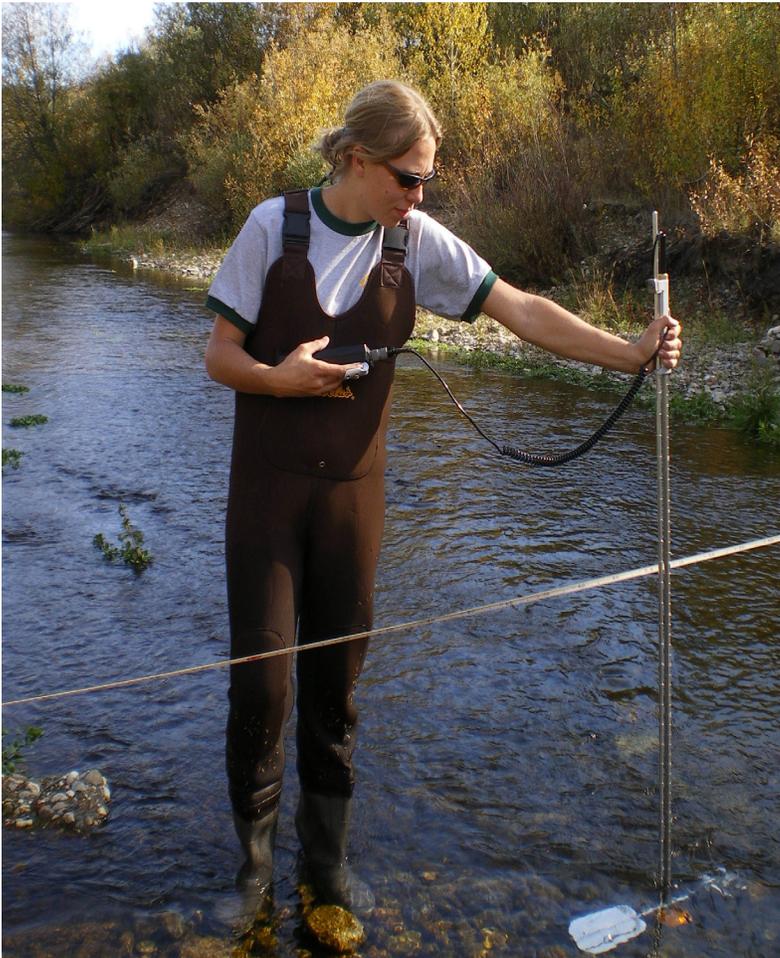




California Community Colleges Board of Governors



Photos: (clockwise from left) Feather River College, San Diego Miramar College, Los Angeles Pierce College

Meeting Agenda

Monday, November 18, 2019

9:00 AM to 5:00 PM*

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

*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.”

VISION FOR SUCCESS GOALS

1. Increase by at least 20 percent the number of California Community Colleges (CCC) students annually who acquire associates degrees, credentials, certificates, or specific skill sets that prepare them for an in-demand job.
2. Increase by 35 percent the number of CCC students transferring annually to a University of California or California State University.
3. Decrease the average number of units accumulated by CCC students earning associate's degrees, from approximately 87 total units (the most recent system-wide average) to 79 total units—the average among the quintile of colleges showing the strongest performance on this measure.
4. Increase the percent of exiting Career Technical Education (CTE) students who report being employed in their field of study, from the most recent statewide average of 60 percent to an improved rate of 69 percent—the average among the quintile of colleges showing the strongest performance on this measure.
5. Reduce equity gaps across all of the above measures through faster improvements among traditionally underrepresented student groups, with the goal of cutting achievement gaps by 40 percent within five years and fully closing those achievement gaps within ten years.
6. Reduce regional achievement gaps across all of the above measures through faster improvements among colleges located in regions with the lowest educational attainment of adults, with the ultimate goal of fully closing regional achievement gaps within ten years.

VISION FOR SUCCESS CORE COMMITMENTS

1. Focus relentlessly on students' end goals.
2. Always design and decide with the student in mind.
3. Pair high expectations with high support.
4. Foster the use of data, inquiry, and evidence.
5. Take ownership of goals and performance.
6. Enable action and thoughtful innovation.
7. Lead the work of partnering across systems.

ABOUT THE BOARD

The Board of Governors (Board) 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, 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

November 18, 2019

at the

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](http://cccco.edu) (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](http://cccco.edu) (cccco.edu).

How to Watch

- Visit the [3C Media Solutions website](http://3cmediasolutions.org/services/CCC-Board-of-Governors) (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, or requested by email through the [Chancellor's Office](mailto:info@cccco.edu) (info@cccco.edu).

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

Felicia Escobar Carrillo

Colm Fitzgerald

Jolena M. Grande

Pamela Haynes

Kevin J. Holl

Kim Perigo

Jennifer L. Perry

Bill Rawlings

Alma Salazar

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
& Support*

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 & Support

Christian Osmeña

Vice Chancellor of College Finance & Facilities Planning

Jeff Spano

*Interim Director of Institutional Effectiveness
& Innovation*

Sheneui Weber

*Vice Chancellor of Workforce &
Economic Development*

Vacant

Vice Chancellor of Educational Services & Support

ORDER OF AGENDA

Standing Orders of Business

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

Consent Calendar

Item 1.1: September 16-17, 2019, Board Meeting Minutes (Dr. Daisy Gonzales)

This item presents the September 16-17, 2019 Board meeting minutes for review and approval by the Board of Governors.

Item 1.2: Fiscal Independence Status Requests (Frances Parmelee)

This item presents two requests for fiscal independence status to the Board of Governors for approval. West Valley Mission Community College District and Gavilan Joint Community College District requested fiscal independence status to be effective July 1, 2020.

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 November 2019 agenda.

Item 2.2: Request to Change Election System at the San Joaquin Delta Community College (Marc LeForestier)

This item requests approval for the San Joaquin Delta Community College District to move from an at-large election system to a by-trustee area election system for district elections.

Item 2.3: Proposed Amendments to Board Procedures and Standing Orders Concerning Board Member Conduct (Marc LeForestier)

Board of Governors (Board) President Epstein has requested a proposal to update the Board Procedures and Standing Orders governing Board member conduct. This item provides a proposal for the Board's consideration.

Item 2.4: Extended Opportunity Programs and Services 50 Year Anniversary (Rhonda Mohr)

This item recommends the adoption of a resolution recognizing the California Community Colleges Extended Opportunity Programs and Services for 50 years of service for the Board of Governors approval.

Item 2.5: 2019-20 District Full-Time Faculty Obligation Number (Frances Parmelee)

This item presents information for the Board of Governors' consideration in determining whether the Budget Act of 2019 provides adequate funding to support an increase in districts' full-time faculty hiring obligations for Fall 2020.

Item 2.6: Election of Board Officers (Dr. Daisy Gonzales)

This item calls for the election of board officers for 2020.

Item 2.7: 2020 Board of Governors Campus Visit (Dr. Daisy Gonzales)

This item presents the Board of Governors with an opportunity to select the location for its September 2020 campus visit.

Item 2.8: Board of Governors Meeting Dates for 2021 (Dr. Daisy Gonzales)

This item presents the 2021 Board of Governors meeting dates.

First Reading

Item 3.1: Unlawful Discrimination Regulation Changes (Marc LeForestier)

This item is a first reading and public hearing of proposed amendments to title 5 related to the community college system's process for addressing unlawful discrimination.

Information and Reports

Item 4.1: 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 a summary of new legislation approved by the Governor.

Item 4.2: *Vision for Success* Spotlight: Assembly Bill 705 (Marty Alvarado)

This item provides an update on student outcomes in transfer-level English and mathematics leading up to the deadline for full implementation of Assembly Bill 705 in Fall 2019, highlighting three recent reports from the RP Group, PPIC, and Campaign for College Opportunity.

Item 4.3: Update on the Student Centered Funding Formula (Laura Metune)

This item provides the Board of Governors with an update on the ongoing implementation of the Student Centered Funding Formula.

Item 4.4: California Workforce Pathways Joint Advisory Committee Update (Sheneui Weber)

This item provides the Board of Governors with an update on recent activities of the California Workforce Pathways Joint Advisory Committee.

Item 4.5: Chancellor's Office Oversight of Calbright Community College District (Marc LeForestier)

This item presents information to the Board of Governors regarding the California Community Colleges Chancellor's Office oversight of Calbright Community College District.

Item 4.6: Participatory Governance and Statewide Engagement (Dr. Daisy Gonzales)

This item responds to a request by the Board of Governors to report on all statewide participatory governance structures by the Chancellor's Office, including statewide advisory committees, workgroups, and task forces.

Item 4.7: Foundation for California Community Colleges Annual Report (Keetha Mills)

This item presents the Foundation for California Community Colleges' fiscal year 2019 annual accomplishments in its role as the official auxiliary nonprofit supporting the California Community Colleges.

Item 4.8: Board Member Reports (Eloy Ortiz Oakley)

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

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, November 18, 2019

12:00 p.m.-12:30 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 (six cases):

- *State of California v. Azar*, Northern District of California Case No. 4:19-CV-02769 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.
- *Guildford College v. Kirstjen Nielsen*, U.S. District Court for the Middle District of North Carolina Case No. 18-cv-00891-LCB-JEP.
- *USCIVICLEAGUE.ORG v. Newsom*, First District Court of Appeal Case No. A156698

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: September 16-17, 2019 Board Meeting Minutes

Attachments: None

Date: November 18, 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 September 16-17, 2019 Board of Governors (Board) meeting minutes for review and approval by the Board. The minutes intend to provide a brief summary of the items discussed at the Board meeting. If you would like more details, please contact the Chancellor's Office board liaison at (916) 323-5889.

Recommendation

It is recommended the Board of Governors approve the September 16-17, 2019 meeting minutes as presented.

Background

September 16-17, 2019 Standing Orders of Business

- Call to Order. Board President Tom Epstein called the Board of Governors meeting to order at 8:30 a.m.
- Roll Call. The following board members were present on September 16-17, 2019: Hildegard B. Aguinaldo, Darius W. Anderson, Amy M. Costa, Tom Epstein, Felicia Escobar Carrillo, Colm Fitzgerald, Jolena M. Grande, Pamela Haynes, Kim Perigo, Jennifer L. Perry, Bill Rawlings, Alma Salazar, Valerie L. Shaw, Blas Villalobos, and Alexis Zaragoza.
- Pledge of Allegiance. Led by board member Colm Fitzgerald.
- 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: July 15-16, 2019, Board Meeting Minutes (Dr. Daisy Gonzales)

This item presented the July 15-16, 2019, Board meeting minutes for review and approval by the Board of Governors.

Item 1.2: Request for Waiver of Statutes Related to Lease of Property (Christian Osmeña)

This item requested approval of a request made by the San Bernardino Community College District Board of Trustees to waive public bid auction requirements specified in existing statutes as part of the district's plan to lease portions of the district properties located in the City of San Bernardino.

Amy M. Costa moved approval of the Consent Calendar items; Hildegard B. Aguinaldo seconded the motion. The motion passed with a vote of 14-0.

Action

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

This item recommended the Board of Governors approve entering into the contracts and grants described in the September 2019 agenda.

Darius W. Anderson moved approval of entering into the contracts and grants described in the September 2019 agenda; Bill Rawlings seconded the motion. The motion passed with a vote of 14-0.

Item 2.2: Credit for Prior Learning Regulation Changes (Marty Alvarado)

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

Jolena M. Grande moved approval of the title 5 revisions; Bill Rawlings seconded the motion. The motion passed with a vote of 14-0.

Board Comments

Pamela Haynes, Jolena M. Grande

Item 2.3: Proposed Change to Extended Opportunities Programs and Services Regulations (Marty Alvarado)

This item was a second reading and public hearing of a proposed amendment to title 5 regulations related to Extended Opportunity Programs and Services eligibility requirements.

Darius W. Anderson moved approval of the proposed title 5 amendment; Bill Rawlings seconded the motion. The motion passed with a vote of 14-0.

Board Comments

Alexis Zaragoza, Felicia Escobar Carrillo, Pamela Haynes

Public Comments

Debbie Klein

Item 2.4: Regulations Concerning Funding for Districts Experiencing Emergencies (Christian Osmeña)

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

Amy M. Costa moved approval of the proposed amendments; Jennifer L. Perry seconded the motion. The motion passed with a vote of 14-0.

Item 2.5: Academic Senate 50 Year Anniversary (Marty Alvarado)

This item recommended the adoption of a resolution recognizing the Academic Senate for California Community Colleges for 50 years of service.

Kim Perigo moved approval to adopt the resolution; Hildegarde B. Aguinaldo seconded the motion. The motion passed with a vote of 14-0.

Board Comments

Felicia Escobar Carrillo, Hildegarde B. Aguinaldo, Bill Rawlings, Kim Perigo, Amy M. Costa, Jolena M. Grande, Colm Fitzgerald, Alexis Zaragoza, Tom Epstein, Alma Salazar

Public Comments

Larry Galizio

Item 2.6: Board Resolution Declaring October 14-18, 2019 as Undocumented Student Action Week (Laura Metune)

This item recommended the adoption of a resolution declaring October 14-18, 2019, as Undocumented Student Action Week and every third week of October thereafter.

Alexis Zaragoza moved approval of the resolution; Jennifer L. Perry moved to amend the motion and correct a clause in the resolution to read as “protecting immigrant students,” and Hildegarde B. Aguinaldo seconded the motion. The amended motion passed with a vote of 14-0.

Board Comments

Jennifer L. Perry, Felicia Escobar Carrillo, Alma Salazar

Public Comments

Larry Galizio, Debbie Klein

Item 2.7: Proposed Amendments to Board Procedures and Standing Orders Concerning Board Member Conduct (Marc LeForestier)

Board President Epstein requested a proposal to update the Board Procedures and Standing Orders governing Board member conduct.

This item was moved to be heard at the November 18, 2019, meeting.

Board Comments

Amy M. Costa, Tom Epstein, Kim Perigo, Colm Fitzgerald, Pamela Haynes

Public Comments

John Stanskas

Item 2.8: Recommendations from the *Vision for Success* Diversity, Equity and Inclusion Task Force (Dr. Daisy Gonzales)

This item provided the Board of Governors with an update and recommendations from the *Vision for Success* Diversity, Equity and Inclusion Task force.

Jennifer L. Perry moved approval of the recommendations from the *Vision for Success* Diversity, Equity and Inclusion Task force; Darius W. Anderson seconded the motion. The motion passed with a vote of 14-0.

Board Comments

Alexis Zaragoza, Amy M. Costa, Bill Rawlings, Jolena M. Grande, Pamela Haynes, Kim Perigo

Public Comments

Debbie Klein, Linda Vasquez, Linda Wah, Rebecca Silbert

Item 2.9: Budget and Legislative Request for 2020-21 (Christian Osmeña)

This item presented the 2020-21 Budget and Legislative Request for the California Community Colleges.

Amy M. Costa moved approval of the 2020-21 Budget and Legislative Request with the inclusion of funding feasibility for studies or housing; Bill Rawlings seconded the motion. The amended motion passed with a vote of 14-0.

Board Comments

Amy M. Costa, Jennifer L. Perry, Darius W. Anderson, Felicia Escobar Carrillo, Pamela Haynes, Alma Salazar, Tom Epstein

Public Comments

Cheryl Marshall, Martin Leyva, Jessi Fernandez, Christopher Loa, Joe Hernandez, Javier Rodriguez, Rebecca Silbert, Danny Murillo, Elisabeth Ocampo, Jacqueline Rodriguez, Joanna Valdua, Ashley Flores, Eric Stone, Gregory Mendoza, Michael Saavedra, Jamie Clover, Jeninne Meier, Robert Bowman, Barry Snell, Don Girard, Louise Jaffe, Dr. Debbie Klein, Kory Nokes, Jessica Gibb, Akinjide Olajide, Larry Galizio, John Stanskas

First Reading

Item 3.1: Nomination of 2020 Board Officers (Dr. Daisy Gonzales)

This item called for the nomination of the Board of Governors officers for the 2020 calendar year.

Bill Rawlings nominated Tom Epstein for President of the Board; Jennifer L. Perry supported the nomination.

Alexis Zaragoza nominated Pamela Haynes for Vice President of the Board; Blas Villalobos supported the nomination.

Board Comments

Kim Perigo

Information and Reports

Item 4.1: *Vision for Success* Spotlight: Riverside City College (Dr. Daisy Gonzales)

This item highlighted Riverside City College and the regional implementation of guided pathways at Riverside Community College District.

Board Comments

Tom Epstein, Kim Perigo, Hildegard B. Aguinaldo, Alma Salazar, Valerie L. Shaw, Colm Fitzgerald, Pamela Haynes, Jolena M. Grande

Item 4.2: Fiscal Condition of the Peralta Community College District (Christian Osmeña)

This item followed on items at previous meetings regarding the Board of Governors' responsibilities related to the fiscal condition of community college districts.

Board Comments

Valerie L. Shaw, Alma Salazar, Amy M. Costa, Darius W. Anderson, Felicia Escobar Carrillo, Kim Perigo, Colm Fitzgerald, Alexis Zaragoza, Hildegard B. Aguinaldo, Jolena M. Grande

Item 4.3: Discussion on Affordable Student Housing (Christian Osmeña)

This item provided information to support a discussion on issues related to affordable student housing at California community colleges and to hear updates on the work of the Community College League of California's Affordability, Food, and Housing Access Taskforce.

Board Comments

Colm Fitzgerald, Bill Rawlings, Darius W. Anderson, Valerie L. Shaw, Hildegard B. Aguinaldo, Amy M. Costa, Blas Villalobos, Alexis Zaragoza, Alma Salazar, Felicia Escobar Carrillo, Tom Epstein

Item 4.4: State and Federal Update (Laura Metune)

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

Board Comments

Alexis Zaragoza, Colm Fitzgerald, Amy M. Costa, Hildegard B. Aguinaldo

Public Comments

Larry Galizio, Cheryl Marshall, Debbie Klein, Marlon Hall

Item 4.5: Participatory Governance and Statewide Engagement (Dr. Daisy Gonzales)

This item responded to a request by the Board of Governors to report on all statewide participatory governance structures by the Chancellor's Office, including statewide advisory committees, workgroups, and task forces.

This item was moved to be heard at the November 18, 2019, meeting.

Item 4.6: Board Member Reports (Eloy Ortiz Oakley)

Board of Governors members reported on their activities since the July 2019 meeting.

Board Comments

Alexis Zaragoza, Colm Fitzgerald, Kim Perigo, Hildegard B. Aguinaldo, Jolena M. Grande, Amy M. Costa, Alma Salazar, Tom Epstein

Public Forum

Comments Received During the September 16, 2019 Meeting

Steve Blount

Comments Received During the September 17, 2019 Meeting

Linda Vasquez

New Business

No new business.

Adjournment

The meeting adjourned Tuesday, September 17, 2019 at 11:30 a.m.

Attachments

None.



California Community Colleges Board of Governors

Item 1.2: Fiscal Independence Status Requests

Attachments: None

Date: November 18, 2019

Category: College Finance and Facilities Planning

Type of Board Consideration: Consent

Recommended By

Frances Parmelee, Assistant Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents two requests for fiscal independence status to the Board of Governors for approval. West Valley Mission Community College District and Gavilan Joint Community College District requested fiscal independence status to be effective July 1, 2020.

Recommendation

It is recommended the Board of Governors approve fiscal independence status to West Hills Community College District and Gavilan Joint Community College District, effective July 1, 2020.

Background

Fiscal independence status allows a district to issue warrants (print checks) without review or approval of the County Office of Education or County Auditor. Approval of fiscal independence status by the Board of Governors is generally procedural in nature, as districts are recommended for this status by their local County Office of Education based primarily on the results of an independent certified public accountant survey of the district's accounting controls.

Fiscal independence status does not eliminate any other form of fiscal oversight, such as the requirement to complete an annual independent audit or the requirement to provide quarterly and annual financial data to the Chancellor's Office. Sixteen community college districts currently have fiscal independence status.

Under Education Code, section 85266.5, the ability to issue warrants independent of county approval is granted by the Board of Governors. All districts can elect to obtain fiscal independence status and must follow an application approval process as described below. The well-established process provides the Board of Governors a reasonable level of assurance to grant approval.

Application Approval

As presented in a Chancellor's Office Accounting Advisory dated August 16, 2007, the process for an applicant district to have its application approved by the Board of Governors is as follows:

- In order to obtain the approval of the Board of Governors, a community college district shall file a written application with the county superintendent of schools.
- Upon receipt of the application, the county superintendent of schools shall cause a survey to be made of the district's accounting controls by an independent certified public accountant or public accountant in accordance with standards prescribed by the Board of Governors.
- The certified public accountant or public accountant shall report his or her findings and recommendations to the county superintendent, county auditor, and to the applicant district.
- The county superintendent shall forward the district's application, together with his or her other recommendations and the recommendations of the county auditor and a report of the survey, to the Board of Governors for approval or disapproval of the application.
- The Board of Governors shall approve the application only if it finds that the accounting controls of the district are adequate. If the Board of Governors determines that these controls are inadequate, it shall disapprove the application.
- The county superintendent of schools shall be reimbursed for all costs incident to the accounting controls survey made pursuant to the district's application, from the district's funds.
- When approved by the Board of Governors, the issuance of warrants pursuant to this section shall be effective at the beginning of the fiscal year if the approval had been made prior to the preceding first day in January.
- In the event that the issuance of warrants has been disapproved, the Board of Governors shall state the specific steps, which must be taken by the district in order to receive approval.
- If at any time the county superintendent of schools determines that the accounting controls of the district have become inadequate, he or she may recommend to the Board of Governors that the approval be revoked, to be effective on the first day of the next following fiscal year.

Standards for Approval of District Applications for Fiscal Independence Status

The following four accounting control standards are intended to serve as broad and general guidelines for evaluating a district's ability to issue warrants directly on the county treasury without review and approval of the county auditor and county superintendent of schools. Generally, scrutiny of the legality and propriety of district accounting transactions has been performed by the county superintendent of schools.

Under fiscal independence, the chief financial officer and the accounting staff of the district must provide that scrutiny.

Standard 1: Adequate Fund Balances - The district has avoided deficit balances in its funds and has maintained a prudent reserve in its unrestricted general fund over the preceding five fiscal years.

Standard 2: Statute and Governing Board - The district makes only lawful and appropriate expenditures in carrying out the programs authorized by statute and by the governing board.

Standard 3: Adequate Internal Controls - The staff of the accounting, budgeting, contracts, management information systems, internal audits, personnel, and procurement departments are adequate in numbers and skill level to administer administrative programs independent of detailed review by the county office of education and to provide an internal audit function that assures adequate internal controls.

Standard 4: Legality and Propriety of Transactions - The staff of the accounting, budgeting, contracts, management information systems, internal audits, personnel, and procurement departments exercise independent judgment to assure the legality and propriety of transactions.

Analysis of West Valley Mission Community College District's Request

In its review of the West Valley Mission Community College District's capacity to independently issue warrants, the Santa Clara County Office of Education contracted with SOAProjects to perform an independent review of the standards outlined in the Chancellor's office accounting advisory.

West Valley Mission CCD Contracts with Cossolias, Wilson Dominguez & Leavitt CPAs to perform their annual audit in compliance with California Code of Regulations title 5 section and the San Diego County Auditor-Controller worked with the district to address the deficiencies. The Santa Clara County Office has expressed satisfaction that West Valley Community College District has adequately addressed all prior exceptions and recommends approval of fiscal independence status.

According to West Valley College District's 2017-18 annual financial audit report, the district had no audit findings and ended the 2016-17 fiscal year with an unrestricted ending fund balance of \$60,323,790. During the preceding five-year review period, the district maintained a positive fund balance in all other funds.

The Chancellor's Office staff reviewed the materials provided by the Santa Clara County Office of Education, Cossolias, Wilson Dominguez & Leavitt CPAs and SOAProjects. The Chancellor's Office concurs that the district satisfactorily meets the control standards required for fiscal independence status.

Analysis of Gavilan Joint Community College District's Request

In its review of Gavilan Joint Community College District's capacity to independently issue warrants, the SOAProjects, reviewed the standards outlined in the criteria.

The Santa Clara County Office of Education procured a post-implementation audit of the payroll process that were previously serviced through the County office of education. The audit reviewed the process for warrant issuance utilizing the Banner software for payroll and operations. Gavilan Joint Community College District successfully secured liability insurance coverage, appointed a disbursement officer, and developed a checklist to ensure accuracy and completeness for payroll file processing independent of Santa Clara County Office of Education.

The Chancellor's Office staff reviewed the materials provided by the Santa Clara County Office of Education and SOAProjects, along with the 2017-18 annual financial audit report from Gilbert Associates, Inc. CPAs. The Chancellor's Office concurs that the district satisfactorily meets the control standards required for fiscal independence status.

Attachments

None.



California Community Colleges Board of Governors

Item 2.1: Approval of Contracts and Grants

Attachments: None

Date: November 18, 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 November 2019 agenda as [C19-0051, C19-0055, C19-0056, C19-0057, 19-191-001 through 19-191-019].

Background

The Procedures and [Standing Orders Sections 318 and 319](http://www.cccco.edu/-/media/CCCCO-Website/About-Us/Board-of-Governors/Procedures-and-Standing-Orders/Files/procedures-standing-orders-march-2019-web.ashx#page=40) of the Board of Governors (www.cccco.edu/-/media/CCCCO-Website/About-Us/Board-of-Governors/Procedures-and-Standing-Orders/Files/procedures-standing-orders-march-2019-web.ashx#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 memorandum of understanding with FCMAT to provide support for: 1) the performance of audits, examinations, or reviews of any community college, and 2)

technical assistance, training, and short-term institutional research necessary to address existing or potential accreditation deficiencies.

- **Items 2** consists of three new non-competitive contracts to hire Regional Coordinators in the North and Bay Area, Central Valley and San Diego, and Lower Coast, LA, Inland to help colleges' better serve incarcerated and formerly incarcerated students.
- **Item 3** consists of new competitive grants to fund new and innovative apprenticeship training programs in high-growth industries in emerging and transitioning occupations that meet local and state labor market needs.

Item 1: College Finance and Facilities Division

Type of Agreement:	Memorandum of Understanding
Contractor or Grantee:	Fiscal Crisis Management Assistance Team
Contract or Grant Number:	C19-0051
Term:	December 1, 2019 – June 30, 2024
Project Year:	2019-20 through 2023-24
Amount of Agreement:	Subject to Annual Appropriation
Bid Process:	Not applicable

Purpose:

Existing law allows the board of governors to request assistance from the Fiscal Crisis and Management Assistance Team (FCMAT) to assist community college districts to establish or maintain sound financial and budgetary conditions and to comply with principles of sound fiscal management.

Annually, the Budget Act appropriates funds for reimbursements to FCMAT for: 1) the performance of audits, examinations, or reviews of community colleges, and 2) the provision of technical assistance, training, and short-term institutional research necessary to address existing or potential accreditation deficiencies. Under this provision, the Board of Governors may request an unsolicited review of a community college district if the board determines there is an imminent threat to the fiscal integrity of the district as a result of fraud, misappropriation of funds, or other illegal fiscal practices.

This contract apportions funds to FCMAT's fiscal agent, the Kern County Superintendent of Schools, who will release funds to FCMAT according to progress on individual projects. The scope of work and budget details for individual projects are recorded as addendums to the Memorandum of Understanding.

Funds for this contract are subject to annual Budget Act appropriations. The annual appropriation has typically totaled \$570,000, but is subject to changes.

Reason for BOG Approval:

Standing Orders 318 (b) (1) requires the Board of Governors approval for every contract over \$100,000. Standing Orders 318 (b) (2) requires the Chancellor to secure Board approval before entering into any contract over three years in duration. This contract is over \$100,000 and over three years in duration.

Accomplishments from prior year:

FCMAT provided a fiscal review for the Peralta Community College District and has developed and hosts a Student Centered Funding Formula calculator tool to assist in district budget development.

Goals for the proposed term:

As determined by the Board of Governors, FCMAT will continue to provide audits or reviews to assist districts in fiscal distress, provide technical assistance to the system, and host the Student Centered Funding Formula calculator tool.

Item 2: Educational Services and Support

Type of Agreement:	Contracts/Inmate Education Fund/Outgoing
Contractor or Grantee:	See below
Contract or Grant Number:	See below
Term:	January 1, 2020 – June 30, 2022
Project Year:	Year One of 2.5
Amount of Agreement:	See below
Bid Process:	Non-competitive

Purpose:

The Budget Act of 2016 allocated \$2,500,000 to the California Community Colleges Chancellor’s Office (CCCCO) to create an Inmate Education Coordinator Office, which supports inmate education partnerships between community colleges and Department of Corrections and Rehabilitation facilities. The proposed Regional Coordinator contracts will provide critical support for colleges and regions that have demonstrated demand and serve a high population of prisons, jails, and reentry programs. Regional Coordinators will best support and reinforce the momentum throughout the state to support inmate education and help the colleges’ meet their local goals, implement the *Vision for Success*, and better serve incarcerated and formerly incarcerated students.

Reason for BOG Approval:

Standing Orders 318 (b) (1) requires the Board of Governors approval for every contract over \$100,000. These contracts are over \$100,000.

Accomplishments from prior year:

Not applicable.

Goals for the proposed term:

In 2014, Gov. Jerry Brown approved Senate Bill No. 1391, known as the Hancock bill, named after its legislative champion, Sen. Loni Hancock. This Bill allowed access to face-to-face community college courses for incarcerated students collaboratively with our California prison system.

In 2014, no community college was teaching face-to-face in prison, fewer than five were teaching in jails, and fewer than five had student groups or programs for formerly incarcerated students. Today, 19 community colleges are teaching face-to-face courses inside prisons, mostly in ADT pathways, to over 5,000 students. Another 7,000 are taking distance education courses. There are also 17 colleges teaching in jails to about 4,000

students. Ninety-five percent of these incarcerated students will come home. Currently, there are approximately 45 community colleges with on-campus support programs and student groups for formerly incarcerated students. Additionally, through a one-time allocation of \$5 million, 44 colleges were selected this year to receive grants of \$113,636 each to create or grow their reentry programs for formerly incarcerated or soon to be released students.

These investments have generated a demand for additional regional support that can coordinate interagency partnerships, convening partners regularly to work through systemic barriers, improve cross-agency communication, and set expectations for research and impact agendas. These regional resources are also needed to work through internal systemwide structures, in partnership with the CCCCO, that impede the participation and progress of this targeted population. The unique environments of the jails and the prisons requires that the community college system adapt in order to effectively serve these students.

To meet these needs, three regions with high demand and high college engagement have been identified to receive support from an Inmate Education Regional Coordinator. Existing resources limit the number of regions to be served to these three high-need regions. Additionally, the limited term of the funding, approximately 2 years, requires that these resources can start immediately, have a robust expertise with public safety and higher education and maintain existing relationships with key regional stakeholders. At this point in time these contract assignments are short-term and will terminate at the end of the contract period. The contract amounts are based upon negotiated compensation that is commiserate with regional market rate and takes into account local cost of living estimates.

Contractors	Contract No.	Amount	Regions
Kellie Nadler	C19-0055	\$400,000	North and Bay Area (Regions A and B) 25 colleges 11 prisons 8 jail partnerships 23 counties
Javier Rodriguez	C19-0056	\$400,000	Lower Coast, LA, Inland (Regions D, F and G) 27 colleges 7 prisons 5 jail partnerships 7 counties
Chelsea Esquibias	C19-0057	\$350,000	Central Valley and San Diego (Regions C and E) 18 colleges 16 prisons 5 jail partnerships 17 counties

Item 3: Workforce and Economic Development Division

Type of Agreement: Grant (New/Outgoing Funds)
Contractor or Grantee: See below
Contract or Grant Number: 19-191
Term: January 1, 2020 – December 31, 2022
Project Year: Year One of Three
Amount of Agreement: \$10,000,000
Bid Process: Competitive

Purpose:
The purpose of these grants is to distribute one-time funds to create new and innovative apprenticeship training programs in high-growth industries in emerging and transitioning occupations that meet local and state labor market needs. To this end, the CCCCO’s California Apprenticeship Initiative (CAI) New Innovative Grant Program objective is to expand the apprenticeship models in growing and emerging industries that do not typically utilize apprenticeship-training programs and actively engage under-represented populations in apprenticeships.

Expanding apprenticeship-training programs aligns with the California Community Colleges *Vision for Success*. Specifically, apprenticeship programs are key to increasing the percent of exiting CTE students who report being employed in their field of study; reducing equity and achievement gaps; and increasing by at least 20 percent the number of California Community College students annually who acquire associate degrees, credentials, certificates, or special skill sets that prepare them for an in-demand job.

Reason for BOG Approval:

Standing Orders 319 (b) (1) requires the Board of Governors approval for every grant over \$100,000. These grants are over \$100,000.

Accomplishments from prior year:

On July 16, 2018, the BOG approved 15 awards (\$6.5 Million) to colleges to establish apprenticeship programs in agriculture and rural areas, with an end date of December 31, 2021. To date, 53 registered apprenticeship have been created. Unlike the first round of awards, which restricted applicants to agriculture or rural areas, this rounds of awards is open to all growing and emerging industries.

Goals for the proposed term:

These community college districts and local education agencies that are awarded one-time CAI grants will create 20 New and Innovative state approved apprenticeship training programs with the goal to sustain the program beyond the term of their grants. The 20 new apprenticeship training programs will create at least 500 new apprentices. These grants will further the *Vision for Success* objectives by:

- Fostering employer partnerships, identifying opportunities, and acquiring resources to develop career education and/or training programs in support of Guided Pathways;
- Connecting with existing workforce development resources, networks and organizations in the region to outreach and recruit participants, including underserved and special populations, and supporting program participants; and
- Developing programs, resources and partnerships that lead to the institutionalization and long-term sustainability and viability of program continuation beyond the grant funding period.

District	RFA Number and Program Title	Amount
Chaffey Community College District	19-191-001 Mechatronics Registered Apprenticeship Program	\$500,000
Los Rios Community College District	19-191-002 California Cybersecurity Apprenticeship Program	\$500,000

District	RFA Number and Program Title	Amount
Antelope Valley Community College District	19-191-003 Home Visitor Apprenticeship Program	\$500,000
Los Rios Community	19-191-004 State of California Mainframe Apprenticeship Program	\$500,000
San Luis Obispo County Office of Education	19-191-005 Ticket to Teach - Education Pathways in San Luis Obispo County	\$491,428
Los Angeles Community College District	19-191-006 LA City College - Academy for Innovative Tech Professionals	\$499,978
Ohlone Community College District	19-191-007 Northern California Engineering Technology Pathway	\$499,744
El Camino Community College District	19-191-008 Bio-Flex Apprenticeship Program	\$500,000
West Hills Community College District	19-191-009 Westside Works Unilateral Apprenticeship Committee Program	\$500,000
San Jose Evergreen Community College District	19-191-010 Tech-Nest Apprenticeship Program	\$485,782
Peralta Community College District	19-191-011 Re-Entry Apprenticeships in Logistics (REAL)	\$477,072

District	RFA Number and Program Title	Amount
Shasta-Tehama-Trinity Joint Community College District	19-191-012 Logging and Forest Workers Apprenticeship Program	\$491,428
Grossmont Union High School District	19-191-013 Kitchens For Good	\$500,000
San Joaquin County Office of Education	19-191-014 Growing Our Own – SJCOE High School Apprenticeship Program	\$500,000
Los Angeles Community College District	19-191-015 ELAC Medical Assistant	\$496,601
San Diego Community College District	19-191-016 San Diego Blue-Tech Apprenticeship Program (San Diego BTAP)	\$500,000
Peralta Community College District	19-191-017 Northern California Teamsters - Transportation, distribution, logistics (TDL) Workforce Pipeline	\$500,000
Riverside Community College District	19-191-018 Short Order Cooks Apprenticeship Program	\$100,000
Palomar Community College District	19-191-019 Military Leadership Apprenticeship Program	\$499,644



California Community Colleges Board of Governors

Item 2.2: Request to Change Election System at the San Joaquin Delta Community College District

Attachments: 7

Date: November 18, 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 requests approval for the San Joaquin Delta Community College District to move from an at-large election system to a by-trustee area election system for district elections.

Recommendation

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

THEREFORE, BE IT RESOLVED, that the Board of Governors of the California Community Colleges directs the following actions:

1. The change from at-large to by-trustee area elections for the San Joaquin Delta Community College District is approved.
2. The Chancellor shall provide a copy of this resolution to the San Joaquin Delta Community College District.

Background

Education Code section 72036 authorizes governing boards of community college districts to change from an at-large election system to a by-trustee area election system without first holding an election to authorize the change. The San Joaquin Delta Community College District is undertaking this election change on its own initiative.

The board of trustees of the community college district must adopt a resolution in support of the change in election system and obtain the approval of the Board of Governors of the California Community Colleges. On August 20, 2019, the Board of Trustees of the San Joaquin Delta Community College District adopted Resolution Number 19-07, "Establishing District Based Elections for Trustees for Implementation in the 2020 Election, Approving a Map for the Election of Trustees and Establishing the

Sequencing of Elections.” The resolution establishes proposed trustee area boundaries and requires that the voting system proposal be submitted to the Board of Governors for approval.

Analysis

Education Code section 72036 was enacted in 2011 to provide community college districts with a simplified, streamlined, and cost-effective procedure for adopting by-trustee area election systems. To establish trustee areas, the governing board must divide the territory of a district into trustee areas, with one member of the governing board being elected from each trustee area. Candidates for election are required to reside in, and be registered to vote in, the trustee area the candidate she seeks to represent. The governing boards are authorized to set the initial boundaries of each trustee area to reflect the population identified in the most recent federal census. Prior to the enactment of Education Code section 72036, a district was required to seek voter approval for the electoral change, an expensive and time consuming process.

In an at-large election system, voters are eligible to vote for all seats up for election. By contrast, in a by-trustee area system, voters who live within a geographic area elect a trustee to represent the interests of that particular geographic area. At-large electoral systems are subject to challenges under the California Voting Rights Act of 2001 (Voting Rights Act). Education Code section 72036 was adopted, in part, to assist community college districts in complying with the Voting Rights Act. Section 72036 requires a community college district to obtain the approval of the Board of Governors for the proposed change in trustee election systems.

The California Community Colleges Chancellor’s Office has established an application process for districts to utilize when seeking Board of Governors approval for a by-trustee area election system. Prior to submission to the Board of Governors, all applications are reviewed by the Office of the General Counsel to ensure compliance with legal requirements.

The Board of Trustees of the San Joaquin Delta Community College District currently consists of seven members. The San Joaquin Delta Community College District does not intend to change the number of trustees as part of its change to a by-trustee area election system at this time.

Attachments

- 1.** Board of Governors San Joaquin Delta Community College District Resolution Number 2019-20
- 2.** Request to Change Election System form
- 3.** San Joaquin Delta Community College District Resolution Number 19-07
- 4.** Proposed San Joaquin Delta Community College District Maps A
- 5.** Proposed San Joaquin Delta Community College District Maps B
- 6.** Proposed San Joaquin Delta Community College District Maps C
- 7.** San Joaquin Delta Community College District Voting Area Statistics

Item 2.2, Attachment 1: Board Resolution San Joaquin Delta Community College District Election Change

Resolution of the Board of Governors

California Community Colleges

Number 2019-20

WHEREAS, members of the San Joaquin Delta Community College District Board of Trustees are currently elected in at-large elections, or elections in which “each member of the governing board [is] elected by the registered voters of the entire district” (Education Code Section 5030(a));

WHEREAS, at-large electoral systems have been subject to challenge under the California Voting Rights Act of 2001 (CVRA);

WHEREAS, by trustee-area electoral systems, or elections in which “one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area” (Education Code Section 5030(b)) may be less vulnerable to challenge under the CVRA than at-large electoral systems;

WHEREAS, the San Joaquin Delta Community College District Board of Trustees held a series of public fora and determined that a move from an at-large election system to a by-trustee area election system was in the best interest of the District;

WHEREAS, Education Code section 72036 authorizes community college districts to change to a by-trustee area electoral system with the approval of the Board of Governors of the California Community Colleges;

WHEREAS, the San Joaquin Delta Community College adopted the required local resolutions as of August 20, 2019 and submitted a formal request to the Chancellor’s Office to change election systems on August 22, 2019, and;

WHEREAS, the San Joaquin Delta Community College District has complied with the requirements of Election Code section 72036.

THEREFORE, BE IT RESOLVED, that the Board of Governors of the California Community Colleges directs the following actions:

- 1.** The change from at-large to by-trustee area elections for the San Joaquin Delta Community College District is approved.
- 2.** The Chancellor shall provide a copy of this resolution to the San Joaquin Delta Community College District.

Vote Count:

Dated:

Tom Epstein, President
Board of Governors California Community Colleges

Item 2.2, Attachment 2: Request to Change Election System Form

The [Request to Change Election System form](http://www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20191014-election-change-form-attachment-1-a11y) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20191014-election-change-form-attachment-1-a11y).

Item 2.2, Attachment 3: San Joaquin Delta Community College District Resolution Number 19-07

The [San Joaquin Delta Community College District Resolution](http://www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec-sjd-ccd-resolution-1907-attachment-2-a11y) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec-sjd-ccd-resolution-1907-attachment-2-a11y).

Item 2.2, Attachment 4: Proposed San Joaquin Delta Community College District Map Draft A

The [Proposed San Joaquin Delta Community College District Map Draft A](https://deltacollege.edu/sites/default/files/sjdc_drafta_counties_1.pdf) is available on the San Joaquin Delta College website (deltacollege.edu/sites/default/files/sjdc_drafta_counties_1.pdf).

Item 2.2, Attachment 5: Proposed San Joaquin Delta Community College District Map Draft B

The [Proposed San Joaquin Delta Community College District Map Draft B](https://deltacollege.edu/sites/default/files/sjdc_draftb_counties.pdf) is available on the San Joaquin Delta College website (deltacollege.edu/sites/default/files/sjdc_draftb_counties.pdf).

Item 2.2, Attachment 6: Proposed San Joaquin Delta Community College District Map Draft C

The [Proposed San Joaquin Delta Community College District Map Draft C](https://deltacollege.edu/sites/default/files/sjdc_draftc_counties_0.pdf) is available on the San Joaquin Delta College website (deltacollege.edu/sites/default/files/sjdc_draftc_counties_0.pdf).

Item 2.2, Attachment 7: San Joaquin Delta Community College District Voting Area Statistics

The [San Joaquin Delta Community College District Voting Area Statistics](https://deltacollege.edu/sites/default/files/sjdc_drafts_statistics.xlsx) is available on the San Joaquin Delta College website (deltacollege.edu/sites/default/files/sjdc_drafts_statistics.xlsx).



California Community Colleges Board of Governors

Item 2.3: Proposed Amendments to Board Procedures and Standing Orders Concerning Board Member Conduct

Attachments: 2

Date: November 18, 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

Board of Governors (Board) President Epstein has requested a proposal to update the Board Procedures and Standing Orders governing Board member conduct. This item provides a proposal for the Board's consideration.

Recommendation

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

WHEREFORE, the Board of Governors wishes to adopt new standards of conduct to ensure that members of the Board are aware of the expectations placed upon their service,

Be it Resolved:

The California Community Colleges Board of Governors, acting pursuant to Education Code section 70901, subdivision (c), hereby approves the proposed amendments to the Board of Governors Procedures and Standing Orders, section 6.

Background

The current version of the Board of Governors Procedures and Standing Orders requires Board members to comply with "the standards of ethical conduct for gubernatorial appointees as set forth in Executive Order 66-2." The Executive Order was adopted by Governor Brown in 1966, but was superseded in 1974 with the Political Reform Act's adoption.

The Office of General Counsel conducted a review of codes of conduct from other institutions of higher learning, and the proposed standards cover issues commonly addressed in the codes we have reviewed. The proposal includes provisions explaining how the Board will respond to allegations of a breach of the standards.

Discussion at September Board of Governors Meeting

This item was first presented to the Board at its September meeting where members raised two principle concerns.

First, the sense of the Board was that in the event the President or Vice President is not able to enforced these provisions, the code should provide that a substitute Board member should be named. This has been addressed with the addition of a new section (c), which reads: “[i]f the President or Vice-President is unable to perform the functions required by subdivision (b), they will be performed by the third member of the Executive Committee.”

Second, there was concern about proposed section 6(a)(4), which would have required members to “support” decisions of the Board, as follows:

Members may challenge the views of other members in the course of Board deliberations, but must do so in a respectful manner that promotes a culture of collaboration and cooperation. Members **shall support the majority decisions of the Board.**

The Office of General Counsel’s survey of the law, and similar provisions in codes of conduct for other California institutions of higher learning showed that the proposed language is not unusual. For example, the California Community College League Trustee Handbook explains the principle as follows:

Board as a unit. One of the most basic tenets of effective trusteeship is the recognition that governing authority rests with the entire board, not with any individual trustee...

The Board’s voice is expressed through the policies and actions it takes in its official meetings. Once the Board has decided a policy or position, a trustee must be prepared to support it publically. It is unethical to try to use authority independently from the Board, to speak against, or to try to sabotage a Board decision.

(Trustee Handbook, p. 51) The Community College League’s approach is mirrored in the codes of conduct for community college boards of trustees. For example:

The Contra Costa Community College District Code of Ethics:

Service. We represent all residents of the District. We will act in the best interests of the students as we support the mission of our colleges. We represent the District as a whole, but recognize the unique needs of the individual colleges and local communities. We are not advocates for special interest groups.

Integrity. Adhering to the highest standards of responsibility, integrity and honesty, we will not engage in activities that could be considered a conflict of interest or impair our fair judgment. We will not use the position of trustee for personal benefit. We will represent the District with pride.

The Los Angeles Community College District Code of Conduct:

I recognize that governing authority rests with the entire Board, not with me as an individual. I will give appropriate support to all policies and actions taken by the Board at official meetings.

The California State University Board of Trustees code of conduct requires member “support”:

Even if an individual Trustee does not initially support a proposal, he or she shall support the majority decision of the Board of Trustees and work with the fellow Trustees in a spirit of cooperation.

Notwithstanding these examples, the Board of Governors proposal revises section 6(a)(4) to explain the nature of Board decision making, and to clarify that the Board’s expectation of members is not necessarily overt support of policies a member might disagree with, but deference to the Board’s decisions and avoidance of actions that would undermine Board decisions. The proposed revision is below.

Members may challenge the views of other members in the course of Board deliberations, but must do so in a respectful manner that promotes a culture of collaboration and cooperation. **Active discussion among members, and careful consideration of public comments, are integral parts of the Board’s deliberations that support sound decision-making. Members are expected to give due deference to the majority decisions of the Board as reflecting the collective wisdom of its members, and to avoid taking actions that undermine Board decisions.**

Attachments

1. Board of Governors Resolution Number 2019-18
2. Proposed Text of Amendments to Board Procedures and Standing Orders, § 6

Item 2.3, Attachment 1: Board Resolution Adopting Amendments to Board Procedures Concerning Board Member Conduct

Resolution of the Board of Governors

California Community Colleges

Number 2019-18

WHEREAS, the Board of Governors wishes to adopt new standards of conduct to ensure that members of the Board are aware of the expectations placed upon their service.

Now, therefore, be it resolved:

The California Community Colleges Board of Governors, acting pursuant to Education Code section 70901, subdivision (c), hereby approves the proposed amendments to the Board of Governors Procedures and Standing Orders, section 6.

Vote Count:

Dated:

Tom Epstein, President
Board of Governors California Community Colleges

Item 2.3, Attachment 2: Text of Proposed Amendments to Board Procedures and Standing Orders Concerning Board Member Conduct

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

6. Member Conduct ~~Ethical Conduct, Contracts, Honoraria, and Outside Activities.~~

(a) ~~Members of the Board of Governors must comply with the requirements of the Political Reform Act of 1974, and other provisions of state law which establish the ethics rules for state government officials. shall comply with the standards of ethical conduct for gubernatorial appointees as set forth in Executive Order 66-2. These standards include, but are not limited to, the requirement that Members shall also adhere to the following standards of conduct:~~

(1) Members shall be familiar with and committed to the major responsibilities of the Board. Members shall devote time, thought, and study to gain understanding of the California Community Colleges system, and the Board's governance responsibilities.

(2) Members shall prepare for, regularly attend, and actively participate in Board meetings and committee assignments.

(3) Members shall base their votes upon all available information, and shall exercise their best judgment to make decisions in the best interests of the California Community Colleges system and its students. Members shall vote according to their individual convictions.

(4) Members may challenge the views of other members in the course of Board deliberations, but must do so in a respectful manner that promotes a culture of collaboration and cooperation. Active discussion among members, and careful consideration of public comments, are integral parts of the Board's deliberations that support sound decision-making. Members are expected to support give due deference to the majority decisions of the Board as reflecting the collective wisdom of its members, and to avoid taking actions that undermine Board decisions.

(5) Members shall maintain the confidentiality of deliberations in closed session, including any confidential written and verbal communications made during closed session.

(6) The Board acts as a body. Members may not commit the Board to a course of action, and shall avoid acting as a spokesperson for the Board unless specifically authorized to do so.

(7) The Board is a policy-making body. Members must avoid participating in the administration of Board policy unless specifically authorized to do so by the Board. Members commit to respectful and substantive consideration of the views of the Chancellor, the Deputy Chancellor, the Vice-Chancellors, and staff who are charged with administration for the Board and the Chancellor's Office.

(8) Members shall refrain from accepting duties, incurring obligations, accepting gifts or favors, or engaging in private business or professional activities when there is, would appear to be, a conflict of interest or incompatibility between the member's private interests and the interests of the California Community Colleges. Members who become

aware of a conflict or appearance of a conflict shall disclose the conflict and recuse themselves as necessary.

(9) Members shall refrain from using the prestige or influence of their office for private gain or advantage, or the private gain or advantage of another.

(10) Members shall refrain from actions and involvements that might compromise the reputation or public standing of the Board or the California Community Colleges.

(11) Members shall adhere to the highest standards of conduct in their interactions with students, faculty, staff, administrators, and other stakeholders in the California Community Colleges.

(b) In the event of an alleged breach of the standards of conduct described in subdivision (a), the Board will adhere to the following procedure:

(1) Any member who receives evidence or allegations of a breach of the standards of conduct by any other member shall inform the President of the Board. The President shall discuss any evidence or allegation of a breach with the Vice-President, and may request advice from the General Counsel. The President and Vice-President may seek additional information as necessary. If a breach of the standards of conduct is found to have occurred, based on a preponderance of the evidence, the President and Vice-President shall discuss the breach with the member to reach an appropriate resolution.

(2) If the standards of conduct continue to be violated by the member, the President and Vice-President may, after appropriate consultation, place the matter on the Board agenda for appropriate action. The item shall be discussed in open session, and the member shall have an opportunity to explain the conduct. The Board may censure the member by majority vote.

(3) Formal notification of censure shall be communicated to the Governor's Office, as the appointing authority.

(c) If the President or the Vice-President is unable to perform the functions required by subdivision (b), they will be performed by the third member of the Executive Committee.

(d) Members may consult with the Office of General Counsel for guidance in interpreting the standards of conduct listed in subdivision (a).

Members of the Board of Governors shall refrain from engaging in any employment, activity, or enterprise which might result in, or create the appearance of, resulting in any of the following:

~~(1) Using the prestige or influence of his or her office for the member's private gain or advantage, or the private gain or advantage of another.~~

~~(2) Using state time, facilities, equipment, or supplies for the member's private gain or advantage, or the private gain or advantage of another.~~

~~(3) Using confidential information acquired by virtue of the member's position for his or her private gain or advantage, or the private gain or advantage of another.~~

~~(4) Receiving or accepting money or any other consideration from anyone other than the State for the performance of an act which the member would be required or expected to render or as a part of his or her duties as a member of the Board of Governors.~~

~~(5) Performance of an act in other than his or her capacity as a member of the Board of Governors knowing that such an act may later be subject, directly or indirectly, to the~~

control, inspection, review, audit or enforcement by the Board of Governors or the Chancellor's Office. This paragraph shall not apply to actions of the faculty, trustee, or student members of the Board of Governors which are taken in their capacities as faculty, trustees, or students at a local district.

(b) — No member may make or enter into any contract on behalf of the Board of Governors.

(c) — No member may, subsequent to his or her appointment, enter into any contract for gainful employment or other compensation with any California community college district or with any association or organization of California community colleges or of personnel actively engaged with or employed by California community college districts. Upon being appointed to the Board of Governors, each member shall terminate any preexisting contractual relationship he or she may have with a community college district or with any association or organization of California community colleges or of personnel actively engaged with or employed by California community college districts, unless the contract embodies an employee/employer relationship.

(d) — No member shall apply for reimbursement of expenses or per diem if an honorarium is accepted for participating in a conference, workshop, seminar, or similar presentation.

(e) — No member of the Board of Governors shall accept appointment or election to serve with any special interest group or organization any of whose responsibilities are to take positions on which the Board of Governors takes formal action.

(Gov. Code, §§ 1090, 81000, et seq.)



California Community Colleges Board of Governors

Item 2.4: Extended Opportunity Programs and Services 50 Year Anniversary

Attachments: 1

Date: November 18, 2019

Category: Educational Services and Support

Type of Board Consideration: Action

Recommended By

A handwritten signature in black ink, appearing to read 'R Mohr'.

Rhonda Mohr, Vice Chancellor

Approved for Consideration

A handwritten signature in black ink, appearing to read 'Eloy Ortiz Oakley'.

Eloy Ortiz Oakley, Chancellor

Issue

This item recommends the adoption of a resolution recognizing the California Community Colleges Extended Opportunity Programs and Services (EOPS) for 50 years of service for the Board of Governors (Board) approval.

Recommendation

It is recommended that the Board adopt Resolution Number 2019-21 commemorating the 50th Anniversary of the California Community Colleges EOPS program.

Background

On September 4, 1969, Senate Bill 164 was signed into law establishing the EOPS program. In its first year, EOPS served just under 14,000 students on 46 campuses; today, 114 colleges serve close to 100,000 students annually. For 50 years, the EOPS program has helped low income and educationally disadvantaged students achieve their educational objectives by providing above and beyond services, support, and financial aid.

Attachments

1. Board of Governors EOPS Resolution Number 2019-21

Item 2.4, Attachment 1: Extended Opportunity Programs and Services 50 Year Anniversary

Resolution of the Board of Governors

California Community Colleges

Number 2019-21

WHEREAS, the founding legislation for the Extended Opportunity Programs and Services (EOPS) program, authored and introduced by Senator Alquist, was signed into law on September 4, 1969; and

WHEREAS, the goal of the program is to enable low-income, educationally disadvantaged students “affected by language, social, and economic handicaps” to achieve a college education; and

WHEREAS, in its first year, the EOPS program served about 14,000 students on 46 California community college campuses; and

WHEREAS, the EOPS program was expanded to all California Community Colleges; and

WHEREAS, the EOPS program now serves nearly 100,000 students a year; and

WHEREAS, the EOPS program offers a wide variety of services and support, including counseling and tutoring, textbook services and need-based aid; and

WHEREAS, research shows EOPS students have higher retention, completion and transfer rates than the general student population; and

WHEREAS, the Board of Governors desires to recognize the efforts of all EOPS faculty and staff for their long history of contributions to public education and the state of California; and

WHEREAS, the EOPS program is a critical and valued part of the California Community Colleges and is critical in advancing the goals of the *Vision for Success*; therefore, be it

THEREFORE, BE IT RESOLVED, that the Board of Governors of the California Community Colleges recognizes the 50-year anniversary of the EOPS program and its extraordinary impact on countless California community college students.

Vote Count:

Dated:

Tom Epstein, President
Board of Governors California Community Colleges



California Community Colleges Board of Governors

Item 2.5: 2019-20 District Full-Time Faculty Obligation Number

Attachments: None

Date: November 18, 2019

Category: College Finance and Facilities Planning

Type of Board Consideration: Action

Recommended By

Frances Parmelee, Assistant Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents information for the Board of Governors' consideration in determining whether the Budget Act of 2019 provides adequate funding to support an increase in districts' full-time faculty hiring obligations for Fall 2020.

Recommendation

It is recommended the Board of Governors determine the Budget Act of 2019 provides adequate funding to support full implementation of districts' full-time faculty hiring obligations for Fall 2020.

Background

By November 20 of each year, the Board of Governors must determine whether adequate cost-of-living adjustment (COLA) funds, growth funds, and funds for other core programs have been provided in the State Budget to allow full or partial implementation of the increase in full-time faculty hiring obligations, specified for districts in section 51025 of title 5, California Code of Regulations.

Assembly Bill 1725, which passed in 1988, established a goal to reach 75-percent of instructional hours to be taught by full-time faculty. In 1988-89, baseline levels of full-time-equivalent faculty positions were calculated for each district, which is commonly referred to as the full-time faculty obligation number (FON). While funding was initially provided to increase the number of full-time faculty, there was not a sustained effort towards this goal. In years in which the Board of Governors determines that adequate funds are available for full implementation, each district's obligation increases approximately by its percentage increase in funded full-time equivalent students (FTES) in credit courses.

In years in which the Board of Governors determines that the budget act does not contain adequate funding to warrant full implementation of the FON, a district may chose in lieu

of maintaining its base obligation, to maintain, at a minimum the full-time faculty percentage attained in the prior fall term. To the extent that the number of full-time faculty or percentage of full-time faculty, as appropriate, have not been retained for a given year, the Chancellor is required to reduce a district's revenue for the fiscal year by an amount equal to the average replacement cost for the prior fiscal year times the deficiency in the number or equivalent of full-time faculty.

All revenues available due to the reductions shall be made available for statewide distribution on a one-time basis. This penalty is deferred in years in which the Board determines that there are not adequate resources to implement an increase in the obligation number, but are due once the Board of Governors determines adequate resources are available. Penalties may not be waived.

During the course of fiscal years 2008-09 through 2012-13, the Board of Governors determined that the budget act did not provide funding to justify an implementation of an increase in full-time faculty hiring obligations (Fall 2009 through Fall 2013). However, for fiscal years 2013-14 through 2018-19, the board determined the budget contained adequate funding to warrant full implementation.

Analysis

Our analysis indicates that there is adequate funding for full implementation of increases in district obligations to employ full-time faculty for the 2019-20 fiscal year.

The Budget Act of 2019 continues to support the goals of the Student-Centered Funding Formula, including increasing students' timely completion and supporting low-income students. This year's budget adopted a revised implementation plan for and the Chancellor's Office is committed to finding ways to improve implementation of the Student-Centered Funding Formula. Most notably, the Chancellor's Office is focused on improving the quality and reliability of the data elements used to measure progress while advocating for full funding for its implementation.

The Budget Act of 2019 provides \$7.4 billion for the Student-Centered Funding Formula, including an increase for enrollment growth and a cost of living adjustment of \$265 million, or 3.69%, over prior year funding. In addition, core programs such as the Student Equity and Achievement Program continue to be funded at or above prior year amounts. These resources allow our system to accelerate the progress we are already making toward the goals included in the *Vision for Success*.

Attachments

None.



California Community Colleges Board of Governors

Item 2.6: Election of Board Officers

Attachments: None

Date: November 18, 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 calls for the election of board officers for 2020.

Recommendation

It is recommended that the Board of Governors elect the President and the Vice President of the board for the 2020 calendar year pursuant to the Procedures and Standing Orders of the Board of Governors.

Background

With regard to the nomination and the election of officers, the Procedures and Standing Orders of the Board of Governors state:

62. Nominations and Elections. At the next to the last regular meeting of the calendar year, the president shall solicit from other Board members nominations for President and Vice President. A board member may be nominated for more than one office. Additional nominations may be made in writing to the Chancellor, or from the floor, provided that any such nomination must be made prior to the conduct of the election for the particular office occurring at the last regular meeting of the year.

Analysis

At the September 2019 Board of Governors meeting, the following members were nominated as Board Officers for 2020:

President: Tom Epstein

Vice President: Pamela Haynes

Officers shall be elected as prescribed in section 62 and take office as the last order of business of the last regular meeting of the calendar year. (Procedures and Standing Orders, section 60)

Attachments

None.



California Community Colleges Board of Governors

Item 2.7: 2020 Board of Governors Campus Visit

Attachments: None

Date: November 18, 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 the Board of Governors (Board) with an opportunity to select the location for its September 2020 campus visit.

Recommendation

It is recommended the Board of Governors approve holding the September 2020 meeting at Napa Valley College in the Napa Valley Community College District.

Background

Each year, the Board holds an annual meeting at a community college district (CCD) or campus, with the remaining meetings held in Sacramento. The campus is selected using the following criteria: (a) district/campus interest in hosting the Board, (b) existence of campus facilities that can host a statewide public meeting, (c) district/campus innovations that can serve as educational opportunities for the Board and Chancellor's Office staff, and (d) elapsed time since the Board's last visit.

Analysis

Historically the Board has alternated holding its campus meeting between Northern, Southern, Bay Area and Central Valley locations whenever possible. The community college districts and campus sites from 2000 to 2019 follow:

2000 Long Beach CCD, Long Beach City College

2001 Siskiyou Joint CCD, College of the Siskiyou

2002 Santa Clarita CCD, College of the Canyons

2003 San Luis Obispo County CCD, Cuesta College

2004 Southwestern CCD, Southwestern College

2005 San Jose-Evergreen CCD, San Jose City College

2006 Kern CCD, Bakersfield College
2007 Riverside CCD, Riverside City College
2008 Lake Tahoe CCD, Lake Tahoe Community College
2009 San Francisco CCD, City College of San Francisco
2010 El Camino CCD, El Camino College
2011 Butte-Glenn CCD, Butte College
2012 San Diego CCD, San Diego City College
2013 West Hills CCD, West Hills College Lemoore Campus
2014 Foothill-De Anza CCD, De Anza College
2015 Mt. San Antonio CCD, Mt. San Antonio College
2016 Yuba CCD, Woodland Community College
2017 Rancho Santiago CCD, Santa Ana College
2018 Southwestern CCD, Southwestern College
2019 Riverside CCD, Riverside City College
2020 Napa Valley CCD, Napa Valley College (Recommended)

Attachments

None.



California Community Colleges Board of Governors

Item 2.8: Board of Governors Meeting Dates for 2021

Attachments: 1

Date: November 18, 2019

Category: Executive

Type of Board Consideration: Action

Recommended By

A handwritten signature in black ink that reads "Daisy Gonzales".

Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration

A handwritten signature in black ink that reads "Eloy Ortiz Oakley".

Eloy Ortiz Oakley, Chancellor

Issue

This item presents the 2021 Board of Governors (Board) meeting dates.

Recommendation

It is recommended the Board of Governors approve the proposed meeting dates for 2021.

Background

Each fall, the Board adopts a schedule of meeting dates two years in advance. The proposed meeting dates for 2021 are listed below:

January 19-20

March 22-23

May 24-25

July 12-13

September 20-21

November 15-16

Analysis

The proposed schedule of meetings is patterned after the schedule used by the Board in recent years, with meetings generally occurring on the Monday and Tuesday of the third or fourth week of the month.

Attachments

1. Year 2021 calendar with holidays

Item 2.8, Attachment 1: Year 2021 Calendar with holidays

The proposed meeting dates for 2021 are January 19-20, March 22-23, May 24-25, July 12-13, September 20-21, and November 15-16.

Calendar Year 2021

JANUARY							FEBRUARY							MARCH							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	1	2	3	4	5	6	1	2	3	4	5	6			
3	4	5	6	7	8	9	7	8	9	10	11	12	13	7	8	9	10	11	12	13	
10	11	12	13	14	15	16	14	15	16	17	18	19	20	14	15	16	17	18	19	20	
17	18	19	20	21	22	23	21	22	23	24	25	26	27	21	22	23	24	25	26	27	
24	25	26	27	28	29	30	28							28	29	30	31				
31																					
1: New Year's Day							15: Presidents' Day														
18: Martin Luther King Jr. Day																					
APRIL							MAY							JUNE							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	3						1			1	2	3	4	5	
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30				
							30	31													
4: Easter Sunday							31: Memorial Day							20: Father's Day							
JULY							AUGUST							SEPTEMBER							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	3	1	2	3	4	5	6	7				1	2	3	4
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11	
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18	
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25	
25	26	27	28	29	30	31	29	30	31					26	27	28	29	30			
4: Independence Day							6: Labor Day														
OCTOBER							NOVEMBER							DECEMBER							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
					1	2	1	2	3	4	5	6				1	2	3	4		
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11	
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18	
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25	
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31		
31																					
11: Columbus Day (Most regions)							11: Veterans Day							24: 'Christmas Day' observed							
31: Halloween							25: Thanksgiving Day							24: Christmas Eve							
							26: Black Friday							25: Christmas Day							
														31: 'New Year's Day' observed							
														31: New Year's Eve							



California Community Colleges Board of Governors

Item 3.1: Unlawful Discrimination Regulation Changes

Attachments: 2

Date: November 18, 2019

Category: Office of General Counsel

Type of Board Consideration: First Reading

Recommended By

Marc LeForestier, General Counsel

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item is a first reading and public hearing of proposed amendments to title 5 related to the community college system's process for addressing unlawful discrimination. The proposed regulatory action responds to concerns raised by the United States Department of Education Office of Civil Rights, updates provisions to comport with developments in the law, reduces unnecessary processes, and improves clarity in the regulations.

Recommendation

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

Background

California Code of Regulations, title 5, sections 59300, et seq. implement various provisions of federal and state law which prohibit unlawful discrimination against persons or groups in any program or activity administered by the Board of Governors. The regulations apply to students at California community colleges and employees at local colleges and districts. The unlawful discrimination regulations have not been updated since 2008.

The timing of these amendments is prompted by a complaint filed against the Chancellor's Office by the United States Department of Education's Office of the Civil Rights (OCR) in 2016. OCR filed the complaint after reviewing student allegations against Santa Rosa Junior College. After the student's complaint with Santa Rosa was denied, the student filed an appeal with the Chancellor's Office which was also ultimately denied. The student then filed the same complaint with OCR, attaching her complaint and appeal. After review of the documents, OCR did not dispute the Chancellor's Office decision, but opened a case to review our discrimination regulations due to lack of clarity in our standard of review. The case was dormant for more than two years until OCR renewed its

efforts to resolve this matter in early 2019. After negotiations with OCR and demonstrating a good faith commitment to amend the discrimination regulations, OCR dismissed the complaint against the Chancellor's Office on September 26, 2019.

In our review of the Board's anti-discrimination regulations, the Office of the General Counsel identified a number of provisions that needed revision to update definitions, ensure our regulations cover the full range of protected classifications now recognized by California law, remove unduly bureaucratic and unproductive noticing requirements, and provide clarity on standards of review and the appellate process.

Attachments

- 1.** Summary and Analysis of the Proposed Regulatory Action
- 2.** Text of Proposed Regulatory Action

Item 3.1, Attachment 1: Summary and Analysis of the Proposed Regulatory Action

General

Section 59300, et seq. governs the unlawful discrimination process for California community college students and staff. The regulations outline the responsibilities of the Chancellor's Office and districts, and the rights of students and staff. The proposed changes to Section 59300, et seq. are summarized and analyzed below.

§ 59300. Purpose.

Amended this section by adding a reference to state and federal law and deleted the legal citations in the body of the section. Inserted the citations to state and federal law in the authority section. Added the prohibition of retaliation. Added protected classes or perceived characteristics to update this section with current state law. Added catch-all language to include any other characteristic protected under federal and state law.

§ 55311. Definitions

Deleted all definitions to protected class or characteristic for consistency, as they are currently defined in state and/or federal law.

§ 59320. District Responsibilities.

Amended this section by deleting the list of perceived classes or characteristics, as they are currently listed in Section 59300. Amended the section by removing unnecessary language for clarity.

§ 59327. Informal Resolution.

Amended subdivision (a) to remove the requirement that districts shall undertake informal efforts for all complaints. Added language that districts may undertake informal resolution under certain conditions. Deleted subdivisions (a)(1) through (a)(4) as the subdivisions are repetitive and already in place in other sections.

Amended subdivision (b) by removing unnecessary language for clarity.

Amended subdivision (c) to clarify that written or verbal complaints may be informally resolved. Requires that informal complaints be resolved unless the complainant dismisses the complaint.

Amended subdivision (d) to require that verbal complaints be completed within 90 days.

Section 59328. Complaints of Unlawful Discrimination.

Amended subdivision (a) to expand the list of possible complainants.

Added subdivision (b) to clarify that complaints to a responsible employee under state law and Title IX shall also be filed with the responsible district officer.

Amended subdivision (c) to clarify that complaints shall be submitted to the correct district officer and not the Chancellor's Office. Removal of the Chancellor's Office

promotes efficiency and helps streamline the process, as the district is required to investigate complaints within 90 days.

Amended subdivision (d) to remove the requirement that complaints must be filed on a written form. Added language that complaints may be requested to be in writing on a form provided by the Chancellor or district.

Added subdivisions (e) and (e)(1) to clarify that verbal complaints must be accepted and documented in writing. Subdivision (e)(1) also requires districts to take appropriate steps to ensure accuracy of the documentation.

Amended subdivisions (f), (f)(1), and (f)(2) by reorganizing rights of students into one subdivision.

Amended subdivisions (g), (g)(1), and (g)(2) by reorganizing rights of employment complainants into one subdivision.

Deleted subdivisions (f), (f)(1), and (f)(2) on employment complainant's rights to avoid a repetitive and unnecessary subdivision that was reorganized into subdivision (g).

Section 59330. Notice to Chancellor.

Repealed Section 59330 to avoid duplicity. Section 59330 was incorporated into Section 59340 and is no longer needed.

Section 59334. District Investigation.

Amended subdivision (a) for clarity and efficiency by deleting unnecessary and burdensome notice requirements to the Chancellor.

Added subdivision (b) - (b)(5) to reorganize the section for consistency. Amended subdivision (b)(4) to replace the probable cause standard with the preponderance of the evidence standard that is currently used by districts.

Section 59336. Administrative Determination.

Amended subdivision (a) to remove noticing requirements to the Chancellor to promote efficiency and consistency.

Amended subdivision (a)(1) to update proper pronouns and replace the probable cause standard with the preponderance of the evidence standard.

Amended subdivision (a)(2) and (b) for clarity by striking out unnecessary language.

Amended subdivision (b)(1) to update proper pronouns and replace the probable cause standard with the preponderance of the evidence standard.

Amended subdivision (b)(2) for clarity and consistency.

Added subdivision (c)-(c)(3) to require districts to provide certain information to respondents.

Section 59337. Title IX and Student Discipline Procedures.

Added Section 59337 as a new section to this subchapter.

Added subdivision (a) to notify districts that they must follow the federal Title IX procedures for complaints that meet the standards and definitions under Title IX.

Added subdivisions (b)-(b)(3) to include requirements set forth by current California case law involving student sexual misconduct cases that fall outside of the procedural requirements of Title IX.

Added subdivision (c) to indicate how indirect cross-examinations shall be conducted.

Added subdivision (d) to allow districts to offer live hearings or neutral decision-makers for any other student disciplinary proceedings.

Section 59338. Final District Decision; Appeals to the Local Governing Board.

Amended subdivision (a) for clarity and to extend the time to appeal to a local governing board from fifteen (15) to thirty (30) days. Added the respondent's right to appeal.

Moved provisions of subdivision (d) and (d)(1) to subdivision (a)(1) and (a)(2). Removed noticing requirements to the Chancellor for consistency.

Amended subdivision (b) to clarify district's responsibilities and to remove noticing requirements to the Chancellor.

Removed subdivision (d) to avoid having repetitive sections in Section 59338. Subdivision (d) was moved to subdivision (a) for consistency.

Section 59339. Appeal to the Chancellor.

Amended subdivision (a) by removing unnecessary language without affecting the substance of the section. Added specific references to the required notices to appeal to the Chancellor.

Amended subdivision (b) by removing unnecessary language without affecting the substance of the section.

Added subdivision (c) by requiring districts to provide any relevant documents to the Chancellor in the event of an appeal under subdivision (a).

Section 59340. Disclosures to the Chancellor.

Amended subdivision (a)-(a)(6) to remove mandatory noticing requirements to the Chancellor. Replaced mandatory language with permissive language.

Added subdivision (b)-(b)(4) to include a mandatory annual reporting requirement. Subdivision provides information on what data districts must submit to the Chancellor.

Amended subdivision (c) to require a five year retention period for all discrimination complaints. Deleted repetitive language on providing the Chancellor information upon request.

Section 59342. Extensions; Failure to Comply.

Amended subdivision (a) to allow districts to self-certify a one-time extension up to 45 days without Chancellor's Office approval.

Added subdivisions (a)(1)-(a)(3) to articulate the conditions in which a district may self-certify a one-time extension up to 45 days.

Added subdivision (b) to require districts to notify the complainant when a self-certified extension is granted.

Added subdivision (c) to require districts to notify the complainant no later than 10 days of the administrative determination deadline.

Amended subdivision (d) to allow districts to request additional extensions from the Chancellor after the first 45-day extension.

Amended subdivision (e) to determine when the Chancellor may grant an extension request.

Amended subdivision (f) by removing unnecessary language.

Section 59350. Chancellor's Review.

Amended subdivision (a) and added subdivisions (a)(1)-(a)(4) to provide clarity on the specific issues to review on during the Chancellor's appeal.

Amended subdivision (b) to provide a 90 day timeframe for the Chancellor to review appeals. Deleted language on the reasonable cause standard for consistency.

Deleted subdivision (c) to remove the reasonable cause standard.

Section 59352. Remand.

Amended subdivision (a) to remove the reasonable cause standard. Added language on when the Chancellor may remand a matter back to a district.

Added subdivisions (a)(1)-(a)(3) to specify when the Chancellor may remand a matter back to a district.

Added subdivision (b) to specify a 60-days timeframe for districts to review a remanded matter.

Added subdivision (c) to notify non-employment complainants of the right to appeal to the Chancellor.

Section 59356. Formal Resolution.

Repealed section 59356 to remove the probable cause standard and to remain consistent with section 59352.

Item 3.1, Attachment 2: Text of the Proposed Regulatory Action

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

Section 59300 of article 1 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59300. Purpose.

The purpose of this subchapter is to implement provisions of state and federal law which together prohibit discrimination or retaliation ~~the provisions of California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code § 66250 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101), to the end that no person in the State of California shall, in whole or in part, against persons or groups, or those associated with them on the basis of an actual or perceived characteristic related to ethnic group identification, national origin, immigration status, religion, age, sex, or gender, gender identification, gender expression, military and veteran status, marital status, medical condition, race, color, ancestry, sexual orientation, or physical or mental disability, or any other characteristic protected under applicable federal or state law., or on the basis of these perceived characteristics or based on association with a person or group with one or more of these actual or perceived characteristics, be unlawfully~~ These laws require that protected persons and groups shall neither be denied full and equal access to the benefits of, nor be unlawfully ~~subjected to discrimination under any program or activity that is administered by, funded directly by, or that receives any financial assistance from, the Chancellor or Board of Governors of the California Community Colleges., based upon an actual or perceived characteristic listed in this section.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; Sections 11135-11139.5, Government Code; Sections 422.6 and 422.55, Penal Code; Title 20, United States Code, Section 1681; Title 29, United States Code, Section 794; and Title 42, United States Code, Sections 2000d, 6101 and 12100, et seq., California Government Code sections 11135 through 11139.5, the Sex Equity in Education Act (Ed. Code § 66250 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d), title IX of the Education Amendments of 1972 (20 U.S.C. § 1681), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), the Americans with Disabilities Act of 1990 (42 U.S.C. § 12100 et seq.) and the Age Discrimination Act (42 U.S.C. § 6101)

Section 59311 of article 2 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59311. Definitions.

For purposes of this subchapter, the following definitions shall apply:

(a) “Appeal” means a request by a complainant made in writing to a community college district governing board pursuant to section 59338 and/or to the Chancellor's Office pursuant to section 59339 to review the administrative determination of a community college district regarding a complaint of discrimination.

(b) “Complaint” means a written ~~or verbal and signed~~ statement meeting the requirements of section 59328 that alleges unlawful discrimination in violation of this subchapter.

(c) “Days” means calendar days.

~~(d) Except for purposes of section 59306, “disability” means any mental or physical disability as defined in Government Code section 12926.~~

~~(e) “Discrimination on the basis of sex” means sexual harassment or discrimination on the basis of gender.~~

~~(f) “Gender” means sex, and includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth.~~

~~(g) “Sex” includes, but is not limited to, pregnancy, childbirth, or medical conditions related to pregnancy or childbirth. “Sex” also includes, but is not limited to, a person's gender, as defined in section 422.56 of the Penal Code. Discrimination on the basis of sex or gender also includes sexual harassment.~~

~~(h) “Sexual orientation” means heterosexuality, homosexuality, or bisexuality.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; Sections 11135 and 12926, Government Code; and Sections 422.6 and 422.55, Penal Code.

Section 59320 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59320. District Responsibilities.

Each ~~eCommunity~~ college districts ~~has primary~~ must responsibility to ~~ensure~~ that ~~its~~ their programs and activities are available to all persons without unlawful discrimination regard to their actual or perceived ethnic group identification, national origin, religion, age, sex or gender, race, color, ancestry, sexual orientation, or physical or mental disability, or to their association with a person or group with one or more of these actual or perceived characteristics. Therefore, each ~~eCommunity~~ college districts shall investigate complaints of unlawful discrimination in their ~~its~~ programs ~~or~~ and activities, and seek to resolve those complaints in accordance with the provisions of this subchapter.

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; Sections 11135 and 12926, Government Code; and Sections 422.6 and 422.55, Penal Code.

Section 59327 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59327. Informal Resolution.

(a) ~~Whenever any person brings~~ When charges of unlawful discrimination are brought to the attention of the a responsible district officer, ~~the district may~~ designated pursuant to section 59324, that officer shall: undertake efforts to informally resolve the charges with the complainant's consent. The district must advise complainants that they need not participate in informal resolution.

~~(1) undertake efforts to informally resolve the charges;~~

~~(2) advise the complainant that he or she need not participate in informal resolution;~~

~~(3) notify the person bringing the charges of his or her right to file a complaint, as defined in section 59311, and of the procedure for filing such a complaint pursuant to section 59328;~~

~~(4) advise the complainant that he or she may file his or her nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction; and~~

~~(5) advise the complainant that he or she may file his or her employment-based complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the California Department of Fair Employment and Housing (DFEH) where the complaint is within the jurisdiction of those agencies.~~

(b) ~~Efforts at informal resolution pursuant to subdivision (a)(1) may, but need not include any investigation, unless~~ The responsible district officer determines that when an investigation is warranted, by the seriousness of the charges.

(c) ~~Efforts at informal resolution may continue after the filing of a formal written or verbal complaint is made, but after a complaint is filed an investigation is required to be conducted pursuant to section 59334 and~~ The investigation must be completed unless the matter is informally resolved and the complainant dismisses the formal complaint, or the complainant files with the DFEH and the Chancellor elects not to require further investigation pursuant to section 59328(f)(2).

~~(d) Any efforts at informal resolution after the filing of a written or verbal complaint is made shall not exceed~~ the completed within ninety (90) days period for rendering the administrative determination pursuant to section 59336.

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59328 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59328. Formal Investigation Upon Filing of Written Complaint. Complaints of Unlawful Discrimination

An investigation of alleged unlawful discrimination prohibited by this subchapter will be initiated by filing a complaint that meets the following requirements:

(a) ~~The~~ Complaints of unlawful discrimination may be written or verbal, and shall be made filed by a one student, an employee, a parent of a minor, or an individual with legal authority on behalf of a student or employee, who alleges that the student or employee or she has personally suffered unlawful discrimination or by one who has learned of such unlawful discrimination in his or her official capacity as a faculty member or administrator.

(b) Any complaints to a responsible employee under California law or Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681-1688, shall be filed with the responsible district officer or designee.

~~(c)~~ The Written complaints shall be filed with the Chancellor of the California Community Colleges or with the responsible district officer designated pursuant to section 59324 by the appropriate community college district.

~~(d)~~ The complainant shall be in may be requested, but shall not be required, to submit the complaint on a form prescribed by the Chancellor or the community college district.

(e) Verbal complaints shall be lodged with the responsible district officer or designee. The responsible district officer shall reduce the verbal complaint in writing. The district shall take appropriate steps to ensure the writing accurately reflects the facts alleged by the complainant.

~~(f)~~ In any complaint not involving employment, the complaint shall be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination.

(1) the complaint shall be filed within one year of the date of the alleged unlawful discrimination or within one year of the date on which the complainant knew or should have known of the facts underlying the allegation of unlawful discrimination;

(2) districts shall advise student complainants that they may file their nonemployment-based complaint with the Office for Civil Rights of the U.S. Department of Education (OCR) where such a complaint is within that agency's jurisdiction.

~~(g)~~ In any complaint alleging discrimination in employment, the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period should be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

(1) the complaint shall be filed within 180 days of the date the alleged unlawful discrimination occurred, except that this period should be extended by no more than 90 days following the expiration of the 180 days if the complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days;

(2) advise complainants that they may file the complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH) where the complaint is within the jurisdiction of those agencies.

~~(f) In any complaint alleging discrimination in employment, the district shall:~~

~~(1) advise the complainant that he or she may file the complaint with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the Department of Fair Employment and Housing (DFEH) where the complaint is within the jurisdiction of those agencies; and~~

~~(2) forward a copy of any filing by the complainant with the DFEH or the EEOC to the Chancellor's Office for a determination of whether the issues presented require an independent investigation of the matter under the provisions of this subchapter.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59330 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is repealed to read:

~~§ 59330. Notice to Chancellor.~~

~~Immediately upon receiving a complaint filed in accordance with section 59328, regardless of whether the complaint is brought by a student or by an employee, the district shall forward a copy of the complaint to the Chancellor.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59334 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59334. District Investigation.

(a) Upon receiving a complaint that is properly ~~made~~ filed in accordance with section 59328, the district ~~will~~ shall notify the complainant that the district will commence an impartial fact-finding investigation of the allegations contained in the that complaint and notify the complainant and Chancellor that it is doing so.

(b) The results of the investigation shall be set forth in a written report that shall include at least all of the following:

(a) a description of the circumstances giving rise to the complaint;

(b) a summary of the testimony provided by each witness, including the complainant and any available ~~viable~~ witnesses identified by the complainant in the complaint;

(e3) an analysis of any relevant data or other evidence collected during the course of the investigation;

(d4) a specific finding as to whether ~~there is probable cause to believe that discrimination occurred with respect to each~~ factual allegation in the complaint occurred based on the preponderance of the evidence standard; and

(e5) any other information deemed appropriate by the district.

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59336 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59336. Administrative Determination.

(a) In any case not involving employment discrimination, within ninety (90) days of receiving a complaint, the district shall complete its investigation and forward ~~a copy of the investigative report required pursuant to section 59334 to the Chancellor, a copy or summary of the report to the complainant, and written notice to the complainant~~ setting forth all of the following ~~to both the complainant and the Chancellor~~:

(1) ~~the determination of~~ The chief executive officer's or his/her/their designee's determination as to whether ~~there is probable cause to believe~~ discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;

(2) In the event a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar problems/acts of unlawful discrimination from occurring in the future;

(3) the proposed resolution of the complaint; ~~and~~

(4) the complainant's right to appeal to the district governing board and the Chancellor pursuant to sections 59338 and 59339; and

(5) in matters involving student sexual misconduct, the respondent's right to appeal to the district governing board.

(b) In any case involving employment discrimination, within 90 days of receiving a complaint, the district shall complete its investigation and forward a copy or summary of the report ~~to the complainant, and written notice to the complainant~~ setting forth all the following ~~to the complainant~~:

(1) ~~the determination of~~ The chief executive officer's or his/her/their designee's determination as to whether ~~there is probable cause to believe~~ discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;

(2) if a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar problems from occurring in the future;

(3) the proposed resolution of the complaint; and

(4) the complainant's right to appeal to the district governing board and to file a complaint with Department of Fair Employment and Housing.

(c) In any case involving discrimination, when a district provides the complainant with any information pursuant to this subdivision, the district shall also provide to the respondent the following:

(1) The chief executive officer's or their designee's determination as to whether discrimination occurred with respect to each allegation in the complaint based on the preponderance of the evidence standard;

(2) The proposed resolution of the complaint, including any disciplinary action against the respondent; and

(3) In matters involving misconduct governed by section 59337, subdivision (b), the respondent's right to appeal to the local governing board.

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59337 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is added to read:

§ 59337. Title IX and Student Discipline Procedures.

(a) In cases of student sexual misconduct subject to Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681-1688, districts must comply with the federal Department of Education's Title IX regulations, 34 C.F.R. Part 106.

(b) In cases of student sexual misconduct that does not meet the procedural requirements of Title IX, when an accused student is subject to severe disciplinary sanctions and the credibility of witnesses is central to the investigative findings, district student discipline procedures must provide the following:

(1) An opportunity for the accused student to cross-examine witnesses, including the complainant;

(2) An opportunity for the accused student to cross-examine witnesses indirectly at a live hearing, either in person or by videoconference;

(3) A live hearing conducted by a neutral decision-maker other than the investigator.

(c) For purposes of this section, "indirect" cross-examination shall be conducted as follows:

(1) Any question to the witness shall be asked by a neutral party appointed by the district for the sole purpose of asking questions. The neutral party shall not be the accused student, the accused student's representative, or a member of the hearing panel; and

(2) The accused student may submit written questions before and during the cross-examination, including any follow-up questions. The neutral party asking questions shall

not exclude any questions unless there is an objection to the question by the hearing panel.

(d) Nothing in this section shall prohibit a district from providing a live hearing or neutral decision-maker for other student discipline proceedings, including for other forms of discrimination.

Section 59338 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59338. Final District Decision; Appeals to Local Governing Board.

(a) If the complainant is not satisfied with the results of the administrative determination rendered pursuant to section 59336, the complainant or respondent in student sexual misconduct cases, may submit a written appeal to the district governing board within ~~fifteen (15)~~ thirty (30) days from the date of the notice ~~pursuant to~~ required by section 59336 ~~that sets forth the administrative determination and the complainant's appeal rights.~~ The governing board shall review the original complaint, the investigative report, the administrative determination, and the appeal and issue a final district decision ~~in the matter~~ within forty-five (45) days after receiving the appeal.

(1) If the governing board does not act within forty-five (45) days the administrative determination shall be deemed approved on the forty-sixth day and shall become the final district decision.

(2) The district shall promptly notify the complainant that the board took no action and the administrative determination is deemed approved.

(b) In any case not involving employment discrimination, the district shall promptly forward to the complainant, ~~and to the Chancellor~~ a copy of the final district decision rendered by the governing board, ~~if any, that includes~~ and notice of complainant's right to appeal the district's decision to the Chancellor pursuant to section 59339.

(c) In any case involving employment discrimination, the district shall promptly forward to the complainant a copy of the final district decision rendered by the governing board that includes the complainant's right to file a complaint with the Department of Fair Employment and Housing (DFEH), where the case is within the jurisdiction of that agency.

~~(d) If the governing board does not act within forty five (45) days the administrative determination shall be deemed approved and shall become the final district decision in the matter.~~

~~(1) The district shall promptly notify the complainant and, in any case not involving employment discrimination, the Chancellor, that the board took no action and the administrative determination is deemed approved pursuant to this section.~~

~~(2) In any case not involving employment discrimination, the complainant shall also be notified of his or her right to appeal the district's decision to the Chancellor pursuant to section 59339.~~

~~(3) In any case involving employment discrimination, the complainant shall also be notified of his or her right to file a complaint with the Department of Fair Employment and Housing (DFEH), where the case is within the jurisdiction of that agency.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59339 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59339. Appeal to the Chancellor.

~~(a) In any case not involving employment discrimination, the complainant may shall have the right to file a written appeal with the Chancellor within thirty (30) days from the date of that the governing board issues the district's notice of final district decision, or permits the administrative determination to become final pursuant to section 59338, or from the date of the notice provided pursuant to section 59338(b) or (d), whichever is later. Such appeals shall be processed pursuant to the provisions of article 4 (commencing with section 59350) of this subchapter. The appeal must be accompanied by a copy of the include copies of the complaint, the decision of the governing board, and the notice of final decision or evidence showing the date on which the complainant filed an appeal with the governing board and a statement under penalty of perjury that no response was received from the governing board within forty five (45) days from that date.~~

(b) In any case involving employment discrimination, the complainant may, at any time before or after the final district decision is rendered, file a complaint with the Department of Fair Employment and Housing (DFEH) ~~where the complaint is within the jurisdiction of that agency.~~

~~(c) For any appeal under subdivision (a), the district shall provide all relevant, non-privileged documents upon request of the Chancellor.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59340 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59340. ~~Provision~~ Disclosures to the Chancellor.

~~(a) Within 150 days of receiving a complaint which does not involve employment discrimination, the district will either: Upon request of the Chancellor, a district shall provide copies of all documents related to a discrimination complaint, including the following:~~

~~(1) the complaint forward the following to the Chancellor;~~

~~(2) any investigative report, unless subject to the attorney-client privilege;~~

~~(A3)~~ A copy of the final district decision rendered by the governing board or a statement indicating the date on which the administrative determination became final pursuant to section 59338(a) or (d);

~~(B4)~~ A copy of the notice to the complainant required ~~by~~ pursuant to section 59338(a) or (d);

~~(C5)~~ A copy of the complainant's appeal of the district's administrative determination pursuant to section 59338(a); and

~~(D6)~~ Such any other non-privileged documents or information as the Chancellor requests may require.

(b) Districts shall provide to the Chancellor an annual report with the following information:

(1) the numbers of employment and non-employment discrimination complaints and informal charges received in the previous academic year,

(2) the number of complaints and informal charges resolved in the previous academic year,

(3) the number of complaints and the nature of allegations substantiated and unsubstantiated in the previous academic year,

(4) any other information requested by the Chancellor.

~~(2) Notify the Chancellor that the complainant has not filed an appeal with the district governing board and that the district has closed its file.~~

~~(b)c) Districts shall retain all records arising from informal discrimination charges and formal discrimination complaints for a period of For a period of at least five three-years after closing a case, including a case involving employment discrimination, the district shall retain and make available to the Chancellor upon request the original complaint, the documents referenced in sections 59336 and 59338, and the documents identified in subdivision (a) of this section.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59342 of article 3 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59342. Extensions; Failure to Comply.

(a) If a district, ~~for reasons beyond its control,~~ is unable to comply with the 90-day ~~or 150-day~~ deadline pursuant to specified in sections 59327 and 59336 or 59340, the district may file a written request that the Chancellor grant an extension the time to respond by up to 45 additional days. An extension may be taken only once without permission from the Chancellor's Office, and must be necessary for one of the following reasons: ~~of the~~ deadline. Where an extension is deemed necessary by the district, it must be requested from the Chancellor regardless of whether or not the case involves employment

discrimination. The request shall be submitted no later than ten (10) days prior to the expiration of the deadline established pursuant to sections 59336 or 59340 and shall set forth the reasons for the request and the date by which the district expects to be able to submit the required materials.

(1) a need to interview a party or witness who has been unavailable;

(2) a need to review or analyze additional evidence, new allegations, or new complaints related to the matter; or

(3) to prepare and finalize an administrative determination.

(b) Districts shall send a written notice to the complainant indicating the necessity of an extension, the justification for the extension, and the number of days the deadline will be extended.

(c) Notice of an extension shall be sent to the complainant no later than 10 days prior to the initial time to respond pursuant to section 59336.

~~(b)~~ Districts may request additional extensions from the Chancellor after the initial 45-day extension. A copy of the extension request for an extension shall be sent to the complainant, who shall be notified that he or she The complainant may file a written objections with the Chancellor within five (5) days of receipt.

~~(c)~~ The Chancellor may grant the extension for good cause, request unless delay would be unduly prejudicial to the complainant or investigation. If the Chancellor grants an extension of the 90-day deadline, the 150-day deadline is automatically extended by an equal amount.

~~(d)~~ If a district fails to comply with the requirements of this section or sections 59336 or 59340 by the required deadline, including any extension granted pursuant to this section, the Chancellor may proceed to review the case as provided in article 4 (commencing with section 59350) of this subchapter based on the original complaint and any other relevant information then available.

Note: Authority cited: Sections 66271.7, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59350 of article 4 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59350. Chancellor's Review for Reasonable Cause.

~~(a) The Chancellor shall review the materials submitted by the district pursuant to sections 59336 and 59340, together with the complainant's appeal, and determine whether there is reasonable cause to believe the district has violated the requirements of this subchapter. The Chancellor's review on appeal is limited to the following issues:~~

(1) whether there was a procedural error in violation of this subchapter;

(2) whether there was a defect in the investigation;

(3) whether new evidence not available during the investigation would substantially impact the outcome of the investigation;

(4) whether correct legal standards were applied; and

(5) whether the district's determination was an abuse of discretion.

~~(b) Failure by the complainant to file an appeal pursuant to section 59339 shall not preclude the Chancellor from finding reasonable cause to believe the district has violated the requirements of this subchapter. The Chancellor shall issue a determination within 90 (ninety) days of receiving the appeal and appellate file from the appropriate district. The Chancellor shall send the determination to both the complainant and the district.~~

~~(c) If the Chancellor finds there is no reasonable cause to believe a violation has occurred, the Chancellor shall immediately notify both the complainant and the district.~~

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59352 of article 4 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 59352. Investigation-Remand.

~~(a) If the Chancellor finds there is reasonable cause to believe that a violation has occurred, †The Chancellor may~~shall investigate to determine whether there is probable cause to believe a violation has occurred. remand any matter to the originating district for any of the following reasons:

(1) to cure defects in the investigation or in procedural compliance;

(2) to consider new evidence not available during the investigation that would substantially impact the outcome of the investigation; or

(3) to modify or reverse a decision of the local governing board based upon misapplication of an applicable legal standard or an abuse of discretion.

(b) If a matter is remanded to the district, the district shall take necessary action and issue a decision after remand within sixty (60) days.

(c) In any case not involving employment discrimination, the complainant may appeal the district's amended determination to the Chancellor within thirty (30) days pursuant to section 59339.

Note: Authority cited: Sections 66271.1, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.

Section 59356 of article 4 of subchapter 5 of chapter 10 of division 6 of title 5 of the California Code of Regulations is repealed:

~~§ 59356. Formal Resolution.~~

~~Within 120 days of initiating the investigation, the Chancellor shall take one of the following actions:~~

~~(a) Notify the district and the complainant that there is probable cause to believe the district has violated the provisions of this subchapter. The Chancellor shall allow the district to acquiesce in this finding prior to filing an accusation against the district.~~

~~(b) Notify the district and the complainant that there is no probable cause to believe the district has violated the provisions of this subchapter.~~

~~Note: Authority cited: Sections 66271.7, 66700 and 70901, Education Code; and Section 11138, Government Code. Reference: Sections 66250 et seq. and 72011, Education Code; and Sections 11135 and 11136, Government Code.~~



California Community Colleges Board of Governors

Item 4.1: State and Federal Update

Attachments: 2

Date: November 18-19, 2019

Category: Governmental Relations

Type of Board Consideration: Information

Recommended By

Handwritten signature of Laura Metune in black ink.

Laura Metune, Vice Chancellor

Approved for Consideration

Handwritten signature of Eloy Ortiz Oakley in black ink.

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 a summary of new legislation approved by the Governor.

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 (Updated as of October 29, 2019)
2. Federal Policy and Advocacy Update (Updated as of October 29, 2019)

Item 4.1, Attachment 1: State Policy Update

October 13th marked the end of the first year of the 2019-20 Legislative Session, with Governor Newsom taking final actions on bills approved by the Legislature in 2019. Of the 232 introduced bills related to community colleges, the Governor signed 85 into law. The Governor approved three of the four bills sponsored by the Board of Governors; 19 of 24 supported bills; and neither of the bills opposed by the Chancellor's Office were enacted.

We move into 2020 with 147 higher education related bills pending in the Legislature, including Board-sponsored Senate Bill 291 (Leyva) to reform California's financial aid program to better support community college students. The Legislature will reconvene for the on January 6, 2020.

Below is a summary of higher education bills enacted in 2019.

Administrative Policies

AB 469 (Petrie-Norris) State records management: records management coordinator.

This bill amends Sections 12272 and 12274 of the Government Code and requires each state agency to appoint a Records Management Coordinator (RMC) to coordinate record retention, management, and transfer of records to the Secretary of State, and requires reporting of statewide compliance to the Department of Finance at least every two years. The bill contains additional provisions related to notification and reporting requirements, as specified.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200AB469) (leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200AB469).

AB 945 (McCarty) Local government: financial affairs: surplus funds.

This bill amends and repeals Section 53635.8 of, and amends, repeals, and adds Section 53601.8 to the Government Code to make several changes to the allocation of surplus funds accumulated by local agencies. Specifically, this bill increases the cap on the amount of surplus funds from 30% to 50% a local agency may invest in depository institutions, effective January 1, 2020 until January 1, 2026. If a local agency pools its monies with other local agencies, it can only invest up to 30% of its surplus funds. This bill stipulates several practices and conditions a local agency must follow when making these deposits, including the selection of a nationally or state-chartered commercial bank, savings bank, savings and loan association, or California credit union to invest the funds and informing the depository institution of other deposits made in other depository institutions. The selected depository institution may use a private sector entity to help place local agency deposits within one or more commercial banks, savings banks, savings and loan associations, or credit unions that are located in the United States and must submit a monthly inventory to the local agency of all depository institutions in which deposits have been placed on the local agency's behalf.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB945) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB945).

AB 1013 (Obernolte) State agencies: grant applications.

This bill adds Section 11000.5 to the Government and prohibits a state agency from selecting an evaluator to review a discretionary grant application submitted by an organization or a person for which the evaluator was a representative, voting member, or staff member within the two-year period preceding receipt of that application. The bill clarifies that “representative” and “staff member” does not include an unpaid volunteer, provides definitions for terms, specifies that for purposes of the prohibition related to an “organization” it does not include a state or local public agency, the federal government, or an auxiliary organization of the California State University, and makes other technical clarifying changes.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1013) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1013).

AB 1033 (Cooper) State employment: new employees: information.

This bill adds Section 18919 to the Government Code. Specifically, the bill requires a state agency to provide a job applicant with information on the Public Employees Retirement System and State Civil Service Act before offering employment.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1033) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1033).

AB 1819 (Committee on Judiciary) Inspection of public records: use of requestor’s reproduction equipment.

This bill amends section 6253 of the Government Code to allow a requestor to photograph, copy or reproduce a disclosable record on the premises of the agency using their own equipment at no charge as long as the equipment does not make physical contact with the record. Such copying or reproduction may not be prohibited unless the means of copying or reproduction results in damage to the record or unauthorized access to the agency’s computer systems or secured networks. The bill further provides that the agency may impose a reasonable limit on the use of the requestor’s equipment to protect the safety of the records, maintain the integrity or ensure the long-term preservation of such records, and to prevent an unreasonable burden on the normal functions of the agency and its employees.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1819) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1819).

SB 568 (Portantino) Public holidays: Armenian Genocide Remembrance Day.

This bill amends Section 79020 of the Education Code and provides that Glendale College may close on April 24 of each year, known as “Armenian Genocide Remembrance Day,” if the district board of trustees agrees to close the community college for that purpose.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB568) (leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB568).

Affordability, Financial Aid and Tuition/Fees

AB 2 (Santiago) Community Colleges: California College Promise.

This bill amends Section 76396.3 of the Education Code to authorize a community college to waive fees under the California Promise for a student enrolled in fewer than 12 units provided that student has been certified as full-time by a staff person in the disabled student services program at the institution. The bill prohibits a college from waiving fees for students who have previously earned a degree or certificate from a postsecondary educational institution. Finally, the bill requires the Chancellor's Office to report, by July 1, 2024, on the use of fee waivers and on whether College Promise is achieving outlined goals.

The Chancellor's Office Student and Financial Aid Programs and Services Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB2).

AB 540 (Limon) Postsecondary education: student financial aid: California Dreamer Service Incentive Grant Program.

This bill amends Sections 69438 and 69438.7 and adds Section 69438.8 to the Education Code, to rename the Cal Grant B Service Incentive Grant Program to the California Dreamer Service Incentive Grant Program. It clarifies that a non-profit 501(c)(e) organization must be active for two years prior to a student's participation in volunteer service activities. The bill also authorizes the California Student Aid Commission to adopt regulations necessary to carry out the purposes of the program as emergency regulations.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB540) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB540).

AB 703 (Weber) Public postsecondary education: fee waivers for exonerated persons.

This bill adds Part 41.5 (commencing with Section 69000) to Division 5 of Title 3 of the Education Code to prohibit the CSU, UC, and community college districts from collecting mandatory tuition and fees from persons exonerated of crimes if the student completes and submits the Free Application for Federal Student Aid (FAFSA), meets the financial need requirements established for Cal Grant A awards, and is a resident of California. An eligible person may receive a waiver of tuition or fees for up to six years of full-time attendance or equivalent but may not receive this waiver for a prior academic year.

The Chancellor's Office Student and Financial Aid Programs and Services Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB703) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB703).

AB 853 (Smith) Student Financial Aid: Golden State Scholarshare.

This bill amends Sections 69981 and 69986 of the Education Code and authorizes the Scholarshare Investment Board to make payments to third parties, in addition to institutions of higher education, to pay for qualified higher education expenses on behalf of program beneficiaries. An example of qualified higher education expense could include payment to a landlord for a student's off campus housing costs. The bill also makes other conforming changes.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB853) (leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB853).

AB 1090 (Medina) Public postsecondary education: waiver of mandatory campus fee.

This bill amends Section 68120 of the Education Code. Specifically, this bill expands the exemption from mandatory systemwide tuition and fees to also include campus-based fees at the University of California, the Hastings College of Law, the California State University, and the California Community Colleges for surviving spouses and children of active California law enforcement officers or firefighters who died in the performance of their duties.

The Chancellor's Office Student and Financial Aid Programs and Services Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1090) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1090).

AB 1313 (L. Rivas) Higher education: prohibited debt collection practices.

This bill adds Sections 1788.90-1788.933 to the Civil Code and amends Sections 66022 and 76225 of the Education Code to enact the Educational Debt Collection Practices Act. The Act provides definitions for new terms and prohibits any public or private postsecondary institution, or any public or private entity, responsible for providing transcripts to current or former students from withholding a transcript because that student owes money to the institution. The bill clarifies practices that are prohibited including withholding a transferring student's records upon payment of fees or charges due to a campus, conditioning the provision of a transcript on payment of a debt, charging a higher fee for obtaining a transcript, providing a less favorable treatment of a transcript request because the student owes a debt, or using transcript issuance as a tool for debt collection. It also removes the authority to withhold transcripts from a student who has defaulted on

their loan under the Federal Direct Student Loan Program, formerly the Family Federal Education Loan program.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1313) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1313).

AB 1774 (Bonta) Student financial aid: Student Aid Commission: extension of application deadlines.

This bill adds Section 69513.2 to the Education Code and authorizes the California Student Aid Commission (CSAC) to postpone an application deadline for financial aid up to 30 calendar days if certain conditions are met for regions that experience natural disasters, states of emergency, or labor actions. The bill specifies that CSAC may postpone an application deadline if a formal request is received from a school or community college superintendent or from the president or chancellor of a California institution of higher education that receives state funds for student financial aid, and if CSAC confirms the qualifying event occurred and has an adverse effect on the ability of a student in the affected region of the state to successfully complete and submit their financial aid applications by the established deadline. It further specifies that postponement of an application deadline applies to all applicants affected by the qualifying event, and the qualifying event must occur or was ongoing during the period for which financial aid applications were available to submit for the next academic year. It provides definitions for new terms, includes a number of additional provisions relating to implementation of this bill's provisions, and contains an urgency clause and takes effect immediately.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1774) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1774).

SB 150 (Beall) Student Financial Aid: Chaffee grant awards.

This bill amends Section 69519 of the Education Code to provide 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 students encountering academic difficulty and an appeals process to account for the unique circumstances of foster youth, and 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. The bill authorizes CSAC to adjust or withdraw offers to ensure they do not exceed available program funding, require CSAC to advise award recipients that offers may be withdrawn or adjusted before payment and that awards are payable to eligible students only if funding is available, and authorize the University of California, California State University, and the California Community Colleges to use existing resources to implement specified provisions to the extent those resources may be lawfully expended for that purpose. The bill includes a number of additional provisions relating to changes in the Chaffee ETV Program.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB150) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB150).

Athletics

AB 1518 (Chu) Student athletes: contracts.

This bill amends Sections 18895.2, 18897.6, and 18897.73 of, and adds Section 18897.74 to the Business and Professions Code and authorizes a student athlete to enter into a contract with an athlete agent without losing their status as a student athlete, if the contract complies with the policy of the student athlete's educational institution and the bylaws of the National Collegiate Athletic Association (NCAA). This bill also requires an agent who provides money or any other thing of value to a student athlete to file an itemized report of those payments with the athletic director of the student athlete's educational institution or the educational institution where the student athlete intends to enroll.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1518). (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1518).

AB 1573 (Holden) Collegiate athletes: Student Athlete Bill of Rights.

This bill amends Section 67451 and adds Sections 67452.3, 67454, and 67455 to the Education Code. Specifically, the bill authorizes colleges and universities that earn more \$10 million annually from intercollegiate athletics to establish degree completion funds, directs those schools to disseminate information regarding student athlete rights and prohibits those schools from retaliating against student athletes who report violations of student athletes' rights.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1573) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1573).

SB 206 (Skinner) Collegiate athletics: student athlete compensation and representation.

This bill adds Section 67456 and repeals Section 67457 of the Education Code. Specifically, this bill allows, commencing on January 1, 2023, college student athletes to earn compensation for the use of their own name, image, or likeness and obtain professional representation. It also requires the Chancellor of California Community Colleges to establish a name, image, and likeness working group that is charged with reviewing California Community College Athletic Association (CCCCAA) bylaws and making recommendations to CCCCCAA and the Legislature no later than July 1, 2021.

The Chancellor's Office Education Services and Support Division will coordinate with the Office of Legal Services to comply with the working group requirements outlined in this legislation.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB206) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB206).

Basic Needs

AB 612 (Weber) CalFresh: Restaurant Meals Program.

This bill amends Section 18919 of the Welfare and Institutions Code. Specifically, the bill authorizes the California Department of Social Services (CDSS) to enter into a statewide memorandum of understanding with the Chancellor of the California Community Colleges that allows community colleges to participate in the Restaurant Meals Program (RMP) for homeless, elderly or disabled students, even if the college is located in a county that does not have a RMP.

The Chancellor's Office Student Services and Special Programs Unit within the Education Services and Support Division will coordinate with CDSS to develop the MOU.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB612) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB612.)

AB 943 (Chiu) Community colleges: Student Equity and Achievement Program funds.

This bill amends Section 78220 of the Education Code. Specifically, the bill authorizes community colleges to use Student Equity and Achievement Program funds for grants to students to overcome unforeseen financial challenges that would directly affect their ability to persist academically. These grants must be included in the college's Student Equity Plan.

The Chancellor's Office Student Services and Special Programs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB943) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB943).

AB 1278 (Gabriel) Public postsecondary educational institutions: public services and programs: internet website notification.

This bill adds Section 66027.6 to the Education Code. Specifically, the bill requires public postsecondary institutions to include a notification about county social services on their internet website-based account for an enrolled student (student portal). Requires the notification to include information about CalFresh, housing and mental health.

The Chancellor's Office Student Services and Special Programs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1278) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1278).

SB 173 (Dodd) CalFresh: postsecondary student eligibility: workstudy.

This bill amends Section 18901.11 of the Welfare and Institutions Code. Specifically, this bill requires the California Department of Social Services to collaborate with the California

Community Colleges, University of California and California State University in the creation of a standardized form for determining eligibility for CalFresh benefits. This form would verify the work-study eligibility of approved students who anticipate participating in state or federal work-study.

The Chancellor's Office Student Services and Special Programs Unit within the Education Services and Support Division will coordinate with CDSS to comply with the provisions of this bill.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB173) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB173).

SB 316 (Rubio) Pupil and student safety: identification cards: domestic violence hotline telephone number.

This bill amends Section 215.5 of the Education Code to require, commencing October 1, 2020, public and charter schools that issue identification cards to print the telephone number for the National Domestic Violence Hotline on the identification cards, and requires public or private institutions of higher education that issue pupil identification cards to, commencing October 1, 2020, print the telephone number for the National Domestic Violence Hotline or a local domestic violence hotline on the identification cards. This bill also extends from January 1, 2019 to January 1, 2020, the requirement that a school or institution of higher education which has a supply of unissued pupil or student identification cards that do not comply with the requirements of this measure to issue those pupil or student identification cards until that supply is depleted.

The Chancellor's Office Student Services and Special Programs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB316) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB316).

SB 687 (Rubio) Homeless Coordinating and Financing Council.

This bill amends Section 8257 of the Welfare and Institutions Code. Specifically, this bill requires the Governor to appoint a representative from the California Community Colleges or University of California or California State University to the Homeless Coordinating and Financing Council.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB687) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB687).

Career Education

AB 239 (Salas) Community colleges: registered nursing programs.

This bill amends Section 78261.5 of the Education Code. Specifically, the bill extends the authorization for community college registered nursing programs to use a multi-criteria screening tool in student admissions, from January 1, 2020 to January 1, 2025.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB239) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB239).

SB 478 (Rubio) Commission on Teacher Credentialing: membership.

This bill amends Sections 44210 and 44212 of the Education Code to make several changes to the composition of the Commission on Teacher Credentialing, including reducing the number of public representatives from four to three, adding one certificated human resources administrator from a public elementary or secondary school in California, and requiring the Board of Governors of the California Community Colleges, instead of the California Postsecondary Education Commission, to appoint a nonvoting representative.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB478) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB478).

AB 595 (Medina) Community colleges: apprenticeship programs.

This bill adds Section 79149.25 to the Education Code. Specifically, the bill authorizes a student enrolled in a community college apprenticeship training program, who does not have a social security number, to use an individual tax identification number (ITIN) for purposes of any background check required by the class or program. This bill does not explicitly authorize the use of ITIN for any other purposes.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB595) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB595).

AB 1051 (Smith) Community colleges: temporary faculty members: clinical nursing faculty.

This bill amends Section 87482 of the Education Code. Specifically, the bill authorizes a community college district to employ part time clinical nursing faculty that exceed the 67% load cap for up to four semesters. The Chancellor's Office is required to report to the Legislature on the number of districts who use this authorization, how many part time faculty exceed the 67% load cap and how it effects the district's part time to full time faculty ratio.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1051) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1051).

AB 1308 (Cunningham) Students in hotel management or culinary arts programs: tastings.

This bill amends Section 25668 of the Business and Professions Code and permits students who are at least 18 years old and enrolled in accredited, Associate's degree or Bachelor's degree granting programs in hotel management or culinary arts to taste, but not consume, an alcoholic beverage for educational purposes, and exempts the student and the qualified academic institution in which the student is enrolled from criminal prosecution. The bill requires the alcohol to remain in the control of an authorized instructor who is at least 21 years of age, specifies that these provisions do not allow a

student under the age of 21 to consume alcoholic beverages unless it is part of curriculum requirements; provides that a license or permit is not required to be held by a qualified institution; defines “qualified academic institution” as public college or university; and defines “taste” to mean to draw an alcoholic into the mouth but does not include swallowing or consuming it.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1308) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1308).

Dual Enrollment

AB 30 (Holden) Community colleges: College and Career Access Pathways partnerships.

This bill amends Section 76004 of the Education Code and makes several changes to College and Career Access Pathways (CCAP) partnerships. Specifically, the bill authorizes CCAP with continuation education high schools; removes the requirement for an informational public meeting prior to the adoption of a CCAP; requires CCAP students to receive only one principal recommendation and parental consent form; and authorizes units earned during a CCAP to count toward the student establishing priority registration. The bill further requires the Chancellor’s Office to revise the CCAP application, as specified, by July 31, 2020. This bill extends the sunset date of the law governing the CCAP from January 1, 2022 to January 1, 2027.

The Chancellor’s Office Academic Affairs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB30) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB30).

AB 1729 (Smith) Pupils: Attendance at a community college.

This bill amends Section 48800 of the Education Code and creates a special exemption from the 5-percent limitation of pupils allowed to be recommended for dual enrollment during summer session for (1) lower division college-level courses within the Intersegmental General Education Transfer Curriculum or general education requirements of the California State University or (2) college-level occupational courses, as specified. Extends the sunset date for these provisions of law from January 1, 2020 to January 1, 2027.

The Chancellor’s Office Academic Affairs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1729) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1729).

SB 554 (Roth) Public Schools: Adult School Students: Advanced Scholastic and Vocational Training Program.

This bill amends Sections 76001 and 76002 and adds Section 52620 and 52621 to the Education Code to authorize students pursuing a high school diploma or high school equivalency certificate at a school district adult education program or community college district noncredit program to enroll at a community college as a special part-time student (dual enrollment). The bill makes other conforming changes, as specified.

The Chancellor's Office Academic Affairs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB554) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB554).

SB 586 (Roth) College and Career Access Pathways partnerships.

This bill amends Section 76004 of the Education Code to require a community college district and school district or charter school providing College and Career Access Pathways (CCAP) career technical education pathways, as a condition of and before adopting a CCAP partnership agreement, to consult with local workforce development boards to determine the extent to which the pathways align with regional and statewide employment needs.

The Chancellor's Office Academic Affairs Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB586) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB586).

Elections

AB 59 (Katra) Elections: polling places: college and university campuses.

This bill amends Sections 4005 and 12283 of the Elections Code to direct county elections officials conducting an all-mail ballot election to consider placing a vote center on a public or private university or college campus. This bill also expands the definition of "public building" to include a building owned or controlled by the UC, the CSU, or a community college district, and allows the governing body having jurisdiction over the public building to authorize the use of its buildings for polling places or vote centers beginning up to 10 days before the election and continuing through the election. The UC is encouraged, but not required, to comply with an election official's request to use their buildings for polling places or vote centers.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB59) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB59).

AB 220 (Bonta) Political Reform Act of 1974: campaign funds: childcare costs.

This bill amends Section 89513 of the Government Code to revise elections statutes pertaining to a candidates use of campaign funds. Specifically, this bill deletes provisions

that allow officeholders to use campaign funds for childcare expenses, permits candidates to use campaign funds for childcare expenses that are reasonable and necessary and incurred due to the candidate engaging in campaign activities, and adds to the list of eligible “childcare expenses” summer camps, before and after school care for children under 13, and nurse or home care, or other care provided for a disabled dependents. The bill clarifies that campaign funds may be used to pay for childcare expenses resulting from an officeholder engaging in campaign activity with both political or governmental purposes.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB220) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB220).

AB 963 (Petrie-Norris) Public postsecondary education: Student Civic and Voter Empowerment Act.

This bill adds Chapter 10.5 (commencing with Section 66850) to Part 40 of Division 5 of Title 3 of the Education Code and adds Section 2148.5 to the Elections Code to require public university campuses to engage in several civic engagement outreach actions. Specifically, this bill requires each community college and CSU campus, and request each UC campus, in consultation with the Secretary of State, to distribute campus-wide emails to all students with specified voting- and election-related dates and information and include these dates on all print and online academic calendars. This bill requires campuses to post, at least one day in advance unless otherwise specified, social media reminders with specified voting- and election-related dates and information. This bill requires campuses to designate one nonpartisan person per campus as the Civic and Voter Empowerment Coordinator, who would be responsible for implementing the provisions of this bill and organizing three annual events related to civic engagement. In even-numbered years, an outreach event shall occur within the final 30 days preceding each statewide primary and general election. The Coordinator is also required to develop a Civic and Voter Empowerment Action Plan, which must include, but is not necessarily limited to, campus-specific efforts to increase civic learning and democratic participation. This plan must be submitted to the Secretary of State no later than December 1, 2020 and shall be periodically updated and resubmitted, as determined necessary by the Coordinator.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB963) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB963).

AB 1150 (Gloria) Community college districts: governing board elections: San Diego Community College District: Grossmont-Cuyamaca Community College District.

This bill amends Sections 72035 and 72036.5 of the Education Code to require an election candidate for the governing boards of the San Diego Community College District (SDCCD) and the Grossmont-Cuyamaca CCD (GCCCD) file a declaration of candidacy and nomination papers by following the procedural requirements that apply in municipal elections. This bill requires each candidate to be proposed by at least 40, but at most 60, voters in a trustee area, and extends, by one week, the date by which newly elected members of the San Diego or Grossmont-Cuyamaca community college districts

governing boards are to assume office after an election (from the first Friday in December to the second Friday in December).

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1150) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1150).

Facilities

AB 48 (O'Donnell) Education finance: school facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2020.

This bill amends Sections 14503, 15102, 15106, 15268, 15270, 17070.15, 17070.43, 17070.51, 17070.65, 17071.10, 17071.25, 17071.75, 17072.30, 17072.35, 17073.15, 17073.25, 17074.10, 17074.16, 17074.25, 17075.15, 17077.35, 17078.52, 17078.53, 17078.54, 17078.58, 17078.62, 17219, and 41024 of, amends, repeals, and adds Section 17070.75 of, adds Sections 17070.415, 17070.54, 17070.56, 17070.57, 17070.59, and 17075.20 to, adds Article 10.7 (commencing with Section 17077.60) and Article 11.5 (commencing with Section 17078.40) to Chapter 12.5 of Part 10 of Division 1 of Title 1 of, adds Article 7 (commencing with Section 89776) to Chapter 6 of Part 55 of Division 8 of Title 3 of, adds Article 7 (commencing with Section 92170) to Chapter 2 of Part 57 of Division 9 of Title 3 of, adds Part 71 (commencing with Section 101200) to Division 14 of Title 3 of, repeals Sections 17070.53, 17070.76, 17070.766, 17070.99, 17072.15, 17072.17, 17072.25, 17072.32, 17074.15, 17074.27, and 17078.66 of, and repeals and adds Section 17075.10 of, the Education Code, and adds Chapter 4.95 (commencing with Section 65998.5) and Chapter 4.97 (commencing with Section 65999) to Division 1 of Title 7 of the Government Code.

This bill makes numerous changes to the School Facility Program and specifies criteria for determining the state and local share of a school district's project based on the district's gross bonding capacity and the percentage of students that are low-income, English learners, or foster youth. This bill increases local bonding capacities for non-unified school districts from 1.25 percent to two percent and for unified school districts from 2.5 percent to four percent of the taxable property in the district. This bill also establishes the Public Preschool, K-12, and College Health and Safety Bond Act of 2020 totaling \$15 billion. The bond, if approved by voters on the March 2020 ballot, will provide \$9 billion for preschool and K-12 facilities, \$2 billion for California Community Colleges facilities, \$2 billion for CSU facilities and \$2 billion for UC facilities. This bill imposes, as a condition for receiving bond funds, several reporting and auditing requirements on school districts, CSU, UC, and community college districts.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB48) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB48).

AB 206 (Chiu) Public nuisance: abatement: lead-based paint.

This bill adds Section 3494.5 to the Civil Code. This bill provides that a property owner, including a public entity, who voluntarily participates in a lead paint abatement program, is immune from liability in any lawsuit where a party seeks to recover costs associated with a lead paint abatement program.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB206) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB206).

AB 356 (Santiago) Los Angeles Community College District: best value procurement: pilot program.

This bill adds and repeals Article 41.3 (commencing with Section 20663) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code to establish a pilot program that authorizes the Los Angeles Community College District (LACCD) to utilize a best value procurement process for bid evaluation and selection of public projects over \$1 million. Specifically, this bill allows the LACCD to select bidders based on the best value to the district, requires the district to adopt and publish procedures and required guidelines for evaluating the qualifications of bidders to ensure a fair and impartial process, and requires that the newly developed procedures and guidelines are mandatory for the district and conform to this bill. It requires the LACCD to submit an interim report on or before July 1, 2022 and a final report on or before January 1, 2024 to the appropriate policy and fiscal committees of the Legislature on the use of the best value procurement method, and establishes a January 1, 2025 sunset date for the pilot project. The bill also contains findings and declarations regarding the merits of a best value procurement method and language expressing the intent of the Legislature to enable the LACCD to use cost-effective options for building and modernizing campus facilities, provides definitions for new terms, and includes a number of additional provisions relating to implementation of the pilot project.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB356) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB356).

AB 695 (Medina) Community college facilities: design-build contracts.

This bill amends Sections 81703, 81704, and 82542, adds Section 81709, and repeals Section 81700 the Education Code. Specifically, the bill extends the authorization for community college districts to enter into design-build contracts to January 1, 2030. Districts using design-build contracting will have to contract with entities that use a skilled and trained workforce or a project labor agreement. The bill also extends the authorization for community college districts to assess a proportionate amount for maintenance, repair, restoration and refurbishment for the use of non-classroom facilities and grounds from 2020 to 2025.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB695) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB695).

AB 1486 (Ting) Surplus land.

This bill amends Sections 54220, 54221, 54222, 54222.3, 54223, 54225, 54226, 54227, 54230.5, 54233, and 65583.2 of the Government Code, and adds Sections 54230.6, 54233.5, 54234, 65400.1, and 65585.1 to the Government Code, and creates new requirements for local governments to include specified information relating to surplus lands in their housing elements and annual progress reports (APRs), and requires the state Department of Housing and Community Development (HCD) to establish a database of surplus lands,

as specified. The bill also requires a local agency that is disposing of surplus land for the purpose of developing low and moderate income housing to send a notice of availability to housing sponsors that have notified HCD of their interest. The bill also contains a number of additional provisions relating to exemptions from the Surplus Land Act, as specified.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1486). (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1486).

AB 1768 (Carrillo) Prevailing wage: public works.

This bill amends Section 1720 of the Labor Code and expands the definition of “public works”, triggering the payment of prevailing wages, to include work performed during construction site assessments or feasibility studies. It specifies that preconstruction work, including design, site assessments, feasibility studies, inspections, and land surveying is deemed part of a “public works,” regardless of whether any further construction work is conducted. The bill includes double jointing language with AB 520 (Kalra) which sets a limit of \$500,000 and 2 percent of the total cost on the amount of public reimbursement or subsidy a private developer can receive for a project before triggering additional public works regulations, including the payment of prevailing wages. The bill includes a number of additional provisions relating to public works.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1768). (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1768).

Labor and Employment

AB 5 (Gonzalez) Worker status: employees and independent contractors.

This bill adds Section 2750.3 and amends Section 3351 of the Labor Code and amends Sections 606.5 and 621 of the Unemployment Insurance Code to require employers prove that their workers can meet a specified three-part test in order to be lawfully classified as independent contractors. Specifically, this bill states that any individual providing labor or services for pay has the status of an employee unless the hiring entity demonstrates all of the following conditions: 1) the individual is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact; 2) the individual performs work that is outside the usual course of the hiring entity’s business; and 3) the individual is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed. This bill exempts specified professions and occupations from this test if specified conditions are met and prohibits any employer from reclassifying an individual who was an employee on January 1, 2019, to an independent contractor due to the bill’s enactment.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB5). (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB5).

AB 9 (Reyes) Employment discrimination: limitation of actions.

This bill amends Sections 12960 and 12965 of the Government Code to extend the deadline to file a complaint of unlawful workplace harassment, discrimination, or civil rights-related retaliation with the Department of Fair Employment and Housing (DFEH) from one year to three years upon which the unlawful practice or refusal to cooperate occurred. For purposes of this bill, filing a complaint means filing an intake form with DFEH and the operative date of the verified complaint relates back to the filing of the intake form. This bill also specifies that it does not operate to revive lapsed claims.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB9) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB9).

AB 51 (Gonzalez) Employment discrimination: enforcement.

This bill adds Section 12953 to the Government Code and adds Section 432.6 to the Labor Code to make it unlawful for an employer to require an employee to waive any right, forum, or procedure for a violation of any provision of the California Fair Employment and Housing Act as a condition of employment, continued employment, or the receipt of any employment-related benefit. This bill prohibits the employer from threatening, retaliating, discriminating against, or terminating any applicant for employment or any employee because of the employee's refusal to consent to the waiver of any right, forum, or procedure for a violation of the California Fair Employment and Housing Act. The bill clarifies that an agreement that requires an employee to opt out of a waiver or take any affirmative action in order to preserve their rights is deemed a condition of employment, and provides that an employee may seek injunctive relief to enforce the provisions of this bill and may be awarded attorney's fees. This bill also provides specified exemptions and only applies to contracts for employment entered into, modified, or extended on or after January 1, 2020.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB51) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB51).

AB 218 (Gonzalez) Damages: childhood sexual assault: statute of limitations.

This bill amends section 340.1 and 1002 of the Code of Civil Procedure and amends Section 905 of the Government Code, and extends the civil statute of limitations for the recovery of damages related to childhood sexual assault from eight to 22 years, from the date the plaintiff legally becomes an adult or within five years the plaintiff discovers or reasonably should have discovered psychological injury or illness caused by the sexual assault, whichever occurs later. Further, the bill provides that specified claims are retroactive, and applies to any action commenced before the date of enactment and still pending, including any action that would have been barred by the laws in effect before the date of enactment of the bill.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB218). (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB218).

SB 229 (Hertzberg) Discrimination: complaints: administrative review.

This bill amends Section 98.74 of the Labor Code and establishes the right for a person issued a citation for the violation of retaliation or discrimination law to request an informal hearing to review the citation. Further, the bill requires the Labor Commissioner file a certified copy of the citation with the clerk of the superior court within 10 days of the citation becoming final. The bill contains a number of additional provisions relating to procedure for assessing, contesting, and enforcing penalties.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB229) (leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB229).

AB 378 (Limón) Childcare: family childcare providers: bargaining representative.

This bill amends Sections 8431 and 8432, adds Sections 8430.5, 8431.5, 8432.1, 8432.5, 8433, 8434, 8434.5, 8434.6, 8435, 8435.5, 8436, 8437, 8438, 8438.1, 8438.2, 8439, 8439.5, 8439.6, 8439.7, and 8439.8, and repeals and adds Section 8430 to the Education Code. This bill also amends Sections 6253.21, 6254, and 19815.4 of the Government Code, and amends Section 1596.86 of the Health and Safety Code. This bill gives licensed and unlicensed childcare providers the right to form a single, statewide childcare provider organization with specified goals to negotiate collectively with the state on the terms and conditions of their employment. This bill includes numerous provisions on the process and procedures certifying a provider organization as the exclusive bargaining representative and establishing a representation and negotiation process. This bill also provides several clarifications, including: 1) the status of family child care providers as independent business owners does not change under the provisions of this bill; 2) this bill does not classify family child care providers as public employees; 3) childcare providers retain the right to join or not join a provider organization; and 4) family childcare providers may continue to represent themselves individually.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB378) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB378).

AB 463 (Cervantes) Community colleges: faculty members: loan forgiveness.

This bill adds Section 87489 to the Education Code and requires the Chancellor's Office to develop materials, as specified, to increase awareness among community college faculty of the Public Service Loan Forgiveness (PSLF) program and provide these materials to each community college district for dissemination to all faculty employees. The bill further requires a community college district to annually provide PSLF program participants with timely notice of renewal and a copy of the program's employment certification form with the employer portion of the form already completed. The bill further requires a community college district to credit a faculty employee with at least 3.35 hours worked for each hour of lecture or classroom time for purposes of increasing faculty eligibility for the PSLF program.

The Chancellor's Office Student and Financial Aid Programs and Services Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB463) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB463).

AB 644 (Committee on Public Employment and Retirement) State teacher’s retirement: compensation.

This bill amends Sections 22115, 22119.2, 22119.3, 22121, 22138.5, 22701, 22708, 22710, 23102, 23301, 24209, 24209.3, 24211, 24309, 25024, 27201, and 27202 of, adds Sections 22104.8 and 24203.8 to, and repeals Sections 22510, 22511, 22512, 22513, and 22514 of the Education Code, and clarifies the definition of the “annualized pay rate” to mean the salary or wages a person could earn during a school term for an assignment if creditable service were performed for that assignment on a full-time basis. The bill defines “creditable compensation” to mean 1) Remuneration that is paid for the use of sick leave, vacation leave, or an employer-approved compensated leave of absence, 2) Member contributions that are picked up by an employer, 3) Amounts that are deducted from a member’s remuneration, including, but not limited to, deductions for participation in a deferred compensation plan; deductions to purchase an annuity contract, tax-deferred retirement plan, or insurance program; and contributions to a plan. The bill contains a number of additional provisions relating to board authority, as specified.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB644) (leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB644).

AB 672 (Cervantes) Public employees’ retirement: disability retirement: reinstatement.

This bill adds Section 21233 to the Government Code and prohibits a person who has retired for disability from working for any public employer without reinstatement from retirement if the position is the position from which the person retired or if the position includes duties or activities that the person was previously restricted from performing at the time of the retirement, unless an exception applies. It requires, if a person retired for disability is employed by a public employer without reinstatement, the employer to provide to the CalPERS Board the nature of the employment and the duties and activities the person will perform. The bill further clarifies that these provisions do not apply to an individual who retires from a public agency for disability and is employed by a public agency pursuant to Government Code Section 21232, which authorizes persons retired for disability to work as a retired annuitant under certain conditions.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB672) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB672).

AB 706 (Low) Community colleges: academic employees.

This bill amends Section 87782 of the Education Code to remove circumstances for which an academic employee of a community college district, with at least one school year of employment, is entitled to transfer accrued leave of absence for illness or injury to another district. Specifically, the bill deletes the three-year time limit for a faculty employee to transfer unused accrued time from one community college district to

another. The bill includes a number of additional provisions relating to transferring accrued leave to another community college district.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB706) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB706).

AB 749 (Stone) Settlement agreements restraints in trade.

This bill adds Section 1002.5 to the Code of Civil Procedure, and prohibits an employer settlement agreement from containing a provision to prevent, prohibit or restrict a settling party from obtaining future employment with the employer which the employee has filed a claim. The bill does not preclude the employer or the aggrieved person from making an agreement to end the current employment relationship, or require an employer to continue to employ or rehire a person if there is a legitimate non-discriminatory or non-retaliatory reason for terminating the employment relationship or refusing to rehire the person. The bill makes other conforming changes, as specified.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200AB749) (leginfo.legislature.ca.gov/faces/billStatusClient.xhtml?bill_id=201920200AB749).

AB 1452 (O'Donnell) State teachers' retirement.

This bill amends Sections 22501, 22502, 22503, 22504, 22601.5, 22602, 22604, 26401, and 26403 of, and repeals and adds Section 26400 to the Education Code to make several technical changes to the Defined Benefit (DB) and Cash Balance (CB) Benefit Program administered by the California State Teachers' Retirement System (CalSTRS). Specifically, this bill clarifies and revises the date of DB and CB membership for specified type of employees based on the number of hours worked and employee status.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1452) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1452).

SB 142 (Wiener) Employees: lactation accommodation.

This bill amends Sections 1030, 1031, and 1033 of, and adds Section 1034 to the Labor Code. Specifically, the bill requires an employer to provide a lactating employee with a private room that is not a bathroom that has a place to sit and has space and access to electricity for a breast pump. Employers must also provide a sink and refrigeration for breast pump cleaning and breast milk storage. The bill also prohibits an employer from discriminating or retaliating against an employee who takes time off to use lactation room and requires the employer to have a policy on lactation accommodations.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB142) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB142).

SB 188 (Mitchell) Discrimination: Hairstyles.

This bill amends Section 212.1 of the Education Code and amends Section 12926 of the Government Code to amend the definition of "race," for purposes of the anti-discrimination provisions of the Education Code and the Fair Employment and Housing

Act, to include traits historically associated with race, including but not limited to, hair texture and protective hairstyles. The bill defines "protective hairstyles" to include braids, locks, and twists. It makes findings and declarations regarding the effect that dress and grooming codes have a disparate and negative impact on African Americans, whose traditional hairstyles may not conform to Eurocentric standards of professionalism.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB188) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB188).

SB 707 (Wiekowski) Arbitration agreements: enforcement.

This bill amends Sections 1280 and 1281.96 and adds Sections 1281.97, 1281.98, and 1281.99 to the Code of Civil Procedure, and provides that in an employment or consumer arbitration that requires the drafting party to pay fees and costs before the arbitration can proceed, if fees to initiate a proceeding are not paid within 30 days after the due date, then the drafting party is in material breach of the arbitration agreement, is in default of the arbitration, and waives its right to compel arbitration. The bill contains a number of additional provisions relating to procedure and enforcement of court monetary sanctions against a drafting party, as specified.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB707) (leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200SB707).

SB 778 (Committee on Labor and Public Employment and Retirement) Employers: sexual harassment training: requirements.

This bill amends Section 12950.1 of the Government Code and extends, from January 1, 2020 to January 1, 2021, the deadline for employers with five or more employees to provide sexual harassment prevention training and education to supervisory and nonsupervisory employees. It requires the covered employers to provide the specified training to new nonsupervisory employees within six months and to new supervisory employees within six months of the assumption of a supervisory position. The bill further requires the covered employers who provide the specified training to an employee in 2019 to provide refresher training to that employee every two years. The bill contains a number of additional provisions relating to implementation of this measure, and contains an urgency clause and takes effect immediately.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB778) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB778).

Law Enforcement

AB 12 (Irwin) Firearms: gun violence restraining orders.

This bill amends, repeals, and adds Sections 18109, 18120, 18160, 18170, 18175, 18180, 18185, 18190, and 18197 to the Penal Code, to, effective September 1, 2020, extend the duration of a gun violence restraining order (GVRO) issued after judicial proceedings from one year to between one and five years depending on the level of danger posed by the restrained person, which is to be determined based on specified conditions. This bill

clarifies that a law enforcement agency or officer are not required to pursue a GVRO if the conditions are not satisfied. This bill also permits the employing law enforcement agency to be named in a GVRO petition filed by a law enforcement officer in place of the individual officer's name, stipulates actions a restrained person and law enforcement must comply with following the issuance of a GVRO, and specifies actions a restrained person may take after receiving a GVRO, such as requesting a hearing once annually to terminate the GVRO.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB12) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB12).

AB 61 (Ting) Gun violence restraining orders.

This bill amends, repeals, and adds section 18150, 18170, and 18190 of the Penal Code and expands the list of eligible persons who may request that a court issue a gun violence restraining order to include an immediate family member, an employer, a coworker if they had substantial and regular interactions with the subject for at least one year and have approval from the employer, and an employee or teacher of a secondary or post-secondary school that the subject has attended in the last six months, and have obtained approval from a school administrator, or a law enforcement officer. This bill further allows such eligible persons to request a renewal of a gun violence restraining order at any time within three months before the expiration of a gun violence restraining order. This law shall become operative on September 1, 2020.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200AB61) (leginfo.ca.gov/faces/billCompareClient.xhtml?bill_id=201920200AB61).

AB 392 (Weber) Peace officers: deadly force.

This bill amends Sections 196 and 835a of the Penal Code to revise the standards for use of deadly force by peace officers. This bill specifies that homicide is justifiable when committed by a peace officer and those acting by their command in their aid and assistance if it is in obedience to any judgement of a competent officer or when the homicide results from a peace officer's use of force that is in compliance with the standards of Penal Code Section 835a, as set forth in this bill. The bill includes a number of additional provisions relating to revised standards for use of deadly force. It makes several findings and declarations including the serious nature of conferring authority to peace officers regarding the use physical and deadly force, the right for every person to be free from excessive use of force by peace officers, and the core belief in the sanctity of every human life. It also expresses the intent of the Legislature that peace officers use deadly force only when necessary in defense of human life.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB392) (leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB392).

AB 1215 (Ting) Law enforcement: facial recognition and other biometric surveillance.

This bill repeals 832.18 and adds Section 832.19 to the Penal Code. Specifically, this bill prohibits, until January 1, 2023, law enforcement from installing, activating, or using a biometric surveillance system in connection with a law enforcement agency's body-worn camera or any other camera worn or carried. The bill provides that definitions of "facial recognition or other biometric surveillance" include technology used to assist in identifying an individual, permits an agency to use facial recognition or other biometric surveillance software to redact from public records a person's facial image, and clarifies that these provisions do not preclude a law enforcement agency or law enforcement officer from using a mobile fingerprint scanning device during a lawful detention to identify a person if this use is lawful and does not generate or result in the retention of any biometric data or surveillance information.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1215) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1215).

AB 1510 (Reyes) Sexual assault and other sexual misconduct: statutes of limitations on civil actions.

This bill amends Section 340.16 of the Code of Civil Procedure and includes an urgency statute to immediately revive any claim for damages of more than \$250,000 arising out of a sexual assault or other inappropriate sexual activity committed by a physician at a student health center between January 1, 1988, and January 1, 2017, that would otherwise be barred prior to January 1, 2020, solely because the statute of limitations has or had expired. This bill stipulates a cause of action may proceed if already pending in court on the effective date of this bill, or if not filed by that date, may be commenced between January 1, 2020, and December 31, 2020. This bill clarifies that claims that have been litigated fully prior to January 1, 2020, been compromised by a written settlement before January 1, 2020, and brought against a public entity are not revived. Further, the bill stipulates it is not necessary that a criminal prosecution or other proceeding have been brought as a result of the sexual assault in order for the claim to be revived and provides specified actions an attorney representing a claimant must follow in order to file the claim.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1510) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1510).

SB 22 (Leyva) Rape kits: testing.

This bill amends Sections 680, 680.3, and 13823.14 of the Penal Code to require law enforcement agencies to do one of the following for any sexual assault forensic evidence received by the law enforcement agency on or after January 1, 2016: 1) submit sexual assault forensic evidence to a crime lab within 20 days after it is booked into evidence or; 2) ensure that a rapid turnaround DNA program is in place to submit forensic evidence collected from the victim of a sexual assault directly from the medical facility where the victim is examined to the crime lab within five days after the evidence is obtained from the victim. The crime lab must do one of the following for any sexual assault forensic

evidence received on or after January 1, 2016: 1) process the evidence for DNA profiles and upload them into the Combined DNA Index System (CODIS) or; 2) transmit the evidence within 30 days to another crime lab for DNA processing and uploading. If a DNA profile under Option 2 is created, the transmitting crime lab shall upload the profile into CODIS as soon as practically possible, but no longer than 30 days after being notified about the presence of DNA.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB22) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB22).

SB 230 (Caballero) Law enforcement: use of deadly force: training: policies.

This bill adds Section 7286 to the Government Code and adds Section 13519.10 to the Penal Code to require law enforcement agencies to develop a policy by January 1, 2021 that provides a minimum standard on the use of force. This policy must include specified guidelines, including situations in which officers may or may not draw a firearm or point a firearm at a person, how to utilize de-escalation techniques and other alternatives, and factors for evaluating and reviewing all use of force incidents. This bill requires each law enforcement agency to make their use of force policy accessible to the public and provide periodic updates and training to officers on the use of force. The bill does not supersede specified collective bargaining procedures. The bill also requires the Commission on Peace Officer Standards and Training (POST) to implement a training course or courses on the use of force and also develop specified, minimum guidelines for adoption by California law enforcement agencies on the use of force. The development of these courses shall be completed in consultation with specified groups and individuals having an interest and expertise in the field on use of force.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB230) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB230).

SB 390 (Umberg) School safety: school security officers and security guards.

This bill amends Section 7583.45 of the Business and Professions Code and amends Sections 38001.5 and 72330.5 of the Education Code to require every security guard, effective July 1, 2021, and regardless of hours worked per week, employed by a K-12 school district, county office of education, charter school, and community college district to complete the latest training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs. This bill requires school districts and community college districts to provide this training to all school security officers who are employees of the district and during the employee's work hours, unless otherwise negotiated and mutually agreed upon with the employee's exclusive representative. This bill does not require school districts and community college districts to provide training to security guards who are not employees of the district, including security guards who work on the property of the district pursuant to a contract with a private licensed security agency.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB390) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB390).

Special Populations

AB 806 (Bloom) Postsecondary education: homeless and former homeless youth.

This bill amends Sections 66025.9, 67003.5, 69514.5, 69561, and 76300 of the Education Code. Specifically, the bill permanently extends priority enrollment to homeless and formerly homeless students. The bill also clarifies the definition of homeless to include a student who is verified as currently homeless under the McKinney–Vento Act as well as a formerly homeless student who was verified as homeless up to 24 months before applying to a community college.

The Chancellor's Office Student Services and Support Unit within the Education Services and Support Division will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB806) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB806).

AB 1645 (Rubio) Student support services: Dreamer Resource Liaisons.

This bill adds Section 66021.8 to the Education Code and requires the California Community Colleges, the California State University, and requests the University of California, to designate a Dreamer Resource Liaison on each of their respective campuses to assist undocumented students who qualify for the AB 540 (Firebaugh, Chapter 814, Statutes of 2001) exemption from nonresident tuition by streamlining access to all available financial and academic opportunities for these students. Specifically, this bill requires that a Dreamer Resource Liaison is knowledgeable about specified issues, encourages the colleges to establish Dream Resource Centers and specifies that the bill's provisions do not require the construction of a new or separate space for a center. The bill further states legislative intent that a Dreamer Resource Liaison be placed in the campus' extended opportunity programs and services office or educational opportunity programs office or financial aid office; and stipulates that the space in which the Dreamer Resource Liaison is located may be deemed the Dream Resource Center. The bill also authorizes a campus to accept on behalf of the state any gift, bequest, device or donation to support the creation and operation of a Dream Resource Center, and makes declarations and findings regarding the need for a centralized location that provides specialized support services and resources for AB 540 students.

The Chancellor's Office, in partnership with the Foundation for California Community Colleges, has produced several resources that may be helpful to colleges planning for implementation, available on the Foundation [website](http://foundationccc.org/What-We-Do/Equity/Dreamers-Project) (foundationccc.org/What-We-Do/Equity/Dreamers-Project) and the League [website](http://www.ccleague.org/advocacy/federal-advocacy/supporting-undocumented-students) (www.ccleague.org/advocacy/federal-advocacy/supporting-undocumented-students).

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1645) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1645).

Omnibus Higher Education

SB 383 (Committee on Education) Postsecondary education: omnibus bill.

This bill amends Sections 68075, 78300, and 78401 of the Education Code. Specifically, this bill changes the name of adult education courses in “Homemaking” to “Family and Consumer Sciences. The bill also revises the definition of “Armed Forces of the United States” for purposes of student residency determination from “California Army National Guard” to “California National Guard”.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB383) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB383).

Student Representation

AB 1504 (Medina) Community colleges: student representation fee: statewide community college student organization: goals.

This bill amends Section 76060.5 of the Education Code to require community colleges, if a student body association has been established at that college, to collect a student representation fee of \$2 at the time of registration and eliminates the authorization for a student election to establish or terminate the fee. This bill allows students to refuse to pay the fee without specifying a reason and requires a community college to provide the student a means to refuse to pay the fee on the same form that is used for the collection of the fees. This bill would require that \$1 of the \$2 fee be expended to support the operation of a statewide community college organization that is recognized by the Board of Governors of the California Community Colleges, and would add supporting student participation and engagement in statewide higher education policy and advocacy activities as a goal of the statewide community college student organization.

The Chancellor’s Office Education Services and Support Division, in coordination with the College Finance and Facilities Planning Division, will provide additional guidance to colleges by December 1, 2019.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1504) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1504).

Student Safety and Protection

AB 381 (Reyes) Postsecondary education: sexual assault and sexual violence prevention training: intimate partner and dating violence.

This bill amends Section 67386 of the Education Code to require, the CSU, UC, community college districts, and independent postsecondary institutions include, as part of its outreach programming that is part of every incoming student’s orientation, specific topics relating to intimate partner and dating violence, including warning signs, campus and off-campus policies, resources, and centers, and prevention and by-stander training. This bill stipulates that “intimate partner and dating violence” includes, but is not necessarily limited to, providing information about violence that occurs between individuals with a

current or previous intimate or dating relationship and clarifies that “incoming students” may include, but is not necessarily limited to, graduate, transfer, and international students. This bill also requires, to the extent feasible, the CSU, UC, community college districts, and independent postsecondary institutions enter into memoranda of understanding, agreements, or collaborative partnerships with domestic violence centers to refer students for assistance or services.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB381) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB381).

AB 1000 (Cervantes) Student safety.

This bill amends Section 67385 of the Education Code to require the governing boards of each community college district, CSU, UC, and Hastings College of the Law to annually review and update as necessary the written procedure or protocols for sexual assault in collaboration with sexual assault counselors and student, faculty, and staff representatives.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1000) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1000).

AB 809 (Santiago) Public postsecondary education: child development programs: priority enrollment: Title IX protection: pregnancy and parental status.

This bill amends Section 66281.7 of, and adds Section 66061 to the Education Code. Specifically, this bill requires public postsecondary institutions to post on their website notification of protections under Title IX for pregnant students and parenting students, and provide those notifications to an expectant parent through on-campus health clinics. It also encourages on campus child development programs to give priority to children of students who are single parents and who meet income requirements.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB809) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB809).

Other Segments and Agencies

AB 339 (Irwin) Gun violence restraining orders: law enforcement procedures.

This bill adds Section 18108 to the Penal Code to require each municipal police department, county sheriff's department, the Department of California Highway Patrol, and the UC and CSU Police Departments to develop, adopt, and implement written policies and standards regarding the use of gun violence restraining orders (GVRO) on or before January 1, 2021 and are encouraged, but not required, to incorporate these standards and procedures into an academy course, preexisting annual training, or other continuing education program. The policies and standards must be consistent with any GVRO training administered by the Commission on Peace Officer Standards and Training and include specified information and guidance, such as instructing officers to consider the use of a GVRO during a domestic disturbance and encouraging the use of GVROs in appropriate situations to prevent future violence involving a firearm. In developing these

policies and standards, law enforcement agencies are encouraged to consult with gun violence prevention experts and mental health professionals.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB339) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB339).

AB 514 (Medina) Trustees of the California State University: student members.

This bill amends Section 66602 of the Education Code to remove language mandating that student members of the CSU Board of Trustees spend their first year in a non-voting status and makes other technical changes to remove associated language related to the non-voting student.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB514) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB514).

AB 697 (Ting) Postsecondary education: reports: preferential treatment: students related to donors or alumni.

This bill adds Section 66018.5 to the Education Code and requires the appropriate governing bodies of each independent institution of higher education that participates with the Cal Grant Program, the California State University Trustees, and the University of California Regents to report to the budget subcommittees and policy committees of the Legislature on whether their respective campuses provide any manner of preferential treatment in admission to applicants on the basis of their relationships to donors or alumni. The bill specifies the report is due on or before June 30, 2020, and each year from 2021 to 2024, and shall include specific data points for the academic year commencing in the previous calendar year regarding applicants who received preferential treatment.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB697) (leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB697).

AB 829 (Bloom) California State University: Doctor of Occupational Therapy Program.

This bill adds Article 4.8 (commencing with Section 66043) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code to authorize the CSU to establish Occupational Therapy Doctorate degree programs, with a focus on preparing occupational therapists to provide health care services. The Occupational Therapy Doctorate degree programs offered by the CSU must be distinguished from doctoral degree programs at the UC.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB829) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB829).

AB 1340 (Chiu) Private postsecondary education: California Private Postsecondary Education Act of 2009: labor market outcome data reporting.

This bill adds Article 6.5 (commencing with Section 94892.6) to Chapter 8 of Part 59 of Division 10 of Title 3 of the Education Code, and amends Section 1095 of the Unemployment Insurance Code to require private postsecondary institutions to report to

the Bureau of Private Postsecondary Education (BPPE) specified information about each graduate completing a program at that institution on or after January 1, 2020. This bill also requires BPPE to make available on its internet website the relevant program-level and institution-level statistics, presented in terms of easily understood labor market measures and consistent with all pertinent state and federal privacy laws, regarding the earnings levels of graduates and the student debt information reported. This bill includes several requirements related to reporting and information sharing between BPPE and the Employment Development Department (EDD). These provisions shall not become effective until the Director of the Department of Consumer Affairs certifies that BPPE's information technology system has been updated and capable of processing data and requires BPPE to give notification when certification is complete. An institution will have 120 days from receiving notification to report the required information under this bill.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1340) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1340).

AB 1344 (Bauer-Kahan) Private postsecondary education: California Private Postsecondary Act of 2009.

This bill amends, repeals, and adds Section 94801.5 of the Education Code to make several changes related to the regulation of out-of-state private postsecondary educational institutions. Specifically, this bill requires, commencing July 1, 2022, out-of-state private postsecondary educational institutions that enroll California students in online programs register with the BPPE and provide specified information, including evidence of institutional accreditation and evidence that the institution is approved to operate in the state where the institution maintains its main administrative location. This bill requires BPPE to consider this information when deciding whether to approve, deny, or condition the initial registration, which is valid for five years. A registered institution must also report to the BPPE within 30 days of specified adverse actions, including whether its authorization or approval was revoked or suspended by a state or by the federal government. This bill authorizes BPPE to revoke registration if it is determined there is a substantial risk posed to California residents by the institution continuing to enroll California residents.

The text of this bill is available on the California Legislative Information [website](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1344) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1344).

AB 1346 (Medina) Postsecondary education: California Private Postsecondary Education Act of 2009: Student Tuition Recovery Fund.

This bill amends Section 94923 of the Education Code to 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 such as private or government student loans, and all third-party payments, including government grants, paid to the student or to the institution in connection with the student's attendance at the institution.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1346) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1346).

AB 1383 (McCarty) Public postsecondary education: admission by exception.

This bill adds Section 66022.5 to the Education Code to define “admission by exception” as the process by which a campus admits applicants who do not meet the eligibility requirements for admission to the segment, or guaranteed admission to a campus of the segment, but who demonstrate high potential for success and leadership in an academic or special talent program at the campus, as defined. This bill, commencing with the 2020-21 academic year, prohibits the UC and CSU from admitting a student by admission by exception unless the student’s admission by exception has been approved by a minimum of three senior campus administrators. This bill clarifies that a campus may admit, by admission by exception, a California resident who is receiving an institution-based scholarship to attend the campus or an applicant who is accepted by an educational opportunity program for admission to the campus, and, if a student is granted admission by exception into an athletics program, the campus shall establish a policy requiring the student to participate in the program for a minimum of one academic year. A campus that admits a student by admission by exception shall also comply with both of the following: 1) document its employees who were involved in the evaluation of the student’s application for admission; and 2) establish a policy that applies articulated standards to the campus’ admissions by exception decisions and includes specified elements. This bill requires a campus to report to the Legislature upon request any information related to the implementation of this bill.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1383) (https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB1383).

SB 24 (Leyva) Public health: public university student health centers: abortion by medication techniques.

This bill adds Sections 99250 and Section 99251 to the Education Code. Specifically, this bill requires student health centers (SHC) located on a University of California or California State University campus that provide primary health care services to students to offer abortion by medication techniques onsite starting January 1, 2023. It also requires the California Commission on the Status of Women and Girls to administer the College Student Health Center Sexual and Reproductive Health Preparation Fund, which is established by this bill for the purposes of providing private funding to public university SHCs for medication abortion readiness.

The text of this bill is available on the California Legislative Information [website](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB24) (leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB24).

SB 63 (Hertzberg) Personal Income Tax Law: exclusion: student loan debt forgiveness.

This bill adds and repeals Section 17144.6 of the Revenue and Taxation Code and includes an urgency statute to provide a gross income exclusion from January 1, 2019 until January 1, 2024 for income from a forgiven student loan that was taken for the purpose of

attending a for-profit higher education institution. An individual is eligible for this exclusion if any of the following apply: 1) the individual is granted a discharge of any student loan because the individual successfully asserts that the school did something wrong or failed to do something that it should have done or because the individual could not complete a program of study due to the school closing; or 2) attended a Brightwood College school or an Art Institute of California location during a specified timeframe. This bill also requires the Legislative Analyst's Office to evaluate the effectiveness of the tax exclusion.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB63) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB63).

SB 366 (Chang) Public postsecondary education: mandatory orientation for students.

This bill adds Section 66302.5 to the Education Code to require the CSU, and requests the UC, to provide, as part of established campus orientations, educational and preventive information about cyberbullying to all students.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB366) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB366).

SB 716 (Mitchell) Juveniles: delinquency: postsecondary academic and career technical education.

This bill adds Sections 858, 889.2 and Section 1762 to the Welfare and Institutions Code. Specifically, the bill requires county probation departments and the state Division of Juvenile Justice to ensure that juveniles with a high school diploma or high school equivalency certificate have access to appropriate courses offered online by public postsecondary institutions. The bill also authorizes county probation departments to collaborate with juvenile court schools and public postsecondary institutions to offer online courses.

The text of this bill is available on the California Legislative Information [website](http://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB716) (leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB716).

Item 4.1, Attachment 2: Federal Policy and Advocacy Update

Federal Policy and Advocacy Overview

On September 26, Congress passed, and the President signed into law, a continuing resolution (CR) averting a government shutdown, ensuring all federal agencies, departments, and community organizations will maintain their current funding through November 21. Both the House and Senate must agree on and pass 12 individual year-long spending bills to keep the government running past November 21.

Congressional Update

The House and Senate returned from their two weeks recess in observance of the Jewish Holidays on October 15, 2019.

Higher Education Act Reauthorization

On September 26, 2019, the Senate Health, Education, Labor, and Pensions (HELP) Committee Chairman Lamar Alexander (R-TN) introduced the **Student Aid Improvement Act of 2019**, a smaller package of higher education provisions linked to an extension of funding for Minority-Serving Institutions (MSIs). Senator Alexander stated that he is committed to working with Senator Patty Murray (D-WA), the Ranking Member of the Senate HELP Committee, on a comprehensive bill to reauthorize the Higher Education Act (HEA), but right now is asking the Senate to enact a package of eight bipartisan higher education provisions linked to a permanent extension of funding for MSIs. He stated that both sides could then continue to work on a more comprehensive HEA reauthorization bill, including issues such as accountability, a federal-state partnership, and campus safety. Ranking Member Patty Murray (D-WA) is firm in her belief that the Senate HELP Committee should instead focus efforts on a comprehensive reauthorization of the HEA.

In contrast to the piecemeal approach in the Senate, on October 16, 2019, the House announced the **College Affordability Act (CAA)**, a comprehensive renewal and overhaul of HEA. Introduced by Chairman Bobby Scott (D-VA) of the House Education and Labor Committee, the CAA focuses on restoring state and federal investments and increasing quality through new accountability measures. The bill includes a number of reforms to reduce the cost of college for students and families through increasing eligibility of Pell Grants to low and middle income students. Pell awards would be increased by a maximum of \$500 per student, and Pell Grants to students of short term educational programs at community colleges would now be allowed. Further, the CAA establishes quality controls and oversight on for-profit colleges, and revamps income driven repayment plans for existing borrowers.

The CAA also establishes “America’s College Promise” (ACP) and requires states to contribute to a federal-state partnership to pay for tuition for two years of community college. The federal government would match \$3 to every \$1 that states would spend on tuition and fees at community colleges. The legislation further requires states to maintain their spending on public higher education, including student aid programs. States must also specify plans for improving community college programs, although the bill does not

include strong mandates. Lastly, the ACP would receive mandatory funding rather than being subject to the annual appropriations process. The bill permits states to use ACP funds for other purposes if there is not an existing need to fund community college tuition waiver programs.

Notably, the CAA shares key provisions from Sen. Alexander's proposal, namely, lifting the ban on federal aid for incarcerated students, simplifying the FAFSA application process, and restoring funding to support historically black universities (HBUs) and Minority Serving Institutions (MSIs). However, unlike in the House bill, Senator Alexander's Senate bill would not prohibit Pell Grants for short-term programs at for-profit institutions.

On October 29, the House Education and Labor Committee began to debate additional amendments to the bill. Rep. Susan Davis (D-CA) offered a Democratic amendment to substitute the text of the College Affordability Act. The substitute amendment includes the following changes: increases the maximum Pell Grant award in first year from \$500 to \$625; allows subsidized loans for graduate students; addresses the growing trend in higher education of employing more adjunct professors; and expands the Public Service Loan Forgiveness program to include adjunct professors. This substitute amendment will be considered by the committee.

Other Congressional Matters

On October 22, Rep. Suzanne Bonamici (D-OR) and 58 House Democrats sent a letter to U.S. Department of Education (USED) Secretary Betsy DeVos and Assistant Secretary for Civil Rights Kenneth Marcus. The letter outlines the Members' concerns regarding a recent report from the Center for American Progress (CAP) that the Office of Civil Rights (OCR) is significantly less likely to take corrective action on complaints regarding sexual orientation and gender identity compared to the Obama administration. The letter also cites an earlier decision by the Trump administration to rescind guidance on transgender and gender nonconforming students' access to bathrooms and other gender-segregated facilities in schools. The letter directs the Secretary to provide specific information related to OCR investigations related to sexual orientation and gender-based harassment complaints, as well as how the Department is currently interpreting protections under Title IX for LGBTQ+ students.

On October 22, House Education and Labor Committee Chairman Bobby Scott sent a letter to USED Secretary DeVos urging her to provide the Committee with requested documents related to the Department's role in the closure of Dream Center Education Holdings, a for-profit college operator. The Chairman's letter indicates that he is prepared to subpoena the Department for the documents if USED continues to refuse the request. The Secretary has until November 26 to comply with the request.

On October 22, Senate Health, Education, Labor, and Pensions (HELP) Committee Chairman Lamar Alexander (R-TN) introduced S.2667, cosponsored by Senator Doug Jones (D-AL), a bill to simplify and shorten the Free Application for Federal Student Aid (FAFSA). The application would be shortened from more than 100 questions to between 18-30 questions, and it would allow students as young as middle school to learn about their

likely Pell Grant award. It also would reduce the need for the current burdensome verification process that requires families to submit federal tax information, often resulting in a delay of student aid being approved or distributed. The Chairman has proposed variations of this bill since 2014.

Administrative Update

On October 9, Secretary DeVos sent a letter to leaders of Historically Black Colleges and Universities (HBCUs) regarding the status of mandatory funding for HBCUs and other Minority Serving Institutions (MSIs) under Title III of the Higher Education Act (HEA). The authorization for mandatory funding for HBCUs and MSIs expired on September 30, when the Senate failed to take up the House-passed H.R. 2486, the "FUTURE Act," which would have extended funding for two years. Instead, Senate HELP Committee Chairman Lamar Alexander (R-TN) advocated for a proposal to extend mandatory funding for HBCUs and MSIs for 10 years, as well as a number of other modifications to HEA as part of the Student Aid Improvement Act of 2019. The Secretary's letter also sought to clarify that funding for FY2019 grants has already been made available and the Department has carried remaining FY2019 funds into FY2020 to support "noncompeting continuation awards" from October 2020 through September 2021. Further, the letter states that funding for new competitions in FY2021 depends on Congressional appropriations.

On October 3, USED Secretary Betsy DeVos announced the recipients of the Innovation and Modernization (I&M) grant, which is authorized by Perkins Career and Technical Education Act. The I&M grant is "designed to test new ideas to help prepare students for success in the workforce by identifying, supporting, and evaluating evidence-based strategies for improving [career and technical education (CTE)]." Out of 64 eligible applications reviewed for the competition, nine recipients were awarded over \$4.3 million, and according to the Department, all recipients will serve students located in Qualified Opportunity Zones. The only California located grantee is Orange County, which was awarded a 3-year grant of \$488,936 to support the development and expansion of CTE programs.

On October 24, a judge for the U.S. District Court of the Northern District of California held USED Secretary DeVos in contempt of court due to the Department's continued collection on student loans owed by former students of Corinthian Colleges, a for-profit operator that closed in 2015. In addition, the Department is ordered to pay a \$100,000 fine. The judge had previously ordered the Department to cease its collection on the loans, as the students qualified for partial loan discharge under the borrower defense rule.



California Community Colleges Board of Governors

Item 4.2: *Vision for Success* Spotlight: Assembly Bill 705

Attachments: 5

Date: November 18, 2019

Category: Educational Services and Support

Type of Board Consideration: Information

Recommended By

Marty Alvarado, Executive Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item provides an update on student outcomes in transfer-level English and mathematics leading up to the deadline for full implementation of Assembly Bill (AB) 705 in Fall 2019, highlighting three recent reports from the RP Group, PPIC, and Campaign for College Opportunity.

Recommendation

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

Background

AB 705 was unanimously passed by the legislature, signed on October 2017, and took effect January 1, 2018. AB 705 requires that a community college district or college maximize the probability that a student will enter and complete transfer-level coursework in English and math within a one year timeframe and use, in the placement of students into English and math courses, one or more of the following: high school coursework, high school grades, and high school grade point average.

With the assistance of the AB 705 Implementation Workgroup, guidance from the Chancellor's Office (CCCCO) and the Academic Senate for California Community Colleges Memo AA 18-40 (see attachment 1) was issued in July 2018, prohibiting the placement of students below transfer-level in English and mathematics unless they were highly unlikely to succeed in the transfer-level course and enrollment in the pre-transfer level course improved students' likelihood of completing the transfer-level course in one year. The guidance provided default placement recommendations and a timeline for implementation of the guidelines by Fall 2019 (see attachment 2).

During the period leading up to full implementation, colleges and districts began working to implement and scale new and existing assessment and placement processes and curricular support for students. Changes in student outcomes during this period give us a

window into what the system might expect from full implementation as well as the progress colleges have been making leading up to full implementation.

Three reports (see attachments 3-5) have been published this fall examining changes in students' outcomes during this period. The RP Group report, "Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System," was presented at the Consultation Council meeting on October 17, 2019. Together, these reports find that direct enrollment into and completion of transfer-level English and math courses increased markedly while success rates remained relatively consistent, with some declines in success rates in transfer-level mathematics courses.

Differential access to transfer-level coursework as well as differences in availability of co-requisite support courses both by college and by discipline suggest potential areas for continued implementation support. Importantly, while access to and completion of transfer-level English and mathematics courses increased markedly for all groups, equity gaps in completion of these gateway courses persist across groups traditionally underrepresented in completion of transfer-level coursework and will require further targeted efforts to reduce. Consistent with feedback from the Consultation Council, these reports help provide an initial foundation for the system's ongoing commitment to evaluation and continuous improvement of the implementation of AB 705.

Attachments

- 1.** CCCC Memorandum AA 18-40 AB 705 Implementation
- 2.** AB 705 Implementation Timeline for Math and English
- 3.** RP Group Report: Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System
- 4.** Public Policy Institute of California Report: What Happens When Colleges Broaden Access to Transfer-Level Courses? Evidence from California's Community Colleges
- 5.** Campaign for College Opportunity Report: Getting There: Are California Community Colleges Maximizing Student Completion of Transfer-Level Math and English?

Item 4.2, Attachment 1: CCCC CO Memorandum AA 18-40 AB 705 Implementation

The [AB 705 Implementation Memo AA 18-40](http://www.cccco.edu/-/media/CCCCO-Website/Files/Consultation%20Council/2019%20Attachments/0718-ab-705-implementation-memorandum-ada) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/Consultation Council/2019 Attachments/0718-ab-705-implementation-memorandum-ada).

Item 4.2, Attachment 2: AB 705 Implementation Timeline for Math and English

The [AB 705 Implementation Timeline for Math and English](http://www.cccco.edu/-/media/CCCCO-Website/Files/Consultation%20Council/2019%20Attachments/exec-ab705-timeline-math-english-ada) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/Consultation Council/2019 Attachments/exec-ab705-timeline-math-english-ada).

Item 4.2, Attachment 3: RP Group Report: Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System

The [RP Group report](https://rpgroup.org/Portals/0/Documents/Projects/MultipleMeasures/Publications/AccessEnrollmentSuccess.pdf?ver=2019-10-07-074817-793) is available on the RP Group website (rpgroup.org/Portals/0/Documents/Projects/MultipleMeasures/Publications/AccessEnrollmentSuccess.pdf?ver=2019-10-07-074817-793).

Item 4.2, Attachment 4: Public Policy Institute of California Report: What Happens When Colleges Broaden Access to Transfer-Level Courses? Evidence from California's Community Colleges

The [Public Policy Institute of California \(PPIC\) report](https://ppic.org/publication/what-happens-when-colleges-broaden-access-to-transfer-level-courses-evidence-from-californias-community-colleges) is available on the PPIC website (ppic.org/publication/what-happens-when-colleges-broaden-access-to-transfer-level-courses-evidence-from-californias-community-colleges).

Item 4.2, Attachment 5: Campaign for College Opportunity Report: Getting There: Are California Community Colleges Maximizing Student Completion of Transfer-Level Math and English?

The [Campaign for College Opportunity report](https://collegecampaign.org/portfolio/getting-there) is available on their website (collegecampaign.org/portfolio/getting-there).



California Community Colleges Board of Governors

Item 4.3: Update on the Student Centered Funding Formula

Attachments: None

Date: November 18, 2019

Category: Governmental Relations

Type of Board Consideration: Information

Recommended By

A handwritten signature in black ink that reads "Laura Metune".

Laura Metune, Vice Chancellor

Approved for Consideration

A handwritten signature in black ink that reads "Eloy Ortiz Oakley".

Eloy Ortiz Oakley, Chancellor

Issue

This item provides the Board of Governors (Board) with an update on the ongoing implementation of the Student Centered Funding Formula (SCFF).

Recommendation

This item is provided for Board information and discussion.

Background

Overview

In 2018, Governor Brown and the state legislature enacted the SCFF, a significant reform designed to 1) invest in progress toward the *Vision for Success*, 2) ensure that students who have faced barriers to success receive additional support, and 3) make resources as stable, predictable, and flexible as possible.

Governor Brown's administration worked with the Chancellor's Office to design the SCFF to reinforce the reforms initiated in the system in recent years, including Guided Pathways, with insights from the research on higher education funding formulas in other states. Further, the proposal built on efforts the Chancellor's Office led, in consultation with chief business officials throughout the system to reform the system's financial policies to acknowledge that an enrollment-based funding formula (like the former "SB 361" formula) can create incentives inconsistent with state goals, especially when traditional-aged college populations are in decline.

In enacting the SCFF, the state built measures of access for and success of high-needs students directly into the formula. This policy responds to clear challenges in our system that are a focus of the *Vision for Success*. For too many low-income students, outcomes lag behind their peers, with data that suggests that undocumented students face especially

significant barriers to success, and that financial aid and support services targeted to these students significantly improves their opportunities for success.

Therefore, the SCFF includes a base allocation tied to enrollment, a supplemental allocation intended to better support for districts to support high-needs students, and a student success allocation based on outcomes. The SCFF's implementation emphasizes the need for districts to have sufficient time to respond to these incentives. It commits that all districts will receive at least their 2017-18 revenues, adjusted by changes in the cost-of-living, during a multi-year transition period.

Several factors might affect how a district's SCFF allocation compares to allocations under the state's former model. Below are explanations of these factors.

Ratio of Non-credit and Career Development and College Preparation (CDCP) Full-Time Equivalent Student (FTES) to Credit FTES: Because the SCFF funds non-credit and CDCP courses at higher rates compared to credit courses, districts with relatively high ratios of non-credit and CDCP FTES to credit FTES would benefit more significantly compared to the prior formula.

Ratio of Students in Correctional Facilities and Special Admit Students FTES to Other Credit FTES: Because the SCFF funds credit FTES for students in correctional facilities and special admit students at higher rates compared to rates for other students, districts with relatively high ratios of FTES attributable to those highlighted students compared to other credit FTES would benefit more significantly compared to the prior formula.

Ratio of Headcount to FTES: Because the supplemental allocation uses headcount, not FTES, districts with low ratio of FTES to headcount could benefit more significantly compared to the prior formula.

Ratio of High-Needs Counts to FTES: Because the SCFF incorporates counts of high-needs students (i.e., Pell Grant recipients, California College Promise Grant recipients, and AB 540 students), districts with high ratios of high-needs students to FTES would benefit more significantly compared to the prior formula.

Ratio of Outcomes to FTES: Because the SCFF incorporates counts of student outcomes, districts with high ratios of outcomes (and especially those outcomes weighted more significantly) to FTES would benefit more significantly compared to the prior formula.

The Chancellor's Office is responsible for successful implementation of the SCFF. The 2019-20 Budget Act extended the hold harmless period through 2021-22. This item provides updates on recent actions and future considerations. Throughout implementation, the Chancellor's Office has relied on advice from the Advisory Workgroup on Fiscal Affairs, coordinated with the CEO Funding Formula Taskforce, and supported the work of the SCFF Oversight Committee. During this presentation, the following college leaders will also share updates on their work on SCFF implementation:

- Valerie Johnson, vice chair, SCFF Oversight Committee.

- Kindred Murillo, chair, SCFF Oversight Committee.
- Joe Wyse, President, Chief Executive Officers of the California Community Colleges Board.

Updates on the 2018-19 Apportionment

The first year of the implementation of the SCFF has been challenging in large part because, as of estimates made in June, the available revenues assumed in the state budget for the 2018-19 fiscal year have been insufficient to fund the formula's costs in that year. Therefore, the Chancellor's Office has been required to apportion less to districts than they would otherwise expect using the SCFF calculations.

In managing within these fiscal realities, the Chancellor's Office determined, in consultation with Department of Finance and legislative staff, that the system's highest priority should be to maintain the "minimum revenues" commitment embedded in the SCFF. That is, all districts continue to receive revenues at least equal to their 2017-18 revenues adjusted by Cost-of-Living Adjustment (COLA) (with no reductions). In making this commitment, the Chancellor's Office has needed to moderate the year-over-year funding increases for districts that would have seen especially significant increases in 2018-19 under the SCFF. As of the second principal apportionment, a district's total revenues were constrained to be no greater than 8.13 percent (three times the COLA) more than the 2017-18 revenues. The constrained SCFF allocations were used to determine the statewide revenue need. The available revenues, then, were allocated to districts proportionately based on their share of the need above the "minimum revenues" amount.

In December 2019, the Chancellor's Office will make a final apportionment for the 2018-19 fiscal year. This apportionment will account for final reports on enrollment and revenues. Using our most recent estimates, an additional \$103 million for 2018-19 to fully fund all districts. Should additional revenues be available at that point (e.g., if property tax revenues increase compared to the June estimates), the Chancellor's Office would first apportion funds up to the 8.13-percent constraint and then apportion funds to those districts for which the SCFF calculation remains above the constraint.

Changes Enacted in 2019 Budget

The 2019-20 budget amended the SCFF's structure to create longer-term stability and clarify the outcomes we want to encourage.

The changes adjust the transition by calculating funding rates so that, in 2019-20, 70 percent of funds would be allocated for the base allocation, 20 percent for the supplemental allocation, and 10 percent for the student success allocation. These rates would simply grow by COLA beginning in 2020-21.

Second, for the student success allocation, the SCFF now:

- Counts only the highest of all degrees and certificates a student earned in the same year and counts an award only if the student was enrolled in the year the award was granted. These changes respond to concerns that counting each award would have weakened incentives for colleges to implement Guided Pathways by extending their

enrollment to generate additional awards and keep students' needs in mind by encouraging timely award of the credentials they have earned.

- Defines a transfer student as one who completed at least 12 units in the district and subsequently enrolled in a four-year university to better identify students who start in the community colleges with the goal of transferring to earn a bachelor's degree.
- Uses three-year averages of the factors to create greater year-to-year stability in allocations.

In general, these changes will reduce the counts of outcomes used in the student success allocation. As described, because the funding rates will be readjusted to ensure that the student success allocation constitutes 10 percent of the SCFF costs in 2019-20, the rates will be higher than they otherwise would have been had the changes not been made.

Finally, the budget extends the minimum revenue provision so that districts will receive at least their 2017-18 revenues, adjusted by COLA, through 2021-22. This additional year of hold harmless recognizes the significant work necessary for the Chancellor's Office and colleges to put the SCFF into place.

Future Activities

The law charges the SCFF Oversight Committee appointed by the Governor and Legislature with ongoing monitoring of the formula and continuing review of key policy questions. Specifically, the Oversight Committee is tasked with making recommendations as follows:

- By January 2020, on whether, and possibly how, districts should receive additional funds based on measures related to a student's status as a first-generation college student, a student's financial need (with emphasis on measures that consider differences in costs across regions), and a student's academic proficiency.
- By June 2021, on funding for non-credit courses and instructional service agreements and methods by which allocations could be adjusted in a recession.

The first year has offered clear lessons that are informing future activities. The Board of Governors' 2020-21 Budget and Legislative Request addresses some of these lessons. Most notably, the system must jointly and consistently advocate for a clear message: each year, the SCFF must be fully funded each year consistent with current laws.

The state can also take actions to reduce the uncertainty districts face within the same budget year. The request calls for legislation that allows adjustments to be made to state appropriations based on revised estimates of SCFF costs and revenues. That is, if costs are higher than budgeted or if offsetting revenues are lower than budgeted, appropriations must increase. Mid-year changes—like those many districts experienced this year—disrupt educational programs and create long-term challenges for districts' fiscal health.

Finally, the board asked for additional support for the Chancellor's Office to build up the capacity to administer existing programs and to help district respond to the reforms

necessary to achieve the *Vision for Success*. This request includes a call for a new Research and Planning Unit, which could support districts in continuous improvement. It also requests funds for financial management, including a position in the College Finance and Facilities Planning Division for administration of the SCFF.

As we implement the SCFF, we must create urgency around a bigger picture: the historic lack of resources of our system – the states segment that serves the largest percentage of low-income and first-generation college students. Per-student revenues for the CCC remain far lower than those for the University of California, the California State University, and the state’s K-12 schools. In the Local Control Funding Formula, the state acknowledged that students who have faced the greatest barriers to success require additional resources to achieve the state’s goals. Yet, after high school, many will attend community colleges where they will have less access to resources than their typically more-advantaged peers. Our colleges are committed to meeting the needs of our state and achieving the *Vision for Success*. The state’s appropriations should reflect a similar commitment to our system and the students we serve.

Attachments

None.



California Community Colleges Board of Governors

Item 4.4: California Workforce Pathways Joint Advisory Committee Update

Attachments: None

Date: November 18, 2019

Category: Workforce and Economic Development

Type of Board Consideration: Information

Recommended By

Sheneui Weber, Vice Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item provides the Board of Governors (Board) with an update on recent activities of the California Workforce Pathways Joint Advisory Committee (CWPJAC).

Recommendation

This item is presented for Board information and discussion.

Background

The California Workforce Pathways Joint Advisory Committee (CWPJAC) was formed to address systems alignment policies specific to career pathways within the context of recent and future state and federal investments. In this way, California will be well positioned to take advantage of the strengthening Career and Technical Education for the 21st Century Act and determine how those federal funds may complement and further California's policy objectives regarding workforce pathways in the state's regional economies.

The Workforce and Economic Development Division acts as staff to support the CWPJAC, along with California Department of Education staff. The attached documents provide an update on the Committee's work on: 1) The Perkins V Federal Application to be submitted to the U.S. Department of Education April 2020, and 2) The California State Plan for Career Technical Education under development.

Analysis

The Perkins V Federal Application

The responses to the Federal Application has been developed in partnership between the Chancellor's Office and the California Department of Education. A Stakeholder Group consisting of representatives as required by federal law has been assembled and has been meeting held between August and November to provides initial input to the Federal

Application. A public comment period will be open from November 15 to December 20 to gather additional input for the Federal Application. The Federal Application will be presented to the Governor's Office and for State Board of Education approval prior to submission to the U.S. Department of Education on April 15, 2020.

August 5 – November 13, 2019	Stakeholder input sessions
November 15 – December 20, 2019	Public comment period on draft plan
March 13, 2020	Submit plan to Governor's Office for approval
March 15, 2020	Present final plan to Board of Governors (Information)
April 15, 2020	Submit final plan to U.S. Department of Education

California State Plan for Career Technical Education (CTE)

The current version of the California State Plan for CTE was written in 2008 by the California Department of Education (CDE). A process has been underway to develop a new State Plan to reflect changing programs, operating environments, and increased collaboration and desired systems alignment between the Chancellor's Office and CDE. The State Plan is being developed in parallel with the Federal Application, and will continue through 2020, with a public comment period in the last quarter of 2020, prior to adoption.

April – July, 2020	Systems alignment discussions between CDE & CCCCCO
July 10, 2020	Present final draft of CA State Plan for CTE to CWPJAC
September - November, 2020	Public Feedback on draft of CA State Plan for CTE
November 2020	Present final CA State Plan for CTE to CWPJAC

Attachments

None.



California Community Colleges Board of Governors

Item 4.5: Chancellor's Office Oversight of Calbright Community College District

Attachments: 5

Date: November 18, 2019

Category: Office of General Counsel

Type of Board Consideration: Information

Recommended By

Marc LeForestier, General Counsel

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents information to the Board of Governors (Board) regarding the California Community Colleges Chancellor's Office (Chancellor's Office) oversight of Calbright Community College District.

Recommendation

This item is presented for Board information and discussion.

Background

In 2018, the Legislature enacted the California Online Community College Act, establishing what is now known as Calbright Community College. The legislation requires the Board of Governors to "administer the online community college," and in its capacity as the governing board of the online community college, carry out various functions specified by law. (Ed. Code, § 70901, subd. (f).) The Act therefore places the Board in the unusual position of regulating itself, which the Legislature has "expressly determined" not to be a conflict of interest. (Ed. Code, § 75005, subd. (b).)

In August 2019, two letters from faculty representatives raised concerns implicating Board of Governors and Chancellor's Office oversight of Calbright.

The California Federation of Teachers (CFT) addressed correspondence to the Board in its capacity as the Calbright governing board, threatening litigation against Calbright, and making the following assertions:

1. CFT renewed its objections to the Legislature's establishment of Calbright Community College as generally duplicative of existing community college programs and as improvidently diverting funds from other community colleges.

2. CFT argued that Calbright’s activities would violate the Education Code’s prohibition on recruitment of students who reside in other community college districts, unless there is an agreement with districts in which recruitment will occur. (Ed. Code, § 78032, subd. (c)(1).)
3. CFT criticized Calbright’s Internet notification to students regarding the implications of taking courses prior to accreditation. (Ed. Code, § 75007, subd. (b)(A)(4).)
4. CFT inquired about the status of milestones required of Calbright by the Legislature. (Ed. Code, § 75009, subd. (a).)
5. CFT claimed that Calbright’s initial program offerings are improperly “duplicative” of existing community college programs.

The Academic Senate for California Community Colleges (ASCCC) wrote to legislative leaders on August 5, 2019, requesting “clarification and direction” related to the accreditation requirements placed upon Calbright, and echoing CFTs claim that Calbright’s initial course offerings improperly duplicate programs of other California community colleges. ASCCC sent a second letter to legislative leaders on October 7, 2019.

On August 7, 2019, Chancellor Oakley wrote to President Epstein and Vice President Haynes in response to these letters, indicating that the CFT letter and the first ASCCC letter raised questions of interpretation that fall within the Board’s oversight authority, and directed Chancellor’s Office staff to examine these issues and bring them before the Board of Governors at its next scheduled meeting.

Analysis

The Chancellor’s Office approach and response to the concerns raised by CFT and ASCCC are informed by general principles of education law that indicate the Board of Governors should facilitate the success of the Calbright Community College District and give substantial deference to its independent governance, as it would to any other district.

The Board of Governors has a statutory responsibility to “provide leadership and direction in the continuing development of the California Community Colleges” while maintaining local authority and control “to the maximum degree permissible.” (Ed. Code, § 70901(a).) Of particular relevance to this item, the Board must “[c]oordinate and encourage inter-district, regional, and statewide development of community college programs, facilities, and services, and “[e]xercise general supervision over the formation of new community college districts.” (Ed. Code, §§ 70901(b)(7), (b)(12).)

The starting point for our analysis of Calbright’s specific authority under the Education Code is the constitutional principle that governing boards of community college districts may act in any manner not in conflict with law. (Cal. Const., art. IX, § 14.)

CFT Concerns Summarized

1. The Legislature should not have established Calbright. The Board of Governors obviously has no regulatory responsibility to respond to this concern. The Legislature's establishment of Calbright was a straightforward exercise of its constitutional authority "to provide for the incorporation and organization of...community college districts, of every kind and class." (Cal. Const., art. IX, § 14.) The Board of Governors' obligation is to comply with the law that establishes Calbright rather than engage in a debate over the Legislature's action.

The Chancellor's Office does not recommend any further action in connection with this concern.

2. Calbright's recruitment activities. CFT claims that the prohibition against college districts recruiting in other college districts was violated when Calbright's President was quoted in an *Ed Source* article stating that Calbright "would be changing to include face-to-face meetings." This activity does not violate the recruitment prohibition for at least two reasons.

First, being quoted in the press discussing "face-to-face meetings" is by definition not a recruiting activity. The relevant Education Code section defines prohibited "recruiting" activity as either "mailing...class schedules or other written information" to an address "not within [the college's] boundaries," or "a personal visit by a representative of the community college district to any high school" without an invitation from the school district." (Ed. Code, § 78032, subd. (c)(3)(A).) Significantly, the Education Code expressly exempts from the meaning of "recruiting" "information disseminated by a district through radio, television, or any newspaper or other publication that is not published or otherwise issued by the district, and for which distribution is not limited to residents of the district." (Ed. Code, § 78032, subd. (c)(3)(B).)

Second, and perhaps most significant for the Board's ongoing consideration of Calbright oversight, is the obvious point that in contrast to other community college districts, Calbright is intended to have statewide jurisdiction. There may be a number of circumstances where this distinction will be relevant. Here, it is directly relevant because the Legislature has specifically directed Calbright to "[c]reate a statewide outreach plan, which includes working with immigrant groups and community-based organizations to reach the target population of working learners and help design educational opportunities that work for these learners." (Ed. Code, § 75009, subd. (a)(5), emphasis added.)

The Chancellor's Office does not recommend any further action in connection with this concern.

3. Student information regarding non-accreditation. The Education Code requires Calbright to "inform potential and enrolled students regarding the implications of taking courses prior to accreditation and how the college will help students rectify this

issue in the future.” (Ed. Code, § 75007, subd. (b)(A)(4).) CFT alleges that text on Calbright’s website does not meet this requirement because, according to CFT, it “merely states: ‘Calbright College holds itself to the highest educational standards. We are currently under review and seeking accreditation.’”

Our review of the Calbright website found extensive information for students to understand the implications of taking courses prior to accreditation, including the following:

As an unaccredited institution, degrees and certificates earned from Calbright College may incur the following limitations:

- a.** A student enrolled in an unaccredited institution may not be able to sit for some applicable licensure examinations. This does not include industry recognized certifications.
- b.** A degree program that is unaccredited or a degree from an unaccredited institution is not recognized for some employment positions, including, but not limited to, positions within the State of California.
- c.** A student enrolled in an unaccredited institution is not eligible for state or federal financial aid programs.

See [CalBright Accreditation](https://bit.ly/2r4GSbp) (bit.ly/2r4GSbp), [Federal Student Aid](https://studentaid.ed.gov/sa/prepare-for-college/students/choosing-schools#finding-right-school) (studentaid.ed.gov/sa/prepare-for-college/students/choosing-schools#finding-right-school), and [Accreditation](https://calbright.org/about/accreditation) (calbright.org/about/accreditation). The information we have reviewed appears to fulfill the statutory mandate.

The Chancellor’s Office does not recommend any further action in connection with this concern.

- 4.** Status of Calbright milestones. CFT inquired about the status of various milestones the Legislature has required Calbright to meet. (See Ed. Code, § 75009, subd. (a).) On August 1, 2019, Calbright issued its [Milestone Report](#), which is available on its website. The Chancellor’s Office does not recommend any further action in connection with this concern.
- 5.** Program duplication. CFT asserts that Calbright’s first three programs, Medical Coding for Professional Services, Introduction to Cybersecurity (Security+), and Introduction to Information Technology Support (A+), are duplicative of other community college programs. The Chancellor’s Office has notified the Legislature and the Department of Finance that these programs are not duplicative. Our analysis of the program duplication issue is below.

The Education Code requires Calbright to create “an organized system of accessible, flexible, and high-quality online content, courses, and programs focused on providing industry-valued credentials compatible with the vocational and educational needs of Californians who are not currently accessing higher education.” (Ed. Code § 75001, subd. (a)(3).)

The Legislature also expressed an intent that Calbright “create unique content” and “deliver it in a manner that is not duplicative of programs offered at other local community colleges.” (Ed. Code § 75001, subd. (f)(1).) Notably, this language does not require all course or program content to be unique, or specify when or what percentage of content must be unique.

What the Legislature intended by program delivery that is “not duplicative” is undefined in the California Online Community College Act, or other provisions of the Education Code. In the absence of a statutory definition, regulatory agencies typically rely upon the ordinary meaning of words and their statutory context.

Here, the ordinary meaning of “not duplicative” is not particularly helpful. “Not duplicative” taken literally would mean “not identical.” This interpretation would narrow the legislative intent to require Calbright program delivery to be merely “not identical” to program delivery at other community college. At the same time, the Act does not suggest that “not duplicative” was intended to be so broad as to preclude any overlap between Calbright programs and other community college programs.

Other provisions of education law provide some limited context. First, the Legislature’s stated intent that “the California Online Community College create unique content and deliver it in a manner that is not duplicative of programs offered at other local community colleges” is relevant. (Ed. Code, § 75001, subd. (f)(1), emphasis added.) The underscored language suggests that the Legislature’s main interest in whether Calbright’s programs are “not duplicative” is in the manner of program delivery. We have found no reference to duplication in the law that would support a construction that prevents all overlap in programs. Accordingly we have concluded that the Education Code does not prohibit overlap between Calbright programs and other community college programs.

While it may not be clear at this time where precisely the line will be between a Calbright program that is not duplicative and a Calbright program that is duplicative, this line will likely become clearer over time as the Chancellor’s Office considers additional Calbright programs. With respect to the first three Calbright programs, the Chancellor’s Office considered four factors: competency-based learning, asynchronous self-paced learning, applied learning, and the fully-online platform. We are aware of no other community college program that combines these four elements, and concluded that these were sufficient to determine they were not duplicative. In the future, there may be other Calbright program elements that will demonstrate a program is not duplicative. The Chancellor’s Office will evaluate each future program on the merits.

When Calbright offers a new program, the Chancellor’s Office is required to notify the Legislature and Department of Finance regarding how “the program is not duplicative of programs offered at other community colleges.” (Ed. Code § 75001, subd. (f)(2).) On September 30, 2019, the Chancellor’s Office issued its first such notice to the

Legislature and the Department of Finance related to Calbright's first three programs: Medical Coding for Professional Services; Introduction to Cybersecurity (Security+); and Introduction to Information Technology Support (A+).

The Chancellor's Office has fulfilled its regulatory responsibility with respect to Calbright's first three programs. It does not recommend any further action in connection with this issue.

ASCCC Concerns Summarized

1. Program duplication. Following the Chancellor's Office September 30, 2019, notice to the Legislature, ASCCC sent a second letter challenging the Chancellor's Office conclusions, and asserting that several community college programs are duplicated by Calbright's first three programs.

First, ASCCC's position appears partially based on a misreading of the statute. ASCCC asserts that "[i]n order for a program to be "non-duplicative," the program must consist of unique content, regardless of how that content is delivered." For the reasons discussed above, this claim conflates the separate concepts of "unique content" and "not duplicative delivery." Moreover, as mentioned above, the statute does not require all content to be unique.

In an exhibit to its October 7, 2019, letter, ASCCC identified a number of specific community college programs it claims to be duplicated by Calbright. However, these programs do not involve competency-based education as the concept is used by Calbright, and as we understand it. Competency-based education is an educational method focused on learning outcomes and the demonstration of knowledge and skills by students, rather than on seat time and traditional credit-hours. (See Ed. Code, § 75002, subd. (d).) The pace of the program is set by the student, and the student's entry point to the program is determined by their prior skills, which allows the student to enter the program at various stages. Under a competency-based model, the program's courses must currently fall within the category of Open Entry/Open Exit (5 Cal. Code Regs., § 58164), which would presumably allow the student to enter and exit according to their mastery of the topic. Additionally, authentic assessments require the application of knowledge and skills in the real world and the evaluation of students' knowledge, abilities, and skills must measure evidence of mastery.

Based on a review of each programs' courses in the Chancellor's Course Outline of Records (COR's), no courses identified by ASCCC indicate competency-based education as their delivery model, or permit open entry and open exit. Each course was based on traditional methods of instruction and assessment and required students to move through the full course requirements regardless of demonstration of skill mastery. None of the medical coding, cyber security, or information technology programs identified by ASCCC as duplicated by Calbright programs are competency-

based programs according to the narratives and descriptions of each program, and are therefore not duplicative.

2. Calbright Accreditation. ASCCC also asked the Legislature to provide clarity regarding the Education Code's mandate that Calbright seek accreditation. Because the accreditation requirements of the Act are unambiguous, the Chancellor's Office does not believe there is any need for clarification at this time.

The Legislature has quite plainly required that Calbright "seek accreditation and meet requirements for students to become eligible for federal and state financial aid." (Ed. Code, § 75007(b)(1).) This is not ambiguous. The Legislature has also imposed a clear timetable: Calbright is to achieve accreditation candidacy or preaccreditation by April 1, 2022, and full accreditation by April 1, 2025, and provide a plan for achieving accreditation by April 1, 2021. (Ed. Code, § 75007(b)(1)(A)(i).)

The Education Code requires the Board of Governors to "establish minimum conditions entitling districts to receive state aid" and further requires the Board of Governors, in determining whether a community college district satisfies the minimum conditions, to review the regional accreditation status of the community colleges within that district. (Ed. Code § 70901(6).) The Education Code also provides that "[e]ach community college within a district shall be an accredited institution. Accreditation shall be determined only by an accrediting agency recommended by the Chancellor and approved by the Board of Governors, and the Board shall approve only an accreditor recognized and approved by the U.S. Secretary of Education under the Higher Education Act of 1965 acting within the agency's scope of recognition by the Secretary." (Cal. Code Regs., tit. 5, § 51016.)

The mandate that Calbright seek and obtain accreditation is unambiguous. And Calbright has announced that it intends in the short term to seek accreditation from the Distance Education Accrediting Commission (DEAC), and over a longer term to seek accreditation from the Accrediting Commission for Community and Junior College (ACCJC). ASCCC points out that DEAC is not an accrediting agency approved by the Board of Governors. This is an issue the Board will need to address if and when the Chancellor makes a recommendation to the Board. However, at this time Calbright has not requested that the Chancellor make such a recommendation, and has not provided any information to the Chancellor to support such a recommendation.

The Chancellor's Office does not recommend any further action in connection Calbright accreditation at this time.

3. Utilization of existing community college system resources. ASCCC also contends in its October 7, 2019, letter that Calbright's decision not to use Canvas violated a "requirement" to use Canvas and runs counter to legislative direction that Calbright's "newly developed" programs "lead to a pathway at a traditional community college." ASCCC's analysis misinterprets what the statute requires. Calbright "shall utilize and leverage, where appropriate, the programs and activities of the chancellor's office,

including the Online Education Initiative and the Zero-Textbook-Cost Degree Grant Program and Open Educational Resources, the Strong Workforce Program, and the Guided Pathways Program framework.” (75001(d)(3).) The clause “where appropriate” is significant to the interpretation of this section, as is the constitutional principle that districts may do what is not expressly prohibited. The Chancellor’s Office has concluded that the Legislature has strongly encouraged Calbright to use existing system resources, but where doing so would not be appropriate, Calbright is free to pursue other means to achieve its objectives.

Calbright has determined that Canvas is not an appropriate platform for its competency-based educational approach.

The Chancellor’s Office does not recommend any further action in connection with this issue.

4. Definition of a “Program.” ASCCC challenges the notion that Calbright’s first three programs are “programs” subject to the notice requirement. However, title 5 defines an “educational program” as “an organized sequence of courses leading to a defined objective, a degree, a certificate, a diploma, a license, or transfer to another institution of higher education.” (5 Cal. Code Regs. §55000, subd. (m).) The Calbright programs meet this definition.
5. Curricular Approval and Avoidance of Harmful Competition. Finally, ASCCC asserts that the Chancellor’s Course Approval Handbook states that “[a] proposed new program must not cause harmful competition with an existing program at another college” and that all community colleges, including Calbright must abide by this rule. (5 Cal. Code Regs. § 55000.5; §75007(e).) The Chancellor’s Office agrees that harmful competition is to be avoided, but disagrees that there is any factual basis on which to conclude that harmful competition will occur. Calbright’s programs were subject to the same curricular approval processes that apply to other district programs where harmful competition is an element of the analysis, and the programs were approved.

Other Potential Oversight Issues

Beyond the issues raised by CFT and ASCCC, the Chancellor’s Office has identified additional areas where future regulatory action may be required. They are each described below for information.

1. Chancellor’s Office Guidance to Calbright.

The Education Code requires that Calbright shall be developed and guided by principles and procedures established by the Chancellor’s Office. (Ed. Code, §§ 75001, 75007 (a).) The Legislature has mandated that the guiding principles include the following:

- Offering working adults access to affordable, high-quality higher education opportunities with labor market value, especially industry-valued credentials

based on competencies leading to employment in the workplace and not just courses leading to degrees and certifications;

- Providing working adults with the necessary conditions for success with flexible course scheduling, start and stop times technology-enabled support, and short-term credentials;
- Supporting student success by developing and implementing teaching and student support methodologies and technologies, including leveraging student data and technology resources, quality onboarding to support career exploration, goal-setting and educational planning;
- Enhancing system wide support efforts by using innovative teaching and student support methodologies and technologies to inform professional development opportunities available to the rest of the community college system;
- Ensuring faculty roles are based on the skills needed including 24-hour virtual support;
- Addressing barriers facing working adults success to access higher education;
- Aligning Calbright's efforts with the broader goals of the community colleges system's *Vision for Success*;
- Offering working adults additional access to affordable, high-quality education through Calbright or another community college.

(Ed. Code, § 75001(b).)

2. Approval of Online Courses and Programs.

The Chancellor's Office is required to conduct a review of the processes used to calculate noncredit and career development college preparation rates, and for statewide approval to offer online courses under a flexible calendar, and make recommendations to the Board of Governors. (Ed. Code, § 75012.)

3. Transcripts

The Education Code requires any redesigned transcript technology to be part of the Chancellor's Office integrated technology portfolio, and made available to any campus of the California Community Colleges. (Ed. Code, § 75001(d)(2)(F).)

4. Research and Development Collaboration

Calbright's Research and Development Unit must regularly collaborate with the Chancellor's Digital Innovation and Infrastructure Division to ensure integration, interoperability, and, where possible, use open standards. (Ed. Code, § 75008(e).)

5. Apportionment

The Education Code authorizes Calbright to claim apportionment. (Ed. Code, § 75010(e).) The Legislature requires that after three years, the enrollment growth funding shall be calculated separately for Calbright. (Ed. Code, § 75010(e)(3).)

The Chancellor's Office will continue to fulfill its regulatory responsibilities and keep the Board informed.

Attachments

- 1.** Jeffery Freitas CFT Letter to Calbright Board of Trustees, undated
- 2.** ASCCC Letter to the Legislature, August 5, 2019
- 3.** Chancellor Oakley Letter to President Epstein and Vice President Haynes, August 7, 2019
- 4.** Vice Chancellor Alvarado Notice Regarding Non-duplication, September 30, 2019
- 5.** ASCCC Letter to the Legislature, October 7, 2019

Item 4.5, Attachment 1: Jeffery Freitas California Federation of Teachers Letter to Calbright Board of Trustees, undated

The [California Federation of Teachers letter](http://www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20190805-cft-online-college-letter-a11y) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20190805-cft-online-college-letter-a11y).

Item 4.5, Attachment 2: Academic Senate for California Community Colleges Letter to Legislature, August 5, 2019

The [Academic Senate for California Community Colleges August 5, 2019 letter](http://www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20190805-asccc-letter-a11y) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20190805-asccc-letter-a11y).

Item 4.5, Attachment 3: Chancellor Oakley Letter to President Epstein and Vice President Haynes, August 7, 2019

The [Chancellor Oakley letter](#) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20190807-cft-asccl-correspondence-attachment-3-a11y).

Item 4.5, Attachment 4: Vice Chancellor Alvarado Notice Regarding Non-duplication, September 30, 2019

The [Calbright Community College Non-Duplication Notice](http://www.cccco.edu/-/media/CCCCO-Website/Files/Consultation%20Council/2019%20Attachments/exec-calbright-non-duplicative-letter-09302019-ada) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/Consultation Council/2019 Attachments/exec-calbright-non-duplicative-letter-09302019-ada).

**Item 4.5, Attachment 5: Academic Senate for California Community Colleges
Letter to the Legislature, October 7, 2019**

The [Academic Senate for California Community Colleges October 7, 2019 letter](http://www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20191007-asccc-letter-to-legislature-a11y) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/BOG/2019/November/exec20191007-asccc-letter-to-legislature-a11y).



California Community Colleges Board of Governors

Item 4.6: Participatory Governance and Statewide Engagement

Attachments: 1

Date: November 18, 2019

Category: Executive

Type of Board Consideration: Information

Recommended By

Dr. Daisy Gonzales, Deputy Chancellor

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item responds to a request by the Board of Governors (Board) to report on all statewide participatory governance structures by the Chancellor's Office, including statewide advisory committees, workgroups, and task forces.

Recommendation

This item is presented for Board information and discussion.

Background

In August of 2018, the Board President and Vice President requested that the Chancellor's Office provide a report of all statewide participatory governance structures, and to begin to consolidate or conclude committees and working groups that reproduce silos or are duplicative. Between September 2018 and August 2019, the Chancellor's Office determined that unnecessary duplication existed in 11 statewide advisories and committees, and concluded the work of the following committees and advisories:

- Basic Skills Advisory Committee
- California College Promise Grant Workgroup
- Foster and Kinship Care Education Regional Coordinators
- Institutional Effectiveness Partnership Initiative (IEPI) Framework of Indicators Workgroup
- IEPI Professional Development Workgroup
- IEPI Advisory Committee
- IEPI Data Disaggregation Advisory Committee
- IEPI Integrated Planning Project Advisory Committee
- IEPI Technical Assistance Workgroup
- Student Services Advisory Committee

- School Employer Advisory Committee

To date, the Chancellor's Office operates 36 statewide task forces, workgroups or committees (referred to collectively as statewide working groups in this document).

Additional Context

In addition to existing Chancellor's Office statewide working groups, the Board of Governors is required to maintain a consultation process at the state level to ensure local community college district participation in system wide policy decisions. Title 5 requires the Board of Governors to "provide general supervision" over community college districts "in consultation with" community college districts and their institutional representatives, to allow community college organizations and interested individuals and parties an opportunity to review and comment on proposed policy before it is adopted by the Board (Ed. Code, § 70901, subs. (b), (e)).

The Board of Governors Standing Orders outline the process and guiding principles for the Consultation Council. The Consultation Council is comprised of 18 representatives of institutional groups such as trustees, executive officers, students, administrators, business officers, student services officers, instructional officers, and representative organizations, such as faculty and staff unions and associations. As a condition for participation on the Consultation Council, the Board of Governors Standing Orders state that each group participating as either an institutional or organizational member is required to make the following commitments:

"(1) Each group, insofar as it participates in Consultation, will commit to promote the development of policy which is in the best interests of students, the system, and the State; (2) Each group will commit to first attempt to use the Consultation Process for pursuing recommended policy changes or recommended policy that can be dealt with in the Consultation Process; (3) Each group will commit to strive to accept and accommodate the consensus reached in Consultation, although each group will retain the ultimate right to excuse itself from Consultation on a particular issue or the ultimate right to take an issue to a different arena; and (4) Each group will agree to attend Consultation meetings, complete any work it agrees to undertake, and communicate with and involve the constituency it represents."

The Consultation Council is the primary vehicle for participation by community college districts in the development of statewide community college policy in order to ensure that the best interests of the students, the system, and the state are served. The Consultation Council is chaired by the Deputy Chancellor and meets once per month to review and evaluate new policy proposals, necessitated by either legal requirements or local need, to review and provide advice on policy issues currently in development, and provide feedback on the work of standing committees developing annual system proposals. This statewide consultation process allows the entire community college system to advise the Chancellor, who makes recommendations to the Board of Governors on matters of policy.

Two other groups have special recognition in the Board of Governors Standing Orders as constituents with distinct status in the participatory governance process.

- Consistent with the intent of Section 53206 of Title 5 of the California Code of Regulations, the Board of Governors recognizes the Academic Senate for the California Community Colleges (ASCCC) as the representative of community college faculty on academic and professional matters. Title 5 requires that the appointment of ASCCC faculty to councils, committees, and task forces be determined by the ASCCC process.
- Pursuant to the Board of Governors standing orders on the participation of students in governance, the Board recognizes the Student Senate for the California Community Colleges (SSCCC). The Board of Governors recognizes the SSCCC as the representative of community college students in the consultation process and before the Board of Governors and Chancellor's Office.

Participatory Governance and Statewide Engagement

The Chancellor's Office currently engages statewide representatives through 36 advisory committees, workgroups or task forces. Across all statewide working groups a total of 697 statewide representatives are currently engaged, and 19 vacancies exist as of June 1, 2019 (total 716).

A brief review of each statewide working group is summarized below and organized into three categories (Attachment 1 provides a membership roster for each working groups). The categories below denote the origins of the statewide working group, which guides the responsibility of the Chancellor's Office to operate and engage statewide representatives.

- Category A: the committee, workgroup or task force is required by legislation or Title 5 regulations and is recognized in the Board of Governors Standing Orders. This category requires meetings to be compliant with the Bagley-Keene Act and the membership may be outlined in statute. Regulatory changes are required to extend, integrate or dismantle.
- Category B: the committee, workgroup or task force was created by the Chancellor's Office and can be extended, integrated or dismantled without regulatory changes.
- Category C: the committee, workgroup or task force is convened in partnership with a statewide association, the Foundation for California Community Colleges or another California State agency, and can be extended, integrated or dismantled without regulatory changes.

In general, state funds are expended in convening these groups through staff time, travel reimbursements and meals provided at working group meetings. Where travel reimbursements, lodging or meals are provided, the description provides this information and details of the funding source are included.

Analysis

Category A: Required by legislation or regulations

1. Assessment Workgroup. Required by California Education Code, § 78213. Originally formed to review and approve standard assessment tests, the workgroup is on hold as a result of Assembly Bill (AB) 705 and is currently engaged in the review and approval of local placement models under AB 705. Travel expenses, including meals and occasional lodging, are covered through Student Equity and Achievement Program set-aside funds authorized by legislation.
2. Distance Education and Educational Technology Advisory Committee (DEETAC). Required by Board of Governors Standing Orders, Article 6, § 409 to provide advice to the Chancellor's Office on distance education and educational technology. DEETAC meets quarterly in person and through video conferences. The Chair and Vice-Chair are elected from the membership.
3. Economic and Workforce Development Advisory Committee. Convened by the Workforce and Economic Development Division to fulfill statutory requirements set forth by Education Code, § 88610. Provides the Chancellor's Office ongoing advice on the overall program development, resource deployment, and strategies for regional coordinators. The WEDPAC meetings have merged with those of EDPAC, which meets three times per year.
4. Foster and Kinship Care Education (FKCE) Advisory Committee. Required by California Education Code, § 79420, and listed as a requirement in the interagency agreement in place with the Department of Social Services. The committee meets to facilitate communication among stakeholders and partners to provide guidance on policy development. The committee also provides a forum for service delivery consultation and collaboration. Travel expenses, including meals and occasional lodging, are covered through the Chancellor's Office and reimbursed by the Department of Social Services.

Category B: Created by the Chancellor's Office

5. AB 705 English as a Second Language (ESL) Implementation Group. Convened by the Educational Services and Supports Division to review AB 705 legislation as it pertains to ESL and provide clear guidance for implementation to the field. The group meets quarterly through December 2019. Meals covered by set-aside funds authorized by legislation.
6. AB 2098 California Adult Education Program Committee. Convened by the Workforce and Economic Development Division to develop recommendations regarding the implementation of immigrant education measures. The committee meets monthly through 2019.

- 7.** Accessibility Standards Workgroup. Convened by the Institutional Effectiveness Partnership Initiative (IEPI) Division to develop recommendations on accessibility principles for the Chancellor's Office. The workgroup meets monthly to review information and communication technology and instructional material accessibility policies. Travel expenses, including meals and occasional lodging, are covered through set-aside funds.
- 8.** Basic Needs Advisory Group. Convened by the Educational Services and Supports Division to share information on student basic needs and seek input on legislation. The Basic Needs Advisory Group meets two to three times per year and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through Student Equity and Achievement Program set-aside funds authorized by legislation.
- 9.** California Community Colleges Curriculum Committee (5C). Convened by the Educational Services and Supports Division to provide advice on policy and guidance on all matters related to curriculum, including creation, implementation and endorsement of curriculum through the California Community College system. 5C is co-chaired by a faculty representative appointed by the ASCCC President and a Chief Instructional Officer (CIO) appointed by the California Community Colleges Chief Instructional Officers (CCCCIO) Executive Board. 5C meets monthly and as needed. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 10.** CalWorks State Advisory Committee. Convened by the Educational Services and Supports Division to provide guidance on policy development, program implementation, best practices, and identify needs of students/college CalWORKs programs. The representatives also disseminate CalWORKs information within their region, association or constituency. The advisory committee meets four times per year and is chaired by a Chancellor's Office staff member. Travel expenses and meals are covered through set-aside funds authorized by legislation.
- 11.** Career Education African American and Black Advisory Committee. Convened by the Communications and Marketing Division to tap into expertise and networks of African American/Black leaders from different backgrounds to assist with outreach to students about the opportunities available at community colleges. The Committee informs the Communications and Marketing Division on effective outreach to potential African American/Black students and influencers. The advisory committee meets every month. Travel expenses and meals are covered through set-aside funds authorized by legislation.
- 12.** Career Education Marketing Regional Consortium Leads. Convened by the Communications and Marketing Division to align and coordinate statewide and regional Career Education marketing activities to ensure brand alignment and responsible use of state resources. This group helps tailor and leverage the statewide

Career Education brand to amplify and be responsive to local and regional needs. The regional consortium leads host bi-weekly calls.

- 13.** Cooperating Agencies Foster Youth Educational Support (CAFYES) Advisory Committee. Convened by the Educational Services and Supports Division to provide the Chancellor's Office with advice and support on CAFYES policy and program implementation. The advisory committee meets three to four times per year and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 14.** Currently and Formerly Incarcerated Advisory Committee. Convened by the Educational Services and Supports Division to provide advice to the Chancellor's Office on policies and practices with programs serving currently and formerly incarcerated students. The advisory committee meets every semester and is chaired by a Chancellor's Office staff member.
- 15.** Disabled Students Programs and Services (DSPS) Regional Coordinators. Convened by Educational Services and Support Division to provide input and feedback on the resources and guidance provided to the field. The regional coordinators meet three times per year and is chaired by a Chancellor's Office staff member. Travel expenses and meals are covered through set-aside funds authorized by legislation.
- 16.** Diversity Task force. A short-term task force to make recommendations on the efficacy of adding a faculty and staff diversity goal to the *Vision for Success* and to make subsequent recommendations on the regulatory and technical assistance that will be necessary to make progress. The Task force is co-chaired by the Deputy Chancellor and the President of the ASCCC. The task force meets monthly starting April 2019 and is expected to conclude its work in September 2019.
- 17.** Equal Employment Opportunity (EEO) and Diversity Advisory Committee. Established by the Chancellor's Office as an advisory body to help fulfill the requirements of Title 5, § 53000 et seq. The EEO and Diversity Advisory Committee is a forum for the exchange of information to drive the promotion, creation and implementation of effective EEO and diversity programs. The committee develops resources such as samples and best practices which can be shared with districts throughout the state. The committee consists of a diverse representation of community college constituency group leaders and human resource professionals. The advisory committee meets quarterly and is co-chaired by the Deputy Chancellor and a system Human Resources Manager.
- 18.** Extended Opportunity Programs and Services (EOPS) Regional Coordinators. Convened by the Educational Services and Supports Division to provide a communication tool between the college EOPS programs and the Chancellor's Office. The EOPS regional coordinators meet four times per year to provide input to the Chancellor's Office regarding Title 5 and other EOPS and Cooperative Agencies

Resources for Education state requirements. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.

- 19.** Financial Aid Regional Representatives (FARR). Convened by the Educational Services and Supports Division to provide information to the colleges through the 10 regional representatives. The FARR also provides feedback on proposed policies and program processes. The FARR meets four times per year and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 20.** Foster Youth Success Initiative Advisory Group (FYSI). Convened by the Educational Services and Supports Division to bring information from college FYSI liaisons regarding issues affecting over 20,000 foster youth currently enrolled in California Community Colleges. The FYSI advisory also provides feedback on pending legislation, and changes to financial aid that might affect foster youth students. The advisory meets four times per year and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through the Student Equity and Achievement Program set-aside funds authorized by legislation.
- 21.** Guided Pathways Advisory Committee. Convened by the Educational Services and Supports Division to discuss strategies and provide guidance for the implementation of Guided Pathways. The Guided Pathways Advisory Committee meets monthly. Stakeholders were invited from across college departments and campuses and provide a diverse representation of practitioners. Meals covered by set-aside funds authorized by legislation.
- 22.** Guided Self-Placement Workgroup. Convened by the Educational Services and Supports Division to create AB 705 Guided Self-Placement Templates for the field. The product of this workgroup will assist the Chancellor's Office fulfill AB 705 requirements. This is a short-term workgroup meeting as necessary.
- 23.** Institutional Effectiveness Partnership Initiative (IEPI) Executive Committee. Convened by the IEPI Division to provide direction in the overall coordination of IEPI in order to advance institutional effectiveness and the *Vision for Success*. It also assists the Chancellor's Office in the implementation of policies and procedures related to IEPI, and reviews IEPI products, such as technical assistance and professional development. The committee meets monthly and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 24.** In-House General Counsel Group. Meeting of community college in-house general counsel for professional development and informal exchange of information. The group meets twice a year.
- 25.** Library and Learning Resources Advisory Committee (LLRPAC). Convened by the Educational Services and Supports Division to provide advice to the Chancellor's Office on policies and practices of libraries, tutoring, learning resources, and

supplemental learning assistance. The LLRPAC meets quarterly in person and through video conferences.

- 26.** Strategic Enrollment Management (SEM) Advisory Committee. Convened by the Institutional Effectiveness Division, this committee provides input on the development of the SEM Program, an intensive and comprehensive enrollment management curriculum for the California Community Colleges encompassing several coordinated efforts to provide technical assistance and professional development resources. The advisory committee meets biannually.
- 27.** Student Attendance Accounting and Reporting (StAAR) Committee. Convened by the College Finance and Facilities Planning Division to provide advice to the Chancellor's Office on updates to the 2001 Student Attendance & Accounting Manual (SAAM), the primary reference tool for districts on topics related to student attendance accounting and student residency classification, as well as related subjects such as academic calendars, course scheduling and other conditions potentially affecting apportionment eligibility. The committee consists of experts in accounting and residency who meet quarterly and as needed.
- 28.** Student Equity and Achievement Workgroup. Convened by the Educational Services and Supports Division to provide the Chancellor's Office advice and support on the Student Success and Support Program (SSSP) and Student Equity policy and program implementation. The workgroup meets four times per year and is chaired by a Chancellor's Office staff member. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 29.** Telecommunications and Technology Advisory Committee (TTAC). Convened by the Digital Innovation and Infrastructure Division, this committee develops technology hardware and software standards that are interoperable and used by community colleges districts and colleges. TTAC meets quarterly and is chaired by two system wide stakeholders, currently a Chief Executive Office and an Academic Senate designee. Travel expenses, including meals and occasional lodging, are covered through set-aside funds authorized by legislation.
- 30.** Veterans Services Advisory Committee. Convened by the Educational Services and Supports Division to facilitate communication, identify student veteran needs, and encourage the exchange of innovative ideas and effective practices throughout the system. The advisory meets 2 to 3 times per year and is chaired by a Chancellor's Office staff person. Travel expenses, including meals and occasional lodging, are covered through the Student Equity and Achievement Program set-aside funds authorized by legislation.

Category C: Convened in partnership with another statewide entity

- 31.** Association of Chief Business Officials Advisory Workgroup on Fiscal Affairs. A subcommittee of the Association of Chief Business Officials (ACBO) Board to provide

the Chancellor's Office ongoing advice and counsel on fiscal related matters, such as issues surrounding state budget proposals, statutory and/or regulatory funding provisions, and any other matters relating to fiscal and business issues concerning the state's community colleges. The workgroup meets monthly. Meals covered by Foundation for California Community College gift funds.

- 32.** Association of Chief Business Officials Facilities Task force. A subcommittee of the ACBO Board to assist the Chancellor's Office in the advocacy, planning and policies related to community college facilities and the capital outlay process in order to best represent every community college district. The ACBO Facilities Task force also consults with the California Community Colleges/Investor-Owned Utility Partnership, the FUSION Steering Committee, and other State agencies as part of their duties to best serve California Community Colleges.
- 33.** Association of Chief Business Officials Standards and Accountability Committee. A subcommittee of the ACBO Board that provides the Chancellor's Office with input on accounting and reporting issues as they develop and take appropriate action to enhance uniform reporting and reliability of fiscal data. Actions by the committee include, but are not limited to, the development of Accounting Advisories, updating of the Budget and Accounting Manual, modifications of the reporting system, and ongoing advisement on accounting and reporting issues. The committee meets quarterly.
- 34.** California Community Colleges/Investor Owned Utilities (CCC/IOU) Partnership. The California Community Colleges-California Investor Owned Utilities Energy Efficiency Partnership advocates, promotes and supports energy efficiency in California Community Colleges by leveraging resources from the community college districts, the Chancellor's Office, the State of California and the four California Investor Owned Utilities (IOU), including Pacific Gas & Electric (PG&E[®]), Southern California Edison (SCE[®]), Southern California Gas (SCG[®]) and San Diego Gas & Electric (SDG&E[®]).
- 35.** DREAMERS Advisory Group. The DREAMERS Advisory Group was established as part of the DREAMERS Project, funded through a grant provided by the James Irvine Foundation and coordinated by the Foundation for California Community Colleges. The DREAMERS Advisory Group was formed to identify the most pressing concerns and challenges facing undocumented students and colleges; resources for eligible students; and effective strategies for college implementation. The 14-member advisory group was comprised of a college president, two student advocates, a Dream Resource Center consultant, two Dream Resource coordinators, an UndocuAlly trainer, members of the Chancellor's Office governmental relations team, an immigrant rights activist, an immigration legal expert, and the Director of Higher Education from Immigrants Rising. The group convened on three occasions between September 2018 and October 2019 to guide work, advise on priorities, analyze survey and regional meeting data, and champion the final recommendations and report.

36. Facilities Utilization, Space Inventory Options Net (FUSION) Subcommittee. A subcommittee of the ACBO Board that provides advice and reports to the ACBO Facilities Task Force. Their decisions on key issues require approval from the ACBO Facilities Task force. The subcommittee meets quarterly.

Considerations for the Board of Governors

The Board of Governors may consider the need for further information including the duplication, frequency, effectiveness and membership of the 36 statewide participatory governance working groups. The Board may also wish to direct the Chancellor's Office to provide a future update with information that summarizes:

- a defined charter for all statewide working groups;
- 2020-21 goals that align to the *Vision for Success* goals and commitments;
- an analysis/proposed changes to the existing structure and membership of working groups in order to advance integrated planning and holistically serve our students; and
- opportunities to coordinate statewide support and advocacy for the Board of Governor's 2020-21 Budget and Legislative request.

Attachments

- 1.** Statewide Working Groups

Item 4.6, Attachment 1: Statewide Working Groups

College Finance and Facilities Planning Division

Association of Chief Business Officials Facilities Taskforce

Members: 23

Beeler, Ron	Facilities Planning and Program Services, Incorporated
Diamond, Fred	Citrus College
Estrada, George	Shasta College
Flood, Harold	California Community Colleges Chancellor's Office
Flood, Tim	MiraCosta Community College District
Gabel, Ann-Marie (Chair)	South Orange County Community College District
Hardash, Peter	Rancho Santiago Community College District
Lojowsky, MacAdam	Mendocino College
Maas, Lyndsay	Santa Barbara City College
Maduli, Ed	West Valley-Mission Community College District
Manzo, Pablo	Los Rios Community College District
Mittlestead, Eric	Kern Community College District
Nguyen, Hoang	California Community Colleges Chancellor's Office
Nunez, Jose	San Mateo Community College District
Osmeña, Christian	California Community Colleges Chancellor's Office
Parker, Robert	Napa Valley College
Schrage, Jim	College of the Canyons
Skinner, Erik	Sierra College
Slimp, Ronnie	California Community Colleges Chancellor's Office
Thorson, Eric	California Community Colleges Chancellor's Office
Williams, Rick	North Orange County Community College District
Yeager, Susan	Yosemite Community College District
Yuan, Lan	California Community Colleges Chancellor's Office

Association of Chief Business Officials Fiscal Standards and Accountability Committee

Members: 13

Buchwald, Rosalinda	Citrus Community College District
Cichocki, Eileen	Mendocino College
Egan, Russi	Lake Tahoe Community College
Finche, Wrenna	California Community Colleges Chancellor's Office
Fisher, Linda	Sierra College
Gordon, Jeanette	Los Angeles Community College District
Haigler, Steve	Compton Community College District
Lopez, Felipe (Chair)	Cerritos College
Martin, Debbie	Kern Community College District
McCord, Kim	South Orange County Community College District
O'Connor, Adam	Rancho Santiago Community College District
Parmelee, Frances	California Community Colleges Chancellor's Office
Schrader, Sara	Yosemite Community College District

Association of Chief Business Officials Advisory Workgroup on Fiscal Affairs

Members: 20

Brown, Aaron

Coleal, Sharlene

Dowd, Bonnie Ann (Co-Chair)

Gabel, Ann-Marie (Co-Chair)

Gerhard, Ron

Gordon, Jeannette

Hardash, Peter

Morse, David

Munoz, Mike

Murillo, Kindred

Navarette, Lizette

Osmeña, Christian (Co-Chair)

Rearic, Sue

Rodriguez, Mario

Rodrique, Morris

Sanders, Brian

Skinner, Erik

Sosenko, Lauren

Suleski, Andy

Thirakul, Danny

Riverside Community College District

Santa Clarita Community College District

San Diego Community College District

South Orange Community College District

Chabot-Los Positas Community College District

Los Angeles Community College District

Rancho Santiago Community College District

Academic Senate

Long Beach Community College District

Southwestern College

Community College League of California

California Community Colleges Chancellor's Office

Grossmont/Cuyamaca Community College District

Los Rios Community College District

Shasta-Tehama-Trinity Joint Community College District

Columbia College

Sierra College

Compton College

Butte-Glenn Community College District

Student Senate

California Community Colleges/Investor Owned Utilities (CCC/IOU) Partnership

Members: 10

Beeler, Ron

Diamond, Fred

Ephrem, Medhanie

Flood, Tim

Hardash, Peter

Jones, Kim

Macias, Tom

Miktarian, Christine

Nguyen, Hoang

Nunez, Jose

Facilities Planning and Program Services, Incorporated

Citrus College

Long Beach City College

Mira Costa College

Rancho Santiago Community College District

Butte College

MiraCosta College

State Center Community College District

California Community Colleges Chancellor's Office

San Mateo Community College

Facilities Utilization, Space Inventory Options Net (FUSION) Subcommittee

Members: 9

Beeler, Ron

Diamond, Fred

Ephrem, Medhani

Flood, Tim

Hardash, Peter (Chair)

McKechnie, Dan

Mittlestead, Eric

Facilities Planning and Program Services, Incorporated

Citrus College

Long Beach City College

MiraCosta College

Rancho Santiago Community College District

Los Rios Community College District

Kern Community College District

Nguyen, Hoang
Singh, Shirley

California Community Colleges Chancellor's Office
Foundation for California Community Colleges

Student Attendance Accounting and Reporting (StAAR) Committee

Members: 17

Alcala, Elena
Bricker, Susan
Erwin, Steve
Gerhard, Ron
Grogan, Rita
Hoig, Todd
Jarrell, Paul
Justice, Craig
Lopez, Felipe

Mullen, John (Co-Chair)

Neault, Lynn
Nezaam, Keith

Parmelee, Frances (Co-Chair)

Peña, Michelle
Shankweiler, Jean
Vega La Serna, Jennifer
Wagner, Natalie

California Community Colleges Chancellor's Office
Pasadena City College
College of the Canyons
Chabot-Las Positas Community College District
West Hills Community College District
California Community Colleges Chancellor's Office
Santa Barbara City College
RP Group
Cerritos College

Chancellor's Office Consultant

San Diego Community College District
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
Bakersfield College
El Camino College
College of the Sequoias
California Community Colleges Chancellor's Office

Communications Division

Career Education African American and Black Advisory Committee

Members: 31 / Vacant Seats: 3

Aldredge, Dr. Teresa
Binion II, Paul L.
Boyd, Steven L.

Bush, Dr. Edward
Clark, Janet
Dolphin, Michael
Dugas, Nzingha
Feist, Paul
Flagg, Wanda
Gutierrez, Misha
Haynes, Pamela
Hill, Dr. Robert

Irish, Gregg (Co-Chair)

Jackson, Jannell

Jennings, Cassandra H.B. (Co-Chair)

Kavadeles, Peter
King, Ray

Umoja Community Education Foundation
Westside Church of God
American River College, Dean of Behavioral and
Social Sciences
A2MEND
JClark Enterprises
The Dolphin Company
Umoja Community Education Foundation
California Community Colleges Chancellor's Office
T&T Public Relations
Ogilvy Public Relations
Board of Governors, Chancellor's Office
Glendale Community Colleges
City of Los Angeles Workforce Development
California Legislative Black Caucus
Greater Sacramento Urban League
Ogilvy Public Relations
San Diego Urban League

Lawson, Michael
Lombard III, Edwin A.
Marlatt Dorr, Paige
Miller, Gillie

Perry, Mark
Poindexter, Michael
Shaw, Valerie Lynne
Slade, L. Dee
Talleda, Eneida
Townsend, MC

Tucker, Phyllis
Uriarte, Christian
Williams, Joseph
Wood, Dr. J. Luke

Vacant
Vacant
Vacant

Los Angeles Urban League
Edwin Lombard Management Incorporated
California Community Colleges Chancellor's Office
Solano County Program Manager College and
Career Readiness
Chancellor's Office Career Education Campaign
Engaging You LLC
Board of Governors, Chancellor's Office
African American Network of Kern County
T&T Public Relations
Regional Black Chamber of Commerce of San
Fernando Valley
T&T Public Relations
T&T Public Relations
Youth Action Project
Faculty Diversity and Inclusion, San Diego State
University
Student Representative, Central California
Student Representative, Northern California
Student Representative, Southern California

Career Education Marketing Regional Consortium Leads

Members: 19

Ash, Molly
Barabe, Becky
Chamorro, Gustavo
Childers, Karen
Davis, Alex
Etchison, Ashley
Foster, Kristen
Hammerstrom, Karrie
Harnish, Eric
Leong, Tim
Miley, Tessa
O'Doherty, Kit
Pehkonen, Julie
Perry, Mark (Chair)
Smith, Blaine
Steinberger, Erin
Swanberg, Luann
Thursby, Diann
Turner, Sharon

Imperial County Regional Consortium
Fresno City College Consortium Regional Chair
Los Angeles/Orange County Regional Consortium
Los Angeles (Chair)/Orange County Regional Consortium
Rancho Santiago Community College District
Inland Empire/Desert Regional Consortium
College of the Sequoias
Central/Mother Lode Regional Consortium Regional Chair
South Central Coast Regional Consortium
Contra Costa Community College District
North Far North Regional Consortium
Bay Area Community College Consortium
Inland Empire/Desert Regional Consortium
Chancellor's Office Career Education Campaign
North Far North Regional Consortium Co-Chair
Los Angeles Strategy/Innovation and Marketing
South Central Coast Regional Consortium
Inland Empire/Desert Regional Consortium
K-14 Pathways/Regional Technical Assistance Provider

Digital Innovation and Infrastructure Division

Telecommunications and Technology Advisory Committee (TTAC)

Members: 35

Aschenbach, Cheryl (Co-Chair)

Atkins, Gregg
Barker-Garcia, Deb
Besikof, Dr. Rudy
Bianchi, Rico
Bird, Gary
Bishop, Paul
Calhoon, Tim
Cheu, Susan
Coleman, Jennifer
Coutts, Robert
Dyer, Geoffrey
Gomez, Barney
Grant, Russell
Hoig, Todd
Irvin, Howard
Kuo, Elaine
Kyllingstad, Tim
Mayo, Sandra
Mehdizadeh, Mojdeh
Miller, Bryan
Mohr, Rhonda
Moreau, Joe
Moser, Gary
Perlas, Char
Quintana, Joseph
Rawlings, William
Rutan, Craig
Schultz, Joanne

Scroggins, Dr. William (Co-Chair)

Seaberry, Ben
Snodgrass, Rick
Tuitasi, Michael
Vasquez, Laurie
Woodyard, LeBaron

Academic Senate for California Community Colleges

California Community Colleges Council of Chief Librarians
California Community Colleges Chancellor's Office
Mt. San Jacinto College
California Community Colleges TechConnect
California Community Colleges Chancellor's Office
Chief Information Systems Officers Association
California Community Colleges Tech Center
Foothill-De Anza Community College District
California Community Colleges Tech Center
California School Employees Association
Academic Senate for California Community Colleges
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
Chief Student Services Officer
RP Group
Cerritos College
Chief Student Services Officer
Contra Costa Community College District
Foundation for California Community Colleges
California Community Colleges Chancellor's Office
Chief Information Officer
Chief Information Officer
Chief Student Services Officer
Foundation for California Community Colleges
Board of Governors, Chancellor's Office
Academic Senate for California Community Colleges
Merced College
Mt. San Antonio College
San José Evergreen Community College District
California Community Colleges Tech Center
Santa Monica College
Academic Senate for California Community Colleges
California Community Colleges Chancellor's Office

Educational Services and Support Division

AB 705 English as a Second Language Implementation Group

Members: 26

Arambula, Raul (Chair)

California Community Colleges Chancellor's Office

Beck, Rebecca Martinez
Berliner, Rachel
Fisher, Stacy
Frampton, Nancy
Gomez, Manuel Mancillas
Guiney, Chantee
Hayward, Craig
Hern, Katie
Hetts, John
Keech, Gregory
LaSerna, Jennifer Vega
Leal-Carrillo, Nadia
Miller, Bryan
Newell, Mallory
Pryor, Nancy
Reeve, Melissa
Rice, Sydney

Rutan, Craig

Saperston, Lisa
Shaw, Leigh Ann
Snell, Myra
Tillery, Randy
Wada, Kathy

Walker, Tracey
Willett, Terrence

Basic Needs Advisory Group

Members: 18

Baker, Karen
Borbely, Christina
Byrd, Ajani
Cornner, Ryan
Estrada, Rosa
Fisher, Stacy
Ganley, Colleen (Chair)
Garcia, Martha
Harris-Caldwell, Jeanne
Keeley, Mia
McClenahan, Heather
Raucher, Debbie
Romero, Javier
Smith, Jessica

Academic Senate for California Community Colleges
Foundation for California Community Colleges
Foundation for California Community Colleges
State Center Community College District
Grossmont-Cuyamaca Community College District
California Community Colleges Chancellor's Office
RP Group/MMAP Researcher
California Acceleration Project
Educational Results Partnership
City College San Francisco
Chief Instructional Officer
Foundation for California Community Colleges
Foundation for California Community Colleges
RP Group
Foundation for California Community Colleges
Chief Student Services Officer
Academic Senate for California Community
Colleges, Faculty Representative
Academic Senate for California Community
Colleges, Faculty Representative
West Los Angeles College
San Mateo Community College District
California Acceleration Project
WestEd
Academic Senate for California Community
Colleges, Faculty Representative
San Diego Community College District
RP Group

California Community Colleges Chancellor's Office
Center for Applied Research Solutions
Mission College
Los Angeles Community College District
California Community Colleges Chancellor's Office
Foundation for California Community Colleges
California Community Colleges Chancellor's Office
Imperial Valley College
Saddleback College
California Community Colleges Chancellor's Office
Foundation for California Community Colleges
John Burton Advocates for Youth
California Community Colleges Chancellor's Office
Foundation for California Community Colleges

Springmeyer, Amy
Squire, Katherine
Thompson, Chad
Tuitasi, Michael

Center for Applied Research Solutions
Student Senate for California Community Colleges
Skyline College
Santa Monica College

California Community Colleges Curriculum Committee (5C)

Members: 16

Arambula, Raul
Ashenbach, Cheryl (Co-Chair)
Cruz, Mayra
Farra, Carol
Fortin, Cheri
Guleff, Helen (Co-Chair)
Harrell, Kim

California Community Colleges Chancellor's Office
Academic Senate for California Community Colleges
Academic Senate for California Community Colleges
California Community Colleges Chancellor's Office
Academic Senate for California Community Colleges
Chief Instructional Officer
California Community College Association for
Occupational Education
Academic Senate for California Community Colleges
Chief Instructional Officer
Academic Senate for California Community Colleges
Association of Community and Continuing Education

Henderson, Sylvester
Johnson, Jennifer
Martin, Leandra
May, Virginia
Perry, Marilyn
Roberson, Carrie
Shearer, Eric
Tran, Melinda
Young, Jan

CalWORKs State Advisory Committee

Members: 28

Allee, David
Baker, Karen (Chair)
Cobian, Ramona
Duarte, Hector
Elwood, Nadia
Ganley, Colleen
Gutierrez, Annetter
Hay, Vickie
Heinemann, Brian
Herald, Mike
Holland, Brienne
Hunnemeder-Bergfelt, Lily
Johnson, Kim
Jones-Foster, Priscilla
Keeley, Mia
Kiefer, Michelle
Ladd, Damian
Mata, Nick

County Welfare Directors Association of California
California Community Colleges Chancellor's Office
Region 2 Co-Representative
Region 5 Representative
Region 1 Representative
California Community Colleges Chancellor's Office
Region 4 Representative
Region 8 Representative
Financial Aid
Western Center on Law & Poverty
CalWORKs Association
Region 3 Representative
Department of Child Support Services
Region 2 Co-Representative
California Community Colleges Chancellor's Office
Child Care Representative
California Department Social Services
Region 7 Co-Representative

McKinney, Christina
Mohr, Rhonda
Orosco, Delia
Pattison, Anne
Romero, Javier
Servin, Patricia
Thomas, Christine
Vann, Linda
Velasco, Claudia
Wiley, Tim

Region 10 Representative
California Community Colleges Chancellor's Office
CalWORKs Association
Region 9 Representative
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
Child Care Representative
California Community Colleges Chancellor's Office
Region 7 Co-Representative
Region 6 Representative

Cooperating Agencies Foster Youth Educational Support (CAYFES) Advisory Committee

Members: 16

Charlie, Flo
Cobb, Arron
Davis, Sara
Ganley, Colleen (Chair)
Gaxiola-Rowles, Thomas
Hamilton-Slane, Sandra
Jones, Tracye
Leach, Sam
Levelle, Rebecca
Lezama, Mercedes
Lopez-Vega, Julissa
Love, Michelle
Raucher, Debbie
Robinson, Anafe
Scott, Danita
Timspson, Natalie

Sierra College
Reedley College
California Department of Social Services
California Community Colleges Chancellor's Office
Fresno City College
Shasta College
LA Harbor College
Calaveras Probation Department
Santa Rosa Junior College
Diablo Valley College
Gavilan College
Alameda County Social Services Agency
John Burton Advocates for Youth
LA Pierce College
San Joaquin Delta College
Golden West College

Currently and Formerly Incarcerated Advisory Committee

Members: 18

Arambula, Raul (Chair)
Choate, Brant R.
Curry, Keith
Davison, Dolores
Esposito-Noy, Celia

Fennel, Troy
Fowler, Kelly
Garcia, Martha
Griffin, Martin
Henderson, Silvester
Mukamal, Debbie
Robinson, Tammy

California Community Colleges Chancellor's Office
California Department of Corrections and Rehabilitation
President/Chief Executive Officer, Compton College
Academic Senate for California Community Colleges
Superintendent/President, Solano Community
College District
California Department of Corrections and Rehabilitation
Chief Instructional Officer
Superintendent/President, Imperial Valley College
California Department of Corrections and Rehabilitation
Academic Senate for California Community Colleges
Stanford Criminal Justice Center
Vice President of Instruction

Silbert, Rebecca
Swain, Shannon M.
Todd, James
Tompkins, James
Wagner, Natalie
Yamamura, Whitney

The Opportunity Institute
California Department of Corrections and Rehabilitation
Vice President of Student Services
Student Senate for California Community Colleges
California Community Colleges Chancellor's Office
Folsom Lake College, President

Distance Education and Educational Technology Advisory Committee (DEETAC)

Members: 19

Abbott, Jenni
Alfaro, Gabriel
Aschenbach, Cheryl
Beach, Lisa (Co-Chair)

Chief Student Service Administrators Association
Student Senate for California Community Colleges
Academic Senate for California Community Colleges
**California Community Colleges Distance
Education Coordinators**

Casas, Laura
Gilkerson, Tammeil
Hines, Susan
Kolen, Heidi
Larson, Erin
Marvin, Corey
Miller, Joanna (Co-Chair)

California Community Colleges Trustees Board
President/Chief Executive Officer, Laney College
Council of Chief Librarians
Academic Senate for California Community Colleges
California Community Colleges Chancellor's Office
Chief Informational Officer
**California Community Colleges Distance
Education Coordinators**

Moreau, Joe
O'Connor, Kathy
Ramirez, Asusena
Roberson, Carrie
Schmidt, Heather
Selmants, Thad

Chief Information Systems Officers Association
Academic Senate for California Community Colleges
Student Senate for California Community Colleges
Academic Senate for California Community Colleges
California Community Colleges TechConnect
California Association for Postsecondary Education
and Disability
Online Education Initiative
RP Group

Steeley, Jodie
Todd, James

Disabled Student Program and Services (DSPS) Regional Coordinators

Members: 13

Burdett, Ann
Fernandez, Sheryl
Ferrer, Greg
Garrett, Jana
Goldstein, Terri
Greene, Sunny
Higginbotham, Jeff
Keeley, Mia
Lynch, Ardith
Miller, Stormy
Schlatter, Stephanie

Region 4 Representative
Region 2 Representative
Region 9 Representative
Region 6 Representative
Region 5 Representative
Region 1 Representative
Region 10 Representative
California Community Colleges Chancellor's Office
Region 8 Representative
Region 3 Representative
Region 7 Representative

Smith, Nicole

California Association for Postsecondary Education
and Disability

Vann, Linda (Chair)

California Community Colleges Chancellor's Office

Extended Opportunity Programs and Services (EOPS) Regional Coordinators

Members: 10

Abraham, Angeles

Region 7 Representative

Barrales-Ramirez, Lorraine

Region 3 Representative

Brogdon-Wynne, Pamela

Region 6 Representative

Calderon, Christina

Region 9 Representative

Cisneros, Carina

Region 4 Representative

Duarte, Hector

Region 5 Representative

Gonzales-Tapia, Sara

Region 8 Representative

Luis, Jillian (Chair)

California Community Colleges Chancellor's Office

Montgomery, Carol

Region 1 Representative

Sanchez, Cristina

Region 2 Representative

Financial Aid Regional Representatives (FARR)

Members: 17

Amerio, Barbara

Region 6 Representative

Bradfield, Tanisha

Region 8 Representative

Browne, Gina (Co-Chair)

California Community Colleges Chancellor's Office

Cox, Jana

Region 3 Representative

Dickason, Bryan (Co-Chair)

California Community Colleges Chancellor's Office

Glashan, Yvonne

California Community College Student Financial
Aid Administrators

Gonzalez, Fabio

California Community College Extended
Opportunity Programs and Services Association

Hilton, Elizabeth

Region 9 Representative

Lee, Adrienne

Region 10 Representative

Loverin, David

Region 5 Representative

Martinez, Kathryn

Region 4 Representative

Martinez, Kristina

Region 7 Representative

McCall, Becky

Region 10 Representative

Nieto, Ruby (Co-Chair)

California Community Colleges Chancellor's Office

Shinar, Tammera

California Community College Student Financial
Aid Administrators Association

Slates, Britney

Region 2 Representative

Tucker, Natalie

Region 1 Representative

Foster and Kinship Care Education (FKCE) Advisory Group

Members: 17

Aguilar, Juline

Region 2 Representative

Early, Valerie

California Department of Social Services

Feliciano-Hix, Mimi

Region 6 Representative

Granados, Maria
Green, Marisa
Hundal, Baljit
Keeley, Mia
Knight, Tricia
Lawrence, Nick
Loyola, Anne
Luis, Jillian (Chair)
Schroder, Cherie
Schwartz, Angie
Trochtenberg, Rochelle
Wiebusch, Margie
Wojtach, Barbara
Wrigley, Kimberly

Region 7 Representative
County Welfare Directors Association of California
Past-President
California Community Colleges Chancellor's Office
California Department of Social Services
Region 3 Representative
Region 4 Representative
California Community Colleges Chancellor's Office
Region 1 Representative
Alliance for Children's Rights
Foster Youth Ombudsperson
Region 5 Representative
Region 8 Representative
California Department of Social Services

Foster Youth Success Initiative (FYSI) Advisory Group

Members: 17

Ayala, Alexis
Boyle, Jessica
Browne, Gina
Charlie, Flo
Chavez, Natalie
Fitzgerald, Katy
Flores, Fidelia
Ganley, Colleen (Chair)
Holiday, Tia
Keeley, Mia
Lehman, Veronica
Micalizio, Karen
Nichols, Catherine
Ramirez, Marison
Raucher, Debbie
Smith, Jessica
Tafoya, Yvette

Region 10 Representative
Region 3 Representative
California Community Colleges Chancellor's Office
Region 2 Representative
Region 5 Representative
Region 4 Representative
Region 6 Representative
California Community Colleges Chancellor's Office
John Burton Advocates for Youth
California Community Colleges Chancellor's Office
Region 9 Representative
Region 1 Representative
California Department of Social Services
Region 7 Representative
John Burton Advocates for Youth
Foundation for California Community Colleges
Region 8 Representative

Guided Pathways Advisory Committee

Members: 60

Ahmadian, Ariane
Alvarado, Marty
Andrews, Claudia

Blair, Shelley
Brown, Jeremy
Bruno, Julie
Burrueel, Misty

Cuyamaca College
California Community Colleges Chancellor's Office
California Community College Council for Staff and
Organizational Development
Coastline College
Yuba College
Academic Senate for California Community Colleges
Chaffey College

Carreon, Monica
Collins, Linda
Cooper, Darla
Crawford, Philip
Curry, Stephanie
DeGroot, David
Donahue, Nathaniel
Elizondo, Joshua
Farnell, Sarah
Fiehler-Roose, Taylor
Fried, Sandy

Fulks, Janet
Fuller, Rosa
Gabriner, Robert
Garcia, Angelica
Gonzales, Dr. Daisy
Haggar, Michele
Harrington, Deborah
Harris, Cheryl
Hua, Michelle
Hunt, Justin
Jimenez, Cesar
Kay, Beth
Lapsley, Aaron
Lara, Luke
Lara-Brady, Laura
Lezon, Barbara
Mata, Josh
May, Virginia
Mello, Brandice
Meuschke, Daylene
Mica, Krystinne
Monica Galvan, Delia
Moore, Colleen
Mubtakir, Musamim
Nicole, Kellie
Olive, Rochelle
Pilati, Michelle
Quiaoit, Michael R.
Rana, Anniqua
Ransford, Ann
Reece, Bryan
Rose, Linda
Schrager, Cynthia

Antelope Valley College
Founder/Executive Director, Career Ladders
Executive Director, RP Group
San Jose City College
Reedley College
Allan Hancock College
Santa Monica College
Santa Monica College
College of the Canyons
Cuyamaca College
Foundation for California Community Colleges,
Student Success Center
Bakersfield College
Academic Senate for California Community Colleges
San Francisco State University
Chief Student Services Officer
California Community Colleges Chancellor's Office
Skyline College
California Community Colleges' Success Network
Mira Costa College
Student Senate for California Community Colleges
College of the Canyons
El Camino College
Foundation for California Community Colleges
Moreno Valley College
Mira Costa College
Guided Pathways Regional Coordinator
California Community Colleges Chancellor's Office
Student Senate for California Community Colleges
Academic Senate for California Community Colleges
Crafton Hills College
College of the Canyons
Academic Senate for California Community Colleges
Hartnell College
Ed Insights Center
Moreno Valley College
Student Trustee, Los Angeles Community College District
College of Alameda
Rio Hondo College
California Community Colleges Chancellor's Office
Cañada College
Glendale College
Norco College
Chief Executive Officer, Santa Ana College
Education Insights Center

Setzer, Pat
Spano, Jeff
Tan, Connie
Valenzuela, Ileri
Velasco, Ulises
Vo-Kumamoto, Tram
Weber, Elizabeth
Winsome, Thais
Wutke, Kevin

Chief Instructional Officer
California Community Colleges Chancellor's Office
Sacramento State University
Leading from the Middle
Chief Student Services Officer
Chief Instructional Officer
Rancho Santiago Community College District
Mission College
Content Manager

Guided Self-Placement Work Group

Members: 6

Howard, Craig
Keeley, Mia (Chair)
May, Virginia
Mohr, Rhonda
Parker, Latoya
Willet, Terence

Multiple Measures Assessment Project Alternate
California Community Colleges Chancellor's Office
Academic Senate for California Community Colleges
California Community Colleges Chancellor's Office
Academic Senate for California Community Colleges
Multiple Measures Assessment Project

Library and Learning Resources Advisory Committee (LLRPAC)

Members: 12

Blackman, Shelley
Butler, Walter
Crump, Dan (Chair)
English, Herbert
Harris, Fred
Lomeli, Alejandro
Ly, Pearl
Pohlert, Edward
Railey, George
Rider, Van
Tirapelle, Leslie
Zhou, Wei

Academic Senate for California Community Colleges
Academic Senate for California Community Colleges
Academic Senate for California Community Colleges
Chief Student Services Officers Association
Association of Chief Business Officials
Student Senate for California Community Colleges
Council of Chief Librarians
Association of Colleges for Tutoring and Learning Assistance
Chief Instructional Officer
Academic Senate for California Community Colleges
Chief Instructional Officer
Chief Executive Officer

Student Equity and Achievement Workgroup

Members: 51 / Vacant Seats: 2

Arballo, Madelyn
Azim, Tariq
Baez, Maggie
Berlinger, Rachel
Brown, Davin
Brown, Jeremy
Cervantes, Melissa
Collier, Li
Cooper-Wilkins, Lisa

Non-Credit Representative
Student Senate for California Community Colleges
Classified Senate
Foundation for California Community Colleges
At-large, Sacramento City College
At-large, Yuba College
Region 4 Representative, Foothill College
Region 3 Representative, Santa Rosa Junior College
Region 5 Representative, San Joaquin Delta College

Corral, Nohel
de Muchas Flores, Martin
Diaz, Amparo
Emiru, Tadael
Foster, Sam

Giugni, Terrence
Gochis, Sue
Guy Psy.D., Georgina
Heard-Johnson, Anissa Cessa
Johnson, Jewelian

Jones, Nicole
Jones, Stacy
Keeley, Mia
Leal-Carrillo, Nadia
Lezon, Barbara
Liang, Mandy
Lopez, Arthur
Lovelace, Kevin
Martin, David
McDaniel, Kimberly
Means, John
Mohr, Rhonda
Moon-Stone, Rebecca
Nakamoto, Robert
Nevarez, Amy
Orante, Newin C.
Parker, LaTonya

Patel, Dipte
Ponik, Thomas
Quiaoit, Michael (Chair)
Ramirez, Raymond
Reed, Brady
Salter, Tonette
Sencil, Sabrina

Slane, Sandra Hamilton
Slaughter, Clinton
Smith, Regina
Squires, Katherine

Stricker, Michelle
Todd, James

Region 8 Representative Alternate, Long Beach City College
Region 3 Alternate Representative, Berkeley City College
Foundation for California Community Colleges
At-large, Consumnes River College
Executive Representative, Academic Senate for
California Community Colleges
Chief Instructional Officer
Chief Student Services Officer
Student Equity Representative
Region 8 Representative Alternate, Irvine Valley College
Student Government Representative, San Joaquin
Delta College
Region 10 Representative, Cuyamaca College
California Community Colleges Assessment Association
California Community Colleges Chancellor's Office
Foundation for California Community Colleges
California Community Colleges Chancellor's Office
California Community Colleges Assessment Association
Region 9 Representative Alternate, Victor Valley College
California Community Colleges Chancellor's Office
Chief Business Officer
Region 2 Representative, Sacramento City College
At-large, Kern Community College District
California Community Colleges Chancellor's Office
At-Large, Riverside City College
At-large, Chabot College
Region 9 Representative, Chaffey College
At-large, Diablo Valley College
Counseling Representative, Academic Senate for
California Community Colleges
Region 7 Representative, El Camino College
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
At-large, Fresno City College
Region 1 Representative, Lassen College
Joint Special Populations Advisory Committee
Research and Planning Representative, Cosumnes
River College
Student Equity Representative, Shasta College
At-large, Butte College
Region 7 Representative, Los Angeles City College
Student Senate for California Community Colleges,
San Joaquin Delta College
Chancellor's Office Regional Coordinator, Guided Pathways
Chief Instructional Officer

Trevino, Rick
Whisenhunt, Denise
Vacant
Vacant

Region 6 Representative, Ventura College
Chief Student Services Officer
Chief Information Security Officer
California Association of Community College
Registrars and Admissions Officers

Veterans Services Advisory Committee

Members: 12 / Vacant Seats: 1

Avegalia, Daniel
D'Orange-Martin, Patricia
Kennedy, Amy
Larson, Erin (Chair)
Lenahan, Jennifer
Martinez, Ashley
Morgan, Rebecca
Nelson, Terence
Smith, Nicole

Region 2 Representative
Region 7 Representative
Mental Health Representative
California Community Colleges Chancellor's Office
Region 3 Representative
Region 5 Representative
Region 10 Representative
Region 8 Representative
California Association for Postsecondary Education
and Disability
Region 4 Representative
Region 9 Representative
Region 1 Representative
Region 6 Representative

Stefan, Todd
Tonorio, Lizette
Torres, Dan
Vacant

Executive Office Division

Diversity Task force

Members: 13

Aguinaldo, Hildy
Bush, Edward
Cruz, Mayra
Fried, Sandy

Board of Governors, Chancellor's Office
President, Consumnes River College
Academic Senate for California Community Colleges
Foundation for California Community Colleges,
Success Center
Superintendent/President, Imperial Valley College
Deputy Chancellor, California Community
Colleges Chancellor's Office
Board of Trustees, Cerritos College
Association of Chief Human Resources Officers
Association of Chief Human Resources Officers
President, Academic Senate for California
Community Colleges
Board of Trustees, Monterey Peninsula
Deputy Counsel, California Community Colleges
Chancellor's Office
Board of Governors, Chancellor's Office

Garcia, Martha
Gonzales, Dr. Daisy (Co-Chair)

Perez, Marisa
Ramos, Irma
Smith, Greg
Stankas, Dr. John (Co-Chair)

Steck, Loren
Villegas, Fermin

Zaragoza, Alexis

Governmental Relations Division

DREAMERS Advisory Group

Members: 14

Bedoy, Abraham Eli
Cerda, Pamela Ortiz
De Anda, Rosa
Gilkerson, Dr. Tammeil
Jodaitis, Nancy
Juarez-Magana, Sylvia
Macias, Elena V.

Metune, Laura (Chair)

Mora, Andrea
Mora, Justino
P, Louise
Ramirez, Pedro L.
Segura Padilla, Michelle
Villanueva, Madeleine

The Immigrant Legal Resource Center
Skyline College
California Community Colleges Chancellor's Office
President, Laney College
Immigrants Rising
Undoc Resources Consultant, Juarez Consulting
AB 540 Ally Training Project
California Community Colleges Chancellor's Office
Student Advocate, Irvine Valley College
Immigrant Rights Activist
Student Advocate, Pasadena City College
Bakersfield College
East Los Angeles College
Immigrants Rising

Institutional Effectiveness Division

Accessibility Standards Workgroup

Members: 19

Baucom, Angela

Baugher, Jeff
Bird, Gary

Bishop, Paul

Eisenstadt, Ari
Ellis, Keith

Glapa-Grossklog, James
Grant, Russell

Kaufman, Daniel (Chair)

Keegan, Sean

McCartney, Cindy

McDaniel, Kimberly

Moloney, Alan

California Community College Tech Center,
Accessibility Center Project Manager
Alternate Text Production Center, Director
California Community Colleges Chancellor's Office,
Education Technology
Santa Barbara City College, Information
Technology Vice President
Third Plateau, Analyst
Cosumnes River College, Disability Services and
Programs for Students- Student Personnel Assistant
College of the Canyons, Learning Resources Dean
California Community Colleges Chancellor's Office,
Education Technology
Third Plateau, Principal
California Community College Tech Center,
Accessibility Center Director
California Community College Tech Center,
Project Manager
Cosumnes River College, Student Services
Associate Vice President
Long Beach City College, Contracts/Purchasing
Deputy Director

Rindell, Krista	California Community Colleges Chancellor's Office, Institutional Effectiveness
Spano, Jeff	California Community Colleges Chancellor's Office, Interim Director of Institutional Effectiveness
Stumbo, Kathleen	California Community College Tech Center, Administrative Secretary
Vann, Linda	California Community Colleges Chancellor's Office, Educational Services and Support
Vasquez, Laurie	Santa Barbara City College, Assistive Tech Specialist
Whitley-Putz, Lene	Online Education Initiative, IT Interim Dean

Institutional Effectiveness and Partnership Initiative (IEPI) Executive Committee

Members: 15

Aguilar, Aracely	Vice President of Academic Affairs, West Los Angeles College
Alvarado, Marty	Executive Vice Chancellor of Educational Services and Support, California Community Colleges Chancellor's Office
Davison, Dolores M.	Vice President, Academic Senate for California Community Colleges
Dozier, Julia	Executive Director of Economic Development and Contract Education, Chabot-Las Positas Community College District
Fiero, Diane	Assistant Superintendent/Vice President, College of the Canyons
Fried, Sandy	Executive Director of the Success Center, Foundation for California Community Colleges
Gonzales, Dr. Daisy	Deputy Chancellor, California Community Colleges Chancellor's Office
Ingram, Iris	Assistant Superintendent/Vice President/Chief Business Officer, El Camino College
Kay, Beth	Professional Development Director, Foundation for California Community Colleges
LaManque, Andrew	Executive Dean of Academic Affairs, Foothill College
Lee, Matthew C.	Project Director for Institutional Effectiveness, College of the Canyons
Spano, Jeff (Chair)	Interim Director of Institutional Effectiveness, California Community Colleges Chancellor's Office
Stankas, Dr. John	President, Academic Senate for California Community Colleges
Van Hook, Dianne	Chancellor, College of the Canyons
Wojcik, Alketa	Vice President of Student Services, MiraCosta College

Strategic Enrollment Management (SEM) Advisory Committee

Members: 19

Besikof, Rudy	Vice President of Instruction, Mt. San Jacinto College
Blackwood, Kathy	Executive Vice Chancellor of Financial Services, San Mateo Community College District
Brown, Tamika	Assistant Vice Chancellor of Enrollment Management, Peralta Community College District
Fuller, Rosa	Counseling and Matriculation, Antelope Valley Community College District
Garrett, Bill	Trustee, Grossmont-Cuyamaca Community College District
Knowles, Deborah	Counseling Supervisor, Sacramento City College
Leong, Tim	District Director of Communications, Contra Costa Community College District
Martinez, Marvin	President, East Los Angeles College
Mendez, Pedro	Dean of Technical Education and Workforce Development, Yosemite Community College District
Moberg, Kathleen	Vice President of Student Services, Gavilan College
Mondorf, Anneliese	Program Analyst for Institutional Effectiveness, California Community Colleges Chancellor's Office
Murphy, Brian	Director of Institutional Research, Butte College
Navarette, Lizette	Vice President of Strategy and Policy Development, Community College League of California
Pichardo-Diaz, Dorali	Transfer Center Counselor, Rio Hondo College
Richerson, Melissa	Vice President of Human Resources, Cuesta College
Romero, Tabitha	Student Trustee, Los Medanos Associated Student Government
Spano, Jeff (Chair)	Interim Director of Institutional Effectiveness, California Community Colleges Chancellor's Office
Todd, James	Assistant Superintendent/Vice Chancellor, San Joaquin Delta
Winsome, Thais	Faculty, Mission College

Office of the General Counsel

Equal Employment Opportunity (EEO) and Diversity Advisory Committee

Members: 23 / Vacant Seats: 5

Moore, Albert (Co-Chair)

Ocampo, Arturo

Au, Beth

Bay Area Region Representative, West Valley Mission Community College District

Southern California Region Representative, North
Orange Community College District

Registry Representative, Yosemite Community
College District

Betts, David	Association of California Community College Administrator Representative, Chabot-Las Positas Community College District
Gonzales, Dr. Daisy (Co-Chair)	Deputy Chancellor, California Community Colleges Chancellor's Office
Webb, Elnora	Chief Executive Officers Representative, Peralta Community Colleges District
Villegas, Fermin	Deputy Counsel, California Community Colleges Chancellor's Office
Smith, Greg	Data Analysis Expert, Shasta College
Aguinaldo, Hildy	Board of Governors, Chancellor's Office
Todd, James	Chief Instructional Officer Representative, San Joaquin Delta
Palkowitz, Jo	Southern California Region Representative, San Diego Community Colleges District
Tarrant, KaneEsha K.	Association of California Community College Administrator Representative, Los Angeles Trade Tech College
Maddox, Kelley	Vice Chancellor of Internal Operations, California Community Colleges Chancellor's Office
Perez, Marisa	Trustee Representative, Cerritos Community Colleges District
Cruz, Mayra	Academic Senate for California Community Colleges Representative, Foothill - De Anza Community Colleges District
Lopez-Martinez, Nancy	Classified Senate Representative, California School Employees Association
Arvizu, Primavera	Chief Student Services Officer Representative, Porterville College
Brown, Secret	Southern California Region Representative, Mt San Jacinto College
Henderson, Silvester	Academic Senate for California Community Colleges Representative, Los Medanos College
Zuniga, Stacy	Central California Region Representative, State Center Community Colleges District
Sydney, Sussanah	Northern California Region Representative, Santa Rosa Jr. College
Pyer, Terri	Central California Region Representative, Hartnell Community Colleges District
Richmond, Theresa	Northern California Region Representative, College of the Siskiyous
<i>Vacant</i>	<i>Bay Area Region Representative</i>
<i>Vacant</i>	<i>Classified Senate Representative</i>
<i>Vacant</i>	<i>Southern California Region Representative</i>
<i>Vacant</i>	<i>Southern California Region Representative</i>

Vacant

Student Senate Representative

In-House General Counsel Group

Members: 15

Battiste, Leilani
Besmer, Matthew
Bruckman, Steven
Diga, Anne
Hine, Christopher
Jeter, Kevin
Khang, Peter
Kim, Eric
Kostic, Ljubisa
LeForestier, Marc (Chair)
Lynch, Kathy
Prieto, Jeffrey
Robertshaw, Mia
Sherry, JP
Villegas, Fermin

San Francisco City College
State Center Community College District
San Francisco City College
Los Angeles Community College District
Kern Community College District
Los Angeles Community College District
California Community Colleges Chancellor's Office
Los Angeles Community College District
San Diego Community College District
California Community Colleges Chancellor's Office
California Community Colleges Chancellor's Office
Los Angeles Community College District
Marin Community College District
Los Rios Community College District
California Community Colleges Chancellor's Office

Workforce and Economic Development Division

AB 2098 California Adult Education Program Committee

Members: 20

Batista, Diana

Becker, Liza
Chardiet, Laura
Clark, Holly

da Silva, Gina
Downs, Paul
Feldstein, Sasha
Harper, Bob
Hernandez, Jennifer

Kelly, Neil
LaCour, Jacques
Manjarrez, Janeth
Martinez-Calderon, Carmen
Parker, Veronica

Ramirez Gelpi, Sofia
Romero, Javier (Co-Chair)
Ruiz, Marcela

California Adult Education Program Technical Assistance Program
Mt. San Antonio College
Los Angeles Unified School District
California Adult Education Program Technical Assistance Program
Office of the Governor
Facilitation Team
California Immigrant Policy Center
South Bay Consortium for Adult Education
California Labor and Workforce Development Agency
California Community Colleges Chancellor's Office
Facilitation Team
North Orange Continuing Education
California Department of Education
California Adult Education Program Technical Assistance Program
Allan Hancock College
California Community Colleges Chancellor's Office
California Department of Social Services

Seeram-Santana, Santosh
Werner, John
Zachry, Carolyn (Co-Chair)

Chinese for Affirmative Action
Sequoias Adult Education Consortium
California Department of Education

Economic and Workforce Development Advisory Committee

Members: 26 / Vacant Seats: 8

Baran, Barbara

Community Based Organization Representative-
EDGE Coalition

Brian King

Region A College Representative- Los Rios
Community College District

Buckhorn, Jack

Labor Representative- IBEW Local 551

Cooke, Sunita (Co-Chair)

**Region E College Representative- MiraCosta
Community College District**

Davison, Dolores

Faculty Representative- Academic Senate for
California Community Colleges

de Cos, Patricia

State Agency Representative- State Board of Education

Flask, Chris

Business Representative- Genentech, Inc. (Biotech)

Goldsmith, Carole

Region C College Representative- Hills College-Coalinga

Gurbax, Sahota

Community Based Organization Representative-
California Association for Local Economic Development

Herrera, Gustavo

Community Based Organization Representative-
Young Invincibles

Kotlier, Bernie

Business Representative- Sustainable Energy
Solutions (Energy, Construction, Utilities)

Martin, Cathy

Business Representative- California Hospital
Association (Health)

Mayer, James

Community Based Organization Representative-
California Forward

McKeown, Brian

Business Representative- Kiva Industry (Business
and Entrepreneurship)

Miller, Rebecca

Labor Representative- SEIU United Healthcare
Workers-West

Miner, Judy

Region B College Representative- Foothill-DeAnza
Community College District

Payne, Roslyn

Small Business Representative- Jackson Street Partners

Rainey, Tim

State Agency Representative- Workforce
Development Board (Workforce Innovation and
Opportunity Act)

Rodriguez, Raul

Region G College Representative- Rancho Santiago
Community College District

Sanger, Rob

Trade Association Representative- California
Manufacturing and Technology Association

Scroggins, Bill

Region F College Representative- San Antonio College

Swanson, Richard

Federal Agency Representative- U.S. Department of
Commerce (Global Trade)

Toole, Dave

Business Representative- Outhink/MediaMobz
(Digital Media and Entertainment)

Van Hook, Dianne

Region D College Representative- Santa Clarita
Community College District

Wah, Linda

Trustee Representative- Pasadena Community
College District (Statewide)

Weber, Sheneui (Co-Chair)

California Community Colleges Chancellor's Office

Vacant

Business Representative- (Info Computer Technology)

Vacant

Business Representative- (Advanced Manufacturing)

Vacant

*Business Representative- (Retail, Hospitality
and Tourism)*

Vacant

*Business Representative- (Agriculture, Water
and Environment)*

Vacant

*Business Representative- (Advanced Transportation
and Logistics)*

Vacant

Small Business Representative

Vacant

State Agency Representative- GoBiz

Vacant

Classified Employee Representative



California Community Colleges Board of Governors

Item 4.7: Foundation for California Community Colleges Annual Report

Attachments: 2

Date: November 18, 2019

Category: Foundation for California Community Colleges

Type of Board Consideration: Information

Recommended By

Keetha Mills, President and CEO, Foundation
for California Community Colleges

Approved for Consideration

Eloy Ortiz Oakley, Chancellor

Issue

This item presents the Foundation for California Community Colleges' fiscal year 2019 annual accomplishments in its role as the official auxiliary nonprofit supporting the California Community Colleges.

Background

Who We Are

The Foundation for California Community Colleges (Foundation) is the statewide nonprofit auxiliary to the Board of Governors, the Chancellor's Office, and the California Community Colleges. Guided by the California Community Colleges' *Vision for Success*, the organization supports all California Community College students, colleges, college foundations, and the system, and it aims to make education more affordable, accessible, and equitable for all students.

The Foundation brings in flexible resources and administers programs and services at the forefront of innovation and excellence in higher education across five areas of impact:

- Student Success
- Workforce Development
- Equity
- Community Impact
- System Support

In support of the California Community Colleges and its mission-aligned partners, the Foundation seeks out new solutions in program incubation, development, and management; work-based learning; research, policy analysis, and advocacy; community outreach; cooperative purchasing; communications, technology, and resource

development; and more, to enhance Californians' economic and social mobility across the state.

The Foundation forges a diverse array of strong relationships to expand support for the California Community Colleges from:

- philanthropy and other nonprofit organizations;
- corporations, including employers and vendors;
- educational institutions, including systems, colleges, and high schools; and
- state and federal agencies.

Innovation and Impact

For 20 years, the Foundation has partnered with the Chancellor's Office to help the nation's largest and most diverse system of higher education achieve its important goals. Over the past several years, the Foundation has dramatically increased its impact through the expansion and diversification of strategic partnerships and resources to support this new era of innovation and equity-minded reform.

The 2018-19 Innovation and Impact Report attachment provides a detailed overview of the Foundation's strategic growth and impact, measured through direct grants, support, and cost savings provided to the California Community Colleges and the Chancellor's Office to support students, colleges, college foundations, and the system overall. Key organizational highlights from FY 2018-19 include:

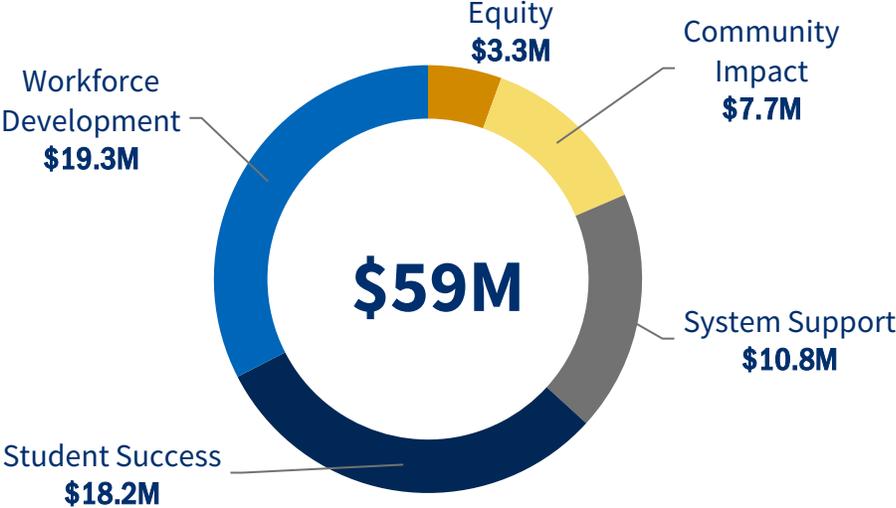
- Provided more than \$59M in annual support of programs and services benefiting the California Community Colleges, where 86% of every dollar goes directly to program and service delivery.
- Secured 198 resource generating grants and contracts, totaling over \$70 million in multi-year funding, from philanthropic, corporate, local, state, and federal sources, achieving a 94% success rate for submitted grant and contract proposals.
- Maintained \$6.2 million in operating reserves, totaling over 10% of annual operating budget, to ensure organizational stability.
- Prudently managed endowments totaling nearly \$100M supporting student scholarships, real estate education, and nursing education, ensuring that funding is available for future generations.
- Achieved 100% growth since FY2016 through new and expanded programs and services that support students, colleges, college foundations, and the entire system.

Diversified partnerships and funding sources are vital to the Foundation's ability to facilitate collaboration, accelerate innovation, and increase statewide resources to better serve students. The organization operates nearly 50 unique programs and services, piloting new approaches, scaling sustainable solutions, and replicating promising practices.

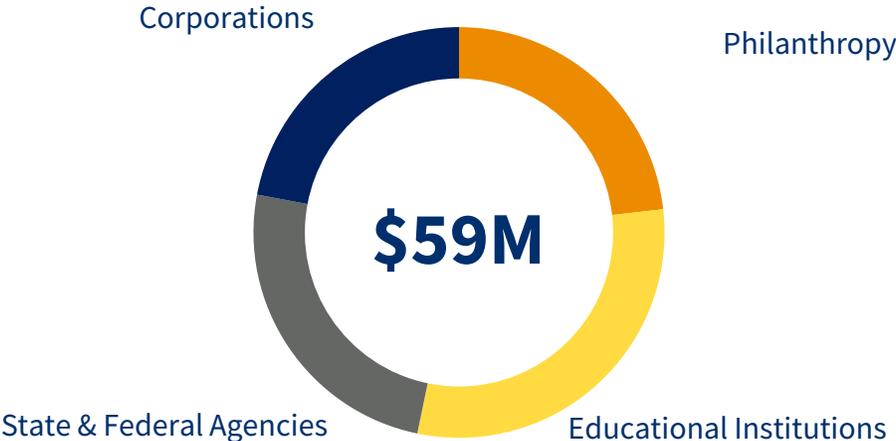
In FY 2018-19, over \$59M in funding provided by the Foundation’s strategic partners supported the creation and continuation of projects, services, and programs in alignment with Chancellor’s Office priorities across the Foundation’s five areas of impact. Annual support by funding source and area of impact is represented in the graphs below.

The Foundation’s funding was secured through support from four categories: \$13.7M from philanthropy and other nonprofit organizations; \$13.1M from corporations, including employers and vendors; \$21.2M from educational institutions, including systems, colleges, and high schools; and \$11.3M state and federal agencies. Funding was distributed across the five areas of impact to support system priorities, specifically: \$18.2M for Student Success, \$19.2M for Workforce Development, \$3.3M for Equity, \$7.7M for Community Impact, and \$10.8M for System Support.

ANNUAL SUPPORT BY AREAS OF IMPACT



FY2019 REVENUE ANALYSIS



The Foundation is proud of its pivotal role supporting the California Community Colleges in making higher education more accessible, affordable, and equitable in California. Significant strides have been made to support student-centered reforms, advance system priorities at the state, district, and local levels, and enable large-scale systems change. Key examples of programmatic accomplishments the last fiscal year include:

- \$12.5 million supporting the *Vision for Success* raised in partnership with Chancellor Oakley
- 105,500+ work-based learning opportunities facilitated with more than \$5.7 million in wages paid
- \$60 million in cost savings provided to faculty, staff, and colleges
- \$428,000+ raised to support foster youth in their transition to higher education
- 160,000+ Californians served with resources benefitting disadvantaged communities

As the Foundation progresses into its third decade of service, its leadership has set an ambitious goal to double the organization's impact by 2028, expanding capacity to respond quickly to the needs of the system, its colleges, and California's future workforce.

Additionally, in response to the recent #RealCollege survey conducted by the California Community Colleges and The Hope Center which revealed previously unknown levels of food insecurity on campuses, the Foundation has dedicated its annual fundraising campaign to fighting student hunger across the system. An anonymous donation of \$500,000 was secured by the Chancellor's Office and received by the Foundation to expand food pantries on campuses, in addition to a generous gift of more than \$30,000 from the Golden 1 Credit Union in support of the Foundation's CalFresh program, with resources being used to deploy student ambassadors on campuses in the Sacramento Valley. The Foundation's giving campaign will build off this momentum to raise funds in support of programs that connect low-income students to food resources available.

Attachments

- 1.** Foundation for California Community Colleges "Who We Are" Brochure
- 2.** Foundation for California Community Colleges 2018-19 Innovation and Impact Report

Item 4.7, Attachment 1: Foundation for California Community Colleges “Who We Are” Brochure

The [Foundation “Who We Are” brochure](https://foundationccc.org/Portals/0/Documents/NewsRoom/foundation-who-we-are-brochure-web.pdf) is available on the Foundation website (foundationccc.org/Portals/0/Documents/NewsRoom/foundation-who-we-are-brochure-web.pdf).

Item 4.7, Attachment 2: Foundation for California Community Colleges 2018-19 Innovation and Impact Report

The [Foundation 2018-19 Innovation and Impact Report](https://foundationccc.org/Portals/0/Documents/NewsRoom/foundation-innovation-impact-report-18-19.pdf) is available on the Foundation website (foundationccc.org/Portals/0/Documents/NewsRoom/foundation-innovation-impact-report-18-19.pdf).



California Community Colleges Board of Governors

Item 4.8: Board Member Reports

Attachments: None

Date: November 18, 2019

Category: Executive

Type of Board Consideration: Information

Recommended By

A handwritten signature in black ink, appearing to read 'EO', written over a light blue horizontal line.

Eloy Ortiz Oakley, Chancellor

Approved for Consideration

A handwritten signature in black ink, appearing to read 'EO', written over a light blue horizontal line.

Eloy Ortiz Oakley, Chancellor

Issue

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

Recommendation

This item is presented for Board information and discussion.

Background

Not applicable.

Attachments

None.