



The Consultation Council

September 17, 2009

Meeting Summary

Consultation Council Members:

X	Burgess, Terrance	X	McDowell, John		Villegas, Luis
X	Burke, Thomas	X	Milburn, Reid	X	Wade, Marcia
X	Darnell, Roe		Esposito-Noy, Celia	X	Bruckman, Steve
X	Dhroad, Shelia	X	Patton, Jane	X	Lynn, Morgan
X	Friedlander, Carl	X	Payan, Manuel	X	Scott, Jack
X	Hansen, Richard	X	Pilati, Michelle		
X	Kilmer, Renée	X	Ramos, Irma		
X	Lay, Scott	X	Reel, Ron Norton		

X – Indicates attendance

Other Attendees: [Lynn Neault](#), [Theresa Tena](#), [Marlene Garcia](#), [Terri Carbaugh](#), [Dean Murakami](#), [Mark MacDonald](#), [Paula Munoz](#), [Rita Mize](#), [Leslie Smith](#), [Nicki Harrington](#), [Arnold Bray](#), [LeAnn Fong-Batkin](#), [Chris Yatooma](#), [Lynette Nyaggah](#), [Bonnie Slosson](#), [Erik Skinner](#), [Linda Michalowski](#)

Meeting Summaries: Consultation Council reviewed the summary from the August 20, 2009 meeting.

State Budget Update: by Erik Skinner

Vice Chancellor Erik Skinner report the following new budget developments to Consultation Council:

1. Colleges will receive \$37 million in ARRA funding compared to previous estimates of \$130 million. This change is attributed to the community colleges not receiving a cut of \$85 million at the end of 2008-09.
2. Vice Chancellor Skinner also reported that the Department of Finance has deemed that the ARRA funds are general purpose in nature. This raises the possibility that they will be subject to the fifty percent law. Members of Consultation Council wondered how the ARRA funds, being one-time funds, can be used to support instruction and how that might affect faculty. Vice Chancellor Skinner stated that there is a need for additional legal review and that the Chancellor's Office is currently looking into the matter.
3. Community colleges will also be subject to an additional funding deferral of \$100 million. This new deferral, adopted in the late hours of the legislative session, brings the total deferrals for the community colleges to over \$1 billion (\$703 million deferred from one fiscal year to the next, \$300 million deferred within the fiscal year). Members of Consultation Council expressed concern over the deferrals and the fiscal strain they are placing on districts.

4. The Board of Governors adopted the System Budget for fiscal year 2010-11 that went forward from Consultation Council. The \$808 million total funding request includes a 5 percent COLA, restoration of all categorical, and enrollment growth of 3.4 percent.

State Update: by Marlene Garcia

Vice Chancellor Marlene Garcia discussed state and federal legislation with the Consultation Council. The following legislation was discussed:

1. **AB 386 (Ruskin) Public Postsecondary Education: Instructional Materials: Disabled Students.**

Summary: AB 386 requires that publishers of audiovisual instructional materials used at colleges and universities must provide captioning or other alterations to make these materials accessible to students with disabilities. The latest version of the bill reflects a negotiated agreement between the publishing industry, the Community College Chancellor's Office, the Department of Finance and the author. The bill requires a publisher or copyright holder of instructional materials to either: 1) provide a captioned format of audiovisual instructional materials directly to the student, the instructor or the institution; or 2) provide the higher education institution an electronic format, if available, of the instructional material. If the publisher or copyright holder does not provide access or respond to a request for captioned material within a specified period of time, the institution is deemed to have received permission to caption the material. The bill also specifies a variety of copyright protections for use of the covered material.

Position: *Sponsor*

Status: AB 386 passed both houses and concurrence and will soon be sent to the Governor.

2. **AB 669 (Fong) Postsecondary Education: Residency Requirements – Foster Youth.**

Summary: AB 669 authorizes community colleges to allow emancipated foster youth who are age 19 and under to pay the resident tuition and fees rate at public colleges and universities. The Chancellor's Office has worked closely with the Department of Finance on amendments to minimize costs and address their concerns.

Position: *Support/Sponsor*

Status: AB 669 passed both houses without a "no" vote and Senate amendments were concurred in the Assembly. AB 669 will soon be sent to the Governor.

3. **AB 1295 (Fuller) Postsecondary Education: Nursing Degree Programs.**

Summary: This bill helps streamline the transfer pathway for community college students who earn their Associates Degree in Nursing (ADN), are licensed as a registered nurse and who apply to a California State University to complete a Bachelor of Science in Nursing (BSN). The bill requires the Chancellor's of the CSU and the Community College to appoint a work group to devise a plan that establishes ADN to BSN statewide transfer framework ensuring that community college students do not have to take duplicative course work. The CSU is supporting this bill.

Position: *Support*

Status: AB 1295 passed both houses and concurrence and will soon be sent to the Governor.

4. AB 187 (Assembly Budget Committee) Cal Grant Decentralization

Summary: This bill establishes a pilot project for the decentralization of the Cal Grant A and B Entitlement program on at least a total of 30 CCC, CSU, and UC college campuses and not more than 35 campuses. The California Student Aid Commission (CSAC) would continue to administer all other programs, including Competitive Cal Grants and Cal Grant Cs. Each segment is limited to the participation of 25% of their campuses (approximately 27 community colleges). CSAC will convene a task force with the segments to determine the specific requirements of the programs. This pilot program will be implemented in March 2011. The Legislative Analyst's Office will report on the program's implementation. The measure restores \$4.3 million to CSAC's budget.

Status: AB 187 remained in the Senate at the close of the session.

5. SB 19 (Simitian) Education data / Federal "Race to the Top" American Recovery and Reinvestment act of 2009 (ARRA) Funding

Summary: SB 19 makes several statutory changes related to the collection, reporting and use of data. Recent amendments were made to enable California to qualify for specific one-time ARRA funding. Among other issues, this bill deletes a provision in California statute that prohibits the use of student achievement and performance data as a sole factor or one of many factors in evaluating teacher performance or making other employment decisions related to individual teachers. This change in law would permit California to gain eligibility to compete for a grant from the \$4.35 billion federal "Race to the Top" ARRA funding. SB X5 1 and SB X5 2 are virtually the same bills as SB 19, but have been introduced in different special sessions.

Status: SB 19 passed both houses and concurrence and will soon be sent to the Governor.

6. ARC 65 (Ruskin) Master Plan for Higher Education

Summary: This measure would establish the Joint Committee on the Master Plan for Higher Education. The measure would provide that the joint committee would consist of a number of Assembly Members and Senators to be determined by the Speaker of the Assembly and the Senate Committee on Rules. The committee would be established to review the Master Plan for Higher Education and create a framework to ensure that higher education continues to thrive, among other things.

7. American Graduation Initiative

The House Education and Labor Committee passed H.R. 3221, its version of President Obama's American Graduation Initiative on a 30-17 vote (two Republicans votes aye). The House should be voting on this measure soon. The following summarizes key provisions of H.R. 3221 (the Community College League of California provided much of this analysis):

General Higher Education Provisions:

Increases Pell Grant awards from \$5,550 in 2010 to \$6,900 by 2019

Simplifies the Free Application for Federal Student Aid (FAFSA) form

Replaces Federal Guaranteed loans with direct loans

Increases funding to expand the Perkins Loan program from \$1 billion to \$6 billion annually.

Establishes a College Access and Completion Innovation Fund to be awarded to states on a competitive basis. The Fund would provide \$600 million annually for 5 years.

Specific Community College Provisions to Implement the President's Community College Initiative:

Establishes a community college facilities program to help address modernization, renovation, repair and construction needs.

Student Senate Update: by Reid Milburn and Sheila Dhroad

Reid Milburn and Sheila Dhroad spoke to the Consultation Council about the activities of the student senate. The Student Senate General Assembly will be in San Francisco at the Westin, St. Francis from November 6-8, 2009.

Administrative Relief for Student Services Categorical Programs: by Linda Michalowski and Erik Skinner

Vice Chancellor's Linda Michalowski and Erik Skinner discussed a memo that focused on administrative relief in the following student services categorical programs:

1. CalWORKS
2. Disabled Students Programs and Services
3. Extended Opportunities Programs and Services
4. Student Financial Aid Administration

Consultation Council questioned if the memo was mandatory and requested a report on how these changes impact the programs.

Future Directions for the California Community Colleges: by Jane Patton

Jane Patton, President of the Academic Senate discussed the ad-hoc groups first meeting with the Consultation Council. The group identified concerns affecting the system, short and long-term goals, guiding principles, and next steps. The group discussed whether looking at the principles of the Master Plan would be a good starting point for the discussion. They will meet again to determine next steps.