



BP 5055

Board Policy
Chapter 5 – Student Services

BP 5055 Enrollment Priorities

References:

California Code of Regulations, Title 5, Section s 51006, 58106, and 58108

NOTE: *If the Board adopts BP 5052 Open Enrollment, then the following sentence in red ink may be deleted from this policy.*

All courses of the District shall be open to enrollment, subject to a priority system that may be established.

NOTE: *The following language is from current FHDA BP 5001 Enrollment Priorities adopted on 6/16/08. It is shown in gray highlighting as the content is unique to the District and requires careful review by leaders to ensure the language remains accurate and legally compliant.*

All courses, course sections, and classes of the District that are reported for state aid shall be open for enrollment to any person who has been admitted to the college, unless specifically exempted by statute or regulation. Enrollment may be subject to the priority system that has been established by the District. Enrollment may also be limited to students meeting properly validated prerequisites and co-requisites, or due to other practical considerations such as exemptions set out in statute or regulation.

The Chancellor shall establish ensure that procedures defining enrollment priorities, limitations, and processes for student challenge which shall comply with Title 5 regulations.

The College Presidents shall assure that this policy is regularly published in the college catalog and schedule of classes.

Also see BP/AP 5052 Open Enrollment and AP 5055 Enrollment Priorities.

NOTE: *This policy is legally required with the language in red ink recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). This policy was updated by the Policy & Procedure Service in August 2003. The language in black ink is from current FHDACCD BP 5001 Enrollment Priorities adopted on 6/16/08. The language in blue ink is included for consideration. The language in yellow highlighting is included to draw the reviewers' attention, and this language will be*

Commented [AK1]: Recommend approving this BP as the changes are minor.



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Community College District

removed upon final approval. The language in **gray highlighting** was uniquely developed by FHDA and requires careful review by leaders and local district legal counsel to ensure the language remains accurate and legally compliant. **The legal citation language reflected after the page break (below) should be removed following review and revision.**

Adopted: 6/16/08

Revised:

(Replaces former FHDA BP 5001)



Legal Citations for BP 5055

Title 5. Education
Division 6. California Community Colleges
Chapter 2. Community College Standards
Subchapter 1. Minimum Conditions

5 CCR § 51006 § 51006. Open Courses.

(a) The governing board of a community college district shall adopt by resolution the following or a comparable statement: "The policy of this district is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to section 55003 of of division 6 of title 5 of the California Code of Regulations."

(b) The statement of policy adopted by the board pursuant to subdivision (a) shall be published in the official catalog, schedule of classes, and addenda to the schedule of classes for which full-time equivalent student (FTES) is reported for state apportionment. A copy of the statement shall also be filed with the Chancellor.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 78020 et seq., Education Code.

HISTORY

1. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
2. Amendment filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Editorial correction of History 1 (Register 95, No. 15).
5. Amendment filed 5-16-2008; operative 6-15-2008. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2008, No. 21).

Title 5. Education
Division 6. California Community Colleges
Chapter 9. Fiscal Support
Subchapter 2. Limitations on State Aid
Article 1. Open Courses

5 CCR § 58106 § 58106. Limitations on Enrollment.



In order to be claimed for purposes of state apportionment, all courses shall be open to enrollment by any student who has been admitted to the college, provided that enrollment in specific courses or programs may be limited as follows:

- (a) Enrollment may be limited to students meeting prerequisites and corequisites established pursuant to section 55003,
- (b) Enrollment may be limited due to health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning or legal requirements imposed by statutes, regulations, or contracts. The governing board shall adopt policies identifying any such limitations and requiring fair and equitable procedures for determining who may enroll in affected courses or programs. Such procedures shall be consistent with one or more of the following approaches:
 - (1) limiting enrollment to a "first-come, first-served" basis or using other nonevaluative selection techniques to determine who may enroll; or
 - (2) limiting enrollment using a registration procedure authorized by section 58108; or
 - (3) in the case of intercollegiate competition, honors courses, or public performance courses, allocating available seats to those students judged most qualified; or
 - (4) limiting enrollment in one or more sections of a course to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions; or
 - (5) limiting enrollment using any selection procedure expressly authorized by statute; or
 - (6) with respect to students on probation or subject to dismissal, the governing board may, consistent with the provisions of sections 55031 and 55032, limit enrollment to a total number of units or to selected courses, or require students to follow a prescribed educational plan.
- (c) A student may challenge an enrollment limitation established pursuant to subdivision (b) on any of the following grounds:
 - (1) the enrollment limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;
 - (2) the district is not following its policy on enrollment limitations;
 - (3) the basis upon which the district has established an enrollment limitation does not in fact exist; or
 - (4) any other criteria established by the district.
- (d) The student shall bear the burden of showing that grounds exists for the challenge. Challenges shall be handled in a timely manner, and if the challenge is upheld, the district shall waive the enrollment limitation with respect to that student.
- (e) In the case of a challenge under subdivision (c)(1), the district shall, upon completion of the challenge procedure, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to subchapter 5 (commencing with section 59300) of chapter 10. Completion of the challenge procedure shall be deemed to be an effort at informal resolution of the complaint under section 59327.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 84811, Education Code.

HISTORY

- 1. Repealer and new section filed 10-5-93; operative 11-4-93. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 93, No. 42). For prior history, see Register 92, No. 15.
- 2. Amendment of subsections (a), (b)(2)-(3), (b)(5), (c) and (e) filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).



3. Amendment of subsection (a), new subsection (a)(5), subsection renumbering and amendment of newly designated subsection (a)(6) filed 5-16-2008; operative 6-15-2008. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2008, No. 21).
4. Change without regulatory effect amending NOTE filed 4-7-2022; **operative 4-7-2022**. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2022, No. 16).

Title 5. Education
Division 6. California Community Colleges
Chapter 9. Fiscal Support
Subchapter 2. Limitations on State Aid
Article 1. Open Courses

5 CCR § 58108

§ 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:
 - (1) are first time students within the meaning of section 55530(c) and have completed orientation, assessment, and developed student education plans; or
 - (2) are not first time students within the meaning of section 55530(c) and have not lost registration priority pursuant to subdivision (h).
 - (3) who are continuing students 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.

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

(h) 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) 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, 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.

HISTORY

1. Amendment of Note filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
2. Amendment filed 12-27-2012; operative 1-26-2013. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2013, No. 1).
3. Amendment filed 8-25-2014; operative 9-24-2014. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2014, No. 37).