



**NOTICE OF PROPOSED RULEMAKING
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
EXTENDED OPPORTUNITY PROGRAMS AND SERVICES (EOPS)**

45-Day Notice published May 2, 2024

NOTICE IS HEREBY GIVEN, pursuant to Chapter 2 of the California Community Colleges Board of Governors (Board) Procedures and Standing Orders, that the Board proposes to adopt the regulatory action described below after a public hearing, and consideration of all comments, objections, or recommendations received regarding the proposed regulatory action during the public comment period, which closes on June 16, 2024.

BOARD OF GOVERNORS PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on May 20, 2024.

In-Person Participation

California Community Colleges, Chancellor's Office Building
Sixth Floor, Board of Governors Chambers
1102 Q Street
Sacramento, CA 95811

Parking options can be found on our website.

All Board of Governors (Board) meetings are held in locations that are open to the public and wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real-time transcription, may be provided to persons with disabilities upon request. Persons requesting such accommodations should notify the Board Liaison at ccastro@cccco.edu, (916) 323-5889, no less than five business days prior to the meeting.

Public Comments at the Board Meeting

Members of the public seeking to comment on the proposed regulatory action at the Board meeting should refer to the Board's agenda for information on how public comment on Board items will be received. The [Board's agendas](https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas) are available here: <https://www.cccco.edu/About-Us/Board-of-Governors/Meeting-schedule-minutes-and-agendas>.

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549
regcomments@cccco.edu

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on June 16, 2024. 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 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. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be subject to a second 15-day notice period prior to its adoption at a subsequent Board meeting.

INFORMATIVE DIGEST

The proposed revisions to sections 56254, 56295, and 56298 of title 5 of the California Code of Regulations related to the Extended Opportunity Programs and Services (EOPS) program aim to remove unnecessary administrative burdens and increase flexibility for colleges to better engage in local decision making and implement evidence-based practices to improve equitable student outcomes.

Section 56254

EOPS Grants and Workstudy awards constitute the primary sources of direct aid for students participating in EOPS. Despite their pivotal role, these awards are currently constrained by annual caps of \$900 in grants and \$1,800 in Workstudy per academic year as specified in section 59254 of Title 5 of the California Code of Regulations. This restrictive limit, which has not been updated since 1987, proves to be counterproductive in light of the unprecedented financial challenges modern community college students face and the explicit purpose of the EOPS Program is to provide comprehensive support for students who are navigating economic or academic disadvantages.

Eliminating these outdated fixed dollar amount caps for EOPS Grants and Workstudy awards will empower colleges with greater flexibility to meet students' diverse needs effectively. By removing the caps, colleges can tailor their support to ensure that EOPS students receive the necessary aid to overcome their specific challenges. It is important to note that the funding ceiling will remain grounded in the concept of a student's unmet need, as determined through the Free Application for Federal Student Aid (FAFSA), the California Dream Act Application (CADAA) or the California College Promise Grant (CCPG) determination, to ensure compliance with relevant financial aid requirements.

Section 56295

Similarly, revisions to section 56295 seek to provide more flexibility for colleges to make local decisions on how to spend EOPS funds within operational expenditure categories to advance student success. This section establishes a spending limit for expenses falling within object categories 4000-6000 as outlined in the Chancellor's Office Budget and Accounting Manual. Specifically, these categories include 4000 (supplies and materials), 5000 (other operating expenses and services), 5000 (contract services), and 6000 (capital outlay). The current cap is defined as "10% of the EOPS allocation or \$50,000, whichever is less," effectively setting an absolute cap at \$50,000. This \$50,000 cap was also instituted in 1987, when this regulation was filed, and has never been adjusted to account for subsequent cost increases or inflation.

Removing this static cap will enhance colleges' capacity to secure essential resources necessary for ensuring high-quality service delivery, optimizing overall operational efficiency and fostering program sustainability and growth. Despite the removal of the \$50,000 static cap, spending in this area will not be unconstrained. The proposed revisions will maintain the 10% cap and will remain in place to ensure that the EOPS funds continue to be directed toward deepening services and support that directly benefit students, thereby improving their learning outcomes.

Finally, because the procurement of program-specific technology and equipment funded by local program dollars should be within the realm of local control, the proposed revisions remove subdivision (b), which required Chancellor's Office approval of requests to purchase computer hardware/software. Also dating from 1987, this requirement appears to be a vestige of its era, where the expansion of computer and software purchases was emerging within the community colleges and there was understandable concern about the effect of technology purchases on program funds. The removal of this section alleviates the burdensome approval process tied to the Chancellor's Office, enabling programs to adhere to local procurement guidelines more efficiently.

Section 56298

This section currently uses college's expenditure amounts for EOPS grants and workstudy awards in the prior fiscal year to determine the allocations in the current year. This requirement creates an unrealistic timeline and imposes an undue burden administratively for colleges to finalize local reporting and for the Chancellor's Office to conduct the necessary calculation and make allocation determinations to ensure timely support for students.

The proposed revision will change the basis of determination, transitioning from using data from the prior fiscal year to data from the "prior-prior" fiscal year, meaning the year before the prior fiscal year. This adjustment addresses the current impractical deadline by allowing sufficient time for accurate reporting and calculation, ensuring thoughtful decision making and effective resource allocation. It will also align the process with the general practice for overall EOPS allocation determinations, bringing additional consistency and clarity to the field. Furthermore, using "prior-prior" fiscal year data is also the preferred methodology supported by consensus among members from the California Community Colleges Extended Opportunity Programs and Services Association (CCCEOPSA) and the Regional Coordinators.

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*.

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 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*.

The purpose of the proposed amendments is to give local districts increased flexibility in their administration of their local EOPS programs and does not substantively alter any of the current functions of local EOPS program administration. Accordingly, the proposed amendments to title 5 would result in no fiscal impact to local or state governments, nor will it have any fiscal impact on any federal funding.

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the language of the proposed regulatory action, and all of the 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 May 20, 2024, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.