

PROPOSED TITLE 5 REGULATION TO ESTABLISH SYSTEM-LEVEL ENROLLMENT PRIORITIES (SECTION 58108)

July 9-10, 2012

FIRST READING (PUBLIC HEARING)

Presentation: Linda Michalowski, Vice Chancellor, Student Services and Special Programs
Steve Bruckman, Executive Vice Chancellor for Operations and General Counsel

Item 3.2

Issue

This item presents proposed title 5 changes to establish system-level enrollment priorities consistent with Student Success Task Force Recommendation 3.1.

Background

The Chancellor's Office convened a 17-member workgroup to implement Student Success Task Force recommendation 3.1 to establish system-level enrollment priorities. The task force recommended that the California Community Colleges adopt system-wide enrollment priorities to: (1) reflect the core mission of transfer, career technical education and basic skills development; (2) encourage students to identify their educational objective and follow a prescribed path most likely to lead to success; (3) ensure access and the opportunity for success for new students; and (4) incentivize students to make progress toward their educational goal.

The Enrollment Priorities Workgroup met several times between March and June 2012 to discuss how the recommendation could be implemented given the system's current resource constraints and to develop a regulatory proposal. In April 2012, an initial draft of the proposal was presented to the Consultation Council and, at its request, the timeframe for adoption of title 5 regulations was extended to provide additional time for review and consideration by system stakeholders. Draft regulations were discussed, as an information item, with the Board of Governors at its May meeting.

Since that time, the workgroup has held additional meetings to further consider policy and implementation issues based on board and stakeholder input, and the proposed regulations were revised accordingly. Input was also solicited from a new Fee Waiver Work Group that was convened on June 15 to begin discussing implementation of academic standards for Board of Governors Fee Waiver eligibility (recommendation 3.2) that, if authorized by Senate Bill 1456, will be closely linked to the enrollment priority regulations. The attached proposed regulations also reflect input from the Consultation Council, which reviewed them on June 21.

Analysis

The current state budget climate has resulted in community colleges having to cut significant numbers of course sections despite high enrollment demand. Many students are being denied access, including recent high school graduates and adults seeking job training or retraining in this unstable economy.

The Student Success Task Force was concerned that new students pursuing mission-central goals are potentially being displaced by avocational students and sought to bring a thoughtful approach to rationing the available space at community colleges. The task force also wanted to facilitate students moving through the college curriculum in an efficient manner and encourage students to take their enrollment opportunity seriously by incentivizing them to maintain good academic standing.

The proposed regulations represent a phased-in approach to implementing the task force's recommendations. Because of resource constraints, the workgroup recommended the system defer implementation of elements recommendation 3.1, including loss of priority for students who do not declare a program of study by the end of their third term and do not follow their student education plan.

The proposed regulations provide a framework for system-level enrollment priorities that would provide greater consistency among California's 112 community colleges, while providing districts with the discretion to shape policies and registration priorities within the framework to meet local needs. The highest levels of priority are maintained for students identified in Education Code (active duty military, veterans, foster youth, and former foster youth) and for Extended Opportunity Programs and Services (EOPS) and Disabled Students Programs and Services (DSPS) students who have had historic priority within the system. Some of the key changes made to the proposal since the May Board of Governors meeting addressed concerns regarding EOPS and DSPS students being placed into a second level of priority instead of first priority along with students identified in the Education Code, such as active duty military and veterans, and current and former foster youth. The proposal was modified to give districts the discretion to collapse the first and second levels of priority as long as a district can ensure that students in the first level would not be displaced. In addition, provisions were added to ensure timely communication to students at risk of losing enrollment priority and to broaden the appeal language.

The key elements of the revised regulation include the following:

- Enrollment priorities for existing student groups identified in Education Code (active duty military and veterans and foster youth and former foster youth) and for 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). A provision was added to allow districts the discretion to collapse the first and second levels of priority if sufficient capacity exists to do so without displacing students in the first level.

- 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 and has not earned 100 degree-applicable units) constitute a large level three priority group. Districts have discretion to establish local priorities among students in this group.
- Districts have discretion to establish local priorities below level three for all other students.
- Continuing students would lose enrollment priority if they earn more than 100 units (not including non-degree applicable basic skills and ESL units) or if they are placed on academic or progress probation (as defined by existing title 5 regulations) for two consecutive terms.
- Districts would have authority to adopt policies exempting categories of students from the 100 unit limit, such as those in high unit majors or programs.
- Districts would be 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) or where a student with a disability applied for, but did not receive reasonable accommodation in a timely manner. Districts could also allow appeals for students who demonstrate satisfactory academic improvement in a subsequent term or terms, but whose term GPA is not high enough to raise the cumulative GPA.
- Significant lead time is provided for implementation. Districts would be required to ensure that all policies and course catalogs reflect the new enrollment priority requirements and that appropriate and timely notice is provided to students for full implementation by fall 2014.

The text of the proposed regulation is attached. Additional information is provided in the attached timeline, priority chart, and frequently asked questions document.

Recommended Action

The proposed regulations are presented to the board for a first reading. The board should hold a public hearing and consider any testimony that is offered. It is anticipated that the regulations will be presented to the board for final action at its September meeting.

Staff: Sonia Ortiz-Mercado, Dean of Student Services