

CONTRA COSTA COMMUNITY COLLEGES'
DISTRICT GOVERNANCE COUNCIL MEETING
Tuesday, December 6th, 2011
1:00 p.m.
6th Floor Board Room in the District Office
AGENDA

1. Call to order (1:00 PM)
2. Adoption of the agenda (2 minutes)
3. Correction and approval of November 1st, 2011 minutes (2 minutes)
4. Public Forum:
“This time is reserved for members of the public to address the District Governance Council.” (5 minutes)
5. Reports from Constituent Groups (4 minutes, 1 minute each)
6. DGC Steering Committee Report (2 minutes)
7. Chancellor’s Report (60 minutes)
 - i. Review of December 14th, 2011 Governing Board Agenda
 - ii. Chancellor’s report
 - iii. Student Success Task Force Update
 - iv. Clarification on how reserves are being spent
8. BP 1007 Gifts (Helen Benjamin, 5 minutes, first read)
9. AP 1007.01 Gifts (Helen Benjamin, 5 minutes, first read)
10. BP 10.50 Gifts of property and equipment (Helen Benjamin, 5 minutes, first read)
11. Budget Development Calendar for Fiscal Year 2012-2013 (Jonah Nicholas, 20 minutes)
12. Student Code of Conduct Discussion (Bill Oye, 10 minutes)
13. District Smoking Fee Policy Discussion (Bill Oye, 10 minutes)
14. District’s policy in relation to social movements (Charles Gibson, 2:30 PM, 15 minutes)
15. Adjournment at 3:00 PM

Contra Costa Community College District

District Governance Committee (DGC)

Date: November 1, 2011

Time: 12:30 p.m. – 1:30 p.m.

Location: DVC Trophy Room

Attendance:

Classified: Greg Evilsizer, Linda Kohler, Ann Patton and Kelly Ramos

Faculty: Laurie Lema, Jeff Michels, A’kilah Moore and Wayne Organ

Managers: Bob Estrada, Bill Oye, Sandra Smith, Tonia Teresh, Randy Tillery and John Wade

Students: Albert Ambris, Daija Cornelius, Francisco Hinojosa and Alex Smith

Guests: Helen Benjamin, Gene Huff, Mojdeh Mehdizadeh and Ray Pyle

Absent:

Classified: Monica Pope and Georgette Stewart

San Ramon: Tedmund Munoz

Faculty: Kenyetta Tribble and Michael Yeong

Item#	Topic
1.	Call to Order: a. The meeting was called to order at 12:37 p.m.
2.	<u>Review of the November 1, 2011 agenda:</u> a. The agenda was approved.
3.	<u>Correction and approval of October 4, 2011 minutes:</u> a. Add Kelly Ramos and Monica Pope to absences for Classified reps. b. The minutes were approved with corrections.
4.	<u>Public Forum:</u> a. No public comment.
5.	<u>Chancellor’s Report {Helen Benjamin}:</u> a. <u>Review of November 9th, 2011 Governing Board:</u> i. The next Governing Board meeting will take a place a week from today in the DVC Trophy Room. There will be a study session covering progress towards three goals: The

	<p>directions, goals and accomplishments set by each college and the District Office (the work that they have done). In addition to the 1 page written report there will be an oral report (highlighting 1 to 2 programs). If there is time the Governing Board will go over the consent agenda. The open session will begin at 4pm, closed session at 5pm, and the session will re-open at 6pm.</p> <ul style="list-style-type: none"> ii. There will be no constituent reports because it is a study session. iii. If the DGC has questions after going over the Governing Board agenda, please email them to the District. iv. CCFS 311Q- shows the faculty 50% law – District is at 52%. <ul style="list-style-type: none"> v. 29 – C Growth of college bookstores: See Board Report 29 D – DVC was an exception because of an accounting issue. DVC provided funding out of their operating budget. See Board report No. 29-c vi. Associated Student Budgets – 29 D vii. 29-E Designating a new District rep to Joint Powers Authorities (JPA): Judy Breza is filling in at that role. viii. 30-A Academic Calendar: The academic calendar is basically the same as this year. ix. 31-A Changes towards equalization: The changes were based on census tracks and not cities. It has gone to the board twice for information. An email went out soliciting comments with two comments coming back. The goal is to have it passed this November. The County’s Office of Ed is interested in using the District’s model which would result in savings to the county during elections. x. 32-C: PLA – The District’s attorney sent a response to what the District should include in the PLA that they believe would protect the District’s interests. xi. ARCC Report: Our function is to make sure that the Board reviews and allows for public comment. The comment portion has to be sent to the State Chancellor’s office. xii. Roles of Classified Senate and public employees union: reaffirmation of the goals. <p>b. <u>Chancellor’s Report:</u></p> <ul style="list-style-type: none"> i. The Chancellor acknowledged the hard work of all District employees. ii. This month the District will share the enrollment report to see where we are. iii. The process to fill the position for CCC’s Interim President was completed last week. There were five finalists out of the 20 interviewed. Dan Henry was selected and will serve from January 2012 to June 2012. In the meantime, the process has begun for the permanent President positions at CCC and LMC. By the end of April, a decision will be made. The process closed last week for the District’s Vice Chancellor for Administrative Services, and there will be a decision by December 1, 2011.
<p>6.</p>	<p><u>Reports from Constituent Groups</u></p> <ul style="list-style-type: none"> a. Classified: no report. b. Faculty: no report. c. Management: no report. d. Students: DVC – ASDVC did not hold a meeting this week, they held their annual Halloween festivals; CCC had their Fall festival (All-Star band performance, clubs and vendors).
<p>7.</p>	<p><u>DGC Steering Committee Report</u></p> <ul style="list-style-type: none"> a. DGC Steering Committee Report: future agenda items: Previous discussion about a couple of things that would like to come back to is on: the use of reserves (campus and district. Clarity on the different situation on what the use of the reserves would be on.

	b. LMC IDEA report: Is there a need to look at our procedures and how campuses go about responding to the report – legal or otherwise? Is there a gap in our policies and procedures or do we have it covered? Are our policies and procedures in place?
15	Adjournment: 1:05 p.m.

GIFTS

All gifts of money, property, or equipment shall be accepted by the Executive Director/designee or the Chief Financial Officer of the college foundation or District Office, respectively. The Board reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District. Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise or entity.

~~Management personnel shall be designated to accept any gifts, donations, bequests and devices offered to the District, student organizations or any other affiliate organization of the District. This assignment may be delegated to the college foundations when appropriate.~~

In no event shall the District knowingly accept a donation from any donor who engages in practices or policies which discriminate against any person on the basis of race, sex (i.e., gender), color, religion, national origin, age, disability, or sexual orientation preference; or when the stated purposes of the donation are to facilitate such discrimination in providing educational opportunity.

Education Code, Title 5, §72205

GIFTS

ACCEPTANCE OF GIFTS

1. All gifts of money, property, or equipment to the colleges shall be accepted by the Executive Director/designee of the college foundation. Gifts to the District Office shall be accepted by the ~~Vice Chancellor, Planning and Resource Development~~ Chief Financial Officer. ~~Gifts to the Regional Training Institute shall be accepted by the Executive Director.~~
2. If the donor's initial contact is through the foundation, foundation staff will contact the appropriate senior manager and the department/unit in the college to determine if the potential gift is acceptable for use.
3. If the donor's initial contact is with a department/unit, personnel from the department/unit will contact the foundation prior to formal acceptance of the gift.
4. If the donor's initial contact is with the District Office, the ~~Vice Chancellor, Planning and Resource Development~~ Chief Financial Officer will contact the appropriate department/unit in the District Office if the gift is for the District Office. If it is for one of the colleges, the college foundation will be contacted.

ACKNOWLEDGMENT OF GIFTS

5. The college foundations of the recipient college, ~~or the Vice Chancellor, Planning and Resource Development~~ Chief Financial Officer, ~~or the Executive Director of the Regional Training Institute~~ shall work with the department/unit receiving the gift to deliver to the donor, an acknowledgment of acceptance.

The acceptance shall contain the following:

- a. ~~E~~expression of gratitude with a description of how the gift will be used by the college/District Office/~~Regional Training Institute~~;
 - b. ~~D~~ate, on or about, which gift was made;
 - c. ~~N~~ame of institution to which gift was made, i.e., name of college, ~~or~~ District Office, ~~or~~ ~~Regional Training Institute~~;
 - d. ~~A~~acceptance of gift by the foundation Board, ~~or~~ District Office, ~~or~~ ~~Regional Training Institute Board of Directors~~ pursuant to Board Policy 1007; and a
 - e. ~~s~~tatement indicating "No goods or services were provided in exchange for this donation"
6. Notes of appreciation should also be sent by the college President, ~~Executive Director of the Regional Training Institute~~, or Chancellor (depending on whether the gift was for a college, RTI, or the District Office) and from the recipient department/unit.

DOCUMENTATION OF GIFTS INTO DISTRICT, ~~OR COLLEGE, OR REGIONAL TRAINING INSTITUTE~~ RECORDS

(over)

7. Gifts of property or equipment valued at \$5,000 or more are subject to federal reporting requirements effective January 1, 1985, and must be appraised by ~~an independent~~ a qualified appraiser and handled ~~according to~~ in accordance with Internal Revenue Code and the District's Business Procedure 10.50. The cost of the appraisal shall be the responsibility of the donor unless other arrangements are agreed to by the foundation ~~Executive Director/~~designee and ~~Executive Director of RTI~~ or the District Office Chief Financial Officer.
8. Gifts of equipment with a value or annual maintenance cost of \$1,000 or more shall be reported to the Director of Purchasing and added to the equipment inventory file in accordance with District Business Procedure 10.51. If the gift is an item of equipment (as classified in the Community College Accounting Manual), an asset number shall be affixed and reported on the copy.
9. A copy of the notice of acceptance shall be forwarded to the college President or ~~Vice Chancellor, Planning and Resource Development~~ Chief Financial Officer. If the gift is other than money, its estimated value (**as determined by the donor**) shall be noted on the copy.
10. The college foundations shall report to the college Presidents all gifts they receive annually. ~~The Executive Director of the Regional Training Institute shall report to the Vice Chancellor, Planning and Resource Development all gifts accepted by RTI at the close of the fiscal year. The Vice Chancellor, Planning and Resource Development~~ Chief Financial Officer shall report to the Chancellor all gifts accepted by the District Office ~~and RTI~~ at the close of the fiscal year.

GIFTS OF PROPERTY AND EQUIPMENT

1. The ~~College President is~~ Executive Director/designee or the Chief Financial Officer of the college foundation or District Office, respectively, are authorized to accept gifts that have value to a District program in accordance with Board Policy 1007 and Administrative Procedure 1007.01.
2. Gifts of \$5,000 or greater are subject to Federal reporting requirements effective January 1, 1985 and must be appraised by ~~an independent~~ a qualified appraiser. Tax regulations concerning charitable contributions of property are presented in Exhibit A.
3. Gifts of equipment with a value, **as determined by the donor**, of \$1,000 or more should be added to the equipment inventory file in accordance with Business Procedure 10.51.

TAX REGULATIONS CONCERNING CHARITABLE CONTRIBUTIONS OF PROPERTY

The tax laws concerning charitable contributions of property are summarized in this exhibit to serve as a guide to staff for accepting contributions of property. An appraisal must be provided by the donor if the claimed value of the donated property is over \$5,000.

Entities involved:

1. Individual Taxpayers
2. Closely-held Corporations
3. Personal Service Corporations
4. S Corporation Shareholders

An appraisal must be obtained if:

1. The claimed value of the donated property is over \$5,000.
2. In the case of non-publicly traded securities, the claimed value of stock donated to one or more donees is over \$10,000.

An appraisal is not necessary if the property is:

1. nonpublicly traded stock of \$10,000 or less;
2. a vehicle (including a car, boat, or airplane) which will be sold;
3. qualified intellectual property, such as a patent;
4. certain publicly traded securities;
5. inventory and other property donated by a corporation that are "qualified contributions" for the care of the ill, the needy, or infants, within the meaning of section 170(e)(3)(4) of the Internal Revenue Code; or
6. stock in trade, inventory, or property held primarily for sale to customers in the ordinary course of the donor's trade or business.

The appraiser's qualifications must include that the appraiser:

1. Must hold himself or herself out to the public as an appraiser; has earned an appraisal designation from a recognized professional appraiser organization for demonstrated competency in valuing the type of property being appraised;
2. Must be qualified to appraise the property involved; regularly prepares professional appraisals; and
3. Must be independent from the transaction.

The appraisal summary should include the following:

1. Name and tax identification number of the donor;
2. Name, signature and tax identification number of the appraiser;
3. The qualifications of the appraiser;
4. A general description of the property appraised;
5. The fair market value of such property on the date of contribution. (Please note that an appraisal cannot be made earlier than sixty (60) days before the contribution.);
6. The specific basis for the valuation and the method of valuation used to determine fair market value.;
7. A statement that such an appraisal was prepared for income tax purposes; and
8. The date on which the property was valued and the expected date of contribution.

The Donee's responsibilities are to:

1. Sign a copy of the appraisal summary. (Please note that this only indicates that Donee received and accepted the gift; not concurrence in the appraised value.);
2. Retain a copy of the appraisal summary; and
3. Prepare an information return to the IRS if the property is disposed of within two years after receipt.

~~The appraiser may be subject to a \$1,000 penalty if the donated property is deliberately overvalued. Additionally, it appears that the District could also be subject to the penalty if we knowingly signed a false appraisal summary.~~

A copy of the signed appraisal summary should be filed with a copy of the District's letter accepting property valued in excess of \$5,000.

Additional information may be found in IRS Publication 561, "Determining the Value of Donated Property."

BUDGET DEVELOPMENT CALENDAR

FY 2012-13 Budget Development

The following is a listing of the actions to be undertaken in the development of the budget for 2012-13. The Budget Calendar adheres to the guidelines for preparation of the annual budget as set forth in the California Code of Regulations and Board Policy 5033.

November

- District Office provides annual financial report (CCFS 311) of all funds to Chancellor's Cabinet for prior fiscal year (FY 10-11)
- Districtwide educational planning meeting
- Box 2 A meeting
- November 3 Business Directors' Meeting – review tentative budget assumptions for FY 12-13
- November 14 District Office Senior Level Management Meeting – review tentative budget assumptions for FY 12-13
- November 15 Cabinet – review tentative budget assumptions for FY 12-13
- November 28 District Office Senior Level Management Meeting
- November 29 Cabinet

December

- State makes determination regarding 2011-12 budget triggers by December 15
- December 6 DGC – Present budget development calendar and tentative budget assumptions for FY 12-13
- December 8 Business Directors' Meeting
- December 12 District Office Senior Level Management Meeting
- December 13 Cabinet – review and discuss state revenue collections for 11-12 and FTES targets for FY 12-13
- December 14 Governing Board Meeting

January

- Governor's Budget is released setting the preliminary revenue targets
- Statewide ACCCA/ACBO meeting to discuss analysis of the Governor's proposed budget and the impact on community colleges
- District files Apportionment Attendance Report (CCFS 320) for the first period (summer and fall)
- Second quarter review of projected ending fund balance for 2011-12
- January 5 Business Directors' Meeting – review and discuss state revenue collections for 11-12 and FTES targets for FY 12-13

- January 9 District Office Senior Level Management Meeting – review and discuss state revenue collections for 11-12 and FTES targets for FY 12-13
- January 10 Cabinet reviews state revenue collections, apportionment reports and enrollment data
- January 23 District Office Senior Level Management Meeting
- January 24 Cabinet – reach agreement on FTES targets for the FY 12-13 tentative budget
- January 24 DGC

February

First Principal Apportionment issued by the State System Office

Resident and non-resident enrollment and FTES projections updated per First Period Attendance Report and First Principal Apportionment Report

District developed preliminary revenue projections based on FTES targets per First Period Attendance Report and First Principal Apportionment Report

District provides colleges with estimated revenue projections and personnel costs

District reviews Governor’s Budget Proposal with District Governance Council (DGC) and the Governing Board

- February 2 Business Directors’ Meeting
- February 13 District Office Senior Level Management Meeting
- February 14 Cabinet – District Finance reviews Governor’s Budget Proposal with Cabinet
- February 14 DGC

- February 27 District Office Senior Level Management Meeting
- February 28 Cabinet

March

District proposes preliminary Tentative Budget assumptions

Colleges, District Office, and Districtwide Services provide budgets to the District to start development of Tentative Budget

- March 1 Business Directors’ Meeting – review Tentative Budget assumptions
- All locations develop preliminary operational Tentative Budgets
- March 12 District Office Senior Level Management Meeting – review Tentative Budget assumptions
- March 13 Cabinet reviews and approves Tentative Budget assumptions

March 20 DGC - District reviews Tentative Budget assumptions with DGC

March 26 District Office Senior Level Management Meeting

March 27 Cabinet

April

District finalizes Tentative Budget assumptions

Budget Forums at all District locations

District files Apportionment Report (CCFS 320) for the second period (spring)

Third quarter review of projected ending fund balance

April 5 Business Directors' Meeting

April 9 District Office Senior Level Management Meeting

April 10 Chancellor's Cabinet reviews FTES projections and revises as necessary all growth targets

April 23 District Office Senior Level Management Meeting

April 24 Cabinet

April 24 DGC

DGC Tentative Budget Update

April 25 Board study session on Budget

May

May 3 Business Directors' Meeting

May 14 District Office Senior Level Management Meeting

May 15 Chancellor's Cabinet reviews Tentative Budget

May 15 DGC reviews Tentative Budget

May 24 District Office Senior Level Management Meeting

May 25 Cabinet

June

June 7 Business Directors' Meeting

June 11 District Office Senior Level Management Meeting

June 12 Cabinet

June 19 DGC

June 25 District Office Senior Level Management Meeting

June 26 Cabinet

June 27 Tentative Budget is submitted to Governing Board for approval
All locations develop preliminary operational Adoption Budgets

June 28 Business Directors' meeting to review/discuss Adoption Assumptions
Business Officers/District Office develop and agree on Adoption Budget assumptions for all funds (except FTES) target

July

District files Apportionment Attendance Report (CCFS 320) for third period (April 15 to June 30)

Chancellor's Cabinet reviews Adoption Budget assumptions

DGC reviews Adoption Budget assumptions

District finalizes Adoption Budget assumptions

Colleges, District and Districtwide Services provide expenditures to the District to start development of Adoption Budget

July 5 Business Directors' Meeting

August

Calculations completed for the prior year to determine fund balances and carryover funds

District compiles the Final Adoption Budget

District provides colleges with draft

Chancellor's Cabinet reviews proposed Adoption Budget

DGC reviews proposed Adoption Budget

August 2 Business Directors' Meeting

September

Newspaper publications notified of the availability of the Adoption Budget and Appropriations Limit

Adoption Budget and Appropriations Limit available for public inspection

Governing Board conducts a public hearing for the Adoption Budget and considers approval of the budget presented (Gann Limit)

September 6 Business Directors' Meeting

October

October 4 Business Directors' Meeting

October 10 The finalized Adoption Budget is filed with the County Superintendent of Schools (Office of Education) and with the California Community Colleges Chancellor's Office

October 10 Annual Financial and Budget Report (CCFS 311) is filed with the State System Office for year-end FY 2011-12 and the budget projections for FY 2012-13

October District may file an Adjustment Application - FTES (CCFS 317) to adjust FTES

Throughout the year The Governing Board approves budget transfers and budget adjustments per Board policy