

Proposed Revisions to Title 5, California Code of Regulations Relating to Academic Progress Notice and Pause & Academic Renewal (Second Reading)

This document contains underlined and stricken text, which may require adjustments to screen reader settings. Underlined text denotes additions to existing regulations; ~~stricken~~ text denotes deletions from existing regulations. This document may also contain double underline and ~~double strikeout~~ to indicate changes to the text for second reading.

ARTICLE 3 OF SUBCHAPTER 1 OF CHAPTER 6 OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS AMENDED TO READ:

Article 3. ~~Probation and Dismissal~~Academic and Progress Notice and Pause.

Section 55031 of Article 3 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55031. Standards for ~~Probation~~Placement on Academic or Progress Notice.

(a) Academic ~~probation~~ notice. A student who has attempted at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on academic ~~probation~~ notice if the student has earned a grade point average below 2.0 in all units which were graded on the basis of the grading system described in section 55023.

(b) Progress ~~probation~~ notice. A student who has enrolled in a total of at least 12 semester or 18 quarter units as shown by the official academic record shall be placed on progress ~~probation~~ notice when the student receives symbols of “W,” “I,” or “NP” (as defined in sections 55023 ~~and 55030~~) in fifty percent (50 percent) or more of all units in which a student has enrolled.

(c) The governing board of a community college district may adopt other standards for ~~probation~~ academic or progress notice, provided any such standard is at least as favorable to student progress as the standards established in subdivisions (a) and (b).

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

Section 55032 of Article 3 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55032. Removal from ~~Probation~~Academic or Progress Notice.

(a) A student on academic ~~probation~~ notice for a grade point deficiency shall be removed from ~~probation~~ notice when the student's ~~accumulated~~ cumulative grade point average is 2.0 or higher.

(b) A student on progress ~~probation~~ notice because of an excess of units for which entries of “W,” “I,” and “NP” (as defined in section 55023 ~~and 55030~~) are recorded shall be

removed from ~~probation notice~~ when the percentage of units in this category drops below fifty percent (50%).

(c) The governing board of a community college district shall adopt and publish procedures and conditions for ~~probation~~placement on academic and progress notice, appeal of ~~probation~~placement on academic or progress notice, and requests for removal from ~~probation~~academic or progress notice. Any such standard must be at least as favorable to student progress as the standards established in subdivisions (a) and (b).

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

Section 55033 of Article 3 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55033. Standards for ~~Dismissal~~Academic or Progress Pause.

(a) For purposes of this section, semesters or quarters shall be considered consecutive on the basis of the student's enrollment, so long as the break in the student's enrollment does not exceed one full primary term.

(b) A student who is on academic ~~probation notice~~ shall be subject to ~~dismissal~~ academic pause if the student earned a cumulative grade point average of less than 2.0 in all units attempted in each of ~~3~~three consecutive semesters (~~5~~five consecutive quarters) which were graded on the basis of the grading system described in section 55023.

(c) A student who has been placed on progress ~~probation notice~~ shall be subject to ~~dismissal~~ progress pause if the percentage of units in which the student has been enrolled for which entries of "W," "I," and "NP" (as defined in section 55023 ~~and 55030~~) are recorded in at least ~~3~~three consecutive semesters (~~5~~five consecutive quarters) reaches or exceeds fifty percent (50%) in accordance with section 55031.

(d) The governing board of a community college district shall adopt and publish procedures and conditions for ~~dismissal~~ placement on academic or progress pause, and appeal of ~~dismissal~~ placement on academic or progress pause, and requests for ~~reinstatement~~ academic or progress restart. Any such standard must be at least as favorable to student progress as the standards established in subdivisions (b) and (c).

(e) A student on academic notice who earns a grade point average of 2.0 or higher for the semester or quarter, but whose cumulative grade point average still results in academic notice, shall have their notice extended an additional semester or quarter.

(f) A student on progress notice who completes more than 50% of all units attempted for the semester or quarter, but whose cumulative records still results in progress notice, shall have their progress notice extended an additional semester or quarter.

(g) Students on academic or progress pause shall remain eligible to access support services and to enroll in noncredit courses.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76000, Education Code.

Section 55034 of Article 3 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55034. Notification of ~~Probation~~ Academic or Progress Notice and Pause.

Each community college shall make reasonable efforts to notify a student subject to academic ~~probation or progress notice or dismissal~~ pause at or near the beginning of the semester or quarter in which it will take effect but, in any ~~case~~ event, no later than the start of the fall semester or quarter. Each community college shall also make ~~a reasonable efforts~~ to provide counseling and other support services to a student on ~~probation~~ academic or progress notice to help the student overcome any academic difficulties. Each community college shall make reasonable efforts to notify a student of their removal from ~~probation~~ academic or progress notice or of their academic or progress restart or reinstatement after dismissal within timelines established by the district. ~~Probation~~ Academic and Progress Notice and dismissal Pause policies and procedures shall be published in the college catalog.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

Section 55046 of Article 4 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55046. Academic Renewal Without Course Repetition.

(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the alleviation of previously recorded substandard academic work, as defined in section 55000, which is not reflective of a student's demonstrated ability. ~~Substandard academic work means course work for which the grading symbol D, F, FW, NP, or NC have been recorded.~~ Such policies and procedures shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal procedures. When academic renewal procedures adopted by the district permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, ~~insuring~~ ensuring a true and complete academic history.

(b) Policies and procedures adopted pursuant to subdivision (a) shall not conflict with:

(1) ~~s~~Section 55025 of this subchapter and Education Code section 76224, pertaining to the finality of grades assigned by instructors; or

(2) ~~c~~Chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records.

(c) The policies and procedures adopted pursuant to subdivision (a) shall address ~~provide~~ all of the following:

(1) The maximum amount of coursework that may be alleviated;

- (2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;
- (3) The length of time to have elapsed since the coursework to be alleviated was recorded;
- (4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation procedures;

~~(1) Students may request academic renewal multiple times with no unit cap.~~

~~(2) Students must have completed a minimum of 12 semester or 18 quarter units with a 2.0 GPA and/or completed 576 hours of noncredit coursework with a "P," or a combination of three of the aforementioned options, at any accredited institution(s) at any time within or after the semester or session of the coursework to be disregarded.~~

~~(3) Academic renewal may not be used to alleviate a course used to earn a degree or certificate, or to alleviate a passing grade of C or better, or to alleviate the non-evaluative symbols "I, IP, W, EW, PW, or MW." Equivalent courses may be substituted for courses no longer offered.~~

(54) The procedures to be followed by students in petitioning for alleviation; and

~~(65) The personnel responsible for implementing the procedures. Colleges shall implement a process that will incorporate academic renewal during the graduation process. The process should be accessible in public-facing documents or websites.~~

Authority cited: Sections 66700, and 70901 ~~and 76225~~, Education Code. Reference: Sections 70901, 70902, ~~and 76224 and 76225~~, Education Code.

Section 51018 of Subchapter 1 of Chapter 2 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 51018. Counseling Programs.

(a) The governing board of a community college district shall adopt regulations and procedures consistent with the provisions of this section. A copy of district regulations and procedures, as well as any amendments, shall be filed with the Chancellor's office.

(b) The governing board of a community college district shall provide and publicize an organized and functioning counseling program in each college within the district. Counseling programs shall include, but not be limited to, the following:

- (1) academic counseling, in which the student is assisted in assessing, planning, and implementing his or her immediate and long-range academic goals;
- (2) career counseling, in which the student is assisted in assessing his or her aptitudes, abilities, and interests, and is advised concerning the current and future employment trends;
- (3) personal counseling, in which the student is assisted with personal, family, or other social concerns, when that assistance is related to the student's education; and

(4) coordination with the counseling aspects of other services to students which may exist on the campus, including, but not limited to, those services provided in programs for students with special needs, skills testing programs, financial assistance programs, and job placement services.

(c) Counseling services as specified in Subsection (b)(1), (2), and (3) shall be provided to first-time students enrolled for more than six units, students enrolled provisionally, and students on academic or progress ~~probation~~notice.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 72620, Education Code.

Section 55022 of Article 2 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55022. Pass-No Pass Grading Option.

(a) The policy adopted pursuant to section 55021 may permit courses to be offered in either or both of the following categories and, if so, shall require that each college catalog specify the category into which each course falls:

(1) Courses in which all students are evaluated on a “pass-no pass” basis.

(2) Courses in which each student may elect until the last day of instruction, as established and published by the districts, whether the basis of evaluation is to be “pass-no pass” or a letter grade.

(b) All units of credit earned on a “pass-no pass” or “credit-no credit” basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a “pass-no pass” basis shall not be used to calculate grade point averages. However, units attempted for which a student receives a “NP” designation (as defined in section 55023) shall be considered in ~~probation~~academic or progress notice and ~~dismissal~~pause procedures.

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

Section 55024 of Article 2 of Subchapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55024. Withdrawals from Credit Courses.

(a) District governing boards shall adopt policies governing withdrawal from credit courses that implement the requirements of this section.

(1) Student withdrawal procedures shall be published in the course catalog. These procedures shall provide that students withdraw from a course by notifying the college registrar and that the registrar shall inform appropriate college district personnel, including faculty.

(b)(1) A student who withdraws prior to the end of the fourth week of a course, or the expiration of 30 percent of a term, whichever occurs earlier, shall not receive the withdrawal symbol “W” on their transcript. A student who withdraws after this period, but before the end of the fourteenth week of a course, or the expiration of 75 percent of a term, whichever occurs earlier, shall receive the withdrawal symbol “W” on their transcript, unless the district selects an earlier final withdrawal date. A student who remains in a course beyond the district withdrawal date may not withdraw, and shall receive the appropriate symbol on their transcript, as authorized in section 55023. The governing board may establish a period of time shorter than the first four weeks or 30 percent of a term, during which no notation shall be made. The “W” shall not be used in calculating grade point averages, but shall be used in determining probation~~academic or progress notice~~ and dismissal~~academic or progress pause~~ of a student.

(2)(A) Military withdrawal occurs when a student on active or reserve status in the United States military or National Guard receives orders compelling a withdrawal from courses. Upon verification of such orders, the military withdrawal symbol “MW” shall be assigned to all courses affected by the military withdrawal.

(B) Military withdrawals shall not be counted in progress probation~~notice~~ and dismissal~~pause~~ calculations, and shall not be counted toward the permitted number of withdrawals or counted as an enrollment attempt.

(c)(1) Excused withdrawals shall be allowed to students in extenuating circumstances at any time, upon petition of the student or their representative.

(2) “Extenuating circumstances” means cases of accidents, illnesses, or other circumstances beyond the control of the student. Colleges shall proactively engage with the student or their representative to identify available college support services that may mitigate the extenuating circumstances and prevent withdrawal. If mitigation efforts are unsuccessful, the student shall receive the excused withdrawal symbol (“EW”) on their transcript. Students shall not be denied an excused withdrawal due to a college's inability to respond to the petition or to provide sufficient assistance to mitigate the student's circumstances.

(3) An excused withdrawal shall not be counted in progress probation~~notice~~ and dismissal~~pause~~ calculations, or toward the permitted number of withdrawals or enrollment attempts. In no case may an excused withdrawal result in a student being assigned an “FW” grade.

(4) An excused withdrawal shall be assigned if a determination is made that the student withdrew from a course due to unlawful discrimination or retaliation.

(5) An excused withdrawal shall be assigned if a student withdraws from a course due an extraordinary condition under section 58509.

(d) Neither this section, nor a district's withdrawal policy, may be construed to conflict with district enrollment and attendance accounting responsibilities.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

Section 55510 of Article 2 of Subchapter 6 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55510. Student Success and Support Program Plans.

(a) Each college shall adopt a Student Success and Support Program plan describing the services to be provided to its students. The plan shall include, but not be limited to:

(1) a description of the methods by which required services identified in section 55520 will be delivered;

(2) a description of the college's process to identify students at risk for academic or progress ~~probation~~notice and the college's plan for referral to appropriate interventions or services and coordination with the college's development of its student equity plan.

(3) a description of partnerships among colleges and with high school districts, workforce agencies, or other community partners to deliver required services pursuant to 55520.

(4) the college's budget for services funded through the Student Success and Support Program;

(5) plans for professional development related to implementation of the Student Success and Support Program;

(6) a description of the technology support and institutional research necessary to implement this subchapter;

(7) a description of the college's adopted criteria for exempting students from participation in the required services listed in section 55520 consistent with the requirements of section 55532;

(8) a description of the college's assessment for placement process, including but not limited to:

(A) a list of any assessment test(s) and other measures used for English, mathematics, and English as a Second Language course placement pursuant to section 55522.

(B) a description of the college's policy on the portability of student assessment scores and placement results for colleges outside the district and for colleges within a multi-college district.

(C) a description of the college's assessment procedures on pre-test practice, re-take, and recency.

(9) a description of policies for establishing and periodically reviewing prerequisites pursuant to section 55003 and considering student challenges to prerequisites established pursuant to section 55003; and

(10) a description of the college's student appeal policies and procedures related to the Student Success and Support Program; and

(11) in districts with more than one college, arrangements for coordination of the Student Success and Support Program plans of its various colleges.

(b) The plan shall be developed through consultation with representatives of the academic senate, students, administrators, and staff with appropriate expertise, pursuant to section 51023 et seq.

(c) Such plans shall conform to the requirements of this subchapter and shall be submitted to the Chancellor for review and approval. The Chancellor may require periodic updates of such plans.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78216, Education Code.

Section 55521 of Article 3 of Subchapter 6 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55521. Orientation.

Colleges shall provide students with timely information during orientation related to the following subjects:

- (1) academic expectations and progress and ~~probation~~notice standards described in section 55031;
- (2) registration and enrollment procedures;
- (3) prerequisites, co-requisites, and advisories on recommended preparation adopted under section 55003, if any;
- (4) maintaining Promise Grant eligibility pursuant to section 58612;
- (5) descriptions of available programs, support services, financial aid assistance, and campus facilities, and how they can be accessed;
- (6) academic calendars and important timelines;
- (7) registration processes and college fees;
- (8) available education planning services;
- (9) in collaboration with campus-based and community-based recovery advocacy organizations, educational and preventative information provided by the State Department of Public Health about opioid overdose and the use and location of fentanyl test strips and opioid overdose reversal medication on campus; and
- (10) other issues, policies, and procedures the college determines as necessary to provide a comprehensive orientation to students.

Authority cited: Sections 66700, 67384 and 70901, Education Code. Reference: Section 78212, Education Code.

Section 55523 of Article 3 of Subchapter 6 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55523. Counseling, Advising, and Other Education Planning Services.

(a) Counseling, advising, and other education planning services shall include, but are not necessarily limited to, the following:

- (1) assistance to students in the exploration of education and career interests and aptitudes and identification of an education and career goal and course of study, including, but not limited to, preparation for transfer, associate degrees, and career technical education certificates and licenses;
- (2) the provision of information, guided by sound counseling principles and practices, using a broad array of delivery, including technology-based strategies, to serve a continuum of student needs and abilities to enable students to make informed choices;
- (3) development of an education plan to accomplish a course of study related to a student's education and career goals.

(b) Each college shall make reasonable efforts to do all of the following:

- (1) ensure that all nonexempt students who are on academic or progress ~~probation~~notice or facing ~~dismissal~~academic or progress pause participate in counseling as provided in section 55023;
- (2) ensure that all nonexempt students who do not have a course of study participate in counseling, advising, or other education planning services to assist them in the process of selecting an education goal and course of study pursuant to section 55530;
- (3) ensure that all nonexempt students who are enrolled in nondegree-applicable basic skills courses participate in counseling, advising, or other education planning services; and
- (4) ensure all nonexempt students described in (b)(1), (b)(2), and (b)(3) receive counseling services, pursuant to section 51018.

(c) Colleges are required to notify students who are at risk of losing California College Promise Grant eligibility due to being placed on academic or progress ~~probation~~notice for two consecutive terms. Pursuant to section 58108, colleges are required to notify students who are at risk of losing enrollment priority due to being placed on academic or progress ~~probation~~notice or due to exceeding a unit limit. Colleges shall ensure that, within a reasonable time of receiving such notice, students shall have the opportunity to receive appropriate counseling, advising, or other education planning services in order to provide students with an opportunity to maintain fee waiver eligibility and enrollment priority.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 78212, Education Code.

Section 55525 of Article 3 of Subchapter 6 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 55525. Student Follow-up.

Each college shall evaluate the academic progress of, and provide support services to, at-risk students. The college shall monitor the academic progress of each student to detect

early signs of academic difficulty and provide students with advice or referral to specialized services or curriculum offerings where necessary pursuant to section 55523. Follow-up services shall be targeted to at-risk students, specifically students enrolled in basic skills courses, students who have not identified an education goal and course of study, or students who are on academic or progress ~~probation notice~~ or facing ~~dismissal academic or progress pause~~. These services include, but are not limited to, academic or progress ~~probation notice~~ interventions, academic early alert systems, and referral to other support services.

Authority cited: Sections 66700 and 70901, Educational Code. Reference: Section 78212, Education Code.

Section 56404 of Article 2 of Subchapter 3.5 of Chapter 7 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 56404. ~~Limitations on~~Ongoing Eligibility.

~~(a) A student who has met eligibility requirements of section 56403 shall continue to be eligible until the student:~~

~~(1) is 26 or older at the beginning of any academic year; or~~

~~(2) no longer meets the terms, conditions, and follow-up provisions of the Extended Opportunity Programs and Services mutual responsibility contract and/or the student education plan, individually developed between the student and academic counselor. The Extended Opportunity Programs and Services Director shall perform a review of circumstances contributing to a student not fulfilling the terms, conditions, and follow-up provisions of the mutual responsibility contract and/or student education plan and may exercise discretion, permitting a student to resolve issues, before a student loses Cooperating Agencies Foster Youth Educational Support eligibility. No Cooperating Agencies Foster Youth Educational Support student shall be removed from Cooperating Agencies Foster Youth Educational Support based on his or her performance during a single semester.~~

~~(b) As per Pursuant to section 58621(a)(2), Cooperating Agencies Foster Youth Educational Support NextUp students meeting the definition of “foster youth” in Education Code section 66025.9(b) are exempt from loss of the California College Promise Grant due to academic or progress ~~probation notice~~ and shall not be removed from Cooperating Agencies Foster Youth Educational Support NextUp solely due to being on academic or progress ~~probation notice~~.~~

Authority cited: Sections 70901, 79223 and 79225, Education Code. Reference: Sections 66025.9, 79220, 79221, 79222, 79223, 79223.5, 79224, 79225, 79226 and 79228, Education Code.

Section 58106 of Article 1 of Subchapter 2 of Chapter 9 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 58106. Limitations on Enrollment.

In order to be claimed for purposes of state apportionment, all courses shall be open to enrollment by any student who has been admitted to the college, provided that enrollment in specific courses or programs may be limited as follows:

(a) Enrollment may be limited to students meeting prerequisites and corequisites established pursuant to section 55003,

(b) Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning or legal requirements imposed by statutes, regulations, or contracts. The governing board shall adopt policies identifying any such limitations and requiring fair and equitable procedures for determining who may enroll in affected courses or programs. Such procedures shall be consistent with one or more of the following approaches:

(1) limiting enrollment to a “first-come, first-served” basis or using other nonevaluative selection techniques to determine who may enroll; or

(2) limiting enrollment using a registration procedure authorized by section 58108; or

(3) in the case of intercollegiate competition, honors courses, or public performance courses, allocating available seats to those students judged most qualified; or

(4) limiting enrollment in one or more sections of a course to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions; or

(5) limiting enrollment using any selection procedure expressly authorized by statute; or

(6) with respect to students on ~~probation~~academic or progress notice or subject to ~~dismissal~~academic or progress pause, the governing board may, consistent with the provisions of sections 55031 and 55032, limit enrollment to a total number of units or to selected courses, or require students to follow a prescribed educational plan.

(c) A student may challenge an enrollment limitation established pursuant to subdivision (b) on any of the following grounds:

(1) the enrollment limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

(2) the district is not following its policy on enrollment limitations;

(3) the basis upon which the district has established an enrollment limitation does not in fact exist; or

(4) any other criteria established by the district.

(d) The student shall bear the burden of showing that grounds exists for the challenge. Challenges shall be handled in a timely manner, and if the challenge is upheld, the district shall waive the enrollment limitation with respect to that student.

(e) In the case of a challenge under subdivision (c)(1), the district shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint

of unlawful discrimination pursuant to subchapter 5 (commencing with section 59300) of chapter 10. Completion of the challenge procedure shall be deemed to be an effort at informal resolution of the complaint under section 59327.

Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 84811, Education Code.

Section 58108 of Article 1 of Subchapter 2 of Chapter 9 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 58108. Registration and Enrollment Procedures.

(a) Districts shall adopt policies and procedures for registration and standards for enrollment in any course that are consistent with these and other sections of title 5 and uniformly administered by appropriately authorized employees of the district.

(b) It is the intent of the Board of Governors to provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

(c) Districts adopting policies and procedures that include the administration of a registration system that grants priority enrollment to certain students, shall grant registration priority in that system, for each term the registration priority system is administered, to students who:

(1) are first time students within the meaning of section 55530(c) and have completed orientation, assessment, and developed student education plans; or

(2) are not first time students within the meaning of section 55530(c) and have not lost registration priority pursuant to subdivision (h).

(3) who are continuing students not on academic or progress ~~probation~~notice for two consecutive terms as defined in section 55031.

(d) Districts shall provide highest and equal priority to students eligible for registration priority pursuant to subdivision (c) who are:

(1) A member or veteran of the Armed Forces of the United States and who is a resident of California, as specified in Education Code section 66025.8;

(2) a student parent who has a child or children under 18 years of age who will receive more than half of their support from that student;

(3) a foster youth or former foster youth who is not older than 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;

(4) a verified homeless youth or former homeless youth under 25 years of age at the commencement of the academic year, as specified in Education Code section 66025.9;

(5) determined to be eligible for Disabled Student Programs and Services;

(6) receiving services through Extended Opportunity Programs and Services (EOPS);

(7) receiving aid from the California Work Opportunity and Responsibility to Kids program (CalWORKS) or the Tribal Temporary Assistance for Needy Families program (Tribal TANF); or

(8) receiving services from a program funded by Rising Scholars Network funds.

(e) To the extent districts have the capacity and resources to require orientation, assessment, and education plans for continuing students, districts may establish orientation, assessment and education plans or any combination thereof as a condition for registration priority.

(f) Districts are permitted to adopt registration priorities for subcategories of students eligible for registration priority pursuant to subdivisions (c) and (d) provided that highest and equal registration priority is granted to students meeting the requirements of subdivision (d)(1) through (d)(8). Districts may not prioritize students in one statutory group, as set forth in (d)(1) through (d)(8), over another.

(g) Districts may establish additional registration priorities for students with priority lower than student groups covered by subdivision (c) of this section.

(h) Registration priority specified in subdivision (c) of this section shall be lost at the first registration opportunity after a student:

(1) is placed on academic or progress ~~probation~~notice or any combination thereof as defined in section 55031 for two consecutive terms; or

(2) has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

(A) The 100-unit limit does not include units for non-degree applicable English as a Second Language or noncredit basic skills courses or special classes as defined in section 55000.

(B) Districts may set the unit limit lower than 100 units and may consider units from other higher education institutions.

(C) Districts may adopt policies to exempt from the 100-unit limit categories of students, including but not limited to, those enrolled in high unit majors or programs.

(D) Districts may exempt from the 100-unit limit units earned through credit by examination, advanced placement, International Baccalaureate, or other similar programs.

(3) This subdivision shall not apply to students granted registration priority pursuant to subdivision (d)(3).

(i) Districts shall notify students who are placed on academic or progress ~~probation~~notice, or who have earned 75 percent or more of the unit limit, of the potential for loss of enrollment priority. The district shall notify the student that a second consecutive term on academic or progress ~~probation~~notice will result in the loss of priority registration until the student is no longer on ~~probation~~notice or that enrollment priority will be lost when the student reaches the unit limit.

(j) Students will not be required to participate in any preregistration activity not uniformly required; nor shall the college or district allow anyone to place or enforce nonacademic requisites that are not expressly authorized in this chapter or in state law as barriers to enrollment in or the successful completion of a class.

(k) With respect to accessibility to off-campus sites and facilities, no student is to be required to make any special effort not required of all students to register in any class or course section. Once enrolled in the class, all students must have equal access to the site.

(l) Each community college district shall establish written procedures by which a student may appeal the loss of priority enrollment status due to extenuating circumstances, or where a student with a disability applied for, but did not receive reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student. Districts may allow students who have demonstrated significant academic improvement to appeal the loss of priority enrollment status. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in section 55031 for the term or terms.

(m) Districts shall ensure that the requirements of this section are adopted in local board policies and fully operational for registration for fall 2014 courses. Districts shall ensure that all policies and course catalogs reflect the requirements of this section and that appropriate and timely notice is provided to students.

Authority cited: Sections 66700, 70901 and 78215, Education Code. Reference: Sections 66025.8, 66025.81, 66025.9, 66025.91, 66025.92, 66025.95, 70901, 78215 and 84500, Education Code.

Section 58621 of Subchapter 7 of Chapter 9 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 58621. Loss of Eligibility.

(a)(1) Districts shall adopt policies providing that a student who is otherwise eligible for a California College Promise Grant shall become ineligible if the student is placed on academic or progress ~~probation~~notice, as defined in section 55031(a) or (b), or any combination thereof for two consecutive primary terms. Loss of eligibility shall become effective at the first registration opportunity after such determination is made. (2) Foster Youth, as defined in Education Code section 66025.9(b), shall not be subject to loss of California College Promise Grant under this section. This exemption is effective until the date specified in Education Code section 66025.9(c).

(b) For purposes of this section, primary terms are fall and spring semesters for colleges on a semester system and fall, winter, and spring quarters for colleges on a quarter system. Terms shall be considered consecutive on the basis of the student's enrollment so long as the break in the student's enrollment does not exceed one primary term.

(c) Districts shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in

maintaining and reestablishing California College Promise Grant eligibility. Dissemination includes but is not limited to information provided in college catalogs and class schedules.

(d) Students placed on academic or progress ~~probation notice~~ pursuant to section 55031(a) or (b) shall be notified of their status no later than thirty days following the end of the term that resulted in the student being placed on academic or progress ~~probation notice~~. This ~~notice~~notification shall clearly state that two consecutive primary terms of ~~probation~~academic or progress notice will lead to loss of the California College Promise Grant until the student is no longer on ~~probation notice~~ pursuant to section 55031(a) or (b). This notice shall also advise students about the available student support services to assist them in maintaining eligibility. Pursuant to section 55523(c), colleges shall ensure that students ~~shall~~ have the opportunity to receive appropriate counseling, assessment, advising, or other education planning services on a timely basis to mitigate potential loss of the California College Promise Grant.

(e) Each community college district shall establish written procedures by which a student may appeal the loss of the California College Promise Grant due to extenuating circumstances, or where a student with a disability applied for, but did not receive reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Essential student support services include, but are not limited to, services identified in the student education plan developed under section 55524, and any services to which the student was referred pursuant to section 55520. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status. Districts may allow students who have demonstrated significant academic improvement to retain or appeal the loss of the California College Promise Grant. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in section 55031 (a) and (b). A student who successfully appeals the loss of enrollment priority shall also have California College Promise Grant eligibility restored.

(f) Districts shall begin notifications to students following the spring 2015 term and ensure that the requirements of this section are fully operational for registration for the fall 2016 term. Loss of California College Promise Grant eligibility pursuant to this section shall not occur prior to the fall 2016 term. Districts shall ensure that all board policies and course catalogs reflect the requirements of this section and that appropriate and timely notice is provided to students.

(g) Districts shall not impose requirements for California College Promise Grant eligibility other than the requirements of this section and section 58620.

Authority cited: Sections 66700, 70901 and 76300, Education Code. Reference: Sections 66025 and 76300, Education Code.

Section 58732 of Article 4 of Subchapter 8 of Chapter 9 of Division 6 of Title 5 of the California Code of Regulations Is Amended to Read:

§ 58732. Credit Student Services Standards.

(a) The credit student services standards per college in 1990-91 dollars shall be as follows:

(1) Admissions and records at \$30.13 per credit headcount.

(2) Orientation: Twenty counselor days for development of materials and preparation; staff costs per orientation session equal to 3 hours of a counselor, 1 hour of a technician, 3 hours of a student worker, and 16 hours of clerical support; eighty percent of the new credit enrollees are served with 100 students in each orientation session; \$5.05 for supplies for each new enrollee served.

(3) Testing and Assessment: One FTE technician plus one FTE clerical staff for administration of testing; plus \$1.01 per enrollee tested for notification costs.

(A) General testing of 3 tests at one hour each at \$20.19 per hour for administration; 80% of the new enrollees are tested with 50 students per test session; \$2.02 to purchase each test, plus \$0.10 to score each standardized test and \$9.64 to score each holistic test.

(B) Additional limited English proficiency testing of 2 additional tests at one hour each at \$40.39 per hour for administration; 5% of the nonexempt new enrollees are assumed to require testing with 15 students per test session; \$2.02 to purchase each test, plus \$0.10 for scoring.

(4) Counseling:

(A) Pre-registration: The FTE counselors plus 25% FTE clerical support necessary to counsel each nonexempt new fall enrollee on a one-to-one basis for one-half hour each;

(B) Post-registration: The FTE counselors plus 25% FTE clerical support necessary for student educational plans, general counseling, ~~probationary~~academic or progress notice counseling, and Basic Skills counseling. Eighty percent of new enrollees will be counseled for 1 hour and 15 minutes for student educational plans. Fifty percent of continuing students will be counseled for 1 hour of general counseling. Twelve percent of the continuing students will receive ~~probationary~~academic or progress notice counseling for 1 hour 45 minutes. Basic Skills students will receive an additional 30 minutes of counseling each term. Counselors are assumed to average 6.36 hours per day, 75% of which is spent with students. An allocation of \$641 per counselor is calculated for supplies.

(5) Research and Evaluation: 1 FTE researcher plus 1 FTE programmer plus .5 clerical support staff plus \$2,093 for supplies. Costs for this area are accounted for under institutional support and are not included in the standards rates derived in subdivision (b).

(6) Coordination and Training: 1 FTE administrator plus 1 FTE coordinator plus 1 FTE clerical support.

(7) Financial aid: 1 FTE director plus 1 FTE advisor plus 0.5 FTE technician plus 1 FTE clerical support plus \$2,764 base fixed costs plus \$21.56 per credit headcount.

(8) Placement services cost of 1 director salary plus 1 FTE academic staff per 14,500 credit enrollees plus 1 clerical FTE plus additional 1 clerical per 4 academic staff members.

(9) Credit student activities costs of 1 director salary plus 1 FTE academic staff per 14,500 credit enrollees plus 1 clerical FTE plus additional 1 clerical per 4 academic staff members.

(10) Flat rate of \$34.37 per credit headcount for additional, unspecified student services.

(11) The standards derived in Subparagraphs (1), (2), (3), (4), and (10) above, shall be adjusted by the scale factor defined in Section 58734.

(b) The standard rate derived from application of the above standards to be used in the 1991-92 allocation process, contained in Article 8 of this Subchapter, for the credit student services category shall be \$692,999 per college, increased by the inflation adjustment pursuant to subdivision (a) of Section 58773, plus \$219.10 per new credit enrollment and \$175.94 per continuing credit enrollment, both adjusted by the inflation adjustment pursuant to Subdivision (a) of Section 58773 and the scale factor, pursuant to Section 58734. For 1992-93 and each fiscal year thereafter, the standard rates shall be the rates used for the prior fiscal year increased by the inflation adjustment pursuant to Subdivision (a) of Section 58773.

Authority cited: Sections 66700, 70901 and 84750, Education Code. Reference: Section 84750, Education Code.

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