

**2ND - 15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED
AMENDMENTS TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING
CAMPUS CLIMATE AND PUBLIC SAFETY REGULATION**

2nd - 15-Day Notice published May 5, 2022

The Board of Governors of the California Community Colleges hereby provides notice of changes to the above-referenced proposed regulatory action that was the subject of a public hearing on January 24, 2022, and March 21, 2022. Section 206, subdivision (c), of the Procedures and Standing Orders of the Board of Governors requires the Board to re-notice a proposed regulatory action where the proposed regulations have been previously considered, are being modified, and the modifications are substantial and sufficiently related to the text of the previously-proposed regulations.

CHANGES TO THE TEXT

Following the January 24, 2022, Board of Governors meeting, and after comment periods that ended on February 11, 2022, and March 19, 2022, amendments were made to the proposed regulatory action in section(s) 59700, 59701, 59702, 59703, and 59704. The California Community College Chancellor's Office will present the proposed regulatory action to the Board of Governors at its May 23, 2022 meeting. The changes are submitted for an additional 2nd -15-day comment period effective today, May 5, 2022. Comments must be received prior to 4:00 p.m. on May 20, 2022.

The changes to the proposed regulatory action are denoted by double underline for additions to the text and/or double strikeout for deletions from the text as indicated in the attached proposed regulatory text.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the changes to the proposed regulatory action subject to this 2nd - 15-day notice. The Chancellor's Office

will respond to comments received that are related to title 5, California Code of Regulations, section(s) 59702, 59703 and 59704. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 636
Sacramento, CA 95811-6549
Email: regcomments@cccco.edu

Comments must be received by the Regulation Coordinator prior to 4:00 p.m. on May 20, 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 regulations substantially as described in this notice or may modify the proposed regulations if the modifications are sufficiently related to the original text.

SUMMARY OF REVISIONS TO PROPOSED REGULATORY ACTION

Following the murder of George Floyd in May 2020, the Chancellor issued a call to action to the California Community Colleges that encompassed six major areas of work, including a system wide review of law enforcement officers and first responder training and curriculum, open dialogue to address campus climate, campus audits to support the creation of inclusive classrooms and anti-racism curriculum, and updating district equity plans with urgency. To support these activities, the Chancellor, informed by the nationwide protests and repeated acts of police brutality widely reported in mainstream media and shared across social media, directed staff to explore the relationship between campus climate and public safety services, with the goal of making recommendations to the Board of Governors (Board).

Among the recommendations that emerged from this process are a number of items that are reflected in the proposed regulatory action. The proposed regulatory action would require community college district governing boards to implement a number of reforms, including:

- Developing community and evidence-based policing policies and practices;
- Ensuring effective faculty, staff, and student participation in the governance of public safety services through a stakeholder advisory body;
- Supporting the development of public safety services that adhere to principles of diversity, equity, and inclusion, and contribute to student success;

- Requiring the submission of relevant public safety related data at the direction of the Chancellor's Office; and
- Requiring hiring and retention of public safety personnel to be subject to tenure and evaluation regulations that will be presented to the Board on first reading in March 2022.

In response to comments received during a 45-day and subsequent 15-day public comment period, the Chancellor's Office recommends the following revisions to the proposed regulatory action:

1. Body Cameras: The requirement that all campus police wear a body camera has been removed. However, the use of body cameras has been added to the enumerated list of subjects that should be considered by the campus public safety advisory committee. In addition, express reference was added to the regulation related to the Chancellor sharing developments in policing practices, including innovations in technology, and using the Chancellor's procurement authority to support the acquisition of equipment by districts to advance the purposes of this subchapter.

2. Definitions: Definitions of the terms "equity" and "underserved communities" were added to proposed section 59701. In addition, a reference to "public safety personnel" was added to the definition of "campus stakeholders" to make express that these personnel are campus stakeholders within the meaning of these regulations.

3. Advisory Committee: The regulatory action was amended to clarify that the advisory committee function described in section 59702, subdivision (c) may be fulfilled by existing district consultation processes.

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, of title 2, of the Government Code: *None*

Other non-discretionary cost or savings imposed on community college districts: *For some college districts, there may be minimal implementation costs related to the adoption of local policies and the sharing of data with the Chancellor's Office that will place minor additional pressure on funds within the Proposition 98 guarantee. On the*

other hand, the local policies required by the regulations will be designed to improve public safety practices on campus that should achieve efficiencies, and reduce exposure to liability that should produce long-term costs savings.

Cost or savings in federal funding to state agencies: *None*

CONTACT PERSON

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

Marc LeForestier, General Counsel
California Community Colleges
Chancellor's Office
regcomments@cccco.edu

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 proposed regulatory action subject to this second 15-day notice is set forth above. Information upon which the proposal is based may be obtained online at:

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

Those who receive the Board of Governors Agenda package for the May 23, 2022, 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.