated for these activities shall be known as "flexible time."

(b) A district with an approved flexible calendar may designate as flexible time for an employee not more than 8.57 percent of that employee's contractual obligation for hours of classroom instruction which are eligible for state apportionments in that academic year, exclusive of any intersessions.

(c) Pursuant to Section 55726, a district with an approved flexible calendar shall ensure that all employees under contract with the district work at least 175 days, including flexible days, in each academic year.

s **55722**. Schedule Configurations.

A flexible calendar is a community college calendar and course scheduling plan pursuant to Section 84890 of the Education Code and Section 55720 of this Part which may include, but is not limited to, the following scheduling configurations:

(a) 4-1-4 calendar comprised of two 16-week semesters with an intersession;

(b) traditional semester or quarters with some or all courses scheduled irregularly with respect to the number of times the course meets per week or the number of hours the courses meet during the scheduled days;

(c) modular scheduling for all or part of the courses within the traditional semester, quarter, or academic year;

(d) courses scheduled for student enrollment on an open entry-open exit basis:

(e) courses scheduled independently of any term configuration; or

(f) a combination of any one or more of the configurations in subdivisions (a) through (e).

s **55724**. Request for Approval.

(a) The governing board of a district wishing to conduct a flexible calendar pursuant to this article shall obtain the advance approval of the Chancellor. The request for approval shall be on a

form provided by the Chancellor, and shall address at least the following:

- (1) A complete description of the calendar configuration.
- (2) The number of days of instruction and evaluation which will meet the requirements of the 175-Day Rule (Section 58120 of this part).
- (3) The number of days during which instructional staff will participate in staff, student, and instructional improvement activities in lieu of part of regular classroom instruction.
- (4) The activities which college personnel will be engaged in during their designated staff, student and instructional improvement days. Activities for college personnel may also include, but need not be limited to, the following:
  - (A) course instruction and evaluation;
  - (B) staff development, in-service training and instructional improvement.
  - (C) program and course curriculum or learning resource development and evaluation;
  - (D) student personnel services;
  - (E) learning resource services;
  - (F) related activities, such as student advising, guidance, orientation, matriculation services, and student, faculty, and staff diversity;
  - (G) departmental or division meetings, conferences and workshops, and institutional research;
  - (H) other duties as assigned by the district;
  - (I) the necessary supporting activities for the above;
- (5) A certification that all college personnel, as defined, will be involved in at least one of the activities authorized in subsection (4). For the purposes of this section, "all college personnel" shall include any district employee specified by the district in its approved plan to participate in such activities; and
- (6) A certification that the district will fully implement the provisions of Section 55730, as well as a description of the current status of such implementation, and a timetable for completion of the initial implementation.
  - (b) The Chancellor shall approve a request which is found to be complete and meets the requirements of law.

5 CCR s 55726  
Cal. Admin. Code tit. 5, s 55726

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 6. CURRICULUM AND INSTRUCTION  
SUBCHAPTER 8. ACADEMIC CALENDAR  
ARTICLE 2. FLEXIBLE CALENDAR OPERATIONS

s 55726. Activities During Designated Days.

(a) For each instructor specified by the district to participate in staff, student, and instructional improvement activities in lieu of classroom instruction the district shall enter into an agreement with such employee specifying the particular activities during the designated days which the instructor will perform in lieu of classroom instruction. The agreement shall also specify the number of classroom hours which are being substituted with such activities, and the number of hours the instructor is required to spend carrying out the in-lieu-of instruction activities. The required hours of in- lieu-of instruction activities must at least be equal to the sum of the classroom hours from which the instructor is released plus those out-of-classroom hours of responsibilities which will no longer need to be performed as the result of being released from classroom instruction.

(b) For each employee specified by the district to participate in staff, student and instructional improvement activities during the designated days the district shall also maintain records on the type and number of activities assigned, and the number of such employees participating in these activities.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

5 CCR s 55728  
Cal. Admin. Code tit. 5, s 55728

TITLE 5. EDUCATION  
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s 55728. Flexible Calendar Attendance Reporting.

(a) On forms provided by the Chancellor, districts with approved flexible calendar operations shall report at least the following:

(1) the total hours of classroom assignments (teaching time) which instructors specified in the district's approved plan were required to teach;

(2) of the total in Subsection (a)(1), the total faculty contact hours of instruction for which staff, student, and instructional improvement activities are being substituted. This total of faculty contact hours shall further be reported in terms of credit and noncredit faculty contact hours of instruction; and

(3) the number of faculty contact hours of instruction for which instruction during the designated days is being substituted. Such instruction during the designated days meeting the attendance accounting standards may be claimed for apportionment; and the faculty contact hours shall not be eligible for adjustment pursuant to Section 55729.

(b) Districts with approved flexible calendar operations shall also report such additional data as deemed necessary by the Chancellor including any data necessary to compute the FTES adjustment specified in Section 55729.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

5 CCR s 55729

Cal. Admin. Code tit. 5, s 55729

TITLE 5. EDUCATION  
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s 55729. Full-Time Equivalent Student (FTES) Units; Adjustments to Reflect Activities; Computation by Multiplier Factor.

(a) The Chancellor's Office shall adjust the actual units of full-time equivalent student of a district operating under a plan approved in accordance with this article to reflect the conduct of staff, student, and instructional improvement activities in lieu of scheduled instruction during flexible time. The adjusted units of full-time equivalent student shall be computed by multiplying the actual units of full-time equivalent student in the academic year, exclusive of any intersessions, computed pursuant to section 58003.1, by a factor which does not change the full-time equivalent student which would have otherwise been generated if the time for the improvement activities had not been permitted and scheduled instruction had instead taken place.



(b) For courses other than those described in subdivision (b) of section 58003.1, the multiplier factor shall equal the sum of the following:

(1) 1.0; and

(2) the total of all the actual hours of flexible time of all instructors pursuant to section 55720 in the fiscal year, divided by the total of all the actual hours of classroom instruction of all instructors in the academic year, exclusive of any intersessions.

(c) For those courses described in subdivision (b) of section 58003.1, this multiplier factor shall equal the term length multiplier applicable to the district.

(d) The Chancellor shall also withhold the appropriate amount of state aid whenever there is a final audit finding that an instructor did not spend at least as much time performing staff, student, and instructional improvement activities as the amount of time he or she was released from classroom instruction.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR s 55730

Cal. Admin. Code tit. 5, s 55730

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
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s 55730. Ongoing Responsibilities of Districts.

A district conducting an approved flexible calendar shall do all of the following to ensure effective use of resources during flex days:

(a) conduct and annually update a survey of the most critical staff, student, and instructional improvement needs in the district;

(b) develop and carry out a plan of activities to address the critical needs;

(c) maintain records on the description, type and number of activities scheduled and the number of district employees and students participating in these activities;

(d) evaluate annually the effectiveness of conducted activities and update the plan to reflect needed changes;

(e) appoint and hold regular meetings of an advisory committee composed of faculty, students, administrators and other interested persons to make recommendations on staff, student, and instructional improvement activities; and

(f) provide, upon request of the Chancellor, copies of documents and information specified in Subsections (a) through (d), inclusive.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

5 CCR s 55732  
Cal. Admin. Code tit. 5, s 55732

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
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s 55732. Ongoing Responsibilities of the Chancellor.

The Chancellor shall:

(a) Adjust state aid for districts with approved flexible calendar operations in accordance with the provisions of section 55729;

(b) Periodically review documentation from selected districts to determine whether they are in compliance with the provisions of sections 55720, 55726, 55728, and 55730, and to determine whether they are conducting their flexible calendar operations in a manner consistent with the approved requests. Districts which are found to be out of compliance shall be notified and be given an opportunity to respond; and

(c) Terminate approval of any flexible calendar operation if it is found that the district has, without good cause:

(1) failed to conduct its flexible calendar operation in a manner consistent with its approved request;

(2) failed to comply with the requirements of section 55720;

(3) failed to carry out the responsibilities specified in section 55726; or

(4) failed to meet its ongoing responsibilities as specified in section 55730.

Note: Authority cited: Sections 66700, 70901 and 84890, Education Code. Reference: Section 84890, Education Code.

**Cal. Admin. Code tit. 5 Section 58142**

TITLE 5. EDUCATION  
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES  
CHAPTER 9. FISCAL SUPPORT  
SUBCHAPTER 2. LIMITATIONS ON STATE AID  
ARTICLE 5. OTHER LIMITATIONS

s 58142. Required Time for Maintaining Colleges During Preceding Fiscal Year; Withholding of Apportionment upon Failure to Comply.

(a) No community college district, other than one newly formed, shall, except as otherwise provided in this article, receive its full apportionment from the State School Fund unless it has maintained the colleges of the district for at least 175 days during the next preceding fiscal year.

(b) For the purposes of this article, the Board of Governors shall establish standards to determine whether the districts maintained the colleges of the district for at least 175 days during the next preceding fiscal year.

(c) If a community college district fails to maintain its colleges for the required 175 days, the Board of Governors shall withhold from that district's apportionment the product of 0.01143 times the district's apportionment for each additional day the district would have had to maintain its colleges in order to meet the requirement prescribed by this section. This subdivision shall apply retroactively to fiscal year 1975-76 and each fiscal year thereafter.