

California Education Code

An Overview for Potential California Community College
Administrators

Student Learning Objectives

- Know the difference between a law and a regulation
- Ability to find and browse the California Education Code (CEC) on-line
- Ability to find and browse Title 5 of the California Code of Regulations (Title 5) on-line
- Understand the Format of the CEC
- Have a high level awareness of the contents of the CEC **Parts** that are generally most important to an administrator (47, 48, 49, 50, 51)
- Know the major categories of employees and what differentiates the categories

Acronyms in the Presentation

- BOG - Board of Governors of the CCC system
- CCC - California Community Colleges, or CCC system
- CCCCCO - California Community Colleges Chancellor's Office
- CEC - California Education Codes
- DOF - Department of Finance
- LAO - Legislative Analyst's office
- Title 5 - California Code of Regulations, Title 5

Education Laws and Regulations

- Laws (statutes)
 - Passed by the legislature, signed by the Governor
 - Contained in the California Education Code
 - Frequently drafted without adequate constituent input
- Regulations
 - Usually developed through the Consultation Process, drafted by the CCCCCO, approved by the CCC system BOG and the DOF; approved by the governor
 - Contained in Title 5 of the California Code of Regulations
 - Procedures that implement the laws

The CEC is “Permissive”

“Permissive” means that unless something is prohibited by the CEC or another law, it can be done

Note, however, Title 5 *regulations* and local district *board policies* are even more restrictive than the Ed. Code

How to Access the CEC

- There are many options
- Of course there is always Google
- “Official Site”: <http://www.cde.ca.gov/re/lr/cl/>
- My fallback link:
<http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

How to Access Title 5

- There are many options
- Of course there is always Google
- “Official Site”: <http://www.cde.ca.gov/re/lr/cl/>
- My fallback link:
[https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I836118C0D47E11DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)&bhcp=1](https://govt.westlaw.com/calregs/Browse/Home/California/CaliforniaCodeofRegulations?guid=I836118C0D47E11DEBC02831C6D6C108E&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)&bhcp=1).

Format of the CEC

- Format
 - Title
 - Division
 - Part (Chapters within each Part)
 - Section
- Community Colleges
 - Title 3: Postsecondary Education
 - Division 7: Community Colleges
 - Parts: 43 - 52
 - Sections: 70900 - 88550

Key Parts of Division 7, CCC System

Key Parts most commonly important to a CCC administrator

- 47: Students
- 48: Educational Programs
- 49: Educational Facilities
- 50: Finance
- 51: Employees

Key Sections of Part 51, Employees

- All Employees (commencing with 87000)
- Academic
 - Faculty
 - “Permanent”
 - Hourly
 - Contract
 - Administrators (CalSTRS)
- Non-Academic (*frequently all incorrectly called “classified”*)
 - Classified
 - Administrators (CalPERS)
 - Hourly
 - Student Workers

Summary

- Yes, the Ed. Code looks massive!
- Yes, it is the most detailed and complex in the USA
- Yes, most educational administrators hate it
- But, the community college section is only a relatively small part of the CEC
- And, by now you know that even within the community college Division there are only a few parts that the vast majority of administrators ever deal with

Review of the Learning Outcomes

- Let's go back and go through the SLOs
- How did we do?
- Do you need to spend some more hands-on, on-line time with the CEC, or are you comfortable with it?
- Questions?

What Does “No” Mean?

- If you are told you can't do something, What does “no” mean?
- Perhaps it means?
 - Not now
 - “Could you please refer me to the Ed. Code or Title 5 section that prevents this initiative?”
- If the Ed. Code or Title 5 don't specifically approve your initiative does that mean “no”? Why or why not?

The End