



## Digest

Digest means an item that has been through internal review of the Chancellor's Office and the review entities. The item now has form and substance, and is officially "entered into Consultation." The Council reviews the item and provides advice to the Chancellor.

**Title:** Board of Governors Fee Waiver Fall 2016 Implementation of New Eligibility Requirements

**Date:** June 16, 2016

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### Issue

Effective Fall 2016, students who have two or more consecutive terms of not meeting academic or progress standards are at risk of losing their Board of Governors (BOG) Fee Waiver. Various constituency groups have expressed concern about districts' readiness to implement the new requirements, districts' ability to offer interventions to at-risk students, and districts' appeals processes. The Chancellor's Office was asked to bring this topic to Consultation for further discussion.

### Background

On January 13, 2014, the BOG approved changes to the fee waiver program regulations. The new regulations implement sections of the Student Success Act of 2012 (Senate Bill 1456) signed by Governor Brown on September 27, 2012. The regulations, which are intended to incent students to persist toward their educational goal and to focus college efforts on supporting their success, require that a student meet minimum academic and progress standards for continued receipt of the BOG Fee Waiver. The regulations also establish notification and appeal requirements. Upon approving the regulations, the BOG asked staff to further analyze projected impacts on student populations, and then present findings for discussion at the March 3-4, 2014 BOG meeting.

Staff produced a model to estimate how many credit students would be subject to loss of the BOG Fee Waiver eligibility under the new regulations. The methodology for this analysis consisted of several steps and required a look back over four terms to model the effects of the regulations. Chancellor's Office staff concluded that the projected number of students (3.9%) potentially impacted by the recently adopted BOG Fee Waiver requirements was relatively small and while some differential impacts were likely, they also appeared to be relatively modest. The implementation of Student Success and Support Program core services and the ability to appeal the loss of the BOG Fee Waiver were assumed to result in fewer students losing the BOG Fee Waiver.

## ADDITIONAL INFORMATION

Below are excerpts from the California Code of Regulations, title 5 regulations pertaining to areas of concern:

- Dissemination of Information

Section 58621. Loss of Eligibility.

(c) Districts shall adopt, prominently display, and disseminate policies ensuring that students are advised about the student support services available to assist them in maintaining and reestablishing BOG Fee Waiver eligibility. Dissemination includes, but is not limited to, information provided in college catalogs and class schedules.

- Notification of Probation

Section 58621. Loss of Eligibility.

(d) Students placed on academic or progress probation pursuant to section 55031(a) or (b) shall be notified of their status no later than thirty days following the end of the term that resulted in the student being placed on academic or progress probation. This notice shall clearly state that two consecutive primary terms of probation will lead to loss of the BOG Fee Waiver until the student is no longer on probation pursuant to section 55031(a) or (b).

**This notice shall also advise students about the available student support services to assist them in maintaining eligibility.** Pursuant to section 55523(c) colleges shall ensure that students shall have the opportunity to receive appropriate counseling, assessment, advising, or other education planning services on a timely basis to mitigate potential loss of the fee waiver.

(f) Districts shall begin notifications to students following the spring 2015 term and ensure that the requirements of this section are **fully operational for registration for the fall 2016 term**. Loss of BOG Fee Waiver eligibility pursuant to this section shall not occur prior to the fall 2016 term. Districts shall ensure that all board policies and course catalogs reflect the requirements of this section and that appropriate and timely notice is provided to students.

- Petition to Appeal

Section 58621. Loss of Eligibility.

(e) Each community college district shall establish written procedures by which a student may appeal the loss of the BOG Fee Waiver due to extenuating circumstances, or where a student with a disability applied for, but did not receive reasonable accommodation in a timely manner. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances that might include documented changes in the student's economic situation or evidence that the student was unable to obtain essential student support services. Essential student support services include, but are not limited to, services

identified in the student education plan developed under section 55524, and any services to which the student was referred pursuant to section 55520. Extenuating circumstances also includes special consideration of the specific factors associated with Veterans, CalWORKs, EOPS, and DSPS student status. Districts may allow students who have demonstrated significant academic improvement to retain or appeal the loss of the BOG Fee Waiver. Significant academic improvement is defined as achieving no less than the minimum grade point average and progress standard established in section 55031 (a) and (b). A student who successfully appeals the loss of enrollment priority shall also have BOG Fee Waiver eligibility restored.

### Interventions to Mitigate Potential BOGFW Loss

Title 5, section 58621(d) requires districts to notify at-risk students about the available student support services to assist them in maintaining eligibility. Examples of the types of services available to students include:

- Orientation
- Assessment
- Counseling
- Education planning
- Probation interventions
- Academic early alert systems
- Advising
- Financial aid
- Health and mental health services
- Campus employment placement services
- Extended Opportunity Programs and Services
- Campus child care services
- Tutorial services
- Foster youth services
- Veterans support
- Disabled Students Programs and Services

### March 2016 College Survey Summary

The Chancellor's Office conducted a survey in March 2016 to assess the readiness of implementing policies, procedures and processes pertaining to the loss of BOG Fee Waiver eligibility and Fall 2016 implementation target date. We received a 77 percent response rate, including two of our largest districts: Los Rios and Los Angeles. All colleges responded they would be ready for Fall 2016 implementation.

### June 2016 Chief Executive Officers (CEO) Certification and Chief Student Services Officers (CSSO) Survey

The Chancellor's Office sent a memo on June 2, 2016, to Chief Executive Officers (CEOs) asking for certification that their colleges were prepared to implement the academic eligibility requirements for the BOG Fee Waiver. CEOs were asked to respond with their certification by June 10, 2016. Also on June 2, 2016 the Chancellor's Office sent a survey to Chief Student Services Officers asking about the interventions in place to assist students at risk of losing their BOG Fee Waiver. Additional information about these two efforts will be provided at the Consultation Council meeting.