California Community Colleges
Board of Governors







Photos: (clockwise from left) San Joaquin Delta College ©2016/Hellon Photography, Santa Monica College graduation, Contra Costa College

Meeting Agenda

Monday, July 15, 2019
12:00 PM to 5:30 PM*
Tuesday, July 16, 2019
11:30 AM to 1 PM*

Chancellor's Office
1102 Q Street, 6th Floor
Sacramento, CA 95811

*Monday, July 15, 2019 meeting will commence with a Closed Session.
All times are approximate and subject to change.
Order of items is subject to change.

OFFICERS OF THE BOARD

Tom Epstein
President

Pamela Haynes
Vice President

CHANCELLOR'S OFFICE

Eloy Ortiz Oakley
Chancellor

MISSION STATEMENT

"Empowering Community Colleges Through Leadership, Advocacy and Support."

ABOUT THE BOARD

The Board of Governors of the California Community Colleges, by statute, provides leadership and policy direction in the continuing development of the California Community Colleges system. Among its charges are establishing minimum academic and personnel standards; evaluating and reporting on the fiscal and educational effectiveness of the 73 districts; conducting research and providing appropriate information services; and administering fiscal support programs (both operational and capital outlay).

The 17-member board, appointed by the governor, includes 12 public members (two of whom must be current or former elected members of local boards); one voting and one non-voting student member currently enrolled in a community college; two voting tenured faculty members; and one voting classified staff member.

The work of the board is supported by the staff of the California Community Colleges Chancellor's Office.

BOARD OF GOVERNORS MEETING SCHEDULE

2019

January 14, 2019
Sacramento, CA

March 18, 2019
Sacramento, CA

May 20-21, 2019
Sacramento, CA

July 15-16, 2019
Sacramento, CA

September 16-17, 2019
Riverside, CA

November 18-19, 2019
Sacramento, CA

2020

January 13-14, 2020
Sacramento, CA

March 16-17, 2020
Sacramento, CA

May 18-19, 2020
Sacramento, CA

July 20, 2020
Sacramento, CA

September 21-22, 2020
Location to be Determined

November 16-17, 2020
Sacramento, CA

NOTICE OF BOARD OF GOVERNORS MEETING

Notice is Hereby Given that

The Board of Governors of the California Community Colleges

will meet on

July 15-16, 2019

at

Chancellor's Office

Board of Governors Chambers
1102 Q Street, 6th Floor
Sacramento, CA 95811
(916) 323-5889

This agenda is available on the Chancellor's Office website (cccco.edu)

Board of Governors Webcast

Watch the live webcast of the meeting of the Board of Governors of the California Community Colleges. The Board of Governors of the California Community Colleges sets policy and provides guidance for the 73 districts and 115 colleges, which constitute the system. The 17-member board, appointed by the state's governor, formally interacts with state and federal officials and other state organizations. Legislation affecting the California Community Colleges is, for the most part, channeled through the Board of Governors and presented to the Legislature. For more information about the Board of Governors, please visit the California Community Colleges Chancellor's Office website (cccco.edu).

How to Watch

- Visit the 3C Media Solutions website (3cmediasolutions.org/services/CCC-Board-of-Governors) for the link to the webcast and watch from your desktop, iOS or Android devices.
- Captions are provided during the webcast.

For Immediate Assistance

Contact: (760) 744-1150 Ext. 1527

Webcasts are made available through 3C Media Solutions (formerly CCCSAT) and are funded by a grant from the California Community Colleges Chancellor's Office.

Broadcast schedule

Programs are subject to change without notice.
Check the 3C Media Solutions' website for the latest broadcast schedule.

Archives

Past sessions of the Board of Governors may be viewed on the 3C Media Solutions website.

Board of Governors Meeting General Information

All Board of Governors meetings are held in locations that are wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real time transcription, will be provided to persons with disabilities upon request. Persons requesting such accommodations should notify Christina N. Castro at 1102 Q Street, Sacramento, California, 95811 or ccastro@cccco.edu, (916) 323-5889, no less than five working days prior to the meeting. The Chancellor's Office will make efforts to meet requests made after such date, if possible.

Public testimony will be invited in conjunction with board discussion on each item. A written request to address the board shall be made on the form provided at the meeting. Persons wishing to make a presentation to the board on a subject not on the agenda shall address the board during the time listed for public forum.

Items placed on the consent calendar will be voted on by a single board action, without staff or public presentations, and without board discussion. Any board member may remove an item from consent by informing the president of this intent. A member of the public may request that an item be removed from consent by filling out a request to testify in accordance with section 41 of these Procedures and Standing Orders of the Board of Governors, or by asking a board member to remove an item from consent. The item shall then be removed from consent if any board member exercises his or her authority to remove an item from consent.

BOARD OF GOVERNORS MEMBER AND CHANCELLOR'S OFFICE ADMINISTRATORS

Board of Governors

Hildegarde B. Aguinaldo

Darius W. Anderson

Geoffrey L. Baum

Amy M. Costa

Tom Epstein

Jolena M. Grande

Pamela Haynes

Kevin J. Holl

Kim Perigo

Jennifer L. Perry

Bill Rawlings

Valerie L. Shaw

Blas Villalobos

Alexis Zaragoza

Chancellor's Office

Eloy Ortiz Oakley
Chancellor

Dr. Daisy Gonzales
Deputy Chancellor

Marty Alvarado
Executive Vice Chancellor of Educational Services & Supports

Barney Gomez
Vice Chancellor of Digital Information & Infrastructure

Paul Feist
Vice Chancellor of Communications & Marketing

Marc LeForestier
General Counsel

Kelley Maddox
Vice Chancellor of Internal Operations

Laura Metune
Vice Chancellor of Governmental Relations

Rhonda Mohr
Vice Chancellor of Educational Services & Supports

Christian Osmeña
Vice Chancellor of College Finance & Facilities Planning

Dr. Alice Perez
Vice Chancellor of Educational Services & Supports

Jeff Spano
Interim Director of Institutional Effectiveness & Innovation

Sheneui Weber
Vice Chancellor of Workforce & Economic Development

ORDER OF AGENDA

Standing Orders of Business

- Roll Call
- Pledge of Allegiance
- President's Report
- Chancellor's Report

Consent Calendar

Item 1.1: May 20-21, 2019, Board Meeting Minutes (Dr. Daisy Gonzales)

This item presents the May 20-21, 2019 Board meeting minutes for review and approval by the Board of Governors.

Action

Item 2.1: Approval of Contracts and Grants (Dr. Daisy Gonzales)

This item recommends that the Board of Governors approve entering into the contracts and grants described in the July 2019 agenda.

Item 2.2: Chancellor Oakley's Contract (Marc LeForestier)

This item presents a new contract of employment for Chancellor Eloy Ortiz Oakley for Board of Governors' approval.

Item 2.3: Credit for Prior Learning Regulation Changes (Dr. Alice Perez)

The Chancellor's Office in partnership with the Credit for Prior Learning Advisory Committee and the California Community Colleges Curriculum Committee is recommending revisions to title 5 Section 55050.

Item 2.4: Noncredit Regulation Changes (Dr. Alice Perez)

The Chancellor's Office and the California Community Colleges Curriculum Committee recommend changes to title 5 Regulations §55150, 55151, 55154, 55155, and 58160.

Item 2.5: Second Reading: Regulations Concerning Funding for Districts Experiencing Emergencies (Christian Osmeña)

This item is a second reading of proposed regulations amending existing regulations related to funding for districts experiencing emergencies.

Item 2.6: Request by Desert Community College District for Waiver of Statutes Related to Sale of Property (Christian Osmeña)

This item requests approval of a request made by the Desert Community College District Board of Trustees to waive public bid auction requirements enumerated in Education Code section 81365, section 81368, subdivision (a) of section 81370, and section 81374, for purposes of the sale of 119.37 acres of land located at the northwest corner of Indian Canyon Drive and Tramview Road in Palm Springs in Riverside County.

First Reading

Item 3.1: Proposed Change to Extended Opportunities Programs & Services Regulations (Rhonda Mohr)

This item is a first reading and public hearing of a proposed amendment to title 5 regulations related to Extended Opportunities Programs & Services Regulations eligibility requirements.

Information and Reports

Item 4.1: Phone System Contract (Dr. Daisy Gonzales)

The Board of Governors will be provided an update on a recent contract approval.

Item 4.2: *Vision for Success* Spotlight: Student Focused Financial Aid Policies and Procedures (Rhonda Mohr)

This item highlights the work of the two colleges to design and implement Guided Pathways, student focused policies, and processes in their financial aid offices.

Item 4.3: State and Federal Update (Laura Metune)

This item provides the Board of Governors with an update on state and federal policy and advocacy activities, and an overview of bills recommended for Chancellor's Office policy positions.

Item 4.4: Overview of 2020-21 Budget and Legislative Request Process (Laura Metune)

This item presents an overview of the process currently underway to develop the Board of Governors 2020-21 Budget and Legislative Request.

Item 4.5: Protocols on Monitoring the Fiscal Condition of Community College Districts (Christian Osmeña)

This item is a presentation on protocols the Chancellor's Office will use to assess the fiscal condition of community college districts and prioritize resources, including funds available

for the Fiscal Crisis and Management Assistance Team and the Institutional Effectiveness Partnership Initiative for support and intervention.

Item 4.6: Board Member Reports (Eloy Ortiz Oakley)

Board of Governors members will report on their activities since the May 2019 meeting.

Item 4.7: Board of Governors Training on Collegiality in Action (Dr. Daisy Gonzales)

Board of Governors members will receive a training on Collegiality in Action.

Public Forum

People wishing to make a presentation to the board on a subject not on the agenda shall observe the following procedures:

A. A written request to address the board shall be made on the form provided at the meeting.

B. Written testimony may be of any length, but 50 copies of any written material are to be provided.

C. An oral presentation is limited to three minutes. A group wishing to present on the same subject is limited to 10 minutes.

New Business

Adjournment

Closed Session Agenda

Monday, July 15, 2019
12:00 p.m.-1:30 p.m.

Chancellor's Office
1102 Q Street, 6th Floor
Sacramento, CA 95811

Conference with the General Counsel

Existing Litigation: Under Government Code section 11126(e)(1) the California Community Colleges Chancellor's Office hereby provides public notice that the following pending litigation may be considered and acted upon in closed session (ten cases):

- *State of California v. Azar*, Northern District of California Case No. 4:19-CV-O2769 HSG.
- *U.S. Department of Homeland Security v. Regents of the University of California*, U.S. Supreme Court, Case No. 18-587.
- *State of California v. Department of Homeland Security, County of Santa Clara v. Trump; City and County of San Francisco v. Trump*, U.S. District for the Northern District of California Case Nos. 3:17-CV-0523, 3:17-cv-0574.
- *People of the State of California v. United States Department of Education*, U.S. District for the Northern District of California Case No. 17-cv-07106-SK.
- *Fowler v. California Community Colleges and Glendale Community College*, L.A. Superior Court Case No. 19STCV08661.
- *Guildford College v. Kirstjen Nielsen*, U.S. District Court for the Middle District of North Carolina Case No. 18-cv-00891-LCB-JEP.
- *Odom v. Los Angeles CCD and the California Community Colleges*, L.A. Superior Court Case No. BC 724401.
- *Nelson v. Oakley*, Sacramento Superior Court Case No. 34-2019-80003079.
- *Davoutian v. California Community Colleges System and Glendale City College*, L.A. Superior Court Case No. BC 707285.
- *Hammond v. Long Beach Community College District*, L.A. Superior Court Case No. 18STC03527.

Personnel Matters: Under Government Code section 11126, subdivision (a), the Board of Governors hereby provides public notice that it may meet in Closed Session to consider the appointment, employment, evaluation of performance, or dismissal of a public employee. Public employees include exempt persons exempt from civil service under article VII, section 4, subdivision (e) of the California Constitution.

California Community Colleges
Board of Governors

Item 1.1: May 20-21, 2019 Board Meeting Minutes

Attachments: None
Date: July 15-16, 2019

Category: Executive
Type of Board Consideration: Consent

Recommended By

Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents the May 20-21, 2019 Board meeting minutes for review and approval by the Board of Governors. The minutes are intended to provide a brief summary of the items that were discussed at the Board Meeting. If you would like more detailed information, please contact the Board of Governors Office at (916) 323-5889.

Recommendation

It is recommended that the Board of Governors approve the May 20-21, 2019 meeting minutes as presented.

Background

May 20-21, 2019 Standing Orders of Business

- Call to Order. Board of Governors President Tom Epstein called the Board of Governors meeting to order at 1:00 p.m.
- Roll Call. The following Board members were present on May 20-21, 2019: Hildegarde B. Aguinaldo, Darius W. Anderson, Geoffrey L. Baum, Amy M. Costa, Tom Epstein, Jolena M. Grande, Pamela Haynes, Kevin J. Holl, Kim Perigo, Jennifer L. Perry, Bill Rawlings, Valerie L. Shaw, Blas Villalobos, Alexander Walker-Griffin, and Alexis Zaragoza.
- Pledge of Allegiance. Led by Board Member Alexander Walker-Griffin.
- President's Report. Board President Tom Epstein delivered the President's Report.
- Chancellor's Report. Chancellor Eloy Ortiz Oakley delivered the Chancellor's Report.

Consent Calendar

Item 1.1: March 18, 2019, Board Meeting Minutes (Dr. Daisy Gonzales)
This item presented the March 18, 2019 Board meeting minutes for review and approval by the Board of Governors.

Darius W. Anderson moved approval of the March 2019 Board meeting minutes; Jolena M. Grande seconded the motion. The motion passed with a vote of 14-0, and one abstention.

Item 1.2: Board of Governors Meeting Date Change (Dr. Daisy Gonzales)
This item presented the Board with a date change for the July 2020 Board of Governors meeting, from July 13, 2020 to July 20, 2020.

Darius W. Anderson moved approval of changing the July Board of Governors meeting to July 20, 2020; Jolena M. Grande seconded the motion. The motion passed with a vote of 15-0.

Item 1.3: Proposed Resolution Commending Compton College and El Camino College (Dr. Daisy Gonzales)
This item celebrated the Compton College and El Camino Community College partnership which ensured continued access to college programs and services for the Compton community and facilitated the restoration of Compton College to full independence.

Darius W. Anderson moved approval of Resolution No. 2019-09 commending the Compton Community College District and the El Camino Community College District for more than ten years of collaboration to provide accredited education to the students and community of Compton and to restore the Compton Community College to fiscal health; Jolena M. Grande seconded the motion. The motion passed with a vote of 15-0.

Board Comments

Pamela Haynes, Valerie L. Shaw, Geoffrey L. Baum, Tom Epstein

Action

Item 2.1: Approval of Contracts and Grants (Dr. Daisy Gonzales)
This item recommended that the Board of Governors approve entering into the contracts and grants described in the May 2019 agenda.

Darius W. Anderson moved approval of entering into the contracts and grants described in the May 2019 agenda; Bill Rawlings seconded the motion. The motion passed with a vote of 15-0.

Board Comments

Valerie L. Shaw, Bill Rawlings, Geoffrey L. Baum, Hildegarde B. Aguinaldo, Amy M. Costa, Pamela Haynes, Tom Epstein

Item 2.2: Request to Change Election System at the Palomar Community College District (Marc LeForestier)
This item requested approval of Resolution No. 2019-10 for the Palomar Community College District to move from an at-large election system to a by-trustee area election system for District elections.

Jennifer L. Perry moved approval for the Palomar Community College District to change to a by-trustee area election system for District elections; Pamela Haynes seconded the motion. The motion passed with a vote of 15-0.

Board Comments

Valerie L. Shaw, Pamela Haynes, Alexander Walker-Griffin

Item 2.3: Resolution on Climate Change and Sustainability Goals and Policy (Christian Osmeña)
This item presented, for adoption, a resolution to take actions as a system to address climate change and improve environmental sustainability specifically through reductions in greenhouse gas emissions.

Bill Rawlings moved approval of Resolution No. 2019-11 the California Community Colleges Board of Governors Climate Change and Sustainability Policy; Alexander Walker-Griffin seconded the motion. The motion passed with a vote of 15-0.

Board Comments

Darius W. Anderson, Alexis Zaragoza, Kevin Holl, Tom Epstein, Hildegarde B. Aguinaldo, Pamela Haynes.

Item 2.4: United States Census 2020 Resolution (Dr. Daisy Gonzales)
This item requested the Board of Governors to discuss and adopt a resolution to partner with the California Complete Count Office for the U.S. Census 2020 to contribute to outreach efforts across the state.

Jennifer L. Perry proposed a change in the Resolution to include the language “and a statewide partnership with the Student Senate for California Community Colleges will ensure there is actual student-to-student-participation.” Darius W. Anderson moved approval of Resolution No. 2019-12 as amended to encourage community college districts to collaborate with its students, faculty, and staff to adopt a local resolution and plan to ensure that every community is accurately counted in the 2020 United States Census; Valerie L. Shaw seconded the motion. The amended motion passed with a vote of 15-0.

Board Comments

Darius W. Anderson, Jennifer L. Perry, Hildegarde B. Aguinaldo

Public Comments

Dr. Carmen Martínez-Calderón, Kelly Groth, Larry Galizio, Judy Robinson

First Reading

Item 3.1: Emergency Regulations on Funding for Districts Experiencing Emergencies (Christian Osmeña)

This item was a first reading and public hearing of proposed amendments to regulations related to allowances related to the general apportionment for districts who have experienced emergencies that could affect the calculation of the apportionment.

Board Comments

Valerie L. Shaw, Amy M. Costa, Alexis Zaragoza, Alexander Walker-Griffin, Darius W. Anderson, Pamela Haynes

Public Comments

Joe Wyse, William McGinnis, Samia Yaqub

Item 3.2: Credit for Prior Learning Regulation Changes (Alice Perez)

The Chancellor's Office in partnership with the Credit for Prior Learning Advisory Committee and the California Community Colleges Curriculum Committee (5C) recommended revisions to Title 5 Regulations § 55050.

Board Comments

Geoffrey L. Baum, Hildegarde B. Aguinaldo, Valerie L. Shaw, Kim Perigo, Blas Villalobos, Kevin Holl, Amy M. Costa, Jolena M. Grande, Alexander Walker-Griffin, Tom Epstein, Pamela Haynes

Public Comments

Jim Cahill

Item 3.3: Non-Credit Regulation Changes (Alice Perez)

The Chancellor's Office and the California Community Colleges Curriculum Committee recommended changes to Title 5 Regulations §55150, §55151, §55154, §55155, and §58160.

Board Comments

Jolena M. Grande, Kevin Holl

Information and Reports

Item 4.1: Update on May Revision of the 2019-20 State Budget (Christian Osmeña)

This item was an update on the Governor's May Revision to the 2019-20 state budget.

Board Comments

Amy M. Costa, Hildegarde B. Aguinaldo, Tom Epstein

Item 4.2: State and Federal Update (Laura Metune)

This item provided the Board of Governors with an update on state and federal policy and advocacy activities, and an overview of bills recommended for Chancellor's Office policy positions.

Board Comments

Alexander Walker-Griffin, Jennifer L. Perry, Alexis Zaragoza, Amy M. Costa

Public Comments

John Stanskas, Larry Galizio

Item 4.3: California Community College Dreamers Project (Laura Metune)
The California Community Colleges Chancellor's Office and the Foundation for California Community Colleges provided an overview of the California Community Colleges Dreamers Project.

Board Comments

Geoffrey L. Baum, Kim Perigo, Hildegarde B. Aguinaldo

Public Comments

Brian Rivas, Jake Brymner, Erick Gonzalez-Cortez, Peter Ortiz

Item 4.4: California Workforce Pathways Joint Advisory Committee Update (Sheneui Weber)
This item provided the Board with an update on recent activities of the California Workforce Pathways Joint Advisory Committee.

Board Comments

Pamela Haynes, Kim Perigo, Jolena M. Grande, Tom Epstein

Item 4.5: 2019 Classified Employee of the Year Awards (Eloy Ortiz Oakley)
This item announced the 2019 Classified Employee of the Year Award recipients, which represent exemplary classified employees in California's community colleges.

Item 4.6: Student Senate for California Community Colleges – Annual Update (Rhonda Mohr)
The Student Senate for California Community Colleges (SSCCC) presented the Board of Governors with an annual report detailing the activity and efforts of the SSCCC in the 2018-19 fiscal year.

Board Comments

Alexis Zaragoza, Alexander Walker-Griffin, Hildegarde B. Aguinaldo, Pamela Haynes

Item 4.7: *Vision for Success* Spotlight: Student Success Metrics Dashboard Demo (Barney Gomez)
This item presented the Board of Governors with an overview of the new simplified Student Success Metrics Dashboard.

Board Comments

Darius W. Anderson, Hildegarde B. Aguinaldo, Bill Rawlings, Kevin Holl, Tom Epstein

Public Comments

Ken Spence

Item 4.8: Board Member Reports (Eloy Ortiz Oakley)
Board members reported on their activities since the March 2019 meeting.

Board Comments

Kevin Holl, Alexis Zaragoza, Hildegarde B. Aguinaldo, Bill Rawlings, Darius W. Anderson, Jolena M. Grande, Blas Villalobos, Amy M. Costa, Kim Perigo, Alexander Walker-Griffin, Pamela Haynes, Tom Epstein

Public Forum

Comments Received During the May 20, 2019 Meeting

Alan Ornelas, Israel Mendoza Villanueva, Veronica Nunez, Leticia Blanco, Corey Lamb, Cristina Arellano-Dueñas, Arnette Edwards, Cynthia Ortiz, Judith Valdez, Martin Gomez, Keona Tañón, Lisa Lor, Hasel Bercian, Marlene Ramirez-Mooney, Dr. Pamela Brogdon-Wynne, Rachel Bean, Alejandra Rosio, Danita Scott, Koji Uesugi, Natalie Paredes, Amanda Frausto, Sandra Nuñez, Shadiyah Omar, Maricela Vazquez Aviles, Marivel Sanchez Camacho, Sagrario Eusebio

Comments Received During the May 21, 2019 Meeting

Sara Arce, Faryal Said, Valerie Lundy-Wagner, Sadalia King, Sharon Rio, Schelitha Tyler

New Business

No new business.

Adjournment

The meeting adjourned Tuesday, May 21, 2019 at 1:07 p.m.

Attachments

None.

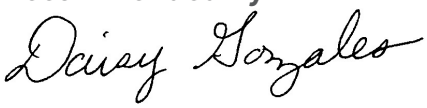
California Community Colleges
Board of Governors

Item 2.1: Approval of Contracts and Grants

Attachments: None
Date: July 15-16, 2019

Category: Executive
Type of Board Consideration: Action

Recommended By



Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

This item presents contracts and grants to the Board of Governors (Board) for approval.

Recommendation

It is recommended that the Board of Governors approve the following resolution:

Be it Resolved:

The Board of Governors of the California Community Colleges, acting pursuant to Education Code section 70901, subdivision (b), and sections 318 and 319 of its Standing Orders, hereby: approves the contracts and grants described in the July 2019 agenda as [19-050-001, 19-150-001 through 19-150-007, 19-205-001, 19-207-001].

Background

The Procedures and Standing Orders Sections 318 and 319 of the Board of Governors (californiacommunitycolleges.cccco.edu/Portals/0/Executive/Board/2019/procedures-standing-orders-march-2019-web.pdf#page=40) require the chancellor to receive Board approval before entering into contracts or grants (or amendments of contract or grants) which are: in excess of $100,000; or over three years in duration; or with respect to consulting services, in excess of $50,000.

For each Board meeting, staff prepares a summary of all currently-proposed contracts and grants that exceed any of the established thresholds. If there are no proposed contracts or grants that exceed the established thresholds, the Board will be so informed at its meeting.

Analysis

The contracts and grants recommended for Board approval are described as follows:

- **Item 1** is a renewal grant, non-competitive, to provide ongoing funding for the Course Identification C-ID Numbering System.

- **Item 2** consists of renewal grants, originally awarded through a competitive process, to fund seven statewide regional consortia under Perkins V.
- **Item 3** is a renewal grant, non-competitive, to act as a fiscal agent to support the statewide leadership and coordination initiative in support of the Strong Workforce Program.
- **Item 4** is a renewal grant, competitive, to act as a fiscal agent to provide funding and technical assistance to the Deputy Sector Navigator grants.

Item 1: Educational Services & Support

Type of Agreement:	Grant (Renewal/C-ID/Outgoing funds)
Contractor or Grantee:	The Academic Senate for California Community Colleges
Contract or Grant Number:	19-050-001
Term:	July 15, 2019 – July 14, 2020
Project Year:	Ongoing
Amount of Agreement:	Up to $800,000
Bid Process:	Non-competitive

Purpose:
Provide ongoing funding to the Course Identification (C-ID) Numbers system. C-ID is the course identification numbering system, used by the California community colleges to identify comparable courses that articulate across the segment, and aligns courses used for Associate Degrees for Transfer (ADTs) to make transfer to a CSU seamless for California community college students.

Reason for BOG Approval:
Standing Order 319 (b) (1) requires the Board of Governors approval for every grant over $100,000. This grant exceeds $100,000.

Accomplishments from prior year:
Supported and maintained the C-ID system, continued to develop curriculum portability for CTE disciplines and created clear pathways for students. 114 CTE C-ID descriptors are now available for college course submission, 287 CTE courses received C-ID approval, and 12 model curricula are available for colleges to use to develop degrees and certificates. As of April 5, 2019, a total of 20,727 courses received C-ID approval.

Goals for the proposed term:
Support and maintain the C-ID system. Expand work on CTE C-ID to finalize model curriculum and descriptors for existing disciplines, as well as identify new disciplines that could benefit from C-ID. Explore the use of C-ID in other areas such as research on the use of C-ID in awarding Credit for Prior Learning. Maintain and review transfer TMCs and/or descriptors. Ensure C-ID maintains an effective submission and review system. Improvements to the C-ID website are also necessary and a campaign to increase awareness of C-ID will be pursued.

Item 2: Workforce and Economic Development Division

Type of Agreement:	Grant (Renewals/Perkins V Leadership Title IB /Outgoing Funds)
Contractor or Grantee:	See Below
Contract or Grant Number:	See Below
Term:	July 15, 2019 – June 30, 2020
Project Year:	Ongoing
Amount of Agreement:	$2,070,000

Bid Process: Competitive Bid – RFA 13-150

Purpose:
The purpose of this grant renewal is to fund seven statewide regional consortia under the federal Perkins V: Strengthening Career and Technical Education for the 21st Century Act. The funding supports a consortia chair and co-chair in providing regional leadership and coordination in conducting consortium activities that move the needle in the region's new and emerging business sectors and aligning project activities with the Chancellor's Office *Vision for Success* goals.

Reason for BOG Approval:
Standing Order 318 (b) (1) requires the Board of Governors approval for every contract over $100,000. These grants are over $100,000.

Accomplishments from prior year:
Annually, the regional consortia develops regional plans that are organized around Guided Pathways, and aligned with the *Vision for Success*. In the past year, the regional consortia met approximately twelve times regionally and approximately eight times statewide. Regional consortia work plans were developed based on work plan objectives required in the RFA. The regional consortia outcomes include:

- Worked with regions to continuously improve the process of identifying, validating relevant priority and emergent sectors for college plan priorities.
- Developed a process to ensure that every community college in the region is aware of opportunities to participate in each gathering and decision-making process.
- Convened workforce development stakeholders from the member colleges including faculty, staff, and administrators monthly, at a minimum of 84 times statewide.
- Convened K12 Local Educational Agencies 15 times in the initial rollout of the K12 Strong Workforce Program funding, and included 1,234 attendees primarily from K12.
- Provided technical assistance, curricular, and logistical support to regional projects that affect Common Metrics and Accountability Measures, resulting in a greater focus on statewide outcomes, and greater emphasis on program development at the college.
- Coordinated with and leveraged efforts of other regions, Sector Navigators, Centers of Excellence Technical Assistance Providers, colleges, national efforts. The result is the continued alignment of workforce and economic development efforts with the regional strategies.
- Updated annual plan of engagement for program development with the region's workforce and economic development networks and college leadership (CEOs, CIOs, local Curriculum Committees, etc.) that includes the opportunity for CEOs from

participating colleges to provide input and receive briefings, on a monthly basis, or as needed.

- Began integrating the Guided Pathways Technical Assistance Providers with the workforce and economic development engagement processes.
- Created and managed consortium logistics and communicative tools, such as websites, listservs, meeting logistics, reporting, directories, and communication between member colleges.
- Completed an inventory of the region's program offerings in the priority and emergent business sectors, performed a gap analysis of the region's offerings and the needs of the region's employers, and created a plan of action to close those gaps.

Goals for the proposed term:

Each Regional Consortia conducts business unique to their regional economic needs. The re-authorization of Perkins V (Strengthening Career and Technical Education for the 21st Century Act), requires each Regional Consortia to meet the new objectives listed below, in addition to the current objectives in the previous Perkins IV Act, as well as regional alignment to the *Vision for Success*:

- Recruit, prepare, or retain CTE teachers, faculty, specialized instructional support personnel, or paraprofessionals, such as pre-service, professional development, or leadership development programs.
- Provide technical assistance to local eligible recipients and reporting on the effectiveness of this funding stream in achieving the state's strategic vision and goals for "preparing an educated and skilled workforce."
- Meet the state-determined levels of performance for the core accountability indicators and reduce disparities or performance gaps in those levels including: develop statewide programs of study, approve locally developed programs of study, establish statewide articulation agreements, establish statewide sector or industry partnerships, and provide high-quality comprehensive professional development.

Grant No.	Grantee (District/College)	Region	Amount
19-150-001	Butte-Glenn CCD	North/Far North (Greater Sacramento, Northern Inland, Northern Coast)	$370,000
19-150-002	Cabrillo CCD	Bay Area (East Bay, North Bay, Mid-Peninsula, Silicon Valley, Santa Cruz & Monterey)	$370,000

Grant No.	Grantee (District/College)	Region	Amount
19-150-003	Rancho Santiago CCD	Los Angeles and Orange County	$370,000
19-150-004	State Center CCD	Central (Mother Lode, Central)	$300,000
19-150-005	Santa Barbara CCD	South Central	$220,000
19-150-006	Riverside CCD	Inland Empire	$220,000
19-150-007	Grossmont/Cuyamaca CCD	San Diego/Imperial	$220,000

Item 3: Workforce and Economic Development Division

Type of Agreement: Grant (Renewal/Strong Workforce Program/Outgoing funds)
Contractor or Grantee: Chabot-Las Positas CCD
Contract or Grant Number: 19-205-001
Term: July 15, 2019 – June 30, 2020
Project Year: Year 4 of 5
Amount of Agreement: Up to $12,500,000
Bid Process: Non-competitive

Purpose:
The purpose of this grant is to establish a fiscal agent for the statewide leadership and coordination initiatives in support of implementation of the Strong Workforce Program. This grant will also support the alignment of metrics with the *Vision for Success* goals for the California Community Colleges.

Reason for BOG Approval:
Standing Orders 319 (b) (1) requires the Board of Governors approval for every grant over $100,000. This grant is over $100,000.

Accomplishments from prior year:
The accomplishments of the grant for the prior term of funding include:

- Here to Career: Development of a mobile application with 540 users on iTunes and 715 users on Google Play. Feature improvements and upgrades include a Career Quiz to assesses students' career interests linked to over 900 occupations; the ability to explore careers with salary, jobs openings and growth information, educational requirements, and degree offerings; better sort functions, faster loading times and improved user experience; and user usage tracking for future improvements. A desktop version is also in development.

- ICT-Digital Media and CyberSecurity: Identified effective job readiness pathways (skill acquisition, and stackable credentials, from K-12 to adult) in the sub-sector disciplines of the ICT-Digital Media with significant job opportunities. Articulated pathways with two private 4-year colleges (National University and Western Governor's University).
- NOVA Platform: Added an administrative console and data visualization administrator dashboard to the grant reporting and planning web-based platform to ensure consistency in process, reporting, and accountability across all programs. Transitioned six new programs onto the NOVA platform; developed application interface for baseline Student Success Metrics; conducted over 20 user training webinars, handled over 800 helpdesk requests, and made available instructional videos via YouTube. Current users estimated at over 6,700.
- GIG Economy: Piloted with a small group of students existing business and IT courses to identify the needs/gaps that need to be addressed to prepare students to be freelancers and independent contractors in the gig economy. Monthly Community of Practice Web Conferences were conducted to share best practices. Curriculum, courses and programs were developed by the 24 colleges participating in the project.
- Career Education Campaign: Year 2 of statewide Career Education campaign to raise awareness among current and prospective community college students and high school juniors and seniors as well as their influencers, and others about the variety of occupational pathways available through career education programs at California Community Colleges. The CaliforniaCareerEducation.com website received 51,255 unique visitors and 74,498 page views. A total of 8,900,684 impressions were delivered through radio advertising from November 2018- January 2019. Additionally, 32,821,321 impressions were delivered through online advertising. An online toolkit of resources for colleges to access campaign videos, radio ads, photos, digital ads, etc., in both English and Spanish media campaigns has had 13,556 site visits with 963 downloads.
- An awareness survey of the Career Education campaign was conducted to measure attitudinal shifts about California Community Colleges as a quality college choice and motivation to enroll in higher education, as well as awareness, knowledge, and consideration of California Community College Career Education programs. Results from the survey showed that the favorability towards the California Community Colleges was very high. Knowledge of career education training offered at California community colleges has risen. Additionally, consideration to enroll/recommend career education training at a community college has increased. Finally, the awareness of the Career Education campaign is relatively high, given the limited budget and the campaign still in its infant stage.
- New World of Work: curriculum designed to broaden and enhance career exploration and planning, work-based learning opportunities and other supports for students. In its 6th year, over 600 instructors were trained. To date over 3000 digital badges were

earned by students. Participation by colleges is at 87% across the system; 90% of student respondents felt better prepared to enter the workforce based on the training they received from the New World of Work (NWoW) 21st Century Skills series; over 3,000 instructors across the country have also downloaded the open source curriculum to use with their learners. The program was also selected as the Model of Reference for CalHR's Skills Competencies Framework, which evaluates the skills of incoming and existing state employees; and PBS has included the program in their documentary series to be released in early Fall 2019, which features Chancellor Oakley along with student showcase stories from Shasta College, Sierra College, and Santa Barbara City College.

Goals for the proposed term:

- Support projects that expand innovative practices and programs across the state.
- Advance industry engagement capacity building of faculty and outreach to industries central to the growth of regional economies.
- Create linkages between local and regional Strong Workforce Program funding priorities with other programs and/or initiatives, such as the California Adult Education Program, *Vision for Success*, Guided Pathways, federal funded workforce development programs and CalWORKs.
- Further the development of data tools that streamline reporting requirements, fosters data driven strategies and decision making, track student success and workforce outcomes, and support integrated planning strategies across multiple funding streams.
- Support strategies that address regional disparities by better serving communities that are traditionally economically disadvantaged; such as increasing the percentage of students that transition from non-credit to credit and/or student entrepreneurship, and/or create pathways into middle-skill occupations.
- Develop new and expand existing regional projects-in-common identified under the Strong Workforce Program.

Item 4: Workforce and Economic Development Division

Type of Agreement:	Grant (Renewal/Economic and Workforce Development Program: Senate Bill 1402/outgoing funds)
Contractor or Grantee:	Rancho Santiago Community College District
Contract or Grant Number:	19-207-001
Term:	July 15, 2019 – June 30, 2020
Project Year:	Year 2 of 5
Amount of Agreement:	Up to $14,500,000
Bid Process:	Competitive – RFA 18-250

Purpose:
Economic and Workforce Development (EWD) SB 1402 was established to provide funding for colleges to develop and implement training and curriculum in key strategic industry sectors that help create jobs and career pathways for students. The Regional Sectors act as incubators that identify changing needs and trends of industry and link colleges with businesses.

The Fiscal Agent grant deploys the Deputy Sector Navigators to provide technical assistance to colleges in developing new training and courses with local businesses in the region they serve, to ensure training and courses are relevant and to create and retain jobs. Many of the training content developed through EWD become credit courses that help colleges answer the immediate and lifelong workforce training needs of students and incumbent workers.

Reason for BOG Approval:
Standing Orders 319 (b) (1) requires the Board of Governors approval for every grant over $100,000. This grant is over $100,000.

Accomplishments from prior year:
The Program has shown the flexibility to target high-demand industry clusters and services to employees requiring skills upgrade and reskilling. Below is a snapshot of accomplishments for the Economic and Workforce Development program for FY 2018/2019.

- The Centers for Applied Competitive Technologies (advanced manufacturing initiative with its partnership between U.S. Farm Systems and the College of the Sequoias resulted in 22 internships with U.S. Farm systems.
- The Agriculture, Water and Environmental Technology sector successfully created a pipeline through a variety of strategies with its partner E&J Gallo Winery to develop wine-industry workers through an apprenticeship program.
- The Advanced Transportation and Renewable Energy sector with grant funding from the California Energy Commission (CEC), awarded $2.6 million to support student training, curriculum creation, equipment purchases and faculty development at 15 colleges working to enhance their alternative fuel and vehicle technical training programs. The funding has also supported the sector to amplify efforts to recruit high school students and adult learners, resulting in an enrollment increase.
- The Energy, Construction and Utilities sector partnered with 12 colleges statewide to align student learning outcomes with competencies in an “employment-ready” credential; Heating, Ventilation, Air-Conditioning and Refrigeration (HVACR). License agreements with a virtual reality systems provider now enable cost-effective lab enhancements at these colleges.
- The Global Trade sector has been working with Mission College and Long Beach City College to develop training programs in global digital marketing for businesses, with

the intent of developing internship opportunities for students to support global digital marketing efforts.

- The Health Workforce Initiative piloted a program at Grossmont College that serves internationally trained nurses. This project is helping internationally trained nurses to become eligible to take the National Council Licensure Examination, required to receive a state nursing license. The goal is to replicate this program at other community colleges to ensure that more internationally trained healthcare professionals can work at a level that matches their education and expertise.

Goals for the proposed term:
The work of the Deputy Sector Navigators, aligns with the seven core commitments which help guide the *Vision for Success* and Strong Workforce Program Metrics. In order to achieve this, the economic and workforce development program does not directly drive the metrics, however it does drive the essential commitments that align the colleges to meet their metrics indirectly.

The work of the Deputy Sector Navigators provides the undocumented work that encourages students and incumbent workers to the college programs. The activities of the EWD program help fulfil these commitments and the Chancellor's Office will evaluate proposed project activities and outcomes for this new term using the following metrics:

- Support colleges in developing new innovative programs to serve businesses.
- Support immediate short-term workforce needs.
- Increase employer engagement and strengthening of relationships to benefit colleges and regional work.
- Performance Metrics includes:
  - Number of employer partners engaged;
  - Number of internships and experiential learning activities provided to colleges;
  - Number of jobs placed from programs developed and offered;
  - Number of career pathways developed implemented;
  - Number of curriculum advisory committee meetings; and
  - Qualitative data using student success stories.

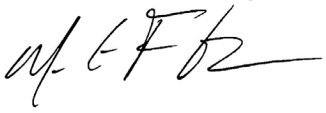
California Community Colleges
Board of Governors

Item 2.2: Chancellor Oakley's Contract

Attachments: None
Date: July 15-16, 2019

Category: Office of General Counsel
Type of Board Consideration: Action

Recommended By



Marc LeForestier, General Counsel

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

This item presents a new contract of employment for Chancellor Eloy Ortiz Oakley for Board of Governors' approval.

Recommendation

It is recommended that the Board of Governors adopt the following resolution:

WHEREFORE, the Board of Governors wishes to extend the term of Chancellor Oakley's employment as Chancellor of the California Community Colleges, and to adjust other terms of that employment.

Be it Resolved:

The California Community Colleges Board of Governors, acting pursuant to Education Code sections 71022 and 71090, hereby approves the contract executed by President Epstein on behalf of the Board and Chancellor Oakley on or about July 15, 2019.

Background

The Education Code requires the Board to "appoint a chief executive officer, to be known as the Chancellor of the California Community Colleges, and fix his or her compensation." (Ed. Code, § 71090, subd. (a).) The Board executed an employment contract with Chancellor Oakley on August 8, 2016, which provided for a four-year term of employment commencing on December 19, 2016.

The Board wishes to extend the Chancellor's employment by an additional three-year period, and adjust some of the terms of that employment. The new contract will take effect on December 19, 2019, have a four-year term, and supersede the 2016 contract.

Attachments

1. Resolution Number 2019-13 “Approve Chancellor Oakley’s Contract”
   Copies of the new contract will be available to the public at the public meeting.

Item 2.2, Attachment 1: Resolution to Approve Chancellor Oakley's Contract

Resolution of the Board of Governors
California Community Colleges
No. 2019-13

IT IS RESOLVED, that the Board of Governors of the California Community Colleges:

1. The California Community Colleges Board of Governors, acting pursuant to Education Code sections 71022 and 71090, hereby approves the contract executed by President Epstein on behalf of the Board and Chancellor Oakley on or about July 15, 2019.

Vote Count:

Date:

_____

Tom Epstein, President
Board of Governors
California Community Colleges

California Community Colleges
Board of Governors

Item 2.3: Credit for Prior Learning Regulation Changes

Attachments: 2
Date: July 15-16, 2019

Category: Educational Services and Supports
Type of Board Consideration: Action

Recommended By



Alice Perez, Vice Chancellor

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

The Chancellor's Office in partnership with the Credit for Prior Learning Advisory Committee and the California Community Colleges Curriculum Committee (5C) is recommending revisions to title 5 Section 55050.

Recommendation

It is recommended that the Board of Governors approve the above Credit for Prior Learning: title 5 Regulation changes.

Background

Two 2018 laws indicate the legislature's ongoing interest in Credit for Prior Learning (CPL). One law, Senate Bill (SB) 1071, requires the system to implement a consistent policy to award credit for veteran and military students using their Joint Services Transcripts. This law, while a welcome catalyst for CPL in the system, would impact a limited population. In fall 2017, about 33,000 veterans and active-duty military (any age) were enrolled in a California community college. When looking at the broader potential student population (6.8 million Californians age 25-54 with less than an associate degree), about 272,000 have military experience. This indicates that the legislature's focus on CPL for veterans and military excludes the vast majority of California workers. A second law, Assembly Bill 1786, requires an initiative to expand the use of course credit at the California Community Colleges for students with prior learning, with a report due to the legislature in January 2020.

As demonstrated in approximately 24 other states' higher education systems and affirmed in research, expanding CPL policy and practice can increase the impact of CPL on student success while ensuring quality, integrity, and equity in the award of credit. The Lumina Foundation provided funding to the Success Center at the Foundation for California Community Colleges to create a policy and resource infrastructure to expand CPL in our system. The initiative-led by Vice Chancellor Alice Perez with the support of the Success Center-convened a statewide CPL Advisory Committee to inform recommendations that

will help students have more equitable opportunities to earn CPL. The committee comprised of 24 stakeholders from within the system including appointees from the Academic Senate and representatives of faculty, articulation officers, counselors, CIOs and other roles, and representatives from CSU, UC, and workforce. The initiative produced recommendations of state-level actions to expand CPL and recommended guidance for districts and campuses.

Title 5 Changes. Among other state-level actions, the committee recommends that the system revise title 5 Section 55050 to achieve the following goals:

- Create one umbrella CPL policy that expands types of prior learning assessments available to students beyond credit by exam.
- Create a consistent process to automatically refer eligible students to faculty for prior learning assessment, placing more burden on institutions than students, and creating more equity in process and opportunity.
- Require CPL for general education (GE) or program courses first, and electives as a last resort, as necessary to support the student's goals.
- Require that policies and procedures be accessible to all stakeholders.
- Give students an opportunity to accept or deny credit awards, which helps them protect their financial aid or GI Bill benefits.
- Condense all district policies related to credit for prior learning into one comprehensive policy to simplify CPL for all stakeholders.

On March 14, 2019, 5C approved the draft regulation changes and recommended they move forward to the Consultation Council. 5C makes recommendations and provides guidance to the Chancellor's Office on local and regional implementation of curriculum policy and regulations. 5C is responsible for the development and revision of all title 5 regulations related to curriculum and instruction.

As a joint initiative of the Chancellor's Office and the Academic Senate for California Community Colleges, a pilot will launch in fall 2019 to help operationalize one form of prior learning assessment. Approximately 30 faculty in seven disciplines will create "cross-walks" that result in credit recommendations for students who gained college-level skills and knowledge through related military or industry training or certification programs. This pilot will result in crosswalks in seven disciplines that can be shared with statewide faculty and used for multiple students with the same training credentials, and a model process that can be applied by faculty across new disciplines.

Disciplines were identified according to the following criteria: 1) popularity among veteran/military and adult (age 25+) students, according to the California Community Colleges Chancellor's Office completion data (2015-17); 2) alignment with the priority sectors of the Workforce and Economic Development division, which are based on job growth and wage gains; and 3) alignment with industry certifications and/or standardized workplace training. The disciplines are:

- Administration of Justice
- Automotive Technology
- Business Administration and Management
- Cybersecurity
- Fire Science
- Health
- Information Technology

Attachments

1. Proposed Revisions to title 5 Regulations of Curriculum and Instruction
2. Summary and Response to Comments Received During the Notice Period

Item 2.3, Attachment 1: Proposed Revisions to title 5 Regulations of Curriculum and Instruction

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1. Section 55050 of article 5 of subchapter 1 of Chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55050. ~~Credit by Examination~~. Credit for Prior Learning.

(a) The governing board of each community college district shall adopt and publish policies ~~and procedures~~ pertaining to credit for prior learning. ~~by examination in accordance with the provisions of this section.~~ The policies shall be transparent and accessible to all stakeholders, published at least in college catalogs. Procedures for students to attain credit for prior learning shall include, but not be limited to credit by examination, evaluation of Joint Services Transcripts, evaluation of student-created portfolios, evaluation of industry-recognized credential documentation, and standardized exams.

(b) The governing board may grant credit to any student who satisfactorily passes an ~~examination~~ assessment approved or conducted by proper authorities of the college. ~~Such credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.~~ For purposes of this section, "assessment" means the process that faculty undertake with a student to ensure the student demonstrates sufficient mastery of the course outcomes as set forth in the course outline of record. "Sufficient mastery" means having attained a level of knowledge, skill, and information equivalent to that demonstrated generally by students who receive the minimum passing grade in the course.

(c) The nature and content of the ~~examination~~ assessment shall be determined solely by faculty in the discipline who normally teach the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee established pursuant to section 55002. The faculty shall determine that the ~~examination~~ assessment adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an ~~examination~~ assessment conducted at a location other than the community college for this purpose.

(d) ~~A separate examination shall be conducted for each course for which credit is to be granted.~~ Credit may be awarded for prior experience or prior learning only ~~in terms of~~ for individually identified courses ~~for which examinations are conducted pursuant to this section.~~ with subject matter similar to that of the individual's prior learning, and only for a course listed in the catalog of the community college. Colleges shall consider the credit recommendations of the American Council on Education, pursuant to Education Code section 66025.71. Upon a student's demonstration of sufficient mastery through an examination or assessment, an award of credit should be made, if possible, to California Intersegmental

General Education Transfer Curriculum, California State University General Education Breadth, and local community college general education requirements or requirements for a student's chosen program. Award of credit may be made to electives for students who do not require additional general education or program credits to meet their goals.

(e) Credit by Examination: The determination to offer credit by examination rests solely on the discretion of the discipline faculty. A separate examination shall be conducted for each course for which credit is to be granted. Credit may be granted only to a student who is registered at the college and in good standing and only for a course listed in the catalog of the community college.

(~~e~~f) The student's academic record shall be clearly annotated to reflect that credit was earned by ~~examination~~ assessment of prior learning.

(~~f~~g) Grading shall be according to the regular grading system approved by the governing board pursuant to section 55023, except that students shall be offered a "pass-no pass" option if that option is ordinarily available for the course.

(~~g~~h) Units for which credit is given pursuant to the provisions of this section shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.

(~~h~~i) A district may charge a student a fee for administering an examination or assessment pursuant to this section, provided the fee does not exceed the enrollment fee ~~which~~ that would be associated with enrollment in the course for which the student seeks credit by examination or assessment of prior learning.

(j) The policies and procedures adopted by the governing board of a community college district pursuant to this section shall require that a student, upon completion of their educational plan pursuant to California Education Code Section 78212, shall be referred to the college's appropriate authority for assessment of prior learning if the student 1) is a veteran or an active-duty member of the armed forces, 2) holds industry-recognized credentials, or 3) requests credit for a course based on their prior learning.

(k) The policies for assessments adopted by the governing board of a community college shall offer students an opportunity to accept, decline, or appeal decisions related to the award of credit, and in cases of credit by exam, pursuant to sections 55021 and 55025.

(l) The governing board of each community college district shall review the credit for prior learning policy every three years and report findings to the Chancellor's Office. Findings shall include data disaggregated by gender and race/ethnicity including the number of students who received credit for prior learning, the number of credits awarded per student, retention and persistence rates of students earning credit for prior learning, completion data (for certificate, degree, and transfer) for students earning credit for prior learning, and qualitative assessments by students of the policies and procedures.

(m) The governing board of each community college district shall incorporate policies pursuant to section 55052 on College Board Advanced Placement examinations, and any other districtwide policies governing the award of credit for prior learning, to create a comprehensive credit for prior learning policy.

(n) By December 31, 2020, the district shall certify in writing to the Chancellor of the California Community Colleges that the policies required by this section have been adopted and implemented.

Note: Authority cited Sections 66025.71, 66700, and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

Item 2.3, Attachment 2: Summary and Response to Comments Received During the Notice Period

Official notice of proposed changes to the California Code of Regulations, title 5, regarding "Credit for Prior Learning" were published on May 10, 2019. The original proposed text was made available for public comment for at least 45 days from May 10, 2019 through June 24, 2019. The notice specified the process to comment on the proposed changes. No written comments were received during the comment period. A public hearing was held during the Board of Governors Meeting on May 20, 2019, at the Chancellor's Office. One (1) comment was heard. Pursuant to Standing Order 206, subdivision (b) (3), the Chancellor's Office has summarized the single oral comment below with a response.

Comment Received During the Public Hearing

James Cahill, Citizen

Mr. Cahill submitted two (2) documents to the Board prior to making his public comment: a copy of SB 1071, and a draft policy that Mr. Cahill wrote to support and address Senate Bill (SB) 1071. Mr. Cahill expressed his support for SB 1071, and spoke to the policy he has drafted which completes 7 years of work on behalf of his son, a veteran and a former community college student. Mr. Cahill expressed his strong support of SB 1071 on behalf of all veterans seeking a college education within the California Community College system, and closed his comment with, "it is time to give credit where credit is due."

Proposed Response

The comment was received, and the regulations respond to the need described.

California Community Colleges
Board of Governors

Item 2.4: Noncredit Regulation Changes

Attachments: 2
Date: July 15-16, 2019

Category: Educational Services and Supports
Type of Board Consideration: Action

Recommended By

Alice Perez, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

The Chancellor's Office and the California Community Colleges Curriculum Committee (5C) recommend changes to the following title 5 Regulations:

- §55150 – Approval of Noncredit Courses and Programs
- §55151 – Career Development and College Preparation
- §55154 – Adult High School Diploma Programs
- §55155 – Non-Credit Certificates
- §58160 – Non-Credit Course Funding

Recommendation

It is recommended that the Board of Governors approve the above noncredit title 5 Regulation changes. For text of proposed changes, see Attachment 1.

Background

In response to stakeholders in the California Community College System, changes to the noncredit regulations were drafted by a workgroup in 5C in early February 2019. The title 5 Workgroup of 5C edited the draft regulations for consideration at a First Reading during the February 22, 2019 5C meeting. Additional edits were made and sent to the California Community Colleges Chancellor's Office (CCCCO) General Counsel and staff to review. The CCCCO General Counsel and 5C members fine-tuned the drafts at the Second Reading during March 14, 2019 5C meeting. 5C approved the draft regulation changes to be sent to the Board of Governors for approval.

The changes in the regulations are building the foundation and framework to equalize noncredit curriculum approval process to that of credit curriculum approval processes in order to be more responsive to the curricular needs of the students in the California Community College system. In particular, the Curricular Streamlining Process, announced

in October 2016 was designed to approve and offer curriculum more rapidly, while maintaining rigorous standards for curriculum approval. This is especially beneficial in career technical education fields as well as curriculum design for Guided Pathways and Assembly Bill (AB) 705 implementation.

The following resolution, which passed unanimously at the Academic Senate for California Community Colleges (ASCCC) Fall 2018 Plenary Session provides some details and references in regard to the proposed changes.

ASCCC Resolution 9.02 F18 Equalize Noncredit Curriculum Processes to Align with Local Approval of Credit Curriculum Processes:

> Whereas, the Curriculum Streamlining Processes, announced in October 2016, to allow colleges to approve and offer curriculum more rapidly now permits colleges to self-certify curriculum for all credit courses, modified credit programs with the exception of associate degrees for transfer, and new credit programs with a goal of local program with the exception of new career technical education credit programs and apprenticeship;
>
> Whereas, noncredit course and program proposals require more lengthy review and approval by the California Community Colleges Chancellor's Office before being offered at a California community college;
>
> Whereas, the question "can a college require a noncredit support course?" that had a response of "yes, …" in the FAQ on AB 705 from the California Community Colleges Chancellor's Office and the Academic Senate for California Community Colleges will lead to an increase in demand for noncredit course offerings; and
>
> Whereas, the noncredit course approval process must be nimble enough to allow colleges to increase in-demand noncredit course offerings in response to the passage of AB 705 (Irwin, 2017) and the California Guided Pathways Award Program;
>
> Resolved, that the Academic Senate for California Community Colleges work with the California Community Colleges Chancellor's Office and other stakeholders to equalize noncredit curriculum processes to align with local approval of credit curriculum processes.

Attachments

1. Proposed Revisions to title 5 Regulations of Curriculum and Instruction
2. Summary and Response to Comments Received During the Notice Period

Item 2.4, Attachment 1: Proposed Revisions to title 5 Regulations of Curriculum and Instruction

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1. Section 55150 of article 2 of subchapter 2 of Chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55150. Approval of Noncredit Courses and Programs.

(a) ~~All noncredit courses shall be approved by the Chancellor in accordance with this article on forms provided by the Chancellor. Failure to comply with the provisions of this article may result in termination of approval.~~ The governing board of each community college district shall establish policies for, and may approve noncredit courses pursuant to section 55002 and the Chancellor's Office Program and Course Approval Handbook prepared, distributed, and maintained by the Chancellor consistent with section 55000.5(a).

(b) The chief executive officer, chief instructional officer, college academic senate president, and college curriculum committee chair of each college and/or district shall annually certify to the Chancellor, before the conclusion of each academic year, compliance with the following requirements related to the approval of noncredit courses:

(1) the curriculum committee and district governing board have approved each noncredit course pursuant to section 55002 and the Chancellor's Office Program and Course Approval Handbook prepared, distributed, and maintained by the Chancellor consistent with section 55000.5(a);

(2) the college and/or district promptly reported all noncredit courses approved by the district governing board pursuant to this section to the Chancellor's Office Curriculum Inventory and Management Information Systems;

(3) college and/or district personnel involved in the noncredit course approval process, including members of the curriculum committee, were provided with training regarding the rules, regulations, and local policies applicable to the approval of noncredit courses, including, but not limited to, the provisions of section 55002 and the Chancellor's Office Program and Course Approval Handbook prepared, distributed, and maintained by the Chancellor consistent with section 55000.5(a);

(4) the district governing board has established local policy or procedures specifying attendance accounting consistent with Article 2, Chapter 1, Part 50 of the Education Code (sections 84030, et seq.).

(~~b~~c) Course outlines of record for all noncredit courses prepared in accordance with subdivision (c) of section 55002 shall be on file in the community college offering the course.

~~(c) Authorities of each community college maintaining noncredit courses shall keep such current records and reports as may be required by the Chancellor.~~

(d) The following noncredit educational programs shall be approved by the ~~Chancellor~~ district governing board:

(1) Noncredit educational programs that qualify for enhanced funding;

(2) Adult high school diploma programs as specified in section 55154; and

(3) Those noncredit educational programs that are otherwise required by law to be approved by the Chancellor.

(e) Noncredit educational programs ~~requiring approval of the Chancellor~~ shall be ~~approved~~ submitted to and chaptered in ~~by~~ the ~~Chancellor~~ chancellor's office curriculum inventory system. ~~in accordance with this article and on forms provided by the Chancellor~~. Approval of a noncredit educational program is effective until either:

(1) The noncredit educational program or implementation of the noncredit educational program is discontinued or modified in any substantial way; or

(2) The ~~Chancellor~~ district governing board evaluates the noncredit educational program after its approval on the basis of factors listed in sections 55151 or 55154, as applicable. If the ~~Chancellor~~ district governing board determines that the noncredit educational program should no longer be offered based on the evaluation, the ~~Chancellor~~ district governing board may terminate the approval and determine the effective date of termination.

(f) The Chancellor may conduct reviews to ensure that colleges and/or districts are in compliance with the certification requirements identified in this section.

(g) The Chancellor may, at any time, limit or terminate the ability of a district to approve or offer noncredit courses if it is determined that a college and/or district has failed to comply with any of the conditions set forth in this section until such time a college and/or district demonstrates compliance with the certification requirements in this section.

Note: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

2. Section 55151 of article 2 of subchapter 2 of Chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55151. Career Development and College Preparation.

A noncredit course involving career development or college preparation will be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it satisfies the requirements set forth in subdivisions (a), (b) and (c) below.

(a) The course is approved by the college curriculum committee and the district governing board pursuant to subdivision (c) of section 55002 and by the Chancellor's Office pursuant to section 55150 and is part of either

(1) A short-term vocational program which the ~~Chancellor~~ district governing board~~, in consultation with the Employment Development Department~~ has determined to have high employment potential. ~~In making this determination, t~~ The ~~Chancellor~~ district governing board shall utilize job demand data to support the program proposal. ~~provided by the Employment Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.~~

(2) A noncredit educational program involving:

(A) Courses in elementary and secondary basic skills;

(B) Workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision-making, and problem solving skills that are necessary to participate in job-specific technical training; or

(C) Courses in English as a second language and vocational English as a second language.

(b) The noncredit educational program is designed to result in either:

(1) A noncredit certificate of completion leading to improved employability or job opportunities; or

(2) A noncredit certificate of competency in a recognized career field that prepares students to take nondegree-applicable credit course work, including basic skills and English as a second language; or to take degree-applicable credit coursework leading to one or more of the following:

(A) completion of a credit certificate;

(B) an associate in arts degree; or

(C) transfer to a baccalaureate institution.

(c) The noncredit educational program in which enhanced funding is sought must be submitted to and ~~approved~~ chaptered ~~by~~ in the ~~C~~chancellor's office curriculum inventory system. ~~Applications for approval~~ Submissions shall include an explanation of how the

educational program is designed to lead students to one of the outcomes described in subdivision (b) and all of the following:

(1) a list of required courses to be included in the educational program;

(2) the minimum number of hours required for completion of the educational program;

(3) course outlines of record for all courses in the educational program;

(4) the catalog description of the educational program; and

(5) for short-term vocational programs, an analysis of labor market need or job availability.

~~(d) The Chancellor shall develop forms and procedures for submission of applications for approval.~~

~~(e) If the Chancellor approves a short-term vocational program pursuant to this section, the program may not be subsequently modified by the inclusion of additional courses unless the course or courses to be added are of one of the types listed in subdivision (a) and have themselves been individually approved by the Chancellor pursuant to section 55150.~~

(d)~~(f)~~ Under no circumstances may a district separate an existing noncredit course which provides less than one hundred and ten (110) hours of instruction into two or more courses for the purpose of forming a noncredit educational program to satisfy the requirements of this section.

(e) ~~(g)~~ Nothing in this section shall be construed to prevent a particular student from taking additional degree-applicable coursework, pursuing an associate degree, or pursuing transfer to a baccalaureate institution in addition to or instead of seeking immediate employment.

(f) ~~(h)~~ For purposes of this article, the term “certificate of completion” means a document confirming that a student has completed a noncredit educational program of noncredit courses that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a Taxonomy of Programs (T.O.P.) Code number and program discipline, identify the goal of the program, and list the courses completed by the student.

(g)~~(i)~~ For purposes of this article, the term “certificate of competency” means a document confirming that a student enrolled in a noncredit educational program of noncredit courses has demonstrated achievement of a set of competencies that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date

awarded, be identified by a T.O.P. Code number and program discipline, and list the relevant competencies achieved by the student.
(h)~~(j)~~ Content and assessment standards for certificates shall be defined by the local curriculum committee. The curriculum committee shall review noncredit educational programs leading to a certificate using the same standards as applied to credit educational programs leading to a certificate as set forth in section 55070, with respect to academic integrity, consistency with college mission, meeting a demonstrated need and program feasibility.

(i) ~~(k)~~ Each noncredit educational program shall be approved by the governing board of the district.

(j) ~~(l)~~ Certificates for noncredit educational programs may be awarded on behalf of the governing board of the district by any appropriate district official or by a particular department or division pursuant to a delegation of authority from the governing board to students who have earned them.

Note: Authority cited: Sections 66700, 70901, 78401, 84750.5 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401,84750.5 and 84760.5, Education Code.

3. Section 55154 of article 2 of subchapter 2 of Chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55154. Adult High School Diploma Program.

(a) Before offering any noncredit course as part of a high school diploma program on or after June 30, 2009, the governing board of a community college district ~~shall obtain approval of~~ must approve its high school diploma program and have it chaptered in the chancellor's office curriculum inventory system, as provided in section 55150.

(b) For purposes of this section, the term "high school diploma program" means an organized sequence of noncredit courses designed to meet the needs of adult learners which leads to a high school diploma which is awarded by the community college district or jointly by the district and a high school.

(c) The ~~application for approval~~ submission for chaptering shall include all of the following:

(1) A statement that both the local curriculum committee(s) and the district governing board have reviewed and approved the high school diploma program.

(2) Information demonstrating that there exists demand for the college to offer a high school diploma program for adult learners in the area.

(3) Coursework requirements and content standards that meet or exceed those described in subdivision (e).

(4) Comprehensive descriptions of program organization, instructional support services, student services, facilities and ongoing staffing efforts to demonstrate that the district has the resources to maintain the high school diploma program.

(5) A copy of the proposed catalog description.

(6) Requirements or conditions by which a student can obtain high school credit by examination or by successfully completing college degree-applicable or nondegree-applicable credit course work and any alternative means for students to complete the prescribed course of study.

(7) A description of the student assessment procedures for academic placement in the program and a description of how the district will evaluate student progress.

(d)(1) The governing board of a community college district shall confer a high school diploma upon a student who has satisfactorily completed at least 160 credits of high school level coursework and who has demonstrated competence in reading, writing, and mathematics at a level generally accepted as appropriate for award of a high school diploma. The required 160 credits of high school level course work must be fulfilled in a core curriculum consisting of courses in the categories described in paragraph (2) and accepted toward the diploma by a college within the district (as shown in its catalog). A college may accept toward satisfaction of this requirement courses that were completed at an accredited high school or college that would reasonably be expected to meet or exceed the standards of this section, provided that at least 20 of the total 160 required high school credits must be completed in residence at the college granting the diploma.

(2) The curriculum must include the indicated minimum number of high school credits in each of the areas listed below. Each course shall be of a duration sufficient to permit a student to master the content of the course as specified in the content standards described in paragraph (3).

(A) Natural Sciences. A minimum of 20 high school credits shall be required in natural sciences, including biological and physical sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the core curriculum requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category may include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.

(B) Social and Behavioral Sciences. A minimum of 30 high school credits shall be required in social and behavioral sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the core curriculum requirement in social and behavioral sciences, a course shall be

designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. Each student shall be required to complete coursework that addresses United States history and geography; world history, geography, and culture; American government and civics; and economics. This category may also include introductory or integrative survey courses in cultural anthropology, cultural geography, political science, psychology, sociology and related disciplines, as well as additional courses in economics, American government, United States history, and world history.

(C) Humanities. A minimum of 10 high school credits shall be required in humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the core curriculum requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Each student shall be required to complete one course in visual or performing arts or foreign language. This category may also include introductory or integrative courses in literature, philosophy, and religion, as well as additional courses in the arts, and foreign languages. For the purposes of satisfying the requirement specified in this paragraph, a course in American Sign Language shall be deemed a course in foreign language.

(D) English. A minimum of 30 high school credits shall be required in English. Courses in English are those which develop the principles and applications of language toward logical thought, clear and precise expression and critical evaluation. To satisfy the core curriculum requirement in English, a course shall be designed to develop reading, writing, and verbal expression skills as applicable to the needs and interests of an adult. Such courses may include introductory or integrative courses in literature and English grammar, writing strategies, and mechanics.

(E) Mathematics. A minimum of 20 high school credits shall be required in mathematics. Courses in mathematics develop the ability to reason with and apply mathematical operations and principles. To satisfy the core curriculum requirement in mathematics, a course shall be designed to help a student gain facility in the operations of mathematics as well as its practical applications. Such courses may include algebra, geometry, applied mathematics, and calculus.

(3) Course content standards for the coursework described in subdivision (2) must meet or exceed the standards for the high school curriculum established by the California State Board of Education.

(e) Notwithstanding the requirements of this section, any student enrolled in a high school diploma program prior to June 30, 2009, may receive a high school diploma based on completion of the curriculum required for the program as set forth in the college catalog in effect at the time the student first enrolled in the program; provided the student remains continuously enrolled without a break of more than one primary term subsequent to the Spring 2009 term.

(f) In order for a high school diploma program to qualify for enhanced noncredit funding pursuant to Education Code sections 84750.5 and 84760.5, the application for approval must satisfy the requirements of section 55151.

(g) For the purposes of this section, a noncredit course awarding 10 high school credits must be designed to require a minimum of 144 hours of lecture, study or laboratory work.

Note: Authority cited: Sections 66700, 70901, 78401, 84750.5 and 84760.5, Education Code. Reference: Sections 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

4. Section 55155 of article 2 of subchapter 2 of Chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55155. Noncredit Certificates.

(a) Any noncredit educational program leading to a certificate must be approved by the college curriculum committee and the district governing board.

~~(b) All noncredit educational programs leading to a noncredit certificate of completion or certificate of competency must be approved by the Chancellor pursuant to section 55151.~~

(b) ~~(c)~~ If a district does not seek enhanced funding for a noncredit educational program, or it does not qualify for enhanced funding pursuant to section 55151, a noncredit educational program leading to a certificate may be established by the district ~~without approval by the Chancellor except as required in section 55154. A district may award a certificate to a student completing a noncredit educational program,~~ but may not designate or refer to it as a certificate of completion or a certificate of competency in a recognized career field pursuant to section 55151.

(c) ~~(d)~~ A certificate awarded to a student completing a noncredit educational program may not be referred to as a certificate of achievement ~~regardless of its length or whether it has been approved by the Chancellor~~.

(d)~~(e)~~ A description of each approved noncredit educational program shall be included in the college catalog.

~~(f) Provisions of this section regarding the naming or designation of certificates shall become effective for the Fall 2008 term.~~

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

5. Section 58160 of article 5 of subchapter 2 of Chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58160. Noncredit Course Funding.

(a) In order to be eligible to be claimed for state apportionment, a noncredit course must be approved pursuant to sections 55002 and 55150 and fall into one of the following statutory categories:

(1) elementary and secondary basic skills courses and other courses such as remedial academic courses in reading, mathematics, and language arts;

(2) courses in English as a second language, including vocational English as a second Language;

(3) short-term vocational courses and programs with high employment potential;

(4) workforce preparation courses in the basic skills of speaking, listening, reading, writing, mathematics, decision making, problem solving skills, and other courses required for preparation to participate in job-specific technical training;

(5) courses in citizenship for immigrants;

(6) parenting, including parent cooperative preschools, courses in child growth and development and parent-child relationships;

(7) courses and programs for persons with substantial disabilities;

(8) courses and programs for older adults;

(9) courses and programs in home economics; and

(10) courses in health and safety education.

(b) The provisions of sections 58050, 58051, 58051.5, 58130 and related provisions of this chapter also apply in determining whether a noncredit course is eligible for funding.

(c) In order to be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5, a career development or college preparation noncredit course must be part of a program or sequence of courses ~~approved~~ chaptered in~~by~~ the Chancellor's curriculum inventory system pursuant to section 55151.

(d) Courses of the type described in section 55151 may not be claimed for enhanced funding if they are not part of a program or sequence of courses which is ~~approved~~ chaptered by the Chancellor pursuant to that section, but such courses may continue to

be offered and be claimed for basic noncredit funding, provided that each individual course has been ~~approved~~ chaptered by the Chancellor pursuant to section 55150 and falls into one of the categories described in subdivision (a).

Note: Authority cited: Sections 66700, 70901, 78401 and 84760.5, Education Code. Reference: Sections 70901, 84500, 84750.5, 84757 and 84760.5, Education.

Item 2.4, Attachment 2: Summary and Response to Comments Received During the Notice Period

Official notice of proposed changes to the California Code of Regulations, title 5, regarding "Noncredit Courses" published on May 10, 2019. The original proposed text was made available for public comment for at least 45 days from May 10, 2019 through June 24, 2019. The notice specified the process to comment on the proposed changes. No written comments were received during the comment period. A public hearing was held during the Board of Governors Meeting on May 20, 2019, at the Chancellor's Office. There was no public comment at the public hearing.

Comments Received During the Public Hearing

No comments were received during the public hearing.

Proposed Response

No comments were received during the public hearing; thus no response is needed.

California Community Colleges
Board of Governors

Item 2.5: Second Reading: Regulations Concerning Funding for Districts Experiencing Emergencies

Attachments: 2
Date: July 15-16, 2019

Category: College Finance and Facilities Planning
Type of Board Consideration: Action

Recommended By

Christian Osmeña, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item is a second reading of proposed regulations amending existing regulations related to funding for districts experiencing emergencies. The text of the proposed regulations are included as Attachment 1.

Recommendation

The proposed regulations are presented to the Board of Governors for approval and adoption. The Board of Governors is asked to adopt the following resolution:

Be it Resolved:

The Board of Governors of the California Community Colleges, acting pursuant to Education Code sections 66700, 70901(c), and 70901.5, hereby:

- Approves the proposed regulation changes;
- Directs the Chancellor to file the regulations with the Secretary of State and submit the regulations to the Office of Administrative Law for printing unless the Department of Finance determines the regulations would create a state-mandated local program cost and is unable to certify to the Board of Governors and the Legislature that a source of funds is available to reimburse that cost;
- Authorizes the Chancellor to take any necessary ministerial action to process these regulations; and
- Adopts the regulations effective 30 days after filing with the Secretary of State and submission of the regulations to the Office of Administrative Law.

Background

Existing law authorizes the Board of Governors to provide leadership and direction and exercise general supervision over the California Community Colleges. In so doing, existing regulations provide the Chancellor the authority to grant an allowance related to apportionments to districts who have experienced an emergency, such as a fire or flood, that would have caused the general apportionment to decrease. These provisions allow the Chancellor to apportion to a district the amount of funds the district would have received had the emergency not occurred.

Existing regulations contemplate that the Chancellor would make determinations related to the number of full-time equivalent students (FTES) a district would have generated had an emergency not occurred. These amendments were discussed with Consultation Council on April 18, 2019. Changes were made to the regulations based on those discussions.

Official notice of the proposed changes was published on May 10, 2019. The Board of Governors held a first reading and public hearing on May 20, 2019. The proposed text was made available for public comment from May 10, 2019, through June 24, 2019. Comments from three people were heard at the public hearing on May 20, 2019. In addition, two written comments were received during the comment period. A summary of these comments, and the Chancellor's Office response to them, are included in Attachment 2. The Chancellor's Office proposes changes to the regulations, compared to what was presented in May, given these comments and others made by members of the Board of Governors during the discussion on the item.

Attachments

1. Text of Proposed Amendments
2. Summary and Responses to Comments Received During the Notice Period

Item 2.5, Attachment 1: Text of Proposed Amendments

"This document contains strikethrough and underline text which may require adjustments to screen reader settings."

Board of Governors of the California Community Colleges
Proposed revisions to title 5 Regulations of
Emergency Conditions Allowance

California Code of Regulation
Title 5. Education
Division 6. California Community Colleges
Chapter 9. Fiscal Support
Subchapter 2. Limitations on State Aid
Article 5. Other Limitations
Section 58146 of article 5 of subchapter 2 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

58146. Emergency Conditions Allowance for Districts Unable to Maintain College for Prescribed Time; ~~Full-Time Equivalent Student~~ General Purpose Apportionments Materially Decreased.

(a) An emergency conditions allowance may be provided, subject to approval by the Chancellor, ~~A~~ to a district ~~which prevented from maintaining its schools during a fiscal year for at least 175 days because of~~ affected by an emergency or extraordinary condition, as defined pursuant to subdivision (b). ~~fire, flood, or epidemic, or because of any order of any military officer of the United States or of the state to meet an emergency created by war, or of any civil officer of the United States, of the state, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war, or because of other extraordinary conditions, or because of the inability to secure or to hold an instructor, or because of the illness of the instructor, where the lack of an instructor would close a college, which fact shall be shown to the satisfaction of the Board of Governors by the affidavits of the members of the governing board of the district,~~ The allowance shall be calculated to approximate ~~receive~~ the same general purpose apportionments from the State School Fund as the district ~~it~~ would have received had ~~it not been so prevented from maintaining school for at least 175 days.~~the emergency not occurred.

~~(b) Where a community college in a district maintaining more than one community college is closed for a part of a term by order of a city or county board of health or of the State Board of Health, or because of fire, flood, impassable roads, epidemic, or other emergency, or by an order provided for in (a), the full-time equivalent student of the community college shall be estimated separately, as provided in (c), and added to the full-time equivalent student of the other community colleges of the district.~~

~~(c)~~(b) ~~Whenever the full-time equivalent student of any district during any fiscal year has been~~ An emergency or extraordinary condition is defined as one of the following that specifically causes (1) the district to be prevented from maintaining it schools during that fiscal year for at least 175 days ~~and~~ or (2) the general purpose apportionments of a district calculated pursuant to Education Code section 84750.4 or 84750.5 to be materially decreased in that year or subsequent years: ~~during any fiscal year because of~~:

(1) fire,
(2) flood,
(3) earthquake,
(4) impassable roads,
(5) an epidemic,
(6) the imminence of a major safety hazard as determined by the local law enforcement agency,
(7) a strike involving transportation services to students provided by a nondistrict entity,
(8) the unavailability of classroom facilities leased by the district where the unavailability ~~commences July 1, 2005, or thereafter and~~ is caused by extraordinary factors wholly external to and beyond the control of the district, ~~or~~
(9) ~~an order provided for in (a). The facts demonstrating the applicability of one of the circumstances described in this subdivision shall be established to the satisfaction of the Chancellor by affidavits of the members of the governing board of the district. The funding workload measures of the district for the fiscal year shall be estimated by the Board of Governors in such manner as to credit to the district from the State School Fund approximately the total which would have been credited to the district had the emergency not occurred or had the order not been issued. The provisions of this section shall apply to any funding workload measure which occurs during any part of a fiscal year.~~ any order of any military officer of the United States or of the state to meet an emergency created by war, or of any civil officer of the United States, of the state, or of any county, city and county, or city authorized to issue such order to meet an emergency created by war,
~~(9) earthquake, or~~
(10) an order of a city or county board of health or of the State Board of Health, or
(11) other emergency declared by the state government or the federal government

(c) The facts demonstrating the applicability of one of the circumstances described in ~~this~~ subdivision (b) shall be established to the satisfaction of the Chancellor by affidavits of the members of the governing board of the district.

(d) As a condition to receiving ~~the credit under subdivision (c)~~an emergency conditions allowance, the district must demonstrate to the satisfaction of the Chancellor that it made good faith efforts to ~~seek alternate facilities that were unaffected by the circumstances described in subdivision (c)~~ ~~to~~ avoid a material decrease in the general purpose apportionments of a district calculated pursuant to Education Code section 84750.4 or 84750.5.

~~(e) No credit under subdivision (c) will be allowed for the unavailability of facilities for more than one full term beyond the beginning of the circumstances described in subdivision (c) unless authorized by the Board of Governors.~~

Note: Authority cited: Sections 66700~~, and~~ 70901, 84750.4, and 84750.5. Education Code. Reference: Section 70901, Education Code.

Item 2.5, Attachment 2: Summary and Responses to Comments Received During the Notice Period

Official notice of proposed changes to the California Code of Regulations, title 5, section 58146 regarding funding for districts experiencing emergency conditions was published on May 10, 2019. The original proposed text was made available for public comment for at least 45 days from May 10, 2019 through June 24, 2019. The notice specified the process to comment on the proposed changes. Two (2) written comments were received during the comment period. A public hearing was held during the Board of Governors Meeting on May 20, 2019, at the Chancellor's Office. Comments from three people were heard. Pursuant to Standing Order 206, subdivision (b) (3), the Chancellor's Office has summarized the oral and written comments and proposed responses below for adoption by the Board.

Comments Received During the Public Hearing

Joe Wyse, Superintendent/President, Shasta-Tehama-Trinity Joint Community College District

Wyse expressed support for the revisions to the regulations. Wyse stated that Shasta College served as an evacuation center for three weeks following the Camp Fire which occurred in Butte County in November 2018. He highlighted the importance of allowances for districts experiencing emergency conditions, such as fires.

Proposed Response

The comment was received, and the regulations respond to the need described.

Samia Yaqub, Superintendent/President, Butte-Glenn Community College District

Yaqub discussed the impact that the Camp Fire caused in Butte County and to Butte College. Yaqub stated that 870 students and 135 faculty lost their homes in the fire. Yaqub stated that Butte College saw a decrease of 1,000 FTES and $1.8 million in fee-based programs following the fire.

Proposed Response

The comment was received, and the regulations respond to the need described.

Bill McGinnis, President, Butte-Glenn Community College District Board of Trustees

McGinnis described some of the recent achievements of Butte College in making their campus more sustainable with the conversion to solar power, working toward the Vision for Success, and continuously maintaining good fiscal standing. He also discussed the Butte College Promise Scholarship Program, which the college launched in fall 2018. Bill

McGinnis expressed the need for funding protection especially given that their approved bond measure is in jeopardy, given loss in property tax revenues.

Proposed Response

The comment was received, and the regulations respond to the need described.

Written Comments

Andy Suleski, Vice President for Administrative Services, Butte-Glenn Community College District

Suleski asked whether the proposed changes would also give the Chancellor the authority to provide allowances for "categorical apportionments" in light of an emergency because the proposed changes refer to "general purpose" apportionments.

Proposed Response

Although the proposed changes reference general apportionments, the Chancellor's Office will work to clarify language for a future action by the Board of Governors.

Joe Wyse, Superintendent/President, Shasta-Tehama-Trinity Joint Community College District

Wyse suggested that section (b) be amended so that an emergency or extraordinary condition would be defined as one that either caused the district to be prevented from maintaining its schools for at least 175 days or caused the general purpose apportionments to be materially decreased in that year or subsequent years. The version presented at the Board meeting in May defined an emergency as one that met both of these criteria.

The language proposed at May BOG meeting reads:

(b) An emergency or extraordinary condition is defined as one of the following that specifically causes (1) the district to be prevented from maintaining it schools during that fiscal year for at least 175 days and (2) the general purpose apportionments of a district calculated pursuant to Education Code section 84750.4 or 84750.5 to be materially decreased in that year or subsequent years:

Wyse's edited language reads:

(b) An emergency or extraordinary condition is defined as one of the following that specifically causes (1) the district to be prevented from maintaining it schools during that fiscal year for at least 175 days and/or (2) the general purpose apportionments of a district calculated pursuant to Education Code section 84750.4 or 84750.5 to be materially decreased in that year or subsequent years:

Proposed Response

The Chancellor's Office agrees with Wyse's recommendation. It is fairly uncommon for a district to fall below 175 days in a year even if they are closed for a significant period of time due to an emergency. The change would allow for accommodations to a broader set of districts.

California Community Colleges
Board of Governors

Item 2.6: Request by Desert Community College District for Waiver of Statutes Related to Sale of Property

Attachments: 1
Date: July 15-16, 2019

Category: College Finance and Facilities Planning
Type of Board Consideration: Action

Recommended By

Christian Osmeña, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item requests approval of a request made by the Desert Community College District Board of Trustees to waive public bid auction requirements enumerated in Education Code section 81365, section 81368, subdivision (a) of section 81370, and section 81374, for purposes of the sale of 119.37 acres of land located at the northwest corner of Indian Canyon Drive and Tramview Road in Palm Springs in Riverside County.

Recommendation

It is recommended that the Board of Governors approve the request submitted by the Desert Community College District for waiver of the specified code sections for the purposes of the sale of the specified property. Pursuant to Education Code section 81252, the Board of Governors would make a finding that the waiver would promote efficiency and further the public benefit. A proposed resolution is included as Attachment 1.

Background

The Desert Community College District Board of Trustees adopted a resolution on September 21, 2018, declaring the property identified above as surplus and authorizing the request for waiver of the public bid auction requirements for the sale of the property.

The statutes referenced in the district's waiver request relate to the sale of district property. These statutes generally require that the board specify, in a resolution, the minimum price or rental; fix a time for a public meeting at which sealed proposals will be received and considered; give notice of that meeting; and, at that meeting, open proposals and accept the highest proposal that conforms to the terms and conditions specified in the board's resolution.

Education Code section 81250 authorizes the governing board of a community college district to, after a public hearing, request the Board of Governors to waive the specified sections.

Analysis

The Desert Community College District Board of Trustees adopted Resolution Number 092118-1 on September 21, 2018, declaring as surplus vacant land consisting of 119.37 acres located at the northwest corner of Indian Canyon Drive and Tramview Road in Palm Springs in Riverside County. The resolution is available at the district board's September 2018 agenda (go.boarddocs.com/ca/cod/Board.nsf/goto?open&id=B4L6Z87EFDA4). In the waiver request and supplemental documentation provided by the district's counsel, the district specifically requests that provisions of Education Code section 81365, section 81368, subdivision (a) of section 81370, and section 81374 be waived. This documentation will be provided at the meeting and upon request.

The district indicates that, instead of the bid process enumerated in these statutes, the district would issue a request for proposals. In its waiver request, the district argues that the waiver would promote efficiency and further the public benefit, because it would allow interested parties to propose, in addition to price, a "timeframe for the proposed sale, the deposit structure, and the proposed use of the Property," and the district argues the consideration of these factors "can provide a monetary benefit to the college." The district articulates a specific concern that, because parties typically are interested in land like this for use for residential or commercial purposes, the district faces the risk that a buyer might terminate the sale agreement if the buyer is unable to obtain city approvals during a "due diligence period" and that such a delay would create costs for the district. The district argues that additional flexibility to negotiate with interested parties could alleviate this risk.

The Chancellor's Office has reviewed the request and recommends approval by the Board of Governors. Pursuant to Education Code section 81252, the district has demonstrated all of the following:

- The district provided written notice of the public hearing related to the waiver request.
- The district, after making a good faith effort, was unable to reach agreement with any public agency that sought to acquire the site pursuant to Education Code section 81363.5. The City of Palm Springs responded to the district's notice. The district provided to the city its most recent property appraisal and entered into negotiations related to the sale. The city ultimately did not purchase the property.
- The waiver will not substantially increase state costs or decrease state revenues.
- The waiver will further the ability of the district to meet the educational needs of the community. Pursuant to Education Code section 81363, the funds derived from the sale are required to be used for capital outlay or deferred maintenance.

Further, it appears reasonable for the Board of Governors to approve a finding that the waiver would promote efficiency and further the public benefit. The district's argument that the proposed alternative, a request for proposal, could allow for the district to generate greater economic value for the property than the existing law.

Consistent with Education Code section 70901, the recommendation would maintain and continue local authority and control in the administration of the California Community Colleges.

Attachments

1. Resolution Number 2019-14 "Resolution to Approve Waiver Request"

Item 2.6, Attachment 1: Resolution to Approve Waiver Request

Resolution of the Board of Governors
California Community Colleges
No. 2019-14

IT IS RESOLVED, that the Board of Governors of the California Community Colleges:

1. Finds that the request made by the Desert Community College District Board of Trustees to waive specific bid auction requirements under the California Education Code promotes efficiency and furthers the public benefit;
2. Approves the Desert Community College District's request to waive specific bid auction requirements under the California Education Code; and
3. Directs the Chancellor to take all necessary administrative actions required to give effect to this resolution.

Vote Count:

Date: July 15, 2019

_____

Tom Epstein, President
Board of Governors
California Community Colleges

California Community Colleges
Board of Governors

Item 3.1: Proposed Change to Extended Opportunities Programs and Services Regulations

Attachments: 1
Date: July 15-16, 2019

Category: Educational Services and Supports
Type of Board Consideration: First Reading

Recommended By



Rhonda Mohr, Vice Chancellor

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

This item is a first reading and public hearing of a proposed amendment to title 5 regulations related to Extended Opportunities Programs and Services Regulations (EOPS) eligibility requirements. The regulatory change would codify in regulations the eligibility of Assembly Bill (AB) 540 for EOPS services and financial aid funds.

Recommendation

This proposed title 5 amendment is presented to the Board of Governors for a first reading.

Background

In 2001 the Legislature enacted AB 540, which added section 68130.5 to the Education Code. This legislation allowed certain nonresident students who attended high school in California for three or more years, and received a high school diploma or its equivalent, an exemption from nonresident tuition. In 2011, additional legislation (Assembly Bills 130 and 131) passed allowing AB 540 eligible students to apply for and receive state financial assistance and to participate in state-administered student aid programs for which they are eligible.

The Chancellor's Office General Counsel determined that students who are AB 540 eligible and meet the eligibility requirements for EOPS may receive all EOPS services, as long as the number of financial aid awards received by California resident students from the same financial aid program is not be diminished as a result.

The Chancellor's Office did not update title 5 regulations for the EOPS program when AB 130 went into effect. The attached regulation amendment ensures that the regulations regarding eligibility reflect that AB 540 students are eligible to participate in, and receive

financial aid awards from, the EOPS program. The amendment was discussed with Consultation Council on June 20, 2019.

Attachments

1. Title 5, Section 56220 – Proposed Language

Item 3.1, Attachment 1: Title 5, Section 56220 – Proposed Language

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Board of Governors of the California Community Colleges
Proposed Revisions to Title 5 Regulations of Special Programs

1. Section 56220 of article 2 of subchapter 2.5 of chapter 7 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 56220. Eligibility for Programs and Services.

To receive programs and services authorized by this chapter, a student must:

(a) be a resident of California pursuant to the provisions of part 41 commencing with section 68000 of the Education Code., or be exempt from paying non-resident tuition pursuant to section 68130.5 of the Education Code.

(b) be enrolled full-time when accepted into the EOPS program. The EOPS director may authorize up to 10% of EOPS students accepted to be enrolled for 9 units.

(c) not have completed more than 70 units of degree applicable credit coursework in any combination of postsecondary higher education institutions.

(d) qualify to receive a Board of Governors Grant pursuant to section 58620(b)(1) or (2).

(e) be educationally disadvantaged as determined by the EOPS director or designee. In making that determination the EOPS director shall consider one or more of the following factors:

(1) not qualified at the college of attendance for enrollment into the minimum level English or mathematics course that is applicable to the associate degree.

(2) not have graduated from high school or obtained the General Education Diploma (G.E.D.).

(3) graduated from high school with a grade point average below 2.50 on a 4.00 scale.

(4) been previously enrolled in remedial education.

(5) other factors set forth in the district's plan submitted to the Chancellor pursuant to section 56270 of this subchapter.

Note: Authority cited: Sections 66021.6, 69648 and 70901, Education Code. Reference: Sections 69640 et seq., Education Code.

California Community Colleges
Board of Governors

Item 4.1: Phone System Contract

Attachments: None
Date: July 15-16 2019

Category: Executive
Type of Board Consideration: Information

Recommended By

Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

The Board of Governors (Board) will be provided an update on a recent contract approval.

Recommendation

This item is presented for Board information and discussion.

Background

Under the Board of Governors standing orders, the Board President has the authority to approve contracts and grants on behalf of the Board if exigent circumstances arise. On June 17, 2019 Board President Epstein authorized the Chancellor's Office to upgrade its phone system before the beginning of a new fiscal year. The five-year contract allows the Chancellor's Office to cover one-time cost for transitioning the entire phone system to a new Voice over Internet Protocol (VoIP) system.

The State of California has encouraged state agencies to move away from legacy phone systems like the one the Chancellor's Office currently has in place. Centrex Systems are no longer scalable and require the use of copper wires, which ultimately can cause problems. By 2020, the cost to maintain this legacy system will increase because vendors like ATT and Verizon will no longer maintain this type of phone systems. The costs associated with transitioning to VoIP includes a one-time installation fee of $30,000 and ongoing monthly costs of $6,432.50. Total costs over five years is $385,950.00. Transitioning to VoIP allows the Chancellor's Office to correct an inefficiency and save general fund dollars.

Attachments

None.

California Community Colleges
Board of Governors

Item 4.2: *Vision for Success* Spotlight: Student Focused Financial Aid Policies and Procedures

Attachments: None
Date: July 15-16, 2019

Category: Educational Services and Supports
Type of Board Consideration: Information

Recommended By



Rhonda Mohr, Vice Chancellor

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

This item highlights the work of the system's Financial Aid Directors to design and implement student focused policies and processes.

Recommendation

This item is presented for Board of Governors information and discussion.

Background

Financial Aid Programs, especially Federal Student Aid and Cal Grant programs, have many strict and voluminous regulations and guidance that help protect federal and state taxpayers from misuse and fraud. In some cases, these items allow some flexibility with local application of the rules so that each college can set their own policies and procedures by which they will run their local operations in the financial aid offices. Although Financial Aid Directors have long been involved in finding a balance between compliance and student focus, the emphasis on the number of financial aid recipients (Pell Grant and California College Promise Grants) as a part of the Student Centered Funding Formula (SCFF) added additional scrutiny to policies and procedures that may create hurdles for students.

In collaboration with the Community College League of California, a small group of Financial Aid Directors worked over the past year to identify policies and procedures that could be changed to provide greater student centered support, while maintaining compliance with federal and state laws and regulations. Two directors will provide highlights about this work and the impact it has on student success.

Attachments

None.

California Community Colleges
Board of Governors

Item 4.3: State and Federal Update

Attachments: 2
Date: July 15-16, 2019

Category: Governmental Relations
Type of Board Consideration: Information

Recommended By

Laura Metune, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item provides the Board of Governors (Board) with an update on state and federal policy and advocacy activities, and an overview of bills recommended for Chancellor's Office (CCCCO) policy positions.

Recommendation

This item is presented for Board information and discussion.

Background

California law (Ed Code § 70901(b)(4)) requires the Board to provide representation, advocacy and accountability for the system before state and national legislative and executive agencies. The Board's Procedures and Standing Orders provide guidance to the Chancellor in representing the California Community Colleges on matters pending before the California Legislature and Governor, and Congress and the President. The Procedures and Standing Orders also authorize the Chancellor to take positions on pending legislation on behalf of the Board, as specified (Procedures and Standing Orders § 317).

The Governmental Relations division represents the Chancellor and the Board on state and federal policy and advocacy matters. The California Community Colleges *Vision for Success*, the Board of Governors Budget and Legislative Request, and prior Board positions guide the activities of the division. In general, the Governmental Relations division seeks feedback from the Consultation Council and the Board of Governors prior to taking positions on pending policy matters.

Attachments

1. State Policy and Advocacy Update
2. Federal Policy and Advocacy Update

Item 4.3, Attachment 1: State Policy and Advocacy Update

State Policy and Advocacy Overview

May 31 marked the deadline for the California State Legislature to approve bills out of the house of origin. The next major deadline is July 12, the last day for policy committees to meet and report bills. The Legislature will then break for Summer Recess, until August 12. Appropriations Committees will be required to take action on bills containing state costs by August 30. The Legislature will begin Interim Study Recess on September 13. The section below provides an update on high priority bills, divided into three sections: (1) Board of Governors sponsored legislation; (2) Chancellor's Office supported legislation; (3) Legislation proposed for Chancellor's Office policy positions. For bill details, please visit the Legislative Counsel's website (http://leginfo.legislature.ca.gov/). A full Legislative Matrix is available by sending an email to Justin Salenik (jsalenik@cccco.edu).

Sponsored Legislation

SB 291 (Leyva) California Community College Financial Aid Program
Would create a new financial aid program targeted to community college students, linked to the total cost of college and accounting for existing aid and student/family resources.
Status: Approved by the Senate (31-5) and pending in the Assembly Higher Education Committee.

AB 239 (Salas) Registered Nursing Programs: Multi-criteria Screening Tool
Would extend the authorization for nursing programs to use a multi-criteria screening tool in student admissions to nursing programs from 2020 to 2025.
Status: Approved by the Assembly Floor (72-0) and Senate Education Committee (7-0). Pending in the Senate Appropriations Committee.

AB 806 (Bloom) Priority Enrollment for Homeless Students
Existing law (AB 801, Bloom, 2016) requires colleges to grant priority enrollment to students who are homeless youth. This provision is set to expire January 1, 2020. This bill would remove the sunset date and change the definition of "homeless" to include students who become homeless while enrolled in college.
Status: Approved by the Assembly Floor (76-0) and Senate Education Committee (7-0).

AB 1051 (Smith) Clinical Nursing Faculty Load Cap Exemption
Would allow part time clinical nursing faculty full time employment on a temporary basis for up to four consecutive semesters at one district and require each district and the Chancellor's Office to report specified information annually.
Status: Approved by the Assembly Floor (78-0) and pending in the Senate Education Committee.

Supported/Opposed Legislation

AB 30 (Holden) Community Colleges: College and Career Access Pathways
Position: Support
Would encourage greater community college participation in the Career and College Academic Pathways (CCAP) partnership program, established by AB 288 (Holden) of 2015, by reducing the administrative challenges related to program implementation. It also requires the Chancellor's Office to prepare a CCAP summary report every 5 years.
Status: Approved by the Assembly Floor (76-0) and the Senate Education Committee (7-0). Pending in the Senate Appropriations Committee.

AB 302 (Berman) Community Colleges Overnight Parking
Position: Support If Amended
Would require a community college campus that has parking facilities on campus to grant overnight access to those facilities to any homeless student who meets specified requirements. Colleges would be exempt from the requirement if they provide hotel vouchers, rapid rehousing and emergency aid to students. The Chancellor's Office would be required to report on the implementation of the bill. The law would sunset in 2022. Chancellor's Office is requesting amendments to remove the mandate.
Status: Approved by the Assembly Floor (60-8) and Senate Education Committee (7-0). Pending in the Senate Appropriations Committee.

AB 540 (Limón) Service Incentive Grant Program
Position: Support
Would create the Service Incentive Grant Program, commencing with the 2020–21 academic year, under the administration of the California Student Aid Commission for community or volunteer service to community college students who qualify for the exemption from nonresident tuition established by AB 540 (Firebaugh, Chapter 814, Statutes of 2001).
Status: Approved by the Assembly Floor (59-17) and pending in the Senate Education Committee.

AB 595 (Medina) Community Colleges: Apprenticeship Programs
Position: Support
Would authorize a student enrolled in a community college class or classes pursuant to an apprenticeship program or an internship program, who does not have a social security number to use an individual tax identification number for purposes of any background check required by the class or program.
Status: Approved by the Assembly Floor (62-0) and Senate Education Committee (7-0). Pending on the Senate Floor.

AB 612 (Weber) CalFresh: Restaurant Meals Program
Position: Support
Would allow the California Department of Social Services to enter into a memorandum of understanding with California Community Colleges Chancellor's Office in order to enable

qualifying food facilities located on the campus to participate in the Restaurant Meals Program.
Status: Approved by the Assembly Floor (76-0) and Senate Education Committee (7-0). Pending in the Senate Human Services Committee.

AB 695 (Medina) Authority to Use Design Build Contracts
Position: Support
The law authorizing California Community College districts to use design build contracts is set to expire on January 1, 2020. AB 695 extends the authorization for community college districts to enter into design-build contracts to January 1, 2030, and adopts the same "skilled and trained workforce" requirements applicable to the design-build authority of state agencies and local governments to community colleges.
Status: Approved by the Assembly Floor (70-0) and the Senate Education Committee (7-0). Pending in the Senate Appropriations Committee.

AB 943 (Chiu) Community Colleges: Student Equity Plans
Position: Support
Would authorize Student Equity and Achievement program funding to be used for the provision of emergency student financial assistance and other basic needs to eligible students to overcome food and housing insecurity.
Status: Approved by the Assembly Floor (75-0) and Senate Education Committee (7-0). Pending in the Senate Appropriations Committee.

AB 1313 (Rivas) Transcript Withholding Practices
Position: Support
Would prohibit public or private postsecondary educational institutions from using transcript issuance as a tool for debt collection. Colleges would be authorized to utilize other forms of debt collection practices, including utilizing the existing partnership with the Chancellor’s Office and the Franchise Tax Board to withhold past due debts from tax returns.
Status: Approved by the Assembly Floor (78-0) and Senate Education Committee (5-0). Pending in the Senate Appropriations Committee.

AB 1340 (Chiu) California Gainful Employment Rule
Position: Support
Would prohibit a private postsecondary institution offering a program intended to prepare a student for gainful employment from enrolling additional California students if the program does not pass the federal debt-to-earnings rates measure, and from enrolling any California residents if the program fails the measure.
Status: Approved by the Assembly Floor (60-12). Pending in the Senate Business and Professions Committee.

AB 1343 (Eggman) California 85/15 Rule
Position: Support
Would prohibit, beginning January 1, 2021, a private postsecondary educational institution from enrolling residents of California, unless the institution meets either the

requirement that no more than 85% of the institution's tuition revenue is derived from student financial aid and loans, or not less than 50% of the institution's revenue is dedicated to student instruction.
Status: Approved by the Assembly Floor (66-5). Pending in the Senate Business and Professions Committee.

AB 1345 (McCarty) Recruitment Practices
Position: Support
Would revise existing restrictions on private postsecondary school enrollment recruitment compensation to prohibit institutions from paying a person by means of a commission, bonus, quota, or other similar method contingent upon student recruitment, enrollment, admissions, attendance, financial aid, or sales of educational materials.
Status: Approved by the Assembly Floor (69-0). Pending in the Senate Business and Professions Committee.

AB 1346 (Medina) Student Tuition Recovery
Position: Support
Would expand the definition of economic loss, as it pertains to the Student Tuition Recovery Fund (STRF) to include all amounts paid by a student to the institution, any amounts paid in connection with attending the institution, and all principal, interest, and charges of any kind for any loan incurred by the student to pay these amounts.
Status: Approved by the Assembly Floor (77-0). Pending in the Senate Business and Professions Committee.

AB 1364 (Rubio) Nursing: Schools and Programs: Exemptions
Position: Oppose
Would exempt nursing programs, that meet certain specified "quality" criteria from Board of Registered Nursing regulations and rules that oversee education programming and require ongoing program approval. The board has used its authority to attempt to maintain balance in enrollments between public and private colleges to prevent clinical displacement and to ensure that the supply of nurses meets regional labor market demands. This bill would remove board authority and could lead to unregulated growth of expensive for profit nursing programs that will continue to displace community college programs from clinical settings.
Status: Held in the Assembly Appropriations Committee.

AB 1504 (Medina) Student Representation Fee
Position: Support
Would require the California Community College (CCC) to collect, if a student body association (SBA) has been established, a student representation fee (SRF) of $2, at the time of registration per semester or quarter. One dollar of the fee would be expended to establish and support the operation of a statewide community college organization for all SRFs collected. Per existing law, students may opt out of the fee for various reasons.
Status: Approved by the Assembly Floor (58-0) and Senate Education Committee (5-0). Pending in the Senate Appropriations Committee.

AB 1689 (McCarty) College Mental Health Services
Position: Support
Would create the College Mental Health Services Program, a grant program for colleges and universities to support on campus mental health services and appropriate $20 million from Proposition 63 funds, with $10 million to California Community Colleges.
Status: Held in the Assembly Appropriations Committee

AB 1774 (Bonta) Cal Grant Deadline Extension
Position: Support
Would authorize the California Student Aid Commission to extend the Cal Grant application deadline due to natural disasters and other emergencies, and outlines a process to guide postsecondary education institutions and the Commission.
Status: Approved by the Assembly Floor (78-0) and pending in the Senate Education Committee.

SB 173 (Dodd) CalFresh: Postsecondary Student Eligibility: Work-study
Position: Support
Would require the California Department of Social Services to create a standardized form for use by community colleges and universities to verify the work-study eligibility of approved students who anticipate participating in state or federal work-study, for determining eligibility for CalFresh benefits.
Status: Approved by the Senate Floor (38-0) and Assembly Human Services Committee (8-0). Pending in the Assembly Appropriations Committee.

SB 575 (Bradford) Cal Grants: Incarcerated Student Eligibility
Position: Support
Under existing law, the Cal Grant program prohibits an incarcerated student from being eligible to receive a Cal Grant award. This bill would repeal that prohibition and make conforming changes.
Status: Approved by the Senate Floor (35-2) and pending in the Assembly Higher Education Committee.

ACR 1 (Bonta) Immigration: Public Charges
Position: Support
Condemns regulations proposed by the Department of Homeland Security to determine the inadmissibility of an immigrant based on more expansive public charge grounds, and urges the federal government to roll back the proposed changes.
Status: Approved by the Assembly Floor and Senate Human Services Committee (5-0). Pending on the Senate Floor.

ACR 14 (Limón) Dual Enrollment Week
Position: Support
This resolution recognizes March 17, 2019 to March 23, 2019, as Dual Enrollment Week. Encouraging colleges and universities to visit high schools and take action to help students register in dual enrollment courses.
Status: Chaptered. Approved by the Assembly Floor (72-0) and Senate Floor (37-0).

ACR 31 (Limón) California Community College Month
Position: Support
This resolution declares April as California Community College month and highlights the benefits of a community college education, including low fees, open access, and the system's versatility in meeting student needs for transfer, career technical education, and assistance with skill development.
Status: Chaptered. Approved by the Assembly Floor and Senate Floor (38-0).

AJR 2 (Vopel) Federal Pell Grant Program Awards
Position: Support
This measure asks the Congress and the President of the United States to immediately take action to increase the maximum annual amount of the federal Pell award from $6,095 to at least $7,500, or an additional $1,405.
Status: Chaptered. Approved by the Assembly Floor (78-0) and Senate Floor (40-0).

Legislation Proposed for Policy Position

AB 23 (Burke) Small Business Advocate
Proposed Position: Support
This bill would require the Office of the Small Business Advocate to collaborate and coordinate with the Labor and Workforce Development Agency, Department of Education, and California Community Colleges Chancellor's Office to determine to what extent existing workforce development efforts and programs address the labor needs of small businesses across industry sectors and regions in the state.
Status: Approved by the Assembly Floor (76-0) and Senate Business, Professions and Economic Development Committee (8-0). Pending in the Senate Appropriations Committee.

AB 376 (Stone) Student Loan Servicing
Proposed Position: Support
This bill would provide definitions for an abusive act and other terms and conditions; require the Department of Business Oversight (DBO) to monitor for risks to consumers in the provision of student loan servicing; and, require the Commissioner of Business Oversight to designate a Student Borrower Advocate to provide timely assistance to student loan borrowers and to receive and review complaints.
Status: Approved by the Assembly Floor (59-15) and Senate Banking Committee (4-1). Pending in the Senate Judiciary Committee.

AB 1314 (Medina and McCarty) Cal Grant Reform Act
Proposed Position: Support in Concept
This proposal aims to increase financial aid opportunities and award levels for students in order to achieve several state policy goals focused on college accessibility and affordability. As currently drafted, there is very little detail as to how the non-tuition costs portion of the grant would operate. Details are necessary to ensure that California Community Colleges students benefit from the new program.

Status: Approved by the Assembly Floor (63-0) and pending in the Senate Education Committee.

AB 751 (O'Donnell) Pupil Assessment: Pathways to College Act
Proposed Position: Oppose
This bill requires the Superintendent of Public Instruction to approve one or more nationally recognized high school assessments, such as the SAT or ACT, a local education agency may administer in lieu of the 11th grade Smarter Balanced Assessment, commencing with the 2021-22 school year. While this bill attempts to standardize an ongoing school district function and reduce the overlap between nationally recognized exams and the Smarter Balanced Assessment, it conflicts with the Chancellor's Office recent policies on assessment and placement. Specifically, the Chancellor's Office, consistent with several academic studies, concurs that there is a weak relationship between standardized test scores and later academic achievement. These exams can disproportionally affect underrepresented populations, including English-learners and low-income individuals, who may be unaware that their test performance will affect their college career.
Status: Approved by the Assembly Floor (75-0) and Senate Education Committee (6-1). Pending in Senate Appropriations Committee.

SB 150 (Beall) Chaffee Grant Program
Proposed Position: Support
This bill provides for more flexible satisfactory academic progress standards for the Chaffee Educational and Training Voucher Program, as compared to the existing Satisfactory Academic Progress state benchmarks. It requires public postsecondary institutions to offer academic counseling for struggling students and an appeals process to account for the unique circumstances of foster youth. The bill also authorizes the California Student Aid Commission to award up to 200% of the Chafee ETV allocation amount during the first award cycle; thereby, allowing a greater number of students to receive funds at the beginning of the school year when they are needed the most.
Status: Approved by the Senate Floor (38-0) and Assembly Higher Education (11-0). Pending in the Assembly Appropriations Committee.

ACR 64 (McCarty) SAT and ACT Tests
Proposed Position: Support
This measure would request the California State University and University of California to conduct a study on the usefulness, effectiveness, and need for the SAT and ACT to determine student admissions.
Status: Approved by the Assembly Floor and pending in the Senate.

Advocates

If you have not already subscribed to the Government Relations listserv, where information is routinely distributed, you are welcome to join. To subscribe, send an e-mail to LISTSERV@LISTSERV.CCCNEXT.NET and put SUBSCRIBE ADVOCATES in the body of a BLANK, NON-HTML e-mail. NO SUBJECT OR SIGNATURES.

Item 4.3, Attachment 2: Federal Policy and Advocacy Update

Federal Policy and Advocacy Overview

On June 11, 2019, Connie Myers, Policy Advisor at Nelson Mullins, participated in Congressional meetings with Ryan McElhinney, Legislative Advocate with Community College League of California. They briefed Congressional staff members regarding CCC federal priorities, including Higher Education Act reauthorization, Deferred Action for Childhood Arrivals, and other issues of interest to California Community Colleges, as well as gained useful information regarding legislative prospects for priorities and pertinent legislation to be introduced in the 116th Congress. The meetings were with the following Congressional offices of Mark DeSaulnier (D-CA-11), Susan Davis (D-CA-53), Josh Harder (D-CA-10), and House Education and Labor Committee Chairman Bobby Scott (D-VA-03).

On June 12, 2019, Connie Myers and Ajita Menon, Special Advisor to the Chancellor, met to discuss CCC priorities with leading education stakeholders in DC, including the American Association of Community Colleges, and The Education Trust.

In addition, Nelson Mullins monitored the June 19 House Education and Labor Committee hearing on "Innovation to Improve Equity: Exploring High-Quality Pathways to a College Degree." More information about the hearing is available online on the House website (edlabor.house.gov/hearings/innovation-to-improve-equity-exploring-high-quality-pathways-to-a-college-degree).

Congressional Update

On May 9, the House Education and Labor Subcommittee on Higher Education and Workforce Investment held a hearing titled "The Cost of Non-Completion: Improving Student Outcomes in Higher Education." The hearing focused on the benefits of college completion, but also the barriers many students face to completing college in a reasonable timeframe. Subcommittee Chairwoman Susan Davis (D-CA) led Democrats in highlighting the racial disparities related to college completion and discussed the importance of wraparound services such as child care, counseling, and food and housing assistance programs.

On May 22, the House Oversight Subcommittee on Economic and Consumer Policy held a hearing titled "Examining For-Profit College Oversight and Student Debt." The hearing focused on U.S. Department of Education (USED) efforts to oversee and regulate for-profit colleges and their accreditors. Principal Deputy Undersecretary Diane Jones testified on behalf of the Department. Democrats, led by Subcommittee Chairman Raja Kristhnamoorthi (D-IL), questioned Jones regarding the Department's decision to restore federal recognition of the Accrediting Council for Independent Colleges and Schools (ACICS).

On May 22, the House Education and Labor Subcommittee on Higher Education and Workforce Investment held a hearing titled "Engines of Economic Mobility: The Critical Role of Community Colleges, Historically Black Colleges and Universities, and Minority-Serving Institutions in Preparing Students for Success." The hearing featured testimony from various leaders of HBCUs and MSIs. Democrats, led by Subcommittee Chairwoman Susan Davis (D-CA), focused on the need for greater federal investment in HBCUs and MSIs, including Tribal Colleges and Universities.

On June 12, the full House began consideration of H.R.2740, a package of four FY2020 appropriations bills – Labor, Health and Human Services, Education; Department of Defense; Energy and Water; State and Foreign Operations. There were votes on some amendments to the so-called “minibus” but only a few pertained to education funding. House consideration continues this week and passage is expected.

Administrative Update

On May 20, the Office of Federal Student Aid (FSA) published an invitation intended to include more "experimental sites" within the Second Chance Pell Experiment, which is intended to expand Pell Grant eligibility to currently incarcerated individuals. The experiment was initiated by the Obama administration and has since been extended by the Trump administration. The Department is encouraging institutions to apply if they have programs focused on preparing students for employment in an occupation that has a "number of open positions locally or nationally." The Department also is interested in those programs that can adapt delivery to meet the needs of students and those that would allow students to continue their program upon release.

On May 21, USED announced the release of an updated College Scorecard, which is intended to help students gather information and make informed decisions as to the college, university, or professional program within which they decide to enroll. Updates to the Scorecard include more comprehensive graduation rate information, student demographic information, the addition of 2,100 non-degree granting institutions, loan debt information regarding individual programs of study, and updated tuition and cost of attendance information.

On June 11, USED published in the *Federal Register* a notice of proposed rulemaking on regulations regarding college accreditation. The language is said to be based on that reached by consensus during a negotiated rulemaking committee earlier this year. According to a summary provided by the Department, the proposed rule would help students know whether occupational licensure programs meet various state requirements; would provide students more options to complete their degree programs in the situation of a college or university closure; and discourages "entrenched interests from trying to close doors to careers through credential inflation." The Chancellor’s Office is reviewing the proposed language, and will submit comments to USED by the July 12 deadline.

California Community Colleges
Board of Governors

Item 4.4: Overview of 2020-21 Budget and Legislative Request Process

Attachments: None
Date: July 15-16, 2019

Category: College Finance and Facilities Planning and Governmental Relations
Type of Board Consideration: Information

Recommended By

Laura Metune, Vice Chancellor
Christian Osmeña, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents an overview of the process currently underway to develop the Board of Governors (Board) 2020-21 Budget and Legislative Request.

Recommendation

This item is presented for Board information and discussion.

Background

Historically, the Governmental Relations Division and the College Finance and Facilities Planning Division of the Chancellor's Office have worked independently on budget and legislative activities. Beginning with the 2018-19 Budget Act and the 2018 Legislative Session, the Divisions recognized the need to collaborate and better integrate efforts. The result was a combined, Board of Governors 2018-19 Budget and Legislative Request. The Divisions continue to provide system leadership by continuing this approach in the 2019-20 and 2020-21 Request and to expand and enhance the consultative process in the development of the proposal.

Specifically, the Finance and Facilities Planning and Governmental Relations Divisions invite recommendations for inclusion in the 2020-21 California Community Colleges System Budget and Legislative Request from internal and external system stakeholders. Those wishing to submit recommendations were required to use the "2020-21 Budget and Legislative Request Form" and submit the request by June 28. Submitted proposals must advance the Vision for Success and meet several other priority criteria. The timeline provided below provides a summary of the development process.

Date	Topic	Description
May 16	Consultation Council	Presented timeline, process and forms to Consultation Council
May 22	CEO Listserv	Email from Chancellor Oakley provided timeline, process and forms for CEOs; information subsequently sent to other system stakeholders
June 28	Deadline for Submissions	Deadline for submission of Request Form to Chancellor's Office
July 15	Board of Governors	Presentation of overview of process to Board of Governors
August 14	System Stakeholders	Open meeting of system stakeholders to discuss budget and legislative priorities
August 15	Consultation Council	Meeting of Consultation Council to review proposed 2020-21 Request
September 16-17	Board of Governors	Presentation of 2020-21 Request for Board of Governors approval
September 20	Department of Finance	Transmittal of approved 2020-21 Request to the Department of Finance
January 10	Governor	Release of Governor's Budget
February 14	Legislative Deadline	Deadline to Introduce 2020 Legislation

Attachments

None.

California Community Colleges
Board of Governors

Item 4.5: Protocols on Monitoring the Fiscal Condition of Community College Districts

Attachments: None
Date: July 15-16, 2019

Category: College Finance and Facilities Planning
Type of Board Consideration: Information

Recommended By

Christian Osmeña, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item is a presentation on protocols the Chancellor's Office will use to assess the fiscal condition of community college districts and prioritize resources, including funds available for the Fiscal Crisis and Management Assistance Team (FCMAT) and the Institutional Effectiveness Partnership Initiative (IEPI) for support and intervention. This item is a follow-up to the presentation made to the Board of Governors (Board) in November 2018.

Recommendation

This item is presented for Board information and discussion.

Background

Existing law requires the Board of Governors to adopt criteria and standards for the periodic assessment of the fiscal condition of community college districts. The Chancellor's Office has established standards for sound fiscal management and a process to monitor and evaluate the financial condition of community college districts.

In monitoring the fiscal condition of community college districts, the Chancellor's Office's goal is to prevent cases where it would be necessary to appoint a special trustee or seek an emergency appropriation. The Chancellor's Office's analyses generally use existing data (e.g., budget and financial reports and audit data). Following the analyses, the Chancellor's Office would provide professional development, technical assistance, and direct intervention to support improvement. An analysis of statewide trends would also inform systemwide training and support, requests for additional resources, and policy development. Specifically, the Fiscal Standards and Accountability Unit, within the College Finance and Facilities Planning Division, functions as the lead staff in the Chancellor's Office responsible for this work.

As currently contemplated, the system's prospective monitoring would consist of two primary components as follows.

Analysis of Budget and Financial Reports

The Chancellor's Office will analyze the financial data submitted by districts in annual budget and financial reports. Again, the intent of this analysis to identify districts that may need an emergency apportionment within three years absent corrective action. In general, this analysis will be presented to the Board of Governors each year in January. However, given our continued development of these protocols, we will present this analysis of 2017-18 data at this meeting.

The analysis uses two measures to understand a district's fiscal condition. The "ending balance ratio" is the district's unrestricted General Fund ending balance, divided by the district's unrestricted General Fund expenditures in that year. The "surplus ratio" is the district's unrestricted General Fund revenues less the unrestricted General Fund expenditures, with that difference divided by the unrestricted General Fund expenditures.

Based on this analysis:

- A district would require immediate action if the district has an ending balance ratio of less than 5 percent and has an operating deficit.
- A district would be considered high risk if either 1) the district has an ending balance ratio of less than 5 percent, even if it has an operating surplus, or 2) the district has an ending balance of 5 percent or greater but less than 10 percent, with a deficit ratio of 5 percent or greater.
- A district would be considered moderate risk if either 1) the district has an ending balance ratio of 5 percent or greater but less than 10 percent, with a deficit ratio of less than 5 percent, or 2) the district has an ending balance ratio of 10 percent or greater, with a deficit ratio of 5 percent or greater.
- The Chancellor's Office would take no immediate action if (1) the district has an ending balance ratio of 5 percent or greater but less than 10 percent, with an operating surplus, or (2) the district has an ending balance ratio of 10 percent or greater, with a deficit ratio of less than 5 percent or an operating surplus.

For districts for which immediate action is required and for those considered high risk, the Chancellor's Office intends to seek additional information from the district and likely would enter into an agreement with FCMAT to conduct a review of the district. Following FCMAT's review, the Chancellor could also direct that the district implement any findings from the FCMAT report. For these districts, the Chancellor may also recommend to the Board of Governors assignment of a special trustee. These activities will be the priority for the Chancellor's work with FCMAT from January through June of each year.

Analysis of Financial and Compliance Audits

The Chancellor's Office will also analyze districts' annual financial and compliance audit opinions. The intent is this analysis is to identify districts that may not be in adherence with the principles of sound fiscal management in existing regulations. In general, this analysis will be presented to the Board of Governors each year in July. At this meeting, we will present plans for the analysis of 2017-18 data.

Again, for districts considered high risk, the Chancellor's Office intends to seek additional information from the district and likely enter into an agreement with FCMAT to conduct a review of the district. These activities will be the priority for the Chancellor's work with FCMAT from June through December of each year.

Attachments

None.

California Community Colleges
Board of Governors

Item 4.6: Board Member Reports

Attachments: None
Date: July 15-16, 2019

Category: Executive
Type of Board Consideration: Information

Recommended By



Eloy Ortiz Oakley, Chancellor

Approved for Consideration



Eloy Ortiz Oakley, Chancellor

Issue

Board of Governors (Board) members will report on their activities since the May 2019 meeting.

Recommendation

This item is presented for Board information and discussion.

Background

Not applicable.

Attachments

None.

California Community Colleges
Board of Governors

Item 4.7: Board of Governors Training on Collegiality in Action

Attachments: None
Date: July 15-16, 2019

Category: Executive
Type of Board Consideration: Information

Recommended By

Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

Board of Governors (Board) members will receive a training on Collegiality in Action.

Recommendation

This item is presented for Board information and discussion.

Background

The President of the Academic Senate for California Community Colleges, Dr. John Stanskas and President of the Community College League of California, Larry Galizio will provide a training on Collegiality in Action.

Attachments

None.