



**NOTICE OF PROPOSED RULEMAKING
AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING
FISCAL SUPPORT**

Notice published May 10, 2019

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 May 20-21, 2019, at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 9:00 a.m., 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 Christina Castro, 1102 Q Street, Suite 4500 Sacramento, CA 95811-6549, ccastro@cccco.edu, 916-323-5889, 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. No oral comments will be accepted subsequent to this public hearing.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulation that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as the proposed regulation. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549

Comments may also be submitted by email at regcomments@cccco.edu.

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on June 24, 2019. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

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, and will be provided to those persons who have requested or are required to receive notification of regulatory actions, or who have provided written or oral comments relevant to the proposed regulatory action.

AUTHORITY AND REFERENCE

Authority: Education Code sections 66700, 70901, 84750.4, 84750.5.

Reference: Education Code sections 70901.

INFORMATIVE DIGEST

This item is a first reading and public hearing of proposed amendments to regulations related to general apportionment allowances (e.g., the Student Centered Funding Formula, or SCFF) for districts that have experienced emergencies that affect the apportionment. These regulations specify the authority of the Chancellor, particularly in the context of the new Student Centered Funding Formula (SCFF). They also seek to clarify current ambiguities in the process of granting emergency conditions allowances.

Existing law authorizes the Board of Governors to provide leadership and direction and exercise general supervision over the California Community Colleges. Existing regulations provide the Chancellor the authority to grant an allowance related to apportionments for districts that have experienced an emergency, such as a fire or flood, that would cause the general apportionment to decrease. These provisions allow the Chancellor to apportion to a district the amount of funds the district would have received had the emergency not occurred.

Existing regulations contemplate that the Chancellor would make determinations related to the number of full-time equivalent students (FTES) a district would have generated had an emergency not occurred. With the enactment of the Student Centered Funding Formula (SCFF), which consists of a base allocation, a supplemental allocation, and a student success allocation, other factors that affect a district's funding may be affected as a result of an emergency.

These amendments were discussed with Consultation Council on April 18, 2019. Changes were made to the regulations based on those discussions.

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 proposed amendments to title 5 would result in no fiscal impact to local or state governments. Nor will it have any fiscal impact on any federal funding.

CONTACT PERSON

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

Christian Osmena, Vice Chancellor
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations, and all of the information upon which the proposal is based, may be obtained online at:

[Board of Governors Meetings Agenda](#)

or [Legal - Regulations](#).

Those who receive the Board of Governors Agenda package for the May 20-21, 2019 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 the Regulations Coordinator using the contact information provided above.