RENOUNCE OF MODIFICATIONS TO TEXT OF PROPOSED AMENDMENTS TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING INSTRUCTIONAL MATERIALS

Renounce published March 26, 2012

The Board of Governors of the California Community Colleges, hereby, is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a public hearing on March 5, 2012. Section 206, subdivision (c) of the Procedures for the Standing Orders of the Board of Governors requires the Board to renounce the proposed regulatory action where the proposed regulations have been previously considered and are now being modified, and those changes are “sufficiently related” to the text of the previously-proposed regulations.

CHANGES TO THE TEXT

After the 45-day comment period had commenced, changes were made to the proposed text of the noticed regulations at the March 5, 2012, Board of Governors meeting during the public hearing and first reading of the regulation amendments proposed in agenda item 2.1.

The Board felt it was important that students not be required to purchase unnecessary instructional materials. Staff was directed to add the words “and ensure the necessity” to the text of proposed amendments to section 59404, subdivision (a) as denoted by bold underline, as follows.

§ 59404. District Policies and Regulations for Instructional and Other Materials.
(a) The governing board of a community college district which requires that students provide instructional or other materials for a course shall adopt policies or regulations, consistent with the provisions of this subchapter, which specify the conditions under which such materials will be required. These policies and regulations shall direct instructors to take reasonable steps to minimize the cost and ensure the necessity of instructional materials.
(b) The policies or regulations specified in subdivision (a) shall be published in each college catalog developed after the date of adoption.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the changes to the proposed regulatory action subject to the renounce, i.e., title 5, California Code of Regulations, section 59404(a). As the 45-day comment period for the original proposal is open until April 13, 2012, we will accept comments concerning the changes outlined in this renounce up to that date. 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, 3rd Floor  
Sacramento, CA 95811-6549

Attn: Steven 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. Comments must be received by Steven Bruckman prior to 5:00 p.m. on April 13, 2012.

**UPDATED INFORMATIVE DIGEST**

At its March 5, 2012, meeting, the Board of Governors held a public hearing and first reading regarding proposed changes to the instructional materials regulations pursuant to the 45-day notice published on February 23, 2012. During the public discussion of agenda item 2.1, the Board felt it was important that students not be required to purchase unnecessary instructional materials. Staff was directed to add the words “and ensure the necessity” to the text of proposed amendments to section 59404, subdivision (a) as set forth above.

It is expected that the Board of Governors will be asked to adopt the Instructional Materials regulation changes pursuant to the original 45-day notice and this 15-day renotice, at its meeting of May 7-8, 2012.

**CONTACT PERSON**

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

Barry Russell, Vice Chancellor  
Academic Affairs Division  
California Community Colleges  
Chancellor's Office  
1102 Q Street, 3rd Floor  
Sacramento, CA 95811-6549  
Telephone: 916-322-6881  
E-mail: brussell@cccco.edu
Inquiries concerning the regulatory process may be directed to Steven Bruckman, Executive Vice Chancellor of Operations and General Counsel at 916-445-4826 or sbruckman@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS
The exact language of the proposed regulation change subject to this renotice is set forth above. All of the information upon which this proposal is based may be obtained online at:

http://www.cccco.edu/Portals/4/Executive/Board/2012_agenda/march/2_1_Online_Materials.pdf

Those who received the Board of Governors Agenda package for the March 5-6, 2012, meeting can find a further description of the original proposal and the full text of the regulations in agenda item number 2.1.

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

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