



Consultation Council Agenda

Thursday, October 17, 2019

9:30 a.m. to 1:00 p.m.

Chancellor's Office

3rd Floor, Hub Conference Room

1102 Q Street

Sacramento, CA 95811

THE ITEMS ON THIS AGENDA WILL BE DISCUSSED AT THE UPCOMING CONSULTATION COUNCIL MEETING.

- 1.** Chancellor's Office Update
- 2.** Student Senate Update
- 3.** Program and Course Approval Handbook, 7th Edition
- 4.** Update on AB 705: Transfer-Level English and Math Outcomes Report
- 5.** Proposed Revisions to Anti-Discrimination Regulations
- 6.** Full-Time Faculty Obligation
- 7.** Update Regarding Chancellor's Office Oversight of Calbright College
- 8.** California State Plan for Career Technical Education, and the Federal Perkins V
- 9.** State and Federal Legislative Update
- 10.** Other
 - a.** Announcements from Consultation Council members.

FUTURE 2019 MEETING DATES:

November 21, 2019 (CCLC Annual Convention in Riverside, CA) – New Member Orientation
December 19, 2019



DIGEST ITEM 2: STUDENT SENATE UPDATE

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Danny Thirakul, President
Lawrence Su, Executive Vice President
Student Senate for California Community Colleges

Issue

The Student Senate for California Community Colleges will provide the Consultation Council members with an update on the Student Senate for California Community Colleges’ (SSCCC) current initiatives, legislative stances, and system participation as well as the current status of the board.

Background

The SSCCC will present the council with an update on actions taken by the board since the previous Consultation Council meeting as well as concerns raised by the board and constituents, including, but not limited to, legislation and the state of the SSCCC.

- Student Senate Priorities
 - Developed legislative priorities for 2020-21.
 - Updated MOU with Chancellor’s Office. Currently pending review by CCCCO Legal Counsel.
- Legislative and Advocacy
 - Governor Newsom signed AB 1504 (Medina) on Friday, October 4, 2019. This bill provides permanent funding for SSCCC and strengthens our ability to advocate on the behalf of 2.1 million students.
- Recent Events
 - Participated on Undocumented Student Action Week to be held October 14 – 17, 2019 planning team.
 - Partnered with the ASCCC on their Academic Academy held September 13 – 14, 2019.
 - Partnered with UCSA, CSSA, and Public Advocates to hold legislative event on October 15, 2019.

- Participated on the California Economic Summit planning team for an event to be held November 7 – 8, 2019, in Fresno.
- Participated on the LGBTQ+ Summit planning team for an event to be held in Riverside on November 23, 2019.

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion.

Attachments:

None.



DIGEST ITEM 3: PROGRAM AND COURSE HANDBOOK, 7TH EDITION

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Marty Alvarado, Executive Vice Chancellor

Issue

The Chancellor’s Office Division of Educational Services and Support in collaboration with the California Community Colleges Curriculum Committee (5C) made scheduled updates to the Program and Course Approval Handbook (PCAH).

Background

The Curriculum Standards Handbook was first published in May 1985; since then, it has been through several revisions. In September 2001, significant revisions were made, one of which re-titled the handbook to the Program and Course Approval Handbook (PCAH). The PCAH addresses specific requirements for Credit Courses, Associate Degrees for Transfer, Associate Degrees, Credit Certificates of Achievement, Non-credit Courses, Non-credit Certificates of Competency, Non-credit Certificate Completion, and Non-credit Adult High School Diploma.

The Program and Course Approval Handbook, 7th Edition is organized into three major components: Part 1 is an overview of curriculum authority and approval, Part 2 covers credit curriculum, and Part 3 covers non-credit curriculum. Each part is broken up into three sections as follows:

Part 1: Overview of Curriculum Authority and Approval

- Section 1: An Overview of Program and Course Approval

This Program and Course Approval Handbook (PCAH) assists California Community College (CCC) administrators, faculty, and classified professionals in the development of programs and courses and the submission of these proposals for review and chaptering by the Chancellor’s Office.

By law, the Chancellor is required to prepare and distribute a handbook for program and course approval (California Code Regulations, title 5, § 55000.5). The Chancellor has delegated these responsibilities to the Educational Services and Support Division of the

California Community Colleges Chancellor's Office (CCCCO). The PCAH was developed to provide the California Community College (CCC) system with general guidelines and instructions for the submission of curriculum for approval, chaptering and maintenance. Since the first publication, updates have been published in May 1985, July 1987, 1992, March 1995, September 2001, March 2003, March 2009, September 2012, and July 2017 to improve and incorporate new information, clarify previous language, and inform and provide guidance on updates to California Education Code and California Code of Regulations (CCR), title 5. Each published edition of the PCAH supersedes preceding editions.

- Section 2: Introduction to Program and Course Approval

This section provides an overview of curriculum regulations, a brief history of curriculum approval, outlines the legal authority and roles of state and local entities, explains the underlying minimum conditions and open courses regulations and how they interact with curriculum development and approval. It also provides a brief introduction to the Chancellor's Office Approval Process, the Curriculum Inventory system, and a list of acronyms and definitions for common curriculum and approval terms. The section concludes with the Development Criteria for Curriculum statement endorsed by the System Advisory Committee on Curriculum (SACC).

Part 2: Credit Curriculum

- Section 1: Credit Course Review Criteria and Standards

This section covers the curriculum standards and approval criteria used by Chancellor's Office staff in the review standards and development guidelines for all types of credit courses. The section also covers miscellaneous curriculum standards and topics and is largely organized around title 5 regulations.

- Section 2: Credit Program Approval Criteria and Standards

This section covers all aspects of the curriculum development submission process for Chancellor's Office review or approval of credit programs. This includes program development standards, submission requirements, approval criteria, supporting documentation, requirements for local and regional approval, and submission categories.

Part 3: Non-credit Curriculum

- Section 1: Introduction to Non-credit Program and Course Approval

This section provides an overview of curriculum regulations and includes a brief history of curriculum approval, outlines the legal authority and roles of state and local entities, explains the underlying minimum conditions and open courses regulations and how they interact with curriculum development and approval. It also provides a brief introduction to the Chancellor's Office Approval Process, the Curriculum Inventory system, and a list of acronyms and definitions for common curriculum and approval terms. The section concludes with the Development Criteria for Curriculum statement endorsed by the System Advisory Committee on Curriculum (SACC).

- Section 2: Non-credit Course Approval Criteria and Standards

This section provides an introduction and general overview of non-credit courses, including development guidelines, review criteria, and approval standards for courses.

- Section 3: Non-credit Program Approval Criteria and Standards

This section provides an introduction and general overview of non-credit programs, including development guidelines, review criteria, and approval standards for programs.

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion.

Attachments:

None.



DIGEST ITEM 4: UPDATE ON AB 705: TRANSFER-LEVEL ENGLISH AND MATH OUTCOMES REPORT

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Marty J. Alvarado, Executive Vice Chancellor, Educational Services and Support

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 from the RP Group report, *Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System*.

Background

AB 705 was unanimously passed by the legislature and 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 (CCCO) and the Academic Senate for California Community Colleges Memo AA 18-40 (see attachment 2) 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.

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.

Summary of Results

Direct enrollment into and completion of transfer-level English and math courses rose markedly while success rates (measured in a variety of ways) remained relatively consistent, with some declines in success rates in transfer-level mathematics courses. While access to and completion of transfer-level English and mathematics courses increased markedly for all groups, equity gaps persist across groups traditionally underrepresented in completion of transfer-level coursework.

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion.

Attachments:

- 1.** Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System
- 2.** CCCCO Memorandum AA 18-40 AB 705 Implementation
- 3.** AB 705 Implementation Timeline for Math and English

Item 4, Attachment 1: Report by RP Group: Access, Enrollment, and Success in Transfer-Level English and Math in the California Community College System

The RP Group report is available on the RP Group [website](http://bit.ly/2MqiR5x) (bit.ly/2MqiR5x).

Item 4, Attachment 2: CCCCO Memorandum AA 18-40 AB 705 Implementation

The [AB 705 Implementation Memo AA 18-40](#) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCO-Website/Files/Consultation Council/2019 Attachments/0718-ab-705-implementation-memorandum-ada).

Item 4, Attachment 3: AB 705 Implementation Timeline for Math and English

The [AB 705 Implementation Timeline for Math and English](#) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/Consultation%20Council/2019%20Attachments/exec-ab705-timeline-math-english-ada).



DIGEST ITEM 5: PROPOSED REVISIONS TO ANTI-DISCRIMINATION REGULATIONS

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Marc A. LeForestier, General Counsel

Issue

The Chancellor’s Office is proposing changes to title 5’s anti-discrimination regulations.

Background

California Code of Regulations, title 5, sections 59300, et seq. implement various provisions of federal and state law which prohibit 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 ultimately denied. The student then filed the same complaint with OCR, attaching her complaint and appeal. OCR did not dispute the Chancellor’s Office decision, but opened a case to review the title 5 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 effort 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 Chancellor’s Office General Counsel identified a number of provisions that needed revision including updating definitions, ensuring our regulations cover the full range of protected

classifications now recognized by California law, removing unduly bureaucratic and unproductive noticing requirements, and providing clarity on standards of review and the appellate process.

These regulations will be proposed for first reading by the Board of Governors in November.

Feedback/Questions for Council

The Chancellor's Office seeks input from the Consultation Council on the proposed regulatory action.

Attachments:

- 1.** Text of the proposed regulatory action

Item 5, Attachment 1: 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 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, gender-related appearance or behavior, race, color, ancestry, sexual orientation, or physical or mental disability, 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 not be denied full and equal access to the benefits of, or 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.

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.

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) "Charge of discrimination" is an informal notification of an allegation of discrimination intended by the individual making the notice that it be resolved informally.

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

(d) "Days" means calendar days.

(e) Except for purposes of section 59306, "Disability" means any mental or physical disability as defined in Government Code section 12926, subdivisions (j) and (m).

(f) "Ethnic identity" means a sense of belonging based on one's ancestry, cultural heritage, values, traditions, rituals, and often language and religion.

(g) "Discrimination on the basis of sex" means sexual harassment or discrimination on the basis of gender.

(h) "Gender" defines difference between men and women that are socially constructed, rather than biologically determined. 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.

(i) "Gender expression" means one's external appearance of one's gender identity, usually expressed through behavior, clothing, haircut or voice, and which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.

(j) "Gender identity" means one's innermost concept of self as male, female, a blend of both or neither, or how individuals perceive themselves and what they call themselves. One's gender identity can be the same or different from their sex assigned at birth.

(k) "National origin" refers to the country a person was born in or where their ancestors lived.

(l) "Immigration status" refers to the manner in which a person is present in the United States. This may include by citizenship, residency, or without documentation.

(m) "Sex" means one's physical status as either male or female, 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.

(m) "Sexual orientation" means an inherent or immutable enduring emotional, romantic or sexual attraction to other people heterosexuality, homosexuality, or bisexuality.

(i) "Unlawful discrimination" means an act or acts of denying rights, benefits, justice, equitable treatment, or access to facilities available to all others, to an individual or group of people on the basis of a protected classification.

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 ~~e~~Community 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, immigration status, religion, age, sex, or gender, gender identification, gender expression, 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~~ ~~e~~Community 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 cCharges of unlawful discrimination brought to the attention of the a responsible district officer requires the district to take the following actions~~ designated pursuant to section 59324, that officer shall:

- (1) undertake efforts to informally resolve the charges with the complainant's consent;
- (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 under~~ 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~~ unless ~~t~~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, ~~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 shall not exceed the ninety (90) day 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 shall be filed by a~~e~~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 mandatory reporter that fall under Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681-1688, shall be filed to a responsible district officer.

(c) ~~b~~ The Written complaints shall be filed with the Chancellor of the California Community Colleges or with the 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 filed with the responsible district officer or designee. The responsible district officer shall transcribe the verbal complaint into a written complaint.

(1) The district shall send a copy of the transcribed verbal complaint to the complainant and allow the complainant to add or clarify any facts in the complaint.

(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.

(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.

(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 amended 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 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 district shall complete the impartial fact-finding investigation. The results of the investigation shall be set forth in a written report that shall include at least all of the following:

- (a1) a description of the circumstances giving rise to the complaint;
- (b2) a summary of the testimony provided by each witness, including the complainant and any ~~available~~ ~~viable~~ witnesses identified by the complainant in the complaint;
- (c3) 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 allegation in the complaint ~~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 59335 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:

§ 59335. Allegations of Sex Discrimination

(a) Notwithstanding the provisions of this subchapter, investigations and hearing procedures of allegations that would constitute sex discrimination under Title IX of the Education Amendments Act of 1972, 20 U.S.C. §§ 1681–1688, must be conducted in compliance with the federal Department of Education’s Title IX regulations, 34 C.F.R. Part 106.

(b) In cases of student sexual misconduct, the district must provide parties an opportunity to indirectly cross-examine an adverse witness or party if an accused student faces severe disciplinary sanctions, such as expulsion or suspension,

and the credibility of witnesses is central to the investigation;

(1) The cross-examination shall be conducted indirectly at a live hearing, either in person or by videoconference.

(2) The live hearing is conducted by a neutral decision-maker other than the investigator.

(c) Nothing in this section shall prohibit a district from providing a live hearing or neutral decision-maker for other discrimination cases.

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.

(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.

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 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 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 ~~a notice of final decision, 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 any 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 (1) forward the following to the Chancellor~~ 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 received in the previous calendar year,
- (2) the number of informal complaints received in the previous calendar year,
- (3) the number of complaints and the nature of allegations substantiated and unsubstantiated in the previous calendar year,
- (4) any other information that may be helpful to 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) Districts shall retain all records arising from informal discrimination charges and formal discrimination complaints for a period of ~~For a period of~~ at least 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 59336 ~~or~~ 59340, the district may file a written request that the Chancellor grant an extension the time to respond by up to 90 additional days. An extension may be taken only once 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) A copy of the request for an extension shall be sent to the complainant, who shall be notified that he or she may file written objections with the Chancellor within five (5) days of receipt.
- (c) The Chancellor may grant the request unless delay would be prejudicial to the 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.

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 shall be limited to the following issues:

- (1) whether there are procedural errors in violation of this subchapter;
- (2) new evidence not available during the investigation;
- (3) the correct application of applicable standards; and
- (4) whether the district's determination was an abuse of discretion.

(b) 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) 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.

(d) 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 determines on appeal 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; 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 amended to read:

§ 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.



DIGEST ITEM 6: FULL-TIME FACULTY OBLIGATION

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Christian Osmeña, Vice Chancellor, College Finance and Facilities Planning

Issue

This item presents information regarding the Chancellor’s Office recommendation to the Board of Governors that the Budget Act of 2019 provides adequate funding to support an increase in 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. AB 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 choose 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

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 SCFF. 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*.

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.

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion.

Attachments:

None.



DIGEST ITEM 7: UPDATE REGARDING CHANCELLOR'S OFFICE OVERSIGHT OF CALBRIGHT COLLEGE

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Marc LeForestier, General Counsel
Marty Alvarado, Vice Chancellor, Education Services and Support
Christian Osmena, Vice Chancellor, College Finance and Facilities
Sheneui Weber, Vice Chancellor, Workforce and Economic Development
Laura Metune, Vice Chancellor, Governmental Relations
Barney Gomez, Vice Chancellor, Digital Information and Infrastructure

Issues

This item provides an update to the Consultation Council on the Chancellor’s Office regulatory oversight responsibilities related to Calbright Community College.

Background

The Board of Governors has statutory responsibility to “provide leadership and direction in the continuing development of the California Community Colleges” and to maintain and continue local authority and control “to the maximum degree permissible.” ([Ed. Code, § 70901\(a\)](#)) (bit.ly/2ASwdSH). Of particular relevance to this item, the Board must “[c]oordinate and encourage interdistrict, 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\(b\)\(7\), \(12\)](#)) (bit.ly/2ASwdSH).

The following two regulatory areas are identified for immediate discussion by the Board of Governors:

Chancellor’s Office Notification Regarding Program Non-Duplication

The Education Code provides that “[f]or each new program created, the chancellor’s office shall notify the Legislature and Department of Finance on how the program is not duplicative of programs offered at other community colleges.” ([Ed. Code, § 75001 \(f\)\(2\)](#))

(bit.ly/2AUhruJ). On September 20, 2019, the Chancellor's Office issued a letter related to Calbright's first three programs (see attachment 1).

Chancellor's Office Role in Calbright Accreditation

The Legislature has required that Calbright "seek accreditation and meet requirements for students to become eligible for federal and state financial aid." ([Ed. Code, § 75007\(b\)\(1\)](#)) (bit.ly/2OxQ5Tg). It 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\(b\)\(1\)\(A\)\(i\)](#)) (bit.ly/2OxQ5Tg). 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\(6\)](#)) (bit.ly/2ASwdSH). The Education Code further 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](#)) (bit.ly/2MmRx8s).

The Education Code also requires that the Chancellor's Office provide oversight related to five other key areas. These issues will be agendized at a later date.

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion.

Attachments:

1. Chancellor's Office letter to the Department of Finance and Legislature regarding non-duplication - September 30, 2019

Item 7, Attachment 1: Chancellor's Office letter to the Department of Finance and Legislature regarding non-duplication - September 30, 2019

The [Calbright letter](#) is available on the Chancellor's Office website (www.cccco.edu/-/media/CCCCO-Website/Files/Consultation%20Council/2019%20Attachments/exec-calbright-non-duplicative-letter-09302019-ada).



DIGEST ITEM 8: CALIFORNIA STATE PLAN FOR CAREER TECHNICAL EDUCATION, AND THE FEDERAL PERKINS V

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Sheneui Weber, Vice Chancellor, Workforce and Economic Development
Jeff Mrizek, Dean, Workforce and Economic Development

Issue

The purpose of this item is to provide an update on the development of the California State Plan for Career Technical Education, including requirements for the federal *Strengthening Career and Technical Education for the 21st Century Act* (Perkins V). Our intended update includes the themes and sub-themes, the State Plan Development timeline, framing questions, steps required for building and validating the State Plan for Career Technical Education (CTE), and the alignment of the federal application for the Perkins V, thereby creating a fully Comprehensive State Plan for CTE.

Background

On July 31, 2018, the federal Perkins V was signed into law, which reauthorized the federal Perkins IV. As part of the transition to Perkins V, California submitted a one-year transition plan in May 2019, with the full State Plan due in April 2020. In April 2019, the Office of Career, Technical, and Adult Education (OCTAE) released the final guidance for the Perkins V.

In May 2019, the California Workforce Pathways Joint Advisory Committee (CWPJAC) approved the [Guiding Policy Principles to Support Student-Centered K-14+ Pathways](http://cde.ca.gov/ci/ct/gj/guidingpps.asp) (cde.ca.gov/ci/ct/gj/guidingpps.asp). In accordance with the purpose of the CWPJAC to address systems alignment policies specific to career pathways within the context of recent and future state and federal investments, they are a principle driver for the State Plan. Therefore, the framing of the themes and sub themes to be addressed by the State Plan were also guided by the CWPJAC Guiding Policy Principles to Support Student-Centered K-14+ Pathways.

In 2008, the State Board of Education (SBE) approved the prior State Plan - the 2008-2012 *California State Plan for Career Technical Education*. The California Department of

Education (CDE) and the California Community Colleges Chancellor's Office (CCCCO) created that plan collaboratively with the intent to meet the federal *Carl D. Perkins Career and technical Education Act of 2006* (Perkins IV) requirements, but also to establish a vision and direction for CTE across California.

Staff from the CDE and the CCCCCO have been working closely with staff from the SBE since spring 2017 as support to the CWPJAC meetings, as required by California *Education Code* Section 12503, in preparation for developing a California State Plan for CTE. The federal application for Perkins V is due on April 15, 2020, and is a subset of the State Plan for CTE, which will become a living guiding document for the State's CTE's program in preparing students, to address and respond to California's workforce needs to maintain the State's global competitiveness.

The development of the State Plan for CTE is undertaken by the California Department of Education (CDE), and the California Community Colleges Chancellor's Office (CCCCO) staff, guided by input from CWPJAC, as well as input from many stakeholders.

California State Plan for Career Technical Education

When the California State Plan for Career Technical Education (CTE) is implemented, California CTE should address the following themes and sub-themes:

- A. Interconnectedness of career guidance, work-based learning (including apprenticeships) and career pathway programming aligned to meeting present and future skill needs for the state.
- B. Middle-, high-school, and postsecondary (specifically community college) career pathway programming will become a seamless credential-based system having the requisite on- and off ramps.
- C. A diverse body of students will have access to high quality career pathway programming that are inclusive and equitable regardless of person, place, or proximity.
- D. A forward-looking integrated continuous quality improvement system that is able to provide data and information to a wide variety of stakeholders for making policy and programming decisions.
- E. All students will leave high school career and college ready and will complete postsecondary career pathway programming in order to be ready for the careers of today and tomorrow.

Setting a Vision for California CTE

- A. California CTE connects, education, workforce, and economic development by aligning with industry requirements
- B. California CTE leads to functioning in an information-based, globally-interdependent society
- C. California CTE promotes diversity, inclusion, and equity
- D. California CTE enables economic and social mobility
- E. California CTE keeps the state's economy diversified and vibrant

The Drivers

- A. The California Workforce Pathways Joint Advisory Committee (CWPJAC) guiding principles
- B. Essential elements of a high-quality career and college pathway
- C. State priorities around education and workforce development

The Socio-Economic Context for CTE in California

- A. The need for skilled workers
- B. Ensuring family sustainable wages and incomes
- C. Preparing for today's and tomorrow's jobs
- D. Regional approach to developing career pathways

Career and Technical Education in California

- A. Administration: K-12, Adult, and Community College
- B. K-12 CTE Delivery Structure
- C. Community College CTE Delivery Structure
- D. Regional approach to developing career pathways
- E. The condition of CTE in California by the numbers

State Programs and Funding Driving California CTE

- A. CTE Incentive Grant
- B. K-12 Strong Workforce Program
- C. Other K-12 CTE Programs
- D. Other California Community Colleges Chancellor's Office (CCCCO) CTE Programs
- E. CTE programs in the field with statewide and regional impacts

Continuous Quality Improvement (CQI) for CTE

- A. The condition of CTE in California by the numbers
- B. Accountability and evaluation of CTE: state and federal
- C. Metrics around engagement, achievement, and transitions
- D. Addressing equity and access across all metrics
- E. From Perkins accountability to CTE CQI

The Federal Application for the State Plan for CTE

- A. Plan development and consultation
- B. State's vision for education and workforce development
- C. CTE programs/programs of study implementation
- D. Meeting the needs of special populations
- E. Preparing teachers and faculty
- F. Fiscal responsibility
- G. Accountability for results
- H. Assurances, certifications, and other forms
- I. Budget
- J. State-determined performance levels (SDPL)

The items that are listed above are being addressed within the Plan, keeping in mind additions and refinements will continue to occur for the Federal Application Perkins V, up until submission to the Governor for approval. Work on the State Plan for CTE will continue to allow for collection and synthesis of stakeholder input, before presentation to the necessary approval channels in 2020.

Working Timeline for the Submission of the Federal Application for Perkins V

In the planned timeline below, staff will be seeking input from the field, first from the stakeholder group per Perkins V requirement to create the draft, and then from the public. Building and validating the State Plan for CTE includes the identification of major milestones and process steps. Given that the timeline is ambitious, staff anticipates some adjustments throughout the development process. Staff will also be updating the CWPJAC, the SBE, and the Board of Governors (BOG), throughout the development process, as noted in the proposed timeline:

2019

Sept. 13	California Workforce Pathways Joint Advisory Committee (CWPJAC) Meeting – Present two-thirds of the State Plan
Sept. 17	Stakeholder Meeting #2 – 10:00 a.m. to 5:00 p.m. at the California Community Colleges chancellor's Office (CCCCO)
Oct. 2-4	Advance CTE – Perkins Implementation Meeting, Washington DC 5 Team Members attending: Patricia de Cos, State Board of Education (SBE); Pradeep Kotamraju, CDE; Sheneui Weber, CCCCO; Michelle McIntosh, CDE; and Jeff Mrizek, CCCCO
Oct.	Stakeholder Meeting #3 (Accountability) – 10:00 a.m. to 3:00 p.m., Location to be determined
Oct. 11	CWPJAC Meeting – Present Draft State Plan
Oct. 15	California Community College Association for Occupational Education (CCCAOE) Conference, Rancho Mirage, CA – Public Feedback
Oct. 25	Draft State Plan Complete
Nov. 08	CWPJAC Meeting – Present full Draft State Plan
Nov. 12	Incorporate CWPJAC comments for Draft Plan A which will be used at the January SBE Meeting, the January Board of Governors (BOG) Meeting, and the Public Feedback Survey
Nov. 13	SBE Staff to share Draft Plan A with the Governor
Nov. 13	Public Meeting #1 in Sacramento (California Department of Public Health Auditorium)
Nov. 15	Open Public Feedback Survey
Nov. 18	BOG Meeting, Informational Item
Nov. 20-22	Association of Career and College Readiness Organizations (CAROCP) Career Technical Education (CTE) Conference, Rancho Mirage, CA – Public Feedback
Dec. 03	Public Meeting #2 - Los Angeles – CCCCO looking for a location in Los Angeles to link with the national Association for Career Technical Education Conference (ACTE) in Anaheim beginning on December 4, 2019.

Dec.	Informational Memo to SBE
Dec. 11-13	Joint Special Populations Advisory Committee (JSPAC) Conference – Public Feedback
Dec. 20	Close Public Feedback Survey
Dec. 31	Analyze Public Feedback Survey results

2020

Jan. 08	SBE Meeting, Draft Plan A is presented
Jan. 13	BOG Meeting, Draft Plan A is presented
Jan. 20	Combine feedback (January SBE Meeting, January BOG Meeting, and the Public Feedback Survey results) into a Final Draft Plan
Jan. 31	CWPJAC Meeting
Feb. 1	Incorporate CWPJAC feedback to present to the SBE in March
March 11-12	SBE Meeting, Final Draft Plan approved
March 13	To Governor for approval (30 days)
March 16	BOG Meeting, Final Plan (informational item)
April 12	Governor Approval Complete
April 15	Submit Plan to the U.S. Dept. of Education

Feedback/Questions for Council

This item is presented to the Consultation Council for information and discussion. We encourage the engagement of our college community to ensure we take full advantage of this process to further our Vision for Success and all the efforts underway in our system.

If you have questions, please contact Dean Jeff Mrizek via email at jmrizek@ccccco.edu.

Attachments:

None.



DIGEST ITEM 9: STATE AND FEDERAL UPDATE

“Digest” means an item has been through internal review by the Chancellor’s Office and the review entities. The item now has form and substance and is officially “entered into Consultation.” The Council reviews the item and provides advice to the Chancellor.

Contact(s): Laura Metune, Vice Chancellor, Governmental Relations

Issue

The Chancellor's Office Division of Governmental Relations will provide Consultation Council with the State and Federal Update.

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 Procedures and Standing Orders provide guidance to the Chancellor in representing the California Community Colleges on matters pending before the California Legislature and Governor, 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 2019-20 Board of Governors Budget and Legislative Request, and prior Board positions guide the activities of the division. The Governmental Relations division seeks feedback from the Consultation Council and the Board of Governors prior to taking positions on pending policy matters.

Feedback/Questions for Council

The Governor will act on 2019 bills approved by the Legislature by October 13, 2019. This item will provide an update on bills monitored by the Governmental Relations division and signed into law by Governor Newsom. A matrix of enacted legislation will be provided at the meeting.

Attachments:

None.