

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

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**NOTICE OF PROPOSED RULEMAKING****AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING MINIMUM CONDITIONS ACCREDITATION**

Notice published on or before November 7, 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 November 17-18, 2014, at De Anza College, 21250 Stevens Creek Blvd., Cupertino, California, 95014; Hinson Campus Center, Conference Rooms A and B. The Board meeting will commence at the hour of 12:00 p.m. on November 17, 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. Oral comments will not 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(s) and subdivision(s) 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:

Michelle Goldberg, Attorney
Legal Affairs Division
California Community Colleges
Chancellor's Office
1102 Q Street
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 Michelle Goldberg prior to 5:00 p.m. on December 26, 2014. All written comments received by the Chancellor's Office during the public comment period are subject to disclosure under the Public Records Act.

CHANGES 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 change the proposed regulations if the changes 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 Michelle Goldberg 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 and 70901.

Reference: Education Code section 70901, Code of Federal Regulations, title 34, part 602.

INFORMATIVE DIGEST

As a condition of the receipt of federal funding postsecondary institutions must be accredited by an agency recognized by the United States Secretary of Education as a reliable authority regarding the quality of education offered by the institutions it accredits. (34 CFR, § 602.1(a).) Currently the Secretary of Education recognizes only the Accrediting Commission for Community and Junior Colleges (ACCJC) as an accreditor for California’s community colleges. Additionally, since 1983, California community colleges have been required to be accredited by the ACCJC as a minimum condition for the receipt of state aid. (Cal. Code Regs., tit. 5, § 51016.)

Proposed amendments to section 51016 of title 5 of the California Code of Regulations would permit the Board of Governors, at the recommendation of the Chancellor, to specify a different accrediting agency that would be responsible for accrediting California’s community colleges as a minimum condition for the receipt of state aid. The Chancellor could only recommend an accrediting agency whose scope of recognition by the Secretary of Education includes California’s community colleges. In the event an accrediting agency other than ACCJC is specified by the Board of Governors for purposes of section 51016, it is anticipated that there would be a migration period in which more than one accrediting agency would be responsible for accrediting California’s community colleges. Other than during the migration period, the proposed changes would permit California’s community colleges to be accredited by only a single accrediting agency.

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:

Dr. Brice W. Harris, Chancellor
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4554
Sacramento, CA 95811-6549
Telephone: 916/322-4005
E-mail: bharris@cccco.edu

Inquiries concerning the regulatory process may be directed to Michelle Goldberg, Attorney, at 916/445-4826, or mgoldberg@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 November 17-18, 2014, meeting can find a further description of the proposal and the full text of the regulation in that packet.

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

MG/jg