



May 15, 2018

Doug Jenkins, Associate Vice President of Administration, sat in from Mike Gregoryk

1. Cabinet reviewed and discussed the following information items:
 - a. Cabinet reviewed the Convocation and Flex Day schedule ([attached](#)). Working with Lina Soto, Academic Senate VP and Flex Day Chair, a few adjustments are being discussed—shown in pen on the attachment.
 - b. Stadium Construction has “iron in the air.” See [attached photos](#). Also view the “Construction Cam” ([link](#)).

2. Title 5 §58003.3 has been amended by the Board of Governors ([link](#)) to authorize California community college districts to claim apportionment for noncredit courses, regardless of the immigration status of the student—great for Mt. SAC noncredit! The revised language is:

~~§58003.3. Alien Students. Apportionment for Noncredit Courses.~~
 Notwithstanding section 68062 of the Education Code, for the purposes of crediting community college attendance for apportionments from the State School Fund, a community college district may claim the attendance of students living in California ~~who have been lawfully admitted to the United States in accordance with all applicable laws of the United States and~~ enrolled in noncredit courses in the district.

3. In a recent decision, the California Supreme Court has established a new and more streamlined legal test, known as the “ABC Test,” to determine whether a worker should be classified as an independent contractor or employee. ([See the attached LCW bulletin.](#)) Under that test a worker is properly considered an independent contractor only if the employer establishes:
 - (A) that the worker is free from the control and direction of the hirer in connection with the performance of the work, both under the contract for the performance of such work and in fact;
 - (B) that the worker performs work that is outside the usual course of the hiring entity’s business; and
 - (C) that the worker is customarily engaged in an independently established trade, occupation, or business of the same nature as the work performed for the hiring entity.

Mt. SAC already uses this strict standard in assuring that those doing work at Mt. SAC under contract rather than as wage-based employees are, indeed, independent contractors. Note that professional experts are employees but are not part of the classified staff. See Ed Code § 88003 ([link](#)).

4. The Governor’s Office released the May Revise to the 2018-19 state budget last Friday. See the [attached](#) Full Budget Summary and [attached](#) Funding Formula Trailer Bill. The May Revise Community College Budget Summary is also [attached](#). Analysis:
 - a. The Chancellor’s Office has issued a comparison ([attached](#)) between the January proposed 2018-19 Community College budget and the May Revise.
 - b. The Community College League has issued a summary and chart ([attached](#)) on the 2018-19 May Revise. A number-only version of the chart appears to the right.
 - c. The Department of Finance has used the New Funding Formula from the May Revise to make projections ([attached](#)) of general fund apportionment in 2018-19 and 2019-20. For Mt. SAC (GREAT NEWS!!!):

On-Going	COLA	\$173.1 M (2.71%)
	Enrollment Growth	\$60 M (1%)
	Transition to New Funding Formula	\$175 M
	College Promise	\$104 M one-time
	COLA: Adult Ed Block Grant	\$46 M
	Full-Time Student Success & Completion Incentive Grants	\$21.5 M
	Streamline-Modernize Financial Aid	\$40.8 M
	Online College	\$5 M
One-Time	Online College	\$13.5 M one-time
	Maint & Instructional Equip	\$20 M
	Open Educational Resources	\$100 M
	Innovation Awards	\$143.5 M
	Prop 51 Bond Projects	\$6 M

2017-18	2018-19	Difference	2019-20	Difference
\$177,811,661	\$182,810,875	\$4,999,214	\$195,974,884	\$18,163,223

However, in e-mailing the DOF projections, Christian Osmeña, Vice Chancellor, College Finance, stated:

As with any forecast, the Department of Finance forecast makes a set of assumptions about the factors used to produce the funding totals. The estimates do not represent the specific amounts a district would receive pursuant to a new formula. The Chancellor's Office would implement a new formula based on the mechanics specified in the law, using the data identified in that law (which generally would be more recent than the data used to produce the estimates).

So, while the DOF projections for Mt. SAC are positive, caution is needed in anticipating actual dollars.

5. The May Revise also contains additional information ([attached](#)) on the new \$200 M K-12 Strong Workforce Program. As in the January proposal, this \$200 M comes out of the community college budget but is allocated to K-12 districts. The purpose of this program is "to encourage local educational agencies to offer Career Technical Education (CTE) programs that are aligned with needed industry skills and regional workforce development efforts." The May Revise Trailer Bill ([attached](#)) amends Ed Code §88821 et seq, established to implement the Community College Strong Workforce Program in 2013-14, by adding a K-12 component.
6. The May Revise also proposed \$5 M on-going and \$13.5 M one-time to "Streamline and Modernize" Financial Aid. The [attached](#) Trailer Bill is titled Financial Aid Technology and Processing Improvements. The bill cites the purpose of the funds as "to support technology advancements and innovations in financial aid processing and management systems at the community colleges to streamline financial aid verification." The brief bill leaves much of this project to be determined.
7. The May Revise was also accompanied by extensive editing of the Trailer Bill establishing the Online Community College ([attached](#)). A few of the significant changes:
 - The OCC is now just a college. No separate district is established.
 - The Board of Governors and the Chancellor's Office will run the college permanently. This creates potential conflict of interest since the BOG sets regulations for the OCC and the Chancellor's Office approves curriculum and enforces the regulations.
 - Contracting with another community college district for labor union representation seem unworkable.
 - OCC will not offer associate degrees or transfer preparation, only certificates and short term credentials. This should limit competition with the other 114 community colleges.
 - The OCC now does not just use adjunct faculty—some full-time faculty will be included.
 - Recognizes role of SWP Regional Consortia in establishing regional business partners.
 - Legislative intent to not duplicate programs at other CCCs, but weak enforcement of this standard.
 - Reporting to the Legislature is too infrequent and too limited.
8. The next Carnegie Math Pathways Hub Planning Meeting will be this Thursday ([agenda attached](#)).
9. Multiple Measures placement in Math and English is now based on high school grades. [Attached](#) is the current list of high school courses required for graduation and for university admission—CSU and UC. This is encouraging as recent high school grads will be better prepared in Math and English.
10. Cabinet reviewed the Loss Control & Safety Audit ([attached](#)). Although there is quite a list of repairs and clean up, overall facilities are in good safety conditions. This report will be a "must do" list going forward.
10. Items for future agendas (items for the **next** Cabinet meeting are shown in **BOLD**):
 - a. Update on Multiple Measures Placement Workgroup (Audrey & Irene, 7/17)
11. Quarterly Reports to Cabinet
 - a. Emergency Response Plan Quarterly Report (Mike Williams & Melonee Cruse, 8/7)

- b. Building 26A 2nd Floor Classroom Pilot Project (Mika, 9/11)
- c. Faculty Position Control Quarterly Report (Irene & Rosa, 6/19)
- d. Timely Employee Evaluations & Quarterly Cabinet Review (**ONE MONTH UPDATE**, All, 6/17)
- e. Construction Project/Scheduled Maintenance Quarterly Report (Gary, 7/24)
- f. IT Projects Quarterly Report (Dale, 8/7)
- g. Grants Quarterly Update (Irene & Adrienne, 6/19)
- h. Dual Enrollment Offerings at Local High Schools (Joumana & Francisco, 8/7)
- i. International Student Update (Audrey & Darren, 6/12)
- j. Student Support System Work Group (**Dale, Barbara, Joumana, Madelyn, Tom, Francisco, Eric, 5/22**)