

**15-DAY NOTICE OF MODIFICATIONS TO PROPOSED REGULATORY ACTION
REGARDING
NEXTUP PROGRAM**

15-Day Notice published December 24, 2024

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 November 18, 2024. 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 45-day comment period that ended on December 20, 2024, and the November 18, 2024, Board meeting, changes were made to this regulatory action in proposed section 56405, subdivision (c) and section 56415, subsections (7) and (8). The California Community Colleges Chancellor's Office will present this regulatory action to the Board of Governors at its January 14, 2025 meeting. The changes are submitted for an additional 15-day comment period effective today, December 24, 2024.

The changes to the proposed regulatory action are denoted by double underline for additions to the text and ~~double-strikeout~~ for deletions from the text.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the changes to the proposed regulatory action subject to this 15-day notice. The Chancellor's Office will respond to comments received that are related to the revisions made to title 5, California Code of Regulations, sections 56405, subdivision (c) and section 56415, subsections (7) and (8), after the close of the 15-day comment period. 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 Regulations Coordinator prior to 4:00 p.m. on January 8, 2025. 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 THE PROPOSED REGULATORY ACTION

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.

INFORMATIVE DIGEST

In response to comments received during the 45-day public comment period, which ended on December 20, 2024, the Chancellor's Office recommends the following revisions to the proposed regulatory action:

Section 56405, subdivision (c) is further revised to specifically indicate that the undue barriers districts may not impose on NextUp students include program application and enrollment processes. This change brings the regulatory language further in line with the statutory language in Education Code section 79225, subdivision (b).

Section 56415, subsection (7) is further revised to indicate that costs that are unrelated to advancing the success of eligible NextUp students are not permissible as rather than merely those costs tied to a student's specific education plan. This change broadens the permissible uses of NextUp funding.

Section 56415, subsection (8) is revised to separate the provision in subsection (7) indicating that student participation in fundraising functions is not a permissible use of NextUp funds thus rendering subsections (7) and (8) clearer. Current subsection (8) becomes subsection (9), and current subsection (9) becomes subsection (10).

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings attributable to the proposed regulatory action are anticipated to be as follows:

Mandate on local agencies or community college districts: *None*. Participation in the NextUp program by community college districts is voluntary.

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: *None*

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

CONTACT PERSON

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

John Stankas, Vice Chancellor
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 15-day notice are attached as noted above. 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 January 14, 2025, 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.