

Dual Enrollment Policy to Practice Guide: Policy Table

California Education Code¹ and Legislation² Related to Dual Enrollment

Dual enrollment parameters in California are governed by legislation. As laws are passed they are chaptered into the Education Code. This makes it much easier for practitioners to find the most updated law. If a practitioner looked up AB 288 legislation passed in 2015 they would find the original law, but because it has been updated many times they would not see those updates. That is why it's important to look at the Education Code where updates are compiled.

For California community colleges Title 5 contains the rules and regulations adopted by the Board of Governors for our system. These are especially important for areas that are not specifically addressed by legislation. For example, the Education Code says that high school students must have parental consent to participate in dual enrollment but it does not state how often colleges must get this permission. A new Title 5 regulation, adopted in September 2023, says that once given parental permission is implied until revoked. This clarification allows colleges to collect parent permission once.

Relevant Topic / Issues	Education Code Reference <i>*for current law</i>	Legislation <i>*for historic reference</i>
Types and Structures of Dual Enrollment		
Adult Dual Enrollment	52620 ; 76001 ; 76002 ; 76004	SB554 ; AB102
non-CCAP Dual Enrollment	48800 ; 76001 ; 76002	SB338
College and Career Access Pathways (CCAP)	76004 but also relevant are 48800 ; 76001	AB288 ; AB102 ; AB368 ; SB 1244
Early College High Schools (ECHS) ³	11302 ; 46141 ; 46146.5 ; 76001 ; 76002 ; 76300	SB379 ; SB1316
Middle College High Schools (MCHS)	11300 ; 11301 ; 46141 ; 46146.5 ; 76001 ; 76002	AB230
Long Beach Promise Program	48810 et seq. ; 76003	SB650
Special Full-Time	48800.5 ; 76001	

¹ This table is not exhaustive and there may be relevant legislation and ed codes that are not included.

² Legislation is provided to provide context on the education code references; the education code references will provide the most current information.

³ See overview of relevant legislation provided by the California Coalition of Early and Middle Colleges.

Student Admission / Enrollment / Fees		
Special Admit Admission / Enrollment Requirements / Parental Consent	76000 ; 76001 ; 76002 ; 48800 ; 48800.5 ; 52620	AB288 ; SB338 ; SB554 ; AB30 ; AB102 ; AB368
Enrollment Limitations	76001(d) ; 76004(p)	SB338 ; AB288 ; AB368
Exemption of Enrollment Fees and Non-Resident Fees	76300(f) ; 76140(a)(4) ; 76141	SB150
Fees Prohibited under CCAP Agreement	76004(f) ; 49011 ; 76004(q)	AB288
Assessment and Placement	76002(b)(3) ; 78213(j)(7)	SB946 ; AB1705
Priority Registration	76001(e) ; 76004(g)	AB288 ; AB967 ; AB368
Noncredit Coursework	78401(c)	
Instruction-Related		
Attendance Tracking and Average Daily Attendance (ADA)	46140 et seq. ; 48802 ; 76001	SB292
Required minutes of instruction	46144 ; 46142 ; 46146	SB1316
Teacher / instructor qualifications	76004	AB288
Courses of Study	51225.3	
Open (or Closed) Course Requirements	76002(a) ; 76004(o)	SB338 ; AB288
Apportionment and Reporting Related		
Apportionment	76001(c) ; 48802 ; 52621 ; 76002(a) ;	AB288 ; SB338 ; SB554
CCAP Reporting Requirements	76004(t) ; 76004(u)	AB288

Title 5

A revision to Title 5 added a section on Dual Enrollment, [CCR 56700](#) offered regulations in two areas: parental consent and documentation for participation. Specifically when a parent or guardian gives consent for a student to participate in dual enrollment that consent applies to all dual enrollment courses until the parent revokes that consent in writing. The new regulation clarifies that a community college may not require high school transcripts or a social security number as a condition of dual enrollment.

Legal Opinions and Advisories

CCCCO Legal Opinion / Advisory / Memos	Subject
Empowerment Memo	Dual Enrollment: Empowering Colleges to Equitably Serve Communities
Legal Opinion 16-02	Dual Enrollment and Assembly Bill 288 (CCAP) Partnership Agreement Guidelines for Apportionment Eligibility
Legal Opinion 07-07	Availability and Use of Information on Students' Past Conduct <i>Specifies that past conduct cannot influence special admit admission</i>
Legal Advisory 05-01	Questions and Answers Re. Concurrent enrollment
Legal Opinion 04-13	Community College Admission Of Persons Who Are 18 Years Of Age Or Older And Enrolled In High School
Legal Advisory 03-01	Questions and Answers Related to Implementation of Senate Bill 338
Legal Opinion M 02-20	Admission of Minors to Community College Summer School Credit Courses
Legal Opinion M 98-17	Admission of Minors to Community Colleges

MIS Data Elements for Community College Reporting Purposes

Data Element	Description
SB 11	Student Education Status
SB 15	Student Enrollment Status (e.g. Special Admit)
SG 07	Student MCHS ECHS Status
SG 13	Student CCAP Status

Other Resources

- [Minimum Qualifications for Faculty and Administrators in California Community Colleges](#)
- Be sure to refer to your local community college's policies including the academic senate process regarding equivalencies, as these may be different from state requirements.
- [Contracted District Auditor's Manual](#) (under Dual Enrollment)

- [Student Attendance Accounting Manual](#) (under Dual Enrollment)
- Office of Civil Rights Case 09-17-1325 [Investigation](#) and [Agreement](#) concerning provision of disability-related services and accommodations for a dual enrollment student.
- [Title 5 Division 6 California Community Colleges](#)

