

March 7, 2011

Call to Order

Board of Governors President, Scott Himmelstein, called the meeting to order at 9:26 a.m.

President's Report

President Scott Himmelstein:

Thanked Vice Chancellor Marlene Garcia and her staff for putting together a successful trip to Washington D.C.

Announced the White House will hold a Community College Summit in San Diego on April 15, 2011.

Chancellor's Report

Chancellor Jack Scott:

Announced that Governor Jerry Brown would be attending the Board meeting.

Appeared before both budget subcommittees and spoke against a census date change and made a case for workload reductions if the system experiences a cut.

Has been working on the issue of Board appointments.

Appeared before the Little Hoover Commission on February 24.

Appeared before the College Board Western Region in San Francisco and had a second meeting with the Mexican American Legal Defense and Education Fund (MALDEF) to discuss prerequisite issues.

Announced the Student Success Task Force will meet on March 8-9, 2011.

Board Members
Present on Monday,
March 7, 2011

Manuel Baca

Isabel Barreras

Barbara Davis-Lyman

Benita Haley

Scott Himmelstein

Lance Izumi

Deborah Malumed

Robert McDonald

Alice Perez

Michelle Price

Gary Reed

Tanna Thomas

Chancellor's Report Continues

Spoke about the construction issues at the Los Angeles Community College District (LACCD) and the role of the Chancellor's Office.

Fred Harris, Assistant Vice Chancellor for Facilities Planning, also spoke to the Board about the construction issues at LACCD.

Board members had the following questions/comments and staff responded.

Board member Manuel Baca: Did any of the projects that were named get funding from the state?
The Los Angeles Valley Health and Science Building project had some state funds.

Board President Scott Himmelstein: Does the Chancellor's Office formally approve plans for these buildings?

Yes.

When there is a budget change on a project, even though we aren't supplying any of the money, do we approve/disapprove those budget change matters?

We review the change but we do not approve/disapprove the change.

Board Comments

Manuel Baca, Scott Himmelstein

Item 1 Consent Calendar

Consent Calendar items were presented to the Board of Governors by Board President Scott Himmelstein. Board Vice President Alice Perez requested that item 1.3 be removed from the Consent Calendar. Board member Isabel Barreras motioned for approval of the Consent Calendar with the exception of item 1.3. Board member Lance Izumi seconded the motion. The votes were unanimous in support of the motion.

Item 1.1 Approval of the Minutes

This item requested Board approval of the January 10-11, 2011, Board meeting minutes.

Item 1.2 Approval of Contracts and Grants

This item requested Board approval of the contracts and grants described in this item.

Item 1.3 Proposed Revisions to Title 5: Equal Employment Opportunity Regulations

This item was removed from the Consent Calendar

Item 1.4 2012-13 Capital Outlay Project

This item requested Board approval of the *2012-13 Community College Annual Capital Outlay Spending Plan* as presented in *Attachment D*.

Item 1.5 Proposed Title 5 Regulation Revisions: College Funding Formula

This item requested Board adoption of the proposed regulations related to basic allocation funding for new colleges and educational centers.

Item 1.3 and 2 Action

Item 1.3 Proposed Revisions to Title 5: Equal Employment Opportunity Regulations

Board Vice President Alice Perez had the following question about this item and staff responded.

It seems like the new approach is more reactive. The old regulations seemed more proactive. With the proposed changes to the regulations will the Chancellor’s Office still be able to get statewide information on hiring data?

The districts are still required to track and keep records, and review their diversity achievements on an ongoing basis. The Chancellor’s Office will be able to get statewide data when needed.

Board members Isabel Barreras and Manuel Baca stated that their districts provide this type of data on a yearly basis.

Board member Robert McDonald motioned for the Board to take the recommended action on this item. The motion was seconded by Board member Benita Haley. The vote was unanimous in support of the motion.

Board Comments

Isabel Barreras, Robert McDonald, Manuel Baca

Item 2.4 Board Goals for 2011

Presented by: Scott Himmelstein

The Board of Governors adopted the following goals for 2011.

1. The Board will continue to work with the State Board of Education focusing on activities that will benefit students.
2. The Board will increase its advocacy efforts, with particular attention paid to the new Governor’s Administration, Committee Chairs and Committee Vice Chairs.
3. The Board will continue the ongoing efforts to develop programs and opportunities for veterans seeking education.

Board member Lance Izumi motioned for the Board to take the recommended action on this item. Board Vice President Alice Perez seconded the motion. The votes were unanimous in support of the motion.

Board Comments

Deborah Malumed

Item 2.3 Students Affairs Committee

Presented by: Sonia Ortiz

Sonia Ortiz, Dean of Matriculation, Early Assessment, Student Leadership and Administration at the Chancellor's Office, spoke to the Board about the proposal to establish a Student Affairs Committee.

The purpose of the committee will be to strengthen communication between the Board of Governors and the Student Senate. Committee membership will include two members of the Board, the president and vice president of the Student Senate, a representative from the Chancellor's Office, and a representative from the California Community Colleges Student Affairs Association.

Board President Scott Himmelstein commended Board member Michelle Price for her leadership in bringing this idea forward to the Board.

Board member Robert McDonald motioned for the Board to take the recommended action on this item. Board member Barbara Davis-Lyman seconded the motion. The votes were unanimous in support of the motion.

Public Comments

Marc Valenzuela

Item 3 Information and Reports

Item 3.2 State Budget Update

Presented by: Dan Troy (1 Handout)

Vice Chancellor Dan Troy updated the Board on the state budget.

1. In January, the Governor identified a \$25.4 billion budget gap. The blockage of the state building sale and leaseback plan increased the figure by \$1.2 billion. The Governor also asked the Legislature to provide a reserve of \$1.1 billion. The budget gap is now \$27.7 billion.
2. The Budget Conference Committee set the goal of closing the budget gap. They closed the gap by reducing expenditures by \$12.5 billion, enhancing revenues by \$12 billion and borrowing \$3.2 billion from various special funds.
3. The \$12 billion in revenue enhancements is subject to a tax extension ballot measure.
4. Senator Mark Leno asked the Legislative Analyst Office (LAO) to come up with options if the tax extensions are not on the ballot or if they aren't passed by voters.
5. The LAO scenario included an additional cut of \$685 million in reductions to community colleges.

6. The LAO cited specific examples of where those additional reductions could come from including eliminating state subsidies for student who have completed 90 units of instruction and reducing funding for credit basic skills courses.
7. Should the need for more reductions arise the Chancellor's Office will request fairness when it come to the Proposition 98 split.

Board members had the following questions/comments and staff responded.

Board President Scott Himmelstein: When the LAO comes out with recommendations have they consulted with our system?

Typically they contact our office to get the data so they can make recommendations. We will oppose many of the options that have been put on the table especially if they are meant to be implemented by July 1.

Vice Chancellor Dan Troy clarified that in the letter that accompanied these recommendations the LAO made it very clear that the state needs revenues as well as cuts.

Board Comments

Scott Himmelstein

GOVERNOR JERRY BROWN AT THE BOARD OF GOVERNORS MEETING

Chancellor Scott welcomed Governor Jerry Brown to the Board of Governors meeting.

Governor Brown began by stating that if students takes a course at the community college it is important that the course is counted at the state college or university and asked if that has been done.

Chancellor Scott replied that SB 1440 (Padilla) was signed and it states that every community college will offer a transfer associate degree of no more than 60 units; that degree will be accepted by the California State University (CSU); students will have junior status at the CSU; and the CSU will require no more than 60 additional units.

Governor Brown asked if the University of California (UC) was on board with this legislation. Chancellor Scott stated that the UC was not included because they have independent status under the state constitution. The Governor replied that he will set up a meeting between Chancellor Scott and the UC Regents to discuss collaboration between the systems.

The Governor discussed the state's fiscal crisis with the Board.

Board members had the following questions/comments and Governor Brown responded.

Board Vice President Alice Perez: Are the items on the ballot going to be packaged as one big item with a yes or no vote, or will each item (school, healthcare, public safety) be separate so voters can decide individually?

We are looking for one vote which will be a vote to extend the taxes and to apply the money locally.

Board President Scott Himmelstein: Are there pieces that you're more sympathetic to than others in these discussions?

I'm sympathetic to whatever will get it done. We ought to find constructive compromise and agreement, we haven't found it up to this point and that's why we don't have an honest budget.

Board member Manuel Baca: One of the frustrations with initiatives is you often have stuff on there that people can't understand. But the initiative that you put forward is pretty clear. I hope there is support for putting it on the ballot.

We've had such a stalemate over these last years that I see this as an opportunity.

Board member Lance Izumi: How do you in terms of the initiative, improve the trust amongst the people for government in order to get a favorable outcome?

Through transparency, through an honest debate where each side is respected and the people are invited to exercise their sovereign power to decide on the future of our state.

Board members and Chancellor Scott thanked the Governor for attending the Board meeting.

Board Comments

Alice Perez, Scott Himmelstein, Deborah Malumed, Robert McDonald, Isabel Barreras, Manuel Baca, Lance Izumi

Item 2.1 Title 5, Section 55003: Policies for Prerequisites, Corequisites, and Advisories on Recommended Preparation

Presented by: Barry Russell and Jane Patton (PowerPoint)

Vice Chancellor Barry Russell presented a PowerPoint that reviewed the process this regulation change request has been through, why the system is intervening, the current conditions for establishing prerequisites/corequisites, and how the new option will work. Vice Chancellor Russell emphasized that the current rules for establishing prerequisites isn't going to change, only that this new approach (content review) will be added as an option that is permissive. Local campuses will have a choice of deciding which type of prerequisite they would like to establish. The Academic Senate and staff at the Chancellor's Office have taken the public comments for improvement into consideration when drafting these regulations and have provided enough oversight in the content review process.

Board members had the following questions/comments and staff responded.

Board member Gary Reed: Why have we taken an approach that is permissive that districts can opt out of if they want? I'm also concerned about the budget. We haven't determined what the budget is going to be.

The permissive nature goes back to the fact that we have 72 individual districts that have the responsibility to oversee this. I think it would be inappropriate of us to step in and mandate something across the state. The budget implication has to be covered in the planning process. If districts are going to move in this direction they have to identify that they have enough prerequisite courses and enough transfer courses to otherwise be able to help students reach their goals.

Board member Manuel Baca: The regulation change is a matter of trying to maintain access and yet be successful. The permissive nature of this allows for local districts to weigh those two things. As drafted by the Academic Senate this isn't something that is a sweeping kind of regulatory change but it's something that can help local colleges more affective convey to students what they need to do in order to be successful in certain classes.

Board member Robert McDonald: I've been getting a lot of phone calls and emails from different people who aren't happy with this because they feel it's going to hurt students getting their education. I was encouraged by the second slide that said two year pilot program. Does that mean that if any campus or district decides to put one of these in place they would have a two year pilot? I think that meets the requirements that the people in the community are looking for at least from the phone calls that I'm getting.

In order to graduate from any California community college with an associate degree or to transfer you must successfully complete English 1A, English composition, and the mathematics intermediate algebra. The courses that would be added as prerequisite would be either those courses or in more cases actually one level below that. So it's only a matter of the sequencing of when you take the classes. There's no additional requirement being placed on students, it's only when they take them. (Jane Patton)

Then help me understand the slide that says new courses two year pilot available.

That particular piece is in the existing regulation.

Board member Tanna Thomas: If this method of prerequisite establishment is adopted by a college and is in fact in place, do you see a potential for fewer failed attempts?

Absolutely I think that is one of the outcomes that we will see. I think there will be a benefit and students won't be demoralize with textbooks they can't read and assignments they can't complete, they will walk in feeling very confident that they have what it takes to succeed in the class. (Jane Patton)

Board member Barbara Davis-Lyman: Today when we received the budget report and the LAO draconian budget, right at the top is the big cut in basic skills. My concern is will those classes be there?

That goes back to the plan that has to be developed on the local level. The local boards would have to know about that plan and know what the college is planning to do if the college establishes those prerequisites.

Board member Gary Reed: I tend to represent rural community colleges. Are we going to be put at more of a disadvantage because we don't have as many course offerings? Are rural community colleges less likely to adopt this prerequisite program?

I would trust the wisdom of the local boards, local college presidents and vice presidents, curriculum committees, and department faculty to make the determination that's right for their students locally. If they see that there are a handful of classes where students are failing no matter if they are in a rural or urban area, I think they would want to give the students the best information possible and align their curriculum as much as possible with others. (Jane Patton)

Chancellor Scott: I would like to recommend the passage of this particular item because it is the normal procedure nationwide, it's not a mandate, and the Academic Senate has taken all comments and opinions into consideration when drafting these regulations. Also all community college constituent groups have approved these regulations. So if we decide not to approve it we are saying in affect regardless of your recommendations we are not going to approve this.

Board Vice President Alice Perez stated that she was a supporter of prerequisites, however, with the fiscal crisis that the state is in she feels like this is the wrong time to implement this change. She spoke about making sure classes and guidance would be available to students. She also spoke about the data collection requirements that this regulations have in place and she feels that having only six different districts isn't enough to satisfy the collection requirements when there are 112 different campuses that might implement it in different ways.

Board members thanked the Academic Senate, Chancellor's Office staff and people who provided input on this issue. Board members had concerns over the budget impact, providing counseling services and class availability to students who will need to take prerequisite classes.

Board member Michelle Price motioned for the Board to take the recommended action on this item. Board member Lance Izumi seconded the motion. Board members Alice Perez, Robert McDonald and Gary Reed voted against the motion. Board member Isabel Barreras abstained from the vote. Eight Board members voted in support of the motion. The motion passed.

Board Comments

Gary Reed, Manuel Baca, Robert McDonald, Lance Izumi, Isabel Barreras, Benita Haley, Tanna Thomas, Barbara Davis-Lyman, Scott Himelstein, Alice Perez

Public Comments

Juan Tobias Cepeda (1 handout), Marc Valenzuela, Rita Mize, Ian Walton, Dr. Christine M. Miller, Jeannette Zanipatin, Will Bruce

Item 2.3 Title 5 Regulations to Exclude Limited Duration Funds from the Full-Time Faculty Obligation

Presented by: Dan Troy

The recent passage of a parcel tax in San Mateo County has raised questions about the full-time faculty obligation that were not considered when the original regulation was developed. Staff is asking the Board to approve excluding temporary funds from the full-time faculty obligation calculation.

Board members had the following questions/comments and staff responded.

Board member Manuel Baca: I recognize this is unique and we're looking at a four year parcel tax. Is there a history in other segments where you have that continue beyond four years?

Some K-12 districts are able to maintain parcel taxes over several years however the amount of that tax may change over time.

So it's conceivable that after the four years this gets extended out?

Yes.

If this parcel tax continues beyond a certain time and it catches on, this is a precedent setting kind of decision and if it's truly one time I understand the need for that, but if it is something that is renewable after a certain period of time then I think it become a greater concern

It certainly is within the authority of the voters of the district to raise and lower taxes as they see fit, but if you are doing your budget at the community college district you can't be assured that in four years time they will be renewed.

Board member Gary Reed motioned for the Board to approve the staff recommendation with the caveat that this be considered a one-time exception and not a policy.

Executive Vice Chancellor Steve Bruckman explained that the motion by Board member Gary Reed was a change to the regulation. The regulation would not become effective until 15 days later to allow time for public comment.

This item will was added to the calendar for March 8, 2011, to allow staff the opportunity to amend the item to reflect the Boards intent.

Board Comments

Manuel Baca, Scott Himmelstein

Public Comments

Richard Hansen, Carl Friedlander

Item 2.5 Requests for Exemption from the Fifty Percent Law

Presented by: Dan Troy

Compton Community College District and Mendocino-Lake Community College District (CCD) applied for an exemption from the Fifty Percent Law. Staff recommends a partial exemption for Compton CCD in the amount of \$308,374 and a full exemption for Mendocino-Lake in the amount of \$635,143.

Board member Deborah Malumed: Is Mendocino-Lake CCD still self-insured?

Yes.

Do they have a back-up plan in case something like this happens again? Was there a back-up plan prior to this happening?

Yes, we do have a back-up plan. (Superintendent/President Mendocino-lake CCD, Kathryn Lehner)

When the Administrator's Office closed did you immediately have another one you could turn everything over to?

Not immediately. Claims were not getting filed and we were not getting information back that they were not getting filed. It also happened with the unified school district in our community as well.

Why didn't you just use your reserves?

We could have, had it been known in time to do that.

So this is just because you closed the books without having all of the knowledge?

When you self fund you don't know the actual cost until the year ends. So typically we would have known around June 30 what our total cost for health care was but because this particular administrator went out of business we didn't get those figures until sometime in September. (Larry Perryman, Vice President for Administrative Services)

Board President Scott Himelstein: So this would have happened whether they closed their doors or not?

Yes, but we would have known in time to spend our reserves.

Up until that point, you were getting regular monthly reports in terms of how you were doing and you were right on track for what you would have normally expected to spend?

We could tell by early spring that claims were coming in higher than normal but we didn't know until August/September what the final tab was.

Board member Lance Izumi: These figures are from the 2009-10 fiscal year. How do things stand now?

Things are much better now. We do not anticipate missing this requirement for the current year.

Board member Tanna Thomas: What steps are in place to help prevent this from happening in the future?

We've hired four new full-time faculty that will start next fall and that will help us tremendously. (Superintendent/President Kathryn Lehner)

Board Comments:

Deborah Malumed, Scott Himmelstein, Lance Izumi, Tanna Thomas

Public Comments:

Carl Friedlander

Board member Manuel Baca motioned for the Board to take the recommended action for the Compton Community College District. Board member Isabel Barreras seconded the motion. The votes were unanimous in support of the motion.

Board member Tanna Thomas motioned for the Board to take the recommended action for the Mendocino-Lake Community College District. Board member Benita Haley seconded the motion. The votes were unanimous in support of the motion.

Item 3 Information and Reports

Item 3.1 Update on the Activities of the Foundation for California Community Colleges

Presented by: Paul Lanning, Shiloh London, Jill Scofield (PowerPoint)

Paul Lanning, President/CEO of the Foundation, spoke to the Board about the following Foundation activities:

\$60.1 million has been raised for the statewide Osher Endowment. The Endowment has awarded to date more than 2,600 scholarships throughout the state in the last two years.

The Foundation will launch the California Connects Program on March 23, 2011. This is a digital literacy program funded by a federal grant through the stimulus package that works with the Mathematics Engineering Science Achievement (MESA) programs at community colleges across the state.

The Hands Across California event will be held on April 17, 2011.

Shiloh London, Executive Director of Business Development for the Foundation, walked the Board through the registration process for Hands Across California.

Board members had the following questions/comments and the panel responded.

Board member Deborah Malumed: Do you have the ability to change your location once you have registered?

Yes.

Board President Scott Himmelstein: Are you doing any corporate fundraising?

One of the challenges we've had the last couple of years is getting major corporate employer bases involved in this campaign. They are expressing interest in getting their employees as a public service, community service tool, to get involved in this event and donate to the cause. They are matching gift employers and that is the mechanism where they see their involvement taking shape.

Do you have projections in terms of what you think will be reasonable to raise, vis-à-vis what you are spending to do all this?

The entire operating budget for this event is a little over \$300,000. The bulk of that has been underwritten by corporate sponsorship.

Board member Manuel Baca: How involved have the students been in this effort?

Jill Scofield will discuss the task at hand and that is engaging campuses, engaging the community, helping tell the story about the event and staging the event itself.

Jill Scofield, Director of Public Relations, spoke about four key areas for engaging campuses in the Hands Across America event.

Engage the Campus – This includes informing the major campus organizations and establishing on-campus committees.

Engage the Community – This includes meeting and providing information to community based organizations and posting event information at prominent community locations and businesses.

Help Tell The Story – This includes utilizing campus-based media for stories and promotion and working with campus PIO or marketing staff to pitch human interest stories to local reporters.

Stage the Event – This includes engaging local celebrities, notable alumni in participating in the event and holding on-campus or community events to coincide with the gathering such as concerts and student fairs.

Board Comments

Deborah Malumed, Scott Himmelstein, Manuel Baca, Robert McDonald

Item 3.3 State and Federal Update

Presented by: Marlene Garcia

Vice Chancellor Marlene Garcia provided an update on state and federal legislative activities.

State Update

The deadline for introducing bills was late February. The Legislature is focused on the budget. Policy Committees will start meeting next week.

Key Bills

AB 743 (Block) Common Assessment – This bill would create a statewide common assessment system to place community college students in English, Mathematics, and English as a Second Language courses. This measure would avoid duplication of assessments at different campuses and would allow students to take their test scores with them to any California community college. It would also create a pre-test application where students can take practice tests so that they are

better prepared for their assessments and can consequently take transfer level courses sooner. Chancellor's Office staff estimates that this measure could potentially save between \$3 and \$4 million in assessment costs by reducing duplication among campuses.

Position: Sponsor/Support

AB 1056 (Fong) Electronic Transcripts – This bill would expedite the process for community colleges to convert from paper-based transcripts to an electronic based system by December 31, 2012, by leveraging one-time external funding for this purpose. Implementation of AB 1056 is contingent upon receipt of federal funds or outside philanthropic grants.

Position: Sponsor/Support

AB 285 (Furutani) Community Colleges: Property Tax Backfill – This bill would provide community colleges with an automatic funding backfill of property taxes, similar to the one currently in place for K-12 school districts. AB 285 removes funding uncertainty and avoids mid-year cuts to base programs when property tax revenues come in lower than the estimate provided for community colleges in the budget.

Position: Sponsor/Support

SB 629 (Lowenthal) – This bill isn't included in the summary because it was being amended at the time of this report.

Concurrent Enrollment

AB 160 (Portantino) Concurrent Enrollment in Secondary School and Community College – This bill would make several changes to existing law regarding concurrent enrollment. The bill:

- 1) allows a school district to enter into a partnership with a community college district to determine local concurrent enrollment policies for high school students;
- 2) permits a high school student to concurrently enroll in a community college during any session or term upon notification of the high school principal; current law requires the student to seek permission from the principal before concurrently enrolling in a community college. A student can exercise this opportunity only when all other options to enroll in an equivalent course at their local high school have been exhausted;
- 3) repeals the summer 5 percent cap on K-12 concurrent enrollment, along with related requirements and exemptions in current law; and
- 4) strikes existing law assigning low priority to concurrent enrollment students to ensure that regularly admitted students are not displaced and replaces this with language that prohibits a community college district from assigning any enrollment priority to these students.

AB 835 (Mitchell) Community Colleges: Economic and Workforce Development Program: Dual Enrollment – This bill would authorize community college districts to enroll high school pupils through the concurrent enrollment process who are not residents in their districts. The bill would grant authority for fiscal management of these programs to the California Community College Chancellor's Office.

Distance Learning

AB 626 (Blumenfield) Distance Learning – This bill would define the term “distance learning” in the Education Code for California Distance Learning Policy. Specifically, it would define “distance learning” as a course conducted with over one-half of the instructional content delivered when faculty and students are in different physical places.

AB 851 (Nestande) Distance Learning – This bill would define distance learning as a course where a majority of the instruction is delivered through technology and the student and instructor are in different locations. The bill requires the California community colleges (CCC), the California State University (CSU) and requests the University of California (UC) to report to the Legislature on workload and performance data on distance learning courses starting on January 1, 2014, and every two years thereafter. It also requires the California Virtual Campus, funded through the CCC Chancellor’s Office, and CSU to report to the Legislature on the new California Online Program Planner project by January 1, 2012. Finally, the bill would require the Board of Governors and the CSU to report to the Legislature on the feasibility of developing an online accelerated bachelor’s degree completion program for students who started college but never obtained a degree. The section would be repealed on January 1 2018.

Higher Education Accountability

AB 2 (Portantino) Postsecondary Education: Accountability – This bill would repeal existing higher education accountability requirements and instead establish a new statewide postsecondary accountability framework to biennially assess and report on the state’s system of higher education in meeting certain educational and economic goals. The framework would include 6 statewide policy questions to measure postsecondary performance.

Position: The Chancellor’s Office supported last year’s version of this bill.

SB 721 (Lowenthal) Educational and Economic Goals – This bill would require an “undesignated state entity” to establish a new accountability framework for the state’s postsecondary education system to achieve educational and economic goals. An assessment shall be provided every two years. At this point no dates are specified in the bill.

Workforce Development

AB 554 (Atkins) Employment: Workforce Services – This bill would direct the California Workforce Investment Board and its local boards to develop a policy that establishes collaboration with community colleges develop pre-apprenticeship and apprenticeship programs in the geographic area.

SB 698 (Lieu) Workforce Development: High Performance Boards – This bill would require the Governor to establish, through the California Workforce Investment Board, a process by which to identify high performing local boards. Only those boards would be eligible to receive state discretionary funds and grants. High performing local boards shall, among other things, demonstrate that the local planning process take into account the entire work force training pipeline for the local economy, including the local community college system.

Dream Act

AB 63 (Donnelly) Public Postsecondary Education: Tuition and Fees – This bill would amend state law to conform with federal law granting a member of the Armed Forces, or his or her dependent, entitlement to resident classification for so long as he or she is continuously enrolled at the institution. This bill would also delete the exemption for a person without lawful immigration status from paying nonresident tuition at the California Community Colleges and the California State University. The bill would request the Regents of the University of California to establish the same residency requirements as those established by this bill for students enrolled at the University of California.

AB 130 (Cedillo) Student Financial Aid: Eligibility: California Dream Act of 2011 – This bill would expand the definition of AB 540 to include students who have graduated from adult schools and technical/vocational schools, granted that he or she has spent at least one year in a California high school. This bill would also amend existing law to require the Trustees of California State University and the Board of Governors of the California Community Colleges, and to request the Regents of the University of California, to provide institutional financial aid to students (AB 540 students) who currently are exempt from paying nonresident tuition or fees.

AB 131 (Cedillo) Student Financial Aid – This bill would provide persons who are exempt (AB 540 students) from paying nonresident tuition or fees to be eligible for all student financial aid programs administered by the State of California, including the Cal Grant Entitlement Program. The bill provides an exception for Competitive Cal Grant A and B Awards unless funding remains available after all California students not exempt have received Competitive Cal Grant A and B Awards for which they eligible.

AB 844 (Lara) Student Government: Students Qualifying for Exemption from Nonresident Tuition – This bill would add a provision to the Donahue Higher Education Act that would provide that a student who is exempt from paying nonresident tuition is eligible to serve in any capacity in student government at the California State University or the California Community Colleges and to receive any compensation, as defined, that is connected with that service to the full extent consistent with federal law.

Faculty Issues

AB 965 (Dickinson) Community Colleges: Full-time Faculty Hiring – This bill would require community colleges that have less than 75 percent of their hours of credit instruction taught by full-time faculty to use funds allocated for growth to move toward meeting the 75 percent goal based on a specified formula.

SB 114 (Yee) Community College Part-time Faculty Salary – This bill would require community college districts to determine the compensation of part-time faculty using a salary schedule that places part-time faculty on comparable salary steps as full-time faculty with similar education and experience. The bill would require part-time faculty to be paid in a manner similar to the placement of full-time faculty on the schedule.

Financing

AB 478 (Hernandez) Community Colleges: Funding – This bill would amend existing law that requires the Board of Governors to develop criteria for their annual budget request that is based on specified criteria, including the positive difference between the state unemployment rate and a rate of 5 percent. This bill would increase the community college annual statutory growth rate calculation by removing the 2 percent gap.

This bill is sponsored by the Faculty Association for California Community Colleges.

Other Bills

AB 661 (Block) Baccalaureate Degree Pilot Program for San Diego Community College District

This bill would specify that the San Diego Community College District may establish an eight-year baccalaureate (BA) degree pilot program and report the findings from this project one-year prior to expiration. The BA degrees offered shall be limited to academic programs designed to address unmet workforce needs in the local community, and shall not duplicate existing programs at nearby public postsecondary educational institutions. The local governing board may charge these students a higher fee that covers the cost of the program. The district shall report to the Legislature one year prior to the expiration of the project on the success of the program.

AB 800 (Huber) Boards and Commissions: Time Reporting – This bill would require members of boards and commissions, including as the Board of Governors, to submit a quarterly report to the chair of that board that specifies the time worked by the member fulfilling the duties of that position. Also, the chair of the board or commission shall submit a quarterly report to the Senate and Assembly Committees on Rules and any other policy committee of the Legislature that has jurisdiction over a board or commission that contains copies of the reports received by the chair.

Board members had the following questions/comments and staff responded.

Board Vice President Alice Perez: I think it would be fantastic if as part of AB 800 we could make recommendations about things we think they should be making bills on as well as things they should be doing to make our jobs easier if that were incorporated into the bill that would be very helpful.

Board member Tanna Thomas: Under the matrix you provided on the first page there is an AB 334 (Lowenthal) Community College Board member absent from the state. Can you explain this?

This is a local bill for Long Beach. There is a local individual who needs to be absent for health reasons so this is an accommodation because currently if you miss a certain number of meetings you can no longer serve on the Board.

Federal Update

Board member and Chancellor Scott went to Washington D.C. to participate in the annual Association of Community College Trustees (ACCT) National Legislative Summit and had a productive visit.

There were close to 80 California participants in Washington D.C. and many of those participants attended the Chancellor's breakfast on Tuesday morning. The guest speakers at the breakfast were Hilda Solis, Secretary, Department of Labor, and Frank Chong, Assistant Deputy Secretary for Community Colleges, US Department of Education.

The House approved a continuing resolution to extend by two weeks the amount of time that Congress has to negotiate budget cuts and come up with what they will send to President Obama.

There are approximately 70 people attending and 51 meetings confirmed for Advocacy Day on March 8, 2011. Briefing for Advocacy Day will be at the Capitol in room 4203.

Board Comments

Alice Perez, Tanna Thomas

Public Forum

Robert Shireman, with Higher Education and The California Economy Advisors (a project of the Rockefeller Philanthropy Advisors), spoke to the Board about a project the group is conducting to improve education and the economy in California.

New Business

Board member Deborah Malumed – Spoke to the Board about an editorial in the Long Beach Press Telegram about adopting some reforms from the Legislative Analyst Office about students who have more than 100 credits.

Adjournment

The meeting was adjourned at 3:37 p.m. by Board of Governors President Scott Himmelstein.

Board Members
Present on Tuesday,
March 8, 2011

Manuel Baca
Isabel Barreras
Geoffrey Baum
Barbara Davis-Lyman
Scott Himelstein
Deborah Malumed
Robert McDonald
Alice Perez
Michelle Price
Gary Reed
Tanna Thomas

March 8, 2011

Call to Order

Board of Governors President, Scott Himelstein, called the meeting to order at 8:36 a.m.

Item 4.1 2010 Hayward Awards for Excellence in Education

Presented by: Jane Patton, Scott Himelstein, Jack Scott and Paul Lanning

The following individuals received *2010 Hayward Awards for Excellence in Education*:

Scott R.R. Haskell from Yuba College

Ian Walton from Mission College

Bruce Yoshiwara from Los Angeles Pierce College

Sylvia G. Ramirez from MiraCosta College

New Staff was introduced to the Board of Governors

Item 2 Action

Item 2.2 Title 5 Regulations to Exclude One-Time Funds from the Full-Time Faculty Obligations

Presented by: Steve Bruckman (Handout)

When the item was originally heard on Monday, March 7, 2011, the motion on the floor was for the exclusion of the parcel tax from the full-time faculty obligation number to be granted on a case by case bases. Staff requested that the item be moved to Tuesday's calendar to provide them with time to re-write the regulation so that it states the Board's intentions clearly.

At Tuesday's meeting the update of the regulation with the one-time exception was presented to the Board.

Chancellor Scott spoke to the Board. He stated that in his view it is highly unlikely that any more parcel taxes will be passed.

Board members had the following questions/comments and staff responded.

Board member Geoffrey Baum agreed that the flexibility should be extended to all districts as the regulation was originally proposed.

Board member Manuel Baca: When we are talking about flexibility are we putting time on that? Can you give me some context?

Member Baum is saying he would like the regulation voted on as originally presented. Our other option is granting the exemption to the San Mateo district because they have passed a parcel tax and any other district that is fortunate enough to pass a parcel tax will have to come back to the Board for a similar exemption. (Board President Scott Himmelstein)

Board member Geoffrey Baum motioned for the Board to adopt the regulation as originally proposed without limitation. Board member Isabel Barreras seconded the motion. Board member Manuel Baca abstained from the vote. The votes were unanimous in support of the motion.

Board member Gary Reed withdrew his motion from Monday, March 7, 2011.

Board Comments

Geoffrey Baum, Manuel Baca, Scott Himmelstein

Item 5 Information and Reports

Item 5.1 Update on the Compton Community College District

Presented by: Frederick Harris

Board President Scott Himmelstein stated that the issue of Compton College is very important to all the members of the Board. He thanked Board Vice President Alice Perez for her leadership in keeping Compton College at the forefront and has asked her to help the Board monitor the progress of Compton.

Genethia Hudley-Hayes, recently appointed Special Trustee to the Compton Community College District, spoke to the Board about information she will provide on a monthly basis and her decision to buy out the contract of Dr. Larry Cox, the previous CEO of the Compton Center. She reported that the college has made good progress in working towards meeting the 21 criteria for eligibility. She also stated that she has major concern about the elected Board of Trustees and their understanding of what their role is.

Daniel Villanueva, Chief Business Officer at the Compton Center, spoke about the challenges that the business office faces. He stated that the budget that was adopted by the Board of Trustees was flawed.

Board members had the following questions/comments and staff responded.

Board President Scott Himelstein: Can you give me an example of where the budget is flawed? If you look at the events that happened between September and October between the budget being presented to the Board and adoption, the budget went up \$2 million. Regarding the fifty percent law we know what that number is but the staffing plan doesn't match it. Also my first day in office on December 6, the budget in maintenance and operations was already in the negative and nobody was able to explain why.

Board member Isabel Barreras: In terms of the Board needing to understand their roles and responsibilities, are you familiar with the Association of Community College Trustees? They use Narcissa Polonia who does an excellent job of bring boards together and walking them through that process. I don't know if this is something that would help the Board in Compton and I don't know what you plan on doing in terms of how to address that.
We are aware of that. They have been through that twice now. I'm planning on doing something that is a bit more drastic and direct.

Board member Deborah Malumed: Can you tell me what Dr. Zeronian will be doing?
Dr. Zeronian will be heading the audit committee, it is a performance audit more than the kind of audit we would have if we were doing an outside independent audit for closing our books.

Is former Congressman Mervyn Dymally involved?
He hasn't really been involved in any way other than tangentially. I met with him because, as the author of AB 318 and AB 61, I wanted to know what the intent was. Like my time with Chancellor Scott it was very informative and helpful.

You mentioned that it was a loan all those years back. Is it a loan that has to be repaid?
Yes it's been repaid every year. The college has drawn down \$13 million of the \$30 million.

Board member Barbara Davis-Lyman: Could you address how comfortable you are with where you are in the accreditation process?
After the last flex day I had faculty meet together in an unlike group settings. I've asked them to put together work plans and do the backwards design that's necessary in order for them to do the work they need to do so they are proficient in the twenty-one areas. I think that it's going very well. There is an absolute will at that center to get accredited. They are willing to do the work and they want to do the work.

What is the kind of support that El Camino College is giving Compton in the area of accreditation?
El Camino and President Fallo have put together a senior management committee where seven of his vice presidents and deans regularly come and meet at the center. They are providing coaching, mentoring, and working together with the faculty that are at the center so they can begin to understand how things are done at El Camino, not necessarily to replicate El Camino, but to really understand how one works at creating an educational master plan and how one creates sustainability. There is something called the accreditation team that will consist of the new CEO once appointed. Right now I'm on the team along with President Fallo, Vice President Perez, and

Dr. Francisco Arce, from El Camino. We meet monthly so that we can provide support and get updates. El Camino is doing a great deal to support and they are a good partner to Compton.

Board member Manuel Baca: Are there some things that you can identify that have been positive since this all began or have occurred over the last couple of year or that you found as you came into this responsibility?

One of the most positive things that I did find was the faculty. The quality of instruction and the course offering are quite good.

Board member Geoffrey Baum: When you said the audit hasn't been completed, does that impact El Camino community college district's ability to submit an audit?

El Camino's audit is completed and it's done. It is totally separate from the Compton Community College districts.

What's the search process for the next CEO?

It's called AR 2031 and it is the agreement between El Camino and Compton Community College districts. We are going to do a national search.

Board members thanked Genethia Hudley-Hayes for her candor and for taking on the responsibility of Special Trustee to the Compton Community College District.

Chancellor Scott stated that Genethia was very appealing to him because of her candor and the fact that she has the experience to do this job. Chancellor Scott thanked Genethia Hudley-Hayes and Mr. Villanueva for their work.

Board Comments

Scott Himmelstein, Isabel Barreras, Deborah Malumed, Barbara Davis-Lyman, Manuel Baca, Geoffrey Baum, Tanna Thomas, Alice Perez

Item 5.2 Student Success Task Force Report

Presented by: Jack Scott

Chancellor Scott reported that the Student Success Task Force will meet for the third time on March 8-9, 2011, and the meeting will focus on best practices related to basic skills. The April meeting of the task force will be held in San Francisco in conjunction with the Academic Senate Spring Plenary session. The student success task force website is up and running and it includes the PowerPoint presentations of all the presenters. The website is interactive and it will allow the field to leave comments and suggestions. The website address is www.cccco.edu/studentsuccess

Board Comments

Alice Perez, Deborah Malumed, Manuel Baca

Item 5.3 Board Member Reports

Board President Scott Himmelstein congratulated Board member Lance Izumi on the publication of his new book.

Lance Izumi

Met with Senator Sharon Runner, the new Vice Chair of the Senate Education Committee.

Met with Brigadier General Roberts who is the Deputy Commander of US Army recruiting.

Deborah Malumed

Has been focused on trying to be reappointed and that includes lobbying people, getting letters of support to the Governor's Office, and completing the application.

Had an interview in the Governor's Office a few week ago.

Manuel Baca

Thanked Board member Robert McDonald for the works he's being doing for veterans in the community college system and for arranging a meeting at the Pentagon.

Had a good meeting with Ismael "Junior" Ortiz, Deputy Assistant Secretary for Veterans Employment and Training Services, U.S. Department of Labor.

Had meetings with Department of Labor Secretary, Hilda Solis, US Department of Education Under Secretary, Martha Cantor and US Department of Education Assistant Deputy Secretary of Community Colleges, Frank Chong while in D.C.

Had an opportunity to visit with trade leaders in LA County with Jane Oates, Assistant Secretary, Employment and Training Administration. The trade leaders were expressing concerns about the relationship between the apprenticeship programs and the community colleges.

Isabel Barreras

Had a wonderful time on the trip to Washington D.C. and appreciated the opportunity to advocate on behalf of the California community colleges.

The group meetings with Secretary Hilda Solis and Under Secretary Martha Cantor went well.

Thanked Chancellor Scott, other Board members, Marlene Garcia, José Milan, and others who participated and facilitated the process in D.C.

Gary Reed

Board member Robert McDonald came out to Porterville. They went to the College of the Sequoias and Porterville College and met with the president of the colleges and spent time with students who are involved with veteran services.

Alice Perez

Attended the trip to Washington D.C. and gave special recognition to Stephanie Puentes for doing an exceptional job in addition to Marlene Garcia and the rest of the staff.

Geoffrey Baum

Organized and hosted an event for former First Lady Laura Bush.

Attended the Board meeting at the College of the Desert and met with Dr. Jerry R. Patton. They are doing wonderful things there and would be delighted to have our Board visit at some time.

Participated in and was a co-sponsoring partner with the California Council on Humanities and the California Community College System on a program on political discourse called Democracy in Civic Conversation.

Dr. Jeannette Mann, President of the Community College League of California and the Community College Trustees of California, is undergoing triple bypass surgery today. My thoughts and prayers are with her.

Tanna Thomas

Attended a meeting of the California School Employees Association's Community College Committee in January where she gave a brief report on the activities of the Board and discussed that organizations support of Hands Across California. She also discussed the *Classified Employee of the Year Awards*.

Attended the Asian Pacific Youth Leadership Project annual banquet.

Attended the Yuba College Athletic Hall of Fame Dinner on February 19.

Michelle Price

Spent a lot of time working on the Student Affairs Committee to bring to the Board and appreciates all the support.

The Student Senate is going to have their annual March to the capitol on Monday, March 14, 2011

Barbara Davis-Lyman

Attended the CCLC Legislative Conference in January and helped facilitate a group on accreditation along with Dr. Nicki Harrington.

Attended as a part of CPEC, an improving teacher quality state grants program in Los Angeles

Robert McDonald

Thanked Stephanie and Marlene for a wonderful trip to Washington, D.C.

Met with Will Gunn, General Counsel for the Department of Veterans Affairs and met with Congressman Bob Filner's staff.

Attended a program at the Smithsonian for Black History Month with Board members Alice Perez and Isabel Barreras. While at the event he had an opportunity to meet with Congresswomen Nancy Pelosi, Laura Richardson, and Karen Bass.

Attended the veteran's regional meeting in Sacramento last week.

Public Forum

Jane Patton, President of the Academic Senate – spoke to the Board about the Academic Senate Spring Plenary Session on April 14-16 in San Francisco. She also spoke about the implementation of SB 1440 and reported that three transfer model curriculums were sent out to the California State University campuses and of the colleges that were contacted 16 to 18 said they would accept the transfer degrees.

New Business

No new business was discussed at the meeting

Vice Chancellor Marlene Garcia provided the Board and the audience with instructions for Advocacy Day.

Board President Scott Himmelstein thanked the Board for their participation in the meeting.

Adjournment

The meeting was adjourned at 11:45 a.m. by Board of Governors President Scott Himmelstein.