

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

1102 Q STREET, SUITE 4554
SACRAMENTO, CA 95811-6549
(916) 445-8752
<http://www.cccco.edu>

**NOTICE OF PROPOSED RULEMAKING****AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING ENROLLMENT PRIORITIES 2014**

Notice published May 8, 2014

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 May 19-20, 2014, at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 12:00 p.m. on May 19, 2014, 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 Karen Gilmer, 1102 Q Street, Suite 4554, Sacramento, CA 95811-6549, kgilmer@cccco.edu, 916-322-4005, 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 subdivision of the proposed regulation that each of your comments addresses and to arrange your comments in the same order as the proposed regulation. Please send your comments to:

Leslie LeBlanc, Regulations Coordinator
Legal Division
California Community Colleges Chancellor's Office
1102 Q Street, Suite 4554
Sacramento, CA 95811-6549

Comments may also be submitted by facsimile at 916-322-9030 or by email at regcomments@cccco.edu.

Comments must be received by the Regulations coordinator prior to 5:00 p.m. on June 23, 2014. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR 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 the Regulations Coordinator and will be provided to those persons who provided contact information and submitted written comments relevant to the proposed regulatory action, or who provided 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, 78215

Reference: Education Code sections 66025.8, 66025.9, 66025.91, 66025.92, 66025.95, 70901, 78210 et seq., and 84500

INFORMATIVE DIGEST

Consistent with Student Success Task Force recommendation 3.1, at its September 2012 meeting, the Board of Governors adopted regulations requiring districts that implement a priority enrollment system to comply with specified requirements in that system. At the time the Board of Governors adopted the regulations, state law required districts administering a priority enrollment system to grant priority enrollment in that system to military members and veterans, as well as foster youth and former foster youth. (Ed. Code, §§ 66025.8 and 66025.9.)

In 2013, the Legislature enacted statutes that required that districts administering registration priority systems to also grant priority enrollment in that system to students determined to be eligible for Disabled Student Program and Services, students receiving services through the Extended Opportunity Program and Services, and students receiving aid from the California Work

Opportunity and Responsibility to Kids Program. (Ed. Code, §§ 66025.91 and 66025.92.) The proposed amendments reflect these statutory changes.

In addition, in January of 2014, the Board of Governors adopted regulations requiring students to meet minimum academic and progress standards to be eligible for a fee waiver. (Cal. Code Regs., tit. 5, §§ 58601, 58612, 58620-21.) Foster youth and former foster youth were exempt from these requirements. (Cal. Code Regs., tit. 5, § 58621 (a)(1).) At the time, it was agreed that the Chancellor's Office would propose amendments to the enrollment priority regulations to likewise exempt foster youth and former foster youth from the requirement to meet specified academic requirements to be eligible for priority enrollment. The proposed amendments exempt foster youth and former foster youth from these requirements.

Last, some ambiguities in the enrollment priority regulations were revealed as districts began implementing them, including determining who is a continuing student. The proposed amendments clarify those ambiguities.

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:

Linda Michalowski, Vice Chancellor
Student Services and Support Division
California Community Colleges
Chancellor's Office

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1102 Q Street, Suite 4554
Sacramento, CA 95811-6549
Telephone: 916-445-0102
E-mail: kaustinn@cccco.edu

Inquiries concerning the regulatory process may be directed to Leslie LeBlanc, Regulations Coordinator, at 916-445-4826 or lleblanc@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://tinyurl.com/7o6hpn8>

Those who receive the Board of Governors Agenda package for the May 19-20, 2014, meeting can find a further description of the proposal and the full text of the regulations.

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

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