

Executive Committee

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310-434-8912

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Tina Feiger x4490

Terry Green x 4728

Amber Katherine x 3539

Steve Kaufman x 8461

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Lucy Kluckhohn-Jones x 4713

John Henderson x 8229

Laura Manson x 3530

Jennifer Merlic x 4616

Mitra Moassessi x 4057

Marina Parise x 8723

Wendy Parise x 4704

Christine Schultz x 4940

Eleanor Singleton x 4127

Richard Tahvildaran-Jesswein x 3541

Esau Tovar x 4012

David Zehr x 4098

**Santa Monica College Academic Senate
EXECUTIVE COMMITTEE AGENDA
TUESDAY, OCTOBER 6, 2009
11:15 – 12:35 – HSS 261**

I. Call to Order

II. Action Items:

1. Approval of the Minutes for September 22, 2009
http://www.smc.edu/Projects/37/2009-2010_Agenda_Minutes/Exec.Minutes_9_22_09.pdf
2. Budget/Categoricals (ARRA Funds)

III. Information Items:

1. President's Report – Eric Oifer
 - a. ASCCC Fall Plenary – November 12-14, 2009- Ontario, CA
 - b. Accreditation – Richard Tahvildaran-Jesswein
 - c. Full-time Faculty Ranking – Eric Oifer
 - d. Global Citizenship Initiative Faculty Leade
2. Committee Reports:
 - a. Personnel Policies – Jamey Anderson
 - b. Legislative Affairs – Tina Feiger
 - c. CTE – Laura Manson

IV. Old Business Discussion:

1. Town Hall Debriefing

V. New Business Discussion:

1. Dr. Tsang to address Academic Senate on October 13, 2009

VI. Announcements

VII. Adjournment

To Report Absences Click [HERE](#)

ACTION ITEM No. 1: Approval of the Minutes for September 22, 2009

http://www.smc.edu/Projects/37/2009-2010_Agenda_Minutes/Exec.Minutes_9_22_09.pdf

Next Scheduled Meeting: October 20, 2009

**CALIFORNIA COMMUNITY COLLEGES
CHANCELLOR'S OFFICE**

1102 Q STREET
SACRAMENTO, CA 95811
(916) 445-8752
[HTTP://WWW.CCCCO.EDU](http://www.cccco.edu)



September 16, 2009

TO: Chief Executive Officers, Chief Business Officers, Chief Student Services Officers

FROM: Linda Michalowski, Vice Chancellor for Student Services and Special Programs
Erik Skinner, Vice Chancellor for Fiscal Policy

SUBJECT: Administrative Relief for Student Services Categorical Programs

Synopsis: With the deep budget cuts to most categorical programs for 2009-10 and the likelihood of further cuts in 2010-11 when federal stimulus funds are no longer available, colleges are making difficult decisions about the allocation of their limited funds to best serve student needs. This memo addresses certain student services categorical programs and transmits a series of administrative relief measures to assist colleges in planning for and administering those programs in this unprecedented budget environment to ensure that every dollar possible is spent on direct services to students.

The *2009-10 Budget Act* provides districts with “categorical flexibility” for 10 programs, as described in an August 29 guidance memorandum to the field. This memorandum, in contrast, addresses administrative accommodations that we are able to provide within the provisions of current law and regulations for programs that are not in the flexibility category—CalWORKs, DSPS, EOPS and Student Financial Aid Administration.

Areas of Immediate Administrative Relief:

CalWORKs (California Work Opportunity and Responsibility to Kids)

- 1. Work Study Requirement:** We will reduce the amount of funds a district is required to expend for work study proportionately with the reduction in State Proposition 98 funds appropriated for 2009-10. In subsequent years, the CalWORKs Work Study amount will be maintained at the 2009-10 level or adjusted proportionately to any further decrease or increase in the amount of State Proposition 98 funds appropriated.
- 2. Program Plan and Budget Forms:** We are reviewing and will simplify the program plan and budget reporting form to collect only the minimum information necessary to satisfy the statutory requirement that colleges submit a program application and to meet our reporting obligations for federal Temporary Assistance to Needy Families (TANF) Maintenance of Effort (MOE). This change will be completed for 2009-10 reporting.
- 3. Child Care Funds Redirection:** Program staff has streamlined the process to allow districts/colleges to request redirection of child care funds to other program uses at the time that the budget is initially submitted to the Chancellor's Office. This change is effective for 2009-10.
- 4. Determination of CalWORKs Eligibility:** We have modified the timing of determining and/or verifying eligibility for community college CalWORKs services to provide flexibility within the term. We will continue to monitor this issue and provide additional guidance if needed.

Next Scheduled Meeting: October 20, 2009

5. **Purchase of Computer Hardware and Software:** We will provide blanket approval through 2012-13 for purchases of necessary computer hardware or software to be used for the CalWORKs program. Colleges will not need to submit a Request to Purchase Equipment.

Disabled Students Programs and Services

1. **Student Education Plan:** Colleges are advised that, to help relieve workload for general counseling, DSPS counselors can provide the Student Education Plan (SEP) for DSPS students. Colleges should be aware that SEPs completed by DSPS staff for DSPS students should include the accommodations and services to be provided to assist the students in achieving their educational goals.
2. **Special Class Instruction:** Although funding may be used to provide specialized instruction to students with disabilities, colleges are advised that special class instruction is not mandated as long as alternate accommodations for students with disabilities are provided in general instruction.
3. **DSPS Program Plan:** We are reviewing and simplifying the DSPS Program Plan to collect only the minimum content requirements necessary to satisfy statutory requirements. In addition, we are relaxing the submission deadlines.
4. **Staffing:** Title 5 establishes minimum qualifications for DSPS counselors and instructors. In addition, it specifies that each college must designate a DSPS Coordinator. Colleges are advised that the minimum requirements for counselors and instructors may be met also through a locally approved equivalency process. In addition, colleges should be aware that the DSPS Coordinator position is not required to be full-time as long as the Coordinator meets the minimum qualifications established by Title 5 and is paid with DSPS funds only for the portion of time assigned to DSPS.
5. **DSPS Advisory Committee:** Title 5 establishes the requirement of a college DSPS advisory committee, the basic composition of the committee and that the committee must meet not less than once per year. Colleges are advised that "meetings" can include telephone or online communication.
6. **Moving funds between colleges in a multi-college district:** DSPS guidelines require that districts request prior written approval from the Chancellor's Office before redistributing allocated funds to its colleges. We are waiving this requirement through 2012-13.

Note: Colleges are reminded that federal disability non-discrimination laws, specifically Section 504 of the *Rehabilitation Act of 1973* (29 USC, Sec. 794 et. seq.), the *Americans with Disabilities Act* or ADA (42 USC, Sec. 12101 et. seq.) and state law (Gov. Code Sec. 11135 et. seq.) require colleges to provide disability-related auxiliary aids and services, and other reasonable accommodations to meet the needs of students with disabilities. Federal regulations implementing the ADA require that all resources of a public institution are to be considered available to meet the needs of eligible students with disabilities (28 CFR, Sec. 36.151). In keeping with this regulation, the U.S. Department of Education Office for Civil Rights and other enforcement entities have routinely held colleges accountable for this requirement. Therefore, colleges are encouraged to consult with their ADA Coordinator and their college/district legal counsel regarding these obligations.

Extended Opportunity Programs and Services

1. **Book Requirement:** We will reduce the amount of funds a district is required to expend for books proportionately with the reduction of State Proposition 98 funds appropriated for 2009-10. The amount in subsequent years will be maintained at the 2009-10 level or adjusted proportionately to any further decrease or increase in the amount of State Proposition 98 funds appropriated.
2. **Student Cap:** We will reduce the student cap by the same percentage that State Proposition 98 funds are reduced for 2009-10. The cap in subsequent years will be maintained at the 2009-10

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level or adjusted proportionately to any further decrease or increase in the amount of Proposition 98 funds appropriated.

3. **Full-time Director:** We will: a) extend existing full-time director waivers through 2012-13; b) modify the full-time director waiver criteria to include fiscal distress as an additional criterion; c) streamline the waiver request process; and d) approve any new waiver requests through 2012-13.
4. **District Contribution:** We will: a) reduce the minimum district contribution proportionately with the reduction of State Proposition 98 funds appropriated in 2009-10. The district contribution will remain at this level through 2012-13, or be adjusted proportionately for any further decrease or increase in the amount of State Proposition 98 funds appropriated, and b) automatically exempt funds from future district contribution minimum calculations if they have been redirected from district general purpose funds or from programs in the “categorical flexibility” group.
5. **Supplanting/Restriction on Use of Funds:** Education Code section 69651 states that a “district shall not use any funds received from the state for the operation and administration of the [EOPS] program to supplant district resources, programs, or services....” We will automatically exempt funds when reviewing budgets for supplanting if they have been redirected from district general purpose funds or from programs in the “categorical flexibility” group.
6. **Allowable Uses of Funds:** We will provide a blanket waiver through 2012-13 for the following: a) purchases of necessary computer hardware or software to be used for the EOPS program; b) purchases of necessary furniture to be used for the EOPS program; and c) travel costs for non-EOPS staff to participate in EOPS functions. Colleges will not need to submit a waiver request to use EOPS funds for these purposes.
7. **Minimum Standards—a) Outreach, Orientation and Registration; b) Assessments; c) Basic Skills/Tutoring; d) Transfer/Career Services:** We recognize that colleges cannot be expected to maintain the same levels of service as required prior to the budget reductions. We will streamline the existing waiver request process by embedding it in the Program Plan beginning in 2009-10 to eliminate separate requests for waivers and reduce the number of required signatures.
8. **Minimum Standards—Counseling and Advisement:** Title 5 of the California Code of Regulations requires that colleges provide three counseling and advising sessions to EOPS students each term: 1) initial appointment to review assessments and prepare a student educational plan; 2) a mid-term appointment to ensure that the student is succeeding adequately and to make any changes needed to the educational plan; and 3) an end-of-term appointment to review the term and prepare for the next term. The regulations do not prescribe the length of the appointment or that the appointments can only be done on an individual basis. We will advise colleges of alternate methods of meeting these requirements, such as group counseling appointments, shorter individual appointments and the use of paraprofessionals.
9. **Reallocation of Funds:** We will eliminate the separate budget reporting form currently required if a college receives reallocated funds during the mid-year reallocated funds process.
10. **Transfer of Funds Request:** We will eliminate the need for a separate Transfer of Funds Request unless the college is requesting to transfer funds from “Part C-Direct Aid.”

Student Financial Aid Administration

Maintenance of Effort (MOE): The *2009-10 Budget Act* requires that Student Financial Aid Administration funds allocated to a community college district for financial aid personnel, outreach, determination of financial need and delivery of student financial aid services supplement, not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001-2002 or 2006-07 fiscal year, whichever is greater. We will provide program guidance that permits a transition period of four-years through 2012-13 to comply with the new requirement resetting the MOE to the higher of 2001-02 or 2006-07 fiscal year. In addition, guidance will

amend our waiver criteria for a college's failure to meet MOE to include fiscal distress through 2012-13.

Contact: We welcome your feedback and questions on these measures. Specific program questions should be directed to the following:

CalWORKs and EOPS:

Sarah Tyson, Dean of Student Services at styson@cccco.edu or 916-445-4755

Patricia Servin-Lemus, CalWORKs Coordinator at pservin@cccco.edu or 916-327-5890

Barbara Kwoka, EOPS Coordinator at bkwoka@cccco.edu or 916-323-5953

DSPS and Financial Aid:

Jeff Spano, Dean of Student Services at jspano@cccco.edu or 916-327-7252

Scott Valverde, Acting DSPS Coordinator at svalverde@cccco.edu or 916-445-5809

Tim Bonnel, Student Financial Assistance Programs Coordinator at tbonnel@cccco.edu or 916-445-0104

cc: CalWORKs Directors/Coordinators
DSPS Directors/Coordinators
EOPS Directors/Coordinators
Matriculation Directors/Coordinators
Student Financial Aid Administrators

	Scenario 1	Scenario 2 Addt'l Backfill with Reduction in FTES Expenditures	Scenario 3 Addt'l Backfill from Fund Balance
Additional Cuts to Categorical Programs	\$ 805,178	\$ 402,589	\$ 402,589
Operating Deficit	\$ (1,917,881)	\$ (1,917,881)	\$ (2,320,470)
Ending Fund Balance	\$ 15,490,877	\$ 15,490,877	\$ 15,088,288

Notes:

1. Part-time Faculty revenue will be reduced by \$112,318 in all scenarios.
2. Offset in FTES expenditures would equal to 76 three unit classes.
3. ARRA funds are unrestricted.
4. 2009-10 Proposed operating deficit equals (\$1,805,563).

Dear Colleagues:

This message provides an update on federal American Recovery and Reinvestment Act (ARRA) State Stabilization funds provided to the community colleges as part of the recent major revisions to the *2009-10 State Budget*. The following information was just shared with the Chancellor's Office in meeting with the Department of Finance (DOF) and key legislative budget staffers:

- **Community colleges to receive \$37 million in ARRA State Stabilization funds.** The budget revisions enacted on July 28 assumed that an estimated \$130 million in ARRA State Stabilization funds would be available to the community colleges in 2009-10 to partially offset budget cuts on a one-time basis. As reported earlier, the final allocation of ARRA funds to the community colleges would be determined by means of a formula calculated by DOF. Essentially the formula compares the budget cuts to K-12, CCC, UC, and CSU and distributes the pot of \$4.9 billion in ARRA State Stabilization funds across the four educational segments in proportion to those cuts. The decline in ARRA funds compared to the initial estimate is largely due the last minute decision to spare the community colleges from \$85 million in budget cuts proposed for 2008-09. These cuts were instead shifted to K-12 schools. In any case, the news that available ARRA funds will only be \$37 million--less than a third of the initial estimate--is a major disappointment.
- **ARRA State Stabilization Funds to be Allocated Based on Categorical Cuts.** The budget package adopted by the Legislature and signed into law by the Governor relied upon the estimated \$130 million in ARRA funds to mitigate cuts to categorical programs on a one-time basis during the 2009-10 fiscal year. The attached table displays how the ARRA funds will be distributed based on cuts to the various categorical programs. Allocations to individual districts will be based upon each district's categorical funding cuts.
- **ARRA State Stabilization Funds are General Purpose.** In a startling change of position, DOF and legislative representatives indicated that, pursuant to federal regulations, ARRA State Stabilization Funds must be allocated to schools and colleges as general purpose funds. This revelation, apparently based on a revised interpretation of ARRA requirements, is at odds with the budget package which explicitly allocated the ARRA funds to mitigate cuts to categorical programs. DOF and legislative representatives attempted to reconcile this difference by indicating that is the intent of the Legislature that the ARRA funds be available to backfill cuts to the categorical programs and that ARRA funds will be allocated based on cuts to the categorical programs (see attached table). However, despite this intent and allocation methodology, the funds will be general purpose and local boards will be able to spend the dollars as they choose.
- **ARRA Certifications and Reporting.** DOF shared additional information about the logistics of disbursing ARRA funds. Community college districts will be required to sign a certification prior to the disbursement of funds and then complete some basic reporting once the funds have been expended. Additional guidance on these topics will be provided in the near future.
- **Clarification on SB 70 Career Technical Education Funds.** DOF and legislative staff indicated a shared understanding that SB 70 CTE funds are not subject to the newly established categorical flexibility. The construction of the budget revision and trailer bills left this in doubt. It appears that that this clarification may be accomplished through a technical budget correction as opposed to cleanup legislation. Given this clarification, districts should not treat these funds as subject to categorical flexibility.

While this news about the reduced level of ARRA funds is disappointing, we hope that having this information will allow districts to move forward in their planning.

Regards,

Erik Skinner

<u>CATEGORICALS</u>	<u>Base Amount</u>	<u>% Cut</u>	<u>Total Cut</u>	<u>State Budget</u>	<u>SMC Backfill</u>	<u>Total Backfill</u>
	\$		\$	\$		\$
Basic Skills	592,464	16%	(94,794)	497,670	8%	47,397
	\$		\$	\$		\$
DSPS	1,512,738	16%	(242,038)	1,270,700	8%	121,019
	\$		\$	\$		\$
EOPS	1,439,138	16%	(230,262)	1,208,876	8%	115,131
	\$		\$	\$		\$
CARE	100,183	16%	(16,029)	84,154	8%	8,015
	\$		\$	\$		\$
Nursing	280,634	16%	(44,901)	235,733	8%	22,451
	\$		\$	\$		\$
CalWorks	314,313	16%	(50,290)	264,023	8%	25,145
	\$		\$	\$		\$
Telecommunications	36,036	100%	(36,036)	\$ -	50%	18,018
	\$		\$	\$		\$
Career Technical Education	699,798	0%	\$ -	699,798	0%	\$ -
	\$		\$	\$		\$
Economic Development	350,000	32%	(112,000)	238,000	16%	56,000
	\$		\$	\$		\$
Matriculation	1,490,520	32%	(476,966)	1,013,554	16%	238,483
	\$		\$	\$		\$
Scheduled Main. & Instru. Equipment	398,752	100%	(398,752)	\$ -	50%	199,376
	\$		\$	\$		\$
CAHSEE	127,500	100%	(127,500)	\$ -	0%	\$ -
	\$		\$	\$		\$
Transfer and Articulation	4,000	32%	\$ (1,280)	2,720	16%	640
	\$		\$	\$		\$
	7,346,076		\$(1,830,850)	5,515,226		851,675

Data used for 2009-10 adopted budget
Keep in mind that these figures have changed significantly.