ACCREDITATION COMMITTEE AGENDA

Coast Community College District

Regular Meeting of the Accreditation Committee*

Date: Tuesday, November 12, 2013 at 3:00 p.m.

Board Conference Room

1370 Adams Avenue, Costa Mesa, CA 92626

Procedural Matters

1. **Call to Order**

2. **Roll Call**

3. **Opportunity for Public Comment**

   At this time, members of the public have the opportunity to address the Accreditation Committee on any item contained within this notice. Persons wishing to make comments are allowed five minutes per item.

   Please note that the Committee cannot take action on any items not on the agenda, with certain exceptions as outlined in the Brown Act. Matters brought before the Committee that are not on the agenda may, at the Committee's discretion, be referred to staff or placed on the next agenda for Committee consideration.

   The Committee requests that the public speak on matters which are on this agenda at the time that the item is considered by the Committee.

   It is the intention of the Coast Community College District to comply with the Americans with Disabilities Acts (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the Coast Community College District will attempt to accommodate you in every reasonable manner. Please contact the Secretary of the Board of Trustees at (714) 438-4848, as soon as possible prior to the meeting to inform us of your particular needs so that appropriate accommodations may be made.

4. **Approval of Minutes: September 10, 2013**

5. **First Draft Responses to the ACCJC District Recommendations 1, 2, 3, 4, and Commission Recommendation 1 (See Attachment #1)**

6. **Updates From the Colleges on Work Underway to Respond to College Specific Recommendations (See Attachment #2)**

7. **Update on Schedule, Process, and Progress for Revising Current Board Policies and Administrative Procedures and Creating New Ones as Needed**

8. **Proposed Changes in Title 5 Regulations Related to Meeting Accreditation Requirements (See Attachment #3)**

9. **Future Meeting Dates:**

   January 14, 2014 at 3:00 p.m.

10. **Future Agenda Items**

    a)
    b)
    c)

11. **Adjourn**

The Committee may take action on any item listed on this agenda. Under the Brown Act, the Public has the right to receive copies of any non-exempt public documents relating to an agenda item that are distributed to the committee members. Please contact the Office of the Board of Trustees at 714-438-4848 prior to the meeting to facilitate the distribution of these documents.

Draft #1 Response to ACCJC District Recommendations 1, 2, 3, 4 and Commission Recommendation 1

11-7-2013

This is a first and preliminary draft. Revisions and additions to this draft will continue throughout the end of January 2014.
This is a work in progress and should be viewed as such.

For discussion at the Meeting of the Board of Trustees Accreditation Committee 11-12-2013

Process of Report Preparation

In September 2013, a workgroup with representation from the three colleges and the District Office was formed to draft responses to the ACCJC District-level recommendations included in the letters sent to the colleges by ACCJC in July 2013 (References: District-wide Workgroup for

Responding to ACCJC 2013 District Recommendations Agenda for Meetings held on 9/27/2013, 10/11/2013, 11/4/2013). The workgroup was constituted based on the recommendation of the Chancellor's Cabinet, which is chaired by the Chancellor and is composed of the three College Presidents and the three Vice Chancellors. The creation of the workgroup was discussed with and endorsed by the Board Accreditation Committee at its meeting on 9/10/2013.

The workgroup membership was designed to provide continuity by including, to the extent possible, the same individuals who were part of the college and district-wide workgroups tasked with preparing the sections in the 2013 college institutional self-evaluation reports dealing with Standard IV.B.2.

At the meeting of the Board of Trustees Accreditation Committee held on September 10, 2013, the following timeline was discussed and agreed upon in terms of preparation of draft responses to the ACCJC District Recommendations and overall follow-up college reports for review and discussion with the Board Accreditation Committee and the full Board of Trustees and due to ACCJC on March 15, 2014.

    a. Board Accreditation Committee Review of Progress Reports: November 12, 2013 and January 14, 2014
    b. Board Study Session Review and Discussion of Draft Follow-up College Reports: February 5, 2014
    c. Board Final Adoption of College Follow-up Reports: February 19, 2014
    d. College Presidents/ALOs Submission of Follow-up Reports to ACCJC: By March 15, 2014

At its September 27, 2013 and October 11, 2013 meetings, the workgroup developed and further refined the division of responsibilities in terms of developing draft responses, the template to use for writing the draft responses, and the evidence to be collected and analyzed in support of the responses to the ACCJC District Recommendations (Reference: ACCJC 2013 District Recommendations Assignments Timeline Evidence 10-11-2013). At its November 4, 2013 meeting, the workgroup discussed its first and preliminary draft response, status of evidence and references gathered and reviewed and work that needs to be completed by either the Board of Trustees, District Office, District Consultation Council and/or the colleges in order to fully meet these five recommendations.

Details of the approach taken by the workgroup were discussed with the full Board of Trustees at its October 30, 2013 special meeting (Reference: Agenda, attachments and minutes Board Special Meeting October 30, 2013).

RESPONSE TO DISTRICT RECOMMENDATIONS #1, #2, #3, #4 and COMMISION RECOMMENDATION #1

District Recommendation #1 - To meet the Standard, and as recommended by the 2007 team, the team recommends that faculty and others directly responsible for student progress towards achieving stated student learning outcomes have, as a component of their evaluation, effectiveness in producing those learning outcomes (Standard III.A.1.c)

Analysis and Findings:

There were a variety of means of assessment used to gather the data related to this recommendation and a final finding. For organizational purposes, the assessment was divided among four groups. These groups were full-time faculty, part-time faculty, classified employees, and management. The means of assessment covered contract language, Memoranda of Understanding (MOUs), notes from District meetings, letters or emails describing the SLO evaluation process and training opportunities, and evaluation forms to be used and SLO evaluation questions identified.

Full-time Faculty

The Coast Federation of Educators (CFE) represents full-time and part-time faculty with 7.5 LHE or above. In a joint letter between CFE and the District (*Evidence - Full-time Faculty-Joint Letter*) CFE and the District described have they had been engaged in negotiations for the successor collective bargaining agreement since the Fall of 2012. Recognizing and agreeing on the need to include the use of SLOs as a component to Faculty evaluations, both parties conceptually agreed to new contract language to address this on August 6, 2012 (New contract language was not provided). Both parties conceptually agreed that this new language would be a component of evaluations for all categories of Faculty represented by the CFE.

Until the successor agreement negotiations can be finalized and a new contract ratified, the District has directed administrators who evaluate Faculty to address the use of SLOs in the current Coast Community College District Administrator Evaluation of Faculty form (*Evidence - Form CFE Agreement Appendix B - page 94*) of the now expired Collective Bargaining Agreement. Specifically, administrators have been directed to comment on faculty use of SLOs under subparagraph D. of the form which is entitled "Participates in Department/Division Activities." If the faculty member is deficient or exemplary in the use of SLOs, this can be addressed in the comments section. This goes into effect in fall 2013. (*Evidence - Full-time Faculty Evaluation Instructions - email from Vice Chancellor of Human Resources 10/31/13*).

Part-time Faculty

The part-time faculty are represented by two employee groups. Part-time faculty with 7.5 LHE or above are represented by the Coast Federation of Educators (CFE). Faculty with LHE below 7.5 are represented by the Coast Community College Association (CCA). These two groups have separate collective bargaining agreements with the District.

As mentioned previously, the District and CFE have been in contract negotiations since fall 2012. Until a successor agreement is reached, the District has directed managers of part-time faculty in the CFE unit to use the Administrator Evaluation of Faculty form found on Page 94 in Appendix B of the CFE bargaining agreement They should, as a minimum, indicate SLO usage by individual faculty members in subparagraph D "Participates in Department/Division Activities." If the faculty member is deficient or exemplary in the use of SLOs, this can be addressed in the comments section (*Evidence – Form CFE Agreement Appendix B - page 94*) and use section entitled "Additional Comments by evaluators" on the second page to specifically address the use of SLOs. This direction goes into effect in fall 2013. (*Evidence #1–Joint Letter from District and CFE (unsigned) . Evidence #2 - Part-time Faculty Evaluation Instructions - emails from Vice Chancellor of Human Resources 10/31/13 and 11/1/13.).*

The District and the Coast Community College Association (CCA) have not entered contract negotiations for a successor agreement. The District will approach CCA to negotiate new definitive language for part time faculty evaluations. Until a successor agreement is reached, the District has directed evaluators for part-time faculty members represented by CCA to specifically address the use of SLOs on the Part Time Faculty Evaluation Form found on page 23 in Appendix C of the CCA bargaining agreement under the first paragraph entitled, "Evaluator's Description of Observation." (*Evidence - CCA Part-time Evaluation Form*). Since evaluators are required to consider all teaching materials, including the syllabus, in evaluation of part time faculty, this is the most appropriate place to discuss the evidence of the use of SLOs by part time faculty. If found exemplary or deficient, this can be discussed in the comments section. (*Evidence - Part-time Faculty Evaluation Instructions - emails from Vice Chancellor of Human Resources 10/31/13 and 11/1/13*).

Classified Employees

While a few classified employees have responsibility for student progress towards achieving stated student learning outcomes, many classified employees do not. If a classified employee has

responsibility in achieving student learning outcomes, the evaluators of these employees may comment on the department SLOs in the employee evaluation. These comments would be addressed in the Classified Performance Appraisal form found in the Coast Federation of Classified Employees (CFCE) bargaining agreement, Appendix C on pages 80-83. (*Evidence - CFCE Classified Employee Appraisal Form*). The comments would be addressed under the category "Service-Centered Work". Any additional comments would be under "Noteworthy Accomplishments" or "Areas for Improvement". This will go into effect in fall 2013. (*Evidence - Chancellor Cabinet Meeting Notes - 10/14/13*).

Management

The District and the Coast District Management Association (CDMA) negotiated language for a rated question pertaining to SLOs on all management employee evaluations. The wording of the question is "This manager supports faculty and staff in implementation of Student Learning Outcomes as a measure of student success and of teaching excellence". The implementation of this language will begin during the fall 2013 semester in the management evaluation process. (*Evidence - CDMA Manager Evaluation letter 10/28/13*)

Conclusion:

The Coast Community College District and their employee groups have made great strides in this area and should be commended. In the full-time faculty, part-time faculty 7.5 LHE and above, and the management groups, contract language has been approved by the negotiation teams. The full-time and part-time faculty above 7.5 LHE have also come to agreement on an interim plan that will immediately go into effect until a full successor agreement has been approved. The District has also directed evaluators of classified employees with direct SLO responsibilities and part-time faculty below 7.5 LHE to use specific parts of each group's evaluation process and forms to address SLOs. These directions are to be implemented during the fall 2013 semester.

As of 11-7-2013: While the Coast Community College District has made significant strides, we conclude that **this recommendation is partially addressed and the college partially meets this standard.**

The expected conclusion is to be validated in January 2014. To conclude that his recommendation is **fully addressed and the college meets this standard**, the SLO evaluation language will be implemented and examples from the evaluation cycle will be produced.

District Recommendation 2- To meet the Standards, and as recommended by the 2007 team, the team recommends that the Board and district follow their policies regarding the delegation of authority to the Chancellor for effective operation of the district and to the college presidents for the effective operation of the colleges. Further, the team recommends that the district develop administrative procedures that effectively carry out delegation of authority to the Chancellor and the college presidents. (Standards IV.B.1.j, IV.B.3.a, IV.B.3.g)

Analysis and Findings:

Part of the process and schedule followed for the revision of all existing board policies and administrative procedures, and creation of new ones as needed, described in the response to District Recommendation 4, a number of existing board policies related to delegation of authority were revised and several new ones were created. Associated administrative procedures were created to effectively operationalize these board policies.

Specifically, the following board policies and administrative procedures were revised or created:

BP 2430 Delegation of Authority to CEO – revision

AP 2430 Delegation of Authority – new

BP 6100 Delegation of Authority – revision

AP 6100 Delegation of Authority – new

BP 6150 Designation of Authorized Signatures – revision

AP 6150 Designation of Authorized Signatures – new

BP 6340 Bids and Contracts – revision

AP 6340 Bids and Contracts – new

BP 6350 Contracts Relating to Construction – new

AP 6350 Contracts Relating to Construction – new

BP 6370 Contract for Independent Contractor or PE – new

AP 6370 Contract for Independent Contractor or PE – new

BP 7110 Delegation of Authority – new

AP 7110 Delegation of Authority– new

All these revisions or new board policies and administrative procedures were brought to the District Consultation Council (DCC) for first reading on 9/30/2013 and for approval on 10/28/2013 (Reference: DCC Agenda items related to board policies and administrative procedures 9/30/2013 and 10/28/2013). Subsequently, they were brought to the Board of Trustees for first reading at the Board meeting on 11/6/2013 and for approval or ratification, respectively, at the Board meeting on 11/20/2013 (Reference: Agenda, attachments and minutes Board meetings 11/6/2013 and 11/20/2013).

BP 2430 Delegation of Authority to CEO was revised to more specifically define the delegation of authority to the Chancellor and the College Presidents and combined two different board policies

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which were overlapping (former BP 2201 Standards of Administration and BP 2430 Delegation of Authority). A new administrative procedure was created that indicates the specific areas for which the Chancellor and the College Presidents are responsible. The administrative procedure was created based on discussions with the Chancellor and the College Presidents.

BP 6340 Bids and Contracts was revised to delegate the authority to the Chancellor to enter into contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that do not exceed the amounts specified in Public Contract Code Section 20651, as amended annually under Public Contract Code Section 20651(d), without requiring prior approval by the Board but ratification by the Board. This is a significant change in actual delegation of authority to the Chancellor. Prior to this change, any contract, service, or purchase, regardless of dollar amount required prior approval of the Board, which had an impact on the ability of the District to operate efficiently. The associated AP 6340 defined the delegation of authority from the Chancellor to the Vice Chancellor of Fiscal and Administrative Services.

A new board policy related to the delegation of authority to the Chancellor related to personnel matters was created BP 7110 which combined a number of disparate policies and more clearly articulated the type of personnel actions that the Chancellor could undertake without prior approval by the Board but rather ratification by the Board to effectively run the operations of the District. The associated AP 7110 defined the delegation of authority from the Chancellor to the Vice Chancellor of Human Resources.

At its November 6, 2016 Board meeting, the Board of Trustees approved the revision to the following Board Policies that recognize the role of the Chancellor as follows:

BP 2200 Board Duties and Responsibilities – the board policy was revised to include the Chancellor in the hiring and evaluation of the Board Secretary and the appointment and oversight of the District General Counsel, District External Auditor, and District Lobbyist. Previous language in the policy had these functions being selected and overseen exclusively by the Board of Trustees.

BP 2320 – this is a new board policy which provides the Chancellor the responsibility for ensuring that the media are informed of special or emergency meetings of the Board.

Conclusion:

The District has revised existing board policies related to delegation of authority and created new board policies and administrative procedures that more clearly define the delegation of authority to the Chancellor and College Presidents and operationalize this delegation of authority. The Board of Trustees is in the process of reviewing the proposed changes and make a decision on these revisions.

As of 11-7-2013: As the outcome of the review of the proposed revisions to all related existing Board Policies and new Board Policies and Administrative Procedures by the Board of Trustees is not yet finalized, the conclusion at this time is that the recommendation has been partially met and the college partially meets the standard.

Expected conclusion to be validated in January 2014: If the proposed revisions to the related Board Policies and the new Board Policies and related Administrative Procedures are approved/ratified preserving closely the intent of the revisions, then this recommendation was fully addressed and the college meets the standard.

District Recommendation 3 - To meet the Standard, the team recommends that the Board of Trustees follow its established process for self-evaluation of Board performance as published in its board policy. (Standard IV.B.1.g)

Analysis and Findings:

Review of Evaluation Procedure

At the February 7, 2012 meeting of the Board of Trustees Accreditation Committee, members of the committee discussed with those present the status of the Board of Trustees Self Evaluation materials, including the Board Self Evaluation. 3.1.1

At the April 17, 2012 meeting of the Board of Trustees Accreditation Committee, committee members discussed the Board of Trustees' Self Evaluation materials and agreed that the Board President and the Board Secretary would get together to develop an action plan on self evaluation dissemination and follow up on the action plan. 3.1.2

At the June 27, 2012 meeting of the Board of Trustees Accreditation Committee, committee members discussed Board Policy 2745 Board Self Evaluation Policy and Administrative Procedure. One issue raised was that the Administrative Procedure was imbedded in the policy itself. The Board Clerk (a member of the Board Accreditation Committee at the time) and the Vice Chancellor of Educational Services and Technology were asked to separate out the Administrative Procedure and take it to the Board Study Session. With this plan in place, the committee voted to approve the revised policy (absent a procedure) and to forward both to the full Board at the July 18, 2012 Board meeting. At this same meeting, committee members discussed the need for a plan for expanding the Board of Trustees' meeting minutes to provide elaboration on the discussion matters before the Board when they may reflect important information about the topic, concerns raised and impact to other programs and efforts. 3.1.3

Approval of Board Evaluation Policy (BP 2745)

At the August 1, 2012 Board meeting, the Board reviewed Board Policy 2745 for a first reading. One of the expressed concerns was that action minutes do not provide sufficient evidence regarding Board discussion and involvement in matters before the Board for the purpose of deliberation. This also applies to Board committees. Detailed meeting minutes for many District and college committees provide evidence for both the self-evaluation and subsequent reports to the accreditation commission and other state agencies. The details help document the topic and

viewpoints of discussion, pertinent parts of the deliberation, outcomes they support, engagement, as well as important background on the decision making process. Board of Trustees Action minutes do not serve this evidence function very well. The change being suggested in this Board Policy is recommending a way to augment Board and Board Committee action minutes for this purpose. The Board voted to refer Board Policy 2745 to the next regular meeting, with changes as modified in paragraph #7. 3.1.4

At the August 15, 2012 Board meeting, the Board adopted a revised Board Policy 2745, which included expanding the meeting minutes when the Board discusses findings of the self-evaluation. These minutes will be public and available before they are presented for approval. 3.1.5 3.1.6

Board Accreditation Committee 9/20/12 – add summary of the meeting

At the July 30, 2013 meeting of the Board of Trustees Accreditation Committee, the Board President provided the Committee with a progress report on District Recommendation 3. She shared that the Trustees were researching other tools being used for self-evaluation and that this item would be presented at the upcoming Study Session. The Board President further shared that she would recommend a 360 review of the Board, with surveys being distributed in late August/early September and returned mid-September, statistical results generated at the end of September, and a Board Meeting Study Session where the Board of Trustees would receive insight from employees regarding the evaluation.

The Board also approved, as part of an effort to coordinate and prepare the follow up reports due to ACCJC March 15, 2014, the following approach for the District responses.

"In order to address the recommendations, the District Office and the Colleges will be working together. The District Office will coordinate the recommendations related to the District, while the colleges will coordinate the college-specific recommendations. For all recommendations, there will be input and review by the appropriate groups at the District Office and the colleges." 3.1.7

At the August 7, 2013 Board Study Session on Accreditation, the Board discussed their current self evaluation process and proposed changes to the tool based on their review of other districts, and those suggested by the CCLC and ACCT. This proposed self evaluation would be brought to the August 21, 2013 agenda with the goal of sending out surveys by early September and sharing results in October. Goals for the next two years would be formulated and a report based on the survey would be posted on the District website. 3.1.8

On August 21, 2013, the Board took action to approve the Board Self Evaluation Plan presented at the Board Accreditation Study Session of August 7, 2013. 3.1.9

Summary of Board evaluation process as stated in BP 7245, as adopted at the August 15, 2012 Board of Trustees meeting.

Action	Timeline
(1) Review and approve procedures	September, odd number years
(2) Review and approve evaluation instrument	September, odd number years
(3) Board members complete and submit evaluation responses	10 days prior to evaluation meeting
(4) Board Secretary tabulates responses and presents them to Board President	Prior to evaluation meeting
(5) Board President presents evaluation results to Board in writing	Prior to evaluation meeting
(6) Board President/designee presides over discussion of evaluation results	October study session (or special meeting)
(7) Public/District consituencies provide input during self-evaluation	Prior to evaluation meeting
(8) Action(s) taken as result of evaluation summary in public meeting	by date of next review cycle
(9) Board Accreditation Committee develops of process/measures to address areas of improvement	by date of next review cycle
(10) Board Accreditation Committee reports back with results in public meeting	by date of next review cycle
(11) Evaluation identifies accomplishments, goals and plans (optional)	

Action (1)

On August 15, 2013, the Board approved BP 7245 ahead of the schedule (3.1.5).

Action (2)

On August 21, 2013, the Board approved the evaluation instrument (3.1.9, 3.1.11).

Action (3)

(who did they submit responses to? Could the secretary of the Board confirm?)

Action (7)

Board secretary sent an email communication on September 9, 2013 to all employees of the Coast Community College District with the URL for the Board evaluation survey.

Action (4)

Board secretary tabulated and presented them to the Board President on XXXX

Action (5)

The Board President presented the evaluation results to the Board in writing on October 16, 2013 part of the agenda of the Board Study Session.

Action (6)

On October 16, 2013 the Board discussed the evaluation results during a study session for this purpose (3.1.10, 3.1.12, 3.1.13).

October 16, 2013 AGENDA attachments 3.1.10

Board Self-Evaluation – 3. 1.11

Survey of District results – 3.1.12

Survey Written Comments – 3.1.13

Actions taken as a result of the evaluation were determined at the public meeting held on 10/16/2013 and 11/6/2013. This resulted in identifying the following goals and action plans for the Board of Trustees.

Goals and Action Plans Adopted at the November 6, 2013 Board meeting – 3.1.14

The Board Accreditation Committee was charged to develop the process and measures to address areas of improvement.

Conclusion:

As of 11-7-2013: The Board of Trustees fully addressed this recommendation and the college meets the standard.

District Recommendation 4 - To meet the Standards, and as recommended by the 2007 team, the team recommends that the Board implement a process for the evaluation of its policies and procedures according to an identified timeline and revise the policies as necessary. (Standard IV.B.1.e)

Analysis and Findings:

After discussions at the Chancellor's Cabinet (formerly called Presidents' Council) and District Consultation Council (formerly called Chancellor's Cabinet and then District Governance Council), in order to clarify and formalize the process by which existing board policies and administrative procedures are revised and/or new ones are created, in February 2012, new Board Policy 2410 *Policy and Administrative Procedures* and associated Administrative Procedure 2410 *Board Policies and Administrative Procedures* were developed. The Board of Trustees adopted and ratified, respectively, the new BP 2410 and AP 2410 at its March 21, 2012 meeting (Reference: Agenda and minutes Board of Trustees Meeting March 21, 2012 meeting). The development and implementation of AP 2410 *Board Policies and Administrative Procedures* in March 2012 has helped to greatly clarify the process and responsibilities for revision and/or creation of policies and procedures. AP 2410 has been followed consistently since its ratification and has ensured that, with an established schedule which calls for reviewing and updating all

existing board policies and administrative procedures on a four-year cycle, those responsible, and the District overall, stay on track with.

Between January 2012 and February 2013, 48 board policies were revised or created. This represented 15% of the total number of current board policies as of February 2013 (316 total) (Reference: List of board policies and administrative procedures revised or created from January 2012 to February 2013).

In spring 2012, the Board of Trustees approved and directed staff to work on re-aligning the board policies and administrative procedures to conform to the chapter and numbering structure recommended by the Community College League of California (CCLC). The Vice Chancellor of Educational Services and Technology convened a working group with representation from the units of the District Office who have overall responsibility for each area to work on this re-alignment.

After further review and analysis of the current structure and numbering of existing board policies and administrative procedures, the Vice Chancellor of Educational Services and Technology also provided an extensive analysis with recommendations for changes in the current structure, numbering and, in some cases, content of board policies in order to fully implement the CCLC structure and numbering format as well as consistency with CCLC in terms of the content of board policies and administrative procedures. The Board of Trustees approved the implementation of the proposed recommendations at the August 1, 2012 meeting.

This work was completed and the revised structure was implemented. During the review and re-alignment to conform to the CCLC recommended structure, overlapping board policies were identified, leading to the consolidation or elimination of some. Others that were suitable as administrative procedures, rather than as board policies were revised and brought to the Board of Trustees for review and approval or ratification, as appropriate.

In addition, at its meetings on September 19, 2012, June 19, 2013 and August 21, 2013, respectively, the Board of Trustees approved contracts with CCLC for providing assistance to the District Human Resources and Administrative Services with revision of current board policies and administrative procedures, or creation of new ones, as needed (Reference: Agenda and minutes Board Meetings September 19, 2012, June 19, 2013 and August 21, 2013). The Vice Chancellor of Educational Services and Technology has continued to provide overall coordination for this process.

At the July 30, 2013 meeting of the Board Accreditation Committee, the approach and new schedule for completing by January 2014 the revision of all board policies and administrative procedures, and creation of new ones, as needed, was reviewed and discussed (Reference: Agenda, attachments and minutes of the July 30, 2013.

The work has continued in earnest throughout the fall 2013 semester as follows:

Per BP 2410 and AP 2410, the following revised or new Board Policies and Administrative Procedures were brought for information only, first reading, or approval to the District Consultation Council (DCC):

DCC Meeting Date	BPs and APs under Chapter 2. Board of Trustees: For Information Only	BPs and APs under various chapters: For First Reading	BPs and APs under various chapters: For Approval
9/9/2013	7 BPs	9 BPs and APs	To be added
9/30/2013	10 BPs	To be added	To be added
10/21/2013	To be added	To be added	To be added
10/28/2013	To be added	To be added	To be added
11/18/2013	To be added	To be added	To be added
12/2/2013	To be added	To be added	To be added

References: DCC Agendas Items related to BPs and APs 9/9/2013, 9/30/2013, 10/21/2013, 10/28/2013, 11/18/2013, 12/2/2013

After review and approval by the DCC, the revised or new Board Policies and Administrative Procedures were brought to the Board of Trustees for first reading and subsequently for approval as follows:

Board of Trustees Meeting Date	BPs and APs for First Reading	BPs and APs for Approval or Ratification, respectively
10/16/2013	24	1
11/6/2013	151	24
11/20/2013	To be added	To be added
12/2/2013	To be added	To be added
12/11/2013	To be added	To be added
1/15/2014	To be added	To be added

References: Agendas items and minutes related to BPs and APs for the Board Meetings held on 10/16/2013, 11/6/2013, 11/20/2013, 12/2/2013, 12/11/2013, 1/15/2014

In addition to the schedule for completing a full revision of existing BPs and APs, or creation of new ones as needed, a look-forward and scheduling for the new four-year review cycle was developed and discussed at the DCC meeting on 11/18/2013 and provided to the Board of Trustees

at its 11/20/2013 meeting (Reference: BPs and APs Review and Revision Schedule Dated 11/3/2013).

Conclusion:

The District has followed the process defined in BP 2410 and AP 2410 for revision of existing Board Policies and Administrative Procedures, as needed.

Assuming the schedule is followed, the District and the Board of Trustees will have completed a full review and revision of all of its existing BPs and APs and created new ones, as needed, by January 2014. A schedule for continued review and updating for the next four-year cycle Spring 2014-Spring 2018 has been established and will be followed.

As of 11-7-2013: The recommendation is partially met and the college partially meets the standard.

Expected conclusion to be validated in January 2014: This recommendation was fully addressed and the college meets the standard.

Commission Recommendation 1 To meet the Standards, the District needs to examine the role of the four board employees who report directly to the Board of Trustees to ensure there is no conflict with the delegation of authority of the Chancellor and the college presidents. (Standard IV.B.3.a, IV.B.3.b)

Analysis and Findings:

Several documents including Board Policies, Administrative Procedures and job descriptions have been identified for the workgroup to review and analyze. Further, the workgroup members are interviewing the appropriate people to understand the perception of and processes followed when it comes to working with the Board Secretary and the Chancellor.

- Job description for the Board Secretary

- Relevant Board Policies and Administrative Procedures related to Commission Recommendation 1

    a. In which the Board Secretary is mentioned in terms of duties and responsibilities or relationship to the Board and/or Chancellor

       BP 2015 Student Member, Board of Trustees (updated version approved at 11/6/2013 BOT meeting)
       BP 2105 Election of Student Member (updated version approved at 11/6/2013 BOT meeting)

BP 2200 Board Duties and Responsibilities (updated version approved at 11/6/2013 BOT meeting)

BP 2210 Officers (updated version approved at 11/6/2013 BOT meeting)

BP 2340 Agendas (updated version approved at 11/6/2013 BOT meeting)

BP 2345 Public Participation at Board Meetings (updated version approved at 11/6/2013 BOT meeting)

BP 2360 Minutes (to be updated)

BP 2365 Recording (to be updated)

BP 2410 Board Policy and Administrative Procedure (to be updated)

AP 2410 Board Policy and Administrative Procedure (to be updated)

BP 2740 New Trustee Orientation (to be updated)

BP 2741 Board Education (to be updated)

b. Related to Delegation of Authority to the Chancellor

The following revisions of current board policies or new related board policies and administrative procedures will be brought to the Board for first reading on 11/6/2013. They were reviewed and discussed with Trustees Prinsky and Patterson and Board Secretary Julie Mathews-Frazier at a meeting on September 12, 2013 and a number of changes were made that were agreed by Trustees Prinsky and Patterson. They were brought to the District Governance Council for review and approval before they will come to the Board following the process outlined in AP 2410.

BP 2430 Delegation of Authority to CEO – revision

AP 2430 Delegation of Authority – new

BP 6100 Delegation of Authority – revision

AP 6100 Delegation of Authority – new

BP 6150 Designation of Authorized Signatures – revision

AP 6150 Designation of Authorized Signatures – new

BP 6340 Bids and Contracts – revision

AP 6340 Bids and Contracts – new

BP 6350 Contracts Relating to Construction – new

AP 6350 Contracts Relating to Construction – new

BP 6370 Contract for Ind Contractor or PE – new

AP 6370 Contract for Ind Contractor or PE – new

BP 7110 Delegation of Authority – new

AP 7110 Delegation of Authority– new

Other BPs and APs that include delegation to the Chancellor related to a variety of duties and responsibilities.

Interviews were conducted or are scheduled to be conducted with:

- the Chancellor on 10/25/2013

- the Board President and the Board Secretary on 11/1/2013

- Individual interviews with the other four Board members will be conducted on 11/7/2013 and 11/8/2013.

Once the interviews are concluded, a preliminary analysis will be written.

Conclusion:

Pending gathering of evidence and analysis, as noted above.

Accreditation Progress Update for ACCJC College-level Recommendations
11-7-2013

For discussion at the Meeting of the Board of Trustees Accreditation Committee
11-12-2013

Coastline Community College

Timeline

September 4, 2013 (Accreditation Steering Committee Meeting)
Accreditation Steering Committee met to review the ACCJC report and recommendations. The Committee established timelines for addressing all College Recommendations. In addition, samples of other reports that resulted in California Community College successfully getting off warning were reviewed. During the meeting, Committee members expressed concern that District Policies were not going to be reviewed prior to March 15, 2013 and the lack of progress could result in further sanctions being imposed on the College. A team was assigned to each of the College recommendations. For most recommendations, most teams consisted of one classified staff, one faculty, and one manager.

October 11, 2013
By October 11, 2013, each team met to address each recommendation and develop an outline for writing their section of the report.

October 22, 2013 (Accreditation Steering Committee Meeting)
On October 22, 2013, the Accreditation Steering Committee met to address any concerns or questions the teams had as they prepared to complete their first draft. The Accreditation Steering Committee was happy to learn that the District had made tremendous progress on Board policies and administrative procedures. Most of the Standard Teams were confident that the College was addressing each of the deficiencies and would be able to describe that we are in compliance with the accreditation standards and recommendations. However, there is some concern about the College recommendation #5.

November 1, 2013 (First Draft Due)
The first draft of each section was due to be completed by November 1, 2013. Over the weekend and today, teams have been forwarding their drafts to the Office of Instruction. These drafts will be reviewed by the Accreditation Co-Chairs. The faculty co-chair will provide suggestions and recommendations for edits. Initial edits will be made by the Vice President of Instruction and the Dean of Instruction. The Accreditation writer will compile all sections into a single document and edit for consistency.

November 13, 2013 (Second Draft Due)
By November 13, 2013, the teams, co-chairs, and writer will develop a second draft that may be reviewed by constituency groups.

Status of Work on College Recommendations

College Recommendation 1: To meet the Standard, the team recommends that the College complete the process of developing institutional effectiveness measures so that the degree to which college goals are achieved can be determined and widely discussed. (Standards I.B, I.B.2, I.B.3)

The primary reason for the recommendation is due to the fact that the College did not have measures of all categories on our Scorecard. In addition, the commission was concerned that the College did not distinguish between goals and standards. Therefore, the College and the recommendation team have been updating the College Scorecard. The team expects to have clearly defined goals as well as standards for each measure. The goals will serve as a measure for continuous improvement as we strive to improve and do better. The standards will be our minimum thresholds for each measure. The standards serve to warn the College when we have dropped below an acceptable level that we have set for ourselves. The Vice President of Instruction is working with the Deans and Directors to gather data to complete the measures that are without data. The team is confident we will have the scorecard updated and approved by December, 4, 2013.

College Recommendation 2: To increase effectiveness, the team recommends that the College assure the effectiveness of its ongoing planning and resource allocation processes by completing a systematic review of all parts of the cycle in a purposeful and well documented manner as outlined in the 2011 Educational Master Plan and the 2012 Planning Guide. (Standards I.B, I.B.6)

When the team visited Coastline in March of 2013, we were in the first year of implementing our new planning process. As a result, the College had not completed a systematic review of the planning cycle. Since March of 2013, the College has completed a review of the planning cycle. Furthermore, the College utilized multiple measures in conducting the assessment of our processes. The feedback from all stakeholders has been utilized to make improvement to our processes. The College is in the process of making adjustments to the planning process based on the systematic review. The updated process will be documented through edits and refinements in the College Planning Guide. The edits to the planning guide are currently being reviewed by the Planning, Institutional Effectiveness, and Accreditation Committee (PIEAC) and should be approved by November 20, 2013.

College Recommendation 3: To meet the Standards, the team recommends that the College fully complete the cycle of assessment and the documentation of how the results of these assessments are used for institutional improvement for course-level and degree/certificate-level student learning outcomes, general education and institutional learning outcomes, student support services outcomes, learning resources outcomes, and administrative services outcomes. (Standards I.B, I.B.1, II, II.A, II.A.1.c, II.A.2.e, II.A.2.f, II.A.3, II.A.6, II.A.6.a, II.B, II.B.4, II.C, II.C.2)

The College did very well in demonstrating that faculty have been assessing SLOs and using the assessment information to improve instruction. However, the College has been deficient in

identifying and documenting outcomes for all appropriate support services, learning resources, and administrative areas that directly impact students. Therefore, in September, the SLO coordinator met with members from all appropriate areas of the College. A review of the current outcomes for each area was conducted. If the department did not have measureable outcomes, then the department established outcomes. Each department also developed assessment plans. In addition, the College deployed a student survey to gather data about how well each department was doing related to their outcomes. The survey was only recently closed and the SLO coordinator and departments are currently analyzing the data. The information gathered by the department and the survey will be used to improve process and procedures to ensure the outcomes are being achieved. By December 4, 2013 the College will have all documentation needed to demonstrate that we have measureable outcomes for instructional programs as well as support services, learning resources, and administrative areas that directly impact students.

College Recommendation 4: To meet the Standards, the team recommends that the College ensure that the program review cycle for all student services, learning resources, and administrative services is systematic and integrated into college planning and resource allocation processes. (Standards I.B, I.B.1, I.B.3, I.B.6, II.A, II.A.2, II.A.2.a, II.A.2.e, II.A.2.f, II.A.6.b, II.B, II.B.3.c, II.B.4, II.C, II.C.2)

At the time of the accreditation visit the College was in the process of updating our planning and budgeting processes, including program review. Since the visit the Program Review committee has worked with the College President, the Vice President of Instruction and Student Services, College Institutional Researcher, the Planning, Institutional Effectiveness, and Accreditation Committee (PIEAC), and the Budget Committee to further refine our processes to ensure that all programs and services are regularly being reviewed and that information from these reviews is conveyed in a timely manner to the committees and individuals responsible for planning and budgeting.
To this end, the Committee has:
- Reviewed and updated all forms and manuals to ensure that they are easily understandable and useful.
- Created a website on the College webpage to house documents, reports, and reference materials. This not only assists programs in working on their reports but also provides a database of Annual Reports, Validation Reports, and Program Five Year Reviews to facilitate the planning and budgeting process.
- Instituted systematic training for programs scheduled for review. This training will occur every fall to enable programs to begin collecting data and (where relevant) conducting curriculum review during the spring term. The orientation training for Program Review was conducted on November 4, 2013.
- Worked with the College's Institutional Researcher and the Vice President of Instruction and Student Services to ensure that programs are receiving data in a timely manner.
- Have been assigned a staff person to provide consistent clerical and scheduling support for the committee

The college has also decided to employ an Administrative Director of Institutional Effectiveness and Planning to improve all planning and budgeting processes. It is anticipated that this Director

will provide invaluable assistance to the Program Review Committee in fulfilling its mandate. The College is currently in the hiring process for the Administrative Director of Institutional Effectiveness and Planning.

College Recommendation 5: **To increase effectiveness, the team recommends that the College work with the District to ensure a sufficient number of full-time faculty to support the College's future student population as projected in the *Educational Master Plan* in support of the institutional mission. (Standards I.B.l, I.B.4, II.A.2.a, II.B.3.c, II.C.I.a, III.A.2, III.A.6, IV.A.l, IV.A.2, IV.A.2.a, IV.A.2.b, IV.A.3)**

This is the College recommendation that causes the most concern for the College. This recommendation is being addressed at the College and District level. At the College, senior administrators are working together to consider options for increasing the number of full-time faculty assigned to Coastline Community College. However, this recommendation also requires the College to work with the District to ensure a sufficient number of full-time faculty to support the College's future student population as projected in the Educational Master Plan in support of the institutional mission. District administrators have convened meetings and study groups to discuss options for staffing the colleges with appropriate full-time faculty. In addition, there have been discussions about faculty working or being assigned to multiple colleges so their expertise may be utilized across the District. While we are confident a District wide faculty staffing plan will be developed to address this deficiency, we are not sure if a plan will be finalized before March 15, 2014.

College Recommendation 6: **To meet the Standard, the team recommends that the College work with the District to ensure that all personnel are evaluated systematically at stated intervals. (Standard III.A.l.b)**

Annually the college receives a list from District Human Resources that lets every supervisor know who under his or her supervision is up for evaluation. The list is inclusive of management, classified and faculty due for evaluation. The intervals of evaluation are adhered to per Board Policy and faculty/classified contracts. In the past, as evaluations had been completed, they were sent to District Human Resources via the campus HR. However, in the last couple of years, the annual list sent to all supervisors by District Human Resources was not accurate. There were many employees on the list whose evaluation was indeed completed the year prior. In seeking solutions to this problem, we found that, in transition to Banner, there was a problem with the fields that HR used to input completion of the evaluation. That has now been fixed, and the list is accurate. If for any reason a supervisor has a question related to the accuracy of the list, he or she contacts the campus HR to resolve any error. In addition, the Coastline HR is tracking evaluations in terms of what is sent to District HR and that all evaluations by all supervisors are completed in a timely manner. We are confident these processes will result in timely evaluations of all employees. Lastly, evaluations of employees have been discussed in Management Team meeting to ensure all managers are evaluating faculty, staff, and managers regularly.

Orange Coast College

Commission Recommendation 2:
While some online instructors have established regular and substantive contact with their students, these strategies are not being consistently applied in the online environment.

The Orange Coast College Online Advisory Board (OAB) has taken the lead in developing the strategies for addressing this Recommendation. The OAB has been meeting regularly since September to clarify (a) what constitutes regular and substantive/effective contact in online education and (b) how to ensure there is faculty awareness and use of best practices.

Several strategies are being implemented to address the Recommendation:
- The OAB has affirmed that the *Distance Education Guidelines*, which were updated last year, contain an accurate definition of "regular and effective contact."
- Modules on regular and effective contact have been included in the "Strategies for Teaching and Learning Online" training that is provided to all online instructors.
- As a matter of practice, all courses taught online are required to have an "online addendum" as part of the official Course Outline of Record; during the fall semester, the methods of communication used to meet the regular and effective contact standard are being added to the online addendum for each online course.
- Faculty members teaching online in the semester they are being evaluated will have their online course observed when appropriate. This will be done using the guidelines and form found in the Amendment to Article VIII (Appendix L) of the CFE agreement (pp. 124-125).

The OAB has reported regularly on its progress to the Academic Standards Committee, the Academic Senate, the Accreditation Steering Committee, and the College Council.

The first draft of the response will be developed and shared with the College over the remainder of the semester. In January 2014, it will be edited and combined with the District-level responses, in order to be adopted by the Board of Trustees before submission prior to the March 15, 2014 deadline set by ACCJC.

Golden West College

College Recommendation 1: In order to improve effectiveness, the College should implement a process and timeline to evaluate the newly-implemented structure for staffing, core planning structure, and planning processes to ensure they align with the mission and have resulted in improved student success. *(Standards I.A.1, I.A.3, I.A.4, I.B.1-7, III.A.2, IV.B.2.a)*

(Not required to submit a progress update for March 15, 2004 report)
Current Status: *While the college is not required to address this recommendation for the March 15, 2004 report, a Staffing Plan committee has been established by the Director of Personnel Services.*

Thus far, the Committee has reviewed staffing and student related data to establish guiding principles on how the committee will develop college-wide goals.

The committee has also developed some preliminary goals based on data analysis.

The next step for the committee is to continue vetting out ideas on what this staffing plan will encompass and how it will integrate with college financial and educational master plans.

College Recommendation 3: In order to fully meet the Standards and improve institutional planning, the College must implement a process to more specifically create and link objectives that lead to accomplishment of the institutional goals and improvement in Key Performance Indicators (KPIs). *(Standards I.A.1, I.A.4, I.B.1-7, III.B.2.b)*

Current Status: *The Institutional Effectiveness Committee put together a small taskforce to review the current college goals and integrate them into our 5 column models.*
The 5 column models consist of defining the college goal, indicate objectives to be accomplished, provide means of assessment and criteria for success, analysis of data, and development of activities that will lead to improvement of our key performance indicators.

Currently, the taskforce is mapping goals in Program Review and our recent Title III objectives to college goals. That process will allow for roll up of activities in individual program review and give those objectives a college-wide focus. In addition, Planning & Budget is in the process of adopting a rubric for resource allocation that is heavily focused on objectives that tie directly to college goals. This will give the college the means accomplish objectives that directly improve the KPIs.
In addition, the Institutional Effectiveness Committee will be reviewing our planning and decision-making guide and streamline the process to ensure that there continuous quality improvement of college goals through planning, assessment and resource allocation.

College Recommendation 3: In order to meet the standard, it is recommended that the College complete the process of mapping or aligning the course-level SLOs with program-level SLOs and general education SLOs and expedite the process of assessing the SLOs.
(Standards II.A.2.f, II.A.2.h, II.A.2.i, ER 10, ER 19)

Current Status: *The Research & Planning office completed an inventory of SLOs alignment and found that 80% of our courses have been aligned with the remaining 20% that still need alignment to either a program or institutional SLO.*
The SLO coordinators reviewed the inventory, and had been meeting with their respective charges (departments) to complete alignment by the end of November 2013.
The college current plan is to transfer all SLOs and their alignments into TracDat from curricunet and dropbox to allow for easy reporting of assessment and alignment.
With the transition to a 3-year program review cycle this Fall, the Institutional Effectiveness Committee and office of Research, Planning, and Institutional Effectiveness are constantly

monitoring and revising the assessment calendar to ensure for 100% assessment of courses and programs by Spring 14.

Recommendation 4: In order to the meet the standard, it is recommended that the College ensure that all students receive a course syllabus containing course-level student learning outcomes, properly labeled for all courses, regardless of delivered modality.
(Standard II.A.6)

Current Status: *For Fall 2013, 80% of courses have their syllabi posted into myGWC, an online portal that allow students to access the syllabi through searchable schedule.*

The office of Instruction and Academic Senate have drafted languages that require faculty to post their syllabi to myGWC within 2 weeks of receiving their load assignment

The college has also set up a process where the Research, Planning, and Institutional Effectiveness office will run reports to update Chairs and Deans of sections that still need to have their syllabi uploaded. The chairs and deans then utilize the report to contact faculty and request that they post their syllabi on myGWC.

Recommendation 5: In order to meet the standard, the College must develop and implement a policy and/or procedures for measuring the program length and intended outcomes of degrees and certificates offered by the College.

(Standards II.A, II.A.1, II.A.2, II.A.2.h, II.A.6a-c)

Current Status: *A small taskforce appointed by the Council of Chairs and Deans are working with the Curriculum committee and personnel to establish program length and outcomes of degrees and certificates offered by the College. Currently the curriculum office is still in the process of collecting the reports from individual departments.*
We should be in compliance by January 2014.

Recommendation 6: In order to meet the standard, the College must develop financial planning processes that include the following:
A.   Consider its long-range financial priorities when making short-range financial plans
B.   Develop financial plans that are integrated with and support all the institutional plans
C.   As noted in the 2000 and 2008 evaluation team reports the College must develop an enrollment management plan in order to maintain the financial viability of the organization.
(Standards III.D.1.a, III.D.1.c)

Current Status:
1.   *Planning & Budget and Institutional Effectiveness Committee are in the process of reviewing our planning and decision making-guide to solidify the process to ensure that short-range financial plans take into consideration of our long-term financial priorities.*
2.   *Rubrics are being vetted in Planning & Budget Committee to ensure that resource allocation process ties directly to college goals, educational master plan, and other institutional plans.*

3. *The VP of Instruction and Student Learning, VP of Student Life and Administrative Services, and Administrative Director of Institutional Effectiveness will be working on a timeline to develop a comprehensive budget model that takes into consideration of both long-range and short-range financial planning.*
4. *The Council of Chairs and Deans has established a working group to develop the enrollment management plan. Data points have been defined to assist with establishment of goals.*
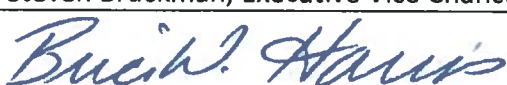
Overall, while there are many moving parts to this recommendation we are confident that we will be in compliance by February 2014.

The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS
DATE: November 12-13, 2013

SUBJECT: Revision of title 5 Regulations to Authorize Appointment of a Special Trustee		Item Number: 1.5	
		Attachment: Yes	
CATEGORY:	Legal	TYPE OF BOARD CONSIDERATION:	
Recommended By:	*[signature]* Steven Bruckman, Executive Vice Chancellor	Consent/Routine	X
		First Reading	
Approved for Consideration:	*[signature]* Brice W. Harris, Chancellor	Action	
		Information	

ISSUE: On July 8, 2013, the Board of Governors adopted an amendment to title 5, section 58312, as an emergency regulation. The regulation expanded the circumstances under which the board could appoint a trustee to include a case in which a college is in danger of losing accreditation. Emergency regulations expire after 180 days. At the September, 2013 board meeting, the Board of Governors received the amendment for first reading as a permanent regulation. This item is presented for a second reading and Board of Governors consideration to adopt the regulation as permanent.

BACKGROUND: On July 3, 2013, City College of San Francisco was notified by the Accrediting Commission for Community and Junior Colleges that its accredited status was being terminated. Because accredited status is a requirement for receipt of state apportionment funds, loss of accreditation would have a devastating fiscal impact on the finances of the San Francisco Community College District leading to bankruptcy and closure. It would also create a tremendous hardship for current and prospective students of one of the largest community colleges in the United States. The Board of Governors adopted emergency title 5 regulations to add loss of accreditation as a basis for the appointment of a special trustee of a community college district. The temporary nature of the emergency regulations necessitates this regulatory action and hearing. The board held a first reading and public hearing on September 9, 2013.

RECOMMENDED ACTION: It is recommended that the Board of Governors adopt the following resolution:

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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:

- accepts the comments and proposed response to the proposed regulatory action;
- approves the proposed regulation changes;
- directs the chancellor to file the regulations with the Secretary of State and submit the regulations to the Office of Administrative Law for printing unless the Department of Finance determines the regulations would create a state-mandated local program cost and is unable to certify to the Board of Governors and the Legislature that a source of funds is available to reimburse that cost (see Education Code section 70901.5(a)(6));
- 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.

The proposed regulations are presented to the Board of Governors for approval and adoption. The Board of Governors held a public hearing in September and has responded to comments.

ANALYSIS: Title 5, sections 58310 to 58316, address district financial requirements and provide the Board of Governors with processes and procedures to support districts in financial duress. For districts facing the most serious challenges, sections 58310 and 58312 authorize the appointment of a special trustee to assume management and control of the district. Section 58312 provides that a special trustee may be appointed if the chancellor determines that the district's plans to remedy the situation are inadequate to solve the financial problems or to implement the principles of sound financial management.

These regulations were most recently amended in 2004 to address problems faced by the Compton Community College District. The regulations, as currently written, could support the appointment of a special trustee at City College of San Francisco because the college has demonstrated that it is unable to solve its financial problems and implement principles of sound financial management. However, because the circumstances facing City College of San Francisco are different than those faced by Compton Community College District, it would be appropriate to amend the regulations to ensure that the Board of Governors has clear authority to support the appointment of a special trustee at City College of San Francisco. It is important that constituent groups and others associated with City College of San Francisco clearly recognize the authority of the Board of Governors in this very difficult period.

The proposed amendments to section 58312 specifically authorize the Board of Governors to appoint a special trustee with full power to assume management and control of a district if a college within that district is in imminent jeopardy of losing its accreditation as this would result in fiscal collapse and closure of the college. This regulation would provide the Board of Governors and

the chancellor with clear authority to take the steps necessary, including the appointment of a special trustee to assume management and control of the district.

If a trustee with these powers is appointed, the trustee would effectively replace the elected local board of trustees.

The Procedures and Standing Orders of the Board of Governors control the process for the adoption of title 5 regulations by the Board of Governors. In most cases, regulations are presented to the board for a first reading followed by a 45 day public comment period and then the board is asked to adopt the regulations at a second meeting. This is followed by a review by the Department of Finance. The entire process often takes six months or longer. However, the Procedures and Standing Orders of the Board of Governors section 206(d) provide an emergency exception. If the Board of Governors makes a finding that regulatory action is necessary for immediate preservation of the public peace, health and safety or general welfare, the action may be adopted immediately as an emergency action.

A regulation adopted as an emergency action remains in effect for a period of not more than 180 days, requiring the board to readopt the regulation using the normal process to maintain it permanently. This mechanism was used to allow for the appointment of a trustee at City College of San Francisco. The regulation was brought back to the board for first reading in September and now action in November in order to maintain the amended regulation.

The proposed regulation changes are included as attachment 1.

At the September 9, 2013, board meeting, the Board of Governors held a first reading and received public comments. See attachment 2.

**BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
PROPOSED REVISIONS TO TITLE 5 REGULATIONS:
Inadequate Plans by District or Failure to Implement Plans;
Authorized Actions by the Chancellor**

1.   Section 58312 of subchapter 4, of chapter 9 of division 6 of title 5 of the California Code of
Regulations is amended to read:

**§ 58312. Inadequate Plans by District or Failure to Implement Plans; Authorized Actions by
the Chancellor.**
    If the Chancellor determines that the district's plans prepared and adopted pursuant to
section 58310 are inadequate to solve the financial problems or to implement the principles
of sound fiscal management, or if the district substantially fails to implement the plans, or if
a college operated by the district is in imminent jeopardy of losing its accreditation which
would create severe fiscal problems, the Chancellor shall have the authority to take any of
the following actions. The Chancellor should first utilize measures which minimize
interference with normal district operation, unless he or she determines that acting
otherwise is necessary to prevent the worsening of fiscal conditions at the district.
    (a) Conduct a comprehensive management review of the district and its educational
programs and an audit of the financial condition of the district. The Chancellor may also
contract for, or request another appropriate agency to conduct, the reviews and audit or
require the district, at the expense of the district, to contract for the reviews and audit. The
terms and conditions of the contract and the final selection of a contractor shall be subject
to the written approval of the Chancellor.
    (b) Direct the district to amend and readopt the fiscal and educational plans prepared
pursuant to section 58310 based on the findings of the comprehensive audits.
(c) Review and monitor the implementation of the plans and direct the district to make any
further modifications to the fiscal and educational plans he or she deems necessary for the
district's achievement of fiscal stability.
    (d) Appoint or assign a special trustee at district expense for the period of time necessary
for the district to achieve fiscal stability or solvency, or to implement the principles of sound
fiscal management, or to maintain the accredited status of a college or to recover
accredited status if it has been terminated. The Chancellor shall establish benchmarks that
indicate the presence of local capacity to manage fiscal duties. The special trustee shall have
recognized expertise in finance, and may, with the approval of the Chancellor, employ on a
short-term basis any staff necessary to assist the special trustee. The Chancellor shall
determine and specify in writing the duties of the special trustee, which may include, but
are not limited to, any or all of the following:
    (1) Reviewing and monitoring the plans, reports, and other financial material required
under section 58310 and this section.
    (2) Requiring any further modifications to the fiscal and educational plans which he or she
deems necessary.

(3) Determining district spending levels and priorities to further the district's achievement of fiscal stability.

(4) Approving or disapproving actions of the district which affect or relate to the implementation of the fiscal and educational plans.

(e) If the Chancellor determines that further efforts to have the district modify or implement the plans would be futile, the Chancellor may, with the approval of the Board of Governors, also authorize a special trustee appointed pursuant to subdivision (d) to assume management and control of the district, including assumption of the legal rights, powers and duties of the governing board of the district to the full extent deemed necessary by the Board of Governors in order to achieve fiscal stability or solvency, or to implement the principles of sound fiscal management set forth in section 58311, or to maintain the accredited status of a college or recover accredited status if it has been terminated. The Chancellor may authorize the special trustee to exercise such powers as are approved by the Board of Governors for a period of no more than one year, unless the Board of Governors approves one or more one-year extensions. The exercise by the special trustee of such powers shall be subject to all legal requirements applicable to the district. The governing board of the district may not exercise any authority so assumed.

(f) The Chancellor may require the district, at district expense, to pay all costs incurred in performing any of the services described in this section. This may include requiring the district to employ staff or contract for services necessary to assist the special trustee, to compensate the special trustee for his or her services and for any expenses or liabilities that he or she may incur, to insure the special trustee, and to defend, indemnify and hold harmless the special trustee, the Office of the Chancellor or its employees and the state for any liability arising out of or in connection with the conduct of the district or its governing board prior to the appointment of the special trustee. Alternatively, or to the additional extent necessary, the Chancellor may withhold funds necessary to pay for any or all such costs incurred in performing the services described herein from funding that would otherwise have been apportioned to the district under Section B of the State School Fund.

NOTE: Authority cited: Sections 66700, 70901 and 84040, Education Code. Reference: Section 70901, Education Code.

**Summary and Response to Comments Received During the Initial Notice Period
of August 29, 2013, through October 17, 2013, Inclusive**

Official Notice of proposed changes to the California Code of Regulations, title 5, to authorize appointment of a Special Trustee was published on August 29, 2013. The original proposed text was made available for public comment for at least 45 days from August 29, 2013, through October 17, 2013. No written comments were received during the comment period. A public hearing was held during the Board of Governors meeting on September 9, 2013, at the West Hills Community College District, Lemoore campus. Comments from two people were heard. Pursuant to Standing Order 206, subdivision (b)(3), the Chancellor's Office has summarized the comments and proposed responses below for adoption by the board.

Comments Received During the Public Hearing

Brad Reynolds, representing Community College Association/California Teachers Association:
Mr. Reynolds expressed concerns about replacing elected boards with someone else who was not chosen through the democratic process.

Lacy Barnes, California Federation of Teachers:
Mr. Barnes acknowledged that proposed language is an improvement, but it doesn't resolve issues CFT has mentioned in the past. Regulations are overly broad and giving power to the Board of Governors or Chancellor's Office to take away locally elected board authority is improper and may not align with legal practice. CFT continues to oppose rewritten regulations.

Response:
The amendments are not a significant expansion of the board's authority. Loss of accreditation would result in closure of the college. Because of the impact closure would have on students, the community, and the local economy, it is appropriate for the board to be able to intervene in this way. The authority exists only if loss of accreditation is imminent. The Board of Governors has exercised its authority to appoint a trustee only once before. It is expected that it will continue to be an exceptionally rare occurrence.