



**NOTICE OF PROPOSED RULEMAKING
CALIFORNIA CODE OF REGULATIONS, TITLE 5, REGARDING
NEXTUP PROGRAM**

45-Day Notice published November 5, 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 December 20, 2024.

BOARD OF GOVERNORS PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on November 18, 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 December 20, 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

This regulatory action would amend sections 56400 through 56416 of title 5 of the California Code of Regulations related to the NextUp Program (formerly known as the Cooperating Agencies Foster Youth Educational Support Program or “CAFYES”) consistent with recently-enacted legislation intended to expand and strengthen support for foster youth, a priority population for Vision 2030, as follows:

1. Renames the program and expands participation: Per Assembly Bill 183 (2022), CAFYES is renamed Nextup and expanded to potentially more community college districts by removing the previous 20 community college district cap
2. Lowers minimum age from 16 to 13: Per Senate Bill 512 (2021), students qualify for the program if they were in the foster care system at any point on or after their 13th birthday.
3. Provides flexibility regarding minimum credit enrollment requirement: Per Assembly Bill 190 (2022), students enrolled in fewer than nine units may be accepted into the NextUp program if enrollment is part of an education plan designed to move the student toward subsequent enrollment in at least nine units.
4. Allows continuity of services past age 26: Per Assembly Bill 190, a student who turns 26 while in the NextUp program may now continue to receive services. Students are only required to be under 26 at the commencement of any academic year in which the student first enrolls in the program. In addition, a student who enrolls in the NextUp program prior to age 26, disenrolls, and subsequently returns after turning 26 may be readmitted to the program.
5. Specifies no additional eligibility criteria may be imposed. Per Assembly Bill 190, all current and former foster youth who meet NextUp eligibility criteria as specified in the Education Code are eligible to be enrolled in the program and “shall not be required to meet any additional eligibility requirements as a condition for enrollment.”

These proposed Title 5 regulation changes aim to: 1) provide clarity on the NextUp eligibility and administrative practices that are consistent with the statutory changes highlighted above, which have already gone into effect; and 2) reflect the program name change from Cooperating Agencies Foster Youth Educational Support to NextUp.

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 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 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 November 18, 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.