

BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
REVISIONS TO TITLE 5 REGULATIONS:
APPORTIONMENT LIMITS FOR CREDIT COURSE ENROLLMENT
REPETITION AND WITHDRAWAL

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.

(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.

(9) ~~Effective July 1, 2009, t~~The district policy shall establish the number of times (not to exceed ~~four~~three 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 ~~pursuant to section 58161.5, if:~~

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

~~(B)~~ the chief instructional officer, chief student services officer or other district official designated in the district policy approves such enrollment after review of a petition filed by the student.

(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 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.

(4) In no case may a military withdrawal result in a student being assigned an “FW” grade.

(e) Notwithstanding the limits set forth above, apportionment will be limited as set forth in section 58161.

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 10 of this division, 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 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 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.

(e) Notwithstanding the limits set forth above, apportionment will be limited as set forth in section 58161.

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 in an effort to alleviate substandard academic work.

(b) If a student repeats a course which is not designated as a repeatable 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. 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 section 55041(c)(6). No more than two substandard grades may be alleviated pursuant to this section.

(d) Notwithstanding section 55041, 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.

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

4. Section 58161 of article 5 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58161. Apportionment for Course-~~Repetition~~ Enrollment.

A community college district may claim the attendance of students who ~~repeat-enroll in~~ credit courses for state apportionment only if so authorized by this section and if all other requirements of this chapter are satisfied. For purposes of this section an enrollment occurs when a student receives an evaluative or nonevaluative symbol pursuant to section 55023.

~~(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 a 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 may be claimed for state apportionment without limitation.~~

(a) A district may claim state apportionment for attendance of students for enrollments totaling a maximum of three semesters or five quarters, including summer sessions and intersessions, per credit course and if all other requirements of this chapter are satisfied. For purposes of this section, enrollments include any combination of withdrawals and repetitions.

(b) Notwithstanding subdivision (a) of this section, a district may claim state apportionment for one additional enrollment if all other requirements of this chapter are met and only in the following circumstances:

(1) The attendance of a student repeating a credit course because the district determines pursuant to section 55043 that there has been a significant lapse of time since the student previously took the course.

(2) The attendance of a student repeating a credit course pursuant to section 55045 due to extenuating circumstances, if such credit course is not designated as repeatable pursuant to section 55041(c).

(c) Notwithstanding subdivisions (a), (b) and (d) of this section, a district may claim state apportionment for students' enrollments in credit courses without limitation if all other requirements of this chapter are met and in the following circumstances:

(1) The attendance of a student in legally mandated training as provided in section 55041(b).

(2) 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.

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

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

(5) The attendance of a student withdrawing as a result of extraordinary conditions pursuant to section 55024(a)(10).

(6) The attendance of a student receiving a military withdrawal (“MW”) pursuant to section 55024(d)(1).

(d) Notwithstanding subdivisions (a), (b) and (c) of this section, a district may claim state apportionment for students’ enrollments in credit courses designated as repeatable as provided in section 55041(c) for a maximum of four semesters or six quarters. This limitation applies even if a 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.

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

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

5. Section 58161.5 of article 5 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 58161.5. Apportionment for Re-Enrollment After Withdrawal.~~

~~Notwithstanding section 58161 or any other provision of law, a community college district may not claim apportionment for the attendance of a student in a credit course if the student withdraws from the course and a “W” symbol, as defined in section 55023, is assigned to the student and the “W” symbol has previously been assigned to that student for that same course at colleges within the district on four or more occasions.~~

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