**NOTICE PUBLICATION/REGULATIONS SUBMISSION**

<table>
<thead>
<tr>
<th>OAL FILE NUMBERS</th>
<th>NOTICE FILE NUMBER</th>
<th>REGULATORY ACTION NUMBER</th>
<th>EMERGENCY NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Z-</td>
<td></td>
<td>2020-0930-OIP</td>
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</tr>
</tbody>
</table>

**PRINT**

For use by Office of Administrative Law (OAL) only

**ENDORSED - FILED**

In the office of the Secretary of State of the State of California

**SEP 30 2020**

**2:02 p.m.**

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**Agency with rulemaking authority**

Board of Governors of the California Community Colleges

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**A. PUBLICATION OF NOTICE** (Complete for publication in Notice Register)

<table>
<thead>
<tr>
<th>1. SUBJECT OF NOTICE</th>
<th>TITLE(S)</th>
<th>FIRST SECTION AFFECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
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<table>
<thead>
<tr>
<th>3. NOTICE TYPE</th>
<th>4. AGENCY CONTACT PERSON</th>
<th>TELEPHONE NUMBER</th>
<th>FAX NUMBER (Optional)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice re Proposed Regulatory Action</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
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</tbody>
</table>

**OAL USE ONLY**

**ACTION ON PROPOSED NOTICE**

<table>
<thead>
<tr>
<th>Approved as Submitted</th>
<th>Approved as Modified</th>
<th>Disapproved/Withdrawn</th>
</tr>
</thead>
</table>

**NOTICE REGISTER NUMBER**

**PUBLICATION DATE**

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**B. SUBMISSION OF REGULATIONS** (Complete when submitting regulations)

<table>
<thead>
<tr>
<th>19. SUBJECT OF REGULATIONS</th>
<th>10. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chancellor's Emergency Authority</td>
<td></td>
</tr>
</tbody>
</table>

**SECTION(S) AFFECTED**

(List all section number(s) individually. Attach additional sheet if needed.)

<table>
<thead>
<tr>
<th>TITLE(S)</th>
<th>5</th>
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<tbody>
<tr>
<td>ADOPT</td>
<td>52020</td>
</tr>
<tr>
<td>AMEND</td>
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</tr>
</tbody>
</table>

**TYPE OF FILING**

- [ ] Regular Rulemaking (Gov. Code §11346)
- [ ] Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511346.2, 11349.6)
- [ ] Emergency (Gov. Code §511346.1(b))
- [ ] Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §11346.2 and §11347.3 or, before the emergency regulation was adopted or within the time period required by statute.
- [ ] Emergency Readopt (Gov. Code §11346.1(h))
- [ ] File & Print
- [x] Print Only
- [ ] Other (Specify) Authority - Ed. Code section 70901.5

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**EFFECTIVE DATE OF CHANGES**

- [ ] Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(b))
- [ ] Effective on filing with Secretary of State
- [ ] $100 Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- [ ] Effective Upon filing with the SOS

**CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL, OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY**

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

**CONTACT PERSON**

Tanya Bosch - Regulations Coordinator

**TELEPHONE NUMBER**

(916) 445-4826

**FAX NUMBER (Optional)**

**E-MAIL ADDRESS (Optional)**

---

**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.**

**SIGNATURE OF AGENCY HEAD OR DESIGNEE**

Marc A. LeForestier, General Counsel

**DATE**

9-29-2020

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For use by Secretary of State only
Proposed Regulatory Action Adding Chapter 3.5 of Division 6, of Title 5: Chancellor’s Emergency Authority

CHAPTER 3.5, OF DIVISION 6 OF TITLE 5 OF THE CALIFORNIA CODE OF REGULATIONS IS ADDED TO READ:

Chapter 3.5 Chancellor’s Emergency Authority

§ 52020. Chancellor's Emergency Authority.

(a) During a period of emergency proclaimed by the Governor of the State of California, the Chancellor may assume emergency authority upon a written finding, made in consultation with the President and the Vice President of the Board of Governors that the emergency will result in substantial disruption to the educational mission of one or more California community colleges or college districts. The Chancellor’s emergency authority may be exercised on a local, regional, or statewide basis, according to the circumstances of the declared emergency, and must be directed toward maintaining the continuity of educational services.

(b) The Chancellor’s emergency authority includes, but is not limited to, the issuance of executive orders, for any of the following purposes:
(1) to suspend temporarily regulations adopted by the Board, or local rules and regulations, that are a barrier to the continuity of educational services; and
(2) to establish temporary procedures governing the California Community Colleges to promote the continuity of educational services.

Emergency actions taken by the Chancellor must be approved by the President and the Vice-President of the Board in writing. Actions taken by the Chancellor under this authority must explain how the action maintains the continuity of educational services.

(c) Actions taken by the Chancellor pursuant to this section shall remain in force and effect for the duration of the declared emergency, unless otherwise specified. The Chancellor may specify that an emergency action will remain in force and effect beyond the end of a declared emergency to avoid undue administrative burden or to prevent the disruption of educational services.

(d) Emergency actions taken by the Chancellor pursuant to this section are exempt from Article 3, of Chapter 3, of the Procedures and Standing Orders of the Board of Governors. However, prior to implementing an emergency action, the Chancellor shall consult with community college stakeholders most likely to be affected by the action, including the Academic Senate for California Community Colleges on academic and professional matters and the Student Senate for California Community Colleges on matters directly affecting students, provided such consultation would not result in delay of the emergency action.
(e) The Chancellor shall promptly report to the Board all actions taken under this section. Any emergency action taken by the Chancellor shall be placed on a Board agenda within 120 days for ratification, amendment, or rejection by the Board, and made subject to the consultation process in advance of the meeting, notwithstanding subsection (d).