

PRINT

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2020-1106-OIP	EMERGENCY NUMBER
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

NOV 06 2020

11:50 am

2020 NOV -6 P 12:38
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
OAL USE ONLY	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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE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) Student Senate for California Community Colleges	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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 50002, 54805
TITLE(S) 5	REPEAL 54801, 54803
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<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 Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<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)	
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State
<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <u>Effective Upon filing with the SOS.</u>
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY	
<input checked="" type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify)	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Tanya Bosch - Regulations Coordinator	TELEPHONE NUMBER (916) 445-4826
FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)

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 <i>M. A. LeForestier</i> Marc LeForestier (Nov 5, 2020 09:47 PST)	DATE 11-5-2020
TYPED NAME AND TITLE OF SIGNATORY Marc A. LeForestier, General Counsel	

Final Text of Regulatory Changes to Title 5 regarding the Student Senate for California Community Colleges

The Board of Governors of the California Community Colleges
Revisions to title 5, sections 50002, 54801, 54803 and 54805: Student Senate for California
Community Colleges

Section 50002 of subchapter 1 of chapter 1 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 50002. Student Senate for California Community Colleges.

~~(a) A Student Senate for the California Community Colleges has been established in conjunction with local associated student organizations so that the community college students of California may have a formal and effective means for participating in the formation of state policies that have or may have a significant impact on students.~~

~~(b) The Board of Governors recognizes the Student Senate for the California Community Colleges as the statewide community college student organization to represent representative of community college associated student organizations students within the California Community Colleges, including before the Board of Governors and the Chancellor's Office.~~

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901; and 76060.5, Education Code.

Section 54801 of article 1 of subchapter 8 of chapter 5 of division 6 of title 5 of the California Code of Regulations is repealed.

~~§ 54801. Calling of Election:~~

~~The governing body of each student body association authorized by Education Code section 76060 shall establish procedures for elections conducted for the purpose of collecting a student representation fee, and call an election for such purpose. The election shall, at a minimum, meet the following criteria:~~

~~(a) The student body association on each campus shall maintain in its office 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 student body association. Adequate notice is deemed to be at least ten school days prior to the election date.~~

~~(c) Each election shall be held on a day which counts toward the 175-day requirement as defined in section 58120 of this part. 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.~~

~~Note: Authority cited: Section 66700, 70901, and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.~~

Section 54803 of article 1 of subchapter 8 of chapter 5 of division 6 of title 5 of the California Code of Regulations is repealed.

~~§ 54803. Termination of Fee.~~

~~(a) Any student representation fee that has been instituted pursuant to the procedures enumerated in section 54801 may be terminated by a majority of the students voting in an election called in one of the following two manners:~~

~~(1) By placing the issue on the ballot for the next regular associated student body election. The issue shall be placed on the ballot upon receipt of a petition indicating an interest in the termination of the representation fee signed by a majority of the number of students who voted in the election establishing the fee.~~

~~(2) Pursuant to procedures pre-established by the student body association for calling such an election. Such procedures shall be available for public inspection during regular business hours.~~

~~(b) The elections shall be conducted in accordance with the procedures established pursuant to section 54801.~~

~~Note: Authority cited: Section 66700, 70901 and 76060.5, Education Code. Reference: Sections 76060 and 76060.5, Education Code.~~

Section 54805 of article 1 of subchapter 8 of chapter 5 of division 6 of title 5 of the California Code of Regulations is amended to read.

§ 54805. District Collection of the Representation Fee.

District governing boards shall include in the materials given to each student at registration, information pertaining to the student representation fee. The form used by a college for the purpose of collecting the fee, whether paper or digital, shall contain, at a minimum, the following:

(a) a statement indicating that the money collected pursuant to this article shall be expended to provide support for students or representatives who may be stating their

positions and viewpoints before city, county, and district government, and before offices and agencies of the state and federal government;

(b) the amount of the fee; and

(c) a statement informing students of their right to ~~refuse to pay the fee for religious, political, moral or financial reasons.~~ decline to pay the student representation fee established by Education Code section 76060.5, in substantially the following form: “I decline to pay the \$2 student representation fee which supports local and statewide community college student advocacy organizations. [Followed by a check box, yes/no option, or similar device to establish consent or refusal].”

Note: Authority cited: Sections 66700, 70901 and 76060.5, Education Code. References: Sections 76060 and 76060.5, Education Code.