

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2014-0825-02P	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED
IN THE OFFICE OF
2014 AUG 25 PM 3:03

Debra Bowen
DEBRA BOWEN
SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY

Board of Governors of the California Community Colleges

AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE N/A	TITLE(S) N/A	FIRST SECTION AFFECTED N/A	2. REQUESTED PUBLICATION DATE N/A
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON N/A	TELEPHONE NUMBER N/A	FAX NUMBER (Optional) N/A
OAL USE ONLY <input checked="" type="checkbox"/> ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Enrollment Priorities	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2012-1227-01 P
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND 58108
	REPEAL
TITLE(S) 5	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §511346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input checked="" type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) 30 days after filed w/Secretary of State
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify) _____		

7. CONTACT PERSON

Michelle Goldberg, Interim General Counsel	TELEPHONE NUMBER 916-445-4826	FAX NUMBER (Optional) 916-322-9030	E-MAIL ADDRESS (Optional) mgoldberg@ccccc.edu
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE



DATE

August 21, 2014

TYPED NAME AND TITLE OF SIGNATORY

Erik Skinner, Deputy Chancellor

For use by Office of Administrative Law (OAL) only

**BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
PROPOSED REVISIONS TO TITLE 5 REGULATIONS:
REGISTRATION AND ENROLLMENT PROCEDURES**

1. Section 58108 of article 1 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58108. Registration and Enrollment Procedures.

(a) Districts shall adopt policies and procedures for registration and standards for enrollment in any course that are consistent with these and other sections of title 5 and uniformly administered by appropriately authorized employees of the district.

(b) It is the intent of the Board of Governors of the California Community Colleges to provide priority registration for students who enroll in a community college for the purpose of degree or certificate attainment, transfer to a four-year college or university, or career advancement.

(c) Districts adopting policies and procedures that include the administration of a registration system that grants priority enrollment to certain students, shall grant registration priority in that system, for each term the registration priority system is administered, to students who: ~~Registration priority, in the order of priority listed below, shall be provided to students:~~

~~(1) who are first time students within the meaning of section 55530(c) and have completed orientation, assessment, and developed student education plans and are eligible as a member of the armed forces or a veteran pursuant to Education Code section 66025.8 or as a foster youth or former foster youth pursuant to Education Code section 66025.9; or~~

~~(2) who have completed orientation, assessment, and developed student education plans and are eligible and receiving services through Disabled Student Programs and Services or Extended Opportunity Programs and Services;~~

~~(2) (3) who are continuing students are not first time students within the meaning of section 55530(c) and have not lost registration priority pursuant to subdivision (h). not on academic or progress probation for two consecutive terms as defined in section 55031 and first time students who have completed orientation, assessment, and developed student education plans.~~

(d) Districts shall provide highest and equal priority to students eligible for registration priority pursuant to subdivision (c) who are:

(1) a member of the armed forces or a veteran pursuant to Education Code section 66025.8,

(2) a foster youth or former foster youth pursuant to Education Code section 66025.9,

(3) determined to be eligible for Disabled Student Program and Services as set forth in Education Code section 66025.91,

(4) receiving services through the Extended Opportunity Programs and Services as set forth in Education Code section 66025.91, or

(5) receiving aid from the California Work Opportunity and Responsibility to Kids Program as set forth in Education Code section 66025.92.

~~(d) Districts are not required to apply the registration priorities identified in subdivisions (c)(2) and (c)(3) of this section for courses offered during summer or intersessions.~~

~~—(e) A district may provide students identified in subdivision (c)(1) or (c)(2) of this section with the same level of registration priority as long as a district ensures students identified in (c)(1) receive registration priority as required by Education Code sections 66025.8 and 66025.9.~~

~~(e) (f) To the extent districts have the capacity and resources to require orientation, assessment, and education plans for continuing students, districts may establish orientation, assessment and education plans or any combination thereof as a condition for registration priority.~~

(f) Districts are permitted to adopt registration priorities for subcategories of students eligible for registration priority pursuant to subdivisions (c) and (d) provided that highest and equal registration priority is granted to students meeting the requirements of subdivision (d)(1) through (d)(5). Districts may not prioritize students in one statutory group, as set forth in (d)(1) through (d)(5), over another.

~~(g) Within the state registration priorities identified in subdivision (c) of this section, districts may establish the relative order of priority for additional subcategories of students within each of the three levels. Similarly situated students in the groups specified in subdivisions (c)(1) and (c)(2), respectively, shall be granted equal priority.~~

~~(g)(h) Districts may establish additional registration priorities for students with priority lower than student groups covered by subdivision (c) of this section.~~

~~(h)(i) Registration priority specified in subdivision (c) of this section shall be lost at the first registration opportunity after a student:~~

~~(1) is placed on academic or progress probation or any combination thereof as defined in section 55031 for two consecutive terms; or~~

~~(2) has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.~~

~~(A) For purposes of this section a unit is earned when a student receives a grade of A, B, C, D or P as defined in section 55023.~~

~~(B) The 100-unit limit does not include units for non-degree applicable English as a Second Language or basic skills courses as defined in section 55000(j) or special classes as defined in section 55000.~~

~~(C) Districts may set the unit limit lower than 100 units and may consider units from other higher education institutions.~~

~~(D) Districts may adopt policies to exempt from the 100-unit limit categories of students, including but not limited to, those enrolled in high unit majors or programs.~~

~~(E) Districts may exempt from the 100-unit limit units earned through credit by examination, advanced placement, International Baccalaureate, or other similar programs.~~

(3) This subdivision shall not apply to students granted registration priority pursuant to subdivision (d)(2).

~~(i)(j) Beginning in the spring 2013 term, districts shall notify students who are placed on academic or progress probation, or who have earned 75 percent or more of the unit limit, of the potential for loss of enrollment priority. The district shall notify the student that a second consecutive term on academic or progress probation will result in the loss of priority registration until the student is no longer on probation or that enrollment priority will be lost when the student reaches the unit limit.~~

~~(j)~~ Except as otherwise provided by state law, no student shall be required to confer or consult with or be required to receive permission to enroll in any class from any person other than those employed by the college in the district.

~~(k)~~ Students will not be required to participate in any preregistration activity not uniformly required; nor shall the college or district allow anyone to place or enforce nonacademic requisites that are not expressly authorized in this chapter or in state law as barriers to enrollment in or the successful completion of a class.

~~(l)~~ With respect to accessibility to off-campus sites and facilities, no student is to be required to make any special effort not required of all students to register in any class or course section. Once enrolled in the class, all students must have equal access to the site.

~~(m)~~ Each community college district shall establish written procedures by which a student may appeal the loss of priority enrollment status due to extenuating circumstances, or where a student with a disability applied for, but did not receive, reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student. Districts may allow students who have demonstrated significant academic improvement to appeal the loss of priority enrollment status. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in section 55031 for the term or terms.

~~(n)~~ Districts shall ensure that the requirements of this section are adopted in local board policies and fully operational for registration for fall 2014 courses. Districts shall ensure that all policies and course catalogs reflect the requirements of this section and that appropriate and timely notice is provided to students.

NOTE: Authority cited: Sections 66700, ~~and 70901, and 78215~~, Education Code. Reference: Sections 66025.8, 66025.9, 66025.91, 66025.92, 66025.95, 70901, 78210 et seq., and 84500, Education Code.