

NOTICE PUBLICATION/REGULATIONS SUBMISSION

PRINT

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS:	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2013-0919-01 P	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

ENDORSED FILED
IN THE OFFICE OF

2013 SEP 19 AM 10:56

2013 SEP 20 PM 4:18
OFFICE OF
ADMINISTRATIVE LAW

 DEBRA BOWEN
 SECRETARY OF STATE

AGENCY WITH RULEMAKING AUTHORITY Board of Governors of the California Community Colleges	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE N/A	TITLE(S) N/A	FIRST SECTION AFFECTED N/A	2. REQUESTED PUBLICATION DATE N/A
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON N/A	TELEPHONE NUMBER N/A	FAX NUMBER (Optional) N/A
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Transportation Services Fee Election	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
TITLE(S) 5	REPEAL 58520

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Redopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input checked="" type="checkbox"/> Print Only

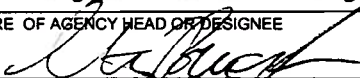
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input checked="" type="checkbox"/> Effective other (Specify) 30 days after filed w/Secretary of State

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON Steven Bruckman, General Counsel	TELEPHONE NUMBER 916-445-9328	FAX NUMBER (Optional) 916-322-9030	E-MAIL ADDRESS (Optional) sbruckman@cccco.edu
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 9/17/13
TYPED NAME AND TITLE OF SIGNATORY Steven Bruckman, Executive Vice Chancellor and General Counsel	

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ENDORSED APPROVED

SEP 30 2013

Office of Administrative Law

ATTACHMENT 1

BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES REVISIONS TO TITLE 5 REGULATIONS: Transportation Services Fee Election

1. Section 58520 of article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 58520. Transportation Services Fee Election.~~

~~If the governing board of the Los Rios Community College District or the governing board of the Rio Hondo Community College District seeks to establish a mandatory transportation services fee pursuant to subdivisions (b)(1) or (b)(2) of Education Code section 76361.1, that governing board shall adopt and publish procedures for elections conducted for the purpose of collecting a transportation services fee and shall call an election for such purpose. The election shall, at a minimum, meet the following criteria:~~

~~(a) The governing board shall make available in its district office and the student government office of each affected college written information regarding election procedures. Such information shall be made available to the public upon request.~~

~~(b) Adequate notice of the election shall be given by the governing board. Adequate notice is deemed to be notice at least ten school days prior to the election.~~

~~(c) Each election shall be held on a day which counts toward the 175 day requirement as defined in section 58120. In instances where an election is conducted for more than one day, those days shall be consecutive and shall be limited to a maximum of five days.~~

~~(d) The election shall be conducted in a manner that would allow equal opportunity for day, evening, and weekend students to participate.~~

~~(e) Each election shall be held no more than 10 years prior to the date of the expiration of a contract proposed to be entered into for transportation services provided by a common carrier or a municipally owned transit system, or no more than 10 years prior to the date to which it is proposed that an existing contract be extended.~~

~~(f) If the proposed transportation services fee is to be required of all students, other than those students who are exempt from the fees pursuant to paragraph (1) of subdivision (c) of section 76361.1, and of all employees of a campus of the Los Rios Community College District or a campus of the Rio Hondo Community College District, the fee may be imposed upon the favorable vote of the majority of the students and of a majority of the employees of that particular campus voting in an election on the question of whether or not the governing board should require all students and employees at that campus to pay a fee for transportation services for a period of time to be determined by the governing board of the district.~~

~~(g) If the proposed transportation services fee is to be required of all students, other than those students who are exempt from the fees pursuant to paragraph (1) of subdivision (c) of section 76361.1, of a campus of the Los Rios Community College District or a campus of the Rio Hondo Community College District, the fee may be imposed upon the favorable vote of a~~

~~majority of the students of that particular campus voting in an election on the question whether or not the governing board should require all students at that campus to pay a fee for transportation services for a period of time to be determined by the governing board of the district.~~

~~—(h) Any transportation services fee election held by either the Los Rios Community College District or the Rio Hondo Community College District prior to the effective date of this section will be considered valid and binding if the election satisfies the requirements of this section.~~

~~Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 76361 and 76361.1, Education Code.~~