NOTICE OF PROPOSED RULEMAKING

Amendment to California Code of Regulations
Regarding Baccalaureate Degree Pilot Program Fees

Notice published on or before January 8, 2015

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 January 20-21, 2015 at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 12:00 p.m. on January 20, 2015, 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 request that you clearly identify 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:
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 Michelle Goldberg 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 and 78042

Reference: Education Code sections 70901, 70901.5, 76300 and 78040-43

INFORMATIVE DIGEST

Current regulations require districts to charge a student fee of forty-six dollars ($46) per semester credit unit for credit coursework, otherwise known as the basic enrollment fee. (Ed. Code, § 76300.) Chapter 747, Statutes of 2014 (SB 850, Block), commencing with Education Code, section 78040, authorize the Board of Governors to establish a baccalaureate degree pilot program at not more than 15 community college districts. The Board of Governors is required to develop, and adopt by regulation, a funding model for the support of the baccalaureate degree pilot program. (Ed. Code, § 78042(g).)

Districts participating in this pilot program will be required to charge students enrolled in upper division coursework an additional fee of eighty-four dollars ($84) per semester credit unit or fifty-six dollars ($56) per regular quarter credit unit. The $56 quarter credit unit rate is calculated to be consistent with the quarter unit provisions applicable to the basic enrollment fee in accordance with California Code of Regulations, title 5, section 58501(b) (calculated as two-thirds of the per
credit unit rate for a regular semester), which ensures equitable application of the upper division coursework fee to students enrolled in quarter-system colleges that participate in the pilot program. The fee for courses with fractional unit value shall be computed by multiplying the fraction times the applicable semester or quarter unit rate and rounding off to the nearest dollar, which is also consistent with fractional unit provisions applicable to the basic enrollment fee in accordance with California Code of Regulations, title 5, section 58501(c). While the current funding model requires the current enrollment fee of forty-six dollars ($46) per unit to be used as offsetting revenue against their apportionment entitlement, the additional fee revenues will be used locally to support the higher costs associated with providing upper division education and will not be subject to this apportionment offset requirement.

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:

Dan Troy, Vice Chancellor
Fiscal and Facilities Division
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4554
Sacramento, CA 95811-6549
Telephone: (916) 445-0540
E-mail: dtroy@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://tinyurl.com/7o6hp8

Those who receive the Board of Governors Agenda package for the January 2015 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 Michelle Goldberg, using the contact information provided above.

MG/jg