



## Chancellor's Advisory Council Meeting Agenda – October 19, 2012

District Board Room  
1:30-3:30 p.m.

AGENDA TOPIC	PURPOSE	DISCUSSION LEADER	NOTES
I. Welcome	I	Linda	
II. Approval of 6/22/12 Meeting Summary ( <i>Attachment 1</i> )	A	Linda	
III. Review of Charter and Meeting Schedule ( <i>Attachments 2 and 3</i> )	D	Linda	
IV. Budget Update	I	Kevin	
V. Policies <ul style="list-style-type: none"> <li>1. BP 3122 Acceptance of Gifts (Rev.) (<i>Attachment 4</i>)</li> <li>2. AP 3122 Acceptance of Gifts (Rev.) (<i>Attachment 5</i>)</li> </ul>	A	Sheryl	
VI. Pay to Stay	D	Joe	
VII. All District/All College Email Announcements	I	Joe	
VIII. Bills of Interest – Chaptered/Vetoed Bills ( <i>Attachment 6</i> )	I	Linda	
IX. Other Information and Updates	I	All	

**Distribution:** Linda Thor, Karen Chow, Leo Contreras, Robert Cormia, Dolores Davison, Joseline Diaz/ASFC, Craig Gawlick, Rich Hansen, Truly Hunter, Reza Kazempour, Kevin McElroy, Judy Miner, Blanche Monary, Joe Moreau, Brian Murphy, Leif Nelson, Dorene Novotny, Erin Ortiz, George Robles, Rowena Tomaneng, Pablo Zamorano/DASB

**FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT**  
**Office of the Chancellor**

**CHANCELLOR'S ADVISORY COUNCIL**  
**SUMMARY**  
**June 22, 2012**

Present

*Linda Thor, Leo Contreras, Rich Hansen, Coleen Lee-Wheat, John Mummert, Judy Miner, Blanche Monary, Joe Moreau, Dorene Novotny, Roberto Sias, Courtney Shane, Carol Skoog*

**I. Approval of April 13, 2012 Meeting Summary**

The April 13, 2012 meeting summary was approved.

**II. Policies**

1. BP 3225 Campus Security & Access (Rev.)

The group approved the revised board policy as submitted, and the policy will be presented to the Board for a first reading.

2. AP 3225 Campus Security & Access (Rev.)

Blanche suggested wording that would clarify the key return policy when an employee's location is changed.

Appropriate wording will be added as suggested. For clarification, the procedure will be presented to the Board with the correlating board policy.

3. AP 6124 Course Repetition (New)

The group approved the new procedure as submitted.

4. BP 9140 Benefits for Trustees (Rev.)

This policy was revised to accommodate the recent revisions to the benefits program. The changes more clearly defines benefits for the trustees.

The group approved the revised board policy as submitted and the policy will be presented to the Board for a first reading.

**III. Other Information and Updates**

The group discussed legislative issues regarding the student success agenda.

Chancellor Thor adjourned the meeting at 2:45 p.m.

## **CHARGE, PURPOSE AND GROUND RULES**

### **OVERVIEW**

The Chancellor's Advisory Council (CAC) is the primary district-wide, participatory governance leadership team that advises the chancellor on institutional planning, budgeting, and governance policies and procedures affecting the educational programs and services of the Foothill-De Anza Community College District. Members of the CAC advise and make recommendations to the chancellor regarding district goals and priorities that are of major importance to the district in providing opportunity and promoting quality, integrity, accountability and sustainability in carrying out the mission and goals of the district.

### **PHILOSOPHY & MISSION**

We believe in the principles of openness, honesty, fairness, objectivity, and collegiality in policy development, planning, and budgeting. We adhere to the consensus model in conducting the business of the CAC. We expect that major district policies and procedures stemming from our mission, exclusive of those that are collectively bargained, be first submitted in draft form to the appropriate district governance groups most affected and then reviewed by the campus and/or district constituencies prior to action by the CAC. It is especially important that the 11 points agreed to in the participatory governance charter between the Academic Senates and the Trustees be acknowledged to avoid duplication of efforts and confusion. We adhere to the principles of clear, open, and honest communication and consultation, and we believe that every member of the CAC has the right to express his or her views on all issues under deliberation. We also are cognizant and respectful of the purpose and goals of the district's governance constituencies, and believe we can play a major role in coordinating and disseminating district-wide information to those we represent, and to the community we serve.

The mission of the Foothill-De Anza Community College District is used to guide the work of the CAC as follows:

Foothill De Anza Community College District, responding to community needs, provides high quality educational opportunities that promote development of individual abilities and enhance the quality of community life.

### **PURPOSE**

To advise and consult with the Chancellor on district-wide governance, institutional planning and budgeting, policies and procedures to promote the

educational mission and goals of the Foothill-De Anza Community College District.

### **REPRESENTATION**

- Each member will maintain and promote a focus that is based on district strategic priorities rather than personal, constituency or college interests.
- Each member will represent his/her constituency with accuracy and truthfulness, presenting data as completely as possible and not selectively withholding information.
- Each member will communicate a clear understanding of the issues and any CAC recommendations to his/her constituency.

### **MEETINGS**

- Each member will honor the agenda and be prepared to participate in the entire meeting.
- Each member will keep the discussion focused on the issues, not on the person presenting them, nor on items not immediately relevant to the topic.

### **PARTICIPATION**

- Each member will encourage full and open participation by all CAC members and make a concerted effort to avoid discussions that are dominated by a few people.
- Each member will welcome and solicit diverse opinions and viewpoints, remembering that disagreements are acceptable, often leading to good decision-making.
- Each member will practice "active" listening skills in order to avoid pre-formulated responses, interruptions and sidebar conversations.

### **INTERACTION**

- Each member will base his/her interpersonal behavior on the assumption that we are all people of goodwill, ensuring that interactions within and outside the CAC meetings are consistent with expectations of discretion and respect for individual and institutional integrity.
- Each member will honor and acknowledge and contributions of individuals as well as the accomplishments of the whole team, regardless of the level of controversy in the discussion or its outcome.

Approved by consensus of the Chancellor's Advisory Council 11/7/03

# **Chancellor's Advisory Council Schedule 2012-13**

**1:30 – 3:30 p.m.  
District Board Room**

Friday, October 19

Friday, November 16

Friday, January 25, 2013

Friday, February 22

Friday, March 15

Friday, April 12

Friday, May 17

Friday, June 14

## Californians Face Crucial Vote on Public Schools in November

### Proposition

# 30

# &

### Proposition

# 38

## Compared

California's K-12 schools are severely underfunded compared to many other states. Budget cuts in recent years have led to fewer instructional days, larger classes, fewer counselors and other reductions in core student services.

Two initiatives on the November 6, 2012 ballot attempt to address the state's inability to close its budget deficits and stabilize funding for schools. Californians can vote for either or both measures. If they both pass, the one with the most votes will become law.

### Proposition 30:

The Schools and Local Public Safety  
Protection Act of 2012

**Key Sponsor:** ★ Gov. Jerry Brown

**Major Backers Include:**

- ★ California Teachers Association
- ★ California Police Chiefs Association
- ★ League of Women Voters
- ★ California Democratic Party
- ★ California Federation of Teachers

**Opponents Include:**

- ★ Howard Jarvis Taxpayers Association
- ★ National Federation of Independent Business California
- ★ California Republican Party

### Proposition 38:

Our Children. Our Future. Local  
Schools and Early Education  
Investment and Bond Reduction Act

**Key Sponsor:**

- ★ Philanthropist Molly Munger and the Advancement Project, a Los Angeles-based civil rights organization

**Major Backers Include:**

- ★ California State PTA

**Opponents Include:**

- ★ California Chamber of Commerce
- ★ California Republican Party
- ★ California Democratic Party
- ★ California State Sheriffs' Association

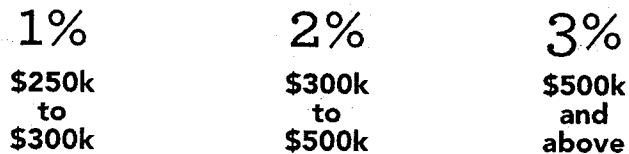
★.....Here are key features of the two initiatives:.....★

# How will revenues be raised?

## Proposition 30:

Increases state personal income tax rates on **Californians filing as single taxpayers and earning \$250,000.\*** However, the increased tax is calculated only on the income earned above \$250,000.

Tax rate will  
increase by:

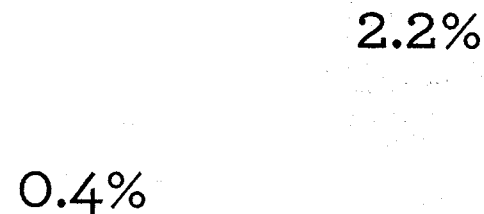


Increases state sales  
tax by  $\frac{1}{4}$  cent.

## Proposition 38:

Increases state personal income taxes on **Californians filing as single taxpayers and earning over \$7,316.\*** On the lowest earners, the increase is 0.4 percentage points, and at the highest income levels (more than \$2.5 million) the increase is 2.2 percentage points.

Tax rate will  
increase by:




**Lowest Earners**

**Highest income levels**  
(more than \$2.5 million)

*\* Single income after deductions. Comparable increases apply to joint filers and heads of households. (Top marginal income tax rate for highest earners is currently 10.3%)*

# How much revenue will be raised?



## Proposition 30:

About **\$6 billion** in annual revenues\*

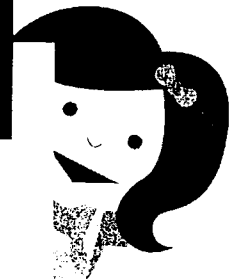
Money will go to schools beginning in current school year. Amounts raised will depend on how well the economy is doing.

About **\$2.9 billion** would go to K-12 schools and community colleges in 2012-13, according to the Department of Finance.

Money will go to schools beginning in the 2013-14 school year. Amounts raised will depend on how well the economy is doing.

## Proposition 31:

About **\$10 billion** in annual revenues, 30% of which will go to pay down state bond debt for the first four years.\*\*



*\*Estimates from the Legislative Analyst's Office (LAO). The Department of Finance estimates higher annual revenues of \$7.1 billion. Revenues are expected to be higher in the first year (2012-13).*

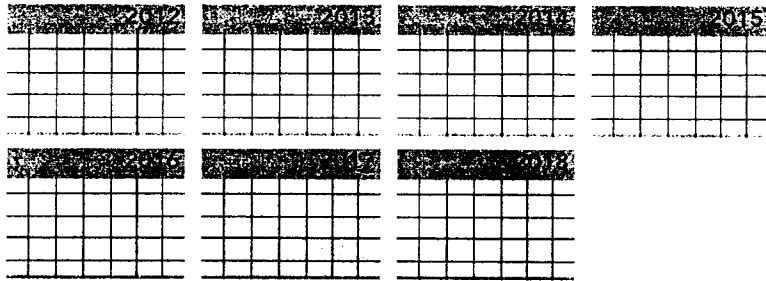
*\*\*Estimates from LAO. Revenues are expected to be higher in the first year (2013-14).*



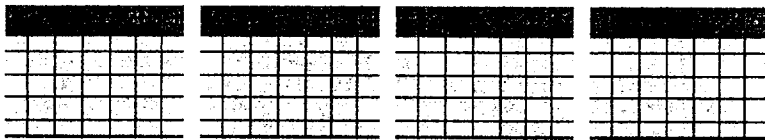
# How long will the taxes last?

## Proposition 30:

Personal income tax increases for **7 years** retroactively starting Jan. 1, 2012.

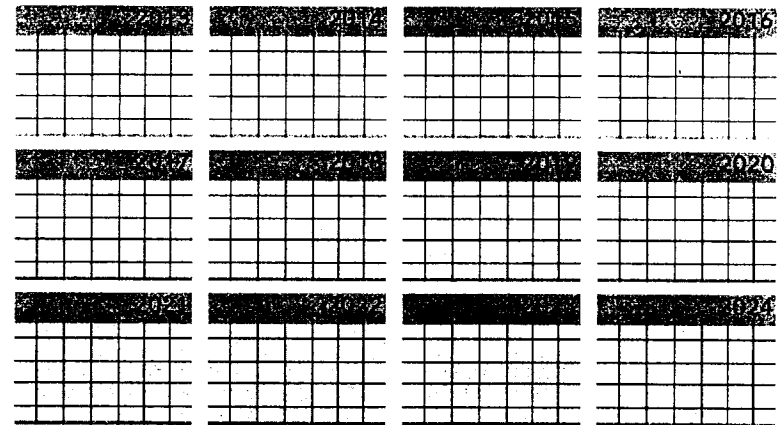


Sales tax increases for **4 years** starting Jan. 1, 2013.



## Proposition 38:

State personal income tax increases for **12 years** starting Jan. 1, 2013.

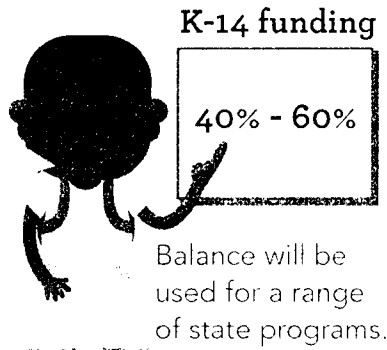


# Where will the money go?

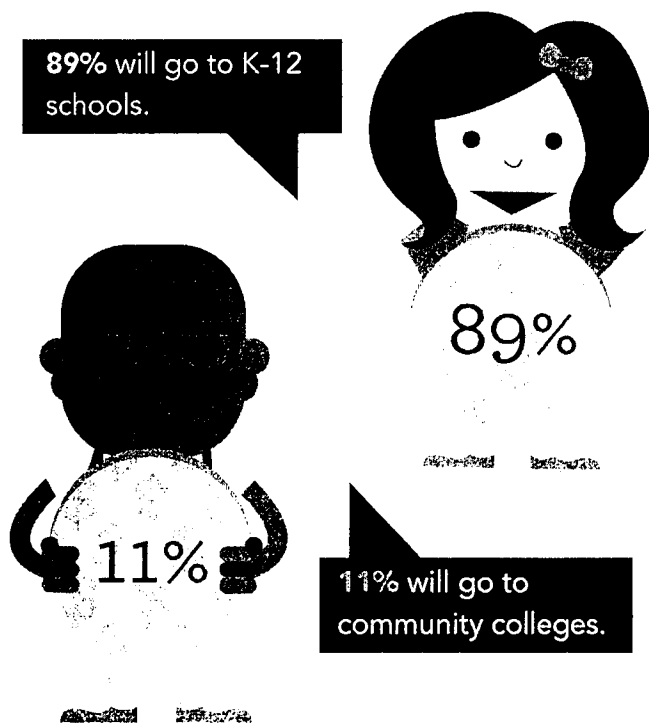
## Proposition 30:

Revenues flow to an "Education Protection Account" within the state's General Fund.

In general, **40% to 60%** of the new revenues will go to schools and community colleges under funding formulas required by Proposition 98, the voter approved constitutional amendment.



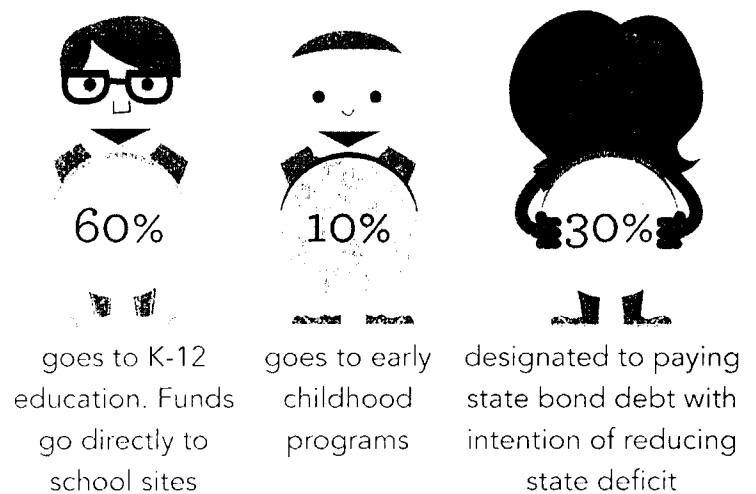
## Of revenues spent on education:



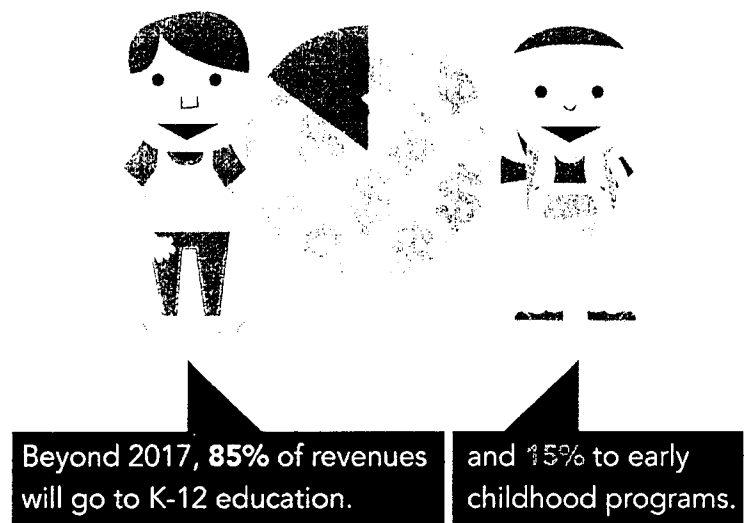
## Proposition 38:

Revenues will be used to support K-12 schools, pre-school and other early childhood programs and, initially, to pay down state bond debt.

## In the first 4 years:



## In the remaining 8 years:



# How will the revenues be managed?

## Proposition 30:

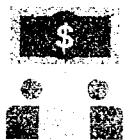


Revenues go into a new "Education Protection Account" within the state's General Fund.

Funds cannot be used for administrative costs.



A district's school board and community college board must hold open meetings to determine use of funds.



Use of revenues must be accounted for publicly.



Annual audits by school boards and state Controller.

## Proposition 38:



Revenues go into a new "California Education Trust Fund," operating independently of the state's regular budget process.

Revenues cannot be used for administrative costs or salary increases for current employees.



Each school district must have two annual meetings to get public input and explain how funds will be used and their impact.



Fund is overseen by Fiscal Oversight Board made up of five key state officials.



Annual independent audit authorized by Fiscal Oversight Board.



Schools must display their budgets publicly, and report annually on use of funds.

# What if Prop. 30 fails?

If voters reject Prop. 30, deep "trigger cuts" will automatically go into effect, reducing revenues to schools, colleges, and universities.



School and community college funding would be cut by billions of dollars:

**-\$5.4 billion**



K-12 schools would be permitted to reduce the school year an additional 3 weeks.

The University of California and California State University would each lose a minimum of **\$250 million.**

# What if Prop. 38 fails?

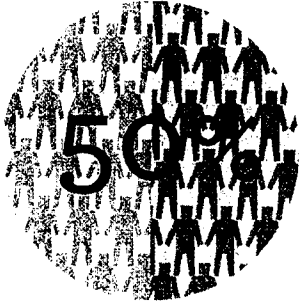


Schools and early childhood programs would lose out on billions of dollars in revenues.



The state would not get help paying off its state bond debts.

# Can Californians Vote **YES.** for Both Initiatives?



+1



Some organizations, such as the California School Boards Association, are encouraging voters to vote "Yes" on both, because voting for both increases the likelihood that one of the initiatives will pass. **A divided vote will make it more difficult to achieve the simple majority (more than 50%) needed for passage of either initiative.**

## What if both initiatives are approved by voters?

**The initiative with the most votes becomes state law.**



Need more information to help you decide? Go to

<http://www.edsource.org>

to learn more about Prop. 30 and Prop. 38.



### Sources:

"Decision Guide: Tax Initiatives Headed for California's November Ballot," Silicon Valley Education Foundation, September 2012.

Enacted Budget 2012, California Department of Finance.

Legislative Analyst's Office, Analysis of Prop. 30, March 16, 2012 and Analysis of Prop. 38, Aug. 13, 2012.

Prop. 30 Website: <http://www.yesonprop30.com/index.php>

Prop. 38 Website: <http://www.prop38forlocalschools.org/>

"What Would Proposition 38 Mean for California?" California Budget Project, September 2012.

"What Would Proposition 30 Mean for California?" California Budget Project, September 2012.

*This infographic was produced by EdSource, a nonprofit, nonpartisan organization founded in 1977 to engage Californians on key education challenges, with the goal of promoting education success.*



DESIGNED BY  
KILLER INFOGRAPHICS



FOOTHILL-DE ANZA  
Community College District

## Strategy for Fiscal Year 2012/13

• Net Deficit 6/30/12	\$ (11,930,599)
• Use of One-Time Funds	6,673,654
• Mid-Year Reductions and/or use of college and Central <u>Services carryover</u>	<u>5,256,945</u>

Net Deficit After Use of One-Time Funds and Mid-Year Cuts	\$	0
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**FOOTHILL-DE ANZA**  
**Community College District**

# Adopted Budget Fiscal Year 2012/13

	<b>Best Case Scenario- Tax Package Passes</b>	<b>Worst Case Scenario- Tax Package Fails</b>
Revenue	171,420,096	161,426,254
Expenses	(177,168,740)	(173,356,853)
Deficit	(5,748,645)	(11,930,599)

# Year to Year Enrollment Report -- Estimated WSCH

FHDA Institutional Research and Planning

10/09/12

## De Anza College

10/09/12 12:00 AM				
	201222	201322	Increase	% Increase
Unduplicated Headcount	24,353	23,599	-754	-3%
Enr	62,550	60,388	-2,162	-3%
Sections	2,049	2,007	-42	-2%
WSCH Estimate	280,591	275,780	-4,812	-2%
FTES Estimate	6,237	6,130	-107	-2%
Load	163.0	161.6	-1.5	-1%
FTEF	489.10	484.73	-4.37	-1%
Prod	574	569	-5	-1%

**320 PA Fall 2011 FTES = 6,234**

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## Foothill College

10/09/12 12:00 AM				
	201221	201321	Increase	% Increase
Unduplicated Headcount	14,523	13,544	-979	-7%
Enr	34,764	32,197	-2,567	-7%
Sections	1,214	1,182	-32	-3%
WSCH Estimate	171,030	159,087	-11,943	-7%
FTES Estimate	3,802	3,536	-265	-7%
Load	103.076	105.039	1.963	2%
FTEF	309.23	315.12	5.89	2%
Prod	553	505	-48	-9%

**320 PA Fall 2011 Total FTES = 4,007; (w/o NC, JYRM, LINC, PA, PC) = 3,802**

Only reports load of sections with enrollment.

Includes only credit sections with registered students. Appren, PC, PA, JRYM, FH LINC not included.



## FHDA FTES Trend 2011-12 - 2012-13 (projected)

(NOTE: 2012-13 FTES estimated by applying the percentage change in 2011-12 FTES figure for each term).

Andrew LaManque, PhD, October 11, 2012

DRAFT

DRAFT		De Anza College				Foothill College				District				
		Projection		Two Year		Projection		Two Year		Projection		Two Year		
		2011-12	2012-13	Chg	% Chg	2011-12	2012-13	Chg	% Chg	2011-12	2012-13	Chg	% Chg	
Residents	Summer	2,151	1,961	-190	-8.8%	1,626	1,256	-370	-22.8%	3,777	3,217	-560	-14.8%	Winter and spring FTES is assumed to be down the same percentage as fall.
	Fall	5,506	5,396	-110	-2.0%	3,523	3,206	-317	-9.0%	9,029	8,602	-427	-4.7%	
	Winter	5,113	5,011	-102	-2.0%	3,261	2,968	-293	-9.0%	8,374	7,978	-396	-4.7%	
	Spring	4,951	4,852	-99	-2.0%	3,009	2,738	-271	-9.0%	7,960	7,590	-370	-4.6%	
	Early Summer					317	317	0	0.0%	317	317	0	0.0%	
Residents	Total	17,721	17,220	-501	-2.8%	11,736	10,485	-1,251	-10.7%	29,457	27,704	-1,753	-6.0%	
NonResidents	Summer	215	213	-2	-0.9%	149	130	-19	-12.8%	364	343	-21	-5.8%	Foothill expects 250 additional Noncredit FTES over last year.
	Fall	728	759	31	4.3%	484	529	45	9.3%	1,212	1,288	76	6.3%	
	Winter	727	758	31	4.3%	493	539	46	9.3%	1,220	1,297	77	6.3%	
	Spring	753	785	32	4.3%	493	539	46	9.3%	1,246	1,324	78	6.3%	
						23	23	0	0.0%					
NonResidents	Total	2,423	2,516	93	3.8%	1,642	1,737	95	5.8%	4,065	4,252	187	4.6%	
Total		20,144	19,735	-409	-2.0%	13,378	12,221	-1,157	-8.6%	33,522	31,957	-1,565	-4.7%	

### Departments with a change of 10 or more FTES Fall 2012

DA	Fall 11	Fall 12	% Inc	Inc	FH	Fall 11	Fall 12	% Inc	Inc
MATH	709	773	9%	64	C S		102		102
EWRT	423	444	5%	20	MATH	356	375	5%	19
BIOL	241	260	8%	19	GID	25	42	65%	16
CIS	140	153	10%	13	ACTG	97	112	16%	15
					GEOG	38	52	37%	14
CAOS	128	58	-55%	-70	ART	102	116	13%	14
ESL	205	179	-13%	-26	MDIA		13		13
ACCT	231	211	-9%	-20	HLTH	23	35	49%	11
F/TV	88	70	-21%	-19	MUS	175	187	7%	11
POST	29	12	-58%	-17					
ARTS	168	153	-9%	-15	CIS	206		-100%	-206
MUSI	98	86	-12%	-12	COIN	50		-100%	-50
SPAN	54	43	-20%	-11	CAST	38		-100%	-38
					PHED	308	271	-12%	-36
					CNET	28		-100%	-28
					CWE	27		-100%	-27
					F A	23	8	-67%	-15
					BIOL	223	209	-7%	-15
					ALCB	17	2	-87%	-15
					THTR	41	29	-29%	-12
					PHOT	66	54	-18%	-12
					CNSL	38	27	-30%	-11
					CHIN	10		-100%	-10

Apprenticeship not included. Summer Daily Sections Estimated using 320 Detail rather than summary.



**FTES - Full-time Equivalent Students**  
**Foothill, De Anza, and District Totals**  
with Index based on 1990-91 = 100

	Summer FTES	Fall FTES	Winter FTES	Spring FTES	Total FTES	Summer Index/90	Fall Index/90	Winter Index/90	Spring Index/90	Total Index/90
<b>Foothill</b>										
1990-91	1,856	3,935	3,883	3,602	13,276	100.0	100.0	100.0	100.0	100.0
1991-92	1,869	3,815	3,456	3,175	12,315	100.7	96.9	89.0	88.2	92.8
1992-93	1,721	3,454	2,841	2,953	10,968	92.7	87.8	73.2	82.0	82.6
1993-94	1,816	3,237	2,956	3,009	11,017	97.8	82.3	76.1	83.5	83.0
1994-95	1,811	3,197	2,977	2,837	10,822	97.5	81.2	76.7	78.8	81.5
1995-96	1,790	3,169	3,141	3,188	11,288	96.4	80.5	80.9	88.5	85.0
1996-97	1,989	3,455	3,184	3,441	12,068	107.1	87.8	82.0	95.5	90.9
1997-98	2,130	3,566	3,280	3,328	12,304	114.8	90.6	84.5	92.4	92.7
1998-99	2,219	3,611	3,630	3,411	12,871	119.6	91.8	93.5	94.7	96.9
1999-00	2,311	3,840	3,670	3,526	13,347	124.5	97.6	94.5	97.9	100.5
2000-01	2,392	4,132	3,627	3,627	13,779	128.9	105.0	93.4	100.7	103.8
2001-02	2,226	4,244	3,971	3,980	14,420	119.9	107.8	102.3	110.5	108.6
2002-03	2,554	4,457	4,136	3,908	15,055	137.6	113.3	106.5	108.5	113.4
2003-04	2,273	4,399	3,907	3,718	14,297	122.5	111.8	100.6	103.2	107.7
2004-05	2,071	4,098	3,825	3,705	13,698	111.6	104.1	98.5	102.9	103.2
2005-06	2,184	4,089	4,010	4,042	14,324	117.7	103.9	103.3	112.2	107.9
2006-07	2,021	4,215	4,201	4,199	14,636	108.9	107.1	108.2	116.6	110.2
2007-08	2,280	4,324	4,272	4,359	15,235	122.8	109.9	110.0	121.0	114.8
2008-09	2,405	4,495	4,206	4,629	15,736	129.6	114.2	108.3	128.5	118.5
2009-10	2,422	4,273	4,144	5,290	16,129	130.5	108.6	106.7	146.9	121.5
2010-11	2,212	4,486	4,018	3,905	14,621	119.2	114.0	103.5	108.4	110.1
2011-12	1,775	4,007	3,757	3,509	13,388	95.6	101.8	96.8	97.4	100.8
<b>De Anza</b>										
1990-91	2,023	5,773	5,593	5,305	18,694	100.0	100.0	100.0	100.0	100.0
1991-92	2,028	5,867	5,369	5,262	18,526	100.2	101.6	96.0	99.2	99.1
1992-93	1,744	5,684	5,025	5,034	17,486	86.2	98.5	89.8	94.9	93.5
1993-94	2,120	5,498	4,991	4,845	17,454	104.8	95.2	89.2	91.3	93.4
1994-95	1,934	5,459	4,813	4,572	16,778	95.6	94.6	86.1	86.2	89.8
1995-96	1,701	5,619	5,083	5,032	17,435	84.1	97.3	90.9	94.9	93.3
1996-97	1,946	5,847	5,366	4,926	18,085	96.2	101.3	95.9	92.9	96.7
1997-98	2,023	5,815	5,337	5,105	18,281	100.0	100.7	95.4	96.2	97.8
1998-99	2,221	6,199	5,573	5,349	19,342	109.8	107.4	99.6	100.8	103.5
1999-00	2,291	6,166	5,421	5,357	19,235	113.2	106.8	96.9	101.0	102.9
2000-01	2,230	6,210	5,882	5,415	19,736	110.2	107.6	105.2	102.1	105.6
2001-02	2,491	6,631	6,669	6,097	21,888	123.1	114.9	119.2	114.9	117.1
2002-03	2,591	6,710	6,056	5,864	21,221	128.1	116.2	108.3	110.5	113.5
2003-04	2,689	6,958	6,072	5,912	21,631	132.9	120.5	108.6	111.4	115.7
2004-05	2,565	6,241	5,883	5,681	20,370	126.8	108.1	105.2	107.1	109.0
2005-06	2,646	6,402	6,201	6,049	21,297	130.8	110.9	110.9	114.0	113.9
2006-07	2,933	6,537	6,024	5,845	21,338	145.0	113.2	107.7	110.2	114.1
2007-08	2,692	6,854	6,367	6,216	22,129	133.1	118.7	113.8	117.2	118.4
2008-09	3,298	7,403	5,981	5,993	22,674	163.0	128.2	106.9	113.0	121.3
2009-10	2,599	6,497	6,088	5,963	21,147	128.5	112.5	108.8	112.4	113.1
2010-11	2,213	6,176	5,803	5,833	20,025	109.4	107.0	103.8	109.9	107.1
2011-12	2,366	6,234	5,840	5,703	20,143	117.0	108.0	104.4	107.5	107.8

Source: Annual (Final) CCFS-320. Figures include resident and nonresident FTES; Apprenticeship is excluded.  
FHDA IR&P - 8/07/12

## Acceptance of Gifts Policy

3122

The Foothill-De Anza Board of Trustees established a Foundation as the auxiliary organization responsible for coordinating and promoting charitable giving. The intent is that the Foundation function as the sole recipient of private charitable gifts to the District, subject to the noted guidelines, because:

- The Foundation is qualified as a 501(c)(3) public benefit corporation. Most donations provide a Federal and State charitable tax deduction for the donor. Foundation employees are empowered to accept and validate gifts as being tax deductible, and provide receipts to donors for these gifts. The IRS requires written substantiation by a qualified 501(c)(3) public benefit corporation for all gifts of \$250 or more and the Foundation provides these to qualified donors.
- The Foundation is charged with stewardship and fiduciary responsibilities to ensure the gift is properly accounted for, donors are appropriately acknowledged and provided with the tax information required for them to secure a deduction, and the gifts are correctly channeled to appropriate departments and programs at the colleges and used according to the donors' wishes.
- The District and many of its departments occasionally receive gifts-in-kind (equipment, goods or services) to be used in the instructional process. There are very narrowly defined IRS rules and regulations, and special requirements governing gifts-in-kind. There are complicated tax requirements for the acceptance and recording of these gifts, and specific forms to be completed to conform with narrowly defined IRS rules and regulations, and special requirements for accepting this type of gifts.
- Gifts of property, securities, some estate gift instruments and or testamentary gifts may have extremely complicated reporting and legal requirements for acceptance. The Foundation is charged with the responsibility for being up-to-date on all legal requirements and working closely with donors or their financial and tax advisors to ensure gifts are accepted and acknowledged appropriately.

It is vital that gifts are handled expeditiously, legally, and appropriately to ensure compliance with the complex tax laws governing gift acceptance.

### Gifts to the Foothill-De Anza Community Colleges Foundation

Any charitable gift made to the Foothill-De Anza Foundation for the benefit of either or both colleges must have all of the following characteristics:

- The contribution must be received from a private individual, public or private charitable foundation, corporation, corporate foundation or other non-government source;

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- Donor(s) may not receive any personal, economic, or other tangible benefit from their contribution;
- Donor(s) may place reasonable conditions or stipulations on the intended use of the gift such as scholarship funds, for specific programs or departments, etc.. However, in the absence of written conditions or stipulations, the gift will be treated as “unrestricted” and deposited into the Foundation General Fund;
- Any charitable contribution must be irrevocable, for a donor to claim a tax deduction and, therefore, once the gift is completed donor(s) relinquish the right to reclaim the gift or any unused remainder;
- The donor makes the donation to the Foundation without the expectation of direct economic benefit or other tangible benefit commensurate with the worth of the gift.

The term “gift” can apply to any of the following:

- Cash (currency, coin, checks, money orders, bank drafts, etc.);
- Securities (bonds, stocks, etc.);
- Non-cash gifts, also known as “gifts-in-kind” (books, equipment, etc.);
- Real property;
- Inventions, patents and copyrights and other intellectual property;
- Mineral rights;
- Fractional or remainder interests;
- Deferred arrangements (CRTs, annuities, life insurance, etc.);
- Wills, bequests, and other testamentary devises.

Gifts made to the Foundation may be:

- Unrestricted — to be used as the District administration, Board of Trustees, and/or Foundation Board deems most appropriate;
- Restricted — to be used for a specific program or project as specified by the donor(s). Gifts donated without clear written restrictions from the donor will be treated as Unrestricted gifts.

Funds may be:

- Current — to be used over a non-specific period of time;
- Endowed — the principal to be invested; interest to be available for income;
- Deferred — funds will be available at a later date or for a specific purpose occurring at a later date. Funds donated without written directions or restrictions will be treated as Unrestricted gifts and may be determined as Current or Endowed at the discretion of the Foundation.

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Education Code Section 72205  
Title 5 Section 59016

Approved 1/7/63  
Amended 8/16/99; 12/15/03

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Procedures**

**Donor Restrictions**

The donor may direct in writing that a gift be used for specified purposes such as scholarships, a particular department or division, a specific program or project. Once established, the donor can change such restrictions only in writing. Restrictions which require illegal discrimination or violation of other laws or policies of the Foundation or District will not be accepted, and unless such restrictions are withdrawn, gifts they relate to will be returned to the donor.

**Gift Payee**

All gifts, whether restricted or unrestricted, should be made payable to THE FOOTHILL-DE ANZA COMMUNITY COLLEGES FOUNDATION.

**Gift Acceptance**

When a gift is accepted, the Foundation assumes a legal and ethical obligation to use the contribution according conform to the donor's wishes. Therefore, it is essential that donors be encouraged to specifically state in writing those restrictions, if any, to be placed on the use of the funds provided. their desire for how the funds are to be used.

Except as provided for below, the Foundation Executive Director, or his/her designee, has authority to accept gifts or related funds and instruments designated by the donor for purposes or uses congruent with the District's mission and needs.

The valuation and substantiation of charitable gifts is a matter between the donor/taxpayer and their CPA, financial advisor, the IRS or other State tax taxing agency office. and the Foundation will not estimate the value of non-cash gifts. The Foundation will abide by all tax regulations and restrictions as required by law. cooperate fully with the donor in the gift substantiation process required by the taxing agency.

**Special Acceptance Criteria**

Whenever, in the discretion of the Foundation Executive Director, in

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that do not come through the Foundation and the donor may forfeit any claim for a deduction since t		
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to the department they are to serve.		
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(those gifts invested on behalf of the donor for which the donor receives income for life as well as bequests and living trusts)		
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Acceptance of Gifts - Procedures		

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Whenever, in the discretion of the Foundation Executive Director, in consultation with the District Chancellor, it is determined that acceptance of a particular gift raises unique issues including but not limited to imposing new or difficult obligations on the District, acceptance of the gift shall be determined by the Governing Board of the District. Gifts to establish new programs, real property gifts, or donations involving a substantial or unique obligation of the Foundation or the District, shall be submitted to the Chancellor/Board of Trustees for the approval of donation acceptability and conformance with District regulations.)

## Declination of Gifts

Gifts may have to be declined by the Foundation, in consultation with the College Presidents and Chancellor, under conditions including but not limited to when:

- The gift is restricted and would require support from other resources that are unavailable, inadequate, or may be needed for other institutional purposes.
- The gift is restricted and would support a purpose or program peripheral to existing principal purposes of the institution, or create or perpetuate programs or obligations that would dissipate resources or deflect energies from other programs or purposes.
- The gift would injure the reputation or standing of the District or generate controversy that may defeat the intended educational purpose.
  - The gift would implicate or cause conflicts of interest or ethical concerns
  - Other business or legal reasons for refusal, as determined in the discretion of the Executive Director and District Chancellor.

## Gift Fund Accounts

To establish a new FHDA Foundation account, all necessary Foundation's authorized forms must be completed, indicating account purpose, the types of authorized expenditures, and authorized budgeters.

**Donor Restrictions**

The donor may direct in writing that a gift be used for specified purposes such as scholarships, a particular department or division, a specific program or project. Once established, the donor can change such restrictions only in writing. Restrictions which require illegal discrimination or violation of other laws or policies of the Foundation or District will not be accepted, and unless such restrictions are withdrawn, gifts they relate to will be returned to the donor.

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## Gift Fund Accounts

To establish a new FHDA Foundation account, all necessary Foundation forms must be completed, indicating account purpose, the types of authorized expenditures, and authorized budgeters.

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## CHAPTERED OR VETOED BILLS 2012

*October 1, 2012*

**AB 178            State Teachers' Retirement (STR)**  
Author:            Gorell and Ma  
Version:           06/19/12  
Location:          Signed by the Governor ~ Chapter #135

Summary: The bill would, until June 30, 2013, establish an increased earnings limit cap of one-half of the median final compensation of all members who retired from service during the fiscal year ending in the previous calendar year (approximately \$41,000 at present) for STRS annuitants (except those in consultant positions which do not displace permanent employees). It would exempt from that STRS earnings limitation all compensation paid to a retired member who has returned to work as a trustee, administrator, or fiscal adviser approved by the Superintendent of Public Instruction, Board of Governors or a county superintendent to address academic or financial weaknesses and require that documentation be provided to substantiate the eligibility of a retiree. In addition, the bill would: take effect immediately upon passage; remove language from current law which exempts from the earnings limit any member who sits out for one year after retirement; and allow a retiree to terminate his/her retirement when beginning his/her interim service period and to reinstate his/her retirement election upon conclusion of the service period.

CEO Position:        Watch  
CCCT Position:      Support

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**AB 1203           Public Employee Organizations: Members: Paid Leaves**  
Author:            Mendoza  
Version:           08/23/12  
Location:          Signed by the Governor ~ Chapter #804

Summary: This bill would require that school and community college districts provide a paid leave of absence to a reasonable number of classified employees who are unelected members of a public employee organization, upon the request of a local school, community college, statewide, or national public employee organization affiliated with the local organization, to enable the employees to attend important organizational activities. Compensation during the leave must include retirement fund contributions required of the community college district-employer. The bill also requires that the employee organization provide reasonable notification to the district of the requested leave, and require the employee organization to reimburse the school or community college district on behalf of an unelected member who receives a paid leave of absence.

Position:            Oppose

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**AB 1434           Child Abuse Reporting: Mandated Reporters**  
Author:            Feuer  
Version:           08/22/12  
Location:          Signed by the Governor ~ Chapter #519

Summary: This bill adds employees and administrators of a public or private institution of higher education as "mandated reporters" charged with reporting child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. This

bill would be operative only if AB 1435, AB 1713, AB 1817, or SB 1264 and this bill are chaptered, become effective on or before January 1, 2013, and this bill is chaptered last.

Position: Watch

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AB 1435 Child Abuse Reporting: Athletic Personnel

Author: Dickinson

Version: 08/21/12

Location: Signed by the Governor ~ Chapter #520

Summary: This bill adds athletic coaches, administrators, and directors of any public or private school that maintains any combination of instruction from kindergarten to grade 12 to the list of individuals who are “mandated reporters” under the Child Abuse and Neglect Reporting Act. It also would add any employee or administrator of a public or private postsecondary institution whose duties bring him/her into contact with children on a regular basis, or who supervises those in regular contact with children, as mandated reporters regarding child abuse or neglect on the institution’s premises or at an official activity of or program conducted by, the institution. This bill would be operative only if AB 1434, AB 1713, AB 1817, or SB 1264 and this bill are chaptered, become effective on or before January 1, 2013, and this bill is chaptered last.

Position: Watch

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AB 1723 Postsecondary Educational Institutions: Meetings

Author: Fuentes

Version: 08/22/12

Location: Signed by the Governor ~ Chapter #580

Summary: This bill would require the CCC BOG and CSU trustees, Student Aid Commission, and request the UC regents, to provide for live video transmissions and archive and post the video and audio transmissions on the entity's Internet Web site for at least 12 months and within 48 hours following the initial transmission.

Position: Watch

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AB 1748 CCCs: Fair Market Value of Leases

Author: Fong

Version: 02/17/12

Location: Signed by Governor ~ Chapter #78

Summary: This bill would remove the \$25,000 annual limitation on leases of community college district property.

Position: Support

---

AB 1853 Teacher Credentialing: Recognition of Study in Transitional Kindergarten

Author: Bonilla

Version: 08/06/12

Location: Vetoed by the Governor

Summary: This bill would authorize the Commission on Teacher Credentialing to convene a workgroup consisting of education specialists, including a community college representative, to

develop program standards for the issuance of “recognition of study in transitional kindergarten” for holders of a multiple subject teaching credential who will be teaching pupils enrolled in transitional kindergarten and would authorize the commission to add a recognition of study in transitional kindergarten to the multiple subject teaching credential of a teacher who meets the established standards. However, the Commission may only convene the support group if private funds are found and the Department of Finance determines and certifies that those private funds are sufficient to fully support the activities of the workgroup.

Position: Watch

**Governor’s veto message:**

*“I am returning Assembly Bill 1853 without my signature. This bill would require the Commission on Teacher Credentialing to create a committee to do the preliminary work that would be required to create yet another teaching credential -- something we don't need.”*

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AB 1899 Postsecondary Education: Trafficking and Other Victims  
Author: Mitchell  
Version: 04/09/12  
Location: Signed by the Governor ~ Chapter #509

Summary: This bill would require students who are victims of trafficking, domestic violence, and other serious crimes who have been granted “T” or “U” visas to be exempt from paying nonresident tuition at the California State University and the California Community Colleges, and to be eligible to apply for, and participate in, all student financial aid programs and scholarships administered by a public postsecondary educational institution or the State of California, to the same extent as individuals who are admitted to the United States as refugees. The bill would also require community college districts to waive the fees of those students.

Position: Support

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AB 1908 Classified Employees: Layoff Notices  
Author: Mitchell  
Version: 02/22/12  
Location: Signed by the Governor ~ Chapter #860

Summary: This bill would expand written layoff notice requirements from 45 to 60 days for classified employees.

CEO Position: Oppose

CCCT Position: No Position

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AB 2133 Veterans: Registration and Resident Classification  
Author: Blumenfeld  
Version: 08/06/12  
Location: Signed by Governor ~ Chapter #400

Summary: This bill would enact the Combat to College Act of 2012 which would authorize a qualifying student to use the four academic years during which the CSU and each community college district are required, and UC is requested, to grant priority enrollment registration for members of the Armed Services within fifteen years of his/her leaving either state or federal active duty. The bill also would require priority enrollment registration to apply to enrollment for

all degree and certificate programs offered by the institution after the military or veteran status of the student has been verified by the institution he or she attends; and would require that these students comply with the matriculation requirements of the Education Code to maintain this priority.

Position: Support

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AB 2171 Community Colleges: Expulsion  
Author: Fong  
Version: 07/02/12  
Location: Signed by Governor ~ Chapter #426

Summary: This bill would authorize community college district governing boards to deny enrollment, upon the finding through a hearing, to any individual who has been expelled from a community college within the preceding five years, or who is undergoing expulsion procedures for a serious matter, if the board determines that the person continues to pose a risk to the safety of others. The bill would also authorize a community college district to request information, and respond to a request for information, from another community college district to determine whether an applicant continues to pose a threat to others and to require the applicant to inform the district of his or her prior expulsion. The provisions of the bill do not apply to students over whom the district has discretion under the “ability to benefit students” provisions regarding students on probationary or provisional status.

Position: Support

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AB 2307 School Employees: Reemployment  
Author: Butler  
Version: 07/05/12  
Location: Signed by the Governor ~ Chapter #586

Summary: This bill would require that a classified school employee of a merit system school or community college district who has been laid off due to lack of work or funds is placed on a reemployment list and is subsequently reemployed in a new position, retains the right to be returned to the reemployment list for the remainder of the 39-month period in the event he/she fails to complete the probationary period in the new position.

Position: Watch

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AB 2309 Public-Private Partnership Pilot Program  
Author: Hill  
Version: 06/27/12  
Location: Vetoed by the Governor

Summary: This bill would authorize the BOG, once sufficient funding becomes available from either state or private funds, to establish a competitive grant pilot program to evaluate a public-private partnership designed to accomplish the following objectives relating to business development and job creation:

(1) Promote business development and job creation by helping early stage business ventures with new ideas to either find early stage funding or to reach the point of operating stability.

- (2) Leverage the underutilized infrastructure and nascent entrepreneurship programs of the community college system to sponsor programs that encourage and reward creativity, collaboration, and innovation.
- (3) Recruit and coordinate businesses and investors from the local community to provide funding, sponsorships, and internships.

It would also require the BOG to select partnering community college districts and private entities to participate in the pilot program that best demonstrate the ability to fulfill those objectives listed above. Upon completion of the pilot program, the bill would require the entities involved to prepare a written summary that would be posted on the community college district's Internet Web site.

Position: Watch

**Governor's veto message:**

*"I am returning Assembly Bill 2309 without my signature. Since I have now signed SB 1402, which reauthorizes the California Community Colleges Economic and Workforce Development Program, the objectives sought by this bill can be achieved under current law."*

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AB 2442      State Property: CA Hope Public Trust  
Author:      Williams  
Version:      08/24/12  
Location:      Vetoed by the Governor

Summary: This bill would establish the California Hope Public Trust to provide financial support to the UC, CSU and California Community College systems for instruction and direct student services. The Trust would be funded by transferring state-owned properties that are suitable for development to the Trust, which would provide advice on managing those properties to the Department of General Services with the goal of increasing the value of its holdings and earning revenue for the higher education systems. The bill would require that any funds available through this statute be distributed as follows: 50% to CSU, and 25% each to community colleges and UC.

CEO Position: Support  
CCCT Position: Watch

**Governor's Veto Message:**

*"I am returning Assembly Bill 2442 without my signature. Finding innovative ways to maximize the way state property is managed is a goal I support. In fact, in an April Executive Order, I directed the Department of General Services to evaluate current leases to keep rental costs low and to determine whether leased space is essential for departments."*

*I am committed to increasing operational efficiencies and am confident that my Administration can work with the author and proponents to identify new ways to evaluate and use state property, without creating an additional board."*

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AB 2451      **Workers' Compensation: Firefighters and Peace Officers**  
Author:      Perez, J  
Version:      08/20/12  
Location:      Vetoed by the Governor

Summary: This bill would extend the statute of limitations for a death benefit claim to be filed on behalf of the dependents of a firefighter or peace officer who dies of certain occupational ailments, by allowing workers' compensation claims to be filed up to one year after death if death occurs within 480 weeks from the date of injury. Those ailments include: heart disease, hernias, pneumonia, cancer, tuberculosis, methicillin-resistant *Staphylococcus aureus* (MRSA) and blood-borne infectious diseases.

Position: Watch

**Governor's Veto Message:**

*Please click [here](#) for the complete veto message.*

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AB 2462 Public Postsecondary Education: Military Experience

Author: Block

Version: 08/21/12

Location: Signed by Governor ~ Chapter #404

Summary: This bill would require the Chancellor of the California Community Colleges, by July 1, 2015, to use common course descriptors and pertinent recommendations of the American Council on Education to determine the courses for which credit should be awarded for prior military experience.

Position: Watch

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AB 2478 Student Residency Requirements: Veterans

Author: Hayashi

Version: 08/06/12

Location: Signed by Governor ~ Chapter #405

Summary: This bill would allow a community college student who was a member of the US Armed Forces stationed in this state on active duty for more than one year immediately prior to being discharged to be exempt from paying nonresident tuition for up to one year, to be used while he or she lives in this state and within two years of being discharged, if he/she files an affidavit with the community college stating that he/she intends to establish residency in California as soon as possible. The bill would prohibit a former member of the U.S. Armed Forces who received a dishonorable or bad conduct discharge from being eligible for the exemption.

Position: Support

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SB 114 Teachers: Retirement

Author: Yee

Version: 08/22/12

Location: Signed by Governor ~ Chapter #829

Summary: This bill would, as of July 1, 2013, require a community college district to file a secure electronic copy of the pertinent collective bargaining agreement electronically in a format determined by the system that ensures the security of the transmitted member data, either annually by July 1 or before the effective date of the agreement, whichever is later, with the State Teachers Retirement System (STRS) so that STRS can give part-time community college faculty

accurate credit for service retirement by being able to calculate the salary of a part-time faculty member in terms of workload.

Position: Support

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SB 721 California Postsecondary Education: State Goals

Author: Lowenthal, A.

Version: 08/20/12

Location: Vetoed by the Governor

Summary: This bill would establish an overarching higher education accountability framework including the following statewide goals for higher education:

- Improvement of student access and success, which shall include greater participation by demographic groups that have historically participated at lower rates, greater completion rates for all student-groups, and improved outcomes for graduates.
- Better alignment of various degrees and credentials with the state's economic, workforce, and civic needs.
- Ensuring the effective and efficient use of resources in order to increase high-quality postsecondary educational outcomes and maintain affordability.

The Legislative Analyst's Office (LAO) would be required to convene a working group which would include one representative from each segment of higher education and the State Department of Education to establish metrics, measure progress towards these goals, and report the findings annually to the Legislature, beginning on January 1, 2014.

Position: Watch

**Governor's veto message:**

*"I am returning Senate Bill 721 without my signature. This bill sets three goals for our colleges and postsecondary institutions and orders the Legislative Analyst to create a committee to establish metrics that measure progress towards these goals. The bill also requires annual reports.*

*Questions about who should measure, what to measure and how to measure what is learned in college are way too important to be delegated to the Legislative Analyst."*

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SB 874 School and Community College Districts: Parcel Taxes

Author: Hancock

Version: 08/07/12

Location: Signed by the Governor ~ Chapter #791

Summary: This bill would provide an exemption from school district parcel tax increases for persons who are 65 years of age or older; persons are receiving Social Security Disability Insurance (SSDI), regardless of age; and persons receiving SSDI benefits, regardless of age, whose yearly income is less than 250 percent of the 2012 federal poverty guidelines issued by the United States Department of Health and Human Services.

Position: Support

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SB 1002 Public Records: Electronic Format

Author: Yee



Version: 08/20/12  
Location: Vetoed by the Governor

**Summary:** This bill would require the State Chief Information Officer to conduct a study to determine the feasibility of providing electronic copies of state and local public records in an open format. The study shall include all of the following:

- (1) Determination of the types of records which are appropriate to be provided in an open format.
- (2) Development of the proper definition of “open format.”
- (3) Estimation the cost to both state and local governments of providing information in an open format.

Position: Watch

**Governor’s Veto Message:**

*“I am returning SB 1002 without my signature. This bill would require the State Chief Information Officer to provide a report to the Legislature on the feasibility of providing public records in a specific electronic format.*

*The role of the State Chief Information Officer is to make sure that state government uses information technology efficiently and effectively including providing public records electronically when possible. Another legislative report on electronic public records isn't necessary.”*

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SB 1003      Local Government: Open Meetings: Cease and Desist Letters  
Author: Yee  
Version: 08/13/12  
Location: Signed by the Governor ~ Chapter #732

**Summary:** This bill would prohibit a district attorney (DA) or an interested person from filing an action for an alleged violation of the Brown Act for past actions of a legislative body unless the DA or an interested person submits a “cease and desist” letter to the legislative body setting forth the alleged violation, and the legislative body has failed to respond with an unconditional commitment and actions to “cease and desist” within 30 days of the letter’s receipt. The bill would require that an action filed to challenge an alleged violation of the Brown Act be dismissed with prejudice (i.e., the action could not be re-filed) if the legislative body enters into an unconditional commitment to “cease and desist” from the alleged past action, and would authorize the legislative body to enter into an unconditional commitment to cease and desist from the alleged action at any time, unless the plaintiff succeeds in a civil action against the legislative body and is awarded attorney’s fees. If an action filed to challenge an alleged violation of the Brown Act is dismissed with prejudice because the legislative body has entered into an unconditional commitment to cease and desist from the alleged action after the 30-day period, and if the filing of that action caused the legislative body to enter into the unconditional commitment, then a court shall award costs and reasonable attorney fees to the plaintiff. The bill would require a legislative body that wishes to rescind a commitment to do so by a majority vote of the membership of the legislative body.

Position: Watch

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SB 1052      Public Postsecondary Education: California Open Education Resources (OER) Council

Author: Steinberg  
Version: 08/20/12  
Location: Signed by the Governor ~ Chapter #621

Summary: This bill would establish the OER Council (comprised of faculty leaders from the UC, CSU, and community colleges) under the administration of the Intersegmental Committee of the Academic Senates of the UC, the CSU, and the California Community Colleges, or a successor group to:

- develop a list of the 50 lower division courses in the public postsecondary segments for which high-quality, affordable, digital open source textbooks and related materials could be developed or acquired;
- create and administer a standardized, rigorous review and approval process for developing open source materials;
- promote strategies for production, access and use of open source materials;
- regularly solicit and consider, from each of the statewide student associations of the UC, CSU and community colleges, advice and guidance on open source education textbooks and related materials; and
- submit a progress report to the Legislature and the Governor no later than six months after the bill becomes operative, and a final report by January 1, 2016.

This bill also establishes a competitive “Request for Proposal” (RFP) process inviting faculty, publishers and other interested parties to produce these 50 high quality open source textbooks and related materials and requires materials produced to be:

- placed under a Creative Commons attribution license that allows others to use, distribute, and create derivative works based on the digital material while still giving credit to the authors or creators;
- modular to allow easy customization; and
- housed in the California Open Source Digital Library.

This bill shall become operative only if funding for this act is provided in an appropriation in the annual Budget Act or another statute, or through federal or private funds.

Position: Support

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SB 1053      Public Postsecondary Education: California Open Digital Library  
Author: Steinberg  
Version: 08/20/12  
Location: Signed by the Governor ~ Chapter #622

Summary: This bill would create the California Digital Open Source Library to serve as a statewide repository for high quality, digital open source textbooks and related materials. It would also require publishers to provide three free copies of textbooks to campus libraries to be placed on reserve, and would encourage CSU and the community colleges, and request UC, to assist and support faculty in choosing lower-cost, more flexible, and dynamic alternatives such as open source books and related teaching tools. This bill shall become operative only if funding for the purposes of this act is provided in an appropriation in the annual Budget Act or another statute, or through federal or private funds.

Position: Support

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SB 1070      Career-Technical Education Pathways Program (CTEPP)

Author: Steinberg  
Version: 08/20/12  
Location: Signed by Governor ~ Chapter #433

Summary: This bill would establish the Career Technical Education Pathways Program (CTEPP) until June 30, 2015; and would require the Chancellor of the California Community Colleges and the Superintendent of Public Instruction (SPI) to assist economic and workforce regional development centers and consortia, community colleges, middle schools, high schools, and regional occupational centers and programs to improve linkages and career technical education pathways between high schools and community colleges. This assistance would be required to be provided in the form of contracts and competitive grants administered jointly by the Chancellor and the SPI for programs and initiatives that demonstrate a plan for close collaboration among regional institutions and entities.

The bill would require the Chancellor and the SPI to grant first priority for contracts and grants to applicants who: demonstrate comprehensive regional collaboration to create new pathways or sequences that begin with foundational preparation or exploration in middle school; continue with high school level courses that combine rigorous academics with career education; and are articulated with local community colleges and four-year public postsecondary educational institutions, with “meaningful involvement” from regional industry and labor organizations, professional trade associations, and local workforce investment boards. Where practicable, these applicants shall demonstrate that they can leverage additional financial and in-kind public and private resources to support their efforts.

The Chancellor and the SPI shall grant second priority for contracts and grants to applicants that can display statewide benefit, through dissemination of courses, best practices, or other means.

The bill would require applicants granted a contract or grant to submit annual outcome-based data for evaluation and report that data to the Governor and legislative committees by March 1st annually. The bill would reauthorize a community college district to enroll a high school pupil who is not a resident of that district in a program developed and implemented by the district pursuant to the CTEPP.

The bill would require the Chancellor and the SPI to develop an implementation strategy for the objectives of the CTEPP as a part of an annual expenditure plan; and would require that these provisions be operative only in fiscal years in which funds have been appropriated expressly for purposes of this program.

Position: Support

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SB 1103 Cal Grant Program: Annual Report  
Author: Wright  
Version: 04/24/12  
Location: Signed by the Governor ~ Chapter #273

Summary: This bill would require the Student Aid Commission to provide on its Internet Web site information submitted by a Cal Grant participating institution and links that are useful to students and parents who are in the process of selecting a college or university.

Position: Watch

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SB 1264      Child Abuse Reporting: Mandated Reporters  
Author:        Vargas  
Version:       08/24/12  
Location:      Signed by the Governor ~ Chapter #518

Summary: This bill would add any athletic coach -- including an assistant coach or a graduate assistant -- involved in coaching at a public or private postsecondary educational institution to the list of mandated reporters. It also would add any employee or administrator of a public or private postsecondary institution whose duties bring him/her into contact with children on a regular basis, or who supervises those in regular contact with children, as mandated reporters regarding child abuse or neglect on the institution's premises or at an official activity of, or program conducted by, the institution. This bill would be operative only if AB 1434, AB 1713, AB 1817, and this bill are chaptered, become effective on or before January 1, 2013, and this bill is chaptered last.  
Position:      Watch

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SB 1280      Public Contracts: Bidding  
Author:        Pavley  
Version:       08/13/12  
Location:      Signed by the Governor ~ Chapter #708

Summary: This bill would, until January 1, 2018, allow a community college district, when contracting for the purchase of equipment, materials, supplies, or services -- except construction services and repairs including maintenance -- to select the lowest responsible bidder on the basis of "best value" which includes the most advantageous balance of price, quality, service, performance, and other elements pursuant to policies and procedures adopted by the governing board.

When a community college district elects to purchase equipment, materials, supplies, and services by contract let in accordance with this section, the community college district shall submit the following information to the Chancellor of the California Community Colleges on or before January 1, 2016:

1. Policies adopted by the local board.
2. The bid announcement/award for best value contracts.
3. A list of contracts let each year and whether they were based on best value or low bid -- (on an Excel sheet with 4 columns -- Bid winner, price, brief description of item/services and best value "yes" or "no.")
4. Pick one comparable low bid contract for each best value contract and forward the information for that contract. (This is a reduction in the number of comparable contracts that would have been required under the previous version of the bill.)

Position:      Support

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SB 1289      Private Student Loans  
Author:        Corbett  
Version:       08/13/12  
Location:      Signed by the Governor ~ Chapter #623

Summary: This bill would request a community college to make the following disclosures regarding private student loans in financial aid materials and the private loan applications provided, or made available, by the institution to students:

- (1) Federal student loans are required by law to provide a range of flexible repayment options, including, but not limited to, income-based repayment and income-contingent repayment plans and loan forgiveness benefits vs. similar information regarding private student loans.
- (2) Federal Direct loans are available to students regardless of income.

Community colleges may continue to use financial aid materials printed before January 1, 2013, if the institution includes a printed insert with the information listed above.

This bill would also request community colleges to clearly distinguish private loans from federal loans in individual financial aid awards by stating, for any private loans included by the institution as part of its award package, all of the following:

- (1) Whether the rate is fixed or variable.
- (2) An explanation that private student loan lenders can offer variable interest rates that can increase or decrease over time, depending on market conditions.
- (3) An explanation that private student loans have a range of interest rates and fees and students should determine the interest rate of, and any fees associated with, the private student loan included in their financial aid award package before accepting the loan.
- (4) An explanation that students should contact the lender of the private student loan or their postsecondary educational institution's financial aid office if they have any questions about a private student loan.
- (5) An explanation that the interest rate on a private loan may depend on the borrower's credit rating.

Finally, if the community college provides for any private loan lender list, it shall also provide general information about the loans available through the lender; disclose the basis for each lender's inclusion on the list; and require the institution to disclose with the list the ability of the student to choose any lender.

Position: Watch

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SB 1316      School Attendance: Early and Middle College High Schools  
Author:      Hancock  
Version:      05/01/12  
Location:      Signed by Governor ~ Chapter #67

Summary: This bill would exempt an early- or a middle-college high school student from the 240-minute minimum school day and instead provide that an attendance day for such a pupil is 180 minutes if the pupil is a special part-time student enrolled in a community college. It would retain the current 240 minute requirement for an early- or middle-college high school pupil who is neither a special part-time student enrolled in a community college nor enrolled part-time in classes of the CSU or the University of California.

Position: Support

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SB 1349      Social Media Privacy: Postsecondary Education  
Author:        Yee  
Version:       08/06/12  
Location:      Signed by the Governor ~ Chapter #623

Summary: This bill would prohibit public and private postsecondary educational institutions from requiring or requesting a student, prospective student, or student group to disclose, access, or divulge personal social media information and would prohibit any postsecondary educational institution from threatening or otherwise penalizing a student, prospective student, or student group for refusing to comply with a request or demand that violates that prohibition. The bill would require private nonprofit and for-profit postsecondary educational institutions to post their social media privacy policy on each institution's internet website.

Position:      Watch

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SB 1402      CCs Economic and Workforce Development  
Author:        Lieu  
Version:       08/20/12  
Location:      Signed by Governor ~ Chapter #361

Summary: This BOG-sponsored bill would recast and revise the provisions of the California Community Colleges Economic and Workforce Development Program (EWDP), and extend the sunset of this program from January 1, 2013 to January 1, 2018. It also establishes legislative intent that the EWDP work in coordination with California's other workforce and economic development programs and activities, and coordinate with schools that maintain kindergarten and grades 1 – 12 as well as higher education systems to advance career technical education.

Position:      Support

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SB 1456      Student Success Act of 2012  
Author:        Lowenthal, A  
Version:       08/24/12  
Location:      Signed by the Governor ~ Chapter #624

Summary: This bill would implement some of the major recommendations of the Student Success Task Force including:

- Requiring a student qualifying for a BOG fee waiver to meet academic and progress standards determined by the Board of Governors (BOG);
- Requiring the BOG to establish an implementation period of at least one year from adoption of the minimum academic and progress standards or any subsequent changes to these standards and to provide students with adequate notice of these requirements and information about available support resources;
- Providing legislative intent that minimum academic and progress standards be uniform across all districts and campuses and prohibit institution of a maximum unit cap;
- Revising and recasting the matriculation program with the express purpose to increase college access and success by providing effective core matriculation services of orientation, assessment and placement, counseling and other education planning services, and academic interventions.

The bill would specify responsibilities of students and institutions in entering into the matriculation process, with the institution's responsibilities to provide student services for a strong foundation and support for students' academic and career goals, and the program of services funded through this act are to include, but not be limited to, the following:

- Orientation services designed to provide students, on a timely basis, with information on campus procedures, academic expectations, financial assistance, and any other matters that a college/district finds appropriate;
- Assessment before course registration;
- Counseling and other education planning services, which shall include, but not be limited to, all of the following:
  - a) Counseling and advising.
  - b) Assistance to students in the exploration of educational and career interests and aptitudes and identification of educational objectives, including, but not limited to, transfer preparation, associate degrees, and career technical education certificates and licenses.
  - c) The provision of information, guided by sound counseling principles and practices, using a broad array of delivery mechanisms, including technology-based strategies to serve a continuum of student needs and abilities that will enable students to make informed choices.
  - d) Development of an education plan leading to a course of study and guidance on course selection that is informed by, and related to, a student's academic and career goals.
- Referral to specialized support services as needed and available, including, but not limited to, federal, state, and local financial assistance; health services; career services; veteran support services; foster youth services; extended opportunity programs and services; campus child care services; English as a second language programs; and disabled student services.
- Evaluation of each student's progress and referral to appropriate interventions for students enrolled in basic skills courses, who have not declared an educational goal, or who are on academic probation, as defined by standards to be adopted by the BOG and community college districts.

The student's responsibilities under the agreement include: identification of an academic and career goal upon application; declaration of a course of study after a specified time period or unit accumulation, to be defined by the BOG; diligence in class attendance and completion of assigned coursework; and completion of courses and maintenance of academic progress toward an educational goal and course of study identified in the student's education plan.

To ensure that students are not unfairly impacted by the requirements of this measure, the Legislature includes intent that the BOG establish a reasonable implementation period that is phased in as resources are provided and utilized by community college campuses for student support services, individual counseling and advising, and technology-based strategies necessary to ensure that students can successfully meet these requirements.

The bill provides that funding for this program shall be targeted to fully implement the orientation, assessment, counseling and advising, and other education planning services needed to assist a student in making an informed decision about his/ her academic and career goal and course of study and in development of an education plan.

The bill would require the BOG to develop a formula for allocating funding for this program, and, in the 2012-13 FY and each fiscal year thereafter, the act would be operative only if funds are specifically appropriated for its purposes.

The bill also would require the Legislative Analyst's Office (LAO) to review and report to the appropriate fiscal and policy committees of the Legislature by July 1, 2014 and even-numbered years thereafter, all of the following:

- The extent to which the provisions of this act are implemented consistent with legislative intent and the extent to which students have access to counseling and advising services;
- The overall progress on the implementation of the Student Success Task Force's recommendations;
- The impacts of this act on student participation, progress, and completion, disaggregated by ethnicity, age, gender, disability, and socioeconomic status;
- A summary of community college campus implementation efforts for this act and recommendations on whether and how these efforts can be improved.

The Office of the Chancellor of the California Community Colleges shall work with the LAO to identify information that is necessary to provide the LAO's report and shall provide it to the LAO by April 1, 2014.

Position: Support

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SB 1509 School Facilities: Design Build Contracts

Author: Simitian

Version: 08/20/12

Location: Signed by the Governor ~ Chapter #736

Summary: This bill would allow a school or community college district to enter into design-build contracts until January 1, 2020; and would prohibit any request for proposal from including a design-build-operate contract for educational facilities.

Position: Support

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SB 1539 Textbooks

Author: Corbett

Version: 05/02/12

Location: Signed by Governor ~ Chapter #151

Summary: This bill would require the publisher of a textbook, or an agent or employee of the publisher, to provide data about the textbook to prospective purchasers, including a list of the products offered for sale by the publisher germane to the prospective purchaser's subject area of interest, the wholesale or retail price of each product, the estimated length of time the publisher intends to keep the product on the market; and, for each new edition of the product, a list of the substantial content differences between the new edition and the previous edition of the textbook.

Position: Support

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