

**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

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**NOTICE OF PROPOSED RULEMAKING**

**AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5  
REGARDING ELECTRONIC SUBMISSIONS**

Notice published August 30, 2012

**NOTICE IS HEREBY GIVEN** that, pursuant to Standing Order 200, the Board of Governors of the California Community Colleges proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

**PUBLIC HEARING**

A public hearing will be held during the next regularly scheduled Board of Governors meeting on September 10-11, 2012, at 3375 Camino del Rio South, San Diego, California. The Board meeting will commence at the hour of 9:30 a.m., or as soon thereafter as the business of the Agency will permit. The room is wheelchair accessible. Other disability-related accommodations such as materials in alternate media, sign language interpreters, or real time transcription will be provided to persons with disabilities upon request. Parking accessible for persons with disabilities is available near the facility. Persons requesting such accommodations should notify Njeri Griffin, 1102 Q Street, Suite 4554, Sacramento, CA 95811-6549, [ngriffin@cccco.edu](mailto:ngriffin@cccco.edu), 916-445-8508, no less than five working days prior to the meeting. The Chancellor's Office will make efforts to meet requests made after such date, if possible.

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed regulatory action described in the Informative Digest. The Board of Governors requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their comments. No oral comments will be accepted subsequent to this public hearing.

**WRITTEN COMMENT PERIOD**

Any interested person may submit written comments relevant to the proposed regulatory action. To ensure that your comments have the maximum effect in developing the final regulations, we urge you to identify clearly the specific section or sections of the proposed regulations that each of your comments addresses and to arrange your comments in the same order as the proposed regulations. Please send your comments to:

Office of the General Counsel  
California Community Colleges  
Chancellor's Office  
1102 Q Street, Suite 4554  
Sacramento, CA 95811-6549

Attn: Steve Bruckman, Executive Vice Chancellor of Operations and General Counsel

Comments may also be submitted by facsimile at 916-322-9030 or by email at [regcomments@cccco.edu](mailto:regcomments@cccco.edu). Comments must be received by Steven Bruckman prior to 5:00 p.m. on October 19, 2012.

### **MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS**

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption from Steven Bruckman and will be mailed to those persons who submit written comments relevant to the proposed regulatory action, or who provide oral comments at the public hearing, or who have requested notification of any changes to the proposal.

### **AUTHORITY AND REFERENCE**

Authority: Education Code sections 66700, 70901, 70901.1, and 70901.5

Reference: Education Code sections 70901, 70901.1, and 70901.5

### **INFORMATIVE DIGEST**

In 2005, the CCCApply (online application to the California Community Colleges) started to work on title 5 language to address electronic signatures and develop viable regulations to govern electronic signatures. The work of the California Community Colleges Chancellor's Office and the CCCApply team resulted in AB1646 (language below):

SECTION 1. Section 70901.1 of the Education Code is amended to read: 70901.1. The Board of Governors of the California Community Colleges shall adopt regulations that permit the governing board of a community college district to allow applications for admission, student residency determination forms, and other documents to be submitted electronically. The regulations shall require that applicants and students be informed of the relative security of the information they submit electronically.

Then in 2008, AB521 adds the following language:

70901.1. (a) The Board of Governors of the California Community Colleges shall adopt regulations that permit the governing board of a community college district to allow applications for admission to be submitted electronically. The regulations shall require that applicants be informed of the relative security of the information they submit electronically. (b) Upon adoption of a standard of encrypted digital signatures by the Secretary of State, the Board of Governors of the California Community Colleges shall adopt regulations that permit the governing board of a community college district to allow student residency determination forms to be submitted electronically.

Issue: The board regulations mentioned in 70901.1 were never written. The California Community Colleges Chancellor's Office and the CCCApply Steering Committee now put forth these regulations.

#### **ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS**

The estimated cost or savings of the proposed amendments are anticipated to be as follows:

Mandate on local agencies or community college districts: None

Cost or savings to state agencies: None

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: None

Other non-discretionary cost or savings imposed on community college districts: None

Cost or savings in federal funding to state agencies: None

The effect of the adoption of the proposed regulations will not impose increased costs or new costs to community college districts that are required to be reimbursed under section 17561 of the Government Code. Such determination will be made a formal part of the public hearing at the time and place described above. Furthermore, there are no direct costs or indirect costs, or savings to any state agency, no costs or savings in federal funding to the state and no non-discretionary costs or savings to local agencies.

#### **CONTACT PERSON**

Inquiries concerning the content of these regulations may be directed to:

Patrick Perry, Vice Chancellor  
Technology, Research & Information Systems Division  
California Community Colleges  
Chancellor's Office  
1102 Q Street, Suite 4554  
Sacramento, CA 95811-6549  
Telephone: 916-327-5912  
E-mail: pperry@cccco.edu

Inquiries concerning the regulatory process may be directed to Steven Bruckman, Executive Vice Chancellor of Operations and General Counsel at 916-445-9328 or sbruckman@cccco.edu.

#### **TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS**

Copies of the exact language of the proposed regulation, and all of the information upon which the proposal is based, may be obtained online at:

<http://extranet.cccco.edu/SystemOperations/BoardofGovernors/Meetings.aspx>

or <http://extranet.cccco.edu/Divisions/Legal/Regulations.aspx>.

Those who receive the Board of Governors Agenda package for the September 10-11, 2012, meeting can find a further description of the proposal and the full text of the regulations in agenda item number 3.4

You may also request a copy of the proposal from Steven Bruckman, using the contact information provided above.

SB/II