



ELOY ORTIZ OAKLEY
Chancellor

Consultation Council Agenda

Thursday, January 16, 2020
9:30 a.m. to 1:00 p.m.
Chancellor's Office
Third 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. Disabled Students Programs and Services Funding Formula
4. Update on the Release of the Governor's Budget
5. Correspondence Courses Apportionment
6. State and Federal
7. Other
 - a. Announcements from Consultation Council members

FUTURE 2020 MEETING DATES:

February 20, 2020
March 19, 2020
April 16, 2020
May 21, 2020
June 18, 2020
July 16, 2020
August 20, 2020
September 17, 2020
October 15, 2020
November 19, 2020 (CCLC Annual Convention in San Francisco, CA)
December 17, 2020

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DIGEST ITEM 2: STUDENT SENATE UPDATE

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Contact(s): Danny Thirakul, President
Amine El Moznine, Vice President of Legislative Affairs
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
 - Considering a Memorandum of Understanding with the California Community College Student Affairs Association.
 - Calling for partnerships and sponsorships for our 2020 General Assembly April 3 - 5, 2020 in Ontario.
 - ◆ Secured both Dr. Lande Ajose and Senator Leyva.
 - ◆ Sponsorship information can be found on the [SSCCC website](#). Consultation Council representatives are encouraged to sponsor the event and attend, if available.
 - Restructuring the SSCCC Bylaws and Constitution.
 - Developing a three-year strategic plan.
 - Planning for the SSCCC March in March to be held on March 19, 2020.

- Legislative and Advocacy
 - Currently seeking legislators to carry SSCCC sponsored legislation.
- Recent Events
 - Participated in the planning of the Pathways to Equity Conference “*Transforming Together.*”

Feedback/Questions for Council

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

Attachments:

None.



DIGEST ITEM 3: DISABLED STUDENTS PROGRAMS AND SERVICES FUNDING FORMULA

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Contact(s): Rhonda Mohr, Vice Chancellor, Educational Services and Support
Linda Vann, Specialist, Educational Services and Support

Issue

The Chancellor’s Office recommends implementation of a new funding formula for the Disabled Students Programs and Services (DSPS) Program, effective for fiscal year 2020-21.

Background

During spring 2016, the Consultation Council approved a new funding formula for the DSPS program. The new formula was set to phase in over several year, with the last set of changes implemented in 2019-20. While performing the allocation calculations for 2018-19, the Chancellor’s Office found an anomaly with the Deaf and Hard of Hearing (DHH) aspects of the formula. In addition, there were issues found with data related to prior-prior year student counts. As a result, the Chancellor’s Office recommended, and the Consultation Council approved, delaying implementation of the last two sets of formula components until we completed additional research and analysis.

That work, and a series of meetings with stakeholders, has concluded, and we recommend that the slightly amended funding formula approved by Consultation Council in 2016, be fully implemented in 2020-21. Additional background detail can be found in Attachment 1.

Feedback/Questions for Council

This item is presented to Consultation Council for input and discussion.

Attachments:

- 1.** DSPS Funding Formula Background

Item 3, Attachment 1: DSPS Funding Formula Background

A DSPS funding formula taskforce convened in 2015. Through the work of this taskforce, a new DSPS funding formula was approved by Consultation Council in spring 2016. The approved strategy for implementing the new DSPS funding formula included phasing in changes over a 3-year time period. The final phase of fully implementing the funding formula included adjusting weighted student counts, or per student funding by disability type, to reflect the current financial impact of serving the diverse disabled student population. This final phase also included a reduction of the guarantee from 95% to 90% and a college effort distribution based on 20% of the budget rather than the current 10%.

The adjusted weighted student counts (WSC), or per student funding by disability type, was developed by an external research organization and varied significantly from the weighted student counts previously used in calculating allocations. Important to highlight is the adjusted weighted student count for students in the Deaf and Hard of Hearing (DHH) disability category which, adjusted from 4.87 weight to 23.7. What the new funding DHH weight determination did not take into account is the additional state apportionment (\$9.6 million) designated to augment services for DHH students. The result is that for 2019-20, with the adjusted weighted student count, colleges would be compensated at a higher rate for DHH students served than was intended via the weighted student count adjustments alone.

During spring 2019, the simulations of this final phase of implementing the funding formula for 2019-20 resulted in fluctuations of allocation amounts for nearly all colleges. The simulations showed approximately 50 colleges with allocation reductions equal to or less than -10%, and 49 colleges with allocations increases equal to or greater than +5% when compared to 2018-19 allocations. There were also a few outlier colleges on both ends of the spectrum seeing substantial decreases/increases between 20% - 35%. At the June 2019 Consultation Council Meeting members discussed implementation of the funding formula. As a result, the Chancellor's Office implemented the following actions for 2019-20 DSPS allocations.

Recommended action items for June 2019

- Suspend implementation of the final phase of the new funding formula for one year in order to correct the funding formula;
- Correct the funding formula calculations to incorporate the additional DHH state apportionment; and
- As necessary, reconvene the funding formula taskforce to review the updated formula calculations.

During the intervening months, the Chancellor's Office contracted with the Research Triangle Institute (RTI), tasked primarily with addressing the DHH category weight issue. In addition, the Chancellor's office convened an ad-hoc task force to investigate the analysis and new simulations put together by RTI. The task force met three times from

September through November with RTI providing input and support. A fourth meeting occurred in December to collect feedback and concerns.

Items for discussion in January 2020

- New WSC implementation including DHH at a weight of 15 (compared to 4.87 currently, and compared to 23.7 as approved by Consultation Council in spring 2016.)
- 20% vs 10% college effort component
- 90% vs 95% of prior year guarantee



DIGEST ITEM 4: UPDATE ON THE RELEASE OF THE GOVERNOR'S BUDGET

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Contact(s): Laura Metune, Interim Vice Chancellor, College Finance & Facilities Planning
Frances Parmelee, Assistant Vice Chancellor, College Finance & Facilities Planning

Issue

The Chancellor’s Office will provide an overview of the Governor’s 2020-21 budget proposal as it relates to the California Community Colleges.

Background

Each year, the Governor is required to submit a state budget by January 10 and include recommended state expenditures and estimated state revenues. Along with the budget, the Governor also submits a five-year capital infrastructure plan. By February 1 of each year, the Governor is required to submit all proposed changes in statutes necessary to implement the submitted budget, which is referred to as trailer bill legislation.

The 2020-21 budget and legislative cycles represent an important turning point for the California Community College system. The 2019-20 Budget and Legislative request was prepared in response to interest from state leaders to improve student outcomes, increase college affordability, meet California’s workforce needs, and support social and economic mobility for all Californians. In preparing the 2020-21 Budget and Legislative request, the Chancellor’s Office held meetings with stakeholders and invited them to submit official proposals for review by the Consultation Council and the Chancellor’s Office prior to Board of Governor’s action. The Chancellor’s Office considered a range of proposals as they prepared the systems Budget and Legislative request, including increases to base funding, changes in academic programs, changes in personnel-related programs (including faculty-related programs), and changes in programs related to educational services, and facilities improvements.

At their September 2019 meeting, the Board of Governors approved the 2020-21 Budget and Legislative request. This request focuses on the following five fiscal priority areas: Foundational Resources, College Affordability, Faculty and Staff, Targeted Resources to Address Student Needs, and the Expansion of State Support to Serve System Needs.

In November 2019, the Legislative Analyst's Office (LAO) released their fiscal outlook on the 2020-21 budget for schools and community colleges. This fiscal outlook represents the first credible estimates of the budget for the ensuing fiscal year. Referring to the 2020-21 budget, the LAO projects the Governor and Legislature will have \$152 billion to allocate as part of the budget process. Of that amount, the LAO estimates that \$34 billion will be available for Proposition 98 programs including appropriations to both K-12 and community college programs.

The purpose of this digest is to provide an opportunity to discuss the Governor's budget proposal. This digest will be supplemented with additional information following the January 10 release of the Governor's Proposed Budget.

Feedback/Questions for Council

This item is provided to the Consultation Council for discussion and feedback.

Attachments:

None.



DIGEST ITEM 5: CORRESPONDENCE COURSES APPORTIONMENT

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

Issue

The Chancellor’s Office Division of Educational Services and Support proposes changes to California Code of Regulations, title 5, to allow correspondence courses to continue to be eligible for apportionment. Correspondence courses currently offered as distance education (primarily to incarcerated students) are no longer eligible for apportionment based on the title 5 regulations related to distance education as amended in March 2019.

Background

On March 17, 2019, title 5 changes to section 55204 eliminated “correspondence” as method of distance education instruction to align with the federal definition of distance education. Under federal regulations, a “correspondence course” is not considered “distance education.”¹ Correspondence courses do not meet the distance education requirements for regular and substantive interaction, nor the title 5 requirements for regular effective contact and interactions between students. The elimination of the term “correspondence” from the distance education provisions in title 5 created confusion regarding the eligibility of correspondence courses for apportionment. The proposed title 5 changes will ensure these courses will continue to be eligible for apportionment.

Until 2015, correspondence courses were the primary source of higher education for incarcerated students. The Chancellor’s Office now focuses more on face-to-face education for this population, with enrollment of 11,864 in fall 2019. However, correspondence courses are still in demand, with enrollment of 7,931 in fall 2019. These courses continue to provide an alternative form of education and often fill the gaps to degrees that the face-to-face programs cannot offer.

The Educational Services and Support Division proposes amending title 5, chapter 9, subchapter 1, as appropriate, to clarify that correspondence courses are eligible for

¹ 34 C.F.R. § 600.2.

apportionment. This will ensure the colleges that currently provide these correspondence courses will continue to receive funding. Long-term efforts to address how correspondence courses will continue to be offered include working through the consultative process to develop a new section in title 5 to clarify the definition of “correspondence” and the quality of instruction.

Feedback/Questions for Council

The Chancellor’s Office is seeking input on this request from the Consultation Council.

Attachments:

- 1.** Text of Proposed Regulatory Change, section 58003.1.
- 2.** Text of Proposed Regulatory Change, section 58009.

Item 5, Attachment 1: Text of Proposed Regulatory Change, Section 58003.1

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Board of Governors of the California Community Colleges

Proposed Revisions to Title 5 Regulations:

Related to Full-Time Equivalent Students and Alternate Attendance Accounting

Section 58003.1 of article 2 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58003.1. Full-time Equivalent Student; Computation.

(a) Pursuant to the provisions of section 58051, the units of full-time equivalent student for apportionment purposes shall be computed for courses, including those delivered by distance education under article 1 (commencing with section 55200) of subchapter 3 of chapter 6, based on the type of course, the way the course is scheduled, and the length of the course.

(b) The governing board of each community college district shall, for each of its colleges or its district, select and establish a single primary term length for credit courses that are scheduled regularly with respect to the number of days of the week and the number of hours the course meets each week, inclusive of holidays. The units of full-time equivalent student of credit courses scheduled coterminously with the term, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the student contact hours of active enrollment as of Monday of the weeks nearest to one-fifth of the length of the term, unless other weeks are specified by the Chancellor to incorporate past practice, by the term length multiplier, and divided by 525. The term length multiplier for attendance accounting purposes shall be determined in accordance with this chapter, provided that the maximum multiplier for semester length terms shall be 17.5 and the maximum multiplier for quarter length terms shall be 11.67.

(c) For credit courses scheduled to meet for five or more days and scheduled regularly with respect to the number of hours during each scheduled day, but not scheduled coterminously with the college's primary term established pursuant to subdivision (b), or scheduled during the summer or other intersession, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by multiplying the daily student contact hours of active enrollment as of the census days nearest to one fifth of the length of the course by the number of days the course is scheduled to meet, and dividing by 525.

(d) For credit courses scheduled to meet for fewer than five days, and all credit courses scheduled irregularly with respect to the number of days of the week and the number of hours the course meets on the scheduled days, the units of full-time equivalent student, exclusive of independent study and cooperative work-experience education courses, shall be computed by dividing actual student contact hours of attendance by 525.

(e) For all open entry-open exit credit courses and for all noncredit courses otherwise eligible for state aid, except those described in subdivision (f), the units of full-time

equivalent student shall be computed by dividing actual student contact hours of attendance by 525.

(f) For distance education courses not computed using other attendance accounting procedures described in this section and for independent study, correspondence and cooperative work-experience education courses, the following alternative attendance accounting procedure shall be used:

(1) For credit courses, for purposes of computing full-time equivalent student only, one weekly student contact hour shall be counted for each unit of credit for which a student is enrolled in one of those courses. The full-time equivalent student of those courses shall be computed by multiplying the units of credit for which students are enrolled as of the census day prescribed in subdivision (b) or (c), as appropriate, for the primary term or intersession and duration for which the course is scheduled, by the term length multiplier as provided for in subdivision (b), and dividing by 525.

(2) For noncredit course sections covered by this subdivision, for purposes of computing full-time equivalent student only, weekly student contact hours shall be derived by counting the total hours of instruction or programming received by the students, plus instructor contact as defined in sections 55204 or 55234, plus outside-of-class work expected as noted in the course outline of record and approved by the curriculum committee, and dividing the total number of hours for the course thus derived by 54. Hours of instruction or programming received shall be independently verified by the instructor using a method or procedure approved by the district according to policies adopted by the local governing board as required by section 58030. Full-time equivalent student for such noncredit course sections shall be computed by:

(A) multiplying the average of the number of students actively enrolled in the section as of each census date (those dates nearest to one-fifth and three-fifths of the length of the course section) by,

(B) the weekly student contact hours as derived above in this section, by

(C) the primary term length multiplier of 17.5, and

(D) dividing by 525.

(g) Notwithstanding subdivisions (b) and (c) of this section, the units of full-time equivalent student for any credit course other than independent study, correspondence and cooperative work-experience education courses may, at the option of the district, be computed by dividing the actual student contact hours of attendance by 525. When a district chooses to exercise the option of computing attendance for any course section by the actual student contact hours method, such method must be used consistently for all attendance accounting for that section.

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

Item 5, Attachment 2: Text of Proposed Regulatory Change, Section 58009.

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Board of Governors of the California Community Colleges

Proposed Revisions to Title 5 Regulations:

Related to Full-Time Equivalent Students and Alternate Attendance Accounting

Section 58009 of article 2 of subchapter 1 of chapter 9 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 58009. Application of Alternate Attendance Procedure for Independent Study, Correspondence, Work-Experience and Certain Distance Education Courses.

(a) For independent study, correspondence, cooperative work-experience and distance education courses using the attendance accounting procedure specified in subdivision (f) of section 58003.1, one weekly student contact hour shall be counted for each unit of credit for which the student is enrolled as of the census day prescribed in section 58003.1(b) or (c), except for independent study, correspondence, or distance education laboratory courses. For independent study, correspondence, or distance education laboratory courses, weekly student contact hours shall be equivalent to those which would be generated for the same student effort in a laboratory course computed pursuant to subdivisions (b) or (c) of section 58003.1. For purposes of this section only, a “distance education laboratory course” means a distance education course which consists partly or exclusively of laboratory work.

(b) For credit courses, full-time equivalent student in courses described in subdivision (a) offered during primary terms is computed by multiplying the weekly student contact hours authorized pursuant to subdivision (a), generated as of the census date prescribed in section 58003.1(b) by the term length multiplier as provided for in section 58003.1, and dividing by 525.

(c) For noncredit courses described in subdivision (a), full-time equivalent student is computed on a census basis as prescribed in section 58003.1(f)(2).

(d) Full-time equivalent student in credit courses described in subdivision (a) which are conducted during a summer or other intersession is computed by multiplying the weekly student contact hours, authorized pursuant to subdivision (a) of this section, generated in each course, by a course length multiplier that produces the same total weekly student contact hours for the same student effort as would be generated in such courses conducted in the primary terms, and dividing by 525.

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



DIGEST ITEM 6: STATE AND FEDERAL UPDATE

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

Issue

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

Background

California law (Ed Code § 70901(b)(4)) requires the Board of Governors (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 prior to taking positions on pending policy matters.

Feedback/Questions for Council

The Chancellor’s Office will seek feedback on any legislation proposed for support.

Attachments:

None.