To: Chief Student Services Officers

CC: Chief Executive Officers

From: Linda Michalowski, Vice Chancellor
Student Services and Special Programs

Date: March 12, 2014

Subject: Proposed changes to enrollment priority regulations

BACKGROUND

As part of the Student Success Initiative, in September 2012, the Board of Governors adopted regulations establishing system-level registration priorities for students enrolling in community college courses. (Cal. Code Regs., tit. 5, § 58108.) As state statute required colleges administering a priority registration system for enrollment (enrollment priority) to grant priority in that system to active duty military and veterans, and foster youth and former foster youth, those students were given first level priority. (Ed. Code, §§ 66025.8, 66025.9; Cal. Code Regs., tit. 5, § 58108(c)(1).) Second level enrollment priority was granted to students participating in Extended Opportunity Programs and Services (EOPS) and Disabled Student Programs and Services (DSPS) programs. (Cal. Code Regs., tit. 5, § 58108(c)(2).) Districts were permitted to provide all four groups of students first priority as long as they could ensure that the statutory groups (active duty military and veterans, and foster youth and former foster youth) received registration priority for enrollment. (Cal. Code Regs., tit. 5, § 58108(e).) Third level enrollment priority was granted to continuing students not on academic or progress probation for two consecutive terms, and to first time students. (Cal. Code Regs., tit. 5, § 58108(e)(3).) However, in order to be eligible for enrollment priority, the regulations required all new students to have completed orientation, assessment, and developed student education plans. Further, all students lose enrollment priority if they earned more than 100 units or if they were on academic or progress probation for two consecutive terms. (Cal. Code Regs., tit. 5, § 58108(i).)
RECENT EVENTS

In 2013, the Legislature added sections 66025.91 and 66025.92 to the Education Code to require that districts give enrollment priority to students participating in EOPS, to students who are determined to be eligible for DSPS and to any student who is a CalWORKs recipient. (Assem. Bill No. 595 (2013 Reg. Sess.), and Assem. Bill No. 86 (2013 Reg. Sess.).)

Also as part of the Student Success Initiative, at its January 2014 meeting, the Board of Governors adopted regulations requiring that a student meet minimum academic and progress standards to be eligible for a fee waiver. (Cal. Code Regs., tit. 5, § 58621.) Foster youth and former foster youth were exempted from these requirements. (Cal. Code Regs., tit. 5, § 58621(a)(1).)

ANTICIPATED REGULATORY CHANGES

State law now requires that DSPS, EOPS, and CalWORKS students be given first priority for enrollment, along with active duty military and veterans, and foster youth and former foster youth. (Ed. Code, §§ 66025.8, 66025.9, 66025.91, 66025.92.) The Chancellor’s Office will be proposing changes to the regulations governing enrollment priority to conform to these new statutory requirements at the May 2014 Board of Governor’s meeting. It is anticipated that the Board of Governors will adopt these proposed changes to the regulations at its July 2014 meeting. In addition, in light of the exemption for foster youth and former foster youth to the requirement to meet minimum academic and progress standards for a BOG Fee Waiver, the Chancellor’s Office will be proposing conforming amendments to the enrollment priority regulations for foster youth. Those conforming amendments would likewise exempt foster youth from meeting minimum academic standards to maintain priority enrollment. The proposed changes will also exempt foster youth from losing priority enrollment if they earn more than 100 units.

RECOMMENDED DISTRICT ACTION

In light of the statutory changes and the ensuing proposed amendments to regulations governing enrollment priority, districts administering a priority registration system for enrollment should provide equal priority to all five groups of students: EOPS, DSPS, CalWORKS, active duty military and veterans, and foster youth and former foster youth. Further, districts should not deny a foster youth or former foster youth priority registration for enrollment for failing to meet minimum academic standards or for exceeding 100 units and begin processes to amend your board policies accordingly.

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1 California Code of Regulations, title 5, section 58621, was adopted by the Board of Governors and is pending review by the Department of Finance. Districts will be notified when that review has been completed and the regulations are in effect.