Proposed Marin Community College District Policy  
CCLC No. 5010

Student Services
DRAFT as of 2/25/09

BP 5010    ADMISSIONS

References:
Education Code Sections 76000, 76001, and 76002;
Labor Code Sections 3074 and 3077;
Title 5 Section 58008;
Apprenticeship Attendance Report (CCFS-321)

The District shall admit students who meet one of the following requirements and who are capable of profiting from the instruction offered:

- Any person over the age of 18 and possessing a high school diploma or its equivalent.
- Other persons who are over the age of 18 years and who, in the judgment of the Superintendent/President or his/her designee, are capable of profiting from the instruction offered. Such persons shall be admitted as provisional students, and thereafter shall be required to comply with the District's rules and regulations regarding scholastic achievement and other standards to be met by provisional or probationary students as a condition to being readmitted in any succeeding semester.
- Persons who are apprentices as defined in Labor Code Section 3077.
- Secondary school students and other special admit students who are able to demonstrate their ability to benefit from advanced scholastic or vocational work and who meet the specified admissions and enrollment criteria per applicable Education Code, state regulations, and Board policies and administrative procedures.

International Students
International students seeking admission to the College of Marin credit program under an F-1 student visa must file a Foreign Student Admissions Application by the published deadlines. These students must meet all United States Immigration requirements and District’s admissions requirements as published in the current Catalog. (See AP 5012 titled International Students)

International students seeking admission to the College of Marin Intensive English Program under an F-1 student visa must file an Intensive English Language Application for Admissions by the published deadline dates. These students must meet United States Immigration requirements.
Admissions to Special Programs
In addition to meeting the standards for admission to the District, students wishing to enroll in a special course of study or to an impacted program must satisfy additional admission requirements. Specific criteria for admission to such programs shall be approved by the Superintendent/President and published in the Catalog.

The Superintendent/President or designee shall establish procedures regarding ability to benefit and admission of high school students, including students who are home-schooled and/or exempt from compulsory high school education. Those procedures will be described in AP 5011 titled Admission of High School and Other Young Students and the current Catalog.

Admission of Special Part-Time, Full-Time, and Summer School High School Students
Any high school student is eligible to attend as a special part-time, full-time, or summer school student provided he/she is able to demonstrate his/her ability to benefit from advanced scholastic or career/technical courses and who meet the specified admissions and enrollment criteria per applicable Education Code, state regulations, and Board policies and administrative procedures as described in AP 5011 titled Admission of High School and Other Young Students.

Admission of Other Young Students
The Superintendent/President or designee shall establish procedures regarding evaluation of requests for special full-time, part-time, or summer school enrollment by a pupil who is enrolled in grades kindergarten through eighth grade or identified as highly gifted.

If the request for admission is denied, the applicant may appeal according to the process below.

Denial of Requests for Admission of High School and Younger Students
If the Board of Trustees denies a request for special full-time or part-time enrollment by a pupil who is identified as highly gifted, the Board will record its findings and the reason for denying the request in writing within 60 days.

The written recommendation and denial shall be issued at the next regularly scheduled Board meeting that occurs at least 30 days after the pupil submits the request to the District.

Claims for State Apportionment for Concurrent Enrollment
Claims for state apportionment submitted by the District based on enrollment of high school pupils shall satisfy the criteria established by statute and any applicable regulations of the Board of Governors.

The Superintendent/President or designee shall establish procedures regarding compliance with statutory and regulatory criteria for concurrent enrollment.
From current College of Marin Policy 4.0002 titled Admission Requirements

The Board subscribes to the "open door" concept in order to provide full educational opportunities for all persons eligible. Therefore, the following guidelines shall apply:

1. Eligibility
   a. Students graduating from high school shall be admitted in good standing. (EC 76000)
   b. Non-graduates of high school shall be admitted (1) if they are 18 years of age or older and capable of profiting from college instruction, or (2) if they have successfully passed the California High School Proficiency Examination or the General Education Development (G.E.D.) Test. (EC 76000)
   c. Transfer students from other accredited colleges shall be admitted according to their academic status at their last college of attendance. (EC 76000)
   d. Students in high school may be admitted as part-time students upon recommendation of their high school counselor, parent, and college counselor. However, concurrent high school enrollment is required. (EC 76001)
   e. Students shall be admitted to College of Marin but not necessarily directly into a particular curriculum.
   f. International students entering the College of Marin credit program under a student visa must file a Foreign Student Application by the stipulated deadline. These students must meet all U.S. Immigration requirements and also be proficient in the English language as determined by their score on the Test of English as a Foreign Language (TOEFL) or the ESL Admissions/Placement Test.

2. Residence Requirements
   a. Any legal resident of the State of California shall be eligible for admission as a resident student. (EC 68017-18, 68060-68082)
   b. Residency determination for all other students shall be made in accordance with the statutes. Non-resident students shall pay a tuition fee established by the Board in accordance with State guidelines in addition to an enrollment fee.
3. **Open Enrollment (EC 76000)**

   a. Unless specifically exempted by statute, every program and course offered by the District for which the District receives State apportionment shall be open to enrollment and participation by any person who has been admitted to the College and who meets such prerequisites as may be established.

   b. In keeping with the statute, related and supplemental instruction for apprentices may be restricted to registered apprentices.

**From current College of Marin Procedure 4.0003 DP.1 titled Academic Standards**

(Approved on 2/8/05)

**Apprentices EC 76000, LC 3074, 3077, Title V. 58008, CCFS—321**

In keeping with the statute, related and supplemental instruction for apprentices may be restricted to registered apprentices.

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**NOTE:** The red type signifies legally required language recommended from the Community College League and legal counsel (Liebert Cassidy Whitmore). The wording in black ink is from current College of Marin Policy 4.0002 titled Admission Requirements adopted on 2/24/82 and revised on 2/12/85, 2/9/88, 1/14/92 and Procedure 4.0003 DP.1 titled Academic Standards approved on 2/8/05. The language in green ink is recommended by the Dean of Enrollment Management. Approved by the Academic Senate 4/8/10.

**Date Adopted:**

(Replaces current College of Marin Policy 4.0002 and a portion of Procedure 4.0003 DP.1)
Legal Citations for BP 5010 Admissions and Concurrent Enrollment

EDUCATION CODE SECTIONS 76000–76002

76000. The governing board of a community college district shall admit to the community college any California resident, and may admit any nonresident, possessing a high school diploma or the equivalent thereof.

The governing board may admit to the community college any apprentice, as defined in Section 3077 of the Labor Code, who, in the judgment of the governing board, is capable of profiting from the instruction offered.

The governing board may by rule determine whether there shall be admitted to the community college any other person who is over 18 years of age and who, in the judgment of the board, is capable of profiting from the instruction offered. If the governing board determines to admit other persons, those persons shall be admitted as provisional students and thereafter shall be required to comply with the rules and regulations prescribed by the board of governors pertaining to the scholastic achievement and other standards to be met by provisional or probationary students, as a condition to being readmitted in any succeeding semester. This paragraph shall not apply to persons in attendance in special classes and programs established for adults pursuant to Section 78401 or to any persons attending on a part-time basis only.

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.

LABOR CODE SECTIONS 3074 and 3077

3074. The preparation of trade analyses and development of curriculum for instruction, and the administration and supervision of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the selection and training of teachers and coordinators for this instruction shall be the responsibility of, and shall be provided by, state and local boards responsible for vocational education upon agreement with the program sponsor. This responsibility shall not preclude the establishment of off-campus related and supplemental instruction when approved, developed, and operated in cooperation with state and local school boards responsible for vocational education, and when the instruction
meets all other requirements of this chapter. It is the intent of
this chapter that the instruction shall be made available to
apprentices through classroom instruction, correspondence courses,
self-study or other means of instruction approved by state and local
public education agencies authorized to provide vocational education.

Pursuant to this chapter all excess costs incurred by local public
education agencies exceeding state apportionments and local revenue
earned by the attendance of apprentices shall be payable by the
program sponsor, upon joint agreement between the sponsor and the
local education agency. The State Board of Education and the Board
of Governors of the California Community Colleges, and the Division
of Apprenticeship Standards shall jointly issue regulations regarding
calculation and payment provisions of excess costs to be borne by
the program sponsors. All funds accrued by local education agencies
from attendance in apprenticeship classes authorized by this section
shall be expended or allocated for all such classes offered by the
local education agency before excess costs may be claimed.

The Department of Education and the Board of Governors of the
California Community Colleges may provide related and supplemental
instruction to isolated apprentices as a direct instructional
service, on a contractual basis with local school districts, by
correspondence, or by a combination of these means. For the purpose
of this section, an isolated apprentice is an apprentice registered
with the Division of Apprenticeship Standards in the Department of
Industrial Relations who cannot be enrolled in a class of related and
supplementary instruction for apprentices because of the small
number of apprentices available for an appropriate class or because
there is no existing apprenticeship program within a reasonable
teach distance.

Interested parties may file a complaint in accordance with Section
201 of Title 8 of the Administrative Code, when a community college
or secondary education district is unable to reach agreement with
program sponsors in providing related and supplemental instruction.
In the process of securing an amicable adjustment, the administrator,
or his or her representative, shall meet with the parties involved,
including, but not limited to, the chancellor, or his or her
representative, or the Superintendent of Public Instruction, or his
or her representative.

Community colleges, and other public school districts, shall
refuse to provide related and supplemental instruction to an
apprenticeship program when it is determined by the Administrator of
Apprenticeship that the program sponsor has been found to be in
noncompliance with the State of California Plan for Equal Opportunity
in Apprenticeship.

3077. The term "apprentice" as used in this chapter, means a person at least
16 years of age who has entered into a written agreement, in this chapter
called an "apprentice agreement," with an employer or program sponsor. The
term of apprenticeship for each apprenticeable occupation shall be approved
by the chief, and in no case shall provide for less than 2,000 hours of
reasonably continuous employment for such person and for his or her
participation in an approved program of training through employment and
through education in related and supplemental subjects.
§ 58008. Application of Actual Clock Hours of Teaching Procedure.

Actual clock hours of teaching procedure is based upon a count of each 50- through 60-minute hour of instruction devoted to each indentured apprentice enrolled in and attending apprenticeship courses of related and supplemental instruction pursuant to Labor Code section 3074.

Note: Authority cited: Sections 8150-8153.5, 66700 and 70901, Education Code; and Section 3074, Labor Code. Reference: Sections 8150- 8153 and 70901, Education Code; and Section 3074, Labor Code.