



**NOTICE OF PROPOSED RULEMAKING
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
CHANCELLOR'S OFFICE INFORMATION & DATA REQUESTS REGULATION**

45-Day Notice published March 10, 2022

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2 of the Board of Governors Procedures and Standing Orders, that the Board proposes to adopt the regulatory action described below after a public hearing, and considering all comments, objections, or recommendations received regarding the proposed action during the public comment period.

PUBLIC HEARING

A public hearing will be held via Zoom videoconferencing during the next regularly scheduled Board of Governors meeting on March 21, 2022. The hearing will commence on or about 9:00 a.m.

To prevent the spread of novel coronavirus (COVID-19), the Board of Governors is temporarily offering an additional method for public comment. The public is encouraged to watch the board meeting online and either submit a written public comment or provide public comment to the Board of Governors. Details are below.

Public Comment: Members of the public wishing to comment on the proposed regulatory action may do so during the live Board of Governors meeting. All verbal comments will be limited to three minutes and must adhere to the following policies:

a) You may submit your comment in advance via email to boardcomments@cccco.edu. In the email subject line, specify the item number you wish to comment on or indicate "Public Forum". You may identify yourself or specify that you wish to remain anonymous at the top of your email. All written public comments for the Board of Governors meeting must be received by the end of business on March 16, 2022. Comments meeting the deadline will be provided to the Board of Governors and posted for public viewing.

b) During the live board of governors meeting, you may use the Raise Hand feature on the Zoom platform to make a verbal comment to the Board. A Chancellor's Office employee will announce your name and grant you the ability to speak to the Board. You are requested to identify yourself and present your comment at that time.

ZOOM VIDEOCONFERENCING

Please use the link below to join the webinar:

<https://cccconfer.zoom.us/j/381430034>

Dial US: +1 669 900 6833 | Webinar ID: 381 430 034

Password: **234632**

International numbers available: <https://cccconfer.zoom.us/u/acIPAzrcGq>

WRITTEN COMMENT PERIOD

Any interested person may also 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 regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

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

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on April 24, 2022. All written comments received by Chancellor's Office 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 regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action 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.

INFORMATIVE DIGEST

The Chancellor's Office is recommending the Board of Governors establish a process that clarifies the obligation of community college districts to respond timely to Chancellor's Office requests for information and data. The Chancellor's Office has recently experienced substantial difficulty in obtaining critical information from districts in relation to important initiatives related to campus policing, application fraud, and student enrollment. The proposed regulatory action is intended to clarify district and Chancellor's Office roles and responsibilities, and to help the Board of Governor's meet its responsibility to exercise general supervision over, and to provide leadership and direction to, the California Community Colleges in their continuing development.

The proposed regulatory action would require the Chancellor's Office to invoke a newly promulgated section of title 5 of the California Code of Regulations when seeking information or data under that section. The invocation of this provision would trigger a community college district's obligation to respond to a request for information or data within 10 days. The response could include the requested information or data, or could provide a timetable for providing the information or data once it is available. The regulatory action would also require the district to identify a single point of contact for such requests to ensure they are promptly addressed. The regulation is intended to mirror processes that public entities are already required to have in place to comply with the Public Records Act.

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 the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

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

[Office of General Counsel - Pending Regulatory Actions](#)

Those who receive the Board of Governors Agenda package for the March 21, 2022, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.