California Community Colleges

CHANCELLOR'S OFFICE
1102 Q Street
Sacramento, California 95811

NOTICE OF PROPOSED RULEMAKING
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
DUAL ENROLLMENT COURSE LIMITATIONS

45-Day Notice published October 29, 2026

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2 of the California Community Colleges Board of Governors (Board) Procedures and Standing Orders, that the Board proposes to adopt the regulatory action described below after a public hearing, and consideration of all comments, objections, or recommendations received regarding the proposed regulatory action during the public comment period, which closes on December 13, 2026.

BOARD OF GOVERNORS PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on November 17, 2026.

In-Person Participation

California Community Colleges, Chancellor's Office Building
Sixth Floor, Board of Governors Chambers
1102 Q Street
Sacramento, CA 95811

Parking options can be found on our website.

All Board meetings are held in locations that are open to the public and wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real-time transcription, may be provided to persons with disabilities upon request. Persons requesting such accommodations should notify the Board Liaison at ccastro@cccco.edu, (916) 323-5889, no less than five business days prior to the meeting.

Public Comments at the Board Meeting

Members of the public seeking to comment on the proposed regulatory action at the Board meeting should refer to the Board's agenda for information on how public comment on Board items will be received. The Board's agendas are available here: https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549
regcomments@cccco.edu

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on December 13, 2026. All written comments received by Chancellor's Office staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be subject to a second 15-day notice period prior to its adoption at a subsequent Board meeting.

INFORMATIVE DIGEST

Section 58106 requires courses claimed for state apportionment to be open to enrollment by any student admitted to the college, subject to specified exceptions. Current regulations permit colleges to limit enrollment in one or

more sections of a course to a cohort of students enrolled in one or more other courses, provided that a reasonable percentage of sections remain unrestricted.

As dual enrollment opportunities have expanded and colleges have developed a variety of approaches for delivering courses through partnerships with K–12 districts, questions have arisen regarding the application of these enrollment limitations to sections offered specifically through dual enrollment, middle college, and early college partnerships. These questions can arise across different instructional arrangements and modalities, including online asynchronous sections designed to serve students participating in dual enrollment partnerships.

The proposed amendment would expressly clarify that colleges may limit enrollment in one or more sections of courses offered pursuant to these partnership agreements. It would also clarify that the existing requirement to maintain a reasonable percentage of unrestricted sections applies to the courses subject to these enrollment limitations. The amendment provides greater clarity for colleges in structuring partnership-based course offerings while preserving the underlying open-enrollment requirements of section 58106.

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings attributable to the proposed regulatory action are anticipated to be as follows:

Mandate on local agencies or community college districts: *None*.

Cost or savings to state agencies: *None.*

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: *None*.

Other non-discretionary cost or savings imposed on community college districts: *None*.

Cost or savings in federal funding to state agencies: *None.*

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the language of the proposed regulatory action, and all of the information upon which the proposal is based, may be obtained online at:

Office of General Counsel - Pending Regulatory Action

Those who receive the Board of Governors Agenda package for the November 17, 2026, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.