

**AP 5011 ADMISSION AND CONCURRENT ENROLLMENT OF HIGH SCHOOL AND OTHER YOUNG STUDENTS**

**References:**

Education Code Sections 48800, 48800.5, 76001, and 76002

**NOTE:** This procedure is **legally required** if the District admits high school students or younger students. Local practice may be inserted. At a minimum the procedures should address or include:

Admission criteria and procedures for younger students enrolling in the community college:

- Special part-time students (if applicable and as defined in Board Policy)
- Special full-time students (if applicable and as defined in Board Policy)
- Summer school students (if applicable and as defined in Board Policy)
- Agreements between school District(s) and community college District
- Credit granted for courses
- Limits on the number of units for which special part time students may enroll [See Education Code Section 76001.d for specific language]
- Procedures for denial of request for full-time enrollment, including time constraints [See Education Code Section 76001(b) for specific language]
- Procedures for recording board findings and reasons for denial of a request for admission by a student identified as highly gifted.
- Procedures for assigning a low enrollment priority to special part-time or full-time students, except for students attending a middle college high school if the student is seeking to enroll in a course that is required for the student's middle college high school program, to ensure they do not displace regularly admitted students.
- Procedures for maintaining records of enrollment of these students for apportionment purposes.
- Procedures for ensuring that claims for state apportionment for K-12 students meet all of the following criteria:
  - The class is open to the general public
  - The class is advertised as open to the general public in one or more of the following:
    - The college catalog
    - The regular schedule of classes

- *An addenda to the catalog or schedule*

*If the decision to offer a class on a high school campus is made after publication of the District's regular schedule of classes, and the class is only advertised to the general public through electronic media, the class must be advertised for a minimum of 30 continuous days prior to the first meeting of the class.*

*If the class is offered on a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the school board.*

*If the class is a physical education class, no more than 10 percent of the enrollment of the class may consist of special part-time or full time students.*

**NOTE:** *The following language in red, underlined ink includes legally required and legally advised sentences to include in this procedure.*

❖ **From current CLPCCD Administrative Rules and Procedures 5124 titled Concurrent Enrollment for High School Students**

The District ~~will~~ may provide opportunities for students enrolled in high school courses to enroll concurrently in courses at either college for credit. To be considered for admittance as a **special part-time student**, the student must meet the eligibility standards as established in Education Code Sections 48800 and 76001. To be considered for admission as a **special full-time student**, the student must meet the eligibility standards as established in Education Code Section 48800.05. The concurrent enrollment conditions and eligibility requirements for high school students are herein described.

**1. Conditions of Enrollment**

- a. The colleges may determine which student shall be admitted. Such decisions shall be based on:
  - i. completion of course prerequisites
  - ii. appropriateness of the course(s) requested
  - iii. ~~space availability:~~ students who are concurrently enrolled will **be accommodated on a space available basis** register during the first week of classes.
- b. High school students will be held to the same academic standards as any other college student enrolled in the class.
- c. High school students will remain a member of the high school. ~~High school students may not participate in the co-curricular programs of the college.~~
- d. High school students will not be permitted to enroll in more than 11 ~~12~~ units per semester.
- e. High school students will arrange for transportation to and from the college.
- f. High school students will attend the high school for at least the minimum high school day.

- g. High school students will purchase the required books and supplies for the college course(s).
- h. High school students will provide grade reports to their high school counselor or principal.

## 2. Eligibility of Students

To be eligible for concurrent enrollment, students must:

- a. be concurrently enrolled in high school.
- b. be authorized by the high school principal and counselor to pursue specific courses.
- c. have written parental approval secured in advance by the high school.
- d. secure approval from the affiliated local school district if the student is home schooled.

## 3. Procedures for Enrollment

The college will inform the high schools about the process that high school students must follow for concurrent enrollment. The college will also develop with each high school district a policy related to high school students receiving credit for completed courses at either college. High school credit is determined by the student's high school district.

Admission is subject to seat availability. The student must submit:

- application for admission;
- written and signed parental or guardian consent;
- written and signed approval of his/her principal; (**Note:** *Home schooled students shall secure approval from the affiliated local school district.*)
- current high school transcript;
- demonstration that the student is capable of profiting from instruction.

The Chief Student Services Officer has the authority to make the final decision whether a student can benefit from instruction.

All required documents shall be submitted to the Admissions and Records Office.

**High School Students:** For students attending high school, the Admissions and Records Office will review the materials, and will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college. The decision of the Chief Student Services Office shall be final.

Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance. Courses will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline.

If a request for special part-time or full-time enrollment is denied for a pupil who has been identified as highly gifted, the Board shall provide written findings and reasons for

the denial within 60 days. A recommendation regarding the request for admission, and the denial shall be submitted to the Board at a regularly scheduled meeting that falls at least 30 days after the request for admission has been submitted.

❖ **From current CLPCCD Administrative Rules and Procedures 5270 titled Procedures to Determine the Capability to Profit from Instruction**

~~By this rule, the Chancellor is authorized to determine whether a person is or is not capable of profiting from college instruction. The determination of capability to profit is a matter of composite professional judgment based upon available evidence.~~

~~Final determination shall be made by the Chancellor on the basis of evidence and recommendations presented by the professional staff. The Vice President of Student Services shall be responsible for the gathering of evidence and the preparation of recommendations.~~

~~Professional judgments regarding an individual's capability to profit may be applied to the determination of that person's eligibility for admissions, enrollment, and/or dismissal. High school graduates are automatically admitted and shall be held to the academic requirements of the College. Other persons are admitted as provisional students whose enrollment in any subsequent semester shall be based upon satisfaction of the prescribed College rules and regulations pertaining to scholastic achievement and to provisional or probationary status. Evidence of capability to profit shall be used to counsel and guide each individual toward realistic educational and career goals and objectives.~~

~~The Vice President of Student Services shall be responsible for notifying the person involved of the decision and recommendation of the professional staff. If the person is dissatisfied, his/her recourse is to notify the Vice President within forty eight (48) hours after receiving notice that a formal hearing is desired.~~

~~The Vice President of Student Services is responsible for convening a formal hearing committee. The committee shall be composed of five certificated members representing the instructional, counseling and management staffs. Three members shall be appointed by the president of the Faculty Senate and two by the Chancellor. Staff members who may be called as witnesses shall not be appointed as members of the hearing committee. The committee shall choose one member to be chairperson.~~

~~The formal hearing committee shall conduct its proceedings as follows:~~

- ~~1. Review the record of evidence presented by the Vice President of Student Services;~~
- ~~2. Hear testimony, examine witnesses, consider and discuss all available evidence relating with the determination of the individual's ability to profit from college instruction;~~

- ~~3. The individual who is the subject shall have the right to be present, to be represented by a person of his/her choice, and to present evidence of his/her ability to profit from college instruction;~~
- ~~4. The committee shall render professional judgment regarding the relevancy and weight of testimony and evidence regarding the individual's capability to profit from college instruction;~~
- ~~5. The committee shall submit a statement of its judgment and recommendations to the Vice President of Student Services, with a copy to the individual involved;~~
- ~~6. The hearing shall be closed to the public unless the individual notifies the Vice President of Student Services forty-eight (48) hours in advance that he/she desires that the hearing be public;~~
- ~~7. A summary record of the proceedings, if held in closed session, shall be kept in a confidential file by the Vice President of Student Services;~~
- ~~8. The Vice President of Student Services shall transmit to the Chancellor the records and evidence of the case related with both the initial recommendations of the professional staff and the findings and recommendations of the formal hearing committee;~~
- ~~9. After review of the records and other evidence and consideration of the recommendations, the Chancellor shall render the final determination of the individual's ability to profit from college instruction and shall advise the governing board of the action taken;~~
- ~~10. The Vice President of Student Services shall notify the individual of the decision and the action taken.~~

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**NOTE:** The **red ink** signifies language that is **legally required** and recommended by the Policy and Procedure Service and its legal counsel. The language in **black ink** is from current CLPCCD Administrative Rules and Procedures 5124 titled Concurrent Enrollment for High School Students issued on March 19, 1996 and current CLPCCD Administrative Rules and Procedures 5270 titled Procedures to Determine the Capability to Profit from Instruction issued on March 19, 1996. The language in **green ink** reflects revisions during the administrative review on May 7, 2013.

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**Date Approved:**

*(This new procedure replaces current Administrative Rules and Procedures 5124 and 5270)*

## Legal Citations for AP 5011

### EDUCATION CODE SECTIONS 33190, 48800, 48800.5, 76001, and 76002

**33190.** Every person, firm, association, partnership, or corporation offering or conducting private school instruction on the elementary or high school level shall between the first and 15th day of October of each year, commencing on October 1, 1967, file with the Superintendent of Public Instruction an affidavit or statement, under penalty of perjury, by the owner or other head setting forth the following information for the current year:

(a) All names, whether real or fictitious, of the person, firm, association, partnership, or corporation under which it has done and is doing business.

(b) The address, including city and street, of every place of doing business of the person, firm, association, partnership, or corporation within the State of California.

(c) The address, including city and street, of the location of the records of the person, firm, association, partnership, or corporation, and the name and address, including city and street, of the custodian of such records.

(d) The names and addresses, including city and street, of the directors, if any, and principal officers of the person, firm, association, partnership, or corporation.

(e) The school enrollment, by grades, number of teachers, coeducational or enrollment limited to boys or girls and boarding facilities.

(f) That the following records are maintained at the address stated, and are true and accurate:

(1) The records required to be kept by Section 48222.

(2) The courses of study offered by the institution.

(3) The names and addresses, including city and street, of its faculty, together with a record of the educational qualifications of each.

(g) Criminal record summary information has been obtained pursuant to Section 44237.

Whenever two or more private schools are under the effective control or supervision of a single administrative unit, such administrative unit may comply with the provisions of this section on behalf of each of the schools under its control or supervision by submitting one report.

Filing pursuant to this section shall not be interpreted to mean, and it shall be unlawful for any school to expressly or impliedly represent by any means whatsoever, that the State of California, the Superintendent of Public Instruction, the State Board of **Education**, the State Department of **Education**, or any division or bureau of the department, or any accrediting agency has made any evaluation, recognition, approval, or endorsement of the school or course unless this is an actual fact.

The Superintendent of Public Instruction shall prepare and publish a list of private elementary and high schools to include the name and address of the school and the name of the school owner or administrator.

**48800.** (a) The governing board of a school district may determine which pupils would benefit from advanced scholastic or vocational work. The intent of this section is to provide educational enrichment opportunities for a limited number of eligible pupils, rather than to reduce current course requirements of elementary and secondary schools, and also to help ensure a smoother transition from high school to college for pupils by providing them with greater exposure to the collegiate atmosphere. The governing board may authorize those pupils, upon recommendation of the principal of the pupil's school of attendance, and with parental consent, to attend a community college during any session or term as special part-time or full-time students and to undertake one or more courses of instruction offered at the community college level.

(b) If the governing board denies a request for a special part-time or full-time enrollment at a community college for any session or term for a pupil who is identified as highly gifted, the board shall issue its written recommendation and the reasons for the denial within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled board meeting that falls at least 30 days after the request has been submitted.

(c) The students shall receive credit for community college courses that they complete at the level determined appropriate by the school district and community college district governing boards.

(d) (1) The principal of a school may recommend a pupil for community college summer session only if that pupil meets all of the following criteria:

(A) Demonstrates adequate preparation in the discipline to be studied.

(B) Exhausts all opportunities to enroll in an equivalent course, if any, at his or her school of attendance.

(2) For any particular grade level, a principal may not recommend for community college summer session attendance more than 5 percent of the total number of pupils who completed that grade immediately prior to the time of recommendation.

(3) A pupil recommended by his or her principal for enrollment in a college-level advanced scholastic summer session course or in a vocational community college summer session course shall not be included in determining the 5 percent of pupils recommended if all of the following criteria are met:

(A) The course is offered by a middle college high school or an early college high school, as defined by paragraph (4).

(B) The high school principal who makes the recommendation provides data to the Chancellor of the California Community Colleges at the request of that office for purposes of preparing the annual report pursuant to paragraph (5).

(C) The course meets one of the following criteria:

(i) It is a for credit, lower division, college-level course that is designated as part of the Intersegmental General **Education** Transfer Curriculum or applies toward the general **education** breadth requirements of the California State University.

(ii) The course is a for credit, college-level, occupational course assigned a Priority **code** of "A," "B," or "C," pursuant to the Student Accountability Model, as defined by the Chancellor of the California Community Colleges and reported in the management information system, and the course is part of a sequence of vocational or career technical **education** courses leading to a degree or certificate in the subject area covered by the sequence.

(4) For purposes of this section, a "middle college high school" or an "early college high school" means a high school that meets all of the following criteria:

(A) The school has an enrollment of 400 or fewer pupils, and is recognized by the department and by the Chancellor of the California Community Colleges

as a district school that has been assigned a County-District-School **code** by the department.

(B) The school's program is sponsored by a legally binding memorandum of understanding or similar formal agreement between a sponsoring local educational agency and a community college district that establishes cogovernance and resource allocation policies and procedures for the cosponsored school. (C) The school serves cohorts of pupils in a coherent high school and community college program of study that includes, as a clearly identified outcome for each pupil, a high school diploma and achievement of, or preparation for, completion of an associate degree, eligibility for transfer to a four-year college or university, or completion of a community college certificate program in a vocational, technical, or business occupation.

(5) On or before January 1, 2007, and on or before January 1 of each year thereafter, the Chancellor of the California Community Colleges shall report to the Department of Finance the number of pupils recommended pursuant to paragraph (3) who enroll in community college summer session courses.

(6) The Board of Governors of the California Community Colleges may not include enrollment growth attributable to paragraph (3) as part of its annual budget request for the California Community Colleges.

(7) Notwithstanding Article 3 (commencing with Section 33050) of Chapter 1 of Part 20, compliance with this subdivision may not be waived.

(e) Paragraphs (3), (4), (5), and (6) of subdivision (d) shall become inoperative on January 1, 2011.

**48800.5.** (a) A parent or guardian of a pupil, regardless of the pupil's age or class level, may petition the governing board of the school district in which the pupil is enrolled to authorize the attendance of the pupil at a community college as a special full-time student on the ground that the pupil would benefit from advanced scholastic or vocational work that would thereby be available. If the governing board denies the petition, the pupil's parent or guardian may file an appeal with the county board of **education**, which shall render a final decision on the petition in writing within 30 days.

(b) A pupil who attends a community college as a special full-time student pursuant to this section is exempt from compulsory school attendance under Chapter 2 (commencing with Section 46100) of Part 26.

(c) A parent or guardian of a pupil who is not enrolled in a public school may directly petition the president of any community college to authorize the attendance of the pupil at the community college as a special part-time or full-time student on the ground that the pupil would benefit from advanced scholastic or vocational work that would thereby be available.

(d) Any pupil authorized to attend a community college as a special full-time student shall, nevertheless, be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law.

(e) For purposes of allowances and apportionments from the State School Fund, a community college shall be credited with additional units of average daily attendance attributable to the attendance of special full-time students at the community college.

**76001.** (a) The governing board of a community college district may admit to any community college under its jurisdiction as a special part-time or full-time student in any session or term any student who is eligible to attend community college pursuant to Section 48800 or 48800.5.

(b) If the governing board denies a request for a special part-time or full-time enrollment at a community college for a pupil who is identified as highly gifted, the board shall record its findings and the reasons for denial of the request in writing within 60 days. The written recommendation and denial shall be issued at the next regularly scheduled board meeting that falls at least 30 days after the request has been submitted.

(c) The attendance of a pupil at a community college as a special part-time or full-time student pursuant to this section is authorized attendance, for which the community college shall be credited or reimbursed pursuant to Sections 48802 and 76002. Credit for courses completed shall be at the level determined to be appropriate by the school district and community college district governing boards.

(d) For purposes of this section, a special part-time student may enroll in up to, and including, **11 units per semester**, or the equivalent thereof, at the community college.

(e) The governing board of a community college district shall assign a low enrollment priority to special part-time or full-time students described in subdivision (a) in order to ensure that these students do not displace regularly admitted students.

**76002.** (a) For the purposes of receiving state apportionments, a community college district may include high school pupils who attend a community college within the district pursuant to Sections 48800 and **76001** in the district's report of full-time equivalent students (FTES) only if those pupils are enrolled in community college classes that meet all of the following criteria:

(1) The class is open to the general public.

(2) (A) The class is advertised as open to the general public in one or more of the following:

(i) The college catalog.

(ii) The regular schedule of classes.

(iii) An addenda to the college catalog or regular schedule of classes.

(B) If a decision to offer a class on a high school campus is made after the publication of the regular schedule of classes, and the class is solely advertised to the general public through electronic media, the class shall be so advertised for a minimum of 30 continuous days prior to the first meeting of the class.

(3) If the class is offered at a high school campus, the class may not be held during the time the campus is closed to the general public, as defined by the governing board of the school district during a regularly scheduled board meeting.

(4) If the class is a physical **education** class, no more than 10 percent of its enrollment may be comprised of special part-time or full-time students. A community college district may not receive state apportionments for special part-time and full-time students enrolled in physical **education** courses in excess of 5 percent of the district's total reported full-time equivalent enrollment of special part-time and full-time students.

(b) The governing board of a community college district may restrict the admission or enrollment of a special part-time or full-time student during any session based on any of the following criteria:

(1) Age.

(2) Completion of a specified grade level.

(3) Demonstrated eligibility for instruction using assessment methods and procedures established pursuant to Chapter 2 (commencing with Section 78210) of Part 48 and regulations adopted by the Board of Governors of the California Community Colleges.

(c) The Chancellor of the California Community Colleges shall prepare and submit to the Department of Finance and the Legislature, on or before March 1, 2004, and March 1 of each year thereafter, a report on the amount of FTES claimed by each community college district for special part-time and special full-time students for the preceding academic year in each of the following class categories:

- (1) Noncredit.
- (2) Nondegree-applicable.
- (3) Degree-applicable, excluding physical **education**.
- (4) Degree-applicable physical **education**.

(d) The Board of Governors of the California Community Colleges shall adopt rules and regulations to implement this section.