

Proposed Regulatory Action Adding Chapter 3.5 of Division 6, of Title 5: Chancellors Emergency Authority

(This document contains underline and strikethrough text that may require adjustment of e-readers.)

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, ~~or by the Vice-President if the President is unavailable.~~ 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) 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. ~~by may be amended or terminated by a resolution adopted by majority vote of the Board~~

- (e) 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 make reasonable efforts to 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.

Note: Authority: Sections 70901 and 70901.5, Education Code. Reference: Section 71090, Education Code.