



What Are the Statutory and Regulatory Resources for Priority Registration?

California Education Code (EDC):

- **78211.5**

(a) The purpose of the Seymour-Campbell Student Success Act of 2012 is to increase California community college student access and success by providing effective core matriculation services, including orientation, assessment and placement, counseling, and other education planning services, and academic interventions. The focus of the Seymour-Campbell Student Success Act of 2012 is on the entering students' transition into college in order to provide a foundation for student achievement and successful completion of students' educational goals, with a priority toward serving students who enroll to earn degrees, career technical certificates, transfer preparation, or career advancement. The Seymour-Campbell Student Success Act of 2012 targets state resources on core matriculation services that research has shown to be critical in increasing the ability of students to reach their academic and career goals. By focusing funding in these core areas and leveraging the use of technology to more efficiently and effectively serve a greater number of students, the goal of the Seymour-Campbell Student Success Act of 2012 is to provide students with a solid foundation and opportunity for success in the California Community Colleges.
- **66025.8**

(a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to any member or former member of the Armed Forces of the United States, and who is a resident of California, who has received an honorable discharge, a general discharge, or an other than honorable discharge, and to any member or former member of the State Military Reserve, for any academic term attended at one of these institutions for four academic years after he or she has left state or federal active duty, which he or she shall use within 15 years of leaving state or federal active duty.
- **66025.9**

(a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a foster youth or former foster youth or, until January 1, 2020, homeless youth.
- **66025.91**

Each community college district, with respect to each campus in its jurisdiction that administers a priority enrollment system, shall grant priority registration for enrollment to students in the Community College Extended Opportunity Programs and Services program,

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pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42, and disabled students, within the meaning of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), who are determined to be eligible for disabled student programs and services pursuant to Chapter 14 (commencing with Section 67300) and Section 84850.

- **66025.92**

(a) The Legislature finds and declares that the priority enrollment for registration required by this section is necessary to ensure that the flexibility related to educational opportunities that was adopted as part of the broader changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) program in Chapter 47 of the Statutes of 2012 is not undermined by students who are CalWORKs recipients being unable to access necessary classes.

(b) Each community college district that administers a priority enrollment system shall grant priority in that system for registration for enrollment to any student who is a CalWORKs or Tribal TANF recipient.

California Code of Regulations, Title 5 (T5):

§ 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,

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- (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.

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(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.

How Did Priority Registration Come Into Existence?

The Seymour-Campbell Student Success Act of 2012 and the development of CCR §58108 provided guidance on priority registration. The key elements of the revised Title 5 section 58108 Regulations are that Districts shall adopt policies and procedures for registration and standards for enrollment in any course(s) that are consistent with these and other sections of Title 5 and uniformly administered by appropriately authorized employees of the district. The intent being 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.

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How Does Priority Registration Work?

The priority registration shall be provided to students in the following order:

Level One - students who 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, or homeless youth pursuant to Education Code section 66025.9, receiving services through Disabled Student Programs and Services (DSPS), Extended Opportunity Programs and Services (EOPS), California Work Opportunity and Responsibility to Kids program (CalWORKs), or Tribal TANF; and

Level Two - students who are continuing students not on academic or progress probation for two consecutive terms as defined in California Code of Regulations, Title 5, section 55031 and first time students who have completed orientation, assessment, and developed student education plans.

- Districts are not required to apply the registration priorities identified in subdivisions 2 and 3 for courses offered during summer or intersessions.
- Districts may establish additional registration priorities for students with priority lower than levels 1 and 2.

Registration priority specified above shall be lost at the first registration opportunity after a student:

- is placed on academic or progress probation or any combination thereof as defined in section 55031 for two consecutive terms; or
- has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district. 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.

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. 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. All units a student has enrolled shall be used in the determination of progress probation (5 CCR § 55031 Standards for Probation).

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The following registration procedures are permissible: **special registration assistance to the handicapped or disadvantaged student** as defined by statute, for the purpose of providing equalization of educational opportunity and enrollment of students in accordance with a priority system established pursuant to legal authority by the local board of trustees.

Each community college district shall establish written procedures by which a student may appeal the loss of priority enrollment status due to extenuating circumstances (refer to your administrative policies for specifics: accident, illness, etc.), or where a student with a disability applied for, but did not receive, reasonable accommodations in a timely manner.

Districts shall ensure that the requirements of this section are adopted in local board policies and operational. 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.

How Does Priority Registration Work With Categorical Programs?

Veterans

Veterans are part of the statutory group (EDC 66025.8 and T5 § 58108 (d)(1)) having the highest level of priority registration. A Veteran can lose their priority registration status for the following reasons:

- is placed on academic or progress probation or any combination thereof as defined in Title 5, section 55031 for two consecutive terms; or
- has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

DSPS

Many colleges and universities utilize priority registration as a method of providing program accessibility, which is required by Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA), and California Government Code section 11135 et. seq. , specifically, the Rehabilitation Act of 1973 Section 504, the ADA and California Government Code section 11135 et. seq. are non-discrimination laws for persons with disabilities and apply to public programs and activities or, in the case of Section 504, any entity that receives federal financial assistance. These provisions affect virtually every institution of higher education, including the California Community College system. In order to ensure non-discrimination, these laws require that a postsecondary institution make program accommodations in order to provide students with disabilities an equal opportunity to participate in the institution's courses, programs and activities. The ADA states that students with disabilities may not be excluded from participation in, or be denied the benefits of, or be subjected to discrimination in an institution's programs, services, or activities. In order to meet these requirements, priority registration can be an appropriate method

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to provide a disability related accommodation for students with disabilities, based on their functional limitations in the educational setting.

It is important to note that when provided as part of a disability accommodation, priority registration should not be limited to continuing students, but be available to new students, as well, if they have a disability related limitation in the educational setting where priority registration is used to enable the timely provision of an accommodation. For example, high school students with disabilities who need priority registration to ensure an accommodation based on their functional limitation(s) should be allowed to register in the spring priority registration period for the fall, rather than having to wait until registration opens up to other high school students.

If priority registration is not provided to a DSPS student, what are the consequences of not providing the service?

Many students with disabilities who are receiving services from DSPS have functional limitations that require some accommodation in scheduling their classes. If a college chooses not to offer priority registration to students with disabilities, it would still be responsible for providing, in a timely manner, the program access that students with disabilities need. Such access would need to be provided, even if it was more difficult or costly. It is important to note that priority registration assists the colleges to provide required accommodations in a timely and more cost effective manner since it provides for additional lead-time to locate and secure accommodations and service providers. Without such lead-time, services requested on short notice are often more costly and difficult to secure.

Students served by DSPS often need priority registration as an accommodation for one or more of the following reasons specified below:

- *Mobility Disability*: Ensuring classes are in accessible locations and not spread too far apart for students to get from one class to another;
- *Visually impaired or LD Students who need alternate text*: Allowance of lead-time to secure the accommodation of the alternate text in a timely manner. Additionally, students with learning disabilities, depending upon the nature of their disability, may need to select classes that meet multiple times a week instead of once a week, due to processing deficit issues. Priority registration can also aid in selecting professors who teach in a style that best meets the student's learning modality strengths (i.e., more hands-on or usage of visual aids).
- *Deaf/Hard of Hearing Students*: Priority registration provides the DSPS program the ability to see where students are enrolled to be able to have lead time to secure the accommodations of interpreters or real time captioning and to ensure class materials (such as audio visual materials) are captioned. In addition, colleges utilize priority registration for deaf students to try to voluntarily group students into the same sections for the most cost effective use of interpreters and/or real time captioning services. It is important to note that the college must provide the

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- interpreters for deaf students, even if the cost was significantly higher because students are enrolled in different sections.
- *Students with Other/Health Impairments*: Stamina or health issues may prescribe that classes be grouped for part of the day or certain parts of the day when the student feels most alert and productive;
- *Students with Psychological Disabilities*: Same as above due to possible effects of medication.

Please note this is not a complete list. There may be other situations based on the individual disability related limitations of the student in the educational setting.

The DSPS priority registration as an accommodation is to be used when there is a legitimate educational limitation that can be mitigated by registering sooner. This would be determined during an interactive process with the student. A good example is someone who needs materials in an alternate format. A DSPS priority registration accommodation is not across the board and is not related to how many units a student has completed.

EOPS

EOPS students are part of the statutory group (EDC 66025.91 and T5 § 58108 (d)(4)) having the highest level of priority registration. An EOPS student can lose their priority registration status for the following reasons:

- is placed on academic or progress probation or any combination thereof as defined in Title 5, section 55031 for two consecutive terms;
- has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district: or
- for violation of the EOPS program's policy for students on probation in the EOPS Mutual Responsibility Contract.

Foster Youth/Former Foster Youth

Foster youth are part of the statutory group (EDC 66025.9 and T5 § 58108 (d)(3)) having the highest level of priority registration. Per T5 § 58108 (h)(3), foster youth are not subject to losing their priority registration status.

Homeless Youth

Homeless youth are part of the statutory group (EDC 66025.9 and T5 § 58108 (d)(3)) having the highest level of priority registration.

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CalWORKs/Tribal TANF

CalWORKs and Tribal TANF eligible students are part of the statutory group (EDC 66025.92 and T5 § 58108 (d)(5)) having the highest level of priority registration. A CalWORKs/Tribal TANF eligible student can lose their priority registration status for the following reasons:

- is placed on academic or progress probation or any combination thereof as defined in Title 5, section 55031 for two consecutive terms; or
- has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the district.

General

High Unit Majors

Per Title 5, §58108 (h)(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.

The student will need to check the college's registration priority policies.

Previous Bachelor Degree

A student with a previous baccalaureate is not be eligible for Levels 1 and 2, but may be prioritized by the individual college after Levels 1 and 2. It is up to the local college on how they determine registration priority after Levels 1 and 2.

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