



**NOTICE OF PROPOSED RULEMAKING  
AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5  
REGARDING  
SPECIAL PROGRAMS**

**Notice published July 5, 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 July 15, 2019, at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 1:30 p.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 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](mailto:regcomments@cccco.edu)

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on August 19, 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 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.

## **AUTHORITY AND REFERENCE**

Authority: Education Code sections 66021.6, 69648 and 70901.

Reference: Education Code sections 69640 et seq.

## **INFORMATIVE DIGEST**

The Chancellor's Office is proposing changes to the title 5 regulations governing the Extended Opportunity Programs and Services (EOPS) program. This regulatory change would clarify the eligibility of AB 540 students for EOPS services and financial aid funds. The proposed regulatory action will be given first reading by the Board of Governors (BOG) at a public hearing during the July 15, 2019, BOG meeting.

In 2001, the Legislature enacted Assembly Bill 540, which added section 68130.5 to the Education Code. This legislation allowed certain nonresident students who attended high school in California for three or more years, and received a high school diploma or its equivalent, an exemption from nonresident tuition. In 2011, additional legislation (Assembly Bills 130 and 131) passed allowing AB 540 eligible students to apply for and receive state financial assistance and to participate in state-administered student aid programs for which they are eligible.

The Chancellor's Office legal counsel determined that students who are AB 540 eligible and meet the eligibility requirements for EOPS may receive all EOPS services, as long as the number of financial aid awards received by California resident students from the same financial aid program is not diminished as a result.

The Chancellor's Office did not update the EOPS program regulations when AB 130 went into effect. The attached regulatory action ensures that the regulations regarding eligibility reflect that AB 540 students are eligible to participate in, and receive financial aid awards from the EOPS program.

## **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](mailto:regcomments@cccco.edu).

### **TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS**

Copies of the exact 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 Action](#)

Those who receive the Board of Governors Agenda package for the July 15, 2019, 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.