
San Bernardino Community College District
Administrative Procedure
Chapter 5 – Student Services

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

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 is an illustrative example of procedures. Legally required and legally advised clauses are indicated.*

Required 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.

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

- district application for admission;
- written and signed parental or guardian consent;
- written and signed approval of his/her principal (**NOTE:** *A parent or guardian of a pupil who is not enrolled in a public or private school may petition directly without the signature of a principal.*)
- demonstration that the student is capable of profiting from instruction. The [designate] has the authority to make the final decision whether a student can benefit from instruction.

Required 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.

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

- district application for admission;
- written and signed parental or guardian consent;
- written and signed acknowledgment of his/her principal. (**NOTE:** *A pupil who is not enrolled in a public or private school does not need to provide written acknowledgment from his/her school principal.*);
- demonstration that the student is capable of profiting from instruction;
- written approval of the governing board of the school district of attendance. The [designate] has the authority to make the final decision whether a student can benefit from instruction.

Required To be considered for admission as a special summer session student, the student must meet the eligibility standards as established in Education Code Section 76001.

Legally advised The student must submit:

- written and signed parental or guardian consent;
- written and signed approval of his/her principal that the student has availed himself/herself of all opportunities to enroll in an equivalent course at his/her school of attendance; and
- demonstration that the student has adequate preparation in the disciplines to be studied.

All required documents shall be sent to the **[designate]**.

Legally advised

High School Students: For students attending high school, **[designate]** 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 **[designate]** shall be final. This determination may be done by **[one or more of the following options]**:

- a review of the materials submitted by the student;
- meeting with the student and his/her parent or guardian;
- consultation with **[designate appropriate college staff]**;
- consideration of the welfare and safety of the student and others; and/or
- consideration of local, state, and/or federal laws.

Middle and Lower School Students: For students attending middle and lower schools, the determination shall be made by **[designate]**. The school must provide transcripts and a letter signed by the principal indicating how in his/her opinion the student can benefit from instruction. The **[designate]** will determine if the student has the abilities and sufficient preparation to benefit from instruction at a community college, and that the student's safety and that of others will not be affected. The decision of the **[designate position]** shall be final. Once a decision has been made, the student, his/her parent or guardian and the school principal shall be informed of the decision. This determination may be done by applying the following criteria **[one or more of the following options]**:

- a review of the materials submitted by the student;
- meeting with the student and his/her parent or guardian;
- consultation with **[designate appropriate college staff]**;
- consideration of the welfare and safety of the student and others;
- consideration of local, state, and/or federal laws;
- review of the content of the class in terms of sensitivity and possible effects on the minor;
- requirements for supervision of the minor; and/or
- times the class(es) meet and the effect on the safety of the minor.

Required Students will not be admitted unless they have availed themselves of all opportunities to enroll in equivalent courses at their schools of attendance. Courses in which high school and other young students are permitted to enroll will be open to the entire college population, and will be taught with the rigor appropriate to college-level courses in accordance with the approved course outline.

Required 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.

References: Education Code Sections 48800, 48800.5, 76001, and 76002

NOTE: The **red ink** signifies language that is **legally required** and recommended by the Policy and Procedure Service and its legal counsel (Liebert Cassidy Whitmore). This procedure reflects updates/revisions from the Policy and Procedure Service in August 2003, February 2004, February 2005, February 2006, February 2007, and March 2012.

Approved:

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.