

ATTACHMENT 1

**BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
PROPOSED REVISIONS TO TITLE 5 REGULATIONS:
BOARD OF GOVERNORS FEE WAIVER-INELIGIBLE STUDENT**

1. Section 58629 of (article 3) of subchapter 7 of chapter 9 of division 6 of title 5 of the California Code of Regulations is added to read:

§ 58629. Ineligible Student: District Error.

(a) The community college district may waive enrollment fees which were not collected in a previous session where:

(1) the enrollment fees were not collected as a result of the district's error in awarding a Board of Governors Fee Waiver to an ineligible student and not through the fault of the student, and

(2) to collect the enrollment fees would cause the student undue hardship.

(b) Enrollment fees waived pursuant to this section are to be included in the FTES adjustments described in Education Code section 76300(c) for purposes of computing apportionments.

(c) The Board of Governors shall not reduce the apportionment of a district pursuant to Education Code section 76300(d) for enrollment fees that are waived by a district provided all the requirements for the waiver have been met.

Note: Authority cited: Sections 66700, 70901 and 76300, Education Code. Reference: Sections 70901, 70902 and 76300, Education Code.