



## **California Community Colleges Guidelines for Title 5 Regulations on Repeats and Withdrawals**

Adopted by the Board of Governors of the  
California Community Colleges on July 11, 2011  
and effective October 12, 2011

This document summarizes and provides guidelines  
for select title 5 regulations regarding repetition  
and withdrawal enrollment limitations for  
non-repeatable courses.

**California Community Colleges Chancellor's Office  
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# Table of Contents

I.	Introduction.....	1
II.	Clarification of Enrollment, Repetition and Repeatability .....	2
III.	Summary of Key Enrollment Limitation Topics .....	3
IV.	Guidelines by Regulation Section	
	55024 Withdrawal .....	6
	55040 District Policy for Course Repetition .....	10
	55041 Repeatable Courses (pending proposed Board changes).....	12
	55042 Course Repetition to Alleviate Substandard Academic Work.....	12
	55043 Course Repetition Due to Significant Lapse of Time.....	13
	55044 Repetition of Variable Unit Courses .....	14
	55045 Course Repetition Due to Extenuating Circumstances.....	16
	55046 Academic Renewal Without Course Repetition.....	17
	58161 Apportionment for Course Repetition.....	18
	58161.5 Apportionment for Re-Enrollment After Withdrawal (Repealed).....	20
V.	Frequently Asked Questions .....	21
VI.	Appendices	
	Appendix A GPA Calculation.....	25
	Appendix B Number of Course Enrollment Attempts Allowable in Title 5.....	26

# **California Community Colleges Guidelines on title 5 Regulations on Withdrawal, Repetition and Enrollment for Non-Repeatable Courses**

## **I. Introduction**

The purpose of these guidelines is to clarify provisions of title 5 regulations on credit course repetition, withdrawal and apportionment limits on enrollments for non-repeatable courses (sections 55024, 55040, 55042, 55043, 55045 and 58161). Although these regulations underwent several changes in 2007, 2008, 2009 and 2011, this document primarily focuses on the latest regulations that were adopted by the Board of Governors in July 2011, with an effective date of October 12, 2011.

Districts will not be considered out of compliance with a regulatory requirement solely because its written district policies or procedures have not been revised by the effective date of the new regulations, as long as the district's policies or procedures conform to the new regulatory requirements within 180 days of the effective date. Additionally, districts must ensure that the new legal requirements are incorporated into catalogs and class schedules at the first available opportunity. Given the forgoing, we expect colleges to implement the appropriate policy changes adopted in title 5 and provide notice to the public in time for summer session 2012.

## **Background**

Over the last several years, there have been various discussions about the possibility of limiting the number of times a student could repeat and withdraw from credit courses. These state policy discussions resulted in title 5 regulatory changes in 2007, 2008, 2009, and most recently, in 2011. The overall purpose of these changes was to provide greater distinction and clarity regarding the circumstances under which a student could repeat or withdraw from the same credit course and to establish greater limits on repeat enrollments.

For a history of the regulatory changes made since 2007, please review the Board of Governors agenda items linked below from the following website:

<http://www.cccco.edu/ChancellorsOffice/Divisions/StudentServicesandSpecialPrograms/Admissions/tabid/2081/Default.aspx>.

To establish limits and better define “repeatable” courses, the Chancellor’s Office worked with the System Advisory Committee on Curriculum (SACC) to review current policy on repeatable courses and to develop a regulatory proposal to establish greater limits on courses designated as repeatable. The Chancellor Office intends to bring forward a regulatory proposal to establish appropriate enrollment limits on these types of courses at the May 2012 Board of Governors meeting for a first reading. If the Board adopts the title 5 changes later in the year, these guidelines will be updated to include repeatable course limits.

## II. Clarification of Enrollment, Repetition and Repeatability

For the purpose of understanding title 5 requirements related to course enrollment and repetition, it is important to note the differences between these terms and how they are applied.

***Enrollment:*** An enrollment in a course occurs when a student receives an evaluative or nonevaluative symbol pursuant to section 55023. In general, for non-repeatable credit courses, unless an exemption applies, a student who receives a satisfactory grade in a credit course is permitted to enroll in that course only one time. If a student receives a substandard grade and/or withdraws from the course, the student is allowed to enroll in the course two more times, for a maximum of three enrollments (section 58161).

***Repetition:*** Repetition in a course occurs when a student who has previously received an evaluative symbol in a particular course re-enrolls in that same course and receives another evaluative symbol (Section 55023). Title 5 regulations specify the circumstances under which a student may repeat a course. (See sections 55040-45, 55253, 56029)

***Repeatability:*** Current regulations specify the types of courses that can be designated by a district as repeatable in section 55041. As the types of courses that can be designated as repeatable are slated for significant change by the Board of Governors in the forthcoming months, we are deferring drafting guidelines regarding repeatable courses until those amendments have been adopted. However, districts should keep in mind that in existing regulations on repeatable courses, as well as in the proposed changes to these regulations, in general, districts may only receive apportionment for, a maximum of four enrollments for semester courses and six enrollments for quarter courses. Further, this limitation applies even if the student receives a substandard grade or a “W” during one or more of the enrollments [up to two substandard grades can be alleviated consistent with section 55042(c), as long as no additional repetitions are permitted beyond the limit specified in 55041].

### III. Summary of Key Enrollment Limit Topics

The table below provides an overview of the title 5 regulations on repetition and withdrawals and corresponding enrollment and apportionment limitations. For more detailed information concerning each regulatory section, please refer to the regulation detail beginning on page 6 (*Section IV, Guidelines by Regulatory Section*). The purpose of this section is to provide an at-a-glance summary of the key regulatory topics on enrollment limits addressed in this document.

*Note: The Chancellor's Office anticipates presenting the Board of Governors with a regulatory proposal to limit repeatable courses in the near future. These guidelines will be updated to reflect the changes if the board adopts the changes in July or September 2012.*

Regulatory Provision	Enrollment Limit for Student	Enrollment Limit for Apportionment (58161)	Summary
1. Apportionment Limit on Enrollment in Non-repeatable Courses (55024)(a)(9), (55040), (58161)	3 enrollments +1 ( <i>petition required if district policy allows it</i> )	3 enrollments+1 ( <i>petition required if district policy allows it</i> )	A student may enroll in the same credit course a maximum of 3 times. Districts may permit one additional funded enrollment on an appeal basis if a student needs to repeat due to significant lapse of time or due to extenuating circumstances relating to verified cases of accidents, illness, or other circumstance beyond the student's control. Districts can allow additional enrollments on an appeal basis without claiming apportionment. [55024(a)(9), 58161(e)]
2. General Rule on Repetition where Satisfactory Grade Received	1 enrollment	1 enrollment	Student receiving a satisfactory grade may not repeat a course (unless another rule allows it). [55042(b)]
3. Substandard Grade (55042)	Initial enrollment, plus 2 repeat enrollments	3 enrollments+1	A student receiving a substandard grade has two opportunities to repeat a course to alleviate the substandard grade. Districts may permit an additional enrollment on a petition basis for extenuating circumstances ( <i>if a student received an evaluative symbol</i> ) and claim apportionment for that enrollment. The first two substandard grades may be excluded in computing the student's GPA. (55042)

Regulatory Provision	Enrollment Limit for Student	Enrollment Limit for Apportionment (58161)	Summary
4. Significant Lapse of Time (55043)	1 enrollment	1 enrollment	District may permit a student who previously received a satisfactory grade to repeat a course due to significant lapse of time. Significant lapse of time is defined by district policy. [55043(a)(1)] <i>Until new regulations are adopted to establish a timeframe for significant lapse of time, the Chancellor's Office recommends that districts define it as a period of no less than 36 months since the last satisfactory grade was obtained.</i> Prior grade and credit may be disregarded per district policy. [55043 (c)]
5. Extenuating Circumstances (55045)	1 enrollment	1 enrollment	District may permit a student to petition to repeat a course due to an extenuating circumstance. Extenuating circumstances are verified cases of accidents, illness, or other circumstance beyond the student's control. District policy may allow a previous grade and credit to be disregarded in computing the student's GPA. [55045 (b)]
6. Special Course Repetition (56029)	No limit if conditions of 56029 met	No limit if conditions of 56029 met	District may permit a student with a disability to repeat a Special Course any number of times if it is determined that such repetition is required for that person as a disability-related accommodation. District policy may allow previous grade and credit to be disregarded in computing the student's GPA. [55040(c)(7)]
7. Extraordinary Conditions Withdrawal [55024(a)(10)]	No limit if authorized by the district and extraordinary conditions met	No limit if authorized by the district and extraordinary conditions met	District policy may provide for a student to withdraw without a "W" notation if it is due to fire, flood or other extraordinary condition and the withdrawal is authorized by the district (55024, 58509), or if a district is unable to keep the college open for at least 175 days due to fire, flood, epidemic, emergency created by war, or other major safety hazard. (58146)

Regulatory Provision	Enrollment Limit for Student	Enrollment Limit for Apportionment (58161)	Summary
8. Legally Mandated Training [55041(b)]	No limit if condition of 55041(b) met	No limit if condition of 55041(b) met	May be repeated for credit any number of times, "if necessary to meet legally mandated training requirements as a condition of paid or volunteered employment." [55041(b)]
9. Military Withdrawal (MW) [55024(d)(1)]	No limit	No limit	A student who is on active or reserve duty in the U.S. military service who receives orders compelling withdrawal, may do so. Upon verification of orders, the MW may be assigned even if the time period established by the district for withdrawal has passed. [55024(d)(1)]



## IV. Guidelines by Regulation Section

The following sections provide an analysis and guidelines for the title 5 regulations on repetition, withdrawal and enrollment limits.

The California Code of Regulations can be found at the Office of Administrative Law website at: <http://www.calregs.com>.

### **§55024. Withdrawal**

*(a) The governing board of a district which decides to provide a withdrawal procedure shall adopt a policy which provides for withdrawal from credit courses consistent with the following:*

*(1) Withdrawal from a course or courses shall be authorized through the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The governing board, however, may establish a final withdrawal date which prohibits withdrawal after a designated point in time between the end of the fourth week of instruction (or 30 percent of a term, whichever is less) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less). The academic record of a student who remains in a course beyond the time allowed by district policy must reflect a symbol as authorized in section 55023 other than a "W."*

*(2) The governing board may by regulation authorize withdrawal from a course or courses in extenuating circumstances after the last day of the fourteenth week (or 75 percent of the term, whichever is less) upon petition of the student or his or her representative and after consultation with the appropriate faculty. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the control of the student.*

*(3) No notation ("W" or other) shall be made on the academic record of the student who withdraws during the first four weeks or 30 percent of a term, whichever is less. The governing board may establish a period of time shorter than the first four weeks or 30 percent of a term, during which no notation shall be made.*

*(4) Withdrawal between the end of the fourth week (or such time as established by the district) and the last day of the fourteenth week of instruction (or 75 percent of a term, whichever is less) shall be authorized, provided the appropriate faculty is informed.*

*(5) Withdrawal after the end of the fourteenth week (or 75 percent of a term, whichever is less) when the district has authorized such withdrawal in extenuating circumstances, after consultation with appropriate faculty, shall be recorded as a "W."*

*(6) For purposes of withdrawal policies, the term "appropriate faculty" means the instructor of each course section in question or, in the event the instructor cannot be contacted, the department chair or appropriate administrator.*

*(7) The "W" shall not be used in calculating grade point averages, but shall be used in determining probation and dismissal pursuant to article 3 of this subchapter.*

*(8) A "W" shall not be assigned, or if assigned shall be removed, from a student's academic record, if a determination is made pursuant to sections 59300 et seq. that the student withdrew from the course due to discriminatory treatment or due to retaliation for alleging discriminatory treatment.*

*(9) The district policy shall establish the number of times (not to exceed three times) that a student may withdraw and receive a “W” symbol on his or her record for enrollment in the same course. The district policy may permit a student to enroll again in a course after having previously received the authorized number of “W” symbols in the same course in colleges within the district, if the chief instructional officer, chief student services officer or other district official designated in the district policy approves such enrollment after review of a petition filed by the student.*

*(10) The district policy may provide that a “W” symbol will not be assigned to any student who withdrew from one or more classes, where such withdrawal was necessary due to fire, flood or other extraordinary conditions and the withdrawal is authorized by the district pursuant to section 58509.*

*(11) The district policy shall include provisions for intervention in cases of multiple withdrawals.*

*(b) Within the parameters set forth in subdivision (a), criteria for withdrawal and the procedures to accomplish it shall be established by the district governing board and published in college catalogs.*

*(c) A district's responsibilities with respect to enrollment or attendance accounting shall not be modified or superseded in any way by adoption of a withdrawal policy.*

*(d) The governing board of a district which decides to provide a withdrawal policy shall also adopt military withdrawal procedures consistent with the following:*

*(1) “Military Withdrawal” occurs when a student who is a member of an active or reserve United States military service receives orders compelling a withdrawal from courses. Upon verification of such orders, a withdrawal symbol may be assigned at any time after the period established by the governing board during which no notation is made for withdrawals. The withdrawal symbol so assigned shall be a “MW.”*

*(2) Military withdrawals shall not be counted in progress probation and dismissal calculations.*

*(3) “MW” shall not be counted for the permitted number of withdrawals.*

*(4) In no case may a military withdrawal result in a student being assigned an “FW” grade.*

*(e) Notwithstanding the limits set forth above, apportionment will be limited as set forth in section 58161.*

*Authority cited: Section 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

## **Guidelines for Section 55024**

This section authorizes districts to establish policies on withdrawal and describes requirements that such policies must satisfy. Districts are allowed to adopt more restrictive policies on the number of withdrawals but cannot exceed the limit of three [Subdivision (a)(9)]. *Note: The maximum enrollment in the same credit course that is designated as non-repeatable is three.*

As set forth above, enrollment in a single credit course is limited to three enrollments, with specific exemptions (section 58161). An enrollment occurs only when a student receives an evaluative or nonevaluative symbol pursuant to section 55023. Thus, students who are determined to be actively enrolled as of the census point in Weekly or Daily Census courses, but drop 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), are not eligible to be claimed for apportionment because the student would not be eligible to receive an evaluative or nonevaluative symbol (“W” or other) [Refer to section 55024(a)(3)]. Credit courses on the positive attendance accounting procedure would be similarly affected. In other words, districts cannot claim Full-Time Equivalent Student (FTES) for students who were not in the class long enough to require them to be assigned an evaluative or nonevaluative symbol.

To mitigate the potential apportionment impact from course drops occurring before an evaluative or nonevaluative symbol is assigned, 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.

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.

#### **Additional clarifications on regulations:**

- A student may withdraw from a course without a “W” notation during the first four weeks or an earlier date established by the governing board of the district. *Subdivision (a)(3)*.
- A student may withdraw from a course with a “W” notation between the fourth and the fourteenth week (30% to 75%), or an earlier date establish by the governing board of the district. *Subdivision (a)(4)*.
- A student may withdraw with a “W” after the fourteenth week in extenuating circumstances such as accidents, illnesses or circumstances beyond their control. It is the student’s responsibility to consult with the faculty, provide verifiable evidence and file a petition for withdrawal. *Subdivisions (a)(2) and (a)(5)*.
- A district may claim apportionment for the attendance of a student in a credit course if the “W” symbol, as defined in section 55023, has been assigned to that student for that same course three or less times at colleges within the district. A district policy may permit a student to enroll again by petition provided the district does not claim apportionment for that enrollment.
- Subdivisions (a)(4) and (a)(6) requires that appropriate faculty be informed when students withdraw from a credit course after the end of the fourth week of a term (or such time as established by the district). In practice, this notification is often a notation of “W” on the class roster that is available to the instructor. Notification may also be done through an automated system.

- Subdivision (a)(7) states that the grade symbol “W” is used for determining probation and dismissal and not for calculating grade point averages.
- Subdivision (a)(8) clarifies that a “W” can be removed from a student’s record in the event that the student files a discrimination complaint and evidence confirms that discriminatory treatment occurred. This removal of the “W” does not count against the withdrawal or enrollment limit for the student.
- Subdivision (a)(9) states that the maximum number of withdrawals from the same course is three, which are counted towards the overall enrollment limit of three. A student is permitted to enroll a fourth time after the maximum number of “W” enrollments have been recorded if the designated district official approves such enrollment after review of a petition filed by the student and the petition meets the allowable exceptions. In this instance, the district would not be able to claim apportionment for the fourth enrollment and beyond.

Except under extremely limited circumstances, there is no apportionment for this fourth enrollment. *Note that the maximum enrollment is three regardless of the number of repeats. Refer to Question and Answer section of this document for examples.*

- Subdivision (a)(10) provides that a “W” will not be assigned to any student who withdrew from one or more courses, where such withdrawal was necessary due to fire, flood, or other extraordinary conditions, and the withdrawal is authorized by the district pursuant to section 58509. *This is one of the enrollment limit exemptions where a college district can claim apportionment.*
- Subdivision (a)(11) requires that district policy include provisions for intervention in cases when a student exhibits a pattern of multiple withdrawals.
- Subdivision (b) requires that district policy and procedures for withdrawal be described in college publications.
- Subdivision (d) clarifies that students who withdraw from a course to report for military service will be assigned the “MW” symbol that will not be counted toward the permitted number of withdrawals. The regulations do not restrict either the number of times a student can receive an “MW” or the number of times a college can receive apportionment for “MWs.” In addition, MW is not subject to an intervention for multiple withdrawals. MW shall not be counted in progress probation and dismissal. *This is one of the exemptions to the enrollment limit where a college district can claim apportionment.*

#### **§55040. District Policy for Course Repetition**

*(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the repetition of credit courses. Such policies and procedures shall not conflict with section 55025 or Education Code section 76224, pertaining to the finality of grades assigned by instructors, or with subchapter 2.5 (commencing with section 59020) of chapter 10 of this division, pertaining to the retention and destruction of student records.*

*(b) For purposes of course repetition, academic renewal, and all other related provisions in this division, the following terms shall have the meanings specified below:*

*(1) "Course repetition" occurs when a student who has previously received an evaluative symbol as defined in section 55023, in a particular course re-enrolls in that course and receives an evaluative symbol as defined in section 55023.*

*(2) "Substandard academic work" means course work for which the grading symbols "D," "F," "FW," "NP" or "NC" (as defined in sections 55023 and 55030) have been recorded.*

*(c) The policies and procedures adopted pursuant to subdivision (a) may:*

*(1) designate certain types of courses as "repeatable courses" consistent with the requirements of section 55041.*

*(2) allow a student to repeat a course in an effort to alleviate substandard academic work consistent with the requirements of section 55042.*

*(3) permit or require a student to repeat a course due to significant lapse of time consistent with the requirements of section 55043.*

*(4) permit a student to repeat a portion of a variable unit open-entry/open-exit course which the student previously completed only under the circumstances described in section 55044.*

*(5) permit a student to repeat a course which is not designated as a repeatable course, regardless of whether or not substandard academic work was previously recorded, where the district determines, consistent with section 55045, that there are extenuating circumstances which justify the repetition.*

*(6) permit a student to repeat a course in occupational work experience under the circumstances described in section 55253. When an occupational work experience course is repeated pursuant to that section, the grade received each time shall be included for purposes of calculating the student's grade point average.*

*(7) permit a student with a disability to repeat a special class for students with disabilities any number of times based on an individualized determination that such repetition is required as a disability-related accommodation for that particular student for one of the reasons specified in section 56029. The district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.*

*(d) When course repetition occurs pursuant to this section, the student's permanent academic record shall clearly indicate any courses repeated using an appropriate symbol and be annotated in such a manner that all work remains legible, insuring a true and complete academic history.*

*(e) Notwithstanding the limits set forth above, apportionment will be limited as set forth in section 58161.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

### **Guidelines for Section 55040**

This section authorizes districts to establish policies on repetition of credit courses and describes requirements that such policies must satisfy. Districts are allowed to adopt more restrictive policies or to adopt policies permitting additional credit course repetitions if apportionment is not claimed.

Subdivision (b) provides the following definitions:

1. "Course Repetition" occurs when a student who has previously received an evaluative symbol, as defined in section 55023, in a particular course re-enrolls in that same course and receives another evaluative symbol. Title 5, section 55023, defines "evaluative symbols" as A, B, C, D, F, FW, P, NP, NC, CR; and "nonevaluative symbols" as W, I, IP, RD, MW. *Please note that MW does not count towards an enrollment.*
2. "Substandard academic work" or "substandard grade" means coursework for which the grading symbols D, F, FW, NP or NC (as defined in section 55023 and 55030) have been recorded. Although it is not stated in this section, it is understood that "satisfactory academic work" or "passing grade" means coursework for which the grading symbols A, B, C, P, or CR (as defined in section 55023) have been recorded.

Subdivision (c) lists the topical areas that district policy on credit course repetition may include and refers to each of the other sections contained in the article.

Subdivision (d) provides that when course repetition occurs, the student's permanent academic record shall clearly indicate any courses repeated using an appropriate symbol and be annotated in such a manner that all work remains legible, insuring a true and complete academic history. This guidance is consistent with section 55025(e), which addresses grade changes as a result of course repetition.

Subdivision (e) provides that notwithstanding the limits set forth in this section, apportionment will be limited as set forth in section 58161.

### **§55041. Repeatable Courses**

*Note: The Chancellor's Office intends to move forward with a regulatory proposal to limit repeatable courses in the near future. As such, these guidelines do not address repeatable courses. If the Board of Governors adopts the proposed changes, these guidelines will be expanded to address the new policy changes.*

## **§55042. Course Repetition to Alleviate Substandard Academic Work**

*(a) The district policies and procedures on course repetition adopted pursuant to section 55040 may permit a student to repeat a course in an effort to alleviate substandard academic work.*

*(b) If a student repeats a course which is not designated as a repeatable course and receives a satisfactory grade, then he or she may not repeat the course again pursuant to this section and any further repetition of the course must be authorized by another provision of this division. If a student repeats the course and receives another substandard grade, the district policy may permit the student to repeat the course one additional time in an effort to alleviate substandard work. District policy may permit a student to petition to repeat a course for which three substandard grades have been assigned, provided apportionment is not claimed pursuant to section 58161. The first two substandard grades may be excluded in computing the student's GPA if the student repeats the class two or more times.*

*(c) If a student repeats a repeatable course and a substandard grade has been recorded, district policy may allow the previous grade and credit to be disregarded provided that no additional repetitions are permitted beyond those limits specified in section 55041(c)(6). No more than two substandard grades may be alleviated pursuant to this section.*

*(d) Notwithstanding section 55041, policies and procedures related to course repetition to alleviate substandard academic work shall:*

*(1) permit repetition of any course which was taken in an accredited college or university and for which substandard academic work is recorded;*

*(2) indicate any specific courses or categories of courses where repetition pursuant to this section is not permitted; and*

*(3) in determining transfer of a student's credits, honor similar, prior course repetition actions by other accredited colleges and universities.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

### **Guidelines for Section 55042**

For repeatable and non-repeatable courses, a student is allowed two repetitions to alleviate a substandard grade provided (with very few exceptions) the student's total enrollments in the course does not exceed three. For courses designated as non-repeatable, the first two substandard grades may be excluded in computing the student's grade-point average. For courses designated as repeatable, two substandard grades may be excluded. While substandard grades may be excluded from the student's GPA calculation, the course and grade earned must be recorded in their permanent academic record. [sections 55025(e); 55042(a); 58161(a)]

For non-repeatable courses, apportionment may be claimed for these repetitions provided the overall enrollment limit of three is not exceeded (which includes any combinations of withdrawal and repetition). A student may not exercise the provisions of this section when a previous non-repeatable course attempt has resulted in a satisfactory grade except in certain circumstances involving a significant lapse of time as provided under title 5, section 55043, or

extenuating circumstances as provided under section 55045. Under no circumstances, however, is a student allowed more than two repetitions to be claimed for state apportionment through the provision of this section. District policies may allow for additional repetitions for which apportionment may not be claimed.

### ***§55043. Course Repetition Due to Significant Lapse of Time***

*(a) In addition to permitting course repetition in the circumstances described in other provisions of this article, a district may also permit or require repetition of a course where the student received a satisfactory grade the last time he or she took the course but the district determines that there has been a significant lapse of time since that grade was obtained and:*

*(1) the district has properly established a recency prerequisite for a course or program pursuant to section 55003 or has otherwise defined “significant lapse of time” in its policy on course repetition; or*

*(2) another institution of higher education to which the student seeks to transfer has established a recency requirement which the student will not be able to satisfy without repeating the course in question.*

*(b) If the district determines that a student needs to repeat an activity course of the type described in subdivision (c)(2)(B) of section 55041 due to significant lapse of time, that repetition shall be counted in applying the limit on repetitions set forth in subdivision (c)(6) of section 55041 except that, if the student has already exhausted the number of repetitions permitted under subdivision (c)(6), an additional repetition due to significant lapse of time may be permitted or required by the district.*

*(c) When a course is repeated pursuant to this section, the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

### **Guidelines for Section 55043**

In addition to permitting course repetition as provided by other sections, the district policy for course repetition may require or permit students to repeat a course when a significant lapse of time has passed since the student previously successfully completed the course (i.e., a satisfactory grade was recorded). *Please note that the significant lapse of time exception cannot be used if the student earned a substandard grade the last time he or she enrolled in the course.* Repetition for lapse of time may be required only when the district has properly established a recency prerequisite for a course pursuant to section 55003, or when the district has otherwise defined “significant lapse of time” in its policy on course repetition. Additionally, repetitions, pursuant to sections 55003(e)(3) and 55003(e)(4), may be permitted when another institution of higher education to which the student seeks to transfer has established a recency requirement which necessitates course repetition to satisfy this requirement.

*While title 5 does not currently specify the minimum length of time that is reasonable for a “significant lapse of time,” the Chancellor’s Office recommends a minimum of 36 months.*



A district may have recency prerequisites required of all students for specific courses. In other circumstances where prerequisites are not involved, a district may have a policy that defines lapse of time in its course repetition policy. For example, a district in its policy on course repetition may determine circumstances when course repetition due to time lapse is necessary and appropriate and outline a process whereby students may petition for a “lapse of time” repetition. Such a circumstance involving lapse of time might include a student’s acceptable level of knowledge in sequentially based courses such as math, science, and foreign language. In these circumstances, the student may be unable to successfully complete the subsequent level of the course sequence due to a significant lapse of time since he/she completed the prior course in the sequence. While the student may have obtained a satisfactory grade in the earlier course, the prior course may need to be repeated before successful completion of the subsequent level course can be expected.

If the district determines that an activity course needs to be repeated as provided by this provision, the repetition shall count towards the repetition limit applicable to activity courses, except that, if the student has already reached the activity course limitation, an additional repetition may be permitted or required.

Per section 58161(b)(1), only one repetition due to a significant lapse of time may be claimed for apportionment beyond the prior enrollment. However, since the student must demonstrate recency, if a student receives a substandard grade for this repetition attempt, the district policy for course repetition may allow the student to use the grade alleviation process provided by section 55042, when the course is not designated as repeatable, and may claim apportionment for up to two subsequent repetitions pursuant to section 58161, and as long as the overall enrollment limitation of three is not exceeded (which includes any combinations of withdrawal and repetition).

When a course is repeated pursuant to this section, the district policy may allow the previous grade and credit to be disregarded in computing the student’s GPA.

#### ***§55044. Repetition of Variable Unit Courses***

*(a) If a community college district offers credit courses for variable units on an open-entry/open-exit basis pursuant to section 58164, the district policies and procedures on course repetition adopted pursuant to section 55040 shall provide that a student may enroll in the course as many times as necessary to complete one time the entire curriculum of the course as described in the course outline of record. However, the district policy may not permit the student to repeat any portion of the curriculum for the course, unless:*

*(1) the course is required for legally mandated training;*

*(2) the course is a special class for students with disabilities which the student needs to repeat for one of the reasons described in section 56029;*

*(3) repetition of the course to retake a portion of the curriculum is justified by extenuating circumstances pursuant to section 55045; or*

*(4) the student wishes to repeat the course to alleviate substandard work recorded for a portion of the curriculum as authorized pursuant to section 55042.*

*(b) Notwithstanding subdivision (a), each time a student enrolls in a physical education activity course offered on an open entry/open exit basis, regardless of the number of units for which the student enrolls, the enrollment shall count as a repetition of the course for purposes of sections 55041 and 58161.*

*(c) When course repetition of a portion of a course is permitted under the circumstances described in subdivision (a), the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

### **Guidelines for Section 55044**

Section 55044 discusses repetition of variable unit courses offered in an open-entry/open-exit format pursuant to section 58164. Where a district offers such courses, the district policy on course repetition must provide that a student may enroll in the open-entry/open-exit course as many times as necessary to complete one time the entire curriculum of the course as described in the corresponding course outline of record. For example, a student may enroll in a 1-4 unit variable unit course four times, progressively enrolling in each of the course's individual units and associated educational content at each enrollment; or in the same course a single time for all 4 of the course's units. However, the district policy may not permit repetition of an individual portion (unit) of the curriculum for the course, regardless of the grade received for that portion of the course, unless the:

- (1) course is required for legally mandated training;
- (2) course is a special course for students with disabilities which the student needs to repeat for one of the reasons described in section 56029;
- (3) student petitions and a determination is made by the district that the student's previous grade is, at least in part, the result of extenuating circumstances (only applicable to courses that are not designated as repeatable); or
- (4) student wishes to repeat the course to alleviate substandard work recorded for a portion of the curriculum pursuant to section 55042 (only applicable to courses that are not designated as repeatable).

This section also discusses repetition of physical education activity courses offered on an open-entry/open-exit basis. Each time a student enrolls in a physical education activity course offered on an open-entry/open-exit basis, regardless of the number of units in which the student enrolls, the enrollment counts as a repetition of the course for purposes of the repetition limits provided by sections 55041 and 58161(c).

Per section 58161(c)(3), apportionment may be claimed for the attendance of a student repeating a portion of a variable unit open-entry/open-exit credit course only to the extent that repetition of

such courses is permitted pursuant to section 55044 (e.g., when a student enrolls in a single unit of a variable unit course).

Currently, section 58161 requires colleges to record an evaluative or nonevaluative symbol (e.g., a grade or a “W” symbol) in order to be counted as an enrollment eligible for apportionment. Therefore, districts will need to have procedures in place for course withdrawal from open-entry/open-exit courses. Districts should take this into consideration when developing their policies.

When course repetition of a portion of a course is permitted under subdivision (a), the district’s policy may allow the previous grade and credit to be disregarded when computing the student’s GPA.

### ***§55045. Course Repetition Due to Extenuating Circumstances***

*The district policies and procedures on course repetition adopted pursuant to section 55040 may permit a student to repeat a course only if:*

*(a) the repetition is expressly authorized by another provision of this article; or*

*(b) the student files a petition and the governing board of the district or its designee grants written approval of the petition based on a finding that the student's previous grade (whether substandard or passing) was, at least in part, the result of extenuating circumstances. Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student. When course repetition is approved pursuant to this subdivision, the district policy may allow the previous grade and credit to be disregarded in computing the student's GPA each time the course is repeated.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.*

### **Guidelines for Section 55045**

District policy may permit a student to file a petition to repeat a course due to extenuating circumstances regardless of the grade received in the previous attempt.

Extenuating circumstances are verified cases of accidents, illness, or other circumstances beyond the control of the student.

A district may claim apportionment for one repetition on this basis pursuant to section 58161.

If a student repeats a course due to verified extenuating circumstances, the previous grade and credit may be excluded in computing the student’s grade point average.

### **§55046. Academic Renewal Without Course Repetition**

*(a) The governing board of each community college district shall adopt and publish policies and procedures pertaining to the alleviation of previously recorded substandard academic work, as defined in section 55040, which is not reflective of a student's demonstrated ability. Such policies and procedures shall include a clear statement of the educational principles upon which they are based, and shall be referred to as academic renewal procedures. When academic renewal procedures adopted by the district permit previously recorded, substandard course work to be disregarded in the computation of grade point averages, the permanent academic record shall be annotated in such a manner that all work remains legible, insuring a true and complete academic history.*

*(b) Policies and procedures adopted pursuant to subdivision (a) shall not conflict with:*

*(1) section 55025 of this subchapter and Education Code section 76224, pertaining to the finality of grades assigned by instructors; or*

*(2) chapter 2.5 (commencing with section 59020) of division 10 of this part pertaining to the retention and destruction of records.*

*(c) The policies and procedures adopted pursuant to subdivision (a) shall address all of the following:*

*(1) The maximum amount of coursework that may be alleviated;*

*(2) The amount of academic work to have been completed at a satisfactory level (minimum 2.00) subsequent to the coursework to be alleviated;*

*(3) The length of time to have elapsed since the coursework to be alleviated was recorded;*

*(4) A description of any specific courses and/or categories of courses that are, for any reason, exempt from consideration under the alleviation procedures;*

*(5) The procedures to be followed by students in petitioning for alleviation; and*

*(6) The personnel responsible for implementing the procedures.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901, 70902 and 76224, Education Code.*

### **Guidelines for Section 55046**

District board may adopt policy to alleviate previously recorded substandard academic work through a process known here as academic renewal. Such policies and procedures should include the maximum amount of coursework that can be alleviated, the amount of academic work completed at a satisfactory level (minimum 2.00) before academic renewal can take place, the length of time to have elapsed since the coursework to be alleviated was recorded, a description of courses exempted from consideration, the petition procedures, and the personnel responsible for the academic renewal process.

### **§58161. Apportionment for Course Enrollment**

*A community college district may claim the attendance of students who enroll in credit courses for state apportionment only if so authorized by this section and if all other requirements of this chapter are satisfied. For purposes of this section an enrollment occurs when a student receives an evaluative or nonevaluative symbol pursuant to section 55023.*

*(a) A district may claim state apportionment for attendance of students for enrollments totaling a maximum of three semesters or five quarters, including summer sessions and intersessions, per credit course and if all other requirements of this chapter are satisfied. For purposes of this section, enrollments include any combination of withdrawals and repetitions.*

*(b) Notwithstanding subdivision (a) of this section, a district may claim state apportionment for one additional enrollment if all other requirements of this chapter are met and only in the following circumstances:*

*(1) The attendance of a student repeating a credit course because the district determines pursuant to section 55043 that there has been a significant lapse of time since the student previously took the course.*

*(2) The attendance of a student repeating a credit course pursuant to section 55045 due to extenuating circumstances, if such credit course is not designated as repeatable pursuant to section 55041(c).*

*(c) Notwithstanding subdivisions (a), (b) and (d) of this section, a district may claim state apportionment for students' enrollments in credit courses without limitation if all other requirements of this chapter are met and in the following circumstances:*

*(1) The attendance of a student in legally mandated training as provided in section 55041(b).*

*(2) The attendance of a student with a disability may be claimed for state apportionment each time the student repeats a credit special class as a disability-related accommodation which is justified by one of the circumstances described in section 56029.*

*(3) The attendance of a student repeating a portion of a variable unit open entry/open exit credit course may be counted for state apportionment only to the extent that repetition of such courses is permitted pursuant to section 55044.*

*(4) The attendance of a student repeating a cooperative work experience course pursuant to section 55253 may be claimed for state apportionment without limitation.*

*(5) The attendance of a student withdrawing as a result of extraordinary conditions pursuant to section 55024(a)(10).*

*(6) The attendance of a student receiving a military withdrawal ( "MW" ) pursuant to section 55024(d)(1).*

*(d) Notwithstanding subdivisions (a), (b) and (c) of this section, a district may claim state apportionment for students' enrollments in credit courses designated as repeatable as provided in section 55041(c) for a maximum of four semesters or six quarters. This limitation applies even if a student receives a substandard grade during one or more of the enrollments in such a course or petitions for repetition due to special circumstances as provided in section 55045.*

*(e) To the extent permitted by article 4 of subchapter 1 of chapter 6, a district may permit enrollment in credit courses beyond the limits set forth in this section, but such additional enrollments may not be claimed for state apportionment.*

*Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.*

### **Guidelines for Section 58161**

Section 58161 addresses the claiming of state apportionment for credit course repetition and withdrawal and establishes enrollment limits for any combination thereof. To obtain a complete understanding of all of the criteria that must be met to assure state apportionment eligibility, section 58161 must be read in conjunction with all sections that address course repetition: sections 55040-55045, 56029, and 55253, and course withdrawals under section 55024. Be sure to also read the guidelines for these sections, which incorporate and clarify the apportionment limitations noted below. This section only delineates the maximum number of credit course enrollments for which apportionment can be claimed.

- 1) The maximum number of enrollments, through any combination of withdrawals and/or repetition is three [section 58161(a)]. A district may claim apportionment for one additional enrollment beyond the three if a student's appeal is approved meeting the criteria for significant lapse of time or extenuating circumstances [section 58161(b)]. At this time, significant lapse of time is defined by local district policy (sections 55043 and 55045). The regulation provides for exemptions to the "3+1" enrollment limitation as identified as section 58161(c).
- 2) Repetition due to substandard academic work as provided by section 55042:
  - a. The original enrollment and two qualifying repetitions are eligible to be claimed for apportionment.
- 3) Repetition related to Legally Mandated Training as provided by section 55041:
  - a. Each qualifying repetition may be claimed for state apportionment without limitation.
- 4) Repetition of activity courses and courses where the content differs each time it is offered, as provided by section 55041:
  - a. Enrollment in such courses may be claimed for state apportionment for a maximum of four times in a college on the semester system or six times in a college on the quarter system (the original enrollment and three semesters or five quarters of repetition). Repetition occurring in summer or other intersessions count toward these limitations. Additionally, this limitation applies even if the student receives a substandard grade during one or more of the enrollments in such a course or petitions for repetition due to extenuating circumstances.

- 5) Repetition of Special Courses for Students With a Disability:
  - a. In accordance with section 56029, each qualifying repetition may be claimed for state apportionment without limitation.
- 6) Repetition due to extenuating circumstances as provided by section 55045 (only applicable to courses which are not designated as repeatable):
  - a. The original enrollment and one qualifying repetition are eligible to be claimed for apportionment.
- 7) Required or permitted repetition where district determines there has been a significant lapse of time since last enrollment as provided by section 55043.
  - a. Only one repetition may be claimed for apportionment beyond the prior enrollment.
  - b. If the district determines that a student needs to repeat an activity course due to significant lapse of time, that repetition shall be counted in applying the repetition limit applicable to activity courses, except that, if the student has already exhausted the number of permitted activity course repetitions, an additional repetition due to significant lapse of time may be required by the district, and the district may claim apportionment for that repetition.
- 8) Repetition in credit variable unit open-entry/open-exit courses as provided by section 55044:
  - a. Repetition may be claimed for apportionment to the extent that repetition of such courses is permitted by section 55044. If a student completes any unit/module in a variable unit course and receives a substandard grade, grade alleviation regulations apply. The student may repeat that portion of the course up to two times for grade alleviation and apportionment can be collected for these repeated enrollments. Please refer to the guideline for section 55044 for other repetition provisions applicable to these courses. *Please note that in order to receive apportionment for student enrollment in these courses, an evaluative or nonevaluative symbol must be recorded.*

***§58161.5. Apportionment for Re-Enrollment After Withdrawal [Repealed]***

## IV. Frequently Asked Questions

1. What is the current policy with regard to repeats and withdrawals for nonrepeatable courses?

*Response: Current regulation limits the number of times a student can enroll in the same class to 3 enrollments. Under 58161, all credit course repeats and withdrawals are counted towards this limit. The regulations allow for students to appeal for a fourth enrollment due to extenuating circumstances pursuant to section 55045 or for repetition due to significant lapse of time pursuant to section 55043.*

2. When will the new regulations on the apportionment limit for repeat enrollment for credit courses go into effect?

*Response: The new regulations on the apportionment limit for nonrepeatable credit courses went into effect October 12, 2011. However, districts will not be considered to be out of compliance with a regulatory requirement solely because its written district policies or procedures 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 the college would conform to appropriate policy changes and notice to the public in time for summer session 2012.*

3. Does this policy go back to count the times a student has enrolled in the class?

*Response: Yes. Therefore, if a student has taken the same class three or more times already, she or he may not enroll in the course again.*

4. Can a student repeat a class after receiving a satisfactory grade of A, B, C, Pass (P) or Credit (CR)?

*Response: No, after receiving a satisfactory grade, a student cannot repeat the class unless the student qualifies for repetition due to extenuating circumstances pursuant to section 5504, or for repetition due to significant lapse of time pursuant to section 55043.*

5. What should a student do if she or he has taken the class two times and is currently enrolled in it for the third time?

*Response: As it is crucial that the student pass the course the third time, she or he should talk to a counselor or a Student Services Officer to see what resources are available to help him/her succeed in the class.*



6. If a student is allowed to enroll in the same credit course beyond the third enrollment limit and already has 3 “W”s recorded, can the student withdraw the fourth time?

*Response: For nonrepeatable courses, except for military withdrawals (MW) as described in section 55024(d)(1), and for extraordinary conditions described in section 55024(a)(10), when a student reaches the limit of three withdrawals, the student cannot withdraw. Should the student withdraw, the student will receive a different evaluative or nonevaluative symbol.*

7. If a student has had three enrollments, can the fourth enrollment be claimed for apportionment under the provisions for extenuating circumstances or a significant lapse of time?

*Response: Yes, provided the fourth enrollment results in an evaluative symbol and not a “W” symbol. If a college allows a student to attempt the class beyond the fourth enrollment, no apportionment may be claimed.*

8. Title 5 section 55042 states that no more than two substandard grades may be alleviated. If a student petitions for a fourth attempt and receives the following grades:

MATH F2008 received a D  
MATH S2009 received a F  
MATH F2009 received a D  
MATH S2010 received a C

- a. How do you determine what grades to alleviate? Should the last two grades stand?
- b. Since there are two grades remaining, do we average the two grades to put them in the GPA?
- c. If they are not averaged together, do we choose which one to use towards graduation?
- d. Does the student earn units for both of the courses? In this example, the student would have a D and a C in the math course. Does the student get to keep the units for both courses?
- e. If the student gets to keep the units for both courses, can they use both courses towards graduation?

*Response:*

- a. *The student is alleviating the first two grades and the last two grades are included in the computation of the student’s GPA.*
- b. *The grades for the last two attempts are entered in calculating the student’s GPA. However, all grades shall be entered on the student’s permanent academic record in such a manner that all work remains legible, insuring a true and complete academic history in accordance to section 55025(e).*
- c. *The grade from the last attempt would be used towards graduation.*

- d. *Since it is the same course with the same curriculum and not two different courses, the student does not receive the units for the two attempts. The student would only get the units for that one same course.*
  - e. *No, the student does not receive duplicate units for the same course.*
9. If the college's drop date (withdrawal without "W" notation) for a course is after the census date (gap), can a college collect apportionment for a student who drops beyond the census date?

*Response: No. Students who 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 ), are not eligible to be claimed for apportionment because there would be no notation ("W" or other) recorded. Credit courses on the positive attendance accounting procedure would be similarly affected. In other words, districts may not claim FTES for students who were not in the class long enough to require them to be assigned an evaluative or nonevaluative symbol.*

10. If a student receives three substandard grades in a nonrepeatable course, unless another provision of title 5 can be exercised that would allow an additional enrollment, and the student wants to take the course again, she or he would need to enroll in the course in another district. If the student successfully completes the course in another district, can a college accept the course for area credit but not use it to alleviate the third substandard grade?

*Response: This is a matter of local district board policy. The college is not required to use grades from a different institution to alleviate a substandard grade. Therefore, a college could accept the successful grade merely to fulfill a requirement. It is at the college's discretion whether it wants to alleviate the student's substandard grade for purposes of calculating the student's GPA.*

## **V. Appendices**

## Appendix A GPA Calculation

Areas Addressed	Section	GPA
Repeatable Courses	55041(d) 55042(c)	Grade received each time shall be included in computing GPA, except when repeating a course to alleviate a substandard grade.
Alleviation of Substandard Work	55042(b)	District policy may disregard previous grade and credit in computing GPA.
Significant Lapse of Time	55043(c)	District policy may disregard previous grade and credit in computing GPA.
Extenuating Circumstances	55045(b)	District policy may disregard previous grade and credit in computing GPA each time course is repeated.
Occupational Work Experience	55040(c)(6)	Grade received each time shall be included in computing GPA.
Special Class for Students With Disabilities	55040(c)(7)	District policy may disregard previous grade and credit in computing GPA each time course is repeated.

## Appendix B

### Number of Course Enrollment Attempts Allowable in Title 5 (Maximums take into account any combination of withdrawals and repetitions)

Areas Addressed	Section	Number of Attempts Allowed
Repeatable Courses	55041	4
Alleviation of Substandard Work	55042	2
Significant Lapse of Time	55043	1
Extenuating Circumstances	55045	1
Occupational Work Experience	55253	No Limit
Special Class for Students With Disabilities	56029	No Limit

*Please note that the enrollment limit for apportionment for nonrepeatable credit courses is three, regardless of the type of repeat or withdrawal (unless exceptions are noted).*