CALIFORNIA COMMUNITY COLLEGES BOARD OF GOVERNORS
AGENDA

SEPT 12-13, 2011
BUTTE-GLENN COMMUNITY COLLEGE DISTRICT
3536 BUTTE CAMPUS DRIVE
ARTS 160-Theater
OROVILLE, CA 95965
Members of the Board of Governors

Manuel Baca
Geoffrey L. Baum
Natalie Berg
Barbara Davis-Lyman
Benita Haley
Danny E. Hawkins
Scott Himelstein
Lance T. Izumi
Peter MacDougall
Deborah Malumed
Alice Perez
Michelle Price
Henry Ramos
Gary Reed

Officers of the Board

Scott Himelstein, President
Alice Perez, Vice President
Barbara Davis-Lyman, CPEC Representative

Chancellor’s Office
Jack Scott, Chancellor

September 12-13, 2011
Butte-Glenn Community College District,
3536 Butte Campus Drive
ARTS 160-Theater
Oroville, CA 95965
The time listed for meeting of the Board of Governors are approximate. Meetings may begin earlier or later than scheduled, depending upon when a previous meeting adjourns.

2011 Board of Governors Meeting Schedule

Sacramento, CA

January 10-11, 2011

March 7-8, 2011

May 9-10, 2011

July 11-12, 2011

November 7-8, 2011

Butte College

September 12-13, 2011

Mission Statement

“Empowering Community Colleges Through Leadership, Advocacy and Support.”

The Board of Governors of the California Community Colleges, by statute, provides leadership and policy direction in the continuing development of the California Community Colleges system. Among its charges are establishing minimum academic and personnel standards; evaluating and reporting on the fiscal and educational effectiveness of the 72 districts; conducting research and providing appropriate information services; and administering fiscal support programs (both operational and capital outlay).

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

The work of the Board is supported by the staff of the Chancellor’s Office of the California Community Colleges.
NOTICE IS HEREBY GIVEN

that the

Board of Governors of the
California Community Colleges

will meet on

September 12-13, 2011

at

Butte-Glenn Community College District

3536 Butte Campus Drive
ARTS 160-Theater
Oroville, CA 95965

(530) 895.2484

This Agenda is available at www.cccco.edu
C CCC Shared Governance Hour • September 2011
See it on 3CTV Channel 80 or on the web at http://www.3cmediasolutions.org/
Live from Butte Glenn Community College District
California Community Colleges Board of Governors Meeting
Monday, September 12, 9:00 am - 5:00 pm
Tuesday, September 13, 9:00 am - 12:00 pm
Channel: 3CTV

Watch the live broadcast (or visit 3C Media Solutions’ website for the link to the webcast) of the California Community Colleges Board of Governors meeting. The Board of Governors of the California Community Colleges sets policy and provides guidance for the 72 districts and 112 colleges, which constitute the system. The 17-member Board, appointed by the state’s Governor, formally interacts with state and federal officials and other state organizations. Legislation affecting the California Community Colleges is, for the most part, channeled through the Board of Governors and presented to the Legislature. For more information about the Board of Governors, please visit the Chancellor’s Office website.

REBROADCAST DATE:
Unavailable for the live broadcast?
Watch the meeting rebroadcast in its entirety on:
Monday, September 19, 8:00 am - 5:00 pm
Channel: 3CTV

How to participate (applies to both live and rebroadcast events):
• Visit http://www.3cmediasolutions.org/pages/programming/how-to-view.html to find an Affiliate nearest to you.
• Contact your Affiliate to set up a viewing room or make arrangements for program to be videotaped.
• Tune into 3CTV for this event!
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Minimum System Requirements
• Windows (Pentium)
• 32 Mb RAM (64 Mb highly recommended)
• Internet access with at least a 56K modem (ideally DSL, cable, T1 or above)
• Microsoft Internet Explorer v. 5.5 or higher
  (it’s recommended you download the newest version for a better experience)
• Windows Media Player (v. 6.4 or higher)
• Sound card
• Speakers or headphones

For immediate assistance, please contact: tel: 760-744-1150 Ext. 2607
3C Media Solutions (formerly CCCSAT) is funded by a grant from the Chancellor’s Office, California Community Colleges.

Programs subject to change without notice.
Check the 3C Media Solutions’ website for the latest broadcast schedule.
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Board of Governors Meeting  
Monday, September 12, 2011  
9:00 a.m.

Butte-Glenn Community College District  
3536 Butte Campus Drive  
ARTS 160-Theater  
Oroville, California 95965

All Board of Governors meetings are held in locations that are wheelchair accessible. Other disability-related accommodations, such as alternate media materials, sign language interpreters, or real time transcription, will be provided to persons with disabilities upon request. Persons requesting such accommodations should notify Njeri Griffin, 1102 Q Street, Sacramento, California, 95811, ngriffin@cccco.edu, (916) 445.8508, no less than five working days prior to the meeting. The Chancellor’s Office will make efforts to meet requests made after such date, if possible.

Public testimony will be invited in conjunction with Board discussion on each item. A written request to address the Board shall be made on the form provided at the meeting.

Persons wishing to make a presentation to the Board on a subject not on the Agenda shall address the Board during the time listed for Public Forum.

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

Roll Call

Pledge of Allegiance

Welcome from Dr. Kimberly Perry, Superintendent/President  
Butte-Glenn Community College District
President’s Report

Chancellor’s Report

Consent Calendar

Approval of the Minutes

July 11-12, 2011, Board Meeting Minutes

Approval of Contracts and Grants

This item presents contracts and grants for Board approval.

Action

Proposed Revisions to the Title 5 Regulations Noncredit Course and Program Approval (Sections 55150, 55151, 55152, 55153, 55154 and 55155)

This item proposes changes to regulations as they relate to noncredit course and program approval in title 5 sections 55150 through 55155, inclusive.

2012-13 System Budget Proposal

This item presents the proposed 2012-13 California Community Colleges System Budget Request for the Board of Governors’ approval.

Information and Reports

Budget Reduction Impact

This item presents a summary of the budget reductions experienced by the California Community College system over the past several years.

Update on the Activities of the Foundation for California Community Colleges

The item presents an update to the Board on the activities of the Foundation for California Community Colleges.

2012-13 Systemwide Five-Year Capital Outlay Plan

This item presents information on the 2012-13 Systemwide Five-Year Capital Outlay Plan.

Complete College America

This item presents information to the Board on the Complete College America grant.

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Lunch 12:00 noon – 2:00 p.m.

State and Federal Legislative Update  Item 3.5
This item presents an update on state and federal legislative activities.

Little Hoover Commission Report  Item 3.6
This item presents an update on the review of the California Community College System by the Little Hoover Commission.

Student Success Task Force Update  Item 3.7
This item will provide the Board with an update on the progress of the Student Success Task Force and an opportunity for public comment.

PUBLIC FORUM

People wishing to make a presentation to the Board on a subject not on the Agenda shall observe the following procedures:

A. A written request to address the Board shall be made on the form provided at the meeting.
B. Written testimony may be of any length, but 50 copies of any written material are to be provided.
C. An oral presentation is limited to three minutes. A group wishing to present on the same subject is limited to 10 minutes.

NEW BUSINESS

ADJOURNMENT
Welcome to the Board of Governors from Constituent Groups

First Reading

Board of Governors Meeting Dates for 2013  Item 4.1
This item presents the proposed 2013 Board meeting dates.

Nomination of Board Officers  Item 4.2
This item calls for the nomination of Board officers for 2012.

Board of Governors Campus Visit for 2012  Item 4.3
This item presents the Board with an opportunity to consider the location(s) for its campus visit in 2012.

Revisions to the Disciplines List  Item 4.4
This item presents a revision to the disciplines list that is used to implement the minimum qualifications for employment of faculty and administrators.

Information and Reports

Addressing the Mental Health Needs of California Community College Students  Item 5.1
This item provides information on efforts underway to address the mental health needs of California Community College students and announces a $6.9 million grant that will help support this work.

Instructional Materials  Item 5.2
This item presents an update on the instructional materials issue that has received public attention over the last few months.

Board Member Reports  Item 5.3
Board members will report on their activities since the last Board meeting.

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**PUBLIC FORUM**

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**NEW BUSINESS**

**ADJOURNMENT**
Representatives of the Board

Committee on Budget and Finance
Geoffrey Baum
Scott Himelstein

Committee on Legislation
Manuel Baca
Michelle Price

Foundation Board
Gary Reed
Henry Ramos

California State University
Doctoral Program Committee
Benita Haley

Student Affairs Committee
Michelle Price
Alice Perez

Veterans Committee
Manuel Baca

Joint Advisory Committee on
Career Technical Education
Lance Izumi

California Postsecondary
Education Commission
Barbara Davis-Lyman, Representative
Geoffrey L. Baum, Alternate

Economic and Workforce Development
Program Advisory Committee
Barbara Davis-Lyman
Alice Perez

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July 11, 2011

Call to Order
Board of Governors President, Scott Himelstein, called the meeting to order at 9:30 a.m.

Item 1 Special Presentation

Item 1.1 2011 Dr. John W. Rice Diversity and Equity Awards

Presented by: Scott Himelstein, Jack Scott, Tosh Shikasho

Board President Scott Himelstein opened the awards ceremony that was held at the Sterling Hotel in Sacramento CA. Sacramento Mayor Kevin Johnson welcomed everyone to the ceremony and to Sacramento. Board Vice President Alice Perez spoke about Dr. John W. Rice. Chancellor Jack Scott spoke about the diversity at the California community colleges and introduced Clara Rice.

Clara Rice spoke about her husband Dr. John W. Rice and acknowledged all of the award recipients. She also thanked everyone for honoring her husband’s memory.

The recipients of the 2011 Dr. John W. Rice Diversity and Equity Award are:

- Mr. Ignacio Ponce, Santa Barbara City College
- Dr. Lisa Aguilera Lawrenson, American River College
- The Veterans Support Program, Santa Barbara City College

Return to the Chancellors Office

Presidents Report

President Scott Himelstein:

Welcomed newly appointed Board member Danny Hawkins.

Gave the commencement speech at Cuyamaca College.
Chancellor’s Report  
*Chancellor Jack Scott*

Thanked Paige Marlott-Dorr and the communications division for their hard work on the *Dr. John W. Rice Diversity and Equity Awards Program*.

Announced the appointments of Van Ton-Quinlivan, new vice chancellor for Economic and Workforce Development and Paul Feist, new vice chancellor for Communications.

Gave commencement speeches at Chaffey College, Merritt College and Palo Verde College.

Attended the Chancellor Circle events on May 25 at College of San Mateo and on June 28 at Los Angeles Valley College.

Participated in Governor Jerry Brown’s press conference on the tax increase.

**Item 1 Special Presentation**

**Item 1.2 Resolution**
*Presented by: Scott Himelstein*
This item presented a resolution to former Board member Robert V “Bobby” MacDonald.

**Board Comments**  
Alice Perez, Manuel Baca

**Item 1.3 Resolution**
*Presented by: Scott Himelstein*
This item presented a resolution to Dr. Norman Levan. Dr. Levan’s gift of $14 million was the single largest donation given to a community college in US History.

**Item 1.4 Certificate of Appreciation**
*Presented by: Jack Scott and Marlene Garcia*
This item presented a certificate of appreciation to Stephanie Puentes, Executive Fellow at the Chancellor’s Office.

**Item 2 Consent Calendar**

**Item 2.1 Approval of the Minutes**
This item requested Board approval of the May 9-10, 2011, Board meeting minutes.

Board member Manuel Baca motioned for approval of the May 9-10, 2011, Board meeting minutes. Board Vice President Alice Perez seconded the motion. The vote was unanimous in support of the motion.
Item 2.2  Approval of Contracts and Grants

Presented by: Steve Bruckman

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

Board member Lance Izumi motioned for approval of the contracts and grants. Board member Barbara Davis-Lyman seconded the motion. The vote was unanimous in support of the motion.

Board Comments
Deborah Malumed

Item 2.3  2012-13 Systemwide Five-Year Capital Outlay Plan

Presented by: Dan Troy

This item presented the 2012-13 Systemwide Five Year Capital Outlay Plan to the Board.

Board members suggested looking at what investment means in a more systematic evolving context and how the Board can monitor local projects without jeopardizing local control.

Chancellor Scott spoke to the Board about how the facilities program is funded.

Board member Peter MacDougall motioned for approval of the 2012-13 Systemwide Five Year Capital Outlay Plan. Board member Benita Haley seconded the motion. The vote was unanimous in support of the motion.

Board Comments
Peter MacDougall, Henry Ramos, Alice Perez

Item 2.2  Approval of Contracts and Grants

Presented by: Erik Skinner

Executive Vice Chancellor Erik Skinner spoke to the Board about a $2 million grant that was given to the California Community Colleges from the California State Assembly. One million dollars of this grant will go toward augmenting book grants for Extended Opportunities Programs and Services students and the other million will go towards student success initiatives.

Board member Lance Izumi amended his original motion on the approval of the contracts and grants to include this grant from the California State Assembly. The motion was seconded by Board member Benita Haley. The vote was unanimous in support of the motion.

Board Comments
Deborah Malumed, Scott Himelstein
Item 3 Action

Item 3.1 Proposed Amendment to Board of Governors Standing Order, Chapter 3, Article 333- Student Senate
Presented by: Linda Michalowski
This item addresses the issues of eligibility and conduct for the Student Senate for California Community Colleges (SSCCC). The Chancellor’s Office is requesting that the Board amend their Standing Orders, so that the Chancellor’s Office has the right to verify the eligibility of students who serve on the Student Senate and the right to immediately intervene if the conduct of students is improper when they are participating in all SSCCC events that the Chancellor’s Office is directly responsible for, including contracting with hotels.

Vice Chancellor Michalowski introduced Kevin Feliciano, President of the Student Senate to the Board. Mr. Feliciano spoke to the Board about the proposed amendments to the Standing Order. He shared that the Student Senate supports the changes to the Standing Orders but would like the words not limited to and establishing in paragraph C to be removed.

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

Board member Michelle Price: Supports the Standing Orders item as is.

Board member Henry Ramos: Is there anyone who can give the Board an example of overreach by the Chancellor’s Office?
Vice Chancellor Michalowski: What the students have said to me is that they have not seen any examples where the Chancellor’s Office has overreached its authority. The problem is that they believe this language would be in effect forever and that there could come a time in the future when someone else might be in charge and might wish to exercise a different control over the student senate than what they have experienced.

Board member Peter MacDougall motioned for approval of the amendments to the Standing Orders. Board Vice President Alice Perez seconded the motion. The vote was unanimous in support of the motion.

Board Comments
Michelle Price, Henry Ramos, Peter MacDougall

Public Comments
Kevin Feliciano, Anita Latham, Frankie Moore, Alex Pader, Rachael Richards, Jeffrey Fong, Lee Fuller, Michelle Pilati, Charles Stevens, Eric Chisler, Nevin Sarina
Item 3.2 Proposed Title 5 Change on Apportionment Limit for Enrollment in Credit Courses (Sections 55024, 55040, 55042, 58161 and 58161.5)

Presented by: Linda Michalowski and Barry Russell

The proposed regulation changes will:

Establish a limit on the number of times a district can receive apportionment funding for students who reenroll in a single credit course. District would be able to receive apportionment funding for three enrollments and be allowed one additional funded enrollment on an appeals basis.

Would not apply to certain students including but not limited to, students leaving for a military withdrawal and students who are required to repeat a course in order to meet the terms of their employment.

Vice Chancellor Michalowski explained that since the May 2011 meeting, the Chancellor’s Office used a different methodology to get a clearer picture of what happens to students who take courses multiple times and the new data is included in the Board item.

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

Board member Deborah Malumed: A repeatable course sounds like an enrichment course, is that what you are talking about?
The discussion about enrichment classes may also bring in the discussion of noncredit courses as well. We are having discussion now on what would be the appropriate repeatable language to go forward with. That discussion includes courses that could be considered enrichment courses.

Board member Deborah Malumed: I’ve heard that some colleges have not decreased their enrichments classes. Why not include all the classes in this policy and then come out with some modifications?
The same class that is an enrichment class for one student can be a major for another. I don’t think you can look entirely at the kind of class, in some cases you have to look at the enrollment pattern and the educational objective of the student.

Board member Henry Ramos: Would returning veterans be included in the disability category that you spoke about?
Any student with a disability whether they are a veteran or not is entitled to reasonable accommodations for their disability.

Board member Michelle Price: I heard a lot of people say this item will shut the door on the students who need to repeat classes. I see it as shutting the door on the people who can’t get classes. If you are repeating a class three or four times you are taking a seat from a student who can’t get in at all.

Chancellor Scott spoke to the Board about this item and stated that the system is rationing classes. He said the real issue is telling first time students we don’t have classes for them when you have students who are taking up seats that are repeating the classes several times.
Board Vice President Alice Perez: I was one of those students who had to repeat a class several times. I’m hopeful of two things. That everyone who is in support of this will take into consideration that sometimes the courses don’t line up to what the student has to take and that on the local level you are ensuring that the student gets the support they need to be successful in the courses. Also if you have a student who is determined and driven take that into consideration and don’t just say three strikes you’re out but you find a way to help that student to be successful.

Board member Barbara Davis-Lyman: Many speakers talked about intervention. If this passes I think there has to be a strong statement from this Board that intervention is a part of this too.

Board Vice President Alice Perez made an amended motion to pass this item but to keep withdrawals separate from grades.

After the motion by Board Vice President Alice Perez, Vice Chancellor Linda Michalowski explained that the data that was handed out from City College of San Francisco separates the withdrawals from the grades, but the data in the Board item includes withdrawals with the grades. She further explained that in order for the regulations to separate withdrawals, this item would have to be rewritten and brought back to the Board at a future date.

Board member Peter MacDougall motioned for the Board to approve the item as it was presented in the agenda. Board member Michelle Price seconded the motion. Board Vice President Alice Perez abstained from the votes. Other than the abstention the vote was unanimous in support of the motion.

Board member Gary Reed: I thought the Student Success Task Force would be looking at issues like this and bundling them into a presentation that we would take into consideration as a whole. I’d like to ask the members of the task force, where are we going with the Student Success Task Force if we are going to take items like these separately?

Chancellor Scott: There are things that the Student Success Task Force is in agreement with and we don’t mind these things being acted upon by the Board of Governors.

**Board Comments**
Deborah Malumed, Henry Ramos, Michelle Price, Alice Perez, Barbara Davis-Lyman, Gary Reed

**Public Comments**
Anita Latham, Karen Saginor, Jeffrey Fong, Leslie Smith, Kevin Feliciano, Toni Gomez, Richard Hansen, Michelle Pilati, Scott Lay, Nevin Sarina
Item 5 Information and Reports

Item 5.5 Little Hoover Commission Review of California Community Colleges
Presented by: Stuart Drown
Executive Vice Chancellor Erik Skinner introduced Stuart Drown, Executive Director of the Little Hoover Commission to the Board.

The Little Hoover Commission is looking at the systems’ governance, structure, authority, and resources to see if the system is sufficient enough to serve students, employers and the state. The commission is also looking at what the state is asking community colleges to provide and if, based on current resources and other aspects of the educational master plan, the state is asking too much.

Mr. Drown spoke to the Board about:

What the commission knows.
- Individual colleges/districts are developing programs to meet local and regional needs.
- The Chancellor’s Office and its partners are looking at ways to build more efficiency across the system.
- The Student Success Task Force is developing recommendations to improve student outcomes.

Concerns the commission has.
- Impact of budget cuts on the system.
- The number of students being turned away.
- How long it takes some students to finish at community college.

What questions the commission is asking.
- As currently structured does the system have the capacity to lead this charge?
- What structure would be better?
- What are the hurdles that exist to moving toward such a structure?

What the commission has heard from stakeholders.
- The community college system is challenged by its governance structure.
- The Chancellor’s Office should be restructured and its statute as a state agency prevents the office from exercising adequate coordination and leadership.
- The Chancellor’s Office doesn’t have adequate authority on how the office itself operates.
- Problems can arise when state and local priorities don’t align.
Board members had the following questions/comments and the panel responded.

Board President Scott Himelstein suggested talking to members of the Board.

Board member Deborah Malumed suggested that the Board visit the Little Hoover Commissions website to view their meeting and presentations.

Board member Peter MacDougall spoke about the contradiction/dilemma between educating students and turning students away. He also spoke about the cost of higher education.

board member Henry Ramos: To what extent are you engaging with other stakeholders who are partner organizations in the enterprise of educating and preparing our population for future jobs? To keep pace with the challenges that have been discussed we are running behind, we’re not synchronized, we’re not aligned, and we’re not talking about integrated strategies. My hope is that as the Little Hoover Commission looks at our work and our charge moving forward, that it will not do so in a vacuum but in an integrated, multi-part perspective about how these pieces all fit together in the most optimal way. Is that something that we can anticipate or is that too much to ask for an already very large agenda? We are looking at where the flexibility is and what can be done to encourage regional approaches. We also see where community colleges are working with nearby state colleges and universities.

Board Comments
Scott Himelstein, Deborah Malumed, Peter MacDougall, Henry Ramos

Item 5.1 Update on the Activities of the Foundation for California Community Colleges
Presented by: Paul Lanning
Paul Lanning, President/CEO of the Foundation, spoke to the Board about the following Foundation activities:

A total of $67,394,737.00 was raised for the Osher Endowment.

Becky Michael, Executive Director of the Columbia College Foundation and Mike Stepanovich, Executive Director of the Bakersfield College Foundation spoke to the Board about their efforts to raise money for the Osher Endowment.

32 colleges met or exceeded their Osher campaign goal.

JP Morgan has made a verbal commitment of $1 million to be invested into the system to benefit veterans support services in our system over the next four years. JP Morgan will also underwrite some of the cost of the Veteran’s Summit that is being planned for this fall.

The Foundation finished the 2010-11 fiscal year with net positive revenue. Despite the loss of the TANF contract taking effect July 1. They project net positive revenue, and greater net revenue, for the 2011-12 fiscal year.
Board members had the following questions/comments and the panel responded.

Board President Scott Himelstein: Congratulated Paul Lanning on his hard work. What are the criteria to get a scholarship from the endowment?
24 completed units, satisfactory academic standing, currently enrolled in six units and a Board of Governors fee waiver recipient. Some of the scholarships have additional criteria depending on how they were set up.

Board member Lance Izumi: Congratulated everyone involved with the Osher Endowment. For the representatives from Columbia and Bakersfield College, do you feel that going forward you have a donor base that will continue to give to the colleges?
I would say absolutely for Columbia College, that is definitely our goal. I agree with that for Bakersfield College. The Osher Endowment and the gift from Dr. Levan have created a huge awareness for the need for people to give to community colleges.

Board Vice President Alice Perez commended Paul Lanning and the staff at the Foundation for the job they did with the Osher Endowment.

Board member Peter MacDougall: Also thanked Paul Lanning. This morning Dr. Levan was acknowledged for his gift to Bakersfield College. If Bakersfield College had taken $10 million of his gift and applied it to the Osher scholarship, would that have been augmented by $5 million or would that not have been possible.
It would have been but the reason it did not happen is because Dr. Levan had other criteria and goals for his gift.

Board member Henry Ramos: We left about $20 million dollars on the table and although the Osher match is no longer in play I would hope that we continue to work toward that $100 million goal.

Board member Manuel Baca: This is a tremendous accomplishment and I congratulate everyone for their hard work. The Osher Endowment is a significant contribution to the system and there is no reason why we can’t memorialize the scholarship by ensuring that it reaches that goal.
We have heard from some colleges that would like to continue to add to their endowment bucket because they do see the value of it and the excitement of it. They have also built operations that they didn’t have a few years ago and now have the ability to continue to raise funds.

Board members Barbara Davis-Lyman: There are obviously some best practices here and we should put something together that talks about how you did it.
We have plans to create a case study around the entire experience of the campaign from negotiating the Osher gift back in 2007 all the way through the successes of some of our colleges and some of the challenges. The Osher Foundation would like to see a report also. This report will come to this Board, the Osher Board and the Foundation Board.

Board member Peter MacDougall: If money had been raised at the state level from money that was given to the Foundation could that have been used as a match or would it have had to be local campus that raised the money?
The Edison gift that I referenced came through the Foundation. There were other donors that made gifts through the Foundation.

Board member Peter MacDougall: What percentage of what was raised came through the Foundation?
About 20 – 25 percent of the total.

Board member Deborah Malumed: Have you offered this information to the press, so that each community knows what their college raised?
Yes, the final date for the transfer of funds was Friday. This is hot off the press this morning and we are preparing a press announcement and sharing it with the field as well.

Board Comments
Scott Himelstein, Lance Izumi, Alice Perez, Peter MacDougall, Henry Ramos, Manuel Baca, Gary Reed, Barbara Davis-Lyman, Deborah Malumed

Item 5.3 Update of the 2012-13 System Budget Request
Presented by: Dan Troy
This item was moved to the Tuesday, July 12, 2011, calendar. However the Board heard public comments on this item.

Public Comments
Paula McCraskey, Brandon Tartaglia

Item 5.2 State Budget Update
Presented by: Dan Troy
Vice Chancellor Dan Troy updated the Board on the state budget.

The state budget was passed by a majority vote.

Governor Jerry Brown signed the state budget on June 30.

California Community Colleges will receive a $400 million cut to base funding, student fees will increase to $36 per unit, there are new deferrals that total $129 million, no funding was provided for COLA or growth, and there was no restoration of categorical program reductions.

There was an overall cut to higher education of $1.7 billion.

Department of Finance (DOF) estimates a $3 billion operational shortfall for 2012-13.

Vice Chancellor Troy spoke to the Board about some of the risk associated with this budget.

Fee Shortage – DOF may be over estimating the amount of fees that will be collected. Staff feels there is another $25-$30 million deficit unintentionally built into the system budget.
Assumed new revenues of $11.8 billion – If the new revenues do not materialize by or before December 15, 2011 there will be midyear cuts that will impact community colleges. Community colleges could face an additional cut of up to $102 million and fees could be increased to $46 per unit.

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

Board member Peter MacDougall: Is there any option that will allow voters to decide if they want to increase or continue taxes that are already in place? Was there any impact on the Chancellor’s Office budget that the Board should be aware of?
I don’t think there will be a vote for the current year. There were no specific cuts to the Chancellor’s Office budget.

Board member Manuel Baca: You mentioned the possible increase to $46 per unit. Where do you think that conversation will lead?
We have had discussion with the Governor’s Office and DOF on that. My sense is that the cut will be implemented if the revenue does not come in.

Board member Manuel Baca: Leave the cut as it is presented and defer the fee increase to a later date?
Yes, that seems to be where DOF is willing to give.

Board member Peter MacDougall: Should the Board go on record with a resolution of some type where we note the deterioration of access to higher education and the negative consequences of that access to the state of California. I would like to request that at our next meeting we have a resolution for Board actions that will voice our extreme displeasure for what is happening to the California community college and our ability to serve the state of California.

Board President Scott Himelstein: I will have a discussion with the Vice President Alice Perez and Chancellor Scott to bring something forward for consideration.

Chancellor Jack Scott: Thank you for that suggestion. I will pledge that the staff will work on that. I agree that some kind of statement should go out. It may be appropriate for us to highlight what is happening to the Legislature and Governor. We will discuss a controversial two year bill tomorrow that proposes what community colleges can do when they can’t serve thousands of students that are knocking on the door and how that will impact the state of California.

Board member Deborah Malumed: I would like to suggest a report on the deterioration of the system that we can present to the Legislature and Governor instead of a resolution.

Board President Scott Himelstein: I got the impression from Board member MacDougall’s comments that this was not aimed at the Legislature but more a statement of concern. I would like to suggest that we take Board member Malumed suggestion and work on that report. I am also willing to work with the Chancellor and Vice President Perez on a potential statement, understanding that there is no intended blame, but a statement of our concern.
Board member Benita Haley: I agree with Board member Malumed. I also think it should be something that isn’t necessarily aimed at the Legislature, but a public announcement of our general concern.

Board member Manuel Baca: I trust that both of you are in a position to say what needs to be said without offending a whole bunch of people.

Board member Barbara Davis-Lyman: We’ve heard from numerous speakers about how many degrees by 2020, and I think that kind of information needs to be in there.

**Board Comments**
Peter MacDougall, Manuel Baca, Deborah Malumed, Benita Haley, Barbara Davis-Lyman

**Public Forum**
There were no comments during public forum.

**New Business**
No new business was discussed at this meeting.

**Adjournment**
*The meeting was adjourned at 4:39 p.m. by Board President Scott Himelstein.*
July 12, 2011

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

Item 5 Information and Reports

Item 5.4 State and Federal Update
Presented by: Marlene Garcia

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

State Update

The Legislature is on recess and will be returning on August 15.

Policy committees for both houses completed their work last week.

The final day of session is September 9. Bills that are not approved by then are eligible to be two year bills.

The Governor blue penciled funding for the California Postsecondary Commission as of July 1.

Key Bills

AB 515 (Brownley) Postsecondary Education: Community Colleges – This bill establishes a pilot community college extension program. The local community college governing board would be permitted to establish a pilot extension program that offers credit courses and set student fees that cover the full cost of instruction. The bill also specifies that collective bargaining and title 5 regulations would still apply.

Comments: At the request of the author, the bill was held in committee to provide the author and staff an opportunity to work with key policy makers in crafting additional amendments to the bill. This bill was sponsored by Santa Monica Community College and College of the Canyons.

Location: AB 515 was held in the Senate Committee on Education, and is now a 2-year bill.
Vice Chancellor Garcia reported that there was almost unanimous opposition on the part of faculty and strong support among some of the colleges, CEOs and boards of trustees around the state. The Chancellor’s Office was called on by the author of the bill to help resolve some of the major policy issues and to help narrow the scope of this bill. The Chancellor’s Office indicated to the author that it may support a pilot of this bill if the pilot were narrow in scope and if other provision and conditions were made including ensured financial aid access to low income and needy students, prohibiting colleges to participate if they had not met or exceeded their cap for the prior year, etc.

**SB 292 (Padilla) Community Colleges: Transfers** – This bill clarifies issues that have emerged due to implementation of the Student Transfer Achievement Reform Act (STAR program). The bill amends the Act by requiring that for the purposes of enrollment planning and admissions to the California State University community college students who complete the STAR program degree shall be granted priority in enrollment consistent with the priorities outlined in existing law. Another major amendment to SB 292 requires community colleges and districts to ensure reciprocity in the acceptance of similar courses/credits from other community college campuses.

Vice Chancellor Garcia reported that this bill is a placeholder for Senator Padilla. An informational hearing will be held July 20, at Southwest College. After the hearing staff will revisit the language to see if there are any suggestions that they would like to make to the author.

**Position:** Support

**AB 1115 (Lara) Local Workforce Investment Boards** – This establishes statewide standards for local workforce investment boards. One new standard would allow the local workforce investment board to create a list of approved training providers. Community college career technical education programs would automatically be placed on this list.

**Location:** AB 1115 passed the Senate Committee on Labor and Industrial Relations, and set for hearing on August 15, 2011, in the Senate Committee on Appropriations.

**Position:** Support

**AB 160 (Portantino) Concurrent Enrollment in Secondary School and Community College** – This bill allows a school district to enter into a partnership with a community college district to determine local concurrent enrollment policies for K-12 students, including the ability to establish enrollment priority for concurrent enrollment students and to remove the five percent summer enrollment cap. Another key provision permits a school district to authorize a student, upon the recommendation from a community college administrator in a career technical education program area or other appropriate administrator, to attend a community college and take career technical education courses. This provision applies to students attending partnership and non-partnership school districts. Current law requires a high school student to secure a principal’s recommendation to attend at a community college.

**Location:** AB 160 passed the Senate Committee on Education, and set for hearing on August 15, 2011 in the Senate Committee on Appropriations.
**Position:** Support

**Federal Update**
Congress has not addressed the debt ceiling issue. The August 2, deadline is approaching and they need to have a compromise in order to move forward on various budgeting matters.

The House has its version of the budget that has stalled in the Senate. The Senate is looking at its appropriation measures and has yet to take action.

The three items that we are paying close attention to:

- **Gainful Employment Regulations from the Department of Education effective July 1, 2011** – These regulations require all higher education institution that offers occupational training programs to display program information on their website such as program cost, on time completion rates, job placement rates for students completing a program, etc.

- **Federal Pell Grant Program** – There is an $11.2 billion shortfall in Pell Grant funding. Republicans have suggested reducing the maximum Pell Grants award to around $3000, while Democrats would like to maintain the maximum Pell Grant award at $5,550.

- **Trade Adjustment Assistant (TAA) Program** – This program includes the community college and career training grant. There was talk of eliminating the TAA program however the Obama Administration reached a deal with key lawmakers to renew the TAA program in combination with the free trade agreements.

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

Board member Deborah Malumed: How does SB 79 affect community colleges?
That bill is part of a large tax measure. We are looking at it right now and trying to understand if there are implications for community colleges.

Board member Deborah Malumed: Are they taking money that we have sitting around, waiting to be disbursed and putting it into a higher interest account? Will it affect the local colleges?
Unlike UC and CSU we aren’t going to have reserves from the prior year’s sitting around. Our concern is if they were to take a big chunk of our apportionment and put it into an account like this it would cause colleges to be concerned that the money wouldn’t come in and maybe they would reduce offerings for that year. This bill could undergo many changes.

Board President Scott Himelstein: Will CPEC continue to hold board meeting and will we continue to be represented there.
Board member Barbara Davis-Lyman: CPEC will be meeting with the Governor’s Office to discuss having their scheduled September meeting and possibly the December meeting.

**Board Comments**
Deborah Malumed, Scott Himelstein
**Item 5.3  Update on the 2012-13 System Budget Request**

*Presented by: Dan Troy*

Vice Chancellor Dan Troy spoke to the Board about the 2012-13 System Budget Request.

The budget workgroup met in June and the recommendations are as follows:

- Categorical restoration
- COLA restoration
- Growth funding

These requests are similar to the 2011-12 requests.

The workgroup also suggested the following new funding proposals:

- Equalization funding for career development and college preparation noncredit courses.
- Grants for district to study ways to improve retention rates for distance education courses.
- Funding for the student senate.
- Setting money aside for the recommendations of the student success task force.
- Setting money aside for unemployment and/or returning veterans. No specific dollar amount was suggested.
- Proposals for one-time funding that may be available.

Vice Chancellor Troy asked the Board to provide feedback on and to consider the priorities that the workgroup laid out.

*Board members had the following questions/comments and the speaker responded.*

Board Vice President Alice Perez: I would question asking for an increase in funding when it doesn’t look like that is likely to happen. I think it’s more appropriate to look at the current funding that we have and how to manage within that budget. When you talk about supporting student success are there specific areas of student success that we are looking at from a funding perspective to support?

I think it is beneficial to make a significant request, if we don’t document our needs and ask for things I think there will be a growing sense that we don’t think it’s necessary. I do think we want to have a document where we lay out the hits that the system has taken and how we do need the money to support students. I think there are some benefits to making the full request even though we know it won’t be granted. That said, I think we do want to show that we are being efficient and if we are going to make proposals for new programs showing a willingness to move some money around may be a wise approach. There was no specific proposal there. I think the group just wanted to show support for the work of the task force.
Board Vice President Alice Perez: From a student success perspective I’d like to see specific funding request in the categories of counseling services and basic skills services.

Board member Peter MacDougall: I support the three priority items. I think the request to be made whole on all three of those areas is absolutely critical. What is the amount of funding that is required to make us whole in all three categories? We need $360 million in growth restoration, $830 million in COLA restoration, and $313 million in categorical restoration.

Board member Henry Ramos: I want to talk about the distance education request. I’d like to know a little bit about the logic behind that request. If I understand correctly you were talking about grants that would be made to different segments of the system to do individual research on certain related topics. I wonder if it would be better to do a singular assessment. I think the price seems high based on the comments of Vice President Perez of the funding environment. There should be more substantiation on what the case if for this additional funding. I think you can argue that a grant for $1 million a year would be fine to do that study. I think if we go forward with that request we could fund it at many different levels.

Board President Scott Himelstein: While I agree with making us whole I think we have to ask the people who are going to be in the meetings with the Legislature and the Governor, is that the appropriate way to go or do we present it in a way where we say we’d like to get a certain amount now and over time get more. I would also request putting a member of the Board on the budget workgroup.

Chancellor Scott stated that he feels you always have to ask for more and if you come to the table saying we can live with what we have the Legislature and the Governor are more than willing to accept that estimate. He also thinks the three priorities are the most important.

Board member Peter MacDougall: I concur with everything that the Chancellor has said. I think our fundamental responsibility as a Board is to present a budget that represents the fundamental needs of the system and as the process proceeds being politically astute as to what is possible to obtain.

**Board Comments**
Alice Perez, Peter MacDougall, Henry Ramos, Scott Himelstein

**Public Comments**
Kevin Feliciano, Rachael Richards
Item 4 First Reading

Item 4.1 Proposed Revisions to the Title 5 Regulations: Noncredit Course and Program Approval (Sections 55150, 55151, 55152, 55153, 55154, and 55155)

Presented by: Barry Russell and Stephanie Low
Vice Chancellor Barry Russell and Dean Stephanie Low spoke to the Board about the revisions to the title 5 regulations on noncredit course and program approval. The significant changes to these regulations are:

All noncredit courses must be approved by the Chancellor’s Office

The benchmark of 288 hours to determine the type of vocational course has been eliminated.

Colleges can develop their own certificates and offer them locally, when a certificate requires less than 18 units.

Item 6 Recognition

Item 6.1 Recognition for Deborah Malumed, Immediate Past President of the Board of Governors

Presented by: Scott Himelstein
Board President Scott Himelstein presented a crystal gavel to Deborah Malumed, Immediate Past President of the Board, in recognition of her leadership while serving as the President of the Board.

Chancellor Jack Scott also said a few words and thanked Board member Malumed for her service.

Board member Malumed thanked the members of the Board and the community college family for the recognition.

Board Comments
Lance Izumi

Item 6.2 2010-11 Recognition for the Past President of the Student Senate for California Community Colleges

Presented by: Linda Michalowski
This item recognized Alex Pader for his service as President of the Student Senate for California Community Colleges.
Item 4 First Reading

Item 4.2 Board of Governors Meeting Locations for 2012
Presented by: Jack Scott
Chancellor Scott spoke to the Board about the out of town meeting for 2012. The meeting will be held in Southern California and possible site locations are San Diego CCD, Grossmont-Cuyamaca CCD, LA CCD, Pasadena CCD, Glendale CCD, and a district within the Inland Empire.

Board members requested that College of the Desert and Mt. San Antonio College be considered for possible locations in 2012. Board members also suggested looking at the possibility of having two meetings out of town in 2012.

Board Comments
Benita Haley, Barbara Davis-Lyman, Manuel Baca, Deborah Malumed, Michelle Price, Geoffrey Baum, Alice Perez.

Item 7 Information and Reports

Item 7.1 Update on the California STEM Learning Network
Presented by: Barry Russell and Chris Roe (Handout)
Chris Roe, Chief Executive Officer of the California Science, Technology, Engineering and Mathematics Learning Network (CSLNET) spoke to the Board about the goals of this organization. Those goals include increasing interest and competencies among all K-14 students in STEM disciplines, ensuring all California students are college and career ready and building a network that connects existing assets.

CSLNET is working on a regional basis to try and create mini CSLNETs in each region. Currently they are working with six groups to build a network that will share resources, develop common understanding and develop new knowledge. There are four different initiatives that this group is working on. Those initiatives include providing high quality STEM activities afterschool and teacher pathways into teaching careers in STEM.

Board members had the following questions/comments and the speaker responded:

Board member Geoffrey Baum: There are several groups that are mobilized for various causes around education (arts, physical education, etc.) how do you integrate all of that and make it happen in this landscape?

We are working on a policy and advocacy agenda and actually building this through a very collaborative process with our regional alliances and also bringing stakeholders into the discussion.
Board member Geoffrey Baum: How big is your staff and how big of a budget do you have to help achieve some of these goals?
We are one year old so we are fairly small at this point. There is currently a staff of four and our budget is slightly under $2 million for next year. The organization is looking to grow over the next couple of years.

Board member Henry Ramos: It sounds like your model may be help to us in terms of how to mobilize some kind of an effort on the STEM front. How would we link with you to explore the possibility of a central coast contingent?
We are doing that as we speak. I met with several folks in that area a couple of week ago. I believe that they will be the next regional alliance to get off the ground.

Board Comments
Geoffrey Baum, Henry Ramos, Peter MacDougall, Barbara Davis-Lyman

Item 7.2 Update on Student Enrollment and Course Offering Trends
Presented by: Patrick Perry
Vice Chancellor Patrick Perry discussed several items with the Board relating to enrollment and course offering trends. His presentation included information on student data (race, gender, age, etc) and course offerings (section size, full-time equivalent students generated, credit course retention/success rate, etc.).

Item 8 Guest Speakers

8.1 Update from the California State Board of Education
Presented by: Mike Kirst and Sue Burr
Mike Kirst, President of the State Board of Education (SBE) spoke to the Board about common core standards and assessments.

Mr. Kirst reviewed a handout with the Board that discussed what common core can do to help transitions students from high school to community colleges. He spoke about several things common core can do including helping to improve student readiness, providing opportunities for early intervention and remediation and strengthening CTE readiness.

Sue Burr, Executive Director of the State Board of Education spoke about how the SBE is moving forward with the common core implementation process. The standards were adopted in August 2010 and an implementation plan will go before the SBE for adoption in September 2011.

Mike Kirst concluded his comments by stating that the two systems need to have more collaboration.

The Board thanked President Kirst and Executive Director Burr for coming to the meeting.
Chancellor Jack Scott: Will common core be a means of assessing students when they are in K-12 and will it be very helpful in terms of assessing if they are college ready?
Common core affects every major policy area that the SBE has in curriculum and instruction. Common core will be infused through everything and should be alive in the classroom as the basis for teaching; the assessment is on the back end.

Chancellor Jack Scott: At what juncture will the assessment take place in K-12?
According to federal law, this test would be given annually in grades three thru eight, and once in high school, probably the 11th grade. The California state testing law is grades second thru 12th so as long as there is no change to the state testing law we would give the test annually beginning in grade two.

Chancellor Jack Scott: How would you compare Common Core to the early assessment program that was pioneered by California State University?
That’s a technical determination that I don’t think I can comment on with any certainty. I’ll offer an opinion. I think these assessments will be quite different and I think it will cause a reconsideration of the current way of the early assessment program. I don’t think the level of the test will change in terms of its demands on students, but the format and style of the assessment will probably be different.

Chancellor Jack Scott: Will the common core do what EAP does; indicate to a student whether or not if they are ready for college work?
The Common Core unlike our current curriculum and assessments will have college readiness embedded within it. That’s the big switch. As to what our 11th grade assessment will look like and whether that would carry out the purposes of the current EAP that would be a decision for the postsecondary education system to use and I hope we could negotiate that the way the EAP was negotiated.

Chancellor Jack Scott: How will higher education here in California have an input in the Common Core?
One of my suggestions was that we work through the Intersegmental Coordinating Council (ICC) if that makes sense to folks. But we are certainly open to other suggestions.

Chancellor Jack Scott: Maybe we can form a working group right away and start talking about this. In the Student Success Task Force one of the first things we recognized, in order to improve success in community colleges, was to align the K-12 and community colleges more closely together. To discuss your idea of a working group, we are not in great shape in California in term of the structural ways to work together on this. We have three different postsecondary systems, three different boards, the K-12 board and system have not had a long history of tightly coupled relationships, and we don’t have a coordinating commission any longer. So the machinery of this is really a problem. We are on one of the more fragmented ends of the state spectrum in terms of getting this job done, that we need to get done.
Chancellor Jack Scott: You said the assessments in Common Core would be grades 2-8 and then again in 11th grade, is that right? Under federal law states are required to assess in grade three thru eight annually and once in high school. But our state law goes beyond that we test annually in second thru 12th grade.

Chancellor Jack Scott: So you believe that this will be a improvement on the testing that’s done and therefore the signal may occur before the 11th grade? Well before the 11th grade.

Board President Scott Himelstein: To follow up on what you said, I agree that our machinery isn’t very good. But is that to suggest that you and the other segments should move forward to help build that machinery or that’s not a very ripe area right now? I think there are opportunities, the ICC and the California Education Roundtable, seem to be the best shot that we have right now.

Board member Henry Ramos: As part of the integrated dialogue we’re talking about having. It can’t only be about the idea of looking at the question of how folks are performing on exams or how they are doing in these incremental steps of assessment. It also has to be looking back at the ways we help them succeed from one stage to the next with support.

Board member Peter MacDougall: What is the time to production for when we might reasonably expect to have a portfolio of assessment data on readiness and specific competency and what is the means of transmission to receive that data? The first year of administration for the national consortia test is 2014-15, so spring of 2015 would be the first time it is administered on a statewide basis. So the production of actual records would occur subsequently to that. There have been specific conversations about how the transmission would occur and what that would look like. But 2015 is the earliest we could expect it.

Board Vice President Alice Perez: You mentioned a national assessment. I was recently given some information from the National Assessment Governing Board about assessment they are looking to do. It doesn’t focus so much on readiness but more on preparedness for college and job training programs. Are you currently collaborating with them? We’ve mentioned three assessment instruments today, the Common Core assessments which are developing, the Early Assessment Program, and the National Assessment of Educational Progress. These have to be aligned over time. I think there will be some merging. The interesting thing about the national assessment is it’s talking about career clusters and showing whether students on the national assessment are ready to enter training for those career clusters. Common Core is geared to a higher level. This is an issue that our two institutions really have to confront.

The other distinction that I would make between the National Assessment of Educational Progress (NAEP) and what the two national consortia are doing is that NAEP is kind of a dipstick test, it’s pulling sample information from various school districts, and then it gives you a report card of what is happening in the system. The assessments we are talking about are actually individual students.

Board member Lance Izumi: The EAP was designed to let students know, in 11th grade, where they stand on college readiness and hopefully do something about it in their senior year if necessary. Do
we have a sense of whether students who are not doing well on the EAP or who are not testing college ready are actually taking advantage of that information? You would have to check with CSU for their detailed assessments. My one remark would be that the EAP was designed for the four year sector taking A-G. The reason I’m enthusiastic about Common Core is because over time it will provide earlier signals and also get students more aware of things before the senior year.

Item 7 Information and Reports

Item 7.2 Update on Student Enrollment and Course Offering Trends continues
Presented by: Patrick Perry

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

Board member Peter MacDougall: In terms of what the projected enrollment might be versus the actual enrollment. My assumption here is that in some ways this presents even less of a problem than exist because we would have had a higher expectation for enrollment given the larger graduation class that was coming out of high school. I don’t want us to underestimate the degree of the loss that exist, that’s my reason for the questions.
I don’t have numbers on hand. But if I go into our projection series a few years ago we would have a number for what we thought we were going to get this year.

Chancellor Jack Scott: The projection I saw was 140,000. We took the curve of how our enrollment was going up and then we saw that dip in enrollment. That information has been presented in this material. The only conclusion I can draw is that the first time students were the last to register and that’s the reason we had a dip in first time students.

Board member Barbara Davis-Lyman: The full impact of the decline of first time students takes about three years to feel?
That’s generally correct.

Board member Geoffrey Baum: One of the things I was interested in is the lessons we will be able to learn from the data. In some ways we are demonstrating more efficiency, the district are actually focusing their diminishing resources on the core mission of the system and there have been results of increases in student success. The other item that I noted is that as the profile of our students becomes younger, that means we are fulfilling more of the role of the other four year institutions. Is there a way we can make that case political, that the state is actually trying to make its higher education structure more efficient and therefore a greater investment in community colleges is a worthwhile track. Am I wrong in saying that this looks like the system as a whole, for lack of a better term, is becoming more efficient and focused, and there are success results that can be demonstrated?
I think you can make that point with the numbers. As far as efficient, if the goal was for the system to be more degree seeking and serving a younger population then that has clearly been portrayed here. As far as the success metrics it’s a little less clear. If you are getting more CSU and UC eligible
students then they are probably pushing out a more marginal student and therefore they’re likely to have higher success rates in certain courses, so that may be an artifact of that too.

Board Vice President Alice Perez: On table 8 where it shows that the basic skills sections decreased by 4.6 percent, I don’t see the course offerings depicted in table 10 B, is that because it’s less than 1,000 FTE or is it embedded n there somewhere? It’s embedded

Vice Chancellor Barry Russell:: On the reduction in basic skills, we did an informal survey of the colleges, and received some really good information. The colleges have heard through the basic skills initiative that they need to restructure their basic skills courses, so many of them are reducing the number of basic skills course that students have to take.

Board Vice President Alice Perez: At some future date can you present some of that information so we get a better understanding of where colleges are reducing the number of course offerings versus reductions. Can we also get a recap of where we are seeing the increase in the distance education courses? Yes

Item 7 Information and Reports

Item 7.3 Board Member Reports

Peter MacDougall

Spoke to the doctoral candidates at San Diego State University, on leadership and community college instruction.

Alice Perez

Thanked Vice Chancellor’s Millan, Perry, Michalowski and Russell for helping to provide data for a presentation she made to the National Assessment Governing Board.

Barbara Davis-Lyman

Let the Board know that member Baca will submit his report electronically.

Attended the Economic and Workforce Program meeting in June.

Deborah Malumed

Attended the May meeting of the Student Success Task Force.
Attended the *Education Nation* meeting in Los Angeles hosted by NBC News Anchor Brian Williams.

The Sacramento News and Review had an article on things to do in the summer that were not expensive and on the list was taking a Physical Education class at Los Rios CCD because it’s cheaper than joining a gym.

**Lance Izumi**

Invited to Governor Brown’s charter school in Oakland, The Oakland Military Institute, and had the opportunity to take the salute of the cadets.

**Geoffrey Baum**

Attended the last CPCE meeting and wasn’t prepared to hear the announcement that came out two weeks later. Hopes this body will find a way to work with our other partners in higher education to maintain the assets and the work of CPEC

Proud to see that the Pasadena Area community college district met it’s Osher grant total at 179 percent of its goal and was the largest donor to the Osher scholarship fund.

Excited to see the new cameras and is looking forward to seeing how this will facilitate public access to Board meetings.

**Scott Himelstein**

The Board will have a retreat in September.

**Public Forum**

**New Business**

No new business was discussed at the meeting

**Adjournment**

*The meeting was adjourned at 12:04 p.m. by Board of Governors President Scott Himelstein.*
APPROVAL OF CONTRACTS AND GRANTS

CONSENT CALENDAR
Presentation: Steven Bruckman, Executive Vice Chancellor of Operations

Item 1.2

Issue

This item presents contracts and grants for Board approval.

Background

The Board of Governors Procedures and Standing Orders (Sections 318 and 319) require the Chancellor to receive Board approval before entering into contracts or grants (or amendments of contracts or grants) which are:

- in excess of $100,000; or
- over three years in duration; or
- with respect to consulting services, in excess of $50,000.

Analysis

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

Recommended Action

That the Board of Governors approve entering into the contracts and grants described in the attached summary.
Contracts and Grants

The following are the summaries of contracts and grants that require Board approval pursuant to Standing Orders Nos. 318 and 319, copies of which are attached.

(1) Economic and Workforce Development Division

Reason for Board Approval: Contracts are greater than $100,000
Type of Agreement: Contracts (Economic and Workforce Development/Outgoing funds)
Contract or Grantee: See chart below
Contract or Grant No.: See chart below
Term: October 1, 2011 – Sept. 30, 2012
Total Project Length: One Year with the possibility of future funding
Amount of Agreement: See chart below
Bid Process: Non-competitive
No. of Proposals Recvd: N/A
No. That Met Min. Score: N/A
Readers: N/A

Purpose: On March 1, 2011, the U.S. Small Business Administration (SBA) announced a nationwide, three year grant opportunity, to make grants to the States in order to help carry out export programs, increase the number of small businesses that are exporting, and increase the value of exports for those small businesses that are currently exporting. The Chancellor’s Office maintains an Economic and Workforce Development Division, headed by a Vice Chancellor, under whom various statewide programs and initiatives come under. One of the statewide initiatives includes the Centers for International Trade and Development (CITD). Each CITD is hosted by a local community college and provides a variety of programs and services to assist local companies in doing business abroad. The SBA has made a tentative award in the amount of $2,540,924.00, to be administered by the Chancellor’s Office, to carry out these activities, with the expectation of activities commencing in October 2011.

Projected Funding for Subsequent Years: N/A

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(2) Economic and Workforce Development Division

**Reason for Board Approval:** Grants exceed $100,000

**Type of Agreement:** Grant (Workforce Development-SB 70/1133/Outgoing funds)

**Grantee:** San Luis Obispo CCD

**Grant No.:** 10-140-640

**Term:** February 1, 2011 – February 28, 2013

**Total Project Length:** 2 years

**Project Year:** 4th Phase

**Amount of Agreement:** $400,000

**Bid Process:** Originally it was a competitive process and now based on performance and available funding it is a renewal process.

**Purpose:** The intent of the RFA will fund pre-approved Career Technical Education (CTE) Community Collaboratives that successfully demonstrate their ability to implement a project that encompasses the four program areas that are required components of the RFA. These four components include Career Exploration Development for seventh and eighth graders, CTE Sectors, Teacher and Faculty Externships in Business and Industry, and CTE Professional Development.

**Subsequent Years:** Subsequent funding is anticipated after the end of the grant term.

(3) Economic and Workforce Development Division

**Reason for Board Approval:** Grants exceed $100,000

**Type of Agreement:** Grant (Workforce Development-SB 70/1133/Outgoing funds)

**Grantee:** San Luis Obispo CCD

**Grant No.:** 10-141-640

**Term:** March 1, 2011 – February 28, 2013

**Total Project Length:** 2 years

**Project Year:** 4th Phase

**Amount of Agreement:** $130,000

**Bid Process:** Originally it was a competitive process and now based on performance and available funding it is a renewal process.
**Purpose:** The intent of the RFA will fund pre-approved Career Technical Education (CTE) Community Collaboratives that successfully demonstrate their ability to implement a project that encompasses the four program areas that are required components of the RFA. These four components include Career Exploration Development for 7th & 8th Graders, CTE Sectors, Teacher and Faculty Externships in Business and Industry, and CTE Professional Development. For the Supplemental, the applicant may choose one of the four components to support and apply for additional funds.

**Subsequent Years:** Subsequent funding is anticipated after the end of the grant term.
318. Contracts.

(a) Except as provided in subsection (b), whenever the power to contract is invested in the Board, or when, in the judgment of the Chancellor, such contracts are expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor is authorized in the name of the Board of Governors to enter into such contracts.

(b) The Chancellor shall secure Board approval before entering into any contract:

(1) In excess of $100,000; or
(2) Over three years in duration; or
(3) With respect to consulting services, in excess of $50,000.

The requirement for Board approval shall apply to any amendment of a contract which results in the original contract exceeding the specified limits, as well as the amendment of a contract where the amendment itself exceeds the specified limits. Under circumstances when the need to contract was not foreseeable, and when delaying approval of the contract until the next Board meeting would jeopardize the contract or frustrate its purpose, the Chancellor shall have the authority to enter into contracts in excess of the limits specified in this subsection. Before entering into such contracts, however, the Chancellor shall consult with the President of the Board.

(c) In securing the approval of contracts by the Board pursuant to subsection (b), the Chancellor shall apply the following procedures:

(1) In determining the nature, extent and need for any such contract, the Chancellor shall provide a summary of the Request for Proposal (RFP), Invitation for Bid (IFB), or other summary of the purpose and need for a contract to the Board of Governors prior to publicly releasing any such RFP or IFB, or prior to making any informal commitment to contract. The Chancellor may proceed with the release of the RFP, IFB, or other contract negotiations, unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(2) In developing language for such contracts, the Chancellor shall include a provision which allows any aggrieved bidder on an RFP or IFB to protest the awarding of a contract to the Chancellor. The Chancellor shall inform the Board of any such protests, including the results of such protests. This remedy shall be in addition to the bidder’s right to protest the matter to the Department of General Services.

(3) The Chancellor shall ensure that each panel of evaluators who score proposals is made up of staff from more than one division in the Chancellor’s Office, including outside evaluators as appropriate; and the Chancellor shall take such other steps as necessary to ensure that evaluations and scoring are objective and fair.

(4) In requesting approval of said contracts, the Chancellor shall, at the time of distributing each regular meeting agenda to the Board of Governors, include a summary of contracts for Board approval. The summary for each contract shall indicate: the purpose of the contract; the amount of the contract; the time for performance of the contract, including whether it was advertised as a multi-year contract; the number of proposals received or whether the contract is a sole source contract; the number of proposals which met the minimum score for cost opening; and the party awarded the contract.
The provisions of subparagraphs (1) through (3) above shall not apply to interagency agreements with other state agencies, and other agreements necessary for the agency to receive public funds.

(d) The authorization contained in subsection (a) includes agreements, leases, contracts, and other documents, including but not limited to: service agreements, insurance agreements, fiscal, budgetary, and personnel documents, travel requests, contracts for the purchase of apparatus, furniture, equipment, supplies and books, as well as contracts entered into as necessary to receive federal funds allocated to the California Community Colleges, all within the limits of fiscal ability and sound budgetary controls and subject to such policies as may be established by the Board. (EC § 70901(b)(5).)

319. Grants.

(a) Except as provided in subsection (b), whenever the power to enter into a grant is invested in the Board, or when, in the judgment of the Chancellor, a grant is expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor shall have the authority to enter into such grants.

(b) The Chancellor shall secure Board approval before entering into any grant:

(1) In excess of $100,000; or
(2) Over three years in duration; or

The requirement for Board approval shall apply to any amendment of a grant which results in the original grant exceeding the specified limits, as well as the amendment of a grant where the amendment itself exceeds the specified limits. Under circumstances when the need to enter into a grant was not foreseeable, and when delaying approval of the grant until the next Board meeting would jeopardize the grant or frustrate its purpose, the Chancellor shall have the authority to enter into grants in excess of the limits specified in this subsection. Before entering into such grants, however, the Chancellor shall consult with the President of the Board.

(c) Prior to submitting grants to the Board for approval pursuant to subsection (b), the Chancellor shall either:

(1) present to the Board for its review and approval an expenditure plan outlining the nature, extent and need for any such grants; or
(2) provide a summary of the Request for Application (RFA) or other summary of the purpose and need for a grant to the Board of Governors prior to publicly releasing any such RFA or prior to making any informal commitment to award a grant. The Chancellor may proceed with the release of the RFA unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(d) All grants awarded by the Board of Governors or the Chancellor on or after January 1, 1996, shall be awarded through competitive processes or through allocation formulas reviewed and approved by the Board of Governors, except that:

(1) Grants may be awarded competitively within regions.
(2) Grants for regional or statewide coordination activities for the Extended Opportunity Programs and Services (EOPS), Disabled Students Programs and Services (DSPS), Matriculation, and Economic Development programs need not be competitively bid.
(3) Where there are conditions beyond the control of the Chancellor which limit competition, such as matching fund requirements or other agencies being required to select
grantees, the Chancellor, in consultation with the President of the Board and the Chairperson of the appropriate committee, shall have authority to award grants without competition.

(e) Panels evaluating or scoring grant proposals will include or be comprised of outside readers as appropriate and will be comprised so as to assure objectivity and prevent conflicts of interest. In the event that outside readers are not used, the evaluation panel shall be comprised of staff from more than one division in the Chancellor’s Office. The Chancellor shall ensure that readers are appropriately trained with respect to the process for review of grant applications.

(f) Grants for the performance of functions which are ongoing in nature will be awarded in cycles of between one and five years in length. In advertising a grant for an ongoing function, district personnel will be apprised of the length of the cycle and the funding anticipated to be available for the duration of the project; provided however, that nothing in this Section shall be construed to preclude subsequent adjustment of actual funding levels to reflect unforeseen circumstances. Districts shall be further informed that continuance of the grant will depend on year-to-year funding, and continued satisfactory performance. The Chancellor shall have the authority to exempt grants described in Subsection (d)(2) or those awarded under the Mathematics, Engineering, and Science Achievement (MESA) program, the Middle College High School program, or the Puente project from the duration limitations imposed by this paragraph.

(g) A district which, prior to January 1, 1996, has been awarded a grant on a non-competitive basis for the performance of an ongoing function may continue to be awarded that grant, at the discretion of the Chancellor, for a period of up to three additional fiscal years. Retention of the grant shall depend on continued availability of funds and satisfactory performance. At the conclusion of the term, the grant for the ongoing function shall be awarded on a competitive basis.

(h) To the extent that a grantee contracts with a private or public entity to perform certain parts of the grant, the grantee shall be required to disclose the intended purpose and amount of such subcontracting, shall agree to follow locally applicable competitive bidding processes in doing such subcontracting, and shall agree to name the subcontractors chosen.

(i) The procedures specified above shall not apply to grants which are distributed on an allocation formula basis which has been reviewed and approved by the Board of Governors.
PROPOSED REVISIONS TO THE TITLE 5 REGULATIONS: NONCREDIT COURSE AND PROGRAM APPROVAL (SECTIONS 55150, 55151, 55152, 55153, 55154, AND 55155)

ACTION
Presentation: Barry Russell, Vice Chancellor, Academic Affairs Division
Sally Montemayor Lenz, Acting Dean, Curriculum & Instruction, Academic Affairs Division

Item 2.1

Issue

This item proposes changes to regulations as they relate to noncredit course and program approval in title 5, sections 55150 through 55155, inclusive.

Background

In April 2010, the Curriculum Inventory was launched to allow the colleges to submit noncredit courses and programs electronically to the Chancellor’s Office. With the development of the Curriculum Inventory, the need to clarify existing title 5 regulations as they relate to noncredit courses and programs became evident.

From June 2010 through March 2011, conversations have taken place with the System Advisory Committee on Curriculum (SACC), Association of Community and Continuing Education (ACCE) and noncredit faculty groups, all of whom support the proposed changes to title 5. In December 2010, SACC reviewed proposed recommendations to revise the title 5 regulations on noncredit course and program approval. In February 2011, the Academic Senate and ACCE reviewed and commented on the proposed title 5 changes. The proposed revisions were reviewed by Consultation Council on May 19, 2011; followed by a first reading on July 12, 2011 to Board of Governors.

Analysis

The proposed revisions clarify certain sections and repeal others yet, at the same time, the approval process remains the same. All courses and programs, including high school noncredit courses, must still be approved by the Chancellor’s Office. The delegated authority to the local college/district remains the same. Funding is not affected by these proposed changes and is still based on positive attendance. The qualifying factors for enhanced funding noncredit programs, those that result in a certificate of completion or certificate of competency, remain the same. The definitions of Certificate of Completion and Certificate of Competency have been changed to more clearly align with statute.
Sections 55152 and 55153 may be repealed as the instructions have been condensed and put into revised sections 55150 and 55151. The proposed changes remove the threshold of 288 hours of instruction as this number has no relevant meaning to noncredit programs as they exist in the California Community College system.

First Reading and Public Hearing Update

Official notice of proposed changes to the California Code of Regulation, title 5, regarding Noncredit Course and Program Approval was published on June 30, 2011. The original proposed text was made available for public comment for at least 45 days from June 30, 2011, through August 19, 2011. The notice specified the process to comment on the proposed changes. No written comments were received during the comment period. A public hearing was held during the Board of Governors Meeting on July 12, 2011, at the Chancellor’s Office. No member of the public commented on the proposed changes during the Public Hearing.

Recommended Action

The Board of Governors is asked to adopt the following resolution:

Be it Resolved: The Board of Governors of the California Community Colleges, acting pursuant to Education Code sections 66700, 70901(c) and 70901.5, hereby:
   • adopts the proposed regulations;
   • authorizes the Chancellor to take any necessary ministerial action to process these regulations; and
   • adopts the regulations effective thirty days after filing with the Secretary of State and submission of the regulations to the Office of Administrative Law.

Staff: Joanne Vorhies, Specialist, Academic Affairs
1. Section 55150 of article 2 of subchapter 2 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55150. Approval of Noncredit Courses and Programs.
   (a) Each noncredit course shall be approved by the Chancellor in accordance with this article on forms provided by the Chancellor. Failure to comply with the provisions of this article may result in termination of approval.
   (b) Noncredit programs shall be approved by the Chancellor as provided in sections 55152, 55153 and 55154 on forms provided by the Chancellor. An approval is effective until the program or implementation of the program is discontinued or modified in any substantial way. The Chancellor may evaluate a noncredit program, after its approval, on the basis of factors listed in sections 55152, 55153 or 55154, as applicable. If on the basis of such an evaluation the Chancellor determines that the program should no longer be offered, the Chancellor may terminate the approval and determine the effective date of termination.
   (c) Course outlines of record for all noncredit courses prepared in accordance with subdivision (c) of section 55002 shall be on file in the community college offering the course.
   (d) Authorities of each community college maintaining noncredit courses shall keep such current records and reports as may be required by the Chancellor.
   (e) In order to be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5, a career development or college preparation noncredit course must be part of a program or sequence of courses approved by the Chancellor pursuant to sections 55151 or 55152.
   (d) The following noncredit educational programs shall be approved by the Chancellor:
      (1) Noncredit educational programs that qualify for enhanced funding;
      (2) Adult high school diploma programs as specified in section 55154; and
      (3) Those noncredit educational programs that are otherwise required by law to be approved by the Chancellor.
   (e) Noncredit educational programs requiring approval of the Chancellor shall be approved by the Chancellor in accordance with this article and on forms provided by the Chancellor.

   Approval of a noncredit educational program is effective until either:
   (1) The noncredit educational program or implementation of the noncredit educational program is discontinued or modified in any substantial way; or
   (2) The Chancellor evaluates the noncredit educational program after its approval on the basis of factors listed in sections 55151 or 55154, as applicable. If the Chancellor determines that the noncredit educational program should no longer be offered based on the
evaluation, the Chancellor may terminate the approval and determine the effective date of termination.

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

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

§ 55151. Career Development and College Preparation.

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

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

(1) A short-term vocational program providing less than 288 hours of instruction which the Chancellor, in consultation with the Employment Development Department, has determined to have high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.

(2) A noncredit educational program sequence of courses involving:

(A) Courses in elementary and secondary basic skills;

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

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

(b) The noncredit educational program or sequence of courses is designed to result in either:

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

(2) A noncredit certificate of competency in a recognized career field articulated with degree-applicable coursework, completion of an associate degree or transfer to a baccalaureate institution. A certificate of competency in a recognized career field may be articulated with degree-applicable coursework, an associate degree, or transfer to a baccalaureate institution by means of nondegree-applicable coursework which may be completed prior to or taken concurrently with degree-applicable or transferable coursework, that prepares students to take nondegree-applicable credit coursework, including basic skills and English as a second language; or to take degree-applicable credit coursework leading to one or more of the following:

(A) completion of a credit certificate;

(B) an associate in arts degree; or

(C) transfer to a baccalaureate institution.
(c) Each noncredit educational program or sequence of courses in which enhanced funding is sought must be submitted to and approved by the Chancellor. Each application for approval shall include a list of required courses to be included in the program or sequence of courses, course outlines for each course, and an explanation of how the program or sequence of courses is designed to lead students to one of the outcomes described in subdivision (b). For short-term vocational programs, the application shall also include an analysis of labor market need or job availability. Applications for approval shall include an explanation of how the educational program is designed to lead students to one of the outcomes described in subdivision (b) and all of the following:

1. a list of required courses to be included in the educational program;
2. the minimum number of hours required for completion of the educational program;
3. course outlines of record for all courses in the educational program;
4. the catalog description of the educational program; and
5. for short-term vocational programs, an analysis of labor market need or job availability.

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

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

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

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

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

(i) For purposes of this article, the term “certificate of competency” means a document confirming that a student enrolled in a noncredit educational program or sequence of noncredit courses has demonstrated achievement of a set of competencies that prepares him or her to progress in a career path or to undertake degree-applicable or nondegree-applicable credit courses. The document must include the name of the certificate and the date awarded, be identified by a T.O.P. Code number and program discipline, and list the relevant competencies achieved by the student.

(j) Content and assessment standards for certificates shall be defined by the local curriculum committee. The review of noncredit certificate programs by the curriculum committee shall review noncredit educational programs leading to a certificate be
conducted using the same standards as applied to credit educational programs leading to a certificate as set forth in section 55070, with respect to academic integrity, consistency with college mission, meeting a demonstrated need and program feasibility.

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

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

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

3. Section 55152 of article 2 of subchapter 2 of chapter 6 of division 6 of title 5 of the California Code of Regulations is repealed:

§ 55152. Short-Term Vocational Programs Providing 288 Hours or More of Instruction.

(a) Before offering any noncredit short-term vocational program providing 288 hours or more of instruction on or after June 30, 2008, the governing board of a community college district shall obtain approval of the program pursuant to this section. Each course which is to be part of the program must be approved by the college curriculum committee pursuant to subdivision (c) of section 55002.

(b) The Chancellor, in consultation with the Employment Development Department, must determine that the program has high employment potential. In making this determination, the Chancellor shall utilize job demand data provided by the Employment Development Department. If current job demand data in the relevant field is not available from the Employment Development Department, the Chancellor and the Employment Development Department may rely upon other data submitted by the college.

(c) If a district seeks to claim enhanced funding for the program pursuant to Education Code sections 84750.5 and 84760.5, the program must also be designed to lead to one of the types of certificates described in subdivision (b) of section 55151.

(d) Applications shall include all of the following:

(1) A list of required courses to be included in the program;
(2) Course outlines for all courses in the program;
(3) A statement of the goals and objectives of the program;
(4) A description of the relationship of the proposed program to other programs;
(5) A discussion of the possible impact of the proposed program on nearby community colleges; and
(6) An analysis of labor market need or job availability.

(e) The Chancellor shall develop forms and procedures for review and approval of such programs. If a program was approved pursuant to section 55151 prior to June 30, 2007, information provided with the prior application need not be resubmitted.
(f) If a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor.

(g) Nothing in this section shall be construed to require a particular student to complete a certificate or to characterize failure to do so as a negative outcome.

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

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

4. Section 55153 of article 2 of subchapter 2 of chapter 6 of division 6 of title 5 of the California Code of regulations is repealed:

§ 55153. Other Noncredit Programs Providing 288 Hours or More of Instruction.

(a) Before offering any noncredit program on or after June 30, 2008, which provides 288 hours or more of instruction in any area of noncredit instruction other than those covered by sections 55152 and 55154, the governing board of a community college district shall obtain approval of the program pursuant to this section. Each course which is to be part of the program must be approved by the college curriculum committee pursuant to subdivision (c) of section 55002.

(b) Applications shall include all of the following:
(1) a list of courses to be included in the program;
(2) course outlines for all courses in the program;
(3) documentation of the need or demand for the program;
(4) a statement of the goals and objectives of the program;
(5) a description of the relationship of the proposed program to other programs; and
(6) a discussion of the possible impact of the proposed program on nearby colleges.

(c) The Chancellor shall develop forms and procedures for review and approval of programs submitted for approval pursuant to this section.

(d) A program approved pursuant to this section will only be eligible for enhanced funding pursuant to Education Code sections 84750.5 and 84760.5 if it also satisfies the requirements of section 55151 and the application so demonstrates. If an application for approval pursuant to section 55151 was filed prior to application for program approval under this section, materials submitted with the section 55151 application need not be resubmitted.

(e) If a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor even if the program is also approved for enhanced funding pursuant to section 55151.

(f) A district may, but is not required to, award a noncredit certificate pursuant to section 55155 to students who complete such a program, provided that such a certificate may not be designated or referred to as a certificate of achievement, a certificate of completion or a
certificate of competency unless the program is also approved for enhanced funding pursuant to section 55151.

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

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

§ 55154. Adult High School Diploma Programs.
(a) Before offering any noncredit course as part of a high school diploma program on or after June 30, 2009, the governing board of a community college district shall obtain approval of its high school diploma program as provided in section 55150.
(b) For purposes of this section, the term “high school diploma program” means an organized sequence of noncredit courses designed to meet the needs of adult learners which leads to a high school diploma which is awarded by the community college district or jointly by the district and a high school.
(c) The application for approval shall include all of the following:
(1) A statement that both the local curriculum committee(s) and the district governing board have reviewed and approved the high school diploma program.
(2) Information demonstrating that there exists demand for the college to offer a high school diploma program for adult learners in the area.
(3) Coursework requirements and content standards that meet or exceed those described in subdivision (e).
(4) Comprehensive descriptions of program organization, instructional support services, student services, facilities and ongoing staffing efforts to demonstrate that the district has the resources to maintain the high school diploma program.
(5) A copy of the proposed catalog description.
(6) Requirements or conditions by which a student can obtain high school credit by examination or by successfully completing college degree-applicable or nondegree-applicable credit course work and any alternative means for students to complete the prescribed course of study.
(7) A description of the student assessment procedures for academic placement in the program and a description of how the district will evaluate student progress.
(d) Once a program is approved by the Chancellor pursuant to this section, the program may be subsequently modified by the addition of other noncredit courses without the necessity to obtain separate approval of such courses from the Chancellor even if the program has also been approved for enhanced funding pursuant to section 55151.
(e) The governing board of a community college district shall confer a high school diploma upon a student who has satisfactorily completed at least 160 credits of high school level coursework and who has demonstrated competence in reading, writing, and mathematics at a level generally accepted as appropriate for award of a high school diploma. The required 160 credits of high school level course work must be fulfilled in a core curriculum consisting of courses in the categories described in paragraph (2) and accepted toward the diploma by a college within the district (as shown in its catalog). A college may
accept toward satisfaction of this requirement courses that were completed at an accredited high school or college that would reasonably be expected to meet or exceed the standards of this section, provided that at least 20 of the total 160 required high school credits must be completed in residence at the college granting the diploma.

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

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

(B) Social and Behavioral Sciences. A minimum of 30 high school credits shall be required in social and behavioral sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the core curriculum requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. Each student shall be required to complete coursework that addresses United States history and geography; world history, geography, and culture; American government and civics; and economics. This category may also include introductory or integrative survey courses in cultural anthropology, cultural geography, political science, psychology, sociology and related disciplines, as well as additional courses in economics, American government, United States history, and world history.

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

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

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

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

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

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

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

Note: Authority cited: Sections 66700, 70901, 78401, 84750.5 and 84760.5, Education Code. Reference: Sections 60851, 70901, 70902, 78401, 84750.5 and 84760.5, Education Code.

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

§ 55155. Noncredit Certificates.

(a) Any noncredit educational program leading to a certificate must be approved by the college curriculum committee and the district governing board and all courses in the program must be individually approved by the Chancellor pursuant to section 55150, except where a course is subsequently added to a program after it is approved by the Chancellor pursuant to sections 55152, 55153 or 55154.

(b) All noncredit educational programs or sequences of courses leading to a noncredit certificate of completion or certificate of competency are subject to approval. must be approved by the Chancellor pursuant to sections 55151 or 55152.

(c) If a district does not seek enhanced funding for a noncredit educational program or sequence of noncredit courses, or the program or sequence of courses does not qualify for enhanced funding pursuant to section 55151, a noncredit certificate educational program leading to a certificate may be established by the district without approval by the Chancellor except as required in sections 55152, 55153 or 55154. A district may award a
noncredit certificate to a student completing such a noncredit educational program, but may not designate or refer to it as a certificate of completion or a certificate of competency in a recognized career field pursuant to section 55151.

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

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

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

ATTACHMENT 2

SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO NONCREDIT COURSE AND NONCREDIT PROGRAM APPROVAL REGULATIONS
TITLE 5 SECTIONS 55150, 55151, 55152, 55153, 55154, 55155

General

Non-substantive, technical changes are proposed throughout for clarity and consistency.

Proposed section 55150 (a):
The word “all” is proposed to strengthen the point that every noncredit course must receive Chancellor’s Office approval. The second sentence is proposed to be added to make clear that college districts must comply with the requirements of the article or in the Chancellor’s Office may terminate approval of noncredit courses.

Proposed section 55150 (b):
Proposed subdivision (b) is prior subdivision (c). Propose adding “of record” to course outline for consistency and clarity. Prior subdivision (b) has been rewritten for clarity and is proposed subdivision (e).

Proposed section 55150 (c):
Proposed subdivision (c) is prior subdivision (d), no other changes are proposed.

Proposed section 55150 (d):
Proposed subdivision (d) is prior subdivision (b) with the following modifications: propose deleting references to section 55152 and 55153 as those sections are proposed to be deleted in their entirety. Requirements from former sections 55152 and 55153 were moved here as (d)(1) – (3), which clearly define the types of noncredit Career Development and College Preparation (CDCP) programs that must be approved by the Chancellor’s Office. These programs are: programs that qualify for enhanced funding, adult high school programs and any other noncredit program required by law to be approved by the Chancellor, such as apprenticeships.
Proposed section 55150 (e):
Propose deleting existing subdivision (e) and references to sections 55151 and 55152 due to redundancy, as the proposed section 55150(a) requires that all noncredit courses must be approved by the Chancellor’s Office. Propose to add new language which clarifies circumstances on which a noncredit program can be terminated by the Chancellor.

Proposed section 55151 (a) (1):
Propose deleting the requirement that a short-term vocation program be only those providing less than 288 hours of instruction which is currently causing confusion in noncredit programs. There is no legal justification for a noncredit program to show just cause for set hours. In addition, the threshold of 288 hours has no relevance to existing noncredit programs offered by the community colleges.

Proposed section 55151 (a) (2):
Propose deleting “sequence of courses” and adding “noncredit educational program” for clarity and consistency because “educational program” is the proper term and is defined in section 55000 (g) as “an organized sequence of courses leading to a defined objective, degree, a certificate, a diploma, a license, or transfer to another institution of higher education.” This change is also made in proposed sections 55151(b), (c), (e), (f), (h), (i), (k).

Proposed section 55151 (b) (2):
Propose to clarify the definition of certificate of competency in order to explain that students commonly progress from noncredit course work to nondegree-applicable credit course work, which then prepares them to take degree-applicable credit course work. This pathway may lead to completion of a credit certificate, an associate degree or transfer to a baccalaureate institution.

Proposed section 55151 (c):
Propose adding “in which enhanced funding is sought” allows for the remaining portion of (c) to be deleted with the further additional language of “applications for approval shall include:” and clear criteria based on current practice and existing section 55002(c) on noncredit course standards are detailed in subsections.

Proposed section 55151 (d):
Propose deleting electronic since all courses and programs are now submitted electronically through the CCC Curriculum Inventory.
Proposed section 55151 (j):
Propose to delete wording and replace with new wording to clarify that noncredit programs leading to a certificate as explained are reviewed by the local curriculum committee using the same standards applied to credit certificates in section 55070.

Proposed section 55151 (l):
Propose clarifying that noncredit program certificates may be awarded by the governing board of the district only to students who have earned the noncredit certificate.

Proposed section 55152:
Propose to eliminate this section due to the strengthening and clarity of proposed section 55150. The requirements contained in this section have been incorporated into the proposed section 55151(c). Eliminate the threshold of 288 hours, because there is no legal justification for a noncredit program to show just cause for set hours and “288 hours” has no relevance to existing noncredit programs offered by the community colleges.

Proposed section 55153:
Propose to eliminate this section due to the strengthening and clarity of proposed section 55150. The requirements contained in this section have been incorporated into the proposed section 55151(c). Eliminate the threshold of 288 hours, because there is no legal justification for a noncredit program to show just cause for set hours and “288 hours” has no relevance to existing noncredit programs offered by the community colleges.

Proposed section 55154 (d):
Propose to eliminate this sub-division as approval of all noncredit courses is now required in proposed section 55150(a).

Proposed section 55154 subdivision (d) (e) (f) and (g):
Propose to renumber from prior subdivisions (e) (f) (g) and (h), respectively.

Proposed section 55155 (a):
Propose revising to “noncredit educational program” for clarity and consistency because “educational program” is the proper term and is defined in section 55000 (g) as “an organized sequence of courses leading to a defined objective, degree, a certificate, a diploma, a license, or transfer to another institution of higher education.” This change is also made in proposed sections 55155(b), (c), (d), and (e). Propose to delete language in regard to noncredit course approval, which is now required in proposed section 55150(a). Propose to remove references to sections 55152, 55153, and 55154(d). Similar changes are proposed in subdivisions 55155 (b) and (c).
Proposed section 55155 (c):
Propose revision to delegate authority to districts to approve a noncredit educational program that is not eligible for enhanced funding. This aligns with authority delegated to districts to approve credit certificates of fewer than 18 units (section 55070). In addition, propose eliminating reference to sections 55152 and 55153, which are being proposed to be deleted.

Proposed section 55155 (d):
Propose eliminating the word “noncredit” and using clarifying language in the section.
2012-13 SYSTEM BUDGET PROPOSAL

ACTION
Presentation: Dan Troy, Fiscal Vice Chancellor

Item 2.2

Issue

This item presents the proposed 2012-13 California Community Colleges System Budget Request for the Board of Governors’ approval. The recommended increase in the system budget for 2012-13 totals $1.4 billion to address three core priorities: restoration of categorical funding reductions; cost of living adjustment (COLA); and enrollment growth. In addition, we are requesting the use of any one time funds available from the state be used to meet deferred maintenance and instructional equipment costs and to pay any outstanding mandates.

Background

Education Code section 70901(b)(5)(A) directs the Board to prepare and adopt an annual system budget request, using the Consultation Process established under state law. The budget request is focused on “local assistance” to the college districts that is funded under Proposition 98. The local assistance budget is distinct from the System Office budget—which is ineligible for Proposition 98 funds—and capital outlay budget, which is largely funded with bonds and is separately reviewed by the Board. A Budget Workgroup, comprised of members and designees of the Consultation Council, other college representatives, and Chancellor’s Office staff, met in June and July to work on details of the budget request. The recommendations of the budget workgroup were discussed before the Consultation Council at its August meeting. The recommended System Budget Request reflects a general consensus of Consultation Council.

Analysis

The system budget request is summarized below with a longer, narrative document accompanying it under separate cover, titled 2012-13 System Budget Proposal.

The budget request is based on the following assumptions:

It is necessary to prioritize funding to support core programs and services, including restoration of funding cuts in the 2009-10 and the 2011-12 state budgets. These cuts resulted in significant cuts to student support services and reducing enrollments across the college system by over 200,000 students.
No major funding increases for new initiatives or program expansions are being requested in this proposal.

Categorical Restoration of Student Support Programs  ($313,342,000)

The revised 2009-10 budget reduced ongoing funding for student support programs by $313 million or an average of 42 percent. Cuts varied by individual program and ranged from no cut to total elimination. Many of these programs provide critical support services to students, such as counseling, orientation, and tutoring, which are vital in enhancing student success. Other categorical programs provide funding to support specific instructional programs, including basic skills and career and technical education. In order to preserve core student support services and instructional programs, we request restoration of the $313 million that was cut from student support programs in 2009-10. As part of this request, we are also seeking $200,000 to fund California Community Colleges Student Senate activities associated with the students’ shared governance responsibilities.

Cost Of Living Adjustment (COLA)  ($793,000,000)

Historically, the community colleges have received annual COLA increases. However, due to the deteriorating economic situation, the state did not provide COLAs to the colleges beginning with fiscal year 2008-09. The price index specified by law for the community college COLA calculation is identical to that specified for K-12 education, the state and local government price deflator published by the federal government. For 2008-09, the statutory COLA was 4.94 percent, and for 2009-10 the statutory COLA was 4.25 percent, but the colleges did not receive these promised funding enhancements. No COLA was forecast by the price deflator for 2010-11, but in 2011-12, the statutory COLA amount was 1.35 percent. Once again this COLA was not provided to the colleges, so that the cumulative unfunded COLAs stand at 10.88 percent at the beginning of the 2012-13 year. This represents a significant loss in purchasing power to the colleges, as they experience rising expenses in the form of utility bills and health care costs, among other expenses. For 2012-13, the statutory COLA is forecast to be 2.38 percent, bringing the total cumulative COLAs owed to the colleges to 13.52 percent. This represents a total of $793 million that the colleges need to maintain their ability to provide high quality education services to California’s community college students.

Enrollment Growth/Restoration  ($377,000,000)

Enrollment demand at the community colleges has reached unprecedented levels. Persistent unemployment of roughly 12 percent, students being displaced from UC and CSU due to budget cuts, veterans returning from Iraq and Afghanistan, and drastic reductions in K-12 adult education programs are straining the capacity of the community colleges to provide access. While the demand for a community college education is up, the funding provided by the state has not been sufficient to fund all students over the past several years, with overall funding actually declining in both 2009-10 and 2011-12. Colleges responded to these cuts by reducing their course offerings by as much as
20 percent, yet still served an increasing number of students beyond state funding levels. (In 2009-10, the system served 95,000 more full-time students than it received funding for). We are requesting funding of 6.8 percent enrollment growth/restoration, or $377 million, to restore access to 84,000 more full-time equivalent students (FTES) above current funding levels.

One-Time Funding Request $612,000,000

The system is requesting funding in three areas should one-time funds become available in the 2012-13 fiscal year. These areas include: $200 million for deferred maintenance, $82 million for instructional equipment and $330 million for payment of outstanding mandates.

The deferred maintenance program’s purpose is to keep the existing community college physical plant in operational condition and to prevent any degradation in instructional services caused by facility conditions. By properly maintaining our facilities and replacing major building components at their scheduled time – roofs, utilities, windows, etc. - we will extend the useful life of our buildings and we can focus more of our scarce capital outlay bond funds on meeting the system’s growth needs. In addition, community colleges cannot adequately fund instructional equipment, library materials, technology, or workforce development upgrades. Funds for these vital programs have been drastically reduced since 2008-09 due to the state zeroing out funding for the Instructional Equipment program. Finally, we are requesting funding of $330 million to begin the process of paying down outstanding mandate claims and begin reimbursing college districts for costs they have incurred over the past several years to meet new laws and regulations promulgated by the state.

Recommended Action

The Board approves the proposed 2012-13 System Budget Request for timely transmittal to the Department of Finance, Governor’s Office, Legislature and other interested parties.

Staff:  Chris Yatooma, Director, Fiscal Policy
       Diane Brady, Specialist, Fiscal Policy
BUDGET REDUCTION IMPACT

INFORMATION AND REPORTS
Presentation: Patrick Perry, Vice Chancellor, Technology, Research and Information Systems
Dan Troy, Vice Chancellor, College Finance and Facilities Planning

Item 3.1

Issue

This item presents a summary of the budget reductions experienced by the California Community College system over the past several years. The Vice Chancellors will make a presentation documenting the impact of recent funding cuts on the students and colleges.

This item is for information only.
UPDATE ON THE ACTIVITIES OF THE FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGES

INFORMATION AND REPORTS
Presentation: Dr. Paul Lanning, President/Chief Executive Officer
Foundation for California Community Colleges

Item 3.2

Issue

This item will present an update on the activities of the Foundation for California Community Colleges to the Board of Governors.
Item 3.3

Issue

This item presents information on the 2012-13 Systemwide Five-Year Capital Outlay Plan.
Issue

The Governor’s Office asked the California Community College Chancellor and the California State University Chancellor to work together to submit a proposal to Complete College America for a $1,000,000 grant to focus on one aspect of college completion. Representatives from both systems worked together on a proposal that highlighted the excellent work being done on SB 1440 Degree for Transfer. The proposal was accepted by Complete College America.

Background

To inspire and enhance state efforts to significantly boost college completion and close attainment gaps for traditionally underrepresented populations, Complete College America, with funding support from the Bill and Melinda Gates Foundation, has launched the Completion Innovation Challenge (the “Innovation Challenge”).

The Innovation Challenge defines completion as the attainment of a college degree or credential of labor market value; it defines innovation as a new solution that is scalable and builds upon existing solutions to make a significant impact. Governors from all 50 states were invited to submit proposals to win one of ten $1 million, 18-month implementation grants. The Challenge complements the National Governors Association’s Complete to Compete Initiative. Grants are awarded to states that produce the best plans to develop and deploy innovative, statewide strategies designed to substantially increase college completion.

A key purpose of the Innovation Challenge grants is to encourage states to create real change and lasting impact. States can do this by innovating and implementing reforms in one or two of the following focus areas, which Complete College America believes are essential for significant improvement in college completion:

- Shifting to performance funding
- Reducing time-to-degree and accelerating success
- Transforming remediation
- Restructuring delivery for today’s students
- Deploying transformative technology
Applicants must provide Complete College America/National Governors Association Common Completion Metrics with their proposals and utilize the data to inform their proposed work. States will report two sets of metrics: state-level and campus-level.

**State-level metrics.** All proposals are required to report state-level metrics at the time of submission.

**Campus-level metrics.** Proposals that include campus-level data at the time of submission will receive additional credit. Successful applicants must submit their campus-level metrics within six months after receipt of their first grant payments to be eligible for a full grant award.

**Analysis**

The full grant application is provided in the attachment of this report. A quick review of the document will reveal that the successful process of bringing community college and CSU faculty together to work on Transfer Model Curricula (TMCs), is being replicated and will ultimately produce approximately 25 agreements between the community college system and the CSU system. In addition, the grant provides initial funding for a communications plan to get the word out to the general public and other constituencies across the state.

Because of the nature of the fund allocations, the Governor’s Office asked the Academic Senate for California Community Colleges to be the fiscal agent for the project through their nonprofit foundation. This will be a truly coordinated effort between the Governor’s Office, the community colleges, the CSU system, and the academic senates from CSU and the community colleges.

The grant is 18-months in length as far as the funding is concerned but outcomes will be traced for a full three years. The expectation is that the clear development and marketing of SB 1440 Degrees for Transfer will, in fact, increase completion through a very transparent transfer system. Final reports will be shared with the Board of Governors when completed.

**Conclusion**

This item is for information only.
Complete College America
Innovation Challenge Grant for California

Proposal Narrative Statements

1) State’s college completion goals.  
   Maximum length: 250 words
   • Describe the state’s existing college completion goals.

In 2010 the Trustees of the California State University (CSU) committed to a goal of raising its graduation rates by eight percentage points, and cutting in half the gap in graduation rates between students of color and other students, all by 2015. See calstate.edu/graduate.

At the same time, the separately organized California Community Colleges (CCC) created the Student Success Task Force (http://www.cccco.edu/StudentSuccess), charged with the ambitious goal of radically re-envisioning the ways two-year institutions are organized and funded to promote student completion through the certificate, associate degree, or transfer to four-year institutions. Between them, these two segments of public higher education serve nearly three and a half million Californians. If both CSU and CCC achieve these goals, the positive impact to California’s college completion goals would be significant. These improvements in rates of attainment would have enormous benefits for the degree holders, their families and communities and — owing to the state’s sheer size — the national economy.

Most students who earn a baccalaureate degree from the CSU are admitted as transfers, the overwhelming majority from a public community college. Aware that their respective missions depend on efficient transfer, the chancellors of the CCC and CSU supported legislation in 2010 to clarify lower-division curriculum in the major, and limit each segment to 60 semester units of coursework. If comprehensively implemented, this legislation (Senate Bill 1440) will simplify advising, improve educational outcomes, and increase the number of students the state can educate through the baccalaureate, without additional cost.
Complete College America
Innovation Challenge Grant for California

2) State's work to achieve its college completion goals.
   Maximum length: 750 words
   • How does the state plan to achieve its state-, state system-, and campus-level goals?
   • How do system and campus-level completion goals align with the statewide goals?
   • What specific steps have already been taken, and what are the anticipated critical next steps?
   • How is data collection embedded into a higher education accountability system?
   • How have the state and its implementation partners demonstrated success in prioritizing and achieving measurable progress in improving college completion?

California doesn't have a single system of public higher education, instead deriving its statewide goals from commissions, think tanks, and the legislature, in the context of the historic California Master Plan, developed in the 1960's. Three different public higher education systems are in operation within the state; the ten-campus University of California, the public research intensive, doctoral-granting institution; the 23-campus CSU, the public comprehensive system, and primary avenue for bachelor's degree attainment within the state, and a primary source of graduate education at the Master's level; and the largest segment, the 112-campus CCC, which has a mission that spans preparation for transition to four-year institutions, workforce training, and lifelong learning.

By 2025 the state is projected to need a million more college graduates than current degree production trajectories permit. (See the seminal work "Closing the Gap: Meeting California's Need for College Graduates," from the Public Policy Institute of California at http://www.ppic.org.)

California's fiscal condition all but eliminates an increase in capacity as the means to deliver the expanded number of graduates it needs. Progress will depend on more efficient use of current (and shrinking) state funds, and engineering increasing student success as measured by increased transfer and graduation rates within California's public higher education. Realistically, the capacity for the state's degree growth is contained largely in the CSU and CCC, and can be encompassed by one central aspiration: more of the students who begin at the community colleges and state universities need to finish.
Complete College America
Innovation Challenge Grant for California

In the state’s open-admission community colleges, administrative and faculty leadership have begun with data, using the forum of the Student Success Task Force to arrive at a common understanding of what students want and need to be successful transfers to four-year institutions. By focusing on the students whose behavior suggests a greater likelihood of success -- e.g., those students who enroll in baccalaureate-level English or math within the first year -- the CCC can strategically target limited resources.

In the state universities, only degree-seeking students who meet eligibility requirements are admitted. Initial use of data has focused on determining why students drop out, disaggregating statistics by ethnic groups, majors, gender, and Pell eligibility to identify the patterns that suggest successful interventions. The work is informed nationally by the Access To Success campaign of NASH and the EdTrust, whose work on “leading indicators of student success” has influenced many of the system’s 23 campuses.

Both systems are justifiably proud of their national reputations for data-driven decision making. Next steps involve continued, voluntary cooperation on a number of fronts, including automated degree audit and articulation, systematic improvements in student success, and -- the focus of this proposal -- clearer transfer pathways to degree.

Since the passage of SB 1440, the Academic Senates of the CCC and CSU – the main faculty governance arms of both systems – have worked together diligently to create the templates for the first wave of transfer Associate of Arts (AA) and Associate of Science (AS) degrees. Administrative leaders in both systems have also collaborated effectively in creating an environment that permits an unprecedented degree of flexibility in designing transfer AA/AS degrees that will be truly seamless.

This current collaboration builds on prior joint efforts to improve student completion. Beginning in 1997, CCC and CSU faculty have worked together to develop a process to identify and certify commonality of courses across and within systems to improve articulation and eliminate the need for students to retake classes as they move between campuses and systems. The original project, Course Articulation Number (CAN), has now evolved into the Course Identification project (C-ID), which forms the backbone for the development of today’s transfer AA/AS degrees.

Another project of note is the Early Assessment Project (EAP), developed by the CSU to provide clear messaging to high school students as to their readiness for college work at the CSU. Since its establishment, the CCC has piggy-backed on the work of the CSU to use this same messaging to inform incoming CCC students. For all high school students, the CSU and CCC are using the EAP to try and reduce the need for remediation for entering students, thereby facilitating their progress towards completion of a certificate, degree, or transfer.
Complete College America  
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3) State’s use of metrics.  
*Maximum length: 500 words*

- Describe how the applicant’s state-level and, if relevant, campus-level Common Completion Metrics were used to inform this proposal.
- Describe how the state is currently using and will continue to use the Common Completion Metrics.

Neither the CSU nor the CCC use the Common Completion Metrics as matters of routine. In their accountability reporting to state agencies, however, both segments use related measures that could be adapted to their work under the Innovation Challenge.

In the CSU, for example, each university makes student completion data available to the public on-line, using the national Voluntary System of Accountability template. The CSU, Office of the Chancellor has a long tradition of providing campus-specific information on completions for first-time, full-time, undergraduate transfers and STEM majors; and it has an even longer tradition of tracking first-year outcomes for remedial students (http://www.asd.calstate.edu/as). Administrative and faculty leadership use metrics such as the Leading Indicators of Student Success to decide where to focus resources and attention to improve degree attainment. Four California State Universities are working with EdTrust to refine and test additional indicators.

In the CCC, student record-level data is fed from the campus and district level to the Office of the Chancellor, permitting deep, fine-grained analysis of student behavior. The CCC data are also provided to the public through a web portal interface called the Datamart, accessible from the Chancellor’s Office website (www.cccco.edu).

The CCC system has a well-developed and mature accountability reporting framework (Accountability Report for Community Colleges, or ARCC) that also features supplemental reports on basic skills progress and noncredit progress. The ARCC framework has an annual requirement that each district Board of Trustees have their respective college performance metrics presented to them for affirmation and examination. The ARCC report also goes to the Legislature annually. While the metrics tracked in ARCC are conceptually similar to the CCA metrics, the actual data definitions at the ARCC are slightly different than the Common Completion Metrics, and owing to the number of institutions in the system, the work of translating is considerable -- but feasible given the centralized data warehouse at the CCC Chancellor’s Office.

Two specific issues related to CCC data: given the size of the system, the workload of manually populating 112 campus spreadsheet submittals is onerous; the CCC will need to
Complete College America
Innovation Challenge Grant for California

request a bulk upload facility. Additionally, CCC students cannot be easily segmented into separate AA/AS-, Certificate-, and Transfer-seeking populations, as requested on the form (these are normally considered together on a behavioral basis; students frequently aspire to have all three outcomes.)

The partial set of CSU system data submitted with this proposal indicates that the CSU, Office of the Chancellor is more than capable of doing much of the conversion to produce the Common Completion Metrics. Currently, there is no common procedure for collecting end of term outcomes such as completions in general education courses or units earned for the academic year, but each CSU campus has the capacity for generating the required information. Like the CCC, the CSU will need to request a bulk upload facility to transmit data for its 23 separate campuses.

In all, but both system offices and their respective campuses stand ready to do the requirements of the Common Completion Metrics.

4) Proposed plan for implementing initiatives in one or two of the Innovation Challenge focus areas.

*Maximum length: 1700 words*

- Describe the structure of the plan and how it addresses one or two of the focus areas.
- Describe how the state will implement this plan and the implementation timeline.
- Describe the leadership team that will drive the plan’s implementation and how the composition of this team reflects the proposed work.
- Describe the role that institutions and state system boards will play in implementing the proposed work.

Structure

The plan being submitted by California will focus on degree completion and transfer of community college students. The CCC-CSU collaboration to successfully implement SB 1440 over the next three years addresses the Completion Innovation Challenge’s second priority: “Reducing time-to-degree and accelerating success”, and also has elements that link to focus areas four (“restructuring delivery for today’s students”) and five (“deploying transformative technology”). Overall, the plan completes curriculum work successfully begun by intersegmental faculty to establish Transfer Model Curriculum in the top 25 degree programs, recognized by the CSU and CCC systems. In addition, the plan will provide for a marketing/communications activity that will increase awareness of these degrees and provide web resources to students throughout the state, helping them identify their pathway to associates and bachelors degrees.
Complete College America
Innovation Challenge Grant for California

As noted earlier, with the passing of SB 1440, authored by Senator Alex Padilla, California institutionalized sweeping reforms to its community college transfer process. Seen as one of the major reforms to increase student completion, SB 1440 has received positive acceptance by the California community colleges (CCC) and California State University (CSU) systems.

Beginning in fall 2010, the CSU and CCC systems set in motion various committees and structures to provide for clear transfer pathways for students. These pathways provide course recommendations and sequencing that provide students with information to save money and time as they pursue their degrees.

Leadership on this process has come directly from the CSU and CCC academic senates as well as the system administrative offices. The partnerships between the two systems are clear and functioning well. The key engine driving the success of this project are a series of meetings held among both CSU and CCC faculty to discuss the appropriate preparation for the first two years of major degree programs. The group set about doing this in a systematic process by focusing attention on the most often enrolled degrees for transfer.

The two major areas on which this plan will focus are:

- Reducing time-to-degree and accelerating success – this goal will be achieved through completing transfer curricula patterns, five have been completed and an additional 20 degree programs will be added, thus increasing the total number of transfer AA degrees by 400% over the 18 months of CCA grant operation.
- Restructuring delivery for today’s students – this goal will achieved through establishing common course identifiers for all courses in the transfer associate degree patterns, thereby allowing a student to complete the courses necessary for transfer at any community college, whether in person or through distance learning.
- Deploying transformative technology – this goal will be achieved through creation of web-based communications that clearly outline pathways for the top 25 degrees from CCC to CSU.

Timeline

The process of development includes CSU and CC faculty meeting together (face-to-face and virtually) to establish a Transfer Model Curriculum (TMC). Each TMC represents a faculty-developed structure for establishing the major component of a California community college (CCC) degree. TMCs are being developed as a means of facilitating a statewide response to SB 1440, legislation that mandates that all 112 CCCs offer “associate degrees for transfer”. Draft TMCs are developed by intersegmental faculty (CCC and CSU, primarily) and then made available for vetting through and online process at www.c-id.net. Once a TMC is finalized, CCC faculty have the option of developing degrees that align with the TMC. Degrees that
Complete College America
Innovation Challenge Grant for California

align with a TMC will reflect statewide faculty dialogue regarding appropriate preparation for a given major and will benefit from a streamlined approval process at the CCC Chancellor’s Office. Students who complete degrees that conform to the SB 1440 structure will benefit from admission preferences and other guarantees at the CSU upon transfer.

Within three months, TMCs have been developed in five of the top 25 disciplinary areas – psychology, sociology, math, communications, and early childhood education. The process has been hailed as the most interactive and collaborative model used within California to achieve consensus on such a large policy initiative.

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<thead>
<tr>
<th>Time</th>
<th>Event</th>
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<tbody>
<tr>
<td>Summer 2011</td>
<td>Launch TMCs</td>
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<tr>
<td>Fall 2011</td>
<td>Completion of First Ten TMCs</td>
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<tr>
<td>Spring 2011</td>
<td>Completion of Next Ten TMCs</td>
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<td>Spring 2011</td>
<td>Launch of Web Site and Marketing</td>
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Leadership Team

The main implementers of the grant activities will be the leadership of the CCC Academic Senate, through the Academic Senate Foundation for California Community Colleges. From the start of implementation of SB 1440, the CCC Academic Senate – the duly elected faculty representatives of the far-flung, 112-campus CCC system – has taken the lead in developing faculty-to-faculty governance processes that are distinctive in their “grass-roots”, faculty orientation. As previous CSU-CCC forays to creation of seamless transfer AA curricula had often entailed a more “top-down” approach, the engagement of faculty governance leadership directly in the core direction of the SB 1440 expansion is a central part of California’s strategy to deliver on increasing graduation and transfer rates.

Roles of the Institutions and State System Boards

The Academic Senate Foundation for California Community Colleges will function as the fiscal agent for the CCA grant, responsible for all deliverables associated with the grant, as described in the “Receipt of Funds” form.

The CSU and CCC system offices will support the project and the partnership with the Governor’s office and CCC and CSU academic senates through subcontracts let to CSU and CCC system offices from the main fiscal agent. The subcontracted work will support expertise in outreach, communications, information systems and data analysis, and student record tracking, as well as a portion of the time of key administrators who will be engaged in project operations.

At this juncture, there is no role identified for a state Department of Education, or equivalent entity. Liaison with the governing boards for the respective higher education systems will be effected through the administrators engaged in project operations.
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5) Description of how the state’s plan advances the goals of the other focus areas and how this plan will integrate with and accelerate the state’s larger completion goals.

*Maximum length: 1200 words*

- Describe how use of these funds will leverage progress in the state.
- Describe why funding for the selected Innovation Challenge focus area(s) is critical to creating measurable increases in completion in the state.
- Describe how the proposed work will improve completion given the challenges and barriers the state faces.
- Describe how the proposed work responds to the needs of the state’s labor market.
- Describe how the proposed work addresses racial and socioeconomic completion gaps in the state.
- Describe the state’s prior success in this area and how this plan builds upon previous and existing work.

Despite the success and momentum of this work to date, the development of additional Transfer Model Curricula is threatened by lack of funding. Aligned curricula arise only from the concerted, sustained work of faculty in the disciplines, in this case, faculty from two different segments of public higher education. The process depends on face-to-face meetings, trust-building, and collaboration -- sometimes for the first time.

In its first year, the legislation has drawn on the organizational structures and funding that supports an older, sibling effort in the community colleges called C-ID, a proxy for common course numbering that facilitates articulation within the segment. That financial support is running out, slowing the creation of additional TMCs. Funding from the Innovation Challenge would permit faculty in California to continue their collaboration at full strength. Immediately after creation of the TMCs in the 25 most popular majors, the California will need to market their value aggressively. Many of the students who most stand to benefit from efficient transfer are the first in their families to attend college; educating this audience about the value and benefits of transfer associate degrees will be difficult and resource-intensive, but vital to the success of the legislation. The use of various print and electronic media, including social media, will help engage students, their families, and their communities.

If successfully implemented and promoted, the new transfer curriculum will improve the academic success of individual students most directly, but will also benefit the state in two important ways:

*The state’s labor market* will be strengthened. As directed by the legislation, faculty have focused first on the most popular degrees, such as business, sciences, health care, and teacher preparation. Graduates from these programs are the foundation of California’s intellectual capital and flourishing middle class.
### Complete College America

**Innovation Challenge Grant for California**

Socioeconomic disparities will be reduced. For all Californians, the open-access community colleges are the welcome mat to higher education, providing college learning and baccalaureate level coursework to all who can benefit. When they’re ready, students from all backgrounds move from the community colleges to the state universities, where admission is more selective and costs of instruction higher. Many of the CSU students whose family backgrounds or prior academic experience made college look out of reach first learned otherwise at California Community College.

<table>
<thead>
<tr>
<th>6) Benchmarks against which the state will evaluate its progress against this plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum length: 350 words</strong></td>
</tr>
<tr>
<td>• Provide ambitious and realistic 3-month, 6-month, 12-month, 18-month, 24-month and 36-month benchmarks for the proposed activities.</td>
</tr>
<tr>
<td>• Provide a three-year outline for sustaining work that explains how the proposed actions will continue to improve completion rates beyond the grant period.</td>
</tr>
<tr>
<td>• Describe the implementation team’s plan and process for assessing which changes in state- and campus-level metrics are attributable to work implemented through the Innovation Challenge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Benchmarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 month – meetings scheduled</td>
</tr>
<tr>
<td>6 month – ten TMCs</td>
</tr>
<tr>
<td>12 month – ten more TMCs; marketing in place</td>
</tr>
<tr>
<td>24 month – 10,000 students enrolled in TMC pathways</td>
</tr>
<tr>
<td>36 month – 50,000 students transfer to CSU with a demonstrated reduction in the time to degree</td>
</tr>
</tbody>
</table>

Although creation of the new curriculum is challenging, the real test of the new legislation will come with the 24- and 36-month benchmarks, and learning whether students understand the new degree pathways, and find them attractive.

<table>
<thead>
<tr>
<th>7) State’s proposal development process.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Maximum length: 250 words</strong></td>
</tr>
<tr>
<td>• What institutions, agencies and individuals does the state intend to collaborate with in the proposed plan?</td>
</tr>
<tr>
<td>• Describe the roles and input of these collaborators in the development of this proposal.</td>
</tr>
</tbody>
</table>

This proposal was developed in a collaborative manner by CSU and CCC staff working closely with the Governor’s Office. Administrators, faculty, and communications offices have worked side by side since the law was enacted, to give it its best chance of success. Teams from each of the two higher education systems, including representatives from academic affairs (including academic research and analytic services), the academic senates, sponsored programs and
Complete College America  
Innovation Challenge Grant for California

budget, and governmental relations, held a series of telephone conferences between late March 2011 and May 17th, 2011, to identify focus areas for the grant, and to assemble institutional data required for grant submittal. Regular reports to respective system Executive Vice Chancellors and Chancellors were made and the Chancellors reviewed and approved the main focus area of the grant – full implementation of SB 1440. Governmental relations personnel for both systems met in person to discuss the project with key members of the Governor’s staff. This occurred at several junctures in spring 2011. Several telephone conversations were held with the Governor’s office and all team members, to develop the proposal and build working relationships between and among project leaders.

Should this grant proposal be funded, the official grantee will be the Academic Senate Foundation for California Community Colleges, which will work jointly with the Governor’s Office, the System Offices of both the CSU and CCC, and the Academic Senate for the CSU.

8) Use of Innovation Challenge grant funds.

*Maximum length: 400 words*

- Provide a narrative to accompany the budget summary table that describes how funding is allocated to each of the following budget categories:

  i. **Staff/Personnel**
     - Title and salary of each position
     - Amount of time to be spent by each position as measured by the percentage of the employee’s time
     - Description of each position, role of position with regards to overall project success and background information for each individual

  ii. **Travel**
     - Number of trips
     - Costs of transportation and subsistence during each trip
     - Description of each trip including length, purpose and contribution to the project’s overall success

  iii. **Technical Assistance**
     - Type of technical assistance needed
     - Cost per service (if contracted service, list details of contract including length, number of services offered, rate and total cost)

  iv. **Training**
     - Description of each training program and its relevance to project
     - Number and cost of training programs
Complete College America
Innovation Challenge Grant for California

v. Technology and Equipment
   • Type of equipment and cost per unit
   • Description of equipment’s purpose and function

vi. Communication
   • Type and cost of communication (if contracted service, list details of contract
     including length, number of services offered, rate and total cost)

vii. Indirect and Administrative Costs
   • Description of specific cost and how it serves the project
   • May not exceed 15% of total project budget

Staff/Personnel:
   • Project Coordinator (full-time): Jane Patton, Past President of the Academic Senate and
     faculty member at Mission College, will coordinate this project. She will provide
     oversight of the project, including budget, logistics, coordination between the CSU and
     CCC, communications. $65,000
   • Executive Director (30%): Julie Adams is responsible for operational oversight of the
     project. She will oversee the day-to-day operation of and office management for the
     project. $38,000.
   • Project Coordinator (50%): Katey Lewis, will assist the Meeting planning, meeting
     logistics, scheduling, and communication with faculty and administrators. $30,000
   • Staff Support (40%): A number of the Foundation staff will assist the project by
     processing expenses and stipends, tracking participation, answering questions from the
     field, support events and project coordinators as needed. $32,000.
   • Articulation Officer (20%): Resource for the overall articulation of programs between
     systems. $30,000
   • Data Analyst (10% x 2): Data collection related to student participation in transfer
     degrees for each system. $50,000

Travel
   • 20 six-member Faculty Discipline Groups (representatives from both the CSU and
     CCC) to attend four meetings at $200/meeting: $24,000
   • 50 college on-site trainings by resource faculty at $200/meeting: $10,000

Training
   • 6 meetings for the 20 discipline groups to develop transfer curriculum, approximately
     800 faculty (based on previous meetings) at $23,000/meeting: $148,000
   • 6 regional curriculum training sessions for discipline faculty, counselors, and
     curriculum staff, approximately 100 attendees (based on previous meetings) at
     $2,000/meeting: $12,000
   • 4 meetings for the Faculty Discipline Groups, approximately 120 participants at
     $2,750/meeting: $11,000
Complete College America
Innovation Challenge Grant for California

- Stipends for course reviewers (112 colleges, 25 disciplines, 2 reviewers per course – estimate of 10,000 courses @ $10/course): $100,000

Communication
- Students and their families will need to understand -- in a variety of languages, platforms, and media -- how the new degrees can help them reach their goals. This includes leveraging existing communications such as print, web, radio, as well as developing new materials. $300,000.

Indirect and Administrative Costs
- Operating expenses (utilities and space) for grantee: $24,000
- Materials and supplies: $6,000
- System administration for CSU: $60,000
- System administration for CCC: $60,000

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Total Project Budget ($)</th>
<th>Requested Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Staff/personnel</td>
<td>$245,000</td>
<td>$245,000</td>
</tr>
<tr>
<td>2) Travel</td>
<td>$34,000</td>
<td>$34,000</td>
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<tr>
<td>3) Technical assistance</td>
<td>$0</td>
<td>$0</td>
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<tr>
<td>4) Training</td>
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<td>5) Technology and equipment</td>
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<tr>
<td>6) Communication</td>
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<td>$300,000</td>
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<tr>
<td>7) Indirect and administrative costs</td>
<td>$150,000</td>
<td>$150,000</td>
</tr>
<tr>
<td>(may not exceed 15% of requested amount)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Complete College America
Innovation Challenge Grant for California
Additional Explanation of Data Elements Submitted

1. State Template-Context.

   The California State University's Chancellor's Office was able to fill in all the cells designated for "Four-Year Institutions."

   The California Community Colleges Chancellor's Office (CCCO) was able to provide enrollment headcounts for FT and PT students in all crosstabs except "Rec'd Pell upon Entry". Additionally, counts are for a Fall cohort vs. a full year cohort; calculating term based enrollments for first-term only for a full year cohort would have required a more extensive data run than time allowed for. Transfer students are also unavailable as this is a calculated status. FTE is credit FTE only, although it includes many generated FTE from non-degree-seeking students.

2. State Template-Outcomes.

   The CSU Chancellor's Office was able to fill in most of the cells designated for bachelor's degrees. There were two exceptions. The first was degrees conferred to Pell students in 2002-03. The problem was timing. We were not able to identify Pell Grant students among 2002-03 degree recipients because the historical financial aid data we needed to access were not readily available. Older data files are routinely removed from production sites and placed in archive settings. In the future, we will have sufficient time to retrieve archived financial aid files that can identify Pell students within any class of bachelor's degree recipients. The other exception was identifying degrees conferred to remedial students in 2002-03. Here, the issue was documentation. It is not clear the Chancellor's Office can identify all remedial students that entered the CSU before Fall 2000 from its corporate dataset. The remedy probably means going back to the campuses for original data.

   All CSU cells referring to certificates awarded to students at "Four-Year Institutions" are blank because certificates awarded at a bachelor's level are not tracked by the CSU system -- only degree programs are tracked. Many certificate programs are offered via CSU's Extended Education units, and are non credit-bearing. Some certificate programs are credit-bearing, but are commonly post-baccalaureate or affiliated with specific bachelor's degree programs, so that the certificate is completed within the time span for acquisition of the bachelor's degree.

   California Community College degree/certificate production figures are aggregated for total students only; our degree file does not contain student ethnicity in it. As students can have multiple provided ethnicities across their academic history, we did not create an algorithm for this submission as to which stated ethnicity to carry forward and apply to the degree. Additionally, this is total number of degrees, not individuals (headcount); one actually needs to create a separate accounting for the ethnicity distribution of all individuals, not how many degrees were generated by each subcategory. Graduation rates are not currently calculated in the CCA methodology at this time; we do not distinguish between AA/AS and certificate-seeking students.
The California Community Colleges Chancellor's Office is not clear as to the exact methodology in the “transfer out” metric. The Technical Guide specified the figure is both “annual number and percentage” of students that transfer, then provides a numerator and denominator definition (should we be reporting an annual volume or a ratio?). If a ratio, the denominator definition seems to imply that all entering students are counted (regardless of goal), then the notes on collection below this implies there is a “transfer at entry” cohort (something we cannot specifically identify in the same way we cannot identify AA/AS and certificate-seeking students). While we do calculate transfer rates for our own accountability system, the CCA instructions will need some clarification should we report these annually.

California Community Colleges Time-to-Degree is not reported because we cannot currently distinguish between certificate seeking and associate seeking.

3. State Template-Progress Metrics

The CSU Chancellor’s Office was able to fill in the cells designated for students enrolling and completing remedial courses at “Four-Year Institutions.” It was also able to fill in the retention rates for students enrolling in the next consecutive term the course. At this time, the CSU Chancellor’s Office does not routinely collect course outcomes at the end of each term. As a result, there are empty cells for three sections regarding students at Four-Year Institutions.”

The first blank section concerns students completing at least one entry college-level math and English course within two academic years of entry. The remedy here will be to have campuses submit selected course enrollments and completions for selected cohorts of new students. The next two blank sections concerns students completing 12 or 24 credit hours within their first academic year. The last blank section concerns documenting the ratio between attempted units and completed units for the 2007-08 college year. The remedy for each missing section will be to have campuses forward the CSU Chancellor’s Office units complete by term for specified college years.

All cells referring to certificates awarded to students at “Four-Year Institutions” are blank because certificates awarded at a bachelor’s level are not tracked by the CSU system – only degree programs are tracked. Many certificate programs are offered via CSU’s Extended Education units, and are non credit-bearing. Some certificate programs are credit-bearing, but are commonly post-baccalaureate or affiliated with specific bachelor’s degree programs, so that the certificate is completed within the time span for acquisition of the bachelor’s degree.

Total remedial students are reported; however, distinguishing math and English will require an extensive data run unavailable at this time. We are unable to complete the other progress metrics at this time for the same data limitation reasons (it would require extensive programming tasks that are not currently resourced.)
# Innovation Challenge Project Budget for California

<table>
<thead>
<tr>
<th>Budget Category</th>
<th>Item Description</th>
<th>Total Project Budget ($)</th>
<th>Requested Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1) Staff/personnel</strong></td>
<td>Project Coordinator</td>
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<td>Executive Director</td>
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<td>Project Specialist</td>
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<td>Staff Support</td>
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<td>Articulation Officer</td>
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<td>Data Analyst</td>
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<tr>
<td><strong>2) Travel</strong></td>
<td>Faculty Discipline Group Meetings</td>
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<td>$24,000.00</td>
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<td>On-Site College Trainings</td>
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<td><strong>3) Technical assistance</strong></td>
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<td></td>
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<td><strong>$ -</strong></td>
<td><strong>$ -</strong></td>
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<tr>
<td><strong>4) Training</strong></td>
<td>Discipline Group Meetings</td>
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<td>Regional Curriculum Training</td>
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<td>Faculty Discipline Group Meetings</td>
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<td><strong>6) Communication</strong></td>
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<td><strong>7) Indirect and administrative costs</strong> (may not exceed 15% of total budget)</td>
<td>Operating Expenses</td>
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</table>
Complete College America  
Innovation Challenge Grant for California  
Memorandum of Understanding  

This Memorandum of Understanding ("MOU") is entered into by and between State of California (Governor's Office) and California Community College Chancellor's Office (Implementation Partner) to establish an agreement for collaboration and to articulate roles and commitments in support of the implementation of a selected Completion Innovation Challenge proposal. This agreement shall be effective beginning with the date of the last signature provided, and if a grant is received, ending upon the expiration of the grant period or termination of the grant, whichever occurs first.  

Roles and Commitments  

I. Governor's Office Commitments: In planning for and implementing the proposed Completion Innovation Challenge Plan, the Governor's Office will:  
   a. Oversee the establishment of a team that will manage the implementation of the proposed plan as selected by Complete College America  
   b. Participate in relevant convenings, meetings or events that are organized or sponsored by the Innovation Challenge  

II. California Community College Commitments (Implementation Partner): In planning for and implementing the proposed Completion Innovation Challenge plan, the Implementation partner will:  
   a. Support the state in implementation of community college institution-, campus-, system- or agency-level elements of the funded plan  

III. Joint Commitments: In planning for and implementing the proposed Completion Innovation Challenge Plan, the Governor's Office and Implementation partner will work together to:  
   a. Develop the proposal, including target benchmark metrics  
   b. Monitor and regularly report progress toward target benchmark metrics  
   c. Appoint a contact person for the Innovation Challenge who will maintain regular communication with all implementation partners in the state and with Complete College America  
   d. Participate, as requested by Complete College America, in any evaluations of this grant
Record of Implementation Partner

Describe the Implementation Partner’s commitment to and experience in enacting policies and programs that are relevant for the proposed work.

The California Community College Chancellor’s Office will work with the Governor’s office, the Academic Senate California Community College Foundation, and California State University, in the implementation of activities in support of SB 1440 (the focus of the Complete College America grant). Activities will primarily include (a) continued development of curriculum by discipline faculty from the two segments (b) system-level coordination of data-gathering to determine the impact of the new curriculum on student success and (c) marketing the new transfer degrees to students, particularly those from at-risk populations including students from groups underrepresented in higher education.

Accountability Mechanism

Describe how the Governor’s Office and Implementation Partner will be held accountable for their respective contributions to the proposed work.

In the short term, effectiveness will be measured by the number of new transfer degrees that become completely aligned by the two systems and marketed to the public. Longer term, the Legislative intent of SB 1440 is that student outcome data show how many students use the new transfer pathways and reduce their time to completion, which will be the real measure of the projects success.

Implementation Partner Point of Contact

Contact Person’s Name: Dr. Barry A. Russell on behalf of the CCCCO
Position: Vice Chancellor of Academic Affairs
Phone: 916-322-6886
Email: brussell@cccco.edu
Assistant: Kathy Carroll
Assistant Contact Information: 916-322-6881 or kcarroll@cccco.edu

Modifications

This Memorandum of Understanding may be amended only by written agreement signed by each of the signatories and by Complete College America.

Signatures

May 17, 2011
Date

Governor Signature

May 17, 2011
Date

Implementation Partner Contact Person’s Signature
Memorandum of Understanding

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   a. Oversee the establishment of a team that will manage the implementation of the proposed plan as selected by Complete College America
   b. Participate in all relevant convenings, meetings or events that are organized or sponsored by the Innovation Challenge

II. California State University Commitments (Implementation Partner): In planning for and implementing the proposed Completion Innovation Challenge plan, the Implementation partner will:
   a. Support the state in implementation of California State University institution-, campus-, system- or agency-level elements of the funded plan

III. Joint Commitments: In planning for and implementing the proposed Completion Innovation Challenge Plan, the Governor’s Office and Implementation partner will together to:
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Describe the Implementation Partner's commitment to and experience in enacting policies and programs that are relevant for the proposed work.

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In the short term, our effectiveness will be measured by the number of new transfer degrees that become completely aligned by the two systems and marketed to the public. Longer term, the Legislative intent of SB 1440 is that student outcome data show how many students use the new transfer pathways and reduce their time to completion, which will be the real measure of the project's success.

Implementation Partner Point of Contact

Contact Person's Name: Dr. Ken O'Donnell on behalf of the CSU Office of the Chancellor
Position: Associate Dean for Academic Programs, Graduation Initiative Team Lead
Phone: 1-562-951-4735
Email: kodonnell@calstate.edu

Assistant: 

Assistant Contact Information: 

Modifications

This Memorandum of Understanding may be amended only by written agreement signed by each of the signatories and by Complete College America.

Signatures

Edmund G. Brown Jr., Governor

May 17, 2011

Date

Elizabeth L. Ambos

May 17, 2011

Implementation Partner Contact Person's Signature

Date

Elizabeth L. Ambos is Assistant Vice Chancellor for Research Initiatives and Partnerships, CSU Office of the Chancellor
Complete College America
Innovation Challenge Grant for California
Receipt of Funds Document

State Plan for Receiving and Managing Funds
Please describe the state’s plan for receiving grant funds, including the roles and commitments of the fiscal agent. If the fiscal agent is not a state entity, please explain the organization’s eligibility to serve in this capacity.

The state will receive grants funds through the Academic Senate Foundation for California Community College (ASFCCC) a 501(c) 3 organization. The ASFCCC will provide the fiscal management and oversight. The ASFCCC agrees to accept and be responsible for grant monies on behalf of a recipient. As such, the ASFCCC takes responsibility for receiving and safeguarding the funds and providing other services that facilitate the disbursement of funds. As a Fiscal Agent, the ASFCCC agrees to: maintain a separate account for funds and records of income and expenses related to the work of the grant; provide detailed financial records; disburse funds in accordance with grant or other guidelines; pay vendor invoices and personal reimbursements as requested; communicate regularly with state concerning the status of the funds; and respond to all requests for fund disbursement and reports in a timely manner.

Fiscal Agent and Point of Contact
Fiscal agent (Entry): The Academic Senate Foundation for California Community College
Contact Person’s Name: Julie Adams
Position: Executive Director
Phone: (916) 445-4753
Email: julie@asccc.org
Assistant: Katrina Salazar (Chief Financial Officer)
Assistant Contact Information: (916) 445-4753

Modifications
This Memorandum of Understanding may be amended only by written agreement signed by each of the signatories and by Complete College America.

Signatures

Governor Signature

Fiscal Agent Signature

May 17, 2011
Date

May 17, 2011
Date
STATE AND FEDERAL UPDATE

INFORMATION AND REPORTS
Presentation: Marlene Garcia, Vice Chancellor of Government Relations

Item 3.5

Issue
The Board will be provided with an update on state and federal legislative activities.

STATE OVERVIEW

The State Legislature has returned from summer recess to begin its marathon sprint through the final month of the 2011 Session. The final day of session is September 9. The Governor has until October 9 to sign or veto bills passed by the Legislature and in his possession on or before September 9.

August 26 marked a key deadline on the legislative calendar since it marked the last day for bills to pass fiscal committees. Bills that remain on the Suspense File do not proceed any further this year. Many of the bills we are monitoring were initially placed on the Suspense File, including the Board of Governors sponsored bill package. The major bills we are monitoring closely are summarized below. The final end-of-session State Legislative Wrap-Up will be provided to the Board at the September 12-13 meeting.

Key Legislation

The Legislature thus far has responded favorably to this year’s Board of Governors sponsored legislative package. These bills include **AB 743 (Block)** Common Assessment, **AB 1056 (Fong)** Electronic Transcripts, and **AB 1029 (Lara)** Stand Alone Course Approval.

**AB 743 (Block)** and **AB 1056 (Fong)** are both part of the system’s student success strategy. These bills both create efficiencies for the system through the use of innovative technology and most importantly make it easier for students to navigate the community college system. Both bills were initially referred to the Senate Committee on Appropriations Suspense File, but were passed with amendments by the committee with a unanimous vote on August 25. Both are headed to the Senate Floor for a vote sometime before September 9.

**AB 1029 (Lara)** is an important efficiency bill for the system and was signed into law by the Governor (Chapter 112, Statutes of 2011). This bill allows local colleges to continue approving stand-alone courses. These courses are not part of a specified program. Without enactment of AB 1029 the authority to approve stand-alone courses would have returned to the Chancellor’s Office, and created a costly and time consuming state operations effort. The colleges are required to report course approvals to the Chancellor’s Office by next year, at which time the Chancellor will provide a report to the Legislature.

There are also a series of bills moving through the legislative process that are important to monitor. **AB 194 (Beall)**, a measure supported by the Chancellor’s Office, provides enrollment priority for foster youth or emancipated foster youth up to the age of 24 at a community college and a California State
University campus. Former foster youth face significant barriers in accessing higher education resulting in low completion and high dropout rates. **AB 194 (Beall)** passed the Senate Appropriations Committee with amendments on August 25. Another important bill, **AB 684 (Block)** permits a district to change from at-large to trustee area elections through a waiver process. The bill establishes implementation procedures for the waiver, including a requirement to secure a trustee board resolution supporting the change and approval by the Board of Governors of the California Community Colleges. **AB 684** is patterned after a K-12 waiver process that provides a cost-effective tool to help districts comply with the California Voting Rights Act of 2001, and avoid costly legal challenges. This bill is sponsored by the Community College League of California and is also supported by the Chancellor’s Office.

**Senate Bill 292 (Padilla)** is a clean-up bill to **SB 1440**, the new transfer guarantee law. The bill required the community colleges to accept credits earned at other community colleges toward the associate degree for transfer. While there were concerns with the mandate contained in the bill, the system supported the concept. However, the bill was amended in Senate Appropriations to encourage community colleges to accept credits earned at other community colleges, making the bill permissive and removing the mandate. **AB 372 (R. Hernandez)** would have required community colleges to grant college credit to veterans for academic instruction they received in the military. The system supported this concept but had concerns about the state mandate in the bill. The bill was held in Senate Appropriations and will not proceed any further this year.

**Other Issues**

The Little Hoover Commission met August 24 in Sacramento as part of its continued review of the California Community College system. The Commission members discussed community college governance, statutes and regulations, finance and basic skills issues. The Commission’s full report is expected to be released later this year.

The Senate Subcommittee on Education Policy Research recently held a hearing on July 27, 2011, to review the next steps in beginning the process for closing down the California Postsecondary Education Committee (CPEC). The main issues that were discussed focused on where to house CPEC’s data base and the federally-funded Improving Teacher Quality Program.

On August 23, Governor Brown issued an Executive Order establishing the California Interagency Council on Veterans to improve how veterans’ services are coordinated across local, state and federal government. Governor Brown’s Executive Order directs the Secretary of the California Department of Veterans Affairs to establish the Council, which will be tasked with identifying and prioritizing the needs of California's veterans and coordinating the activities at all levels of government in addressing those needs. In recognition of the community colleges role in providing services to veterans, the Chancellor of the California Community Colleges will provide a designee along with various agency directors, appointees by the Legislature, and designees from the University of California and California State University.

**Staff:**  
*Michael Magee, Director/Administrator, State Government Relations*  
*Stephanie Puentes, Federal Government Relations*
State Legislative Update

The following report highlights and provides a brief analysis of major community college bills introduced this year. The bills are organized by topic. Attached you will also find the latest Community College Chancellor’s Office matrix, which can also be found online on the Government Relations webpage:

Academic Affairs

AB 160 (Portantino) Concurrent Enrollment in Secondary School and Community College
Analysis / Summary: AB 160 allows a school district to enter into a partnership with a community college district to determine local concurrent enrollment policies for high school students, including the ability to establish enrollment priority status for concurrently enrolled students. The bill also permits a school district to authorize a student upon the recommendation of a Career Technical Education (CTE) dean or other appropriate community college administrator, to enroll in CTE courses at the college. The CTE provision applies to high school students attending partnership and non-partnership school districts. Current law requires a high school student to secure a principal’s recommendation to attend at a community college.

Location: AB 160 passed the Assembly, was heard in the Senate Appropriations Committee, and was held in committee.
Position: Support

AB 288 (Feng) Community Colleges: Student Expulsion
Analysis / Summary: AB 288 would authorize the governing board or designee(s), of a district to deny, permit, or place conditions on the enrollment of an individual who has been expelled from a community college within the preceding 5 years, or who is undergoing expulsion procedures. AB 288 would grant districts authority to request pertinent discipline-related information from other collegiate institutions and mandates a response within 5 days. Finally, AB 288 requires a student who has been expelled from a collegiate institution within the preceding 5 years to inform the district at the time of application. The district governing board or designee(s) is required to hold a hearing before taking any action on such an individual.

Comments: AB 288 is nearly identical to AB 1400 of 2009 which was vetoed by Governor Schwarzenegger. The veto message directed the Chancellor’s Office to work with the author on a policy solution to address the issues in the bill however; legal counsel determined that we lacked the authority to do so without legislation. Recent amendments clarify no hearing or investigation is required.
Location: AB 288 passed the Assembly, was heard in the Senate Appropriations Committee, and passed with amendments.

Position: Support

**AB 851 (Nestande) Distance Learning**

**Analysis / Summary:** AB 851 defines distance learning as a course where a majority of the instruction is delivered through technology and where the student and instructor are in different locations for the purposes of data collection and reporting. It also requires the Chancellor’s Office to report to the Legislature on workload and performance data for distance learning courses every two years beginning January 1, 2014. Finally, the bill requires the LAO to convene a work group composed of the LAO, legislative staff, and the Department of Finance (with input from CCC, CSU, & UC) to evaluate the establishment of a California Western Governors’ University.

**Comments:** According to the author’s office, this bill was prompted by the October 2010 LAO report entitled “The Master Plan at 50: Using Distance Education to Increase College Access and Efficiency.”

Location: AB 851 passed the Assembly, was heard in the Senate Appropriations Committee, and was held in committee.

**AB 1029 (Lara) Stand Alone Course Approval**

**Analysis / Summary:** As amended, this bill will extend the authority provided to community college districts to approve instructional courses that are not a part of established educational programs by one year. These courses are known as “stand-alone” courses because they fall outside the traditional groupings of credit courses that culminate in degrees. Examples of these courses include: Literacy Skills I, Fundamentals of Fiber Optics, Piping Systems, Soil Testing and Inspection, etc. The courses are part of a new sequence that are not yet part of the academic program but could be included in the future.

Location: AB 1029 was signed by the Governor, Chapter 112, Statutes of 2011.

Position: Sponsor/Support

**Accountability / Intersegmental / Coordination and Efficiency**

**AB 2 (Portantino) Postsecondary Education: Accountability**

AB 2 would 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.

**Comments:** The intent of AB 2 is to provide a basis for state and local decision makers to establish and meet goals for California’s higher education.

Location: AB 2 passed the Assembly, was heard in the Senate Committee on Appropriations and was held in committee.

Position: Support

**AB 743 (Block) Common Assessment**

**Analysis / Summary:** AB 743 establishes a statewide common assessment system to place community college students in English, Mathematics, and English as a Second Language courses, and creates 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. Recent amendments also state that the provisions are contingent upon receipt of state, federal or philanthropic funding.

Comments: AB 743 avoids duplication of assessments at different campuses and allows students to take their test scores with them to any California Community College. The bill makes the purchase of tests more efficient by centralizing and therefore leveraging the state’s purchasing power to negotiate a lower per unit test cost. Recent amendments require that the Chancellor’s Office purchase an existing “off the shelf” assessment.

Location: AB 743 passed the Assembly, was heard in the Senate Committee on Appropriations and passed with amendments.
Position: Sponsor/Support

SB 885 (Simian) Public Education Accountability
Analysis / Summary: SB 885 authorizes the Community College Chancellor’s Office, CSU, UC, the Department of Education, the State Board of Education, the Commission on Teacher Credentialing, the Employment Development Department, and the CA School Information Services to enter into a Joint Powers Authority to develop a comprehensive data base for students from preschool through higher education (P-20).

Comments: The purpose of the bill is to bring the parties together so that the segments of higher education can coordinate their data systems with K-12 and each other.

Location: SB 885 passed the Senate and Assembly Committee on Appropriations, was sent to the Assembly Floor and placed in the Inactive File.
Position: Support

Budget / Finance / Facilities

AB 216 (Swanson) Inmate Education Programs
Analysis / Summary: AB 216 would allow community colleges to receive full funding for credit courses offered in correctional institutions. Specifically, it would waive “open course” provisions for community college courses offered in state correctional facilities and would allow attendance hours generated by credit courses at all correctional facilities to be funded at the full credit rate.

Location: AB 216 passed the Assembly, and was heard in the Senate Committee on Appropriations and held in committee.
Position: Support

AB 285 (Furutani) Community Colleges: Property Tax Backfill
Analysis / Summary: AB 285 provides 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.

Location: AB 285 passed the Assembly Higher Education Committee, was heard in the Assembly Committee on Appropriations, and was held in committee.
Position: Sponsor/Support

**AB 478 (Hernandez) Community Colleges: Funding**

**Analysis / Summary:** AB 478 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%. The bill would increase the community colleges annual statutory growth rate calculation by removing the 2% cap.

**Comments:** Currently, the law requires that we receive growth to accommodate new students based on two factors: 1) The year-to-year percentage change in California’s adult population; and 2) the statewide unemployment rate above 5% and capped at 2%. This bill would amend statute by removing the 2% cap.

**Location:** AB 478 passed the Assembly, was heard in the Senate Committee on Appropriations and was held in committee.

**Position:** Support

**SCA 5 (Simitian) Taxation: Educational Entities: Parcel Tax**

**Analysis / Summary:** SCA 5 authorizes school districts, community college districts, or county offices of education to impose a parcel tax on real property by a 55% vote of the voters in the district or county. It defines “parcel tax” as a special tax imposed upon real property at a rate determined without regard to the property’s value.

**Comments:** Currently it takes a two-thirds vote to impose parcel tax changes.

**Location:** SCA 5 passed the Senate Government and Finance Committee, and referred to the Senate Committee on Elections and Constitutional Amendments. SCA 5 is not scheduled to be heard.

**Position:** Support

**Campus Safety**

**AB 620 (Block) Nondiscrimination and Training, Sexual Orientation and Gender Identity**

**Analysis / Summary:** AB 620 requires the CSU, and requests the UC Regents and community college districts, to establish policies on harassment, intimidation, and bullying to be included in the rules of student conduct related to gender identity, gender expression, and sexual orientation. Each campus would be asked to designate a “point of contact” person to address the needs of LGBT students and provide demographic information to the LAO. The LAO would be encouraged to conduct an assessment of the campuses, develop recommendations, and publish their recommendations on their website.

**Comments:** This bill was introduced in response to a June 2009 CPEC study entitled “Access & Equity for all Students: Meeting the Needs of LGBT Students.” Recent amendments transferred the responsibilities of CPEC to the LAO.

**Location:** AB 620 passed the Assembly and the Senate Committee on Appropriations.

**Position:** Support

**AB 795 (Block) Smoke-free Campuses**

**Analysis / Summary:** AB 795 expands language to mandate that the California Community Colleges post signs denoting where smoking tobacco is prohibited and where it is permitted. AB 795 also grants the governing boards of the CCC’s the authority to enact enforcement procedures, impose a fine for a first,
second, or third offense and those that may occur thereafter and permits that students and staff be informed of smoking related policies. Finally, AB 795 makes it illegal to sell tobacco products on the campuses of a community college.

**Location:** AB 795 passed the Assembly and Senate Committee on Appropriations and was referred to the Senate Floor, to third reading file for final floor vote.

**CTE / Green Jobs / Energy / Workforce Preparation**

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

**Comments:** According to the author’s office, this bill is sponsored by State Building and Trades.

**Location:** AB 554 passed the Assembly, was heard in the Senate Committee on Appropriations and was referred to the Senate Floor, to third reading file for final floor vote.

**AB 848 (Campos) Apprenticeships**
**Analysis / Summary:** AB 848 would require the Chancellor’s Office to collect data on credits attained by apprentices. This requirement would only apply to building and construction trades programs that receive Reimbursement for Supplies and Instruction funds.

**Comments:** The bill is sponsored by multiple labor organizations. The goal is to provide potential apprentices with information and encourage more apprenticeship programs to offer credit. Chancellor’s Office staff has indicated that a survey of the apprenticeship programs already exists and could be modified to meet requirements of the bill.

**Location:** AB 848 passed the Assembly, was heard in the Senate Committee on Appropriations, and was held in committee.

**AB 1310 (Furutani) State Strategic Plan: Career Technical Education and Workforce Development**
**Analysis / Summary:** This bill would require the Secretary of Labor and Workforce Development to collaborate with the Chancellor’s Office, California Workforce Investment Board, CSU, UC, CDE and other agencies on the development of a strategic plan for connecting education and workforce development.

**Comments:** Recent amendments require the Department of Finance to state whether sufficient funds are available.

**Location:** AB 1310 passed the Assembly, was heard in the Senate Committee on Appropriations, and passed with amendments.

**AB 1330 (Furutani) CTE Course Requirements**
**Analysis / Summary:** This bill gives high school students the option of using a career technical education (CTE) course to fulfill the existing high school requirement to take a course in visual or performing arts or foreign language, as specified.
Comments: Recent amendments include a reporting requirement.

Location: AB 1330 passed the Assembly, was heard in the Senate Committee on Appropriations, and passed with amendments.

SB 698 (Lieu) Workforce Development: High Performance Boards
Analysis / Summary: This bill would require the Governor to establish, through the CA Workforce Investment Board, a process by which to identify high performing local boards. Only designated high performing 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.

Comments: This bill is sponsored by the State Building and Trades Council and the CA Labor Federation.

Location: SB 698 passed the Senate and the Assembly Committee on Appropriations.

Dream Act / Immigration Issues/Registration Requirements

AB 130 (Cedillo) Student Financial Aid: Eligibility; California Dream Act of 2011
Analysis/Summary: This bill would provide persons who are exempt from paying nonresident tuition eligibility for student financial aid.

Comments: Amendments were taken to reduce the fiscal impact of the bill. These amendments removed provisions specifying the process and procedures for applying for aid, and the provision allowing persons attending and graduating from California technical schools and adult schools to be included in the exemption for nonresident tuition; provisions were shifted to AB 131 (Cedillo).

Location: AB 130 was signed by the Governor, Chapter 93, Statutes of 2011.
Position: Support

AB 131 (Cedillo) Student Financial Aid
Analysis/Summary: This bill changes existing law to require the establishment of procedures and forms that enable persons who are exempt from paying nonresident tuition to apply for, and participate in, all student financial aid programs administered by the state of California and higher education segments to the full extent permitted by federal law, except for Competitive Cal Grant A and B Awards unless funding remains available after all eligible California students who are not exempt receive Competitive Cal Grant A and B Awards.

Comments: This bill was amended to allow persons attending and graduating from California technical schools and adult schools, as well as high schools, to be included in the exemption for nonresident tuition; wording was directly shifted from AB 130 (Cedillo). Recent amendments delay the operative date to January 1, 2013 and eliminate AB 540 expansion.

Location: AB 131 passed the Assembly, was heard in the Senate Committee on Appropriations, and passed with amendments.
Position: Support
AB 844 (Lara) Student Government: Students Qualifying for Exemption from Nonresident Tuition
Analysis /Summary: This bill would add a provision to the Donahue Higher Education Act that would
provide that a student 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.

Comments: Late last year the CSU Fresno Student Body President was identified as serving in student
government as an AB 540 student. He had waived his compensation of approximately $800 per month.

Location: AB 844 passed the Assembly and the Senate and was returned to Assembly for concurrence.

Local Administration

SB 46 (Correa) Compensation Disclosure
Analysis /Summary: SB 46 requires local government officers and employees who file economic interest
statements to annually file a compensation disclosure form which includes the following items:
annual salary or stipend; local agency payments to the filer’s deferred compensation or defined benefit plans;
automobile and equipment allowances; supplemental incentive and bonus payments; and any local
agency payments to the filer that are in excess of standard benefits for other employees. SB 46 would
include, among others, elected or appointed officers of community college districts, community college
presidents, community college vice presidents, and community college deputy vice presidents.

Comments: This bill was prompted by the scandal involving public employees from the City of Bell.

Location: SB 46 passed the Senate, urgency clause adopted, and referred to Assembly.

Pensions

SB 27 (Simitian) Public Retirement: Final Compensation; Computation: Retirees
Analysis /Summary: This bill would prohibit members of Public Employees’ Retirement System (PERS) or
State Teachers’ Retirement System (STRS) who retire after January 1, 2013 from working (including part-
time or under contract) for a PERS/STRS employer for 5 months after retirement. This bill specifies that if
a STRS retiree earns compensation in violation of this requirement, his or her retirement allowance will
be reduced by the amount of compensation earned in the prohibited period. This bill becomes operative
for all active and future members of the retirement systems beginning July 1, 2012.

Comments: This bill institutes uniform laws for PERS and STRS retirement systems that will help to
curtail an individual from taking extraordinary steps to enhance their retirement benefits also known as
spiking. This provision would eliminate ‘revolving door’ practices in which some public employees retire
on a Friday and return to the same job on Monday as a retired worker.

Location: AB 1310 passed the Assembly, and is in the Senate Committee on Appropriations, not heard.
Other

AB 684 (Block) Community College Districts: Trustee Elections
Analysis/Summary: This bill authorizes a community college district to change to a trustee area election system through a waiver process. The bill requires a district to secure a board resolution supporting the change and approval of the Board of Governors of the California Community Colleges. The bill includes a legislative mandate that the Grossmont-Cuyamaca CCD implement a trustee area election.

Comments: The State Board of Education already approves similar waivers for K-12 districts. The waiver process allows a community college district to avoid the cost of an extra election cycle, because typically the districts are required to secure voter approval to change to the election system. The waiver offers districts a cost-effective way to avoid expensive lawsuits stemming from non-compliance with the California Voting Rights Act (CVRA) of 2001. CVRA provisions make it difficult for a district to maintain at-large elections without the threat of legal challenges. While the other provisions of AB 684 are permissive for community college districts, the requirement to implement trustee area elections applies exclusively to the Grossmont-Cuyamaca CCD and is a mandate. The mandate is not reimbursable because it is being proposed at the request of the local governing body upon which it would be imposed. Grossmont-Cuyamaca CCD sent the Senate Appropriations Committee a letter indicating that it requested the introduction of AB 684's provisions regarding its CCD and acknowledged that it will bear all costs related to changing to a trustee area election system as specified in the legislation.

Location: AB 684 passed the Assembly, and was referred to the Senate Floor, to third reading file for final floor vote.
Position: Support

SB 8 (Yee) Public Records State Agency: Auxiliary Organizations
Analysis/Summary: SB 8 would apply provisions of the California Public Records Act (CPRA) to auxiliary organizations of the University of California and the California State University, as well local CCD auxiliaries, and the official auxiliary to the Chancellor's Office, the Foundation for California Community Colleges.

Comments: This bill is similar to SB 330 (Yee) of 2010 and SB 218 (Yee) of 2009, both of which were vetoed by Governor Schwarzenegger. UC and CSU were strongly opposed to prior versions of the bill, but have removed their opposition after negotiating amendments with the author and sponsor to protect donor anonymity. Proposed amendments for the Assembly Higher Education Committee will include the same protections for donors provided to the UC and CSU auxiliaries for local community college district auxiliaries, and the Foundation for California Community Colleges. According to the sponsor, and several CCDs, the CPRA already applies to auxiliary bodies established by local community college districts, and the local foundations have been operating under the CPRA.

Location: SB 8 passed the Senate and Assembly and has been sent to the Governor.
Position: Support

Student Fees and Affordability

AB 91 (Portantino) Community Colleges: Student Financial Aid
Summary/Analysis: This bill requires the Office of the Chancellor of the California Community Colleges to establish a voluntary pilot program to increase student participation in state and federal financial aid
programs. It also requires the Chancellor to provide information to the Legislative Analyst’s Office (LAO). The LAO would be required to report to the Legislature on the results of the program, and make recommendations for statewide expansion of the pilot program.

Comments: It is estimated that AB 91 would create minor increased costs for the Chancellor’s Office for administering the pilot project.

Location: AB 91 passed the Assembly and the Senate Committee on Appropriations.

Position: Support

SB 451 (Prada) Student Financial Aid: Cal Grant C Awards
Analysis / Summary: SB 451 requires the California Student Aid Commission (Commission) to develop areas of occupational and technical training for which students may use Cal Grant C awards. The Commission would then give priority in granting Cal Grant C awards to students pursuing training in fields that meet two of the three following criteria: high employment need, high salary or wage projections, or high employment growth. It also calls for a review and update of these designated occupational areas at least every five years beginning in 2012. The Legislative Analyst’s Office would be required to submit a report to the Governor and Legislature on the outcomes of the Cal Grant C program every other year beginning April 1, 2015.

Comments: The Appropriations Committee deemed this bill of minor or no fiscal impact to the State.

Location: SB 451 passed the Senate and Assembly and was returned to the Senate for concurrence.

SB 760 (Alquist) Postsecondary Education: The Cal Grant Program
Analysis / Summary: SB 760 authorizes the California Student Aid Commission (CSAC) to clarify reporting requirements adopted in the education trailer bill earlier this year, SB 70, Chapter 7, Statutes of 2011, through the CSAC regulatory process. Higher education institutions participating in the Cal Grant and Pell Grant programs are now required to provide student specific data regarding enrollment, persistence, and graduation for students, as well as job placement and wage data on graduates.

Comments: The additional regulations will increase reporting requirements for community colleges. If SB 760 is enacted, CSAC will begin developing new regulations in July 2011, and it is estimated the work will be completed in 12 to 18 months.

Location: SB 760 passed the Senate and was referred to the Assembly Floor, to third reading file for final floor vote.

Position: Support

**Student Success and Transfer**

AB 194 (Beall) Public Postsecondary Education: Priority Enrollment: Foster Youth
Analysis / Summary: This bill would require the California State University and California Community College districts, and requests the University of California, to grant priority registration for enrollment to foster youth or former foster youth. The bill defines foster youth as any person currently in foster youth care and former or emancipated foster youth up to age 24. This bill would impose a state mandated cost.

Comments: Recent amendments add a sunset date of July 1, 2017.
Location: AB 194 passed the Assembly, was heard in the Senate Committee on Appropriations, and passed with amendments.
Position: Support

**AB 1056 (Fong) Electronic Transcripts**
Analysis / Summary: This bill would create an incentive for community colleges to utilize electronic transcripts by December 2012. AB 1056 expedites the process of converting from paper-based transcripts to an electronic based system by leveraging one-time external funding to support initial start-up costs. Implementation of this bill is contingent upon receipt of federal funds or outside philanthropic grants.
Comments: Mailing paper-based transcripts is neither timely nor cost-effective. Paper-based transcripts often take weeks to be delivered and delay a student’s enrollment in classes. Converting from a paper-based transcript to an electronic transcript system can save a college $4 to $10 per transcript by reducing paper consumption, operating costs, and postage. An electronic system would also give students the option to view their transcripts online. Recent amendments to the bill add a sunset date of 2015 to secure sufficient funding for e-Transcripts, and identify the Chancellor’s Office as the designee for the disbursement of funds. Recent amendments make the bill permissive after the initial funds are disbursed to avoid a reimbursable mandate.
Location: AB 1056 passed the Assembly, was heard in the Senate Committee on Appropriations, and passed with amendments.
Position: Sponsor/Support

**SB 292 (Padilla) Community Colleges: Transfers**
Analysis / Summary: SB 292 requires the community colleges to accept course credit from other campuses. This practice is commonly referred to as reciprocity. Implementation of reciprocity among all 112 community college campuses contains significant costs and is a state mandate.
Comments: Recent amendments to SB 292 removed language that provided further clarification on the enrollment priority benefit for SB 1440 transfer students; however, this language is included in SB 940 (Lowenthal). Implementation of reciprocity is cost prohibitive because a common course numbering system doesn’t exist for the 112 community colleges. Without a common course numbering system, course content reviews to determine course equivalencies would be necessary at each campus. This can be a time consuming process. The Chancellor’s Office is working with the author to develop mutually accepted language for reciprocity. Recent amendments make the bill permissive encouraging community colleges to accept credits from other campuses.
Location: SB 292 passed the Senate, was heard in the Assembly Committee on Appropriations, and passed with amendments.
Position: Support

**SB 940 (Senate Education Committee) Omnibus Education Bill**
Analysis / Summary: SB 940 includes an amendment to SB 1440 (Padilla), Chapter 428, Statutes of 2010 that clarifies that veteran students continue to have priority enrollment.
Location: SB 940 passed the Senate and Assembly and was returned to the Senate for concurrence.
Veterans Issues

AB 372 (Hernandez) Public Postsecondary Education
Analysis / Summary: AB 372 requires the community colleges, as part of the matriculation process, to provide academic credit for prior college-level learning gained through military training. The bill requires prior learning assessment to be determined by relevant faculty and related equivalent educational credit awarded that meets the standards of the American Council on Education (ACE), Council for Adult and Experiential Learning, or other equivalent standards for awarding academic credit. The colleges are required to implement these provisions only to the extent that reimbursement for the assessment is provided by the federal Department of Veterans Affairs or any other federal act establishing veteran's education benefits.

Comments: Fifty California Community Colleges are members of a consortium that uses the ACE guidelines. Prior versions of this bill created a state mandate for the sixty-two colleges that are not part of the consortium, but recent amendments remove and reduce costs related to assessments by requiring that costs be paid through veteran's benefits. Currently, community colleges provide a process for credit by exam and charge a fee. This process is available to all students and the student veteran may use their GI Bill benefits to pay for the credit by exam. Existing college processes provide the authority for colleges to use the ACE guidelines, and credit by exam. AB 372 highlights concerns expressed by student veterans who are seeking college credit for instruction in a military setting. The Academic Senate for the California Community Colleges recently approved a resolution encouraging the use of the ACE guidelines. By requiring an assessment for college credit by amending the definition of matriculation, AB 372 creates a mandate which may result in significant costs.

Location: AB 372 passed the Assembly, was heard in the Senate Committee on Appropriations, and was held in committee.
Position: Support, if amended

AB 636 (Knight) Military Service: Veterans Benefits
Analysis / Summary: AB 636 would eliminate the requirement in Section 824 of the Military and Veterans Code that requires that a student withdraw by a specified date in order to receive a refund of fees paid in the event that the student is called to services. AB 636 also requires that any credit toward a subsequent academic term must be equal to 100% of the cost of the subsequent tuition and fees paid to the institution for the current academic term.

Comments: National Guard, active duty and veteran students may be called to service and deployed by the Governor or the President of the United States at a moment's notice. This deployment may disrupt the student's education and cost the student money. AB 636 assists the student by taking into consideration that deployments may occur at any time, and expands the student's options upon their return to the college.

Location: AB 636 passed the Assembly and Senate, and sent to enrollment.
Position: Support

AB 882 (Cook and Blumenfield) Priority Enrollment for Veterans
Analysis / Summary: AB 882 was recently amended to include language from AB 853 (Blumenfield), a bill that was supported by Chancellor's Office. Provisions from AB 853, now in AB 882 are designed to bring California into compliance with federal law, which requires that a member of the armed forces and their...
dependants are entitled to resident classification for the purposes of calculating tuition and fees for the duration of their enrollment in a public institution of higher education. AB 882 would also establish a "Veterans Service Center" pilot program through collaboration between the local workforce investment boards and participating county governments.

Comments: Recent amendments delete pilot provisions.

Location: AB 882 passed the Assembly, was heard in the Senate Appropriations Committee, and passed with amendments.
Position: Support

SB 813 (Veterans Affairs Committee) Priority Enrollment for Veterans
Analysis / Summary: SB 813 amends statute to increase the total time period for a veteran student to receive priority registration from two years to four years after leaving active duty.

Comments: SB 813 was amended on July 6, 2011 to specify that the student veteran would receive priority for “class” registration. Members and staff from the Assembly Higher Education Committee raised concerns about the effect of this amendment on UC and CSU. The bill is expected to be amended in the Assembly Committee on Appropriations at which time the July 6 amendment will be removed.

Location: SB 813 passed the Senate and Assembly and was returned to Senate for concurrence.
Position: Support
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<td>Wright</td>
<td>Redvelopment: Local Education Agencies</td>
<td>x x x x x x x</td>
<td>Senate Gov &amp; Finance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SB 265</td>
<td>Price</td>
<td>Community Colleges: construction restrictions</td>
<td>x x x x x x x</td>
<td>Senate Education</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SB 322</td>
<td>Negrete-McLeod</td>
<td>Public Employee Retirement: multiple employers</td>
<td>x x x x x x x x</td>
<td>Chaptered</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SB 359</td>
<td>Wak</td>
<td>Alcoholic Beverage Control: Public Schoolhouses</td>
<td>x x x x x x x x</td>
<td>Senate Floor</td>
<td></td>
<td>Circumvent</td>
</tr>
<tr>
<td>SB 340</td>
<td>Wak</td>
<td>Remote option</td>
<td>x x x x x x x</td>
<td>Asm. Approps</td>
<td></td>
<td>Asm. Appropriations Suspense</td>
</tr>
</tbody>
</table>
## California Community College Chancellor's Office Legislative Tracking Matrix

### 2011 Legislative Session: 8/26/2011

<table>
<thead>
<tr>
<th>BILL</th>
<th>AUTHOR</th>
<th>SUBJECT</th>
<th>First House</th>
<th>Second House</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td>SB 549</td>
<td>Nonge-McLeod</td>
<td>CALSTRS</td>
<td>x x x x x x</td>
<td>Senate</td>
<td>Concurrence</td>
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<tr>
<td>SB 960</td>
<td>Nonge-McLeod</td>
<td>Public Employee Retirement System, Death Benefits</td>
<td>x x x x x x</td>
<td>Senate</td>
<td>Enrollment</td>
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<tr>
<td>SB 963</td>
<td>Bakerlee</td>
<td>Regulations: Economic Analysis</td>
<td>x</td>
<td>Senate Gov. Org.</td>
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<tr>
<td>SB 438</td>
<td>Carillo</td>
<td>Public Works: prevailing wages</td>
<td>x</td>
<td>Senate Labor</td>
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<tr>
<td>SB 424</td>
<td>Gallardo</td>
<td>JCC and CSU Summer Session Fees</td>
<td>x</td>
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<tr>
<td>SB 423</td>
<td>Padilla</td>
<td>State Surplus Property</td>
<td>x x x x x x x</td>
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<tr>
<td>SB 427</td>
<td>Rubio</td>
<td>State Agency: Public Contacts</td>
<td>x x x x x x x</td>
<td>Assembly Floor</td>
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<tr>
<td>SB 564</td>
<td>Hernandez</td>
<td>Local Bonds: Bond Anticipation Notes</td>
<td>x</td>
<td>Senate Gov. &amp; Finance</td>
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<tr>
<td>SB 520</td>
<td>Walters</td>
<td>Pension Reform: Defined Contribution (spol)</td>
<td>x</td>
<td>Senate PER</td>
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<tr>
<td>SB 571</td>
<td>Walters</td>
<td>Public Employee Retirement: Social Security</td>
<td>x</td>
<td>Senate PER</td>
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<tr>
<td>SB 522</td>
<td>Walters</td>
<td>Public Employee: Pension: Service Credit - repeal</td>
<td>x</td>
<td>Senate PER</td>
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<tr>
<td>SB 523</td>
<td>Walters</td>
<td>Elected Local Offciers: Retirement</td>
<td>x</td>
<td>Senate PER</td>
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<tr>
<td>SB 524</td>
<td>Walters</td>
<td>Public Employee Retirement Reimbursement</td>
<td>x</td>
<td>Senate PER</td>
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<td>SB 525</td>
<td>Walters</td>
<td>Public Employee Retirement Reimbursement</td>
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<td>Senate PER</td>
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<tr>
<td>SB 526</td>
<td>Walters</td>
<td>Public Employee Retirement: Defined Contribution New Employees (spol)</td>
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<tr>
<td>SB 527</td>
<td>Walters</td>
<td>Public Employees Retirement: Contacting Agencies (spol)</td>
<td>x</td>
<td>Senate PER</td>
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<td>SB 528</td>
<td>Walters</td>
<td>Public Employees Retirement: Defined Contribution Safety Employees</td>
<td>x</td>
<td>Senate PER</td>
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<tr>
<td>SB 537</td>
<td>Comas</td>
<td>California Cadet Corps: Military Academies</td>
<td>x x x x x x x</td>
<td>Assembly Floor</td>
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<tr>
<td>SB 563</td>
<td>Fuller</td>
<td>State Regulations</td>
<td>x</td>
<td>Senate Gov. Org</td>
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<tr>
<td>SB 590</td>
<td>Wright</td>
<td>State Regulations: Effect on Local Business</td>
<td>x</td>
<td>Senate Enviro. Quality</td>
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<tr>
<td>SB 595</td>
<td>Varjani</td>
<td>Public Employee Retirement Benefits (spol)</td>
<td>x</td>
<td>Senate Rules</td>
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<tr>
<td>SB 533</td>
<td>Haff</td>
<td>Bond Fines for unauthorized use</td>
<td>x</td>
<td>Senate Gov. &amp; Finance</td>
<td></td>
</tr>
<tr>
<td>SB 655</td>
<td>Hernandez</td>
<td>Health Care: Workforce training</td>
<td>x x x x x</td>
<td>Assembly Health</td>
<td></td>
</tr>
<tr>
<td>SB 675</td>
<td>Wright</td>
<td>Private Colleges: non-English speaking students</td>
<td>x</td>
<td>Senate Business &amp; Prof.</td>
<td></td>
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<tr>
<td>SB 688</td>
<td>Wright</td>
<td>State regulations: legislative approval</td>
<td>x</td>
<td>Senate Environmental Quality</td>
<td></td>
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<tr>
<td>SB 725</td>
<td>Bethelhaupt</td>
<td>Public Contracts</td>
<td>x</td>
<td>Senate Labor</td>
<td></td>
</tr>
<tr>
<td>SB 776</td>
<td>DeSaulnier</td>
<td>Local Bills: funding</td>
<td>x x x x x x</td>
<td>Assembly Appropriations Suspense</td>
<td></td>
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<tr>
<td>SB 178</td>
<td>Padilla</td>
<td>PERS: executive retirement</td>
<td>x</td>
<td>Senate PER</td>
<td></td>
</tr>
<tr>
<td>SB 880</td>
<td>Sue, et al.</td>
<td>Veterans: Education benefits for dependents</td>
<td>x</td>
<td>Senate Rules</td>
<td></td>
</tr>
<tr>
<td>SB 635</td>
<td>Walker</td>
<td>Public Contracts: University of California</td>
<td>x x x x x x x</td>
<td>Assembly Floor</td>
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<tr>
<td>SB 872</td>
<td>Walters</td>
<td>Public Employee Retirement: Social Security</td>
<td>x</td>
<td>Senate Rules</td>
<td></td>
</tr>
</tbody>
</table>

### BILLS TRACKED BY THE CHANCELLOR'S OFFICE - BUDGET BILLS

<table>
<thead>
<tr>
<th>BILL</th>
<th>AUTHOR</th>
<th>SUBJECT</th>
<th>First House</th>
<th>Second House</th>
<th>STATUS</th>
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<tbody>
<tr>
<td>AB 92</td>
<td>Brehm</td>
<td>Budget Act of 2011</td>
<td>x x x x x</td>
<td>Assembly Floor</td>
<td>Conf. Comm.</td>
</tr>
<tr>
<td>BILL</td>
<td>AUTHOR</td>
<td>SUBJECT</td>
<td>FIRST HOUSE</td>
<td>SECOND HOUSE</td>
<td>STATUS</td>
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<tr>
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</tr>
<tr>
<td>AB 54</td>
<td>Budget Com.</td>
<td>Education Finance: Budget Act of 2011</td>
<td>x x x</td>
<td>x</td>
<td>Chaptered</td>
</tr>
<tr>
<td>AB 59</td>
<td>Budget Com.</td>
<td>Budget Bill Jr. (amends SB 69, the main budget bill passed in March)</td>
<td>x x x</td>
<td>x</td>
<td>Vetoed</td>
</tr>
<tr>
<td>AB 112</td>
<td>Budget Com.</td>
<td>Change to 2010-11 Budget</td>
<td>x x x</td>
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<tr>
<td>AB 114</td>
<td>Budget Com.</td>
<td>Education</td>
<td>x x x x</td>
<td>x</td>
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<tr>
<td>AB 26X</td>
<td>Bumenfield</td>
<td>Redevelopment</td>
<td>x x x x x x</td>
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<tr>
<td>AB 27X</td>
<td>Bumenfield</td>
<td>Redevelopment</td>
<td>x x x x</td>
<td>x</td>
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<tr>
<td>SB 69</td>
<td>Leno</td>
<td>Budget Act of 2011</td>
<td>x x x x x x</td>
<td>x</td>
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<tr>
<td>SB 79</td>
<td>Budget Com.</td>
<td>Education Finance: Budget Act of 2011</td>
<td>x x x x</td>
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<tr>
<td>SB 87</td>
<td>Budget Com.</td>
<td>Budget 2011-12</td>
<td>x x x x</td>
<td>x</td>
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<tr>
<td>ACA 1x</td>
<td>Bumenfield</td>
<td>The Schools and Local Public Safety Protection Act of 2011</td>
<td>x</td>
<td></td>
<td>Asst. Budget</td>
</tr>
<tr>
<td>SB 1xx</td>
<td>Starkert</td>
<td>The Schools and Local Public Safety Protection Act of 2011</td>
<td>x x</td>
<td></td>
<td>Senate Approp.</td>
</tr>
</tbody>
</table>

**Conclusion:** The bill needs approval by the house of origin if that bill has been amended in the second house. If the author is unwilling to move the bill as amended by the other house, the author requests "nonconsent" and for the formation of a conference committee.

**Status:**
- **Passed:** The bill was passed in the Assembly, but the action was canceled, or it did not meet legislative deadlines.
- **Failed:** Some bills that are designated "Failed" may not currently be moving through legislative committees, but could receive rule waivers and continue to be tracked by the Chancellor's Office.
- **Referred:** The bill was referred to a committee on the floor and did not pass. Reconsideration may have been granted.

**Contact:** Justin C. Saini, Governmental Relations – jsaini@sccco.edu – 319.524.2547

Copies of these bills and legislative committee analyses can be found at www.reginfo.gov.
Federal Update

The California Community Colleges continue to monitor two major issues at the federal level that have long-term implications for community colleges: debt ceiling negotiations and gainful employment regulations.

The House and Senate immediately broke for their August recess following approval of the debt ceiling bill. Congress will return to work after the Labor Day weekend to a significant backlog of pending legislation. The appropriations process will resume in the House and Senate, with the current fiscal year scheduled to end on September 30. However, a short-term continuing resolution is likely to be required, as Congress likely will not approve all appropriations bills in three weeks. Alternatively, leaders could decide to pursue an omnibus appropriations bill.

Debt Ceiling Negotiations

After much debate and wrangling for votes, Congress approved the deal to increase the debt ceiling, known as the Budget Control Act of 2011. The President signed the bill into law August 2, 2011, just in time to clear the deadline before default of United States’ loans would have occurred. The House approved the measure in a bipartisan 269 to 161 vote, with 174 Republicans and 95 Democrats in favor. The Senate approved the measure 74 to 26, with 28 Republicans and 46 Democrats in favor.

As a result of the Congressional budget deal, the debt ceiling was immediately increased by $400 billion, with an additional increase of $500 billion to go into effect later this fall, subject to Congressional action to reduce the federal spending, as specified (see super committee discussion below).

The Budget Control Act of 2011 preserves the maximum funding amount for the Pell grant at $6,550 and provides $17 billion in supplemental funding for the Pell grant program over the next two fiscal years; the program will provide $10 billion in fiscal year (FY) 2012 and $7 billion in FY 2013. The supplemental funding will help alleviate the Pell grant program shortfall; the FY 2012 shortfall is $11 billion and the FY 2013 shortfall is $10 billion.

As part of the Budget Control Act of 2011, a Joint Select Committee on Deficit Reduction, also known as “super committee,” has been selected to develop a proposal that reduces overall government spending by $1.5 trillion over the next decade. The composition of the committee includes six members from the Senate and six members from the house with an equal representation of Republicans and Democrats. The following members have been named to the committee. Note that California has one representative on the committee: Congressman Xavier Becerra.

SENATE
Patty Murray (D-WA) - co-chair
Max Baucus (D-MT)
John Kerry (D-MA)
Jon Kyl (R-AZ)
Pat Toomey (R-PA)
Rob Portman (R-OH)

HOUSE
Jeb Hensarling (R-TX) - co-chair
Dave Camp (R-MI)
Fred Upton (R-MI)
James E. Clyburn (D-SC)
Xavier Becerra (D-CA)
Chris Van Hollen (D-MD)

By November 23 of this year, the Joint Committee must vote on a plan to reduce funding by $1.5 trillion over the period of Fiscal Years 2012 – 2021. If the plan is approved by at least seven members, it will proceed to the House and Senate for consideration, where it must be voted on by December 23.

If Congress does not approve at least $1.2 trillion in savings, an automatic reduction in spending known as sequestration will occur on January 2, 2013. The Pell Grant program is exempt from cuts under sequestration for 2013, but the discretionary portion of the program, which is most of the Pell program since the only mandatory portion of the
program is the increases in maximum awards passed under the American Recovery and Reinvestment Act of 2009, would be subject to cuts by the Appropriations Committee starting in 2014. Additionally, the Joint Committee has no restrictions and can cut funding to the program or change the eligibility requirements for FY 2012 and FY 2013.

Gainful Employment Regulations

On June 2, 2011 the U.S Department of Education (ED) released the final regulations requiring college programs to prepare students for ‘gainful employment’ or risk losing access to federal student financial aid, including Pell Grants and student loans. While the focus of the regulations is primarily on degree and non-degree programs at for-profit institutions, the regulations also cover non-degree occupational training programs, or certificate programs, at community colleges. In fact, according to ED, a majority of the covered ‘gainful employment’ programs occur at community colleges.

The first phase of the regulations, effective July 1, 2011, require each higher education institution that offers gainful employment programs to provide prospective students with specified information to be displayed on the program’s website. The required information includes:

- Occupations that the program prepares students to enter
- Links to occupation profiles
- Program costs for the entire program in a defined “normal completion time,” including tuition and fees, on-campus room and board, books and supplies, and may include other costs
- On-time completion rates
- Median loan debt incurred by students who complete the program
- Job placement rates for students completing the program (not required for CCC’s at this time)

Most colleges appear to have implemented the required disclosures by the July 1, 2011 deadline.

The next phase involves reporting to the U.S. Department of Education detailed information regarding enrollment data of gainful employment programs due by November 15, 2011 (the deadline was extended from October 1, 2011). The Chancellor’s Office will work closely with community colleges in centrally gathering as much of data as possible for this purpose.

Under the new regulations, a program would be considered to lead to ‘gainful employment’ if it meets at least one of the following three metrics:

- Repayment: at least 35 percent of former students are currently repaying their loans
- Debt-to-discretionary income ratio: the estimated annual loan payment of a typical graduate does not exceed 30 percent of his or her discretionary income
- Debt-to-total earnings: the estimated annual loan payment of a typical graduate does not exceed 12 percent of his or her total earnings

If a program fails to meet all three metrics, the penalties are outlined in three phases:

- After one failure: The institution must disclose the amount by which the program missed minimal acceptable performance, provide the program’s plans for improvement and establish a three-day waiting period before students can enroll.
- After two failures within three years: The institution must tell students in the failing program that their debts may be unaffordable, that the program may lose eligibility, and what transfer options exist.
- After three failures within four years: The program loses eligibility for federal student aid. Institutions cannot reestablish the program’s eligibility for at least three years. However, they can continue to operate without student aid.

According to a U.S. Department of Education estimate, the vast majority of community college programs would meet one of the metrics outlined above. It is estimated that about 1% of community college programs could become ineligible for federal student aid under these regulations. Noncompliant programs would not be ruled ineligible for federal financial aid until 2015.
LITTLE HOOVER COMMISSION REVIEW OF CALIFORNIA COMMUNITY COLLEGES

INFORMATION AND REPORTS
Presented by Marlene L. Garcia, Vice Chancellor for Governmental Relations

Item 3.6

Issue

The Little Hoover Commission is currently conducting a review of the California Community Colleges. An update will be presented to the Board on the Commission’s most recent hearing held August 24 in Sacramento to discuss community college governance, statutes and regulations, finance and basic skills. The Commission’s full report is expected to be released later this year.

Background

The Little Hoover Commission is an independent state oversight agency that was created in 1962. The Commission's mission is to investigate state government operations and – through reports, recommendations and legislative proposals – promote efficiency, economy and improved service. The Commission is currently engaged in an examination of the California Community Colleges. A description of the project, provided by the Commission, follows:

Description of Study

The Little Hoover Commission is reviewing California’s community college system. California’s community college system is the nation’s largest higher education system, responsible for providing basic skills education, workforce training, and preparation for transfer to 4-year universities, as well as vocational and life-long learning opportunities. The community college system plays a critical role in training the state’s future workforce, and is under increasing pressure from declining budgets and growing demand. The Commission will study how the community college system’s governance structure and financing are aligned to serve its multifaceted mission, and make recommendations for improvement, if warranted.

When the Commission last reviewed the state’s community college system in 2000, it found enormous potential in the state’s community colleges’ ability to meet individual and community needs, but also identified some barriers. The Commission recommended a number of measures to strengthen community colleges’ ability to reach that potential, including improving teacher quality, ensuring universal access, realigning funding to drive student success and strengthening the governance of the community college system.
In its 1986 study, the Commission reviewed the adequacy of financial accountability for the community college system and made a number of recommendations to improve the organization, management and financial accountability of the system.

Conclusion

This item is for information only.

Staff:  Marlene L. Garcia, Vice Chancellor for Government Relations
UPDATE ON THE STUDENT SUCCESS TASK FORCE

INFORMATION AND REPORTS
Presentation: Jack Scott, Chancellor, California Community Colleges

Item 3.7

Issue

On September 28, 2010, Senate Bill 1143 (Liu) was chaptered into law. This legislation, which went into effect on January 1, 2011, requires the Board of Governors to establish a task force to examine best practices for promoting student success and adopt a plan for improving student success within the California Community Colleges. At its January 2011 meeting, the Board appointed a diverse group of 21 individuals to serve on the Student Success Task Force. Board Member Peter MacDougall was appointed to chair the Task Force. At the September Board meeting, Chancellor Scott and Task Force Chair MacDougall will provide the Board with an update on the progress of the Student Success Task Force.

Background

This legislation, which was supported by the Board, launches a new examination of student success in the California Community Colleges.

The bill requires the Board to do the following:

- Adopt a plan for promoting and improving student success within the California Community Colleges.
- Establish a Student Success Task Force to examine best practices within the community colleges and effective models throughout the nation for accomplishing student success.
- The members of the task force shall include a broad representation of stakeholders, including, but not limited to, faculty.
- The task force shall develop and present recommendations to the board for incorporation into the plan to improve student success and completion within the California Community Colleges.

These recommendations shall focus on, but not be limited to, all of the following considerations:

1. Multiple measures and effective programs for assessing student success and completion, including, but not limited to, attaining college-level skills, accumulating college-level course credits, earning a degree or certificate, and transferring to a four-year college or university.
(2) Statutory and regulatory barriers to student success and completion.

(3) Best practices for promoting student success and completion, including, but not limited to, the acquisition of basic skills.

(4) Alternative funding options for providing necessary services to students and promoting best practices for student success and completion.

(5) Alternative funding options instituted in other states for improving student success and completion.

(6) The effective use of technology by community colleges and districts to promote, evaluate, and improve student success and completion.

Prior to presenting recommendations to the Board, the Task Force shall facilitate discussions with key community college stakeholders and other appropriate parties.

Prior to implementing the plan, the Board shall report the contents of the plan, and the recommendations of the task force, to the Senate Committee on Education and the Assembly Committee on Higher Education at a joint hearing that shall be convened on or before March 1, 2012.

Since January, the Task Force has met monthly and discussed a range of topics including college readiness, student support services, basic skills instruction, student outcome metrics, and funding models. The Task Force has heard from educational leaders from around the state and nation to broaden their understanding of effective educational models.

At its July and August meetings, the Task Force worked to develop a set of draft policy recommendations. These recommendations will be solidified at the September Task Force meeting, after which they will be shared at numerous public meetings around the state in order to encourage public review and input. Following this public input, the Task Force will make any necessary changes to its proposal and then submit the proposal to the Board for consideration at its January meeting.

At the Board retreat on Sunday September 11, the Board will discuss the recommendations. There will be no public comments taken at the retreat. Time for public comments will be provided during continuation of this item at the regular Board meeting on Monday September 12.
BOARD OF GOVERNORS MEETING DATES FOR 2013

FIRST READING
Presentation: Steve Bruckman, Executive Vice Chancellor for Programs/General Counsel

Item 4.1

Issue

This item presents the proposed 2013 Board of Governors meeting dates.

Background

Each fall, the Board of Governors adopts a schedule of meetings two years in advance.

Conclusion

This item is presented for the Board’s consideration, with action scheduled for the November 2011 meeting.
Proposed Calendar of Meeting Dates for 2013

January 7-8
March 4-5
May 6-7
July 8-9
September 9-10
November 4-5
NOMINATION OF BOARD OFFICERS

FIRST READING
Presentation: Scott Himelstein, President, Board of Governors

Item 4.2

Issue

This item calls for the nomination of Board officers for 2012.

Background

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

At the next to the last regular meeting of the calendar year, the President shall solicit from other Board members nominations for President and Vice President. The Board should note that because of the elimination of CPEC, there are no nominations for CPREC representative or alternate. A Board member may be nominated for more than one office. Additional nominations may be made in writing to the Chancellor, or from the floor, provided that any such nomination must be made prior to the conduct of the election for the particular office occurring at the last regular meeting of the year.

Analysis

Pursuant to the Board’s Procedures and Standing Orders, President Himelstein will solicit nominations for the office of president and vice president for the 2012 calendar year.

Election of new Board officers will take place at the November 2011 meeting.

Nominee/s for President
Nominee/s for Vice President

Recommended Action

Members of the Board nominate candidates for the office of president and vice president for the 2012 calendar year.
SELECTED OF THE CAMPUS SITE FOR 2012

FIRST READING
Presentation: Jack Scott, Chancellor, California Community Colleges

Item 4.3

Issue

This item presents the Board with an opportunity to begin consideration of the location(s) for its campus visit for 2012.

Background

From 1985 to 1994, the Board held its meetings both in Sacramento and at various locations throughout the state. In 1995, the Board of Governors began holding an annual meeting at a community college campus, with the remaining meetings held in Sacramento. The campus sites for the period 1996-2011 follow:

1996 San Diego Community College District
1997 Coastline Community College District
1998 Foothill-DeAnza Community College District
1999 Yosemite Community College District
2000 Long Beach Community College District
2001 Siskiyous Joint Community College District
2002 Santa Clarita Community College District
2003 San Luis Obispo County Community College District
2004 Southwestern Community College District
2005 San Jose City College
2006 Kern Community College District
2007 Riverside Community College District
2009 Lake Tahoe Community College
2009 San Francisco City College
2010 El Camino Community College District
2011 Butte Community College District (September)

The Board alternates holding its campus meeting between Northern, Southern, Bay Area, and Central Valley locations, whenever possible.
The Board has expressed interest in meeting outside Sacramento more than once per year. This could be arranged, but for various reasons the Board meeting needs to be in Sacramento in March, May and July, limiting the options. And the November meeting falls on Election Day.

**Conclusion**

San Diego City College is proposed as the location for the September 2012 meeting. This is a first reading item. The Board will take action on the location for 2012 at the November 2011 meeting.
REVISIONS TO THE DISCIPLINES LIST

ACTION
Presentation: Barry Russell, Vice Chancellor, Academic Affairs Division
Michelle Pilati, President, Academic Senate of the California Community Colleges

Item 4.4

Issue

This item presents a revision to the disciplines list that is used to implement the minimum qualifications for employment of faculty and administrators.

Background

The California Community Colleges replaced its former credentialing system with a system of Minimum Qualifications in 1990. The document (Minimum Qualifications for Faculty and Administrators in California Community Colleges) listing the minimum qualifications is commonly called the Disciplines List. Discipline faculty recommend changes or additions to the list, and the Academic Senate facilitates hearings and voting on the changes. The Academic Senate consults with the Chancellor’s Office on the changes and additions, and a recommendation is forwarded to the Board of Governors.

For instructors of credit courses, the minimum qualifications are as follows:

Possession of a master’s degree in the discipline or a bachelor’s degree in the discipline and a master’s degree in a reasonably related discipline.

For faculty assigned to teach courses in disciplines where the master's degree is not generally expected or available, but where a related bachelor’s or associate degree is generally expected or available, possession of either (a) a bachelor’s degree in the discipline directly related to the faculty member’s teaching assignment or equivalent foreign degree plus two years of professional experience directly related to the faculty member’s assignment, or (b) an associate degree in the discipline directly related to the faculty member’s teaching assignment or equivalent foreign degree plus six years of professional experience directly related to the faculty member’s assignment.

For disciplines in which a master’s is not generally expected or available, possession of any bachelor’s degree and two years of professional experience, or any associate degree and six years of professional experience.

To define which degrees are “reasonably related,” and to place disciplines into master’s degree and non-master’s degree categories, the Board of Governors is required, by Education Code section

The Academic Senate undertook a review process during 2010-11 to determine what changes, if any, were needed to bring the disciplines list up to date. Local academic senates, colleges and districts, students, other interested parties, and Chancellor’s Office staff were solicited for recommendations to change the disciplines list. A total of 11 proposed changes were received and considered by the Academic Senate’s Executive Committee. The Committee held hearings during its plenary sessions to give proponents of the suggested changes an opportunity to defend their proposals and for opposition to be heard. Subsequent to the hearings, the Executive Committee’s recommendations were presented to the full Academic Senate for consideration. Seven resolutions relating to the disciplines lists were approved. The four failed proposals may be seen in Attachment I, Failed Proposals to Change the Disciplines List.

Analysis

The proposed revision to the disciplines lists was adopted by the full Academic Senate in April 2011. The Consultation Council reviewed the item on August 18, 2011, and raised no issues with the proposed change. A general timeline based on even and odd years of the review process is provided in Attachment II, Disciplines List Two-Year Review Timeline.

The proposed revisions are identified below:

**Accounting**
Master’s in accountancy or business administration with accounting concentration OR Bachelor’s in business with accounting emphasis or business administration with accounting emphasis or economics with an accounting emphasis AND Master’s in business, business administration, business education, economics, taxation, or finance OR the equivalent.

(NOTE: A Bachelor’s degree with a CPA license is an alternative qualification for this discipline, pursuant to title 5 section 53410.1.).

**Ethnic Studies**
Master’s in the ethnic studies field OR Master’s in American Studies/Ethnicity, Latino Studies, La Raza Studies, Central American Studies, Latin American Studies, Cross Cultural Studies, Race and Ethnic Relations, Asian-American Studies, or African-American Studies OR the equivalent OR see interdisciplinary studies.
Health
Master’s in health science, health education, biology, nursing, physical education, kinesiology, exercise science, dietetics, or nutrition OR Bachelor’s in any of the above AND Master’s in public health, or any biological science OR the equivalent.

Drama/Theater Arts
Master’s or Master of Fine Arts in drama/theater arts/performance OR Bachelor’s or Bachelor of Fine Arts in drama/theater/performance AND Master’s in comparative literature, English, communication studies, literature, or humanities OR the equivalent.

The proposed new additions to the Disciplines List are identified below:

Art History
Masters in art history, history of art and architecture, or visual culture/visual studies; OR Bachelors in art history AND Masters in history; OR Masters in art with a recorded emphasis or concentration in art history OR the equivalent.

Classics
Master’s in classics OR Bachelor’s in classics AND Master’s in history (with a concentration in ancient Mediterranean areas), English literature, comparative literature, or classical archaeology OR the equivalent.

Military Studies
Add new non-Master’s discipline.

Discipline Areas also included in the discipline
Military Studies Military Science

(Note: the professional experience required for this discipline must be in the military paygrade of E-7 or above).

Human resources staff and other college officials use the Disciplines List extensively as a guide when making determinations of fitness and qualification of applicants for employment in faculty positions in the districts. Districts will continue to enjoy a significant degree of flexibility, provided that agreement exists between the local board and academic senate, in how courses are placed into disciplines for minimum qualification purposes, and in the use of granting equivalency to the minimum qualifications when hiring or when assigning faculty to classes.

Conclusion

The proposed Revisions to the Disciplines List are presented for the Board to review prior to taking action at a subsequent meeting.

Staff: LeBaron Woodyard, Dean, Academic Affairs
Proposed revisions to the Disciplines List:

**Education**
Master’s in education, *teaching OR Master’s in a recognized K-12 subject matter*, OR the equivalent AND hold or have held a state approved K-12 teaching credential.

Proposed new additions to the Disciplines List:

**Futures Studies**
Master’s in futures studies OR master’s degree in anthropology, political science, sociology, computer science, economics, environmental science, or peace studies OR the equivalent.

**Peace Studies**
Master’s in peace studies, peace and justice studies, conflict resolution and mediation, English, biology, philosophy, anthropology, sociology, history, and political science OR the equivalent.

**Sustainability**
Master’s in sustainability, biology or environmental science, philosophy, peace studies, sociology, or geology OR the equivalent.
Attachment II
Disciplines List Two-Year Review Timeline

**Spring of even year**
Hearing on new proposals at Plenary Session; implementation of prior cycle approvals begins

**Fall of even year**
Final hearing on new proposals occurs at Plenary Session

**Spring of odd year**
Vote on final proposals takes place at Plenary Session

**Fall of odd year**
Board of Governors considers the recommended additions or modifications
Item 5.1

Issue

This item provides information on efforts underway to address the mental health needs of California Community College (CCC) students and announces a $6.9 million grant that will help support this work.

Background:

At its January 2008 meeting, the Board of Governors heard a presentation on the significant and growing need for mental health services for college-age students. According to recent studies, students who access counseling or psychological services on campus are expressing more significant problems than in the past. Data from a 2008 survey of CCC students shows that stress, anxiety, and depression are among the top ten factors students report affecting their academic performance. Almost 50 percent of students reported feeling very sad, very lonely, and hopeless, with over a third reporting they were so depressed it was difficult to function. Eight percent reported that they had seriously considered suicide and almost three percent had actually attempted suicide. Fortunately, other studies support the effectiveness of prevention and early intervention services, indicating that counseling and other mental health services produced a positive effect on student retention and academic performance.

There is a wide range of mental health needs among community college students, and although some seek services, many do not. Among the students who experience or are at-risk of mental health issues are:
The significant number of returning veterans who may have post-traumatic stress disorder (PTSD), traumatic brain injury (TBI) and depression as a result of their military and combat experiences;

Those with no prior mental health history who need help for the first time due to developmental challenges, and/or emotional, educational, economic and social stressors;

Those who have experienced severe depression and previous suicidal thoughts and/or attempts;
Those who have never been diagnosed but who may present challenges to the campus community by being disruptive;

Those with diagnosed psychological disabilities, some of whom receive support from campus Disabled Student Programs and Services (DSPS) and health services offices; and

Those who may need help but who do not want to use DSPS or other specialized services because of the stigma that is a significant barrier to seeking help for mental health issues.

The colleges have had limited resources to support the provision of mental health services and, until recently, there were no staff resources at the Chancellor’s Office to focus on this issue or advocate on behalf of the system for outside funding. Generally, mental health services are provided under the umbrella of campus health services, which is at the discretion of each community college district’s local Board of Trustees. Students may also receive mental health services through general counseling or through Disabled Student Programs and Services (DSPS) if they have a documented psychological disability or seek an accommodation for this disability. Approximately 18,000 students with psychological disabilities received DSPS services in 2008-09. That number increased to almost 19,500 in 2010-11.

The Health Services Association of the California Community Colleges conducts a periodic survey on the scope of health and mental health services available to students. Data from the 2008-09 and 2009-10 surveys (that were completed by 68 and 62 colleges respectively) indicate the following:

A significant majority (85 percent) of responding colleges offer some degree of mental health counseling by licensed mental health providers (a psychologist, LCSW, or MFT). The model for services is short-term intervention.

About three-quarters (76.5 percent) provide individual therapy sessions; the remainder rely on groups and other resources, such as online tools and information.

40 percent provide medication management services.
55 percent offer an internship training program, utilizing university students preparing to be mental health clinicians to help meet the need for services.

Crisis intervention and community referrals are provided by over 90 percent of responding colleges.

68 percent also provide mental health screenings.

A more recent survey was conducted by the Chancellor’s Office in partnership with Gail Conrad, Director of Disability Support Programs and Services for the San Diego Community College District. With responses from all 112 community colleges, the results include the following findings:

Colleges reported an increased need for referrals to county mental health and community agencies, yet acknowledged that formalized agreements or policies for such referrals may not exist.

Colleges reported an increased amount of time spent on training faculty and staff after the Virginia Tech tragedy, and many colleges use a behavioral/crisis intervention team approach that involves collaboration among different departments and staff throughout the campus community. The Disaster Resistant Community Colleges project has also provided leadership and resources in support of these models and training.

Analysis

The Chancellor’s Office has made significant progress in providing support for campus efforts to address student mental health issues since the last update to the Board in 2008. Advances include the following:

The Chancellor’s Office actively pursued a unique opportunity afforded by the Mental Health Services Act (MHSA) to fund a Mental Health Coordinator position that is supported by Proposition 63 (2004) MHSA funds, though a Memorandum of Understanding with the Department of Mental Health. As a result, the Chancellor’s Office was able to hire a Mental Health Coordinator in 2009 to provide statewide leadership and advocacy, to form a mental health advisory committee, and to actively advocate on behalf of the CCC for funding that ultimately resulted in the recent $6.9 million grant award.

The CCC Mental Health Services Advisory Committee was formed in June 2009 and meets quarterly.

The Chancellor’s Office now has a mental health Web page presence that includes resources, information and best practices that are of interest to faculty, staff and students. It can be found at www.cccco.edu/mentalhealth.
In 2010, the Chancellor’s Office successfully partnered with a private company to obtain free online suicide prevention training for faculty and staff during November 2010 as part of a pilot project to assess the interest of this tool for CCC faculty and staff. As a result of the pilot, 153 faculty and staff at 23 colleges were trained in recognizing the signs and symptoms of mental health issues among students.

Also in 2010, the Chancellor’s Office obtained a $75,000 grant from the Zellerbach Family Foundation to support the development and delivery of faculty and staff training on the mental health needs of student veterans. As a result of this effort, six trainings were held at three Bay Area community colleges and 226 faculty, staff, and other participants took part in the training, which included segments on military cultural competence; specific common disorders such as post-traumatic stress disorder, traumatic brain injury and depression; transition issues specific to student veterans; and concrete suggestions to make the campus a more welcoming environment for veterans that supports their academic success. In addition, the grant provided for local resources to be developed and made available to training participants at each college.

Most importantly, the mental health coordinator actively participated in statewide efforts to direct Proposition 63 funds to support campus-based mental health services. Securing the $6.9 million California Community Colleges Student Mental Health Program (CCCSMHP) grant was the culmination of those efforts.

California’s Mental Health Services Oversight and Accountability Commission, created upon passage of Proposition 63, proposed a statewide Student Mental Health Initiative (SMHI) in 2007, in response to the shooting at Virginia Tech. The SMHI would fund projects for the higher education and K-12 systems that would have statewide impact and be administered at the state level. However, the initiative required that all funds be allocated to counties, necessitating creation of a joint powers authority (JPA) to allow the implementation of statewide projects like the SMHI.

The California Mental Health Services Authority (CalMHSA) JPA was formed and the student mental health initiative Request for Application (RFA) was finally released on February 28, 2011. This RFA allowed for each of the three systems of public higher education to apply for a maximum grant of $6.9 million.

The requirements of the grant are as follows:

Must address three strategic directions of 1) faculty and staff training; 2) suicide prevention; and 3) peer-to-peer services.

Must impact all students and all 112 colleges.
Must focus on capacity building and infrastructure development. The funding cannot be used for direct services.

Must be sustainable after the three-year grant ends.

The Chancellor’s Office convened a workgroup of CCC stakeholders to provide input and guidance on the proposed scope of work for the grant proposal. The grant was submitted on April 17, 2011 in partnership with the Foundation for California Community Colleges, which serves as the fiscal agent. At CalMHSA’s June 9, 2011 board meeting, approval was given to begin the contract negotiation process with the Chancellor’s Office and the Foundation. The contract term is expected to run from August 1, 2011 to June 30, 2014.

The main components of the CCCSMHP are the development and implementation of mini grants to 12 colleges, a statewide training and technical assistance system to support the grants, regional training efforts, and resource development and dissemination. The CCCSMHP will also identify an online gatekeeper training program for faculty and staff to help those who may encounter students exhibiting signs of mental distress to respond appropriately. In addition, an external evaluator will develop a data and evaluation framework, and assist in quality management and accountability efforts. Embedded in the above components are plans to collaborate with stakeholder groups, and California State University and University of California systems on select projects. Maintaining a focus on student veterans will be an important element of program implementation. Currently, the Chancellor’s office continues to work with CalMHSA staff to finalize the scope of work and budget. It is anticipated that work will begin in fall 2011.

There will be several challenges in implementing this project, including the short time frame for program implementation and evaluation. However, the infusion of $6.9 million in CalMHSA funds provides the California Community Colleges with a unique opportunity to place a much greater focus on addressing student mental health needs that are critical for our students’ success.

Conclusion

This item is for information only.
Update on Instructional Materials Issue

INFORMATION AND REPORTS
Presentation: Barry Russell, Vice Chancellor, Academic Affairs Division

Item 5.2

Issue

The purpose of this agenda item is to provide the Board of Governors with an update on the instructional materials issue that has received public attention in recent months. During this time, the Board President, Chancellor, and Chancellor’s Office staff have received numerous inquiries on this topic from the colleges and state leaders. This update will provide a chance for Board members to learn about the issue and ask questions.

Background

On June 3, 2011, a series of news articles began appearing in the San Francisco Chronicle concerning a student who filed a complaint with Foothill College that he was charged a fee for access to an online website that provided a textbook and support for an online math class. The Chancellor’s Office staff immediately began an investigation to determine if Foothill College had violated any laws or regulations. The process included convening a task force composed of numerous community college stakeholders representing various constituencies to gain input from the field on this topic. In July, the task force held a fact-finding meeting in order to gather information on the specific situation at Foothill College as well as the general topic of instructional materials fees charged for online resources. Subsequent to the fact-finding meeting, the Chancellor’s Office staff determined that Foothill College had acted within allowable guidelines in establishing that the resource was necessary for the student to complete the class, that it was tangible personal property (could be printed and stored), and therefore was of lasting value to the student past the end of the course.

Analysis

In the course of making a determination in the Foothill College case, the Chancellor’s Office concluded that advances in educational technologies are rapidly outgrowing the guidelines related to instructional materials. As a result, these policies should be revisited and updates should be considered. To facilitate this policy discussion, the Chancellor’s Office intends to reconvene the task force in September to help develop possible options for updating policies related to instructional materials fees for online resources. The task force will be expanded to include additional students and will hear presentations from experts on the topic of free instructional materials, such as Open Educational Resources. Any proposed regulatory changes would then advance through our usual regulatory process with the proposal first going to Consultation Council followed by public hearings at Board of Governors meetings.

Conclusion

This item is for information only.
August 1, 2011

Dr. Jack Scott, Chancellor
California Community Colleges
1102 Q Street, 4th Floor
Sacramento, CA 95811

Dear Chancellor Scott:

I am writing to express concern regarding a recent recommendation by the Instructional Materials Fees Taskforce that appears to permit commercial publishers (as private corporations) to charge students mandatory materials fees, on top of institutional course fees collected by the colleges, for instructional content that students are prevented from keeping beyond the term. Not only can the practice significantly increase the cost a student may bear for the course, it may also be inconsistent with current law.

As you may know, following recent reports that raised questions about this practice, the Taskforce was convened to look at the issue more closely and determine whether or not it was permissible. It is my understanding that the group was comprised of only a few stakeholders, many of whom were vendors representing commercial publishers active in the business of online education.

It appears the Taskforce met rather informally to consider this major issue, perhaps without proper public notice or disclosure of financial conflicts of interest. Moreover, the group apparently determined rather quickly that the practice is permissible.

In these difficult budget times, I applaud your ongoing leadership in developing creative and innovative ways to maintain affordable access to our community colleges. It is a monumental task. However, as online educational resources become increasingly considered as options, I believe the we must pay close attention to the related legal, fiscal and policy implications as well as other online educational resources that may be lower in cost or free for students.

I am concerned that hastily permitting commercial publishers to charge mandatory materials fees could be a door-opener for predatory publisher practices at the expense of students and families. I hope no further steps will be taken to permit this practice until a full vetting of the vast array of implications, with appropriate public notice and stakeholder input, can be achieved.

As always, I appreciate your consideration. I look forward to your response and an update about any next steps you have planned on this issue.

Sincerely,

DARRELL STEINBERG
President pro Tempore

DS:me
August 16, 2011

The Honorable Darrell Steinberg
State Capitol, Room 205
Sacramento, California 95814

Dear Senator Steinberg,

Thank you for your letter dated August 1, 2011 concerning fees charged for online instructional materials. In the time since your letter was sent, the Chancellor’s Office staff has been working on this issue and communicating directly with your staff on a regular basis to keep you up to date on the matter.

First of all, we want to assure you that as soon as we read the first article in the San Francisco Chronicle concerning the possibility of an improper fee being charged to students at Foothill College, we asked Chancellor’s Office staff to look into the matter and conduct a thorough review of the situation. They did so and, additionally, sought input from an ad hoc task force composed of a group of faculty, administrators, and a community college student. This group met July 18, 2011 to provide information from the field about current practice related to the use of online instructional materials in order to inform the judgment of the Chancellor’s Office’s related to the allegations at Foothill College. In addition, the task force was asked to consider whether current regulations and polices should be changed to better protect students from excessive costs, while also making sure that our regulations keep pace with new instructional technologies.

Although no publishers served on the task force, the group heard from three commercial publishers and one online resource company at the outset of the meeting to learn about their future product development in an attempt to further understand the issue. Each vendor was allowed 15 minutes in the morning to present. After the presentations, they were excused from the meeting.

After the vendors departed, the task force discussed the matter and provided information on current practice. It was extremely helpful for Chancellor’s Office staff to hear from the field on this issue in order to better understand the use of these resources in the classroom, both face-to-face and online. Following this meeting, Chancellor’s Office staff determined that the practice at Foothill College is allowable under current education code and regulations. Central to this finding was that no additional fee beyond the regular unit fee is being charged or collected by the college in connection with the course. Further, while on-line instructional materials are required, it was determined that this is permissible because students can both print out and electronically store the materials for future use. In making this determination related to the Foothill College complaints, we can assure you that we have not changed any laws or regulations related to required instructional materials.
The Honorable Darrell Steinberg  
August 16, 2011  
Page 2

That having been said, as Chancellor’s Office staff reviewed the matter they became convinced that emerging technologies have begun to strain the existing definitions contained in current regulations and policy related to instructional materials fees. New online technologies are leading to dynamic and adaptive tools for delivering instruction that were not envisioned at the time the current rules were drafted. As a result, we are reviewing current education code and Title 5 regulations to determine whether they are adequate to protect the financial interests of students while also enabling robust use of current and emerging instructional technologies. Striking the right balance between these policy objectives will not be easy, but is vitally important to ensure the best educational outcomes for community college students. You have our commitment that this review will be done with extensive public input. To begin this work, we have already scheduled discussions with the Academic Senate for California Community Colleges and the Student Senate for the California Community Colleges to gain more input on practice and need.

We are attaching a copy of a letter that was sent to the colleges this past week concerning this issue by Vice Chancellor Barry Russell. Because of the timing of the situation (most schools are beginning instruction this week and or the following week), Chancellor’s Office staff felt it was important to send the letter and provide direction to the colleges. You will see in the letter that colleges are referred to current law for guidance on this matter. Further, colleges are alerted to the fact that regulatory and policy changes are being considered in this area. It is our intention that this both alerts and encourages broad participation in our upcoming policy discussions and also prepares our colleges for possible changes in the near future.

As we consider changes in related policies, we can assure you that we will not support any changes to our regulations or policies that would place unreasonable financial burdens on students for these instructional materials.

To facilitate a better understanding of the facts, Chancellor’s Office staff is developing a Questions and Answers document covering the Foothill College situation and the policies related to instructional materials fees. We will share this document with you as soon as it has been finalized.

We hope our letter has answered your questions and given you a sense of where we are headed in dealing with this important matter. We would be glad to meet with you or your staff on this issue and Chancellor Scott will follow up with a phone call to you after you have received this letter.

Sincerely,

Scott Himelstein, President  
Board of Governors

Sincerely,

Jack Scott, Ph.D.  
Chancellor
August 10, 2011

TO: Chief Instructional Officers  
    Chief Student Services Officers

FROM: Barry A. Russell  
      Vice Chancellor of Academic Affairs

SUBJECT: MATERIALS FEES

The purpose of this memo is to provide you an update of recent activities concerning materials fees within the California community colleges. A recent news article brought into question whether fees could be charged for access to online support materials. The Chancellor, recognizing the importance of protecting students from unfair practices, convened a task force to provide guidance on the issue.

On Monday, July 18, a task force of 20 representatives (roster attached) from throughout the system met to discuss and clarify the issues. They also heard from representatives from McGraw-Hill, Epsilen, Pearson Learning, and CENGAGE Learning who, most often, are the providers of such online support materials. The key questions asked of the industry representatives centered around what is currently provided as well as a description of their future delivery systems. The purpose for this input was to have sufficient background on which to base a forward-looking resolution to the issue.

The basis for guidance from the Chancellor’s Office concerning fees remains the Student Fee Handbook. This document clearly outlines the legal and operational aspects of charging student fees. Of specific note for this conversation, the task force looked at sections 2.5 and 4.15 of the Handbook. After some engaging discussion, the Chancellor’s Office affirmed that colleges are within their legal authority to require students to gain access to a third-party website if that access is a “condition to completing the required classroom objectives of a course” provided the materials were “tangible personal property.” (Requiring students to acquire instructional materials is not technically a fee imposed by the district, but the Chancellor’s Office uses the student fee analysis to determine the permissibility of such requirements.)
The discussion then moved to the changing world of technology and the possibilities of future developments in curricular and instructional delivery systems. With that in mind, there were two terms that seem to prove problematic with respect to access to online support materials—“continuing value to the student outside the classroom setting” and “tangible personal property.” Given the changing and adapting technology such as cloud computing, mobile computing devices, and notebook-type computers, the group requested that the Chancellor’s Office review the language and provide further guidance to the colleges. As we enable the use of technology to add value to the learning experience, we need to make sure that oversight language remains vital and up to date.

To this end, the Chancellor’s Office is conducting a review of California Education Code and title 5 language related to student fees. The purpose will be to consider revisions to regulations and policies that protect students from excessive costs, while at the same time considering that the language is forward looking and adaptive to new technological resources. Once the review is complete, the normal process of vetting any changes will allow thorough discussion throughout the system.

If you have any input on this issue, please feel free to contact me at brusselk@cccco.edu or at 916.322.6886.

Attachment
## Instructional Materials Fees Task Force

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<thead>
<tr>
<th>Committee</th>
<th>College</th>
<th>Position</th>
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<tbody>
<tr>
<td>Elizabeth Nelson</td>
<td>American River</td>
<td>Faculty</td>
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<tr>
<td>Philip Smith</td>
<td>American River</td>
<td>Faculty</td>
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<tr>
<td>Sandra McKaig</td>
<td>American River</td>
<td>Faculty</td>
</tr>
<tr>
<td>Shaine Johnson</td>
<td>American River</td>
<td>Student</td>
</tr>
<tr>
<td>Kimberlee Messina</td>
<td>Foothill College</td>
<td>Chief Instruction Officer</td>
</tr>
<tr>
<td>Pat James</td>
<td>Mt. San Jacinto College</td>
<td>Distance Education Coordinator</td>
</tr>
<tr>
<td>Ann Beheler</td>
<td>Porterville College</td>
<td>Chief Instruction Officer, Telecommunications and Technology Advisory Committee</td>
</tr>
<tr>
<td>Michelle Pilati</td>
<td>Rio Hondo</td>
<td>Faculty, Academic Senate President</td>
</tr>
<tr>
<td>Mary Turner</td>
<td>Sacramento City</td>
<td>Faculty</td>
</tr>
<tr>
<td>Chris Baron</td>
<td>San Diego City College</td>
<td>Faculty</td>
</tr>
<tr>
<td>Jeff Shimizu</td>
<td>Santa Monica College</td>
<td>Chief Instruction Officer, Educational Technology Advisory Committee</td>
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<tr>
<td>Brian Haley</td>
<td>Sierra College</td>
<td>Faculty</td>
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<tr>
<td>Mandy Davies</td>
<td>Sierra College</td>
<td>Faculty</td>
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### Staff

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<thead>
<tr>
<th>Barry Russell</th>
<th>Academic Affairs</th>
<th>CCCCO</th>
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<tr>
<td>Stephanie Low</td>
<td>Academic Affairs</td>
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<td>Elias Regalado</td>
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<td>Steve Bruckman</td>
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<tr>
<td>LeBaron Woodyard</td>
<td>Academic Affairs</td>
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<tr>
<td>Debra Sheldon</td>
<td>Student Services</td>
<td>CCCCO</td>
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<tr>
<td>Linda Michalowski</td>
<td>Student Service</td>
<td>CCCCO</td>
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<tr>
<td>Catherine McKenzie</td>
<td>MIS</td>
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August 29, 2011

California Community Colleges Electronic Instructional Materials Issue: Questions and Answers

Recent news articles have generated discussion over the issue of electronic instructional material charges at community colleges. This brief “Q & A” fact sheet provides some explanation on this issue and the response of the California Community Colleges Chancellor’s Office.

1) Q: What prompted the recent interest in the electronic instructional materials issue at community colleges?

A June 3, 2011 news article published by the San Francisco Chronicle discussed the experience of a student at Foothill College in Los Altos who had protested an instructional materials charge of $78 to access an online learning program in addition to the standard enrollment fee for an intermediate algebra course.

2) Q: Was this particular math class at Foothill College an online class or were students required to attend course sessions in person?

The class, Math 105, was completely an online course. Therefore, the expectation was that the majority of the coursework would be online. The student would have only been required to appear on campus for required tests or to arrange to be proctored for exams.

3) Q: What fees were required to take this course? Was the online learning program a required instructional material for the class?

To register the student needed to pay only the standard enrollment fee, which at the time was $85 for the five unit course at $17 per quarter unit. The $78 online learning program was listed as a required instructional material, as any required textbook would be. The online learning program package, called “MyMathLab,” was developed by Pearson Learning Company, an education publishing company, and included access to the textbook online.
4) **Q: What would the cost have been for a physical copy of this type of instructional material?**
According to Pearson Learning, the price for a new intermediate algebra “bound” textbook would be approximately $155, depending on the retailer. The book plus the MyMathLab program would be approximately $165. Pearson Learning also offers a 3-hole punch, loose leaf copy of the book for approximately $110 or in conjunction with MyMathLab for $120. The purchase of the MyMathLab program with access to the online textbook at $78 was the most affordable option unless the student chose to rent or buy a used book.

5) **Q: Were students barred from taking the class if they did not purchase the instructional materials?**
No. According to Foothill College, the student could have taken the class without purchasing the online learning program. 100% of the class grade was comprised of required exams which were given on campus. Therefore, although the student would not have been able to take advantage of some of the benefits of the online learning program, the student could have communicated with the instructor and taken the required exams to complete the course. However, the student could not have completed homework assignments, and, as with any class that uses a traditional textbook, the student’s performance could have been improved with the use of the online learning program.

6) **Q: Were students notified about the cost for instructional materials?**
Yes. According to Foothill College, there are three ways in which students are notified about charges for instructional materials. First, the requirement is included on the schedule of classes before the registration period. Second, there is an email automatically sent to the student informing them of the requirement when they register for the class. Third, once the student is registered, the requirement for instructional materials appears in the class syllabus.

7) **Q: What action did the student take?**
The student filed a complaint with Foothill College about the requirement to purchase electronic instructional materials. Foothill reviewed the complaint using its approved Administrative Procedures and determined that this requirement was in compliance with existing state Title 5 regulations and the California Community College Chancellor’s Office guidelines.

8) **Q: What was the Chancellor’s Office response to the Foothill College issue?**
In June the Chancellor’s Office staff began to look into the matter at Foothill College to thoroughly review the situation. As part of this review the Chancellor’s Office sought input from the field in the form of a task force gathered together to provide background information and to discuss the issue. The task force met on July 18, 2011 in Sacramento.

9) **Q: What was the composition of the task force?**
The task force was composed of 20 representatives from around the state of California including community college faculty, Chief Instructional Officers, a Distance Education Coordinator, a Chief
Student Services Officer, the President of the Academic Senate, a student representative and Chancellor’s Office staff.

10) **Q: Were textbook publishers members of the task force?**
No. Representatives of textbook publishers, including Pearson Learning, attended the task force meeting to present information and answer questions about online instructional products and were then excused from the meeting.

11) **Q: Did the task force take any formal action?**
No. The task force was a group gathered to provide the Chancellor’s Office with background information only. It was never given any authority to take formal action. However, it was agreed that due to the changing nature of educational technology the Chancellor’s Office should take steps to begin a review of the California Education Code and Title 5 regulations related to electronic instructional materials.

12) **Q: What is current state policy on charges for instructional materials?**
This policy area is governed by Education Code Section 76365, which allows districts to require students to use various types of instructional materials. It is implemented by Sections 59400 – 59408 of Title 5 of the California Code of Regulations. The Chancellor’s Office Legal Division produces a Student Fee Handbook, most recently updated in March 2010, to provide guidance to districts on which fees and instructional materials are permissible under the statutes and regulations. [http://www.cccco.edu/Portals/4/Legal/opinions/10-01.pdf](http://www.cccco.edu/Portals/4/Legal/opinions/10-01.pdf)

According to the Student Fee Handbook, the regulations regarding required instructional materials provide that “instructional and other materials” means tangible personal property that is owned or primarily controlled by the student. The definition of “tangible personal property” includes electronic data that the student may access during the class and store for personal use after the class in a manner comparable to the use available during the class.

13) **Q: Did the Chancellor’s Office make a determination regarding the instructional materials required by Foothill College?**
Yes. Subsequent to the task force meeting, the Chancellor’s Office completed its review and determined that the practice at Foothill College is allowable under current education code and regulations. Central to this finding was that no additional fee beyond the standard enrollment fee was being charged or collected by the college in connection with the course. Further, while online instructional materials were required, it was determined that this was permissible because students could print and store pages from the textbook either in physical form or scan it and keep it as an electronic PDF document.
14) **Q: What are the Chancellor’s Office next steps?**

While the Chancellor’s Office determined that the practice at Foothill was allowable, the issues raised in this examination revealed that current regulations may not be sufficient to deal with an array of rapidly changing technologies in the delivery of instructional material. Policies and regulations may need to be updated to ensure that colleges can keep pace with evolving technologies, while also protecting students from unreasonable costs.

The instructional materials task force’s initial findings were valuable, but additional input will be gathered. The task force will reconvene in September to help develop possible options for updating these policies. The group will be expanded to include additional students and will hear presentations from experts on the topic of free instructional materials, such as Open Educational Resources, as well as gather public input.

The Chancellor’s Office has also scheduled discussions with the Academic Senate for California Community Colleges and the Student Senate for the California Community Colleges to gain more input.

Any proposed regulatory changes would advance through our usual process by first going to the Chancellor’s Consultation Council, an advisory body composed of 18 local community college district representatives which has monthly meetings open to the public. After receiving input from Consultation Council, the issue will be addressed at public hearings of our Board of Governors. The Chancellor’s Office is strongly committed to protecting the interests of students. As more colleges statewide develop interest in the use of new technologies, we will strive to provide appropriate guidance to local districts and continue to do what we do best: provide students with an affordable, quality education.

*If you have any questions, please contact Marlene Garcia, Vice Chancellor for Government Relations, at (916) 445-4434.*
BOARD MEMBER REPORTS

INFORMATION AND REPORTS
Presentation: Board Members

Item 5.3

Issue

Board members will report on their activities since the last Board meeting.