

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

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October 12, 2011

To: Chief Student Services Officers
Chief Instructional Officers
Academic Senate Officers
Chief Business Officers
Chief Information Systems Officers
Admissions and Records Officers

From: Linda Michalowski, Vice Chancellor of Student Services
Dr. Barry Russell, Vice Chancellor of Academic Affairs
Dan Troy, Vice Chancellor of College Finance and Facilities Planning

Subject: Follow-up Advisory Regarding New Title 5 Apportionment Limits for Credit Course Enrollment, Repetition and Withdrawal

As a follow-up to our memorandum of September 12, 2011, we are writing to you to provide additional guidance concerning the new title 5 regulations on apportionment limits for credit course enrollment, repetition, and withdrawals, which become effective Wednesday, October 12, 2011. The additional guidance will specifically focus on the effect that the new credit course enrollment limits, and related apportionment eligibility criteria, may have on attendance accounting and reporting for apportionment purposes. The full regulations that were filed with the Secretary of State can be viewed at:

<http://www.cccco.edu/chancellorsoffice/divisions/legal/regulationsnotices/tabid/411/default.aspx>

Please note that the guidance regarding the new limitations on enrollments detailed below do not apply to enrollment in credit courses identified as “repeatable,” such as PE and performing arts, in accordance with title 5, section 55041, subdivision (c), but does apply to enrollments in all other credit courses. The Chancellor's Office is working with the System Advisory Committee on Curriculum to review current policy on repeatable courses and intends to bring forward additional regulatory proposals to establish appropriate enrollment limits. Until this occurs, the enrollment limits pertaining to repeatable courses remain the same (see new title 5, section 58161(d)).

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As previously noted, on July 11, 2011, the Board of Governors adopted regulations that limit apportionment for enrollment in a single credit course to three enrollments, with specific exemptions. For purposes of enrollment limits, title 5, section 58161 indicates that an “enrollment occurs when a student receives [emphasis added] an evaluative or nonevaluative symbol pursuant to section 55023.” Considering the definition of what constitutes an enrollment, it has been determined that the apportionment eligibility for certain credit course enrollments has been eliminated. Specifically, under the new apportionment limit for enrollment in credit courses, students that are determined to be actively enrolled as of the census point for purposes of claiming apportionment in Weekly or Daily Census courses, but that end up dropping the course prior to the point where they would be assigned a “W” withdrawal (typically between the 20 and 30 percent point of the course for colleges that start their withdrawal with a “W” period at 30 percent of a term), will no longer be eligible to be claimed for apportionment because there would be no notation (“W” or other) recorded for those particular students per title 5, section 55024(a)(3). Credit courses on the positive attendance accounting procedure would be similarly affected. In other words, districts will no longer be able to claim FTES for students who were not in the class long enough to require them to be assigned an evaluative or nonevaluative symbol.

Thus, to mitigate the potential apportionment impact from this type of course drops, the district may wish to review its deadlines for “W” withdrawals as permitted by title 5, section 55024(a)(3). Unrelated to this regulation change, several colleges have already established a period of time shorter than the first four weeks or 30 percent of a term, during which no notation will be made.

From an academic and student success perspective, we believe that starting the withdrawal period at an earlier date in the term will encourage students to commit to a course much sooner and thus, increase the potential for successful completion. For students who decide that dropping a course is their only option, an earlier decision may actually permit wait-listed students to take their place in the class. This change is consistent with the overall goal of increasing student success.

As districts consider this issue, please be aware that adopting an earlier withdrawal date has some effect on students receiving federal financial aid, and for district obligations under the [Return of Title IV](#) federal financial aid repayment requirements. Consultation with those responsible for financial aid satisfactory academic progress policies and for business office operations is recommended so those potential impacts can be taken into consideration.

As noted above, the new enrollment limit regulations become effective Wednesday, October 12, 2011. However, a district will not be considered to be out of compliance with a regulatory requirement solely because its written district policies or procedure have not been revised by the effective date, provided that it conforms such policies or procedures to the regulatory requirement within 180 days of the effective date of such regulations and, at the first available opportunity, incorporates necessary changes into its catalogs and class schedules.

Given the foregoing, we expect districts/colleges would comply with appropriate policy changes and notice to the public in time for summer session 2012. Colleges are required to include this information in their next scheduled catalog update. Apportionment claims for student repetition and withdrawal can continue under the previous applicable regulations until the new enrollment limit regulations are implemented at the district, which again, must occur by summer session 2012 or earlier.

As previously advised, colleges should understand that the limits set forth in the new regulations will affect students based on their prior course enrollments. Under the new regulations, all credit course repeats and withdrawals in a student's enrollment record are counted towards the new limits. The decision by students to repeat or withdraw from a class with a "W" has many more implications under the new regulations. Colleges should make every effort to provide clear guidance to students on this issue so that they can make informed choices as they register for classes in the future. Therefore, we recommend that you begin now to provide direction to all counseling staff and others who work with students so that they can explain the changes to students as they consider withdrawing from courses they are currently taking and begin to register for the spring term and beyond. In addition, there are likely programming changes that need to occur within your campus management information systems to reflect the apportionment limits.

Should you have any questions about the proposed regulations or the implementation timeline, please contact Dr. Barry Russell at (916) 322-6888 or via e-mail at brussell@cccco.edu or Sonia Ortiz-Mercado at (916) 322-6817 or via e-mail at sortiz@cccco.edu. For questions concerning attendance accounting and reporting for apportionment purposes, please contact Elias Regalado at (916) 445-1165 or via e-mail at eregalad@cccco.edu.

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