

**REVISIONS TO THE
REGULATIONS OF THE BOARD OF GOVERNORS
OF THE CALIFORNIA COMMUNITY COLLEGES**

**TITLE 5 REVISIONS PART 3: REVISIONS TO CHAPTER 6 REGARDING
WITHDRAWAL AND REPETITION and CHAPTER 9 REGARDING
IMMEDIATE SUPERVISION**

1. Section 55024 of article 2 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55024. 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, provided the appropriate faculty is informed. ~~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 district, ~~but in that case, the district policy shall provide that the student will receive a 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, if:; and~~

~~(A) apportionment is not claimed, and~~

~~(ii) (B) the chief instructional officer, chief student services officer or other district official designated in the district policy approves such enrollment 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.

(11) The district policy shall include provisions for intervention in cases of multiple withdrawals.

(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 ~~shall 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) "MW" shall not be counted for the permitted number of withdrawals.

~~(3)-(4)~~ 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.

2. Section 55040 of article 4 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 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 subchapter 2.5 (commencing with section 59020) of ~~chapter division~~ 10 of this ~~division~~ 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 an evaluative symbol grade as defined in section 55023, in a particular course re-enrolls in that course and receives an evaluative symbol as defined in section 55023.

(2) "Substandard academic work" means course work for which the grading symbols "D," "F," "FW," "NP" or "NC" (as defined in sections 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.

3. Section 55042 of article 4 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 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.

(b) If a student repeats a course which is not designated as a repeatable course 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. District policy may permit a student to petition to repeat a course for which three substandard grades have been assigned, provided apportionment is not claimed pursuant to section 58161.5. The first two substandard grades may be excluded in computing the student's GPA if the student repeats the class two or more times.

(c) If a student repeats a repeatable course and a substandard grade has been recorded, district policy may allow the previous grade and credit to be disregarded provided that no additional repetitions are permitted beyond those limits specified in 55041(c)(6). No more than two substandard grades may be alleviated pursuant to this section.

~~(b)~~(d) Notwithstanding section 55041, pPolicies 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.
- ~~(e) 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.

4. Section 58055 of article 5 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58055. Immediate Supervision.

(a) For the purposes of health sciences education programs in community colleges, "immediate supervision" means student participation in such programs wherein the person to whom the student is required to report for training, counseling, or other prescribed activity shares the responsibility for the supervision of the students in clinical activities with academic personnel of the district. In all such cases the person to whom the pupil is required to report and who is not an academic district employee shall possess a valid certificate or license to practice a healing art in California.

(b) For the purposes of educational programs sponsored by the California Firefighter Joint Apprenticeship Program, the term "immediate supervision" as used in section 58051 means, in the context of classes conducted at the workplace, student participation in classes instructed by a person who is qualified, by means of education or experience, as a journeyman, and shares the responsibility for supervision of the students participating in the classes with academic personnel of the district.

(c) For the purposes of early childhood education programs in community colleges, "immediate supervision" means student participation in such programs wherein the person to whom the student is required to report for training, counseling, or other prescribed activity shares the responsibility for the supervision of the students in student teaching activities with academic personnel of the district. In all such cases the person to whom the student is required to report and who is not an academic district employee shall possess at a minimum a Master Teacher Child Development Permit issued by the California Commission on Teacher Credentialing, or the equivalent.

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