

**Frequently Asked Questions Regarding the  
Proposed System-Level Priority Enrollment Title 5 Regulations  
June 25, 2012**

1. Is the Student Success Task Force (SSTF) recommendation 3.1 on system-level enrollment priorities being fully implemented in the proposed title 5 regulations?

**Response:** *No. The 17 member Chancellor's Office Enrollment Priorities Workgroup determined that only some of the elements of SSTF recommendation 3.1 should be adopted in title 5 regulations as a first phase of implementation. The key elements of the proposed regulations include:*

- *Enrollment priorities for existing student groups identified in Education Code (veterans and active duty military and foster youth and former foster youth<sup>1</sup>) and students participating in EOPS and DSPS programs who have completed orientation, assessment, and developed student education plans are maintained in the proposed regulations (first and second level of priority, respectively). Districts have flexibility to collapse registration priority levels 1 and 2 as long as the district determines sufficient capacity exists to ensure that level 1 students are not displaced.*
- *As a third level of enrollment priority, districts have flexibility in assigning priority to student subgroups for new students who have completed orientation, assessment, and developed student education plans and continuing students in good standing (defined as a student who is not on academic or progress probation for two consecutive terms).*
- *Continuing students would lose enrollment priority if they earned more than 100 units (not including nondegree applicable basic skills and ESL) or if a student was on academic or progress probation for two consecutive terms (as defined by existing title 5 regulations).*
- *Categories of students, such as those who are in high unit majors or programs, could be exempted from the 100 unit limit as determined by the district.*
- *Colleges are required to adopt an appeals policy and process for students who lose enrollment priority due to extenuating circumstances (verified cases of accidents, illnesses or other circumstances beyond the control of the student), demonstrating significant academic improvement in a subsequent term, or inability to receive timely reasonable accommodation.*

2. What would districts be required to do as a result of this regulatory change?

**Response:** *The workgroup focused on maintaining local flexibility wherever possible. Districts would be required to adopt a board policy to implement the priority registration system that, at a minimum:*

- *Provides highest priority to vets and foster youth, second highest priority to DSPS and EOPS students and third highest priority to continuing students in good academic standing and new students who have completed matriculation;*
- *Eliminates priority status for students who have earned 100 degree-applicable units or have two consecutive semesters on academic or progress probation; and*

---

<sup>1</sup> *Education Code section 66025.8 requires community college to grant priority enrollment to any member or former member of the Armed Forces of the United States within four years of leaving active duty. EC 66025.9 requires priority enrollment for current and former foster youth up to, and including, age 24.*

- *Establishes an appeal process for students with extenuating circumstances.*

## Special Populations

3. Will the student groups now included in Ed Code (Veterans & Foster Youth) be subject to the same limitations as all other students in order to maintain their enrollment priority status (i.e., unit threshold cap and maintain academic progress)?

**Response:** *Yes. Academic progress and probation standards, and the 100 unit limit would be applied to all student groups. Under the proposed title 5 regulation, all students who earn 100 units or are on academic or progress probation for two consecutive terms would lose registration priority, unless otherwise exempted by local district board policies for participating in a high unit major (or other) or who have an appeal approved based on extenuating circumstance. For example, although specific student populations may have registration priority in Education Code for public postsecondary institutions such as community colleges or the California State University, students still need to meet admission or academic requirements and standards to attend those institutions.*

4. Will students participating in EOPS and DSPS be subject to the same limitations as all other students in order to maintain their enrollment priority status (i.e., unit threshold cap and maintaining academic progress)?

**Response:** *Yes. Academic progress and probation standards and unit limits would be applied to all student groups. In addition, students participating in EOPS and DSPS have to meet existing requirements for participation in those programs that may be more stringent than those related to enrollment priority. For instance, there is a 70 unit limit or six semesters without term to term interruption for participation in EOPS (whichever comes first).*

5. Why can't EOPS and DSPS students be included in the highest priority group?

**Response:** *The Education Code establishes priority registration for only two groups of students: veterans and foster youth. The Board of Governors, through title 5 regulations, cannot in any way limit this statutory priority. It may be the case that an enhanced priority for EOPS and DSPS students would not have a significant practical impact on veterans and foster youth. However, if title 5 could provide the highest priority for EOPS and DSPS students, there would be nothing to prevent title 5 from also providing the highest priority for other groups such as recent high school graduates. The statutory priority established by the Legislature and the Governor is paramount. Districts are provided discretion in the proposed regulations to collapse levels 1 and 2 if the district determines there is sufficient capacity to do so while still providing registration priority for veterans and foster youth.*

6. Could a student with a disability receive a higher priority than the priority provided to DSPS students through this regulation?

**Response:** *Yes. Under the Americans with Disabilities Act, districts are required to provide reasonable accommodations to a student with a disability. Each case is evaluated independently, and it may be that in a particular case a student requires the highest priority in order to receive an accommodation in a timely*

manner (e.g. to facilitate scheduling interpreters or producing a textbook in braille). However, this highest priority would only apply to a particular student when deemed an appropriate accommodation; it would not necessarily be available to all students receiving services from the DSPTS program.

7. Many institutions allow priority registration for other groups who are not identified in Ed Code or title 5; how will the required sequence of priority impact these other groups of students?

**Response:** *The proposed regulations allow for districts to assign priority for student groups within the third level of enrollment priority [58108(e)]. A district could specify subgroups of students for priority within this level for continuing students in good standing and new matriculated students.*

*In addition, districts could identify other student groups for priority enrollment below the three levels identified in the proposed regulations [58108(f)].*

8. Can districts provide earlier registration priority to students outside of the levels of priority proposed in 58108, for example, graduating high school students? (Some districts refer to this as a "0 priority")

**Response:** *No. Other student populations should be provided registration priority in level 3 and cannot displace students who have registration priority in levels 1 and 2.*

9. Can students in level 3 ever be provided registration priority over students in level 1 and 2?

**Response:** *No.*

10. Can districts create a process that sets aside class space to guarantee enrollment for certain student groups over the students identified in 58108 for registration priority?

**Response:** *No. Districts are not permitted to reserve class seats for student groups, such as students in honors programs or athletes, that would provide these students with enrollment in courses above the priorities identified in 58108. However, students in such groups could be given relative priority within level 3 if the conditions for inclusion in level 3 are met.*

11. Do the system-level enrollment priorities apply to international and non-resident students?

**Response:** *Yes. Unless a district adopts policies to treat these student populations differently, the provisions of 58108 would apply to international and non-resident students. Districts have discretion to adopt differing policies based on local needs.*

12. Can CalWORKs students be added to level 2, along with EOPS and DSPTS?

**Response:** *No. The workgroup considered expanding level 2 priority to include CalWORKs but ultimately determined that adding other student populations to the proposed levels of priority fell outside their purview as the workgroup was tasked with implementing the recommendations made by the SSTF. Additionally, concerns were raised that adding other student populations outside of those who already have statutorily or historically had registration priority would set a precedent for other student populations to request being added to title 5 for priority. While the workgroup was sensitive to the time limits faced by CalWORKs students, a review of MIS data showed that most CalWORKs students already receive priority from*

*participating in EOPS or DSPS. Districts have discretion to add CalWORKs to level 3 and the workgroup recommends that districts consider doing so.*

### **What is counted towards the 100 unit limit?**

13. Are basic skills and ESL units counted toward the 100 unit limit?

**Response:** *Nondegree applicable basic skills courses do not count towards the 100 unit limit. Simply put, all degree-applicable courses count towards the 100 unit limit. Title 5 §55000(j) defines "nondegree-applicable basic skills courses as those courses in reading, writing, computation, and English as a Second Language which are designated by the community college district as nondegree-applicable credit courses pursuant to subdivision (b) of section 55002." In addition, special classes for students with disabilities as defined in 55000 do not count towards the 100 unit limit.*

14. Are W's included in the count of units for the priority threshold? In essence what is the definition of units (i.e., enrolled, attempted, or completed)?

**Response:** *No. The 100 unit limit counts only units earned. "Earned" is defined as an evaluative symbol on the student's transcript (as defined in title 5, 55023) of an A, B, C, D, or P. Withdrawals (W's), incompletes (I's), F's, and NP's, do not count towards the 100 units. Students who are on academic or progress probation (for 2 consecutive terms) for accumulating too many "W's" would be addressed through the academic progress standards or enrollment limits.*

15. What about units earned by students who have completed a bachelor's degree already?

**Response:** *Districts have discretion on adopting local policies to either count or not count, for purposes of enrollment priority, the units a student already earned at a California community college or other postsecondary institution towards a degree or certificate they have already completed. The proposed regulations do not specifically address this.*

16. Can a district that has the ability to evaluate transcripts for units earned outside of their district count these units towards the 100 unit limit?

**Response:** *Yes. Given current statewide MIS capacity limitations, districts at a minimum are required to count units earned within the district towards the 100 unit limit. If a district has the ability to evaluate transcripts for units earned at a California community college outside their district, a district could adopt local policy to do so.*

17. Many colleges already have a unit threshold, often less than the 100 unit limit proposed for system-wide enrollment priorities. (A Chancellor's Office December 2010 survey indicated 62.8% of respondents already had a unit cap.) Will these institutions have the flexibility to continue using a lower threshold?

**Response:** *Yes. In this case, the regulations would set the "ceiling" on the unit limit. Districts could continue or establish a lower unit threshold if adopted in local board policies. In a survey of colleges on enrollment priorities conducted in December 2010, several colleges already indicated that they established unit limits for enrollment priority ranging from 70, 90, to 100 units. A district could continue its existing unit threshold or establish a new unit threshold that is lower than the 100 units specified in 58108.*

18. Would units earned from "credit by exam" or "AP", CLEP, ROP, IB, etc., count towards the 100 unit limit?

**Response:** *There is no provision that would require this—districts would have the flexibility to do so.*

### **Academic Progress Standards**

19. Would units in progress (which can impact both the unit threshold as well as satisfactory progress) affect a student's status?

**Response:** *No. Under the proposed regulations, units in progress would not count.*

### **Matriculation Requirements**

20. Do the proposed regulations in 58108 require districts to provide all first time students with orientation, assessment, and student education plans?

**Response:** *No. It was the intent of the Taskforce to ensure that entering students are provided with a foundation to support their success in college and including this provision is consistent with the Task Force's recommendation. While districts would have to ensure that non-exempt first time students are able to complete orientation, assessment, and student education plans in order for this student group to have enrollment priority within the third level [58108(c)(3)], it is not a requirement that districts do so if they lack the capacity at this time. The work group recognized that the education plan for a first time student may be an initial education plan that is less comprehensive than one to be developed after the completion of the first or second term. The Chancellor's Office is working with the Matriculation Advisory Committee, Chancellor's Office Advisory Group on Counseling and others to further develop definitions and models related to education plans.*

21. Do the proposed regulations require districts to provide continuing students with orientation, assessment, and student education plans in order to maintain registration priority?

**Response:** No. Due to resource constraints, the Enrollment Priorities Workgroup did not make this a condition for continuing students within the third level of enrollment priority and decided to leave this to the district's discretion [58108(d)] if the district determines it has sufficient capacity to do so.

## Appeals & Exemptions

22. Will the general grounds/definition and process for any appeals be left up to individual districts or will a framework be proposed?

**Response:** The proposed regulations include a requirement that districts policies to allow students to appeal based on extenuating circumstances or the demonstration of significant academic improvement in a subsequent term after being placed on academic or progress probation. Extenuating circumstances is defined as verified cases of accidents, illnesses or other circumstances beyond the control of the student [58108(k)]. This definition is broad and provides districts with discretion on how to adopt policies and implement an appeals process on their campus. Significant academic improvement is defined as earning at least a 2.0 grade point average for the term and completing more than 50% of the units attempted for the term. Districts may apply other conditions, such as specifying the number of units required for enrollment in the term or establishing a higher academic improvement threshold. In addition, adopt an appeal policy that allows a student to petition if the student applied for reasonable accommodation, but whose request was not address in a timely manner to help support the successful completion of the class.

23. Are there any exemptions to the 100 unit limit in the priority enrollment requirements?

**Response:** Yes. The proposed regulations allow district to develop policies for exemption, such as students who are participating in high unit majors or programs. In general, this is left to district discretion to identify exemption categories to the 100 unit limit.

## General Questions

24. When will the new regulations on priority enrollment go into effect?

**Response:** In order to ensure that districts have sufficient time to adopt policies and incorporate the changes in course catalogues, districts are required to fully implement the new changes by Spring 2014 registration for Fall 2014 courses. Additionally, to ensure that students are provided advance notice regarding the new priority enrollment requirements and potential impact if they are on academic or progress probation for two consecutive terms or reach the unit limit, districts are required to provide timely communication to students about the new regulations by Spring 2013.

25. What about undecided/undeclared students? Will this classification be considered the same as not having an educational objective and be subject to losing priority registration status by a particular term of enrollment?

**Response:** *While the Student Success Task Force recommendation would require students to declare an educational objective or goal of obtaining a certificate, degree, transfer or career advancement in order to receive enrollment priority and, after the equivalent of three terms of full-time study, declare a specific major or program of study in order to retain it, the workgroup has chosen not to implement this element of the SSTF recommendation at this time. The proposed regulations do not require students to declare an “educational objective or goal” in order to maintain priority enrollment. While the intent is to prioritize students who identify an education goal of transfer, degree/certificate, or career advancement, this is currently not specified as a requirement in the priority enrollment regulation.*

26. Do the system-level enrollment priorities apply to summer and intersessions?

**Response:** *This is left to district discretion. With the exception of students identified in level 1 (veterans and foster youth), districts would only be required to apply the enrollment priorities identified in 58108(c) to primary terms. Primary terms are defined as fall and spring for colleges on the semester system and fall, winter, and spring for colleges on the quarter system. The units and grades earned during summer and intersessions would continue to be counted towards a student’s academic standing (55021).*