

Board of Governors of the California Community Colleges
Title 5 Regulations
Regulation Regarding Transportation Fee Elections

1. A new article 3 is added to subchapter 6 of chapter 9 of division 6 of title 5 of the California Code of Regulations to read:

Article 3. Transportation Services Fees

§ 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, 70901, Education Code. Reference: Sections 76361, 76361.1, Education Code.