



California Community Colleges Guidelines for Title 5 Regulations, Chapter 6, Part 2

**Adopted by the California Community
Colleges Board of Governors May, 2008
and effective June 16, 2009**

**This document summarizes and provides guidelines
for selected Title 5 Regulations recently passed by
the California Community Colleges Board of
Governors regarding curriculum and instruction.**

**Chancellor's Office, California Community Colleges
June 2008**

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Attachment A: GPA Calculation

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Section 55024. Withdrawal.

(a) *The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy which provides for withdrawal from credit courses consistent with the following:*

(1) *Withdrawal from a course or courses shall be authorized through the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30 percent of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The academic record of a student who remains in a course beyond the time allowed by district policy must reflect a symbol as authorized in section 55023 other than a "W."*

(2) *The governing board may by regulation authorize withdrawal from a course or courses in extenuating circumstances after the last day of the fourteenth week (or 75 percent of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.*

(3) *No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30 percent of a term, whichever is less. 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.*

(4) *Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less) shall be authorized after informing the appropriate faculty.*

(5) *Withdrawal after the end of the fourteenth week (or 75 percent of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."*

(6) *For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course section in question or, in the event the instructor cannot be contacted, the department chair or appropriate administrator.*

- (7) *The "W" shall not be used in calculating grade point averages, but shall be used in determining probation and dismissal pursuant to article 3 of this subchapter.*
- (8) *A "W" shall not be assigned, or if assigned shall be removed, from a student's academic record, if a determination is made pursuant to sections 59300 et seq. that the student withdrew from the course due to discriminatory treatment or due to retaliation for alleging discriminatory treatment or that the student withdrew because he or she reasonably believed that remaining in the course would subject him or her to discriminatory treatment or retaliation for alleging discriminatory treatment.*
- (9) *Effective July 1, 2009, the district policy shall establish the number of times (not to exceed four times) that a student may withdraw and receive a "W" symbol on his or her record for enrollment in the same course. The district policy may permit a student to enroll again in a course after having previously received the authorized number of "W" symbols in the same course in colleges within the grade or, where applicable, have a nonevaluative symbol other than a "W" (as defined in section 55023) recorded on his or her academic record unless:*
 - (A) *the student withdraws from the course prior to the end of the fourth week of instruction or 30 percent of the term, whichever is less, or such shorter period as established by the district pursuant to subdivision (3); or*
 - (B) *(i) the district policy permits additional withdrawals for which apportionment may not be available pursuant to section 58161.5; and*
 - (ii) *the chief instructional officer, chief student services officer or other district official designated in the district policy approves such a withdrawal after review of a petition filed by the student which demonstrates that there are extenuating circumstances, as defined in subdivision (2), which justify an additional withdrawal.*
- (10) *The district policy may provide that a "W" symbol will not be assigned to any student who withdrew from one or more classes, where such withdrawal was necessary due to fire, flood or other extraordinary conditions and the withdrawal is authorized by the district pursuant to section 58509.*
- (b) *Within the parameters set forth in subdivision (a), criteria for withdrawal and the procedures to accomplish it shall be established by the district governing board and published in college catalogs.*
- (c) *A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.*
- (d) *The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:*
 - (1) *"Military Withdrawal" occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned may be a "W" or, if necessary to distinguish military withdrawals, may be a "MW."*
 - (2) *Military withdrawals shall not be counted in progress probation and dismissal calculations.*

(3) *In no case may a military withdrawal result in a student being assigned an "FW" grade.*

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

Guideline for section 55024

This section provides criteria for district governing boards to follow when adopting policy and procedures that provide for withdrawal from credit courses. Language is added to clarify that the criteria for withdrawal specified in this section apply only to withdrawal from credit courses. A district can, but is not required to, establish withdrawal procedures for noncredit courses. When establishing policies for withdrawal from credit courses, districts are advised to regularly review withdrawal rates from credit courses across disciplines. In so doing, faculty and staff can make informed decisions regarding policy and/or curricular revisions that might be made to reduce withdrawals. A district may, if desired, require the intervention of support services prior to permitting additional enrollments in a course in which a "W" has been received.

Final Withdrawal Date

The district policy must establish a final withdrawal date after which a student must receive a symbol other than a "W" as authorized in section 55023. The final withdrawal date will normally be either the last day of the fourteenth week of instruction or 75 percent of a term, whichever is less. However, the district may designate any date between the fourth week of instruction (or 30 percent of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less).

Use of Symbols after the Final Withdrawal Date

Students who withdraw after the final withdrawal date must receive a symbol, as appropriate, other than a "W" as authorized in Section 55023. These symbols can include a letter grade, a P for Pass, and NP for No Pass, an I for Incomplete, or an IP for In Progress (if appropriate). However, a withdrawal after the final withdrawal date that is approved due to extenuating circumstances shall be recorded as a "W."

Appropriate Administrator

In subdivision (a)(6), when implementing withdrawal policies addressing extenuating circumstances for recording "Ws" after the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less), authorization is given to the "appropriate administrator" to act on behalf of the instructor of a course section when he or she cannot be contacted. It is up to the college to determine the appropriate administrator.

Removal of “W”

Subdivision (a)(8) clarifies that a “W” can be removed in the event that the student files a discrimination complaint and the investigation of the complaint confirms that one of three possible grounds for removing the “W” exists: that the student was subjected to discrimination, that the student was subjected to retaliation for alleging discrimination, or that the student withdrew because the student reasonably believed that he or she would be subjected to discriminatory treatment or retaliation. Removal of a “W” for this reason would not affect eligibility of that enrollment for apportionment. If the enrollment is claimed for apportionment, it would be counted as one of the four withdrawals eligible for apportionment. However, it would not count in the determination of progress probation as provided by section 55032.

Limitation on Number of “Ws”

A new subdivision (a)(9) now generally limits students to receiving no more than four “Ws” as a result of withdrawal from the same course. Districts, however, are allowed to adopt more restrictive policies or to adopt policies permitting additional withdrawals based on a petition from the student demonstrating that the need for withdrawal is due to extenuating circumstances beyond the student’s control. Districts may also require the intervention of support services after any number of “Ws.” See examples G.1 through G.3 in the “Repetition and Withdrawal Examples” document.

When the district policy permits a student to enroll again in a course after having previously received the authorized number of “Ws” in the same course offered at one/more colleges in the district, the policy shall provide that the student **will receive a grade**, or if applicable, **a nonevaluative symbol other than a “W”** such as an incomplete (as defined in section 55023) unless:

1. the student is required to be dropped as of census due to inactive enrollment as provided by section 58004; or
2. the student withdraws prior to the end of the fourth week of instruction or 30 percent of the term (or shorter period as established by the district);
3. or the district policy permits additional withdrawals based on extenuating circumstances, (for which apportionment will not be claimable). Such withdrawals must be approved by an appropriate district official after reviewing a petition filed by the student and concluding that the student demonstrated extenuating circumstances that justify an additional withdrawal.

Claiming Apportionment

Pursuant to section 58161.5, the district may not claim apportionment for the attendance of a student in a credit course if the “W” symbol has previously been assigned four times to that student for that same course at one/more colleges within a district. Depending on the number of “Ws” the district policy permits “at will,” the district may or may not be able to claim apportionment for withdrawals allowed under extenuating circumstances. Military withdrawals as defined in section 55024 do not count against the “W” withdrawal limit noted above. The regulations do not restrict the number of times a student can receive an “MW” nor the number of times a college can receive apportionment for “MWs.” For non-repeatable credit courses, an “MW” is treated in the same manner as a “W” for purposes of repetition to alleviate a substandard grade (i.e., “MW” counts as a repetition attempt). See examples D.1 through D.3 in the “Repetition and Withdrawal Examples” document.

Withdrawal Due to Fire, Flood or Other Extraordinary Conditions

Finally, subdivision (a)(10) was added to reflect that section 58509 provides that a student withdrawing due to fire, floods, and other extraordinary conditions need not be penalized. Thus, a student withdrawing in these circumstances may do so without receiving a “W.” In section 58509 clarification regarding extraordinary conditions is provided. Essentially, extraordinary conditions apply when a college was closed or the college was unable to provide all or substantially all of the instruction in a course (s) in which the student was enrolled due to fire, flood or other conditions qualifying for adjustment of apportionment pursuant to section 58146.

Section 55040. District Policy for Course Repetition.

(a) *The governing board of each community college district shall adopt and publish policies and procedures pertaining to the repetition of credit courses. Such policies and procedures shall not conflict with section 55025 or Education Code section 76224, pertaining to the finality of grades assigned by instructors, or with chapter 2.5 (commencing with section 59020) of division 10 of this part, pertaining to the retention and destruction of student records.*(b) *For purposes of course repetition, academic renewal, and all other related provisions in this division, the following terms shall have the meanings specified below:*

(1) *“Course repetition” occurs when a student who has previously received a grade as defined in section 55023, in a particular course re-enrolls in that course.*

(2) *“Substandard academic work” means course work for which the grading symbols “D,” “F,” “FW,” “NP” or “NC” (as defined in section 55023 and 55030) have been recorded.*

(c) *The policies and procedures adopted pursuant to subdivision (a) may:*

(1) *designate certain types of courses as “repeatable courses” consistent with the requirements of section 55041;*

(2) allow a student to repeat a course which is not designated as a repeatable course in an effort to alleviate substandard academic work consistent with the requirements of section 55042;

(3) permit or require a student to repeat a course due to significant lapse of time consistent with the requirements of section 55043;

(4) permit a student to repeat a portion of a variable unit open-entry/open-exit course which the student previously completed only under the circumstances described in section 55044;

(5) permit a student to repeat a course which is not designated as a repeatable course, regardless of whether or not substandard academic work was previously recorded, where the district determines, consistent with section 55045, that there are extenuating circumstances which justify the repetition;

(6) permit a student to repeat a course in occupational work experience under the circumstances described in section 55253. When an occupational work experience course is repeated pursuant to that section, the grade received each time shall be included for purposes of calculating the student's grade point average.

(7) permit a student with a disability to repeat a special class for students with disabilities any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student for one of the reasons specified in section 56029. The district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.

(d) When course repetition occurs pursuant to this section, the student's permanent academic record shall clearly indicate any courses repeated using an appropriate symbol and be annotated in such a manner that all work remains legible, insuring a true and complete academic history.

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

Guideline for section 55040

This section was substantially amended to list all of the circumstances in which a district may permit credit course repetition. Subsequent sections in the same article provide greater detail on these various circumstances. In this section it is emphasized that the governing board of each district shall adopt and publish policies and procedures related to credit course repetition, which occurs when a student who has previously received a grade as defined in section 55023 in a particular course re-enrolls in that course. Related to this, districts should be aware that once a grade is recorded, any withdrawal with a "W" following receipt of that grade counts as a repetition attempt. This applies to both repeatable and non-repeatable courses. Conversely, "Ws" that are recorded prior to a student receiving a grade do not count toward the repetition limit. See example C.1 through C.6 in the "Repetition and Withdrawal Examples" document..

This section also indicates that “substandard academic work” means course work for which the grading symbols “D,” “F,” “FW,” “NP,” or “NC (as defined in section 55023 and 55030) have been recorded.

The district policies and procedures on credit course repetition may designate certain types of courses as “repeatable courses” consistent with section 55041; allow a student to repeat a course not designated as a repeatable course, in order to alleviate a substandard grade, consistent with section 55042; permit students to repeat a course due to a significant lapse of time, consistent with section 55043; and permit a student to repeat a portion of a variable unit open-entry/open-exit course, consistent with section 55044. In addition, district policies and procedures on credit course repetition may permit a student to repeat a course not designated as repeatable even if the student did not receive a substandard grade if, consistent with section 55045, the district determines there were extenuating circumstances justifying the repetition. Finally, the district policies and procedures may permit a student to repeat a course in occupational work experience, consistent with section 55253 and permit a student with a disability to repeat a special class for students with disabilities any number of times when repetition is required as a disability-related accommodation. When an occupational work experience course is repeated pursuant to section 55253, the grade received each time shall be included for purposes of calculating the student’s GPA. When a special class for students with disabilities is repeated pursuant to section 56029, the district policy may allow the previous grade and credit to be disregarded in computing the student’s GPA. (See Attachment A.)

Section 55041. Repeatable Courses.

(a) The district policy and procedures on course repetition adopted pursuant to section 55040 may designate as repeatable courses only those courses described in this section.

(b) If a district permits repetition of courses regardless of whether substandard academic work has been recorded, repetition shall be permitted, without petition, in instances when such repetition is necessary for a student to meet a legally mandated training requirement as a condition of continued paid or volunteer employment. Such courses must conform to all attendance accounting, course approval, and other requirements imposed by applicable provisions of law. Such courses may be repeated for credit any number of times. The governing board of a district may establish policies and procedures requiring students to certify or document that course repetition is necessary to complete legally mandated training pursuant to this subdivision.

(c) The district policy adopted pursuant to section 55040 may also designate courses of the types described in this subdivision as repeatable courses, subject to the following conditions:

(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 either:

(A) the course content differs each time it is offered; or

(B) the course is an activity course where the student meets course objectives by repeating a similar primary educational activity and the student gains an expanded educational experience each time the course is repeated for one of the following reasons:

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

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

(3) Activity courses which may qualify as repeatable courses meeting the requirements of paragraph (2)(B) of this subdivision include, but are not limited to the following:

(A) Physical education courses; or

(B) Visual or performing arts courses in music, fine arts, theater or dance.

(4) foreign language courses, ESL courses and nondegree-applicable basic skills courses are not considered "activity courses" for purposes of paragraph (2)(B) of this subdivision).

(5) The district must develop and implement a mechanism for the proper monitoring of such repetition.

(6) Students may repeat a course pursuant to this subdivision for not more than three semesters or five quarters. For purposes of this subdivision, semesters or quarters include summer or intersessions.

(7)(A) Except as provided in subparagraph (B) of this paragraph, where a college establishes several levels of courses which consist of similar educational activities, the repetition limitation in paragraph (6) of this subdivision applies to all levels of courses that involve a similar primary educational activity regardless of whether the repetitions reflect multiple enrollments in a single course or in multiple courses involving the same primary activity.

(B) Visual or performing arts courses in music, fine arts, theater or dance which are part of a sequence of transfer courses are not subject to subparagraph (A) of this paragraph.

(d) When a course is repeated pursuant to this section, the grade received each time shall be included for purposes of calculating the student's grade point average.

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

Guideline for section 55041

Section 55041 focuses on courses which are, by their nature, repeatable without respect to circumstances of a particular student. Repeatable courses include legally mandated training courses, activity courses and courses in which the content changes each time the course is offered.

Courses provided to students in order for them to meet legally mandated training requirements as a condition of continued paid or volunteer employment may be repeated for credit any number of times. See example H.1 in the "Repetition and

Withdrawal Examples” document. “Legally mandated” is interpreted to mean “required by statute or regulation.” This would exclude, for example, mere administrative policy or practice. However, if there is a federal or state statute or regulation adopted by a federal or state agency that indicates that certain individuals must complete x number of hours of education to maintain their certification, licensure or ability to work in particular fields, such as in the public safety and health care fields, that statute, regulation, or mandate would qualify.

Activity courses include physical education courses or visual or performing arts courses in music, fine arts, theater, and dance. Students are permitted to repeat an activity course a maximum of three times for colleges on the semester system or five times for colleges on the quarter system. The limitation applies even if the student receives a substandard grade or withdraws from the course after having previously received a grade in the course for a prior enrollment. See examples I.1 through I.4 in the “Repetition and Withdrawal Examples” document. Repetitions occurring during summer or other intersessions count towards this limitation. In other words, once a student receives a grade in an activity course, subsequent enrollments, even those that result in a substandard grade or a withdrawal with a “W,” count towards the applicable repetition limits. Conversely, enrollments in activity courses that result in a “W” symbol as provided by section 55024 prior to the student having received a grade for the course do not count towards this limitation, but are nonetheless subject to the limitations provided by sections 55024 and 58161.5 [Apportionment for Re-Enrollment After Withdrawal]

Please note that if the activity courses involve the same primary educational activity or different levels of the same educational activity, the district must combine all enrollments across all of these similar courses for purposes of the four enrollment limitation (the original enrollment and three (for semesters) or five repetitions (for quarters) as noted above.) So, using beginning golf and intermediate golf as an example, each of these courses addresses a different level of the same activity, so the four enrollment limit applies to the combined enrollment in both of them. In other words, a student may not enroll four times in each of these two courses, but may enroll in these golf courses a total of four times.

However, for activity courses in the visual and performing arts, an exception is made for courses in the same area that are part of a transfer sequence. For example, a district may offer Piano 1, Piano 2, and Piano 3, each of which is a similar course at a different level and each course is established as part of a transfer sequence. For such activity courses, students may repeat each course three times or take each course four times. Colleges do not need to limit enrollment of students in piano to four times but to each of the piano courses four times.

Foreign language courses, ESL courses, and nondegree-applicable basic skills courses are not considered “activity courses” and thus are not repeatable.

Some disciplines offer courses for which the content changes each time the course is offered. An example of such a course is the current topics course. A social sciences division may offer a Current Political Issues course designed so that students analyze and discuss current events. In other instances, the content may not change each time the course is offered, but may change significantly after a period of time when a clear change in content is warranted. For example, instructors teaching courses in word processing or computer-aided drafting may periodically use updated software if what the students must learn to compete in the workplace has changed significantly. If colleges designate such a course as repeatable, they must develop a mechanism for ensuring that when a student wants to re-enroll, the content is different from the last time the student took the course. The college also needs to indicate in the course description the circumstances that would permit repetition. Students may repeat a course when the content changes pursuant to this subdivision, three semesters or five quarters. Consistent with section 58161 (b) and (c), repeatable courses may be claimed for apportionment based on the above noted provisions and/or limitations. When a course is repeated pursuant to this section, the grade received each time shall be included for purposes of calculating a student's GPA. (See Attachment A.)

Section 55042. Course Repetition To Alleviate substandard Academic Work

(a) The district policies and procedures on course repetition adopted pursuant to section 55040 may permit a student to repeat a course which is not designated as a repeatable course pursuant to section 55041 in an effort to alleviate substandard academic work. If a student repeats the course and receives a satisfactory grade, then he or she may not repeat the course again pursuant to this section and any further repetition of the course must be authorized by another provision of this division. If a student repeats the course and receives another substandard grade, the district policy may permit the student to repeat the course one additional time in an effort to alleviate substandard work. Under no circumstances may a student repeat a course more than two times pursuant to this section.

(b) Policies and procedures related to course repetition to alleviate substandard academic work shall:

(1) permit repetition of any course which was taken in an accredited college or university and for which substandard academic work is recorded;

(2) indicate any specific courses or categories of courses where repetition pursuant to this section is not permitted; and

(3) in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities.

(c) The district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time a course is repeated pursuant to this section.

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

Guideline for Section 55042

Section 55042 discusses circumstances under which a student may be permitted to repeat a course which is not designated as “repeatable,” as provided by section 55041, in an attempt to alleviate substandard academic work **previously** recorded on a student’s transcript. Based on this section, district policy may permit the student to repeat the course to alleviate a substandard grade no more than two times. Thus, if the student repeats the course for the first time and receives another substandard grade, district policy may permit the student to repeat the course once more in order to alleviate substandard work. A student is permitted two attempts to alleviate a substandard grade. See examples A.1 through A.2 in the “Repetition and Withdrawal Examples” document.

All recorded repetitions pursuant to this section, including those that result in withdrawal with a “W” and “MW” symbols being assigned as provided by section 55024, count towards the two repetition limit. Apportionment limitations for “Ws,” and other limitations on “Ws” still apply. See examples C.1 through C.6 and D.1 through D.3 in the “Repetition and Withdrawal Examples” document. It should be noted, however, that withdrawal during the first 30% or four weeks of a course where no “W” has been recorded does not count toward the two repetition limit, nor does withdrawal when the student is required to be dropped for inactive enrollment status as of the census day established pursuant to section 58004 for purposes of the census based attendance accounting procedures e.g., identified as a “no show.”

Please note that under no circumstances may a student repeat a course more than two times to alleviate a substandard grade, even if apportionment is not claimed. However, other repetition provisions provided by other sections may apply, including extenuating circumstances. See examples B.1 in the “Repetition and Withdrawal Examples” document.

Per section 58161(a), where substandard academic work has been recorded for the attendance of a student in a credit course, apportionment may be claimed for a maximum of two repetitions of the course to alleviate substandard work. While the district policy may allow the previous grade and credit to be disregarded while computing the student’s GPA, all grades must appear on the transcript pursuant to section 55040 (a). (See Attachment A.)

Section 55043. Course Repetition Due To Significant Lapse of Time.

(a) In addition to permitting course repetition in the circumstances described in other provisions of this article, a district may also permit or require repetition of a course where the student received a satisfactory grade the last time he or she took the course but the district determines that there has been a significant lapse of time since that grade was obtained and:

(1) the district has properly established a recency prerequisite for a course or program pursuant to section 55003 or has otherwise defined “significant lapse of time” in its policy on course repetition; or

(2) another institution of higher education to which the student seeks to transfer has established a recency requirement which the student will not be able to satisfy without repeating the course in question.

(b) If the district determines that a student needs to repeat an activity course of the type described in subdivision (c)(2)(B) of section 55041 due to significant lapse of time, that repetition shall be counted in applying the limit on repetitions set forth in subdivision (c)(6) of section 55041 except that, if the student has already exhausted the number of repetitions permitted under subdivision (c)(6), an additional repetition due to significant lapse of time may be permitted or required by the district.

(c) When a course is repeated pursuant to this section, the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA.

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

Guideline for Section 55043

In addition to permitting course repetition as provided by other sections, the district policy for course repetition may require or permit students to repeat a course when a significant lapse of time has passed since the student previously successfully completed the course (i.e., a passing grade was recorded). Repetition for lapse of time may be required only when the district has properly established a recency prerequisite for a course pursuant to section 55003, or when the district has otherwise defined “significant lapse of time” in its policy on course repetition, to ensure that any requirement for recency has been determined necessary and appropriate to achieve the purpose for which it was established.

A district may have recency prerequisites required of all students for specific courses. In other circumstances where prerequisites aren't involved, a district may have a policy that defines lapse of time in its course repetition policy. For example, a district in its policy on course repetition may determine circumstances when course repetition due to time lapse is necessary and appropriate and outline a process whereby students may petition for a “lapse of time” repetition. Such a circumstance involving lapse of time might include a student's acceptable level of knowledge in sequentially based courses such as math, science, and foreign language. In these circumstances, the student may be unable to successfully complete the subsequent level of the course sequence due to a significant lapse of time since he/she completed the prior course in the sequence. While the student may have obtained a passing grade in the earlier course, the prior course may need to be repeated before successful completion of the subsequent level course can be expected.

Additionally, repetitions pursuant to section 55003(2) may be permitted when another institution of higher education to which the student seeks to transfer has established a recency requirement which necessitates course repetition to satisfy this requirement.

If the district determines that an activity course needs to be repeated as provided by this provision, the repetition shall count towards the repetition limit applicable to activity courses, except that, if the student has already reached the activity course limitation, an additional repetition may be permitted or required. See examples I.5 through I.6 in the "Repetition and Withdrawal Examples" document.

Per section 58161(f), only one repetition due to a significant lapse of time may be claimed for apportionment beyond the prior enrollment. However, since the student must demonstrate recency and a current mastery of the subject, if a student receives a substandard grade for this repetition attempt, the district policy for course repetition may allow the student to use the grade alleviation process provided by section 55042, when the course is not designated as repeatable, and may claim apportionment for a subsequent repetition(s) pursuant to section 58161(a). See examples E.1 through E.2 in the "Repetition and Withdrawal Examples" document.

When a course is repeated pursuant to this section, the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA. (See Attachment A.)

Section 55044. Repetition of Variable Unit Courses.

(a) If a community college district offers credit courses for variable units on an open-entry/ open-exit basis pursuant to section 58164, the district policies and procedures on course repetition adopted pursuant to section 55040 shall provide that a student may enroll in the course as many times as necessary to complete one time the entire curriculum of the course as described in the course outline of record. However, the district policy may not permit the student to repeat any portion of the curriculum for the course, unless:

- (1) the course is required for legally mandated training;*
- (2) the course is a special class for students with disabilities which the student needs to repeat for one of the reasons described in section 56029;*
- (3) repetition of the course to retake a portion of the curriculum is justified by extenuating circumstances pursuant to section 55045; or*
- (4) the student wishes to repeat the course to alleviate substandard work recorded for a portion of the curriculum as authorized pursuant to section 55042.*

(b) Notwithstanding subdivision (a), each time a student enrolls in a physical education activity course offered on an open entry/open exit basis, regardless of the number of units for which the student enrolls, the enrollment shall count as a repetition of the course for purposes of sections 55041 and 58161.

(c) When course repetition of a portion of a course is permitted under the circumstances described in subdivision (a), the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA.

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

Guideline for Section 55044

Section 55044 discusses repetition of variable unit courses offered in an open-entry/open-exit format pursuant to section 58164. Where a district offers such courses, the district policy on course repetition must provide that a student may enroll in the open-entry/open-exit course as many times as necessary to complete the entire curriculum of the course as described in the corresponding course outline of record. However, the district policy may not permit repetition of an individual portion of the curriculum for the course, regardless of the grade received for that portion of the course, unless (1) the course is required for legally mandated training; (2) the course is a special course for students with disabilities which the student needs to repeat for one of the reasons described in section 56029; (3) the student petitions and a determination is made by the district that the student's previous grade is, at least in part, the result of extenuating circumstances (only applicable to courses which are not designated as repeatable); or (4) the student wishes to repeat the course to alleviate substandard work recorded for a portion of the curriculum pursuant to section 55042 (only applicable to courses which are not designated as repeatable).

This section also discusses repetition of physical education activity courses offered on an open-entry/open-exit basis. Each time a student enrolls in a PE activity course offered on an open entry/open exit basis, regardless of the number of units in which the student enrolls, the enrollment counts as a repetition of the course for purposes of the repetition limits provided by sections 55041 and 58161.

Per section 58161(g), apportionment may be claimed for the attendance of a student repeating a portion of a variable unit open entry/open exit credit course only to the extent that repetition of such courses is permitted pursuant to section 55044. See examples F.1 through F.2 in the "Repetition and Withdrawal Examples" document.

When course repetition of a portion of a course is permitted under subdivision (a), the district's policy may allow the previous grade and credit to be disregarded when computing the student's GPA.

Section 55045. Course Repetition Due To Extenuating Circumstances.

The district policies and procedures on course repetition adopted pursuant to section 55040 may permit a student to repeat a course only if:

(a) the repetition is expressly authorized by another provision of this article; or
(b) the student files a petition and the governing board of the district or its designee grants written approval of the petition based on a finding that the student's previous grade (whether substandard or passing) was, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. When course repetition is approved pursuant to this subdivision, the district policy may allow the

previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.

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

Guideline for Section 55045

District policies and procedures for course repetition adopted pursuant to section 55040 may permit a student to repeat a course only if the repetition is expressly authorized by another provision of this article or the student files a petition and the governing board or its designee grants written approval of the petition demonstrating that the previous grade (whether passing or substandard) was due to extenuating circumstances. As noted previously, extenuating circumstances are verified cases of illness, accidents or other circumstances beyond the control of the student.

Per section 58161(e), the attendance of a student repeating a credit course by petition pursuant to section 55045 may be claimed for state apportionment for a maximum of two repetitions. However, the district policy on course repetition may permit additional repetitions due to extenuating circumstances for which apportionment may not be claimed. See example B.1 in the "Repetition and Withdrawal Examples" document.

When course repetition is approved pursuant to this section, the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated. (See attachment A.)

Section 55062. Types of Courses Appropriate to the Associate Degree

The criteria established by the governing board of a community college district to implement its philosophy on the associate degree shall permit only courses that conform to the standards specified in section 55002(a) and that fall into the following categories to be offered as degree-applicable credit courses:

(a) All lower division courses accepted toward the baccalaureate degree by the California State University or University of California or designed to be offered for transfer.

(b) Courses that apply to the major or area of emphasis in non-baccalaureate career technical fields.

(c) English composition or reading courses not more than one level below the first transfer level course. Each student may count only one such course below transfer level for credit toward the associate degree, except that reading courses which also satisfy the requirements of subdivision (a) are not subject to this limit. English as a Second Language (ESL) courses which teach composition or reading skills are not considered to be English composition or reading courses for purposes of this subdivision.

(d) All mathematics courses above and including Elementary Algebra.

(e) Credit courses in English and mathematics taught in or on behalf of other departments and which, as determined by the local governing board require entrance

skills at a level equivalent to those necessary for the courses specified in subdivisions (c) and (d) above.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 70902, Education Code.

Guideline for Section 55062

This section permits only courses that conform to the standards specified in section 55002(a) and that fall into specific categories to be offered as degree-applicable courses. Subdivision (c) limits to one the number of English composition or reading courses not more than one level below the first transfer level course that may be counted toward the associate degree. However, an exception is made for reading courses that are accepted toward the baccalaureate degree by the California State University or University of California, or that are designed for transfer. Pursuant to subdivision (a), such reading courses are not subject to this limit.

Section 55064. Acceptance of Noncredit Courses.

The governing board of each community college district shall establish procedures by which a student may petition to have completion of a noncredit course counted toward satisfaction of the requirements for an associate degree. The petition shall be granted if the instructor of the noncredit course certifies that the student has achieved competence in the subject matter at a level and with academic rigor equivalent to that required for a degree-applicable credit course.

This section shall become inoperative on July 1, 2009. After that date, a student may nevertheless seek to receive credit for knowledge or skills acquired through completion of a noncredit course in accord with section 55050.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 66701, 70901 and 78405, Education Code.

Guideline for Section 55064

This section permits a student to petition to have a noncredit course counted toward satisfaction of requirements for an associate degree. As of July 1, 2009, however, this section will be repealed and, as a result, students wishing to receive credit for a noncredit course may only do so through the credit by examination policy of the district/college.

Section 55070. Credit Certificates.

(a) Any sequence of courses consisting of 18 or more semester units or 27 or more quarter units of degree-applicable credit coursework shall constitute an educational program subject to approval by the Chancellor pursuant to section 55130. The college-awarded document confirming that a student has completed such a program shall be known as a certificate of achievement and may not be given any other designation. The award of a certificate of achievement is intended to represent more than an accumulation of units. Listing of the certificate of achievement on a student transcript symbolizes successful completion of patterns of learning experiences designed to develop certain capabilities that may be oriented to career or general education; provided however, that no sequence or grouping of courses may be approved as a certificate of achievement pursuant to this section if it consists solely of basic skills and/or ESL courses. For purposes of this subdivision, the term "general education" includes coursework taken to satisfy transfer patterns established by the University of California, the California State University, or accredited public postsecondary institutions in adjacent states which award the baccalaureate degree.

(b) Shorter credit programs leading to a certificate may be established without review and approval by the Chancellor after approval by the college curriculum committee and the district governing board. Such a certificate may be given any name or designation deemed appropriate by the district governing board, except that such a certificate may not be referred to as a certificate of achievement, a certificate of completion, or a certificate of competency, unless approved by the Chancellor pursuant to subdivision (c). Such a certificate may not be listed on a student's transcript, unless approved by the Chancellor pursuant to subdivision (c).

(c) A district may submit any sequence of courses consisting of 12 or more semester units or 18 or more quarter units of degree-applicable credit coursework to the Chancellor and request that it be approved as a program leading to a certificate of achievement. The Chancellor may approve such a program if he or she determines that it satisfies the requirements of subdivision (a) despite requiring fewer than 18 semester or 27 quarter units of degree-applicable credit coursework.

(d) Content and assessment standards for certificates shall be defined by the local curriculum committee and comply with the requirements of this chapter. Such standards should also ensure that certificate programs will be consistent with the mission of the college, meet a demonstrated need, be feasible, and adhere to guidelines on academic integrity which may be developed by the Chancellor, the Academic Senate for California Community Colleges or other appropriate statewide bodies.

(e) A description of each approved program shall be included in the college catalog.

(f) The Chancellor shall develop forms and procedures for submission of applications for approval of a program leading to a certificate of achievement.

(g) Provisions of this section regarding the naming or designation of certificates shall become effective for the Fall 2008 term.

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

Guideline for Section 55070

This section defines “certificate of achievement” as a sequence of courses consisting of 18 or more semester units or 27 or more quarter units of degree-applicable credit coursework that constitute an educational program subject to approval by the System Office. This award may be listed on a student transcript symbolizing successful completion of patterns of learning experiences and must be designated as a certificate of achievement. Subdivision (a) prohibits the designation of “certificate of achievement” for any sequence or grouping of courses that consists solely of basic skills and/or ESL courses.

It is appropriate to develop a certificate of achievement that includes coursework taken to satisfy general education patterns established by the University of California, the California State University, or accredited public postsecondary institutions in adjacent states which award the baccalaureate degree.

Community colleges may award certificates of fewer than 18 semester or 27 quarter units, without System Office approval, but must call such certificates something other than “certificate of achievement,” “certificate of completion” or “certificate of competency.”

A college has the option to request from the System Office approval to award a certificate of achievement for those programs that require 12 or more semester units. In order to be approved as a certificate of achievement, the proposed certificate must consist of degree-applicable credit coursework and must represent a well-defined pattern of learning experiences designed to develop certain capabilities that may be oriented to career or general education. Only after System Office approval may the certificate of achievement for this lower unit program be listed on student transcripts. Certificates of achievements of 12 to 18 semester (18 to 27 quarter) units must demonstrate the same levels of need and academic rigor that are required for certificates of achievement requiring 18 or more semester (27 or more quarter) units.

Section 55151. Career Development and College Preparation.

A noncredit course involving career development or college preparation will be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it satisfies the requirements set forth in subdivisions (a), (b) and (c) below.

(a) The course is approved by the college curriculum committee and the district governing board pursuant to subdivision (c) of section 55002 and by the Chancellor's Office pursuant to section 55150 and is part of either:

(1) A short-term vocational program providing less than 288 hours of instruction which the Chancellor, in consultation with the Employment Development Department, has determined to have high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment Development Department. If current job demand data in the relevant field is not available from the

Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.

(2) A sequence of courses involving:

(A) Courses in elementary and secondary basic skills;

(B) Workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision-making, and problem solving skills that are necessary to participate in job-specific technical training; or

(C) Courses in English as a second language and vocational English as a second language.

(b) The program or sequence of courses is designed to result in either:

(1) A noncredit certificate of completion leading to improved employability or job opportunities; or

(2) A noncredit certificate of competency in a recognized career field articulated with degree-applicable coursework, completion of an associate degree or transfer to a baccalaureate institution. A certificate of competency in a recognized career field may be articulated with degree-applicable coursework, an associate degree, or transfer to a baccalaureate institution by means of nondegree-applicable coursework which may be completed prior to or taken concurrently with degree-applicable or transferable coursework.

(c) Each program or sequence of courses must be submitted to and approved by the Chancellor. Each application for approval shall include a list of required courses to be included in the program or sequence of courses, course outlines for each course, and an explanation of how the program or sequence of courses is designed to lead students to one of the outcomes described in subdivision (b). For short-term vocational programs, the application shall also include an analysis of labor market need or job availability.

(d) The Chancellor shall develop forms and procedures for electronic submission of applications for approval.

(e) If the Chancellor approves a sequence of courses or a short-term vocational program pursuant to this section, the sequence of courses or program may not be subsequently modified by the inclusion of additional courses unless the course or courses to be added are of one of the types listed in subdivision (a) and have themselves been individually approved by the Chancellor pursuant to section 55150.

(f) Under no circumstances may a district separate an existing noncredit course which provides less than one hundred and ten (110) hours of instruction into two or more courses for the purpose of forming a sequence of courses to satisfy the requirements of this section.

(g) Nothing in this section shall be construed to prevent a particular student from taking additional degree-applicable coursework, pursuing an associate degree, or pursuing transfer to a baccalaureate institution in addition to or instead of seeking immediate employment.

(h) For purposes of this article, the term "certificate of completion" means a document confirming that a student has completed a program or sequence of noncredit courses that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a Taxonomy of Programs

(T.O.P.) Code number and program discipline, identify the goal of the program, and list the courses completed by the student.

(i) For purposes of this article, the term “certificate of competency” means a document confirming that a student enrolled in a program or sequence of noncredit courses has demonstrated achievement of a set of competencies that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a T.O.P. Code number and program discipline, and list the relevant competencies achieved by the student.

(j) Content and assessment standards for certificates shall be defined by the local curriculum committee. The review of noncredit certificate programs by the curriculum committee shall be conducted using the same standards as applied to credit programs with respect to academic integrity, consistency with college mission, meeting a demonstrated need and program feasibility.

(k) Each noncredit certificate program shall be approved by the governing board of the district.

(l) Noncredit certificates may be awarded to students who have earned them on behalf of the governing board of the district by any appropriate district official or by a particular department or division pursuant to a delegation of authority from the governing board.

*NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code.
Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.*

Guideline for Section 55151

To be eligible for enhanced noncredit funding, the proposed sequence of courses or program must be approved by the local curriculum committee and governing board and result in a noncredit certificate of completion or noncredit certificate of competency in the areas of Career Development or College Preparation. A certificate of completion, confirming that a student has completed a program or sequence of courses that prepares him/her to progress in a career path or to undertake degree-applicable or non degree-applicable credit courses, should lead to improved employability or job opportunities. A certificate of competency, confirming that a student has demonstrated a set of competencies that prepares him/her to progress in a career path or to undertake degree-applicable or nondegree applicable credit courses, should be in a recognized career field articulated with degree-applicable coursework, completion of an associate degree, or transfer to a baccalaureate institution. The noncredit coursework that leads to a noncredit certificate of competency or a noncredit certificate of completion may be completed prior to or taken concurrently with degree-applicable or transferable coursework.

Local Standards of Approval

The standards used by the curriculum committee for local program approval should be the same standards applied in the review of credit programs with respect to academic integrity, consistency with college mission, meeting a demonstrated need, and program feasibility. Local curriculum committees are advised to review the certificate program in terms of appropriateness of program goals and content standards, sufficiency of instructional hours, and other applicable criteria.

Program Approval Criteria

The certificate program must be comprised of courses eligible under one of the following instructional noncredit categories: (1) a short-term vocational program; (2) elementary or secondary basic skills; (3) workforce preparation in basic skills of speaking, reading, writing, mathematics, decision-making, and problem-solving skills that are necessary to participate in job specific technical training; or (4) English as a Second Language (ESL) or Vocational English as a Second Language (VESL). Certificates of completion or certificates of competency can only be comprised of the above types of noncredit courses. No other category of noncredit is eligible for enhanced funding pursuant to section 55151 (a) (1) and (2) (A) (B) (C).

Single noncredit courses are not eligible for noncredit enhanced funding. To be eligible for enhanced funding, a noncredit course must be part of a program or sequence of courses, fall within one of the four eligible noncredit categories, and result in an award of a certificate of completion or certificate of competency. Although only one of the four eligible noncredit categories may be selected for each certificate program or sequence of courses, the certificate may be comprised of any combination of eligible noncredit courses.

Application Requirements

To be eligible for enhanced funding, all career development or college preparation programs, regardless of the number of instructional hours, shall be submitted electronically on the application forms provided and approved by the Chancellor's Office. The application should contain the following information:

- Type of certificate
- Certificate Title and Taxonomy of Program Code
- Total number of instructional hours
- Total number of core courses and hours
- Total number of required electives and hours
- Explanation of the curriculum design including the need for the program, goals, and expected results and benefits of the program
- List of courses with course outlines.

Additional Criteria for Short-term Vocational Certificate Programs

In addition to the above criteria, an application for a short-term vocational program shall provide labor market information from the California Employment Development Department (EDD) to substantiate that a labor demand for the program exists. The college needs to provide the Occupational Code(s) and Job Title(s) from the EDD Occupational list provided by the System Office. If the information is not available from this list, the college may submit other reliable data. This data needs to be affirmed by the EDD consultant that is listed for the college's service area. Examples of such data could include regional economic development information, employer survey, or a request by leaders within the industry.

Granting of Certificates

Upon completion of the program or sequence of courses, the college may award either a Certificate of Completion or a Certificate of Competency.

1. A Certificate of Completion confirms that a student has completed a program or sequence of courses that prepares him/her to progress in a career path or to undertake degree applicable or non-degree applicable courses. The award shall identify the following:
 - Name of certificate
 - Date awarded
 - Taxonomy of Program Code
 - Program Discipline
 - Goals of the program
 - List of courses completed by the student

2. A Certificate of Competency confirms that a student has demonstrated achievement of a set of competencies that prepares him/her to progress in a career path or to take degree applicable or non degree applicable credit courses. The award shall identify the following:
 - Name of certificate
 - Date awarded
 - Taxonomy of Program Code
 - Program Discipline
 - List of relevant competencies achieved by the student

Modifications to Program or Sequence

A college may not add courses to a program or sequence of courses which has been approved for enhanced funding pursuant to section 55151, unless they are eligible for enhanced noncredit funding and have been individually approved by the System Office. However, there is an exception to this rule for any noncredit program which has received program approval from the System Office pursuant to sections 55152, 55153, or 55154.

Claiming Apportionment

To claim enhanced noncredit funding for a particular session or term, an application must be submitted 60 days prior to the start of that term or session. Enhanced noncredit funding can only be claimed for FTES generated after the System Office has approved the corresponding noncredit certificate application. FTES generated prior to securing approval of the noncredit certificate is not eligible for enhanced noncredit funding.

Forms and instructions for enhanced noncredit funding for career development and college preparation programs and sequences of courses should be downloaded from the Chancellor's Office website. <http://misweb.cccco.edu/cc320/noncreditapp/> (Password is required.)

Section 55153. Other Noncredit Programs Providing 288 Hours or More of Instruction.

(a) Before offering any noncredit program on or after June 30, 2008, which provides 288 hours or more of instruction in any area of noncredit instruction other than those covered by sections 55152 and 55154, the governing board of a community college district shall obtain approval of the program pursuant to this section. Each course which is to be part of the program must be approved by the college curriculum committee pursuant to subdivision (c) of section 55002.

(b) Applications shall include all of the following:

- (1) a list of courses to be included in the program;*
- (2) course outlines for all courses in the program;*
- (3) documentation of the need or demand for the program;*
- (4) a statement of the goals and objectives of the program;*
- (5) a description of the relationship of the proposed program to other programs;*

and

(6) a discussion of the possible impact of the proposed program on nearby colleges.

(c) The Chancellor shall develop forms and procedures for review and approval of programs submitted for approval pursuant to this section.

(d) A program approved pursuant to this section will only be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it also satisfies the requirements of section 55151 and the application so demonstrates. If an application for approval pursuant to section 55151 was filed prior to application for program approval under this section, materials submitted with the section 55151 application need not be resubmitted.

(e) If a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor even if the program is also approved for enhanced funding pursuant to section 55151.

(f) A district may, but is not required to, award a noncredit certificate pursuant to section 55155 to students who complete such a program, provided that such a

certificate may not be designated or referred to as a certificate of achievement, a certificate of completion or a certificate of competency unless the program is also approved for enhanced funding pursuant to section 55151.

NOTE: Authority cited: sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

Guideline for § 55153

This section provides additional details about the standards of approval for an application for noncredit programs (other than short-term vocational programs and adult high school diploma programs) providing 288 hours or more of instruction. Section 55152 addresses short-term vocational programs and was included in the Part 1 guidelines package. Adult high school diploma program approval is covered in section 55154. The application requirements contained in this section includes several of the same criteria that are also required for approval of noncredit vocational programs. This section, however, does not require an analysis of labor market need or job availability.

This section is also amended to clarify its interaction with the enhanced noncredit funding requirements contained in section 55151. The eligibility for enhanced noncredit funding for other noncredit programs subject to this section is twofold: such programs must be both approved pursuant to this section and satisfy the requirements contained in section 55151. In terms of enhanced funding, programs in only three of the four areas of noncredit instruction eligible for enhanced funding would be approved pursuant to this section since short term vocational programs are addressed in section 55152. There is also an additional clarifying modification to align this section with the program and course sequence certificate requirements for enhanced funding contained in section 55151, which require either a certificate of completion or certificate of competency in order to be eligible for noncredit enhanced funding.

Additionally, for programs that are approved by the Chancellor pursuant to this section, colleges may add additional noncredit courses without separate course approval by the System Office even if the program is also approved for enhanced noncredit funding pursuant to section 55151.

Section 55154. Adult High School Diploma Programs.

(a) Before offering any noncredit course as part of a high school diploma program on or after June 30, 2009, the governing board of a community college district shall obtain approval of its high school diploma program as provided in section 55150.

(b) For purposes of this section, the term "high school diploma program" means an organized sequence of noncredit courses designed to meet the needs of adult learners which leads to a high school diploma which is awarded by the community college district or jointly by the district and a high school.

(c) The application for approval shall include all of the following:

(1) A statement that both the local curriculum committee(s) and the district governing board have reviewed and approved the high school diploma program.

(2) Information demonstrating that there exists demand for the college to offer a high school diploma program for adult learners in the area.

(3) Coursework requirements and content standards that meet or exceed those described in subdivision (e). (4) Comprehensive descriptions of program organization, instructional support services, student services, facilities and ongoing staffing efforts to demonstrate that the district has the resources to maintain the high school diploma program.

(5) A copy of the proposed catalog description.

(6) Requirements or conditions by which a student can obtain high school credit by examination or by successfully completing college degree-applicable or nondegree-applicable credit course work and any alternative means for students to complete the prescribed course of study.

(7) A description of the student assessment procedures for academic placement in the program and a description of how the district will evaluate student progress.

(d) Once a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor even if the program has also been approved for enhanced funding pursuant to section 55151.

(e)(1) The governing board of a community college district shall confer a high school diploma upon a student who has satisfactorily completed at least 160 credits of high school level coursework and who has demonstrated competence in reading, writing, and mathematics at a level generally accepted as appropriate for award of a high school diploma. The required 160 credits of high school level course work must be fulfilled in a core curriculum consisting of courses in the categories described in paragraph (2) and accepted toward the diploma by a college within the district (as shown in its catalog). A college may accept toward satisfaction of this requirement courses that were completed at an accredited high school or college that would reasonably be expected to meet or exceed the standards of this section, provided that at least 20 of the total 160 required high school credits must be completed in residence at the college granting the diploma.

(2) The curriculum must include the indicated minimum number of high school credits in each of the areas listed below. Each course shall be of a duration sufficient to permit a student to master the content of the course as specified in the content standards described in paragraph (3).

(A) Natural Sciences. A minimum of 20 high school credits shall be required in natural sciences, including biological and physical sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the core curriculum requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category may include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.

(B) Social and Behavioral Sciences. A minimum of 30 high school credits shall be required in social and behavioral sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the core curriculum requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. Each student shall be required to complete coursework that addresses United States history and geography; world history, geography, and culture; American government and civics; and economics. This category may also include introductory or integrative survey courses in cultural anthropology, cultural geography, political science, psychology, sociology and related disciplines, as well as additional courses in economics, American government, United States history, and world history.

(C) Humanities. A minimum of 10 high school credits shall be required in humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the core curriculum requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Each student shall be required to complete one course in visual or performing arts or foreign language. This category may also include introductory or integrative courses in literature, philosophy, and religion, as well as additional courses in the arts, and foreign languages. For the purposes of satisfying the requirement specified in this paragraph, a course in American Sign Language shall be deemed a course in foreign language.

(D) English. A minimum of 30 high school credits shall be required in English. Courses in English are those which develop the principles and applications of language toward logical thought, clear and precise expression and critical evaluation. To satisfy the core curriculum requirement in English, a course shall be designed to develop reading, writing, and verbal expression skills as applicable to the needs and interests of an adult. Such courses may include introductory or integrative courses in literature and English grammar, writing strategies, and mechanics.

(E) Mathematics. A minimum of 20 high school credits shall be required in mathematics. Courses in mathematics develop the ability to reason with and apply mathematical operations and principles. To satisfy the core curriculum requirement in mathematics, a course shall be designed to help a student gain facility in the operations of mathematics as well as its practical applications. Such courses may include algebra, geometry, applied mathematics, and calculus.

(3) Course content standards for the coursework described in subdivision (2) must meet or exceed the standards for the high school curriculum established by the California State Board of Education.

(f) Notwithstanding the requirements of this section, any student enrolled in a high school diploma program prior to June 30, 2009, may receive a high school diploma based on completion of the curriculum required for the program as set forth in the college catalog in effect at the time the student first enrolled in the program; provided

the student remains continuously enrolled without a break of more than one primary term subsequent to the Spring 2009 term.

(g) In order for a high school diploma program to qualify for enhanced noncredit funding pursuant to Education Code sections 84750.5 and 84760.5, the application for approval must satisfy the requirements of section 55151.

(h) For the purposes of this section, a noncredit course awarding 10 high school credits must be designed to require a minimum of 144 hours of lecture, study or laboratory work.

NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 60851, 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

Guideline for Section 55154

The Board of Governor's action to include this section was intended to ensure that a governing board of a community college district obtains approval of its high school diploma program before it offers any noncredit course as part of a high school diploma program on or after June 30, 2009 as provided in section 55150.

This section defines a high school diploma program as a sequence of noncredit courses designed to meet the needs of adult learners which leads to a high school diploma and is awarded by the community college district or jointly by the district and a high school.

It requires specific documentation as part of the application for a high school diploma program emphasizing verification of local curriculum committee(s) and governing board review and approval of the high school diploma program content.

An application for approval shall include all of the following:

1. A statement that both the local curriculum committee(s) and the district governing board have reviewed and approved the high school diploma program.
2. Information demonstrating that there exists demand for the college to offer a high school diploma program for adult learners in the area.
3. Coursework requirements and content standards that meet or exceed the standards for the high school curriculum established by the California State Board of Education. These can be found in the following web site: <http://www.cde.ca.gov/be/st/ss/>
4. Comprehensive descriptions of program organization, instructional support services, student services, facilities and ongoing staffing efforts to demonstrate that the district has the resources to maintain the high school diploma program.
5. A copy of the proposed catalog description.
6. Requirements or conditions by which a student can obtain high school credit by examination or by successfully completing college degree-applicable or nondegree-applicable credit course work and any alternative means for students to complete the prescribed course of study. All alternative means must meet or exceed the

standards for the high school curriculum established by the California State Board of Education. These can be found in the following web site: <http://www.cde.ca.gov/be/st/ss/>

7. A description of the student assessment procedures for academic placement in the program and a description of how the district will evaluate student progress.

Once a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor even if the program has also been approved for enhanced funding pursuant to section 55151. In addition, in order for a high school diploma program to qualify for enhanced noncredit funding, the application for approval must satisfy Title 5 regulation requirements of section 55151.

The governing board of a community college district shall confer a high school diploma upon a student who has satisfactorily completed at least 160 credits of high school level coursework in the core curriculum and who has demonstrated competence in reading, writing, and mathematics at a level generally accepted as appropriate for award of a high school diploma. To implement this requirement, it may be important to review reading levels of texts used in the required categories of Natural Sciences, Social and Behavioral Sciences, and the Humanities of the high school diploma program. In addition, it may be important to review academic assessment instruments used for English and Mathematics academic placement.

A college may accept toward satisfaction of the diploma courses that were completed at an accredited high school or college that would reasonably be expected to meet or exceed the standards of this section, provided that at least 20 of the total 160 required high school credits are completed in residence at the college granting the diploma.

Any student enrolled in a high school diploma program prior to June 30, 2009, may receive a high school diploma based on completion of the curriculum required for the program as set forth in the college catalog in effect at the time the student first enrolled in the program, provided the student remains continuously enrolled without a break of more than one primary_term subsequent to the Spring 2009 term.

The curriculum for the high school diploma program must include the minimum number of high school credits indicated in each of the following categories:

A. Natural Sciences

a. Minimum Required High School Credits:

- 20 high school minimum credits are required including biological and physical sciences.

b. Course Definition:

- Courses in this category examine the physical universe, its life forms and natural phenomenon.

c. Course Focus:

- A course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities.
- Course content standards must meet or exceed the standards for high school curriculum established by the California State Board of Education. <http://www.cde.ca.gov/be/st/ss/>
- Courses in this category may include but are not limited the following introductory or integrative courses:
 1. Astronomy
 2. Biology
 3. Chemistry
 4. General Physical Science
 5. Geology
 6. Meteorology
 7. Oceanography
 8. Physical Geography
 9. Physical Anthropology
 10. Physics
 11. Other Scientific Disciplines

B. Social and Behavioral Sciences

- a. Minimum Required High School Credits:
 - 30 high school credits are required for this category.
- b. Course Definition:
 - Courses in this category examine people as members of society.
- c. Course Focus:
 - A course shall be design to promote appreciation of how societies and social subgroups operate.
 - Course content standards must meet or exceed the standards for high school curriculum established by the California State Board of Education. <http://www.cde.ca.gov/be/st/ss/>
 - In this category there are required courses that address the following areas:
 1. United States History and Geography
 2. World History
 3. Geography and Culture
 4. American Government and Civics
 5. Economics
 - Courses in this category may include but are not limited the following introductory or integrative survey courses in:
 1. Cultural Anthropology
 2. Cultural Geography
 3. Political Science
 4. Psychology
 5. Sociology
 6. Other Related Disciplines

C. Humanities

- a. Minimum Required High School Credits:
 - 10 high school credits are required for this category.
- b. Course Definition:
 - Courses in this category study the cultural activities and artistic expressions of human beings.
- c. Course Focus:
 - Courses must be designed to help students develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation.
 - Course content standards must meet or exceed the standards for high school curriculum established by the California State Board of Education. <http://www.cde.ca.gov/be/st/ss/>
 - Courses in this category help students develop aesthetic understanding and value judgments.
 - In this category there are required courses that address the following areas:
 1. Visual Arts or
 2. Performing Arts or
 3. Foreign Language, for this purpose a course in American Sign Language shall be deemed a course in foreign language

D. English

- a. Minimum Required High School Credits:
 - 30 high school credits are required for this category.
- b. Course Definition:
 - Courses in English are those which develop the principles and applications of language toward logical thought, clear and precise expression and critical evaluation.
- c. Course Focus:
 - To satisfy the core curriculum requirement in English, a course shall be designed to develop language skills in:
 1. Reading
 2. Writing
 3. Verbal ExpressionThese language skills are developed as applicable to the needs and interest of an adult.
 - Course content standards must meet or exceed the standards for high school curriculum established by the California State Board of Education. <http://www.cde.ca.gov/be/st/ss/>
 - Courses in this category may include but are not limited the following introductory or integrative courses in:
 1. Literature
 2. English Grammar

3. Writing Strategies
4. English Language Mechanics

E. Mathematics

- a. Minimum Required High School Credits:
 - 20 high school credits are required for this category.
- b. Course Definition:
 - Courses in Mathematics develop the ability to reason with and apply mathematical operations and principles.
- c. Course Focus:
 - Courses in this category shall be designed to help a student gain facility in the operations of mathematics as well as its practical applications.
 - Course content standards must meet or exceed the standards for high school curriculum established by the California State Board of Education. <http://www.cde.ca.gov/be/st/ss/>
 - Courses in this category may include but are not limited to:
 1. Algebra
 2. Geometry
 3. Applied Mathematics
 4. Calculus

For the purposes of this Title 5 Regulation section, a noncredit course within all categories of the high school diploma program awarding 10 high school credits must be designed to require a minimum of 144 hours of lecture, study or laboratory work.

Section 55253. College Credit and Repetition.

(a) For the satisfactory completion of all types of Cooperative Work Experience Education, students may earn up to a total of 16 semester credit hours or 24 quarter credit hours, subject to the following limitations:

(1) General Work Experience Education.

A maximum of six semester credit hours or nine quarter credit hours may be earned in general work experience education.

(2) Occupational Work Experience Education.

A maximum of eight credit hours may be earned in occupational work experience education during one enrollment period up to a total of 16 semester or 24 quarter credit hours.

(b) If a college offers only one course in occupational work experience in a given field and that course is not offered as a variable unit open-entry/open-exit course, the district policy on course repetition adopted pursuant to section 55040 may permit a student to repeat that course any number of times so long as the student does not exceed the limits on the number of units of cooperative work experience education set forth in subdivision (a). Consistent with section 58161, attendance of a student repeating a cooperative work experience course pursuant to this subdivision may be claimed for state apportionment.

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

Guideline for Section 55253

Section 55253 permits students to earn the full number of units of cooperative work experience education allowed. If a college offers only one course in occupational work experience that is not offered as a variable unit open-entry/open-exit course, the district policy may permit the student to repeat the course any number of times so long as the student hasn't exceeded the unit limitation. This change allows a student to repeat, for example, a one-unit occupational work experience course until the student has completed 16 semester units in that course.

Per section 58161(h), the attendance of a student repeating a cooperative work experience course pursuant to section 55253 may be claimed for apportionment without limitation, to the extent that the student does not exceed the applicable unit limitation.

Section 55254. Student Qualifications.

In order to participate in Cooperative Work Experience Education students shall meet the following criteria:

(a) Pursue a planned program of Cooperative Work Experience Education which, in the opinion of the Instructor/Coordinator, includes new or expanded responsibilities or learning opportunities beyond those experienced during previous employment.

(b) Have on-the-job learning experiences that contribute to their occupational or education goals.

(c) Have the approval of the academic personnel.

(d) Meet the following condition if self-employed: Identify a person who is approved by academic personnel to serve as the designated employer representative. This representative shall agree in writing to accept the following employer responsibilities:

(1) Assist the student in identifying new or expanded on-the-job learning objectives.

(2) Assist in the evaluation of the student's identified on-the-job learning objectives.

(3) Validate hours worked.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

Guideline for Section 55254

This section is amended to delete requirements related to enrollment in the parallel or alternate plans of cooperative work experience education, which were removed from section 55253 in the first phase of revisions to chapter 6 that were previously adopted and that became effective on August 16, 2007.

Section 55255. District Services.

(a) The district shall provide sufficient services for initiating and maintaining on-the-job learning stations, coordinating the program, and supervising students. The supervision of students shall be outlined in a learning agreement coordinated by the college district under a state-approved plan. The employer and the qualified Community College Instructor/Coordinator shall share responsibility for on-the-job supervision, which shall include but not be limited to:

(1) Instructor/Coordinator consultation in person with employers or designated representatives to discuss students' educational growth on the job.

(2) Written evaluation of students' progress in meeting planned on-the-job learning objectives.

(3) Consultation with students in person to discuss students' educational growth on the job.

(b) The district shall provide the above services at least once each quarter or semester for each student enrolled in the Cooperative Work Experience Education. Qualified adjunct faculty may be hired from other institutions to develop the learning contracts and make the "in-person" consultation for a student that is out of a college's geographical region, state, or in another country. For legally indentured apprentices, the requirements of this section may be delegated to the Joint Apprenticeship Committee in order to avoid duplication of supervisory services. The responsibility for compliance with Education Code and title 5 Cooperative Work Experience Education requirements remains with the college.

(c) In certain limited situations that will be defined in guidelines issued by the Chancellor, the district may substitute approved alternatives to "in person" consultations. The guidelines will specify the types of alternatives which districts may approve and the circumstances under which they may be used. In establishing and maintaining guidelines on such alternatives, the Chancellor shall consult with, and rely primarily on the advice and judgment of, the statewide Academic Senate and shall provide a reasonable opportunity for comment by other statewide and regional representative groups.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70902 and 78249, Education Code.

Guideline for Section 55255

This section describes services that the district must provide in support of cooperative work experience placements. Subdivisions (a) and (b) require the college to assign an academic employee to conduct an in-person visit with the employer at least once each term. Subdivision (c) is added to allow colleges to substitute approved alternatives to “in person” consultations. While alternatives may include electronic and phone meetings, given certain criteria are met, the statewide Academic Senate and other statewide and regional representative groups will prepare material that describes the appropriate alternatives and when they may be used. Guidance regarding alternatives to “in person” instruction will be distributed in a separate document which will then enable the college to implement options.

Section 55502. Definitions.

For purposes of this subchapter, the following definitions shall apply:

(a) *“Matriculation” means a process that brings a college and an enrolled student into an agreement for the purpose of realizing the student's educational goal through the college's established programs, policies, and requirements. This agreement is to be implemented by means of the student's individual educational plan developed pursuant to section 55525.*

(b) *“Assessment” means the process of gathering information about individual students to facilitate student success. Assessment shall include, but is not limited to, information regarding the student's study skills, English language proficiency, computational skills, aptitudes, goals, learning skills, career aspirations, academic performance, and need for special services. Assessment involves the collection of such information at any time before or after enrollment, except that the process by which an instructor assigns a grade or otherwise evaluates the extent to which a student has achieved the objectives of a course shall not be considered part of the assessment process. Once a grade has been assigned and recorded on a student's transcript, it can be used in the assessment process.*

(c) *“Assessment instruments, methods, or procedures” means one or more assessment instruments, assessment methods, or assessment procedures, or any combination thereof. These include, but are not limited to, interviews, standardized tests, holistic scoring processes, attitude surveys, vocational or career aptitude and interest inventories, high school or college transcripts, specialized certificates or licenses, educational histories and other measures of performance. The term “assessment instruments, methods, or procedures” also includes assessment procedures such as the identification of test scores which measure particular skill levels, the administrative process by which students are referred for assessment, the manner in which assessment sessions are conducted, the manner in which assessment results are made available, and the length of time required before such results are available. The term “assessment instrument” does not include a test which is used solely to determine whether a student who has formally challenged a prerequisite or corequisite pursuant to subdivision (m)(4) of section 55003 has the knowledge or ability to succeed in a course or program despite not meeting the prerequisite or corequisite.*

(d) *“Disproportionate impact” occurs when the percentage of persons from a particular racial, ethnic, gender, age or disability group who are directed to a particular service or placement based on an assessment instrument, method, or procedure is significantly different from the representation of that group in the population of persons being assessed, and that discrepancy is not justified by empirical evidence demonstrating that the assessment instrument, method or procedure is a valid and reliable predictor of performance in the relevant educational setting.*

(e) *“Exemption” means waiving or deferring a student's participation in orientation, assessment, counseling, or advisement required pursuant to subdivisions (b), (c), and (f) of section 55520.*

(f) *“Matriculation services” are those services listed in section 55520.*

(g) *“Matriculation practices” means one or more instruments, methods, or procedures, or any combination thereof, used in providing any of the matriculation services listed in section 55520.*

(h) *“Orientation” is a process which acquaints students and potential students with college programs, services, facilities and grounds, academic expectations, and institutional procedures.*

(i) *“Student follow-up” is the process of monitoring a student's progress toward his or her educational goals and providing the student with appropriate advice based on the results of such monitoring.*

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 78212 and 78213, Education Code.

Guideline for Section 55502

This section of Title 5 provides uniform definitions of primary Matriculation components. A major change in regulatory language in Section 55502(a) is the elimination of the provision for providing Matriculation services exclusively to students enrolled for credit. During the 1996-97 legislative session, AB 1542 and AB 107 were passed, extending Matriculation services to noncredit students enrolled in the following selected noncredit courses:

- Elementary and Secondary Basic Skills;
- English as a Second Language;
- Disabled/Adults with Disabilities;
- Citizenship/Immigrant;
- Parenting, and
- Short-Term Vocational courses

This action also necessitated the elimination of Section 55502(h) which defined the term, “student” as any one enrolled in at least one credit course. Section 55502(b) has been revised to include the statement, “...the process by which an instructor assigns a grade or otherwise evaluates the extent to which a student has achieved the objectives of a course...” This is in recognition of the fact that noncredit instruction will make an evaluation of a student’s progress or completion in a noncredit course on factors that are not based upon a letter grade when the course is completed.

The following sentence was added to Section 55502(c): The term "assessment instrument" does not include a test which is used solely to determine whether a student who has formally challenged a prerequisite or corequisite pursuant to subdivision (m)(4) of section 55003 has the knowledge or ability to succeed in a course or program despite not meeting the prerequisite or corequisite.

This new language reflects the fact that many districts use a writing sample as the basis of the challenge procedure for determining a student's ability to meet a prerequisite or corequisite. Since it is so infrequently used, the number of students given this sample is too small to validate the writing sample as an approved assessment instrument. For this purpose only, this regulation permits colleges to use a test not on the list of approved instruments when students want to challenge a prerequisite or corequisite.

Section 55521. Prohibited Practices.

(a) In implementing matriculation services, community college districts shall not, except as provided in subdivision (b), do any of the following:

(1) use an assessment instrument which has not been approved by the Chancellor pursuant to section 55524, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment instruments, where such instruments are not used for placement and are evaluated only in order to determine whether they should be added to the list of approved instruments;

(2) use any assessment instrument in a manner or for a purpose other than that for which it was developed or has been otherwise validated;

(3) use any single assessment instrument, method or procedure, by itself, for placement, required referral to appropriate services, or subsequent evaluation of any student; provided however that, in the case of assessment instruments, the use of two or more highly correlated instruments does not satisfy the requirement for use of multiple measures;

(4) use any assessment instrument, method or procedure to exclude any person from admission to a community college, except that a college may determine the admission of special part-time or full-time students under Education Code section 76002 based on an assessment which involves multiple measures and complies with other requirements of this subchapter;

(5) use any assessment instrument, method or procedure for mandatory placement of a student in or exclusion from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to sections 55002 and 55003; or

(6) use any matriculation practice which has the purpose or effect of subjecting any person to unlawful discrimination prohibited by subchapter 5 (commencing with section 59300) of chapter 10.

(b) Notwithstanding the provisions of subdivisions (a)(1) and (2), assessment instruments approved by the Secretary of the United States Department of Education may be used to determine "ability to benefit" in the process of establishing a student's eligibility for federal financial aid pursuant to subdivision (d) of section 1091 of title 20 of the United States Code.

(c) Notwithstanding paragraphs (1), (2), (3) or (5) of subdivision (a) or the provisions of sections 55003 or 55524, a community college district may use an assessment test to select students for its nursing program, provided that:

(1) the district complies with all other provisions of this subchapter;
(2) the assessment instrument is used in conjunction with other assessment instruments, methods or procedures to select students for enrollment in the nursing program; and

(3) the Chancellor has determined that the assessment instrument predicts likelihood of success in nursing programs, has approved use of the assessment instrument for that purpose and has established statewide proficiency cut-off scores for that instrument pursuant to Education Code section 78261.

NOTE: Authority cited: Section 11138, Government Code; and Sections 66700 and 70901, Education Code. Reference: Section 11135, Government Code; and Sections 72011, 76002, 78211, 78213 and 78261, Education Code.

Guideline for Section 55521

A revision was made to the language in Section 55521(a) (4) in order to permit colleges to base the decision to admit a special part or full-time student on an assessment process using multiple measures and, if a test is included, to use only an approved instrument on the Chancellor's list.

In Section 55521(c), the Matriculation regulation has been revised to reflect legislation that permits nursing programs to use an assessment test to select students rather than place them into the nursing curriculum. This means that the test used for student selection will not be on the Chancellor's list of approved assessment instruments. Although permitting student selection in nursing programs, section 55521(c) requires that multiple measures be used, that a test used for student selection must be valid, and that a statewide cut score is consistently applied. When selecting and applying multiple measures, colleges cannot use two or more assessment instruments that are highly correlated (.75 correlation or above) and any test used in combination with the test used for student selection must be on the list of approved instruments

Section 55523. Counseling and Advisement.

(a) If not already required to do so by the minimum standards for counseling services set forth in section 51018, each community college district shall do all of the following:

(1) make reasonable efforts to ensure that all nonexempt students who are on probation participate in counseling as provided in section 55034;

(2) make reasonable efforts to ensure that all nonexempt students who have not declared a specific educational goal participate in counseling to assist them in the process of selecting a specified educational goal pursuant to section 55525;

(3) make reasonable efforts to ensure that all nonexempt students who are enrolled in nondegree-applicable basic skills courses participate in counseling or advisement; and

(4) make available to all students, advisement or counseling on general academic requirements and the selection of specific courses by counselors or appropriately trained instructor/advisors, and/or other appropriately trained staff working in consultation with counselors.

(b) Counseling by appropriately trained counselors or advisement by appropriately trained staff may also be made available in any other area the district deems appropriate, including but not limited to, the interpretation of assessment results and the development of a student's educational plan as required by section 55525.

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

Guideline for Section 55523

This section discusses the counseling component of Matriculation and has been amended to eliminate a reference to students being defined as those enrolled for credit.

Section 55532. Exemptions.

(a) Community college districts may elect to exempt certain students from participation in orientation, assessment, counseling or advisement, as required by subdivisions (b), (c), or (d) of section 55520. Each such district shall establish policies specifying the grounds for exemption. Such policies shall be identified in the matriculation plan required under section 55510 and the number of students so exempted shall be reported, by category, to the Chancellor pursuant to section 55514.

(b) District policies may exempt from orientation, assessment, counseling, or advisement any student who has completed an associate degree or higher.

(c) Any student exempted pursuant to this section shall be notified that he or she is covered by an exemption and shall be given the opportunity to choose whether or not to participate in that part of the matriculation process.

(d) District policies may not use any of the following as the sole criterion for exempting any student who does not wish to participate:

- (1) the student has enrolled only in evening classes;*
- (2) the student has enrolled in fewer than some specified number of units;*
- (3) the student is enrolled exclusively in noncredit courses;*
- (4) the student is undecided about his or her educational objectives; or*
- (5) the student does not intend to earn a degree or certificate.*

(e) As part of the statewide evaluation provided for under subdivision (c) of section 55512, the Chancellor shall analyze and recommend necessary changes regarding the impact on the matriculation program of the exemption policies adopted by community college districts.

NOTE: Authority cited: Sections 66700, 70901, and 78215, Education Code. Reference: Section 78215, Education Code.

Guideline for Section 55532

Section 55532 permits districts to adopt policies exempting certain students from participating in some components of the Matriculation process. This regulation lists criteria that cannot be used as the sole basis for an exemption. In 55532(d) (3), language was added to specify that a district may not exempt students from the matriculation program solely because they are enrolled exclusively in noncredit courses. Districts could include noncredit students in exemption categories, but a student should not be exempted from Matriculation due to being enrolled exclusively in noncredit courses.

Section 58003.1. Full-time Equivalent Student; Computation.

(a) Pursuant to the provisions of section 58051, the units of full-time equivalent student for apportionment purposes shall be computed for courses, including those delivered by distance education under article 1 (commencing with section 55200) of subchapter 3 of chapter 6, based on the type of course, the way the course is scheduled, and the length of the course.

(b) The governing board of each community college district shall, for each of its colleges or its district, select and establish a single primary term length for credit courses that are scheduled regularly with respect to the number of days of the week and the number of hours the course meets each week, inclusive of holidays. The units of full-time equivalent student of credit courses scheduled coterminously with the term, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the student contact hours of active enrollment as of Monday of the weeks nearest to one-fifth of the length of the term, unless other weeks are specified by the Chancellor to incorporate past practice, by the term length multiplier, and divided by 525. The term length multiplier for attendance accounting purposes shall be determined in accordance with this chapter, provided that the maximum multiplier for semester length terms shall be 17.5 and the maximum multiplier for quarter length terms shall be 11.67.

(c) For credit courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the college's primary term established pursuant to subdivision (b), or scheduled during the summer or other intersession, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the daily student contact hours of active enrollment as of the census days nearest to one fifth of the length of the course by the number of days the course is scheduled to meet, and dividing by 525.

(d) For credit courses scheduled to meet for fewer than five days, and all credit courses scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience

education courses, shall be computed by dividing actual student contact hours of attendance by 525.

(e) For all open entry-open exit credit courses and for all noncredit courses otherwise eligible for state aid, except those described in subdivision (f), the units of full-time equivalent student shall be computed by dividing actual student contact hours of attendance by 525.

(f) For distance education courses not computed using other attendance accounting procedures described in this section and for independent study and cooperative work-experience education courses, the following alternative attendance accounting procedure shall be used:

(1) For credit courses, for purposes of computing full-time equivalent student only, one weekly student contact hour shall be counted for each unit of credit for which a student is enrolled in one of those courses. The full-time equivalent student of those courses shall be computed by multiplying the units of credit for which students are enrolled as of the census day prescribed in subdivision (b) or (c), as appropriate, for the primary term or intersession and duration for which the course is scheduled, by the term length multiplier as provided for in subdivision (b), and dividing by 525.

(2) For noncredit course sections covered by this subdivision, for purposes of computing full-time equivalent student only, weekly student contact hours shall be derived by counting the total hours of instruction or programming received by the students, plus instructor contact as defined in sections 55204 or 55234, plus outside-of-class work expected as noted in the course outline of record and approved by the curriculum committee, and dividing the total number of hours for the course thus derived by 54. Hours of instruction or programming received shall be independently verified by the instructor using a method or procedure approved by the district according to policies adopted by the local governing board as required by section 58030. Full-time equivalent student for such noncredit course sections shall be computed by:

(A) multiplying the average of the number of students actively enrolled in the section as of each census date (those dates nearest to one-fifth and three-fifths of the length of the course section) by,

(B) the weekly student contact hours as derived above in this section, by

(C) the primary term length multiplier of 17.5, and

(D) dividing by 525.

(g) Notwithstanding subdivisions (b) and (c) of this section, the units of full-time equivalent student for any credit course other than independent study and cooperative work-experience education courses may, at the option of the district, be computed by dividing the actual student contact hours of attendance by 525. When a district chooses to exercise the option of computing attendance for any course section by the actual student contact hour's method, such method must be used consistently for all attendance accounting for that section.

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

Guideline for Section 58003.1

Distance Education (DE) offerings have been mainstreamed. To effectuate this change, section 58003.1 was revised, effective July, 2002, to reflect the ability of colleges to compute DE Full Time Equivalent Student (FTES) using the same attendance accounting procedures available to a classroom-based course/section (traditional delivery). Additionally at that same time, section 55370, which previously stated, “all distance education is independent study” was deleted. Section 58056 was also revised to exempt DE courses from the “immediate supervision and control” requirements prescribed by that section. It should be noted that prior to the revision of section 58003.1, section 55370, which as noted above has been deleted, did permit “fully interactive” DE courses to use attendance procedures other than IS/WEE. ***The July, 2002, revision to section 58003.1 made it even clearer that DE courses can apply any attendance procedure that they are eligible to use based on the specific criteria applicable to each procedure.***

This section, which describes the several available attendance accounting procedures, has then been further amended in subsection (f) to make technical changes which clarify the treatment of distance education courses. All other provisions of the section remain unchanged. The amendment establishes an “alternative attendance accounting procedure “ (previously referred to as the Independent Study or Work–Experience Attendance Procedure) which can be used to calculate FTES for apportionment purposes for independent study, cooperative work experience, and most importantly in this context also for distance education courses not computed using the other attendance accounting procedures described in this section. For credit distance education courses this alternative method generally consists of counting one weekly student contact hour (WSCH) for each unit of credit for which a student is enrolled (an exception to this general rule is discussed below). For noncredit distance education courses this alternative method consists of determining a WSCH factor from the quotient of the total hours of instruction or programming, plus other allowable instructor contact, plus authorized outside-of-class work expected as noted in the course outline of record, divided by 54. The resultant figure becomes the WSCH to be used when calculating census FTES for noncredit distance education courses.

In spite of the changes noted above, other essential requirements and criteria applicable to the various attendance accounting procedures continue to apply. For example, Title 5 sections 58003.1(b) and (c) relative to counting the student contact hours of active enrollment in the census based attendance procedures have not been amended--and as indicated above, they speak of “regularly scheduled” days and hours. Also, Title 5 section 58023 requires that the class (contact) hour unit for classes be not less than 50 consecutive minutes. Title 5 sections 58000 and 58030 also continue to require detailed tabulations of all course enrollment and attendance and appropriate support records. The Actual Hours of Attendance procedure (Positive Attendance) provided by Title 5 section 58003.1(d) can be used if the course is irregularly scheduled and all applicable requirements are met. If the DE courses cannot meet all of the

criteria applicable to the attendance procedures provided by section 58003.1(b), (c), or (d) they must be accounted for using the alternative attendance accounting procedure detailed in section 58003.1(f) and section 58009. The majority of asynchronous online DE courses will likely use this alternative attendance accounting procedure as they are not regularly scheduled nor adhere to the guidelines for “to-be-arranged” scheduling. It should be noted that there will typically be no loss of FTES when the alternative method as described in section 58003.1(f) is employed, unless students are being granted fewer units of credit than would be typical (e.g., if students earned only 3 units for a course that meets for 4 hours each week of the term). A complete explanation of these and other essential attendance accounting and reporting requirements are provided in the *Student Attendance Accounting Manual* (Chapters 1 and 3.)

Thus, **Credit DE courses** can calculate FTES in one of four ways:

- **Weekly Student Contact Hour Procedure (Weekly Census):** Credit DE courses that are regularly scheduled with respect to the number of days of the week and the number of hours the course meets on each scheduled day and scheduled coterminously with the primary term can compute FTES under Section 58003.1(b). Instruction must occur each scheduled class meeting and students and instructor must be able to interact during the class session via some sort of communication technology. An example of a regularly scheduled Credit DE course might be a telecourse that is broadcast at the same time(s) every week of the primary term.
-
- **Daily Student Contact Hours Procedure (Daily Census):** Credit DE courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the primary term can compute FTES under section 58003.1(c). Instruction must occur each scheduled class meeting and students and instructor must be able to interact during the class session via some sort of communication technology.

[Note: The Student Attendance Accounting Manual (Chapter 3) provides specific guidance for the “To Be Arranged” (TBA) scheduling option as applicable to Weekly or Daily Census procedure courses. Under this scheduling option, students adhere to individual schedules for meeting with the instructor as opposed to a single scheduled time for all students. However, each individual schedule continues to be based on regular weekly or daily contact hours depending on the applicable census based attendance procedure. In the case of DE courses, the regular contact could be met through online chat rooms, e-mail discussions, or other communication technology that allows for actual interaction between the student and the instructor. Please review the Student Attendance Accounting Manual (Chapter 3) for additional guidance on the TBA scheduling option. While the TBA scheduling option is permissible for credit DE courses, it is not anticipated that this would commonly be used.]

- **Actual Hours of Attendance Procedure (Positive Attendance):** Credit DE courses scheduled for fewer than five days or that are scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days can use the Positive Attendance procedure under section 58003.1(d). Instruction must occur each scheduled class meeting and students and instructor must be able to interact during the class session via some sort of communication technology. If a college/district wishes to use this attendance procedure for the computation of FTES, the college/district must keep track of the actual student contact hours for the course. It is possible for some Internet-based DE courses to apply to the Positive Attendance procedure. As with the weekly and daily census accounting procedures, this is an option not likely to be commonly employed for credit DE courses.
- **Alternative Attendance Accounting Procedure:** If a DE course is not structured so that it will qualify to use either the weekly or daily census procedure, and the college/district does not wish to keep track of actual student contact hours of attendance for the purposes of computing FTES, the college/district may choose to conduct the course using the alternative attendance accounting procedure under section 58003.1(f).

Please note that prior to a change to section 58009 approved by the Board of Governors at their January 2006 meeting, there was the possibility of a significant difference in the amount of FTES generated between an independent study or distance education **lab** course and a traditional delivery **lab** course. The reason is that the alternative method procedure, at that time known as the Independent Study/Work Experience Attendance Accounting Procedure, **previously used only the number of units of credit** as the basis for determining the student contact hours [§58003.1(f)(1)], while the Weekly Census, Daily Census, and Positive Attendance procedures use either the student contact hours of active enrollment or the actual **number of student contact hours of attendance** [§58003.1 (b, c, or d)]. For example, in a traditional one-unit weekly census **lab** course a student would attend class for three hours a week for 17.5 weeks (52.5 contact hours per student). If this same **lab** course was conducted as an independent study or DE alternative method course, the weekly contact hours would have been based on the number of units and would therefore only generate 17.5 contact hours per student (1 unit of credit x 17.5 weeks = 17.5 hours per student). This is the reason why Section 58009 was amended to permit weekly student contact hours in distance education or independent study laboratory courses to be calculated as equivalent to those hours which would be generated for the same student effort in a laboratory course not computed using the alternative method such as in a lab course offered on campus. The latest changes to section 58003.1(f) and 58009 are intended to explicitly indicate that the provisions included in those sections also cover certain distance education courses.

If a separate course section identifier code is used for the course, the appropriate attendance procedure for the computation of FTES must be determined by considering the applicable criteria for Weekly Census, Daily Census, Positive Attendance, or Alternative Method such as one offered in a lab on campus, sections 58003.1 (b), (c), (d) or (f). Weekly and Daily Census computations are similar and, therefore, have been combined for the purposes of illustration.

The following are examples of the FTES computation for a course using the Weekly/Daily Census, Positive Attendance, and Alternative Method attendance accounting procedures.

Example 1

Computation of per student FTES for a three unit course

A. Weekly/Daily Census

3 hours of weekly student contact x 17.5 weeks in semester = 52.5 hours
 $52.5/525 \text{ hours} = .10 \text{ FTES}$

B. Positive Attendance

$52.5 \text{ actual student contact hours of attendance}/525 = .10 \text{ FTES}$

C. Alternative Method

3 units of credit x 17.5 weeks in semester = 52.5 hours
 $52.5/525 \text{ hours} = .10$

Example 2

Computation of FTES in a three-unit course with 20 enrolled students

A. Weekly/Daily Census

Each student would generate three hours of weekly student contact as of the census. The computation of FTES in a traditional one-unit term-length (17.5 weeks) course is:

$3 \text{ hours} \times 20 \text{ students} \times 17.5 \text{ weeks} = 1,050 \text{ hours}$
 $1,050/525 = 2 \text{ FTES}$

B. Positive Attendance

In this example, each student can generate a maximum of 52.5 contact hours of attendance if the student is not "absent" for any of the instruction. In this example, all students were in attendance for all the hours of instruction.

$52.5 \text{ total actual hours of attendance per student} \times 20 \text{ students} = 1,050 \text{ hours}$

$$1,050/525 = 2 \text{ FTES}$$

C. Alternative Method

The computation is based on the number of units of credit in which the student is enrolled as of the census. The computation of FTES in a three-unit term length (17.5 weeks) course is:

$$3 \text{ units} \times 20 \text{ students} \times 17.5 \text{ weeks} = 1050 \text{ hours}$$
$$1050/525 = 2 \text{ FTES}$$

In any of the above situations, the students will need to engage in an additional two (2) hours per week of educational activity for each one (1) hour of "lecture" time in order to meet the Carnegie Unit requirements for academic credit.

Noncredit DE Courses

As prescribed by title 5 section 58003.1(f)(2), noncredit DE courses continue to have only one attendance accounting procedure available to them. The noncredit DE procedure requires two census points (one-fifth and three-fifths point in the length of each course) in which student contact hours and active enrollment are determined. The average of the contact hours generated at these two points are divided by 525 to compute FTES. Detailed guidance applicable to this procedure is provided in the Student Attendance Accounting Manual (Chapter 3).

Section 58006. Application of Actual Student Contact Hours of Attendance Procedure.

The actual student contact hours of attendance procedure is based upon a count of students present at each course meeting, and shall apply to:

(a) All credit courses (exclusive of independent study, work experience and distance education courses computed using the alternative attendance accounting procedure described in subdivision (f) of section 58003.1) scheduled to meet for fewer than five days, or credit courses of five or more days which are scheduled irregularly with respect to the number of days of the week and the number of hours the course meets;

(b) All open entry/open exit courses;

(c) All noncredit courses otherwise eligible for state aid except those computed using the alternative attendance accounting method described in subdivision (f)(2) of section 58003.1;

(d) In-service training courses in the areas of police, fire, corrections, and other criminal justice system occupations as defined in subdivision (c) of section 58051.

(e) The attendance of students other than indentured apprentices who are actively enrolled in apprenticeship courses of related and supplemental instruction.

(f) A district may use, but shall not be required to use the actual student contact hours of attendance procedure for any other credit course, exclusive of independent study and work experience education courses, which it offers.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 84500, Education Code.

Guideline for Section 58006

This section provides additional detail concerning the positive attendance accounting procedure. It is amended to clarify the application of that procedure to distance education courses so as to conform with changes made to section 58003.1. All other provisions of the section remain unchanged.

Section 58007. Noncredit Courses.

Contact hours of enrollment in noncredit courses, except for noncredit courses using the Alternative attendance accounting procedure described in subdivision (f)(2) of section 58003.1, shall be based upon the count of students present at each course meeting. Full-time equivalent student in noncredit courses shall be computed by dividing the sum of contact hours of enrollment by 525, except for noncredit courses using the alternative attendance Accounting procedure described in section 58003.1(f)(2).

Nonresidents may be claimed for purposes of calculating full-time equivalent student only if they are living in California during the period of attendance and are otherwise eligible for such purposes as provided in this chapter.

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

Guideline for Section 58007

This section provides additional detail concerning the attendance accounting procedure to be used for noncredit courses. It is amended to conform with changes made to section 58003.1. All other provisions of the section remain unchanged.

The primary student attendance accounting procedure for all but DE noncredit courses consists of a count of students present at each class meeting (positive attendance), with the FTES measure being achieved by dividing that sum of contact hours by 525. For DE noncredit courses an alternative method is authorized for determining full time equivalent student attendance, as described in section 58003.1 (f) (2). For purposes of deterring weekly student contact hours, the procedure consists of adding together the total hours of instruction or programming, plus any additional “regular effective contact” as described in section 55204, plus any outside-of-class work noted in the course outline of record and approved by the curriculum committee, and then dividing that sum by 54. Detailed guidance applicable to this procedure is provided in the Student Attendance Accounting Manual (Chapter 3).

Section 58009. Application of Alternate Attendance Procedure for Independent Study, Work-Experience and Certain Distance Education Courses.

(a) For independent study, cooperative work-experience and distance education courses using the attendance accounting procedure specified in subdivision (f) of section 58003.1, one weekly student contact hour shall be counted for each unit of credit for which the student is enrolled as of the census day prescribed in section 58003.1(b) or (c), except for independent study or distance education laboratory courses. For independent study or distance education laboratory courses, weekly student contact hours shall be equivalent to those which would be generated for the same student effort in a laboratory course computed pursuant to subdivisions (b) or (c) of section 58003.1. For purposes of this section only, a "distance education laboratory course" means a distance education course which consists partly or exclusively of laboratory work.

(b) For credit courses, full-time equivalent student in courses described in subdivision (a) offered during primary terms is computed by multiplying the weekly student contact hours authorized pursuant to subdivision (a), generated as of the census date prescribed in section 58003.1(b) by the term length multiplier as provided for in section 58003.1, and dividing by 525.

(c) For noncredit courses described in subdivision (a), full-time equivalent student is computed on a census basis as prescribed in section 58003.1(f)(2).

(d) Full-time equivalent student in credit courses described in subdivision (a) which are conducted during a summer or other intersession is computed by multiplying the weekly student contact hours, authorized pursuant to subdivision (a) of this section, generated in each course, by a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such Courses conducted in the primary terms, and dividing by 525.

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

Guideline for Section 58009

This section provides additional detail concerning the attendance accounting procedure to be used for independent study and work-experience courses. It is amended to also cover certain distance education courses so as to conform with changes made to section 58003.1 Full-time Equivalent Student; Computation.

Weekly Student Contact Hours (WSCH) in credit distance education laboratory courses shall be determined by counting student contact hours in the same manner as in credit non-distance education laboratory courses (e.g., the contact hours that would have been generated had the course been taught on campus). Non-laboratory credit distance education or independent study courses on the alternative attendance accounting procedure must still determine WSCH based on the number of units of credit. For purposes of this provision only, a "distance education laboratory course" means a distance education course which consists partly or exclusively of laboratory

work. The following are examples of the FTES computations for a credit distance education or independent study laboratory course on the alternative attendance accounting procedure.

Example 1

Computation of a 1 unit distance education or independent study laboratory course (semester length course)

3 WSCH to represent the contact hours that would have normally been generated had the 1-unit laboratory course not been on the alternative attendance accounting procedure – $3 \text{ WSCH} \times 30 \text{ students} \times 17.5 \text{ Term Length Multiplier (TLM)} = 1,575 \text{ hours}$ $1,575/525 = 3.0 \text{ FTES}$.

Example 2

Computation of a 1 unit Distance Education or Independent Study Laboratory course (Short Term Course)

3 WSCH to represent the contact hours that would have normally been generated had the 1-unit laboratory course not been on the alternative attendance accounting procedure and had actually been conducted during a primary term – $3 \text{ WSCH} \times 30 \text{ students} \times 17.5 \text{ TLM}^* = 1,575 \text{ hours}$ $1,575/525 = 3.0 \text{ FTES}$.

* Section 58009(d) allows districts to use a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such courses conducted in the primary term – (in this example, the course length multiplier used is 17.5 even though the shortened term is only 8 weeks in length).

FTES for non credit distance education laboratory courses shall be computed on a census basis as prescribed in section 58003.1 (f)(2).

See Guideline for section 58003.1 for additional information concerning the alternative attendance accounting procedure.

Section 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 or subject to dismissal, 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 exist 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.

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

Guideline for Section 58106

This section sets forth rules applicable to enrollment limitations. It generally prohibits limiting enrollment based on factors which would involve an evaluation of the student's ability to succeed in the course because such factors would usually be expected to be validated as prerequisites. The amendment to this section in subsection (b) (5) permits the use of such factors if they are part of a selection procedure expressly authorized by statute.

Section 58160. Noncredit Course Funding.

(a) In order to be eligible to be claimed for state apportionment, a noncredit course must be approved pursuant to sections 55002 and 55150 and fall into one of the following statutory categories:

(1) elementary and secondary basic skills courses and other courses such as remedial academic courses in reading, mathematics, and language arts;

(2) courses in English as a second language, including vocational English as a second Language;

(3) short-term vocational courses and programs with high employment potential;

(4) workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision making, problem solving skills, and other courses required for preparation to participate in job-specific technical training;

(5) courses in citizenship for immigrants;

(6) parenting, including parent cooperative preschools, courses in child growth and development and parent-child relationships;

(7) courses and programs for persons with substantial disabilities;

(8) courses and programs for older adults;

(9) courses and programs in home economics; and

(10) courses in health and safety education.

(b) The provisions of sections 58050, 58051, 58051.5, 58130 and related provisions of this chapter also apply in determining whether a noncredit course is eligible for funding.

(c) In order to be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5, a career development or college preparation noncredit course must be part of a program or sequence of courses approved by the Chancellor pursuant to section 55151. (d) Courses of the type described in section 55151 may not be claimed for enhanced funding if they are not part of a program or sequence of courses which is approved by the Chancellor pursuant to that section, but such courses may continue to be offered and be claimed for basic noncredit funding, provided that each individual course has been approved by the Chancellor pursuant to section 55150 and falls into one of the categories described in subdivision (a).

NOTE: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code.

Reference: Sections 70901, 84500, 84750.5, 84757 and 84760.5, Education Code.

Guideline for Section 58160

This section identifies ten noncredit categories of instruction that are eligible for state apportionment, including a new category on workforce preparation. This change was a result of SB361, which broadened the scope of basic skills workforce preparation. Noncredit courses in workforce preparation in the basic skills of speaking, listening, reading, writing, mathematics, decision making, problem solving and other areas should help prepare students for service in the 21st century workplace which requires employees to read, write, and perform mathematical calculations as they make decisions and solve problems and engage in teamwork in changing environments.

Additional modifications to the noncredit category for immigrants resulted in all of ESL and VESL being placed in a single noncredit category and courses in citizenship for immigrants in a separate category of its own. Courses in citizenship may include, but not be limited to, such subjects as U.S. history, state and community civics and the United States Constitution.

Section 58161. Apportionment for Course Repetition.

A community college district may claim the attendance of students who repeat credit courses for state apportionment only if so authorized by this section and if all other requirements of this chapter are satisfied.

(a) Where substandard academic work (as defined in section 55040) has been recorded for the attendance of a student in a credit course, apportionment may be claimed for a maximum of two repetitions of the course to alleviate substandard work pursuant to section 55042.

(b) The attendance of students in legally mandated training as provided in section 55041 may be claimed for state apportionment without limitation.

(c) The attendance of students in credit activity courses, and other courses described in subdivision (c) of section 55041, may be claimed for state apportionment for a maximum of four semesters or six quarters (the original enrollment and three semesters or five quarters of repeated enrollment). For purposes of this subdivision, semesters and quarters include summer sessions and intersessions. This limitation applies even if the student receives a substandard grade during one or more of the enrollments in such a course or petitions for repetition due to special circumstances as provided in section 55045.

(d) The attendance of a student with a disability may be claimed for state apportionment each time the student repeats a credit special class as a disability-related accommodation which is justified by one of the circumstances described in section 56029.

(e) The attendance of a student repeating a credit course by petition pursuant to section 55045 may be claimed for state apportionment for maximum of two repetitions.

(f) The attendance of a student repeating a credit course because the district determines pursuant to of section 55043 that there has been a significant lapse of time since the student previously took the course may be counted for only one repetition beyond the prior enrollment.

(g) State apportionment may be claimed for the attendance of a student repeating a portion of a variable unit open entry/open exit credit course only to the extent that repetition of such courses is permitted pursuant to section 55044.

(h) The attendance of a student repeating a cooperative work experience course pursuant to section 55253 and may be claimed for state apportionment without limitation.

(i) To the extent permitted by article 4 of subchapter 1 of chapter 6, a district may permit repetition of credit courses beyond the limits set forth in this section, but such additional repetitions may not be claimed for state apportionment.

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

Guideline for Section 58161

Section 58161 addresses claiming of state apportionment for credit course repetition. To obtain a complete understanding of all of the criteria that must be met to assure state apportionment eligibility, section 58161 must be read in conjunction with all sections that address course repetition, sections 55040-55045 and 55253. Be sure to read also the guidelines for these sections, which incorporate and clarify the apportionment limitations noted below. This section only delineates the maximum number of credit course repetitions for which apportionment can be claimed.

- 1) Repetition due to substandard academic work as provided by section 55042 (only applicable to courses which are not designated as repeatable)
 - a. The original enrollment and two qualifying repetitions are eligible to be claimed for apportionment.
- 2) Repetition related to Legally Mandated Training as provided by section 55041:
 - a. Each qualifying repetition may be claimed for state apportionment without limitation.
- 3) Repetition of Activity Courses and courses where the content differs each time it is offered, as provided by section 55041:
 - a. Enrollment in such courses may be claimed for state apportionment for a maximum of four times in a college on the semester system or six times in a college on the quarter system (the original enrollment and three semesters or five quarters of repetition). Repetition occurring in summer or other intersessions count toward these limitations. Additionally, this limitation applies even if the student receives a substandard grade or non-evaluative symbol including a "W" during one/more of the repeated enrollments.
 - b. For repeatable courses as described in section 55041, the credit course repetition regulations and corresponding apportionment limitations apply once the student has received a grade for a particular course. Before that point, it is possible that a student could receive a "W" or "Ws" as controlled by section 55024, and the district could claim apportionment based on section 58161.5, and those enrollments would not count towards the enrollment limit applicable to these courses.
 - c. Please see guideline for section 55041 relative to repetition limitation across activity courses that involve the same primary education activity or different

levels of the same primary educational activity and for special provisions applicable to activity courses in visual or performing arts areas.

- d. Course repetition to alleviate substandard academic work as provided by section 55042 and course repetition due to extenuating circumstances as provided by section 55045 do not apply to courses designated as repeatable.
- 4) Special Course for Students With a Disability Repetition:
 - a. Each qualifying repetition may be claimed for state apportionment with no limitation.
 - 5) Repetition due to extenuating circumstances as provided by section 55045 (only applicable to courses which are not designated as repeatable):
 - a. The original enrollment and two qualifying repetitions are eligible to be claimed for apportionment.
 - 6) Required or permitted repetition where district determines there has been a significant lapse of time since last enrollment as provided by section 55043 (only applicable to courses which are not designated as repeatable):
 - a. Only one repetition may be claimed for apportionment beyond the prior enrollment.
 - b. If the district determines that a student needs to repeat an activity course due to significant lapse of time, that repetition shall be counted in applying the repetition limit applicable to activity courses, except that, if the student has already exhausted the number of permitted activity course repetitions, an additional repetition due to significant lapse of time may be required by the district, and the district may claim apportionment for that repetition.
 - 7) Repetition in credit variable unit open-entry/open-exit courses as provided by section 55044:
 - a. Repetition may be claimed for apportionment to the extent that repetition of such courses is permitted by section 55044. If a student completes any unit/module in a variable unit course and receives a substandard grade, grade alleviation regulations apply. The student may repeat that portion of the course up to two times for grade alleviation and apportionment can be collected for these repeated enrollments. Please refer to the guideline for section 55044 for other repetition provisions applicable to these courses.

Section 58161.7. Recommendations Regarding Repetition of Noncredit Courses and Related Issues.

The Chancellor shall report to the Board of Governors by May 31, 2009, on appropriate limitations on state apportionment for repetition of noncredit courses including multiple enrollments in the same course during the same term. The Chancellor's recommendations shall be developed in consultation with the Academic Senate for California Community Colleges, the Chief Instructional Officers and other appropriate groups and shall be based on research concerning the educational efficacy and public benefit of repetition of each of the categories of noncredit courses. The Chancellor shall also consider recommendations related to ensuring appropriate academic standards for noncredit courses and determining when it is in the public interest to provide continued instruction through noncredit courses. It is the intent of the Board of Governors to consider the recommendations of the Chancellor and adopt appropriate limitations on multiple enrollments and repetition of noncredit courses by January 31, 2010.

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

Guideline for Section 58161.7

This section calls for the System Office, in consultation with the Academic Senate, the Chief Instructional Officers and other appropriate groups, to conduct a researched-based study on the educational efficacy and public benefit of course repetition of each of the ten noncredit categories of instruction and multiple enrollments in the same course during the same term. The findings from that study will help frame what limitations, if any, should be placed on state apportionment for repetition of noncredit courses and multiple enrollments in noncredit courses. Those findings will go through the appropriate consultation processes and recommendations will be forwarded to the Chancellor. The Chancellor shall present the findings and recommendations to the Board of Governors by May 31, 2009. It is the intent of the Board of Governors to consider the recommendations of the Chancellor and to adopt appropriate limitations on multiple enrollments and repetition of noncredit courses by January 31, 2010.

Section 58509. Authority of Chancellor To Waive Provisions To Accommodate Students Impacted by Extraordinary Conditions.

(a) Notwithstanding section 58508, a community college district may provide a full refund of enrollment fees to any student who withdrew from one or more classes, where the district finds that such withdrawal was necessary for one of the following reasons:

(1) the college attended by the student was closed or the college was unable to provide all or substantially all of the instruction in the course or courses in which the student was enrolled due to fire, flood or other conditions qualifying for adjustment of apportionment pursuant to section 58146; or

(2) although the district does not qualify for an apportionment adjustment pursuant to section 58146, one of the conditions enumerated in that section made it difficult or impossible for the student to attend one or more courses because the student was actively engaged in responding to the fire, flood or other condition or because such condition required the student to evacuate his or her home.

(b) Consistent with section 55024, a community college district need not record a "W" on the academic records of a student who withdraws from one or more classes due to any of the circumstances described in subdivision (a).

(c) The Chancellor is authorized, upon receipt of a written request from a community college district, to waive any provision of this title in order to accommodate students affected by any of the circumstances described in subdivision (a).

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

Guideline for Section 58509

This section expands the enrollment fee refund and course withdrawal accommodations previously allowed for students impacted by wildfires to include other types of extraordinary conditions. In addition, subdivision (b) was edited to correctly cross-reference section 55024, which deals with credit course withdrawal policies.

GPA Calculation

Areas Addressed	Section	GPA
Repeatable Courses	55041(d)	Grade received each time shall be included in GPA.
Alleviation of Substandard Work	55042(c)	District policy may disregard previous grade and credit in computing GPA.
Lapse of Time (passing grade)	55043(c)	District policy may disregard previous grade and credit in computing GPA.
Extenuating Circumstances (passing or substandard)	55045(b)	District policy may disregard previous grade and credit in computing GPA each time course is repeated.
Occupational Work Experience	55040(c)(6)	Grade received each time shall be included in GPA.
Special Class for Students With Disabilities	55040(c)(7)	District policy may disregard previous grade and credit in computing GPA each time course is repeated.