

Memorandum

AEC Agenda Item VI.
September 3, 2010

To : AEC Members

Date : August 18, 2010

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From : Deanne Pearce, Chief
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Subject : Discussion on a Plan to Circulate Proposed Regulatory Language for the 20 Units of Accounting Study to Affected Stakeholders for Possible Input

The Administrative Procedure Act (APA) provides for public participation in adopting regulations to ensure that affected and/or interested parties are afforded the opportunity to provide comments prior to proposed regulations being approved by the Office of Administrative Law.

Specifically, the APA mandates a minimum 45-day public comment period prior to the holding of a hearing on a proposed regulatory action. The public comment period is initiated by the mailing of a notice of proposed action, which includes items such as information regarding the date, time, and location of the hearing, a reference to the authority under which the regulations are proposed, a summary of the effect of the proposed action, and staff contact information for questions or comments to name a few. These actions are taken after the draft regulatory language has been approved by the California Board of Accountancy (CBA) members.

It is the understanding of staff that Accounting Education Committee (AEC) members wish to initiate a less formal pre-exposure of the proposed draft regulatory language prior to finalizing the language for review by the CBA members. Based on this request, staff suggest mailing the draft language with a cover letter to the CBA's interested parties list, which includes California's colleges and universities. This mailing can also be expanded to include a sampling of colleges and universities from neighboring states and those states with substantially different education requirements as identified in **Agenda Item V**.

Staff will incorporate members' recommendations resulting from discussions under **Agenda Item IV** into the draft language and prepare a cover letter. Once appropriate approvals have been obtained, including review by AEC Chair Ruben Davila, if desired by members, the mail out will be initiated. It will be important to designate a specific comment period, possibly 30 days, after which staff will compile all comments received for review by members at the next AEC meeting.

Additionally, staff can place the draft language on the CBA Web site and send out an E-News notification of its availability. Staff welcome member's suggestions for additional outreach opportunities.