

## PLEASE OPEN LINK TO GET PROPOSED CHANGES TO TITLE 5.

[https://go.boarddocs.com/ca/ccchan/Board.nsf/files/C6PUCY7B79E8/\\$file/proposed-ew-pass-no-pass-regulations-\(first-reading\)-final-9-3-a11y.pdf](https://go.boarddocs.com/ca/ccchan/Board.nsf/files/C6PUCY7B79E8/$file/proposed-ew-pass-no-pass-regulations-(first-reading)-final-9-3-a11y.pdf)

### EW Grading

A withdrawal due to extenuating circumstances is more student focused and limits repeatability and apportionment. An added complication is that the general withdrawal regulation allows for both a “withdrawal” and an “excused withdrawal,” but they have different outcomes even though they are both tied to extenuating circumstances. A withdrawal related to an extraordinary condition is primarily connected to external factors that can impact both the college and the student. A classic example would be a fire that closes a campus. With respect to the student, this type of withdrawal involves a fee refund and allows for repeatability, and for the college, there is no limit on claiming apportionment, and an emergency condition allowance may apply. The intent of the proposed regulation change is to align these two regulatory schemes to reduce confusion and administrative burdens by providing that:

1. State aid and repeatability rules are the same for withdrawals under both types of emergency situations; and
2. withdrawals for extenuating circumstances are all treated as excused withdrawals.

Proposed regulation changes related to withdrawals for extraordinary conditions include the following:

- Change title of 58509 to more accurately reflect the purpose of the regulation.
- Remove language in section 58509(a)(2) that purports to exclude apportionment for colleges when students withdraw due to an extraordinary conditions as this language conflicts with section 58161.
- Delete subdivision (b) because it is duplicative.
- Delete subdivision (c) of section 58509 related to waiver and create a new section, 58509.1.
- Add pandemic to list of extraordinary conditions in section 58146.
- Modify definition of extraordinary conditions.
- Add a provision that the college will record an “EW” grading symbol when a student withdraws from a course due to an extraordinary condition.

Proposed regulation changes related to withdrawals for extenuating circumstances include the following:

- Eliminate W, or withdrawal, for extenuating circumstances and follow the EW subdivision.

- Modify the verification requirements to focus on college efforts to mitigate withdrawal.
- Delete limits on apportionment and repeatability in section 58161, similar to section 58509 and extraordinary conditions.

### Withdrawals from Credit Courses

§ 55024. WITHDRAWALS FROM CREDIT COURSES. (a) The District governing boards of a district which decides to provide a withdrawal procedure shall adopt policies which governing provides for withdrawals from credit courses consistent with the following that implement the requirements of this section.: Student withdrawal procedures shall be published in the course catalog. These procedures shall provide that students withdraw from a course by notifying the college registrar and that the registrar shall inform appropriate college district personnel, including faculty.

(b)(1) A student who withdraws prior to the end of the fourth week of a course, or the expiry of 30 percent of a term, whichever occurs earlier, shall not receive the withdrawal symbol “W” on their transcript. A student who withdraws after this period, but before the end of the fourteenth week of a course, or the expiry of 75 percent of a term, whichever occurs earlier, shall receive the withdrawal symbol “W” on their transcript, unless the district selects an earlier final withdrawal date. A student who remains in a course beyond the district withdrawal date may not withdraw, and shall receive the appropriate a symbol on their transcript, as authorized in section 55023. (7) The “W” shall not be used in calculating grade point averages, but shall be used in determining probation and dismissal of a student.

### P/NP

Colleges utilized this flexibility to enhance support for students that may have considered dropping their enrollment due to fear of a failing grade or a drop in their GPA. In consultation with system stakeholders, the proposed regulation changes extend the allowable time period for students to select the Pass-No Pass grading option. The regulation change allows for the election of this option up to the last day of instruction. The proposed regulation changes provide students with greater grading flexibility and support student persistence during periods of time when external constraints present barriers. These changes will also assist students with preserving or maintaining their GPA.

### Chancellor’s Memos/SMC Response

The Chancellor's office has provided guidance dated with the memorandums of August 13, 2020 and February 4, 2021.

In the Spring of 2020, SMC allowed for retroactive withdrawals with no documentation required. In my interpretation of memorandums these policies should have continued since then.

Posted In Admissions & Records website for Spring 2020 only:

- Students may request a late or a retroactive withdrawal for full-semester or late start classes by emailing [admissions@smc.edu](mailto:admissions@smc.edu) [clicking this link will open an email message where you can complete the requested information].
- The email should include your full name, email, phone number, class and section you wish to drop. You do not need to provide any back-up documentation.
- Courses will be dropped with no penalty; they will not show on your transcript.

### § 58509. Authority of Chancellor to Waive Provisions to Accommodate Students Impacted by Extraordinary Conditions.

(a) Notwithstanding section 58508, a community college district may provide a full refund of enrollment fees to any student who withdrew from one or more classes, where the district finds that such withdrawal was necessary for one of the following reasons: (1) the college attended by the student was closed or the college was unable to provide all or substantially all of the instruction in the course or courses in which the student was enrolled due to fire, flood or other conditions qualifying for adjustment of apportionment pursuant to section 58146; or

(2) although the district does not qualify for an apportionment adjustment pursuant to section 58146, one of the conditions enumerated in that section made it difficult or impossible for the student to attend one or more courses because the student was actively engaged in responding to the fire, flood or other condition or because such condition required the student to evacuate his or her home.

(b) Consistent with section 55024, a community college district need not record a “W” on the academic records of a student who withdraws from one or more classes due to any of the circumstances described in subdivision (a).

(c) The Chancellor is authorized, upon receipt of a written request from a community college district, to waive any provision of this title in order to accommodate students affected by any of the circumstances described in subdivision (a).

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

### 58146. Emergency Conditions Allowance for Districts Unable to Maintain College for Prescribed Time; General Purpose Apportionments Materially Decreased.

(a) An emergency conditions allowance may be provided, subject to approval by the Chancellor, to a district affected by an emergency or extraordinary condition, as defined pursuant to subdivision (b). The allowance shall be calculated to approximate the same general purpose apportionments from the State School Fund as the district would have received had the emergency not occurred.

(b) An emergency or extraordinary condition is defined as one of the following that specifically causes the district to be prevented from maintaining its schools during that fiscal year for at least 175 days or the general purpose apportionments of a district

calculated pursuant to Education Code section 84750.4 or 84750.5 to be materially decreased in that year or subsequent years:

- (1) fire,
- (2) flood,
- (3) earthquake,
- (4) impassable roads,
- (5) an epidemic or pandemic
- (6) the imminence of a major safety hazard as determined by the local law enforcement agency,
- (7) a strike involving transportation services to students provided by a nondistrict entity,
- (8) the unavailability of classroom facilities leased by the district where the unavailability is caused by extraordinary factors wholly external to and beyond the control of the district,
- (9) any order of any military officer of the United States or of the state to meet an emergency created by war, or of any civil officer of the United States, of the state, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war,
- (10) an order of a city or county board of health or of the State Board of Health, or
- (11) another emergency declared by the state government or the federal government.

(c) The facts demonstrating the applicability of one of the circumstances described in subdivision (b) shall be established to the satisfaction of the Chancellor by affidavits of the members of the governing board of the district.

(d) As a condition to receiving an emergency conditions allowance, the district must demonstrate to the satisfaction of the Chancellor that it made good faith efforts to avoid a material decrease in the general purpose apportionments of a district calculated pursuant to Education Code section 84750.4 or 84750.5.

Note: Authority cited: Sections 66700, 70901, 84750.4 and 84750.5, Education Code.  
Reference: Section 70901, Education Code.

### § 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" (MW) 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) Military withdrawals shall not be counted toward the permitted number of withdrawals or counted as an enrollment attempt.

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

(e) The governing board of a district that decides to provide a withdrawal policy shall also adopt an excused withdrawal procedure based upon verifiable documentation supporting the request.

(1) "Excused Withdrawal" (EW) occurs when a student is permitted to withdraw from a course(s) due to specific events beyond the control of the student affecting his or her ability to complete a course(s) and may include a job transfer outside the geographical region, an illness in the family where the student is the primary caregiver, when the student who is incarcerated in a California state prison or county jail is released from custody or involuntarily transferred before the end of the term, when the student is the subject of an immigration action, or other extenuating circumstances as described in (a)(2), making course completion impracticable. In the case of an incarcerated student, an excused withdrawal cannot be applied if the failure to complete the course(s) was the result of a student's behavioral violation or if the student requested and was granted a mid-semester transfer. Upon verification of these conditions and consistent with the district's required documentation substantiating the condition, an excused 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 an "EW."

(2) Excused withdrawal shall not be counted in progress probation and dismissal calculations.

(3) Excused withdrawal shall not be counted toward the permitted number of withdrawals or counted as an enrollment attempt.

(4) In no case may an excused withdrawal result in a student being assigned an "FW" grade.

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

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

## § 55022. Pass-No Pass Options.

(a) The policy adopted pursuant to section 55021 may permit courses to be offered in either or both of the following categories and, if so, shall require that each college catalog specify the category into which each course falls:

(1) Courses wherein all students are evaluated on a "pass-no pass" basis.

(2) Courses wherein each student may elect on registration, or no later than the end of the first 30 percent of the term, whether the basis of evaluation is to be "pass-no pass" or a letter grade.

(b) All units of credit earned on a “pass-no pass” or “credit-no credit” basis in accredited California institutions of higher education or equivalent out-of-state institutions shall be counted in satisfaction of community college curriculum requirements.

(c) Units earned on a “pass-no pass” basis shall not be used to calculate grade point averages. However, units attempted for which the symbol “NP” (as defined in section 55023) is recorded shall be considered in probation and dismissal procedures.

(d) Notwithstanding any provision of this chapter, a district may continue to designate courses as being offered on a “credit-no credit basis” instead of a “pass-no pass” basis and may continue to use the “CR” and “NC” symbols, as defined in section 55030, instead of the “P” and “NP” symbols until the Fall 2009 term. Until the Fall 2009 term, any reference in this chapter to the “P” symbol shall be deemed to include the “CR” symbol and any reference to the “NP” symbol shall be deemed to include the “NC” symbol.

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