



Commission on Finance, Legislation and Advocacy (CFLA)

Tuesday, July 28, 2020

1:30 p.m.

MEETING RECORD

Call to Order – (**Omid Pourzanjani**), Vice Chair and President/Supt., San Joaquin Delta CCD

PRESENT: Wendy Stewart; Darren Otten; Robert Van der Velde; Michelle Underwood; Omid Pourzanjani; Maria Villa Gomez; Sharon Ormond; Bonnie Dowd; Sharlene Coleal; Eric Harnish; Susan Bray.

ABSENT: Willy Duncan; Charlie Ng; Kuldeep Kaur; Doug Houston; Abe Ali; Meghan Chen; David Betts; Scott Conrad; Samia Yaqub

Omid introduced newest CFLA member, **Wendy Stewart**, Dean of Counseling and Student Development at Mira Costa. Wendy was one of 16 candidates who ran for the Board in the last election, and while she was not elected to the Board, she chose to volunteer for the CFLA.

*[Omission: We neglected to also introduce **Maria Villa Gomez**, newly elected Board member representing Instructional Administrators. Maria chose the CFLA as her Board assignment and is one of three CFLA members who bring their Instructional Administrator perspective to the Commission's deliberations.]*

Trending Issues: **Omid** raised the issue of ACCCA providing training for members and other administrators who are not the CBO on budget impact and strategies districts are using to survive in the financial crisis. He noted that members and all administrators need education on some of the elements of the crisis. If you're not a CBO, you may not understand the impact of deferments vs cuts, or the long term ramifications of major decisions being made now in response to the cuts.

He asked members, does it make sense for us to have a training program to highlight some of these issues for members? **Darren** agreed and noted that education is needed for especially new leaders who weren't in these positions at the time of the last major crisis. Understanding how to get control of expenses, and a base understanding of TRANS, managing lines of credit with local providers and with foundations is essential. **Sharlene** added that in every budget meeting she's had in the last few weeks, these are the topics

being discussed and she is preparing a primer on these issues for her own district that could contribute to any training we come up with.

Susan suggested a collaboration with ACBO and others, perhaps after the State budget workshop to focus on some of these related issues. **Robert** suggested highlighting best practices by others because districts are challenged differently so have different solutions.

Omid asked if we get a deferment, and again the following year too, do others understand this compounds? **Bonnie** agreed many don't understand the implications of this, it is multi-year, and it does compound. She clarified that there will be deferments in Feb. 2021, and no re-payments until the 21-22 budget. Though deferrals are better than cuts, \$1.54 billion is huge, and cuts without workload reductions is impossible and she has said this in meetings with state agencies. She noted that there has been some conversation in DC for possible additional stimulus funds, but that doesn't mean it will equal what we've seen so far and there will likely be additional cuts and deferrals in Nov/Dec.

Omid reiterated the need for a workshop or training for members. **Bonnie** cautioned that we should not try compete with ACBO's efforts for CBOs, but focus on our members and help them understand why the cuts are happening the way they are.

Members agreed the need for training is there. **Susan** suggested that whatever is done it should be after the CCCCOC workshop in August, and we should probably survey members ahead of the workshop to focus on the issues most needed. **Darren** noted the issue of CSEA language in the trailer bill limiting flexibility for laying off certain classified personnel. **Bonnie** said she does not agree with the language on custodians, food service and transportation saying that CCs are different from K-12, and this is exactly the sort of issue members need to be educated on. Some decisions being made, she said, are beyond the control of administrators.

Another trending issue raised by **Sharon Ormond**, is the revised Title IX regulations and the requirements for implementation bearing down on colleges now. Her firm has encountered lots of stress about how to revise procedures including complaint procedures that impacts a wide spectrum of administrators. She reported that there is legislation now in the briefing stage to address issues, but in summer and during the pandemic, how do you implement new requirements?

Omid asked if the League looking to revise policies? **Sharon** indicated they were, in fact their new policies were just out, but there is concern if it works for everyone. Those policies will be under careful review from district to district. **Bonnie** agreed and indicated SDCCD is in vetting process and they've seen it signals significant changes to processes and personnel put in place just a year ago.

Omid asked if this is another big topic ACCCA should address with training and **Sharon** indicated that the League is about to do a webinar, as well as theirs and other law firms so

there is a lot of training that will go on around this, but ACCCA is the organization to get this out to a cross section of administrators. **Susan** said she would put this issue and the budget crisis training issue on the MDC agenda for August 5th and report back.

Legislative Update—(**Michelle Underwood**)

- a. *State Budget Update*
- b. *Legislative Review/Advocacy Platform Discussion*

Michelle reported that regarding state budget update, there is not much to share due to the extended legislative break. She reported that we continue to watch revenues, reminding members that the April deadline for PIT filing was pushed to July, but the monthly DOF bulletin indicates revenues are just ahead of forecast based on lowered projections in the May revision. She indicated that a formal revision of budget is not as likely now, and it will have to get really bad for a revision of the budget to happen. The Legislature won't want to do another revision for political reasons in an election year, and they've already tried to minimize cuts as much as possible so will want to ride it out until after the election.

Regarding deferrals and federal money, she noted that Senate Republicans just came out with their budget proposal, the House came out with their version earlier, and as expected are both far apart. Whatever the result, Colleges clearly need the allocation by head count and not a Pell grant situation. California needs funds that are flexible to pay down deferrals, but likely any funds we get will come with strings attached. Liability for workers is a key issue for schools and colleges. A 5 year liability shield being proposed.

On Legislation, the active bill list remains short, and just two are scheduled for hearing. She noted that "hostage taking" by both the Senate and Assembly is in play. No education hearings scheduled, and Chairs have discretion about which bills to hear but they've settled on a "you don't schedule my bills, I won't schedule your bills" position. Michelle referenced the most recent bill report provided to Commission members prior to the meeting and she mentioned three bills of note still pending hearings. She said while AB 2416 and AB 3137 both have hearings scheduled (both were subsequently approved in committee the week of 8/3), the CFLA has not taken positions on either. The two bills supported by ACCCA (AB 2884 dealing with state lottery funds and AB 2019 dealing with College and Career Access Pathways) have not been scheduled for hearing yet.

- **AB 2416:** would require that the determination of satisfactory academic progress by the community college considers "homelessness" within the meaning of the federal McKinney-Vento Homeless Assistance Act as an extenuating circumstance for students who are otherwise unable to meet the requirements deemed to constitute "satisfactory academic progress" at that community college, an extenuating circumstance that may be considered by the institution to alter or excuse compliance with those progress requirements. [SUPPORT]

- **AB 3137:** would require that a student who is a member of the Armed Forces of the United States and is called to duty be allowed to withdraw from participation in the California College Promise and resume participation in the program upon the student's return from duty without losing eligibility for the fee waiver or any other benefit of the program. [SUPPORT]
- **AB 1759:** would exempt institutions of higher education, including their officers, employees, and governing bodies, from monetary liability and damages for injury relating to COVID-19 infection, any condition in existence because of the COVID-19 pandemic, or any act or omission by those institutions in response to the COVID-19 pandemic. [NO HEARING SCHEDULED].

Michelle reported that there are even fewer senate bills, but hearings must be completed by 8/31, however a special session could be called by the Governor to finish the work.

Consultation Council and Leadership Council (*D. Houston.*)

No Consultation report was provided, however, **David Betts**, ACCCA's representative to the Chancellor's EEO/Diversity Advisory Committee, did submit a written report and related information which was provided to the Commission during the meeting.

ACCCA Activities & Events – (*Susan Bray*)

Susan reviewed the advocacy action items from the draft strategic plan provided with the agenda to members of the Commission. She noted it is going to the Board for final approval in September, and emphasized key areas that the CFLA will need to manage this year. These include expanding our engagement on the Administrative Leadership Council and with other agencies and affiliates in order to make progress on proposed administrative rights issues and make inroads in improving support and protections for administrators.

Omid clarified the issue noting that the Board is asking the CFLA to explore updated policies and practices for administrators who are sandwiched between faculty and boards, but are responsible for outcomes during a pandemic and a financial crisis. He said it's hard to move the needle and make critical and often unpopular decisions when their jobs are threatened by campus factions. The purpose of exploring new policies and guidelines is to help boards and the system support administrators better so they can do the difficult work that needs to be done.

Darren, agreed noting that educating trustees and boards indicates a collaboration with the League is needed. **Bonnie** cautioned that ACCCA needs to be careful of making blanket statements when there are clear differences between administrators with and without contracts and in various levels of management. **Susan** agreed which is why, she said, the Advocacy Strategic Planning Team opted to develop best practices and guidelines as opposed to pushing for regulation or legislation.

Susan closed by saying that the only way to move the issue of administrator support, rights and policy/process enhancements forward is for ACCCA to develop a clear narrative in cooperation with our affiliate organizations and guided by member feedback. Consensus will need to be built among affiliates who we will need as champions as we seek to make this issue a priority in consultation and elsewhere. She noted that, per usual, Administrators are the ones who will be taking the hits for the difficult and impossible decisions that need to be made, and ACCCA is the only group looking for ways to educate others on this issue, and encourage Boards, classified and faculty groups to support and work with their administrators. She said she will continue to work with Willy, Omid, Michelle and the Executive Committee to formulate that narrative.

END OF RECORD###