

**PRINT**  
EMERGENCY NUMBER

<b>OAL FILE NUMBERS</b>	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2018-0829-02P</b>
For use by Office of Administrative Law (OAL) only		
NOTICE		REGULATIONS

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

**AUG 30 2018**  
4:09pm

**2018 FEB 15 P 3 53**  
**OFFICE OF ADMINISTRATIVE LAW**

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
<b>OAL USE ONLY</b>	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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE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) Apportionment for Noncredit Courses	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 58003.3
REPEAL
TITLE(S) 5

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 Resubmittal of disapproved or withdrawn nonemergency filing (Gov.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 Resubmittal of disapproved or withdrawn emergency filing (Gov.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 Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input checked="" type="checkbox"/> Other (Specify) <u>Authority - Ed. Code section 70901.5</u>	<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)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
  Effective on filing with Secretary of State
  §100 Changes Without Regulatory Effect
  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

Department of Finance (Form STD. 399) (SAM §6660)
  Fair Political Practices Commission
  State Fire Marshal
  Other (Specify)

7. CONTACT PERSON Tanya Bosch	TELEPHONE NUMBER 916-445-1997	FAX NUMBER (Optional) 916-322-9030	E-MAIL ADDRESS (Optional) tbosch@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.

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SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 8/29/18
TYPED NAME AND TITLE OF SIGNATORY Marc A. LeForestier, General Counsel	

## ATTACHMENT 1

### BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES PROPOSED REVISIONS TO TITLE 5 REGULATIONS: of APPORTIONMENT FOR NONCREDIT COURSES

1. Section 58003.3 of article 2 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended:

§ 58003.3. ~~Alien Students.~~ Apportionment for Noncredit Courses.

Notwithstanding section 68062 of the Education Code, for the purposes of crediting community college attendance for apportionments from the State School Fund, a community college district may claim the attendance of students living in California ~~who have been lawfully admitted to the United States in accordance with all applicable laws of the United States and enrolled in noncredit courses in the district.~~

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