



President's Cabinet

Action Notes

September 27, 2011

Bill Scroggins, President/CEO
Virginia Burley, VP of Instruction
Audrey Yamagata-Noji, VP of Student Services
Mike Gregoryk, VP of Administrative Services
Annette Loria, VP of Human Resources

1. Cabinet discussed the potential agreement with City of Industry. Meetings set up for next Monday and Tuesday may add some clarity to the feasibility of this agreement.
2. Mike reported talking to representatives at both Cal State Fullerton and Claremont-McKenna College about doing an economic impact study for Mt. SAC. Mike will bring a proposal for an economic impact study to Cabinet within the next month.
3. Regarding the facility fee schedule, Mike will ask Bill Eastham to attend a future Cabinet meeting.
4. Cabinet welcomed Don Potter and Bill Eastham to discuss the college's work on captioning videos and, more broadly, the topic of accessible media.
 - Don Potter shared the history of this issue ([attached](#)) and a draft of a potential Administrative Procedure ([attached](#)) which Cabinet felt was rather narrowly focused on captioning, does not give enough information about federal mandates in this area, and does not give enough direction as to the steps needed for the college to become legally compliant. See the attached [legal opinion on captioning from the Chancellor's Office](#).
 - Bill Eastham presented the document "[Possible Solutions to Issues Related to Captioning, Webcasts, and Media Distribution](#)" which covered a fuller range of compliance issues and had a more practical bent. Cabinet gave some feedback on the document.
 - Cabinet asked for a more comprehensive AP along the lines of what other colleges have done ([attached](#)). Cabinet also committed to establish a dollar amount that would be invested in having compliant videos by the end of the academic year, realizing that such funds would be limited and would require prioritization of which videos would be the most important. The end of this academic year would thus be a deadline beyond which the use of noncompliant media would not be permitted and thus the college's risk exposure for its current non-compliance with federal law would be relieved. Cabinet asked Bill Eastham to work with Mike to come up with an assessment of how much staff time could reasonably be devoted to the project this year and a dollar amount for costs of acquiring compliant videos as well as captioning a few videos that could not be acquired commercially.
5. Cabinet discussed the Liebert Cassidy Whitmore legal advice on employment practices ([attached](#)). Cabinet made the following determinations.
 - A. Student workers will continue to be hired by the college and confirmed with Board approval each semester. The supervising manager will sign off on each student's eligibility based on a review of that student's class schedule upon hire. Neither HR nor Payroll will continue its current practices of also doing such a class schedule review. The class schedule review upon

hire will be final; no subsequent review of a student's class schedule during the semester will be done. Regardless of potential changes in the student's schedule, no change in eligibility will be triggered.

- B. Student workers will not be converted to short-term employees under any circumstances.
 - C. In employing short-term employees, the work that each person will do will be certified by the supervising manager 1) as service that can be completed during the stated term of employment and 2) as service that is not needed on a continuing basis. To enable these standards to be met, supervising managers will set hiring end dates that are realistic for the work being done. Employment of short-term workers will not ordinarily be extended except in extraordinary circumstances for which unanticipated changes can be documented and justified. Cabinet sees that meeting these standards would best serve several college units if a category of Seasonal Worker were to be established. Such employees would serve needs which are short-term but recur on a regular cycle of tasks being performed in particular college units such as Admissions and Records, the Bursar's Office, and Event Services.
 - D. When hiring professional experts, the college will 1) define the project, 2) state an end date for the project, 3) make continued employment contingent on continued demand or continued funding, 4) break long-term projects into phases when using professional experts, and 5) assure that the professional expert category is appropriate, rather than regular employment status, by citing the employment history of each professional expert with the college upon each hiring action thus establishing that such hiring is not done in a recurring pattern.
 - E. Faculty overload assignments will not be taken to the Board for approval as the process, criteria, and compensation has been approved by the Board when passing the faculty collective bargaining agreement.
 - F. Similarly, faculty stipends for extra assignments will not require additional Board approval because such compensation is specifically addressed in the faculty collective bargaining agreement which is approved by the Board.
6. Cabinet discussed a framework for reducing the college's structural budget deficit.
- It is anticipated that this year's cut to our FTES cap will potentially be accompanied by a reduction in our Faculty Obligation Number. This by no means certain. First, next January the Board of Governors will need to certify that the state has provided "inadequate" funding. ([See Title 5 §51025, attached.](#)) Not a problem given the huge system cuts. This will "freeze" the FON. The fact that the FTES cap has been lowered MAY trigger a reduction in FON. [For an explanation of this process, see the FON memo from last year.](#) An additional reduction of 8 full-time faculty—by attrition—would save an additional \$1,000,000.
 - In addition to the enrollment cuts of the last three years, reductions of student support services have taken place, despite efforts of the District to backfill dollars cut by the state. The further cuts in state funding we are experiencing this year may necessitate further budget cuts in student services, and, of course, further service reductions. Audrey will explore options for reducing up to \$1,000,000 in student support services.
 - To at least temporarily move toward a more balanced budget, the District will consider not making the annual contribution of \$1,700,000 to the Retiree Health Benefit Trust. This out-year obligation to our retirees will continue to appear on our balance sheets, but no audit exception will result. We anticipate this beginning in the next fiscal year and then evaluating the situation annually.
 - To more accurately represent the savings generated by units on campus that do not fully expend their budgets, Cabinet is considering rolling over \$2,000,000 of the annual ending balance as revenue in the following fiscal year.
 - Cabinet and other discussions on campus have begun to evaluate the efficacy of "stand-alone" courses, that is, courses that are not part of a degree or certificate and not basic skills. This

raises the question about some of these stand-alone courses being outside our mission of transfer, vocational, and basic skills. Further, these discussions have brought up the question of whether or not some courses which have been approved (or are under consideration) may not be feasible to offer despite their academic rigor. The college simply may not have the facilities, staff, supplies, equipment, and/or library materials to support such courses. In addition, with our current limitation on sections we can offer, adding a course to the class schedule means deleting some other course. There is also concern about degrees and certificates with very few completers. It seems appropriate to explore whether there continues to be a labor market for these skills. Even if there are such jobs available, perhaps students are leaving for employment before completing the degree or certificate. In those cases, it might be better for the program to consider ladder certificates that reflect typical exit points to the job market. Cabinet sees its roll here to ask a series of questions about these issues and then facilitate campus dialog in pursuit of answers. However, it is my opinion that there are a few dozen courses that may not serve our mission well, and, if discontinued, could save the District \$500,000 or so.

- There is also a need to minimize future inflationary effects. Cabinet will consider extending the use of Measure RR Bond funds for scheduled maintenance costs, potentially as much as \$2,000,000 per year, and even to defray technology capital replacement costs, easily \$1,000,000 per year. Also, bringing new buildings online adds to operating costs. Our preliminary estimate is about \$8 per square foot. For the approximately 120,000 square feet we are adding in new buildings, this would add around \$1,000,000 to upkeep costs annually. Realistically, we need to spend some additional money on upkeep of the new buildings, but we will work on a plan to keep this cost down to \$400,000 or so.
 - Finally, and obviously, personnel costs are our major budget item. Continuing to work with our bargaining groups to look for reasonable retrenchment of compensation needs to be a continuing topic. For example, the regular advancement of our employees on the salary schedule by years of service adds over \$1,000,000 annually to our budget.
7. Audrey presented the [Misconduct and Grievance Report](#) covering the last six years of student discipline activity. Over 200 reports are processed each year. Academic dishonesty constitutes the largest class of violations (44%) with the majority of these students required to attend our Character Development Workshops. The majority of non-academic disciplinary cases are for disruptive behavior, but a wide range of other violations occur. Last year there were 37 suspensions or expulsions for non-academic violations and 7 for repeated academic violations.
 8. Audrey presented the staff review of the current Wait List protocols ([attached](#)). Currently, students cannot be on multiple wait lists for the same course. They can, however, be on wait lists that are in time conflict with another course in which they are either enrolled or wait listed. Staff recommendation was to maintain these practices, and Cabinet agreed.
 9. Audrey presented a proposal to enable students to order transcripts online. The recommended vendor is Credentials Solutions and the product is called TranscriptPlus. The [details of the way the online transcript request process will work are on the attached summary](#). This process constitutes an “expedited” transcript processing and thus it is permissible to charge a fee of \$5, also explained in the attachment as allowed by Mt. SAC Board Policy 5030. Cabinet agreed with this proposal. The Credentials Solutions contract will go to the October Board meeting.

10. We received [the attached Immediate Needs funding request to support the transition from Blackboard to Moodlerooms faculty training](#). The request was approved in principle, but Ginny was asked to solidify the time period for the use of funds.

11. Peter Brown of Liebert, Cassidy, Whitmore will be invited to the November 15th Cabinet meeting at 11:00 am to discuss the [2005 Department of Labor interpretation on blended rate overtime compensation for classified staff teaching classes beyond their base 40 hour assignment](#). Rich Lee and Linda Baldwin will also be invited. Mike will do some “homework” in preparation for this meeting by evaluating some scenarios based on adding prep time hours to the blended rate calculation and comparing the resulting course compensation to that now given to classified staff who teach.

12. Items for future agendas:
 - a. [BP and AP 6625 on District Fundraising](#) (Mike, 10/25)
 - b. Centralized Printing and Copying (Mike, 10/25)
 - c. [Student Travel AP 4300](#) in accord with [Title 5 §55220](#) and the [Student Fee Handbook](#) (Guidelines: Ginny; Waivers: Mike, both 10/25)
 - d. [Accreditation Follow Up](#) (All, 10/11)
 - e. Faculty Sabbaticals (Annette & Ginny, 10/25)
 - f. City of Industry Redevelopment Partnership (Mike & Bill, 10/11)
 - g. [BP 3565](#) and [AP 3565](#), Smoking on Campus (Bill, 10/25)
 - h. Civic Center Facilities Use [BP/AP 6700](#) and [Facility Rental Fee Schedule](#) conformance with [Education Code 82537-48](#) (Mike, 10/11)
 - i. Developing & Revising BPs and APs: [form](#) and [AP 2410](#) (Bill, 10/25)
 - j. Employment Practices for Student Workers, Short-term Employees, and Professional Experts based on [Legal Opinion](#) (Annette, 10/4)
 - k. Community Outreach Presentation and CD (Bill, 10/11)
 - l. AP 34XX on Captioning: [1/11/11](#) and [2/2/11](#) Versions (Audrey, 10/4)