



**Rancho Santiago Community College District**  
**District Council Meeting**  
**November 28, 2016**  
**Executive Conference Room**  
**3:00 – 5:00 p.m.**

**REVISED**  
**Agenda**

- |   |               |
|---|---------------|
| 1. Approval of Minutes of October 17, 2016 Meeting            | Rodríguez     |
| 2. Strategic Technology Plan                                  | Krichmar      |
| 3. Transition to Canvas as the District LMS                   | DeCarbo/Jones |
| 4. Revised Budget Allocation Model Language                   | Hardash       |
| 5. Board Policies/Administrative Regulations                  | Perez/Chitlik |
| a. AR 4010 – Academic Calendars                               |               |
| b. AR 7337 – Employee Fingerprinting                          |               |
| c. BP/AR 7365 – Discipline & Dismissal – Classified Employees |               |
| 6. Revised 2016-2017 District Council Meeting Schedule        | Rodríguez     |
| 7. Post-Election Communication with Students                  | Rodríguez     |
| 8. Committee Reports  |               |
| a. Planning & Organizational Effectiveness Committee          | Perez         |
| b. Human Resources Committee                                  | Chitlik       |
| c. Fiscal Resources Committee                                 | Hardash       |
| d. Physical Resources Committee                               | Hardash       |
| e. Technology Advisory Group                                  | Krichmar      |
| 9. Constituent Representative Reports                         |               |
| a. Academic Senate - SAC                                      | Jones         |
| b. Academic Senate – SCC                                      | DeCarbo       |
| c. Classified Staff   | Pleitez       |
| d. Student Government – SAC                                   | Cervantes     |
| e. Student Government – SCC                                   | Chian         |

10. Other

**Next Meeting: January 30, 2017**



## Rancho Santiago Community College District District Council Meeting

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### MINUTES November 7, 2016

Members:	Raúl Rodríguez	Present
	Peter Hardash	Present
	Enrique Perez	Present
	Judy Chitlik	Present
	Linda Rose	Absent
	John Hernandez	Present
	Elliott Jones	Present
	Michael DeCarbo	Present
	Roxana Pleitez	Absent
	Luis Mejia	Absent
	Esther Chian	Present
	Lee Krichmar	Present
	Bonnie Jaros	Present
	Mary Mettler	Present
	Diane Hill	Present
	George Sweeney	Present
	Victoria Williams	Present

Chancellor Raúl Rodríguez convened the meeting at 3:00 p.m.

1. Approval of Minutes of October 17, 2016

It was moved by Mr. Hardash, seconded by Dr. Jaros and carried unanimously to approve the minutes of the October 17, 2016 meeting.

2. November 14, 2016 Board of Trustees Meeting

Dr. Rodríguez shared highlights of the agenda for the November 14, 2016 Board of Trustees Meeting.

3. Board Policies/Administrative Regulations

a. The following administrative regulation was presented:

- AR 5130 – Financial Aid: new

It was moved by Ms. Chitlik, seconded by Mr. DeCarbo and carried unanimously to approve AR 5130 as presented with grammatical changes as discussed.

3. Board Policies/Administrative Regulations (continued)

b. The following board policies and administrative regulations with updated references as recommended by CCLC were presented:

- BP 3410 – Nondiscrimination
- BP 3430 – Prohibition of Harassment
- BP 6340 – Contracts
- BP 7120 – Recruitment and Hiring
- BP 7360 – Discipline and Dismissal – Academic Employees
- AR 2710 – Conflict of Interest
- AR 3410 – Nondiscrimination
- AR 3430 – Prohibition of Harassment
- AR 7400 - Travel

It was moved by Ms. Chitlik, seconded by Ms. Williams and carried unanimously to approve the board policies and administrative regulations with updated references as presented.

4. District Council Meeting Schedule

Discussion ensued about the reduction of the number of District Council meetings. It was recommended that the District Council meetings be held the first Monday of the month and a final decision will be made in the spring after the planning update. It was moved by Mr. DeCarbo, seconded by Ms. Chitlik and carried unanimously to approve this recommendation.

5. Committee Reports

a. Planning and Organizational Effectiveness Committee (POEC)

Vice Chair Jaros presented the template created by POE for mid-year and end-of-the-year reporting on goals by the district's governance committees. It was moved by Ms. Chitlik, seconded by Ms. Williams and carried unanimously to approve the template.

Vice Chair Jaros also presented the data elements for the 2016-2019 RSCCD Strategic Plan. Discussion ensued. It was moved by Dr. Hernandez, seconded by Ms. Chitlik and approved unanimously to approve the data elements with corrections in the highlighted areas as discussed.

b. Human Resources Committee (HRC)

Vice Chancellor Chitlik reported the next scheduled meeting will be held on November 9, 2016.

c. Fiscal Resources Committee (FRC)

Vice Chancellor Hardash reported the next scheduled meeting will be held on November 16, 2016.

d. Physical Resources Committee (PRC)

Mr. Hardash reported the information/presentation from the November 2, 2016 meeting is posted on the PRC webpage. The next scheduled meeting will be held February 1, 2017 by email. The March 1, 2017 meeting will be held in person.

5. Committee Reports (continued)

e. Technology Advisory Group (TAG)

Assistant Vice Chancellor Krichmar presented the current draft of the district's Strategic Technology Plan for 2017-2020 which is being recommended by TAG to District Council for approval. When they are completed the SAC and SCC technology plans will be incorporated into this document. Discussion ensued. It was agreed that the approval of the plan will take place at the November 28, 2016 meeting.

6. Constituent Representative Reports

- a. Academic Senate/SAC: Academic Senate President Jones reported on the activities of the SAC Academic Senate. It was announced the Distinguished Faculty Lecture will take place on November 15 and 2 p.m. in Phillips Hall
- b. Academic Senate/SCC: Mr. DeCarbo reported on the activities of the SCC Academic Senate.
- c. CSEA: Ms. Hill reported the next chapter meeting will be held the week of November 14.
- d. Student Government/SAC: No report.
- e. Student Government/SCC: Ms. Chian reported on the ASG activities at SCC.

7. Other

Ms. Williams reported on the NCAA Division II basketball event that took place in the SCC gym and the number of high compliments about the facility.

8. Next Meeting: The next District Council meeting will be held on Monday, November 28, 2016 in the Executive Conference Room (#114).

Meeting Adjournment: 4:00 p.m.

Approved:



## **Rancho Santiago Community College District** **Budget Allocation Model** **Based on SB 361**

- The *“Rancho Santiago Community College District Budget Allocation Model Based on SB361, February 8, 2012”* was approved at the February 22, 2012 Budget Allocation and Planning Review Committee Meeting

### **Introduction**

In 2008, both colleges were visited by ACCJC Accreditation Teams in the normal accreditation cycle. The Teams noticed that the district’s budget allocation model that was in place for approximately ten years had not been annually reviewed as to its effectiveness as stated in the model documents. The existing revenue allocation model was developed when the district transformed into a multi college district. The visiting Team recommended a review of the existing budget allocation model and recommended changes as necessary.

The Budget Allocation and Planning Review Committee (BAPR) charged the BAPR Workgroup, a technical subgroup of BAPR, with the task of reviewing the ten year old model. In the process, the Workgroup requested to evaluate other California Community College multi-campus budget allocation models. Approximately twenty models were reviewed. Ultimately, the Workgroup focused on a revenue allocation model as opposed to an expenditure allocation model. A revenue allocation model allocates revenues (state and local) generated in a budget year to the college campuses in the district based on the state funding model that allocates state apportionment revenues to districts. An expenditure allocation model allocates, by agreed upon formulas, expenditure appropriations for full-time faculty staffing, adjunct faculty staffing, classified and administrative staffing, associated health and welfare benefit costs, supply and equipment budgets, utility costs, legal and other services. The BAPR Workgroup ultimately decided on a revenue allocation formula in order to provide the greatest amount of flexibility for the campuses.

Senate Bill 361, passed in 2006, changed the formula of earned state apportionment revenues to essentially two elements, 1) Basic Allocations for college/center base funding rates based on FTES size of the college and center and 2) Full Time Equivalent Students (FTES) based on earned and funded FTES. The BAPR Workgroup determined that since this is how our primary funding comes from the state this model should be used for distribution on earned revenues to the colleges. The colleges and centers are the only entities in the district that generates this type of funding. Revenue earned and funded by the state will be earned and funded at the colleges. The Budget Allocation Model (BAM) described in this document provides the guidelines, formulas, and basic steps for the development of an annual district budget including the allocation of budget expenditure responsibilities for Santa Ana College, Santiago Canyon College and District Services referred to as the three district Budget Centers. The budget is the financial plan for the district, and application of this

model should be utilized to implement the district's vision, mission statement, district strategic plan and the technology strategic plan as well as the colleges' mission statements, educational master plans, facilities master plans and other planning resources. The annual implementation of the budget allocation model is to be aligned with all of these plans. To ensure that budget allocation is tied to planning, it is the responsibility of District Council to review budget and planning during the fiscal year and, if necessary, recommend adjustments to the budget allocation model to keep the two aligned for the coming year. The Chancellor and the Board of Trustees are ultimately responsible for the annual budget and the expenditures associated with the budget. In February of 2013, the Board of Trustees adopted a new planning design manual. This document eliminated BAPR and created the Fiscal Resources Committee (FRC). FRC is responsible for recommending the annual budget to the District Council for its recommendation to the Chancellor and Board of Trustees. FRC is also responsible for annual review of the model for accreditation and can recommend any modifications to the guidelines.

The goal of the BAM is to create a documented revenue allocation process that provides financial stability and encourages fiscal accountability at all levels in times of either increasing or decreasing revenue streams. It is also intended to be simple, transparent, easy to understand, fair, predictable and consistent, using quantitative, verifiable factors with performance incentives. District Council should conduct a review(s) during each fiscal year to assess if the operation of the budget allocation model is meeting the goal.

Under state law, the District is the legal entity and is ultimately responsible for actions, decisions and legal obligations of the entire organization. The Board of Trustees of the Rancho Santiago Community College District has clear statutory authority and responsibility and, ultimately, makes all final decisions. Likewise, the Chancellor, under the direction of the Board of Trustees, is responsible for the successful operation, reputation, and fiscal integrity of the entire District. The funding model does not supplant the Chancellor's role, nor does it reduce the responsibility of the District Services staff to fulfill their fiduciary role of providing appropriate oversight of the operations of the entire District. It is important that guidelines, procedures and responsibility be clear with regard to District compliance with any and all laws and regulations such as the 50% Law, full-time/part-time faculty requirements, Faculty Obligation Number (FON), attendance accounting, audit requirements, fiscal and related accounting standards, procurement and contract law, employment relations and collective bargaining, payroll processing and related reporting requirements, etc. The oversight of these requirements are to be maintained by District Services, which has a responsibility to provide direction and data to the colleges to assure they have appropriate information for decision making with regard to resource allocation at the local level, thus, assuring District compliance with legal and regulatory requirements.

All revenue is considered District revenue because the district is the legal entity authorized by the State of California to receive and expend income and to incur expenses. However, the majority of revenue is provided by the taxpayers of California for the sole purpose of providing educational services to the communities and students served by the District. Services such as classes, programs, and student services are, with few exceptions, the responsibility of the colleges. It is the intent of the Revenue Allocation Model to allocate the majority of funds to the colleges in order to provide those educational services. The model intends to provide an opportunity to maximize resource allocation decisions at the local college level. Each college president is responsible for the successful operation and performance of his/her college as it relates to resource allocation and utilization. The purpose and function of the District Services in this structure is to maintain the fiscal and operational integrity of the District and its individual colleges and centers and to facilitate college operations so that their needs are met and fiscal stability is assured. District Services has responsibility for providing certain centralized functions, both to provide efficient operations as well as to assist in coordination between District Services and the colleges. Examples of these services include human resources, business operations, fiscal and budgetary oversight, procurement, construction and capital outlay, and information technology. On the broadest level, the goal of this partnership is to encourage and support collaboration between the colleges and District Services.

## Implementation

A detailed transition plan for the implementation of the new BAM should include:

- Standards and milestones for the initial year
- An evaluation process to determine if the standards and milestones have been achieved or if there is adequate progress
- A process to ensure planning is driving the budget

The 2012-2013 fiscal year is the transitional year from the old budget allocation model to the new SB 361 model. Essentially, the first year (2012-2013) of the new model is a rollover of expenditure appropriations from the prior year 2011-2012. Therefore the 2011/12 ending balance funds are used on a one time basis to cover the structural deficit spending in the 2012/13 fiscal year.

An SB 361 Budget Allocation Model Implementation Technical Committee (BAMIT) was established by the Budget Allocation and Planning Review Committee (BAPR) and began meeting in April 2012. The team included:

<b>District Office:</b>	
Peter Hardash	Vice Chancellor, Business Operations/Fiscal Services
John Didion	Executive Vice Chancellor
Adam O'Connor	Assistant Vice Chancellor, Fiscal Services
Gina Huegli	Budget Analyst
Thao Nguyen	Budget Analyst
<b>Santa Ana College:</b>	
Linda Rose	Vice President, Academic Affairs
Jim Kennedy	Interim Vice President, Administrative Services
Michael Collins	Vice President, Administrative Services
<b>Santiago Canyon College:</b>	
Aracely Mora	Vice President, Academic Affairs
Steve Kawa	Vice President, Administrative Services

BAMIT was tasked with evaluating any foreseeable implementation issues transitioning from the old model and to make recommendations on possible solutions.

The team spent the next five months meeting to discuss and agree on recommendations for implementing the transition to new model using a series of discussion topics. These agreements are either documented directly in this model narrative or included in an appendix if the topic was related solely to the transition year.

It was also agreed by BAMIT that any unforeseen issue that would arise should be brought back to FRC for review and recommendation.

## Revenue Allocation

The SB 361 funding model essentially allocates revenues to the colleges in the same manner as received by the District from the State of California. This method allocates all earned revenues to the colleges.

## **College and District Services Budgets and Expenditure Responsibilities**

Since the BAM is a revenue allocation model, all expenditures and allocation of revenues under the model are the responsibilities of the colleges and centers. Expenditure responsibilities for the colleges, District Services and Institutional Costs are summarized in Table 1.

Revenue and budget responsibilities are summarized on Table 2. The total annual revenue to each college will be the sum of base funding for each college and center as defined by SB 361 and applying the current FTES rates for credit base, noncredit base, career development and college preparation noncredit base revenues as well as any local unrestricted or restricted revenues earned by the college.

The revenue allocations will be regularly reviewed by FRC. In reviewing the allocation of general funds, FRC should take into consideration all revenues, including restricted revenues, available to each of the Budget Centers less any apportionment deficits, property tax shortfalls or uncollected student fees or shortfalls. If necessary, FRC will recommend adjustments to District Council for submission to the Chancellor.

The expenditures allocated for District Services and for Institutional Costs will be developed based on the projected levels of expenditure for the prior fiscal year, taking into account unusual or one-time anomalies, reviewed by FRC and the District Council and approved by the Chancellor and the Board of Trustees.

**DISTRICT SERVICES** – Examples are those expenses associated with the operations of the Chancellor’s Office, Board of Trustees, Public Affairs, Human Resources, Risk Management, Educational Services, Institutional Research, Business Operations, Internal Auditing, Fiscal Services, Payroll, Purchasing, Facilities Planning, ITS and Safety Services. Economic Development expenditures are to be included in the District Services budget but clearly delineated from other District expenditures.

**INSTITUTIONAL COSTS** – Examples are those expenses associated with State and Federal regulatory issues, property, liability and other insurances, board election, interfund transfers and Retiree Health Benefit Costs. As the board election expense is incurred every other year, it will be budgeted each year at one-half of the estimated cost. In the off years, the funds will remain unspent and specifically carried over to the next year to be used solely for the purpose of the election expense. If there is insufficient budget, the colleges will be assessed the difference based on the current FTES split. If any funds remain unspent in an election year, it will be allocated to the colleges based on the current FTES split for one-time uses.

An annual review of District Services and Institutional Costs will be conducted by District Council each fall in order to give time to complete the evaluation in time to prepare for the following fiscal year budget cycle and implement any suggestions. The review will include an evaluation of the effectiveness of the services provided to assure the District is appropriately funded. If District Council believes a change to the allocation is necessary, it will submit its recommendation to FRC for funding consideration and recommendation to the Chancellor.

### **District Reserves and Deficits**

The Board of Trustees will establish a reserve through board policy, state guidelines and budget assumptions.

The Chancellor reserves the right to adjust allocations as necessary.

The Board of Trustees is solely responsible for labor negotiations with employee groups. Nothing in this budget model shall be interpreted to infringe upon the Board’s ability to collectively bargain and negotiate in



good faith with employee organizations and meet and confer with unrepresented employees.

## College Budget and Expenditure Responsibilities

Colleges will be responsible for funding the current programs and services that they operate as part of their budget plans. There are some basic guidelines the colleges must follow:

- Allocating resources to achieve the state funded level of FTES is a primary objective for all colleges.
- Requirements of the collective bargaining agreements apply to college level decisions.
- The FON (Faculty Obligation Number) must be maintained by each college. Full-time faculty hiring recommendations by the colleges are monitored on an institutional basis. Any financial penalties imposed by the state due to FON non-compliance will be borne proportionately by the campus not in compliance.
- In making expenditure decisions, the impact upon the 50% law calculation must be considered and budgeted appropriately. Any financial penalties imposed by the state due to 50% law non-compliance will be borne proportionally (by FTES split) by both campuses.
- With unpredictable state funding, the cost of physical plant maintenance is especially important. Lack of maintenance of the operations and district facilities and grounds will have a significant impact on the campuses and therefore needs to be addressed with a detailed plan and dedicated budget whether or not funds are allocated from the state.

## Budget Center Reserves and Deficits

~~It is strongly recommended that each college~~ **At the Adopted Budget each college shall** set aside at least a 1% contingency reserve **in the Unrestricted General Fund equal to a minimum of 1% of its total current year budgeted Fund 11 expenditures** to handle unforeseen expenses. If the contingency reserve is unspent by fiscal year end, ~~this college reserve falls rolls over~~ **into the colleges' year-end balance and is included in the colleges' beginning balance for the following fiscal year.** The District Services and Institutional Cost allocations are budgeted as defined in the model for the appropriate operation of the district and therefore are not subject to carryover, **unless specifically delineated.** The Chancellor and Board of Trustees reserve the right to ~~augment~~ **modify** the budget as deemed necessary.

If a ~~Budget Center~~ **college** incurs an overall deficit for any given year, the following sequential steps will be implemented:

The ~~Budget Center~~ **college** reserve shall first be used to cover any deficit **(structural and/or one-time)**. If reserves are not sufficient to cover ~~budget expenses~~ **the deficit** and/or reserves are not able to be replenished the following year, then the ~~Budget Center~~ **college** is to prepare an **immediate** expenditure reduction plan **that covers the amount of deficit along with a plan to replenish the 1% minimum reserve level.** ~~and/or submit a request for the use of District Reserves to help offset the deficit. The expenditure reduction plan and/or a request to use District Reserves is to be submitted to FRC. If FRC agrees with the expenditure reduction plan and/or the request to use District Reserves,~~ **Once the college reserve has been exhausted, in circumstances when any remaining deficit is greater than 1.5% of budgeted Fund 11 expenditures, and a reduction plan has been prepared up to the 1.5% level, the college may request a temporary loan from District Reserves. The request, including a proposed payback period, should be submitted to FRC for review. If FRC supports the request,** it will forward the recommendation to District Council for review and recommendation to the

Chancellor who will make the final determination.

## Revenue Modifications

### Apportionment Revenue Adjustments

It is very likely each fiscal year that the District's revenues from state apportionment could be adjusted after the close of the fiscal year in the fall, but most likely at the P1 recalculation, which occurs eight months after the close of the fiscal year. This budget model therefore will be fluid, with changes made throughout the fiscal year (P-1, P-2, P-annual) as necessary. Any increase or decrease to prior year revenues is treated as a onetime addition or reduction to the colleges' current budget year and distributed in the model based on the most up to date FTES split reported by the District and funded by the state.

An example of revenue allocation and FTES change:

\$100,000,000 is originally split 70% Santa Ana College (\$70,000,000) and 30% Santiago Canyon College (\$30,000,000) based on FTES split at the time. At the final FTES recalculation for that year, the District earns an additional \$500,000 based on the total funded FTES. In addition, the split of FTES changes to 71%/29%. The total revenue of \$100,500,000 is then redistributed \$71,355,000 to Santa Ana College and \$29,145,000 to Santiago Canyon College which would result in a shift of \$855,000 between the colleges. A reduction in funding will follow the same calculation.

It is necessary in this model to set a base level of FTES for each college. Per agreement by the Chancellor and college Presidents, the base FTES split of 70.80% SAC and 29.20% SCC will be utilized for the 2013/14 tentative budget. Similar to how the state sets a base for district FTES, this will be the beginning base level for each college. Each year through the planning process there will be a determination made if the district has growth potential for the coming fiscal year. Each college will determine what level of growth they believe they can achieve and targets will be discussed and established through Chancellor's Cabinet. For example, if the district believes it has the opportunity for 2% growth, the colleges will determine the level of growth they wish to pursue. If both colleges decide to pursue and earn 2% growth and the district is funded for 2% growth, then each college's base would increase 2% the following year. In this case the split would still remain 70.80%/29.20% as both colleges moved up proportionately (Scenario #1). If instead, one college decides not to pursue growth and the other college pursues and earns the entire district 2% growth, all of these FTES will be added to that college's base and therefore its base will grow more than 2% and the split will then be adjusted (Scenario #2).

Using this same example in which the district believes it has the opportunity for 2% growth, and both colleges decide to pursue 2% growth, however one college generates 3% growth and the other generates 2%, the college generating more FTES would have unfunded over cap FTES. The outcome would be that each college is credited for 2% growth, each base increases 2% and the split remains (Scenario #3). If instead, one college generates 3% and the other college less than 2%, the college generating the additional FTES can earn its 2% target plus up to the difference between the other college's lost FTES opportunity and the total amount funded by the district (Scenario #4).

This model should also include a stability mechanism. In a year in which a college earns less FTES than its base, the base FTES will remain intact following the state method for stabilization. That college is in funding stability for one year, but has up to three years in which to earn back to its base FTES. The funding for this stability will be from available district Budget Stabilization Funds. If this fund has been exhausted, the Chancellor will determine the source of funding. If the college does not earn back to its base during this period, then the new lower FTES base will be established. As an example (Scenario #5), year one there is 2% growth opportunity. One of the colleges earns 2% growth but the other college declines by 1%, going into stability. This year the college that declined is held at their base level of FTES while the other college is credited for their growth. In the second year of the example, there is no growth opportunity, but the college

that declined recaptures FTES to the previous year base to emerge from stability. Note that since the other college grew in year one, the percentage split has now changed.

All of these examples exclude the effect of statewide apportionment deficits. In the case of any statewide deficits, the college revenues will be reduced accordingly. In addition, the Chancellor reserves the right to make changes to the base FTES as deemed necessary in the best interest of the district as a whole.

	Base FTES	% split	Scenario #1	New FTES	% split
SAC	19,824	70.80%	2.00%	20,220.48	70.80%
SCC	8,176	29.20%	2.00%	8,339.52	29.20%
	<u>28,000</u>		2.00%	<u>28,560.00</u>	
	Base FTES	% split	Scenario #2	New FTES	% split
SAC	19,824	70.80%	2.82%	20,384.00	71.37%
SCC	8,176	29.20%	0.00%	8,176.00	28.63%
	<u>28,000</u>		2.00%	<u>28,560.00</u>	
	Base FTES	% split	Scenario #3	New FTES	% split
SAC	19,824		3.00%	20,418.72	
unfunded				(198.24)	
SAC	19,824	70.80%	2.00%	20,220.48	70.80%
SCC	8,176	29.20%	2.00%	8,339.52	29.20%
	<u>28,000</u>		2.00%	<u>28,560.00</u>	
	Base FTES	% split	Scenario #4	New FTES	% split
SAC	19,824		3.00%	20,418.72	
unfunded				(136.92)	
SAC	19,824	70.80%	2.31%	20,281.80	71.01%
SCC	8,176	29.20%	1.25%	8,278.20	28.99%
	<u>28,000</u>		2.00%	<u>28,560.00</u>	
YEAR 1	Base FTES	% split	Scenario #5	New FTES	% split
Actual Generated:					
SAC	19,824	70.80%	-1.00%	19,625.76	70.18%
SCC	8,176	29.20%	2.00%	8,339.52	29.82%
	<u>28,000</u>		-0.124%	<u>27,965.28</u>	
Calculated for Stability:					
SAC	19,824		-1.00%	19,625.76	
stabilization				282.24	
SAC	19,824	70.80%	0.42%	19,908.00	70.48%
SCC	8,176	29.20%	2.00%	8,339.52	29.52%
	<u>28,000</u>		0.884%	<u>28,247.52</u>	
YEAR 2	Base FTES	% split	Scenario #5	New FTES	% split
Actual Generated:					
SAC	19,625.76	70.18%	1.44%	19,908.00	70.48%
SCC	8,339.52	29.82%	0.00%	8,339.52	29.52%
	<u>27,965.28</u>		1.009%	<u>28,247.52</u>	

### Allocation of New State Revenues

**Growth Funding:** Plans from the Planning and Organizational Effectiveness Committee (POE) to seek growth

funding requires FRC recommendation and approval by the Chancellor, and the plans should include how growth funds will be distributed if one of the colleges does not reach its growth target. A college seeking the opportunity for growth funding will utilize its own carryover funds to offer a schedule to achieve the desired growth. Once the growth has been confirmed as earned and funded by the state and distributed to the district, the appropriate allocation will be made to the college(s) generating the funded growth back through the model. Growth/Restoration Funds will be allocated to the colleges when they are actually earned.

Revenues which are not college specific (for example, student fees that cannot be identified by college), will be allocated based on total funded FTES percentage split between the campuses.

After consultation with district's independent audit firm, the implementation team agreed that any unpaid uncollected student fees will be written off as uncollectible at each year end. This way, only actual collected revenues are distributed in this model. At P-1, P-2 and P-annual, uncollected fee revenues will be adjusted.

Due to the instability of revenues, such as interest income, discounts earned, auction proceeds, vendor rebates (not including utility rebates which are budgeted in Fund 41 for the particular budget center) ~~and mandated cost reimbursements~~, revenues from these sources will **not** be part of the revenue allocation formula. Income derived from these sources will be deposited to the institutional reserves. ~~If an allocation is made to the colleges from mandated cost reimbursements and the claims are later challenged and require repayment, the colleges receiving the funds will be responsible for repayment at the time of repayment or withholding of funds from the state.~~ **The ongoing state allocation for the Mandates Block Grant will be allocated to the colleges through the model. Any one-time Mandates allocations received from the state will be discussed by FRC and recommendations will be made for one-time uses.**

**Cost of Living Adjustments:** COLAs included in the tentative and adopted budgets shall be sequestered and not allocated for expenditure until after collective bargaining for all groups have been finalized.

**Lottery Revenue:** Income for current year lottery income is received based on the prior fiscal year's FTES split. At Tentative Budget, the allocation will be made based on projected FTES without carryover. At Adopted Budget, final FTES will be used and carryovers will be included.

## **Other Modifications**

### **Salary and Benefits Cost**

All authorized full time and ongoing part time positions shall be budgeted with corresponding and appropriate fixed cost and health and welfare benefits. Vacant positions will be budgeted at the beginning of the fiscal year or when newly created at the ninth place ranking level (Class VI, Step 10) for full-time faculty and at the mid-level for other positions (ex. Step 3 for CSEA, Step 4 for Management, and AA step 6 for teachers and BA step 6 for master teachers in child development), with the district's contractual cap for the health and welfare benefits. The full cost of all positions, regardless of the budgeted amount, including step and column movement costs, longevity increment costs and any additional collective bargaining agreement costs, will be charged to the particular Budget Center. The colleges are responsible for this entire cost, including any increases or adjustments to salary or benefits throughout the year. If a position becomes vacant during a fiscal year, the Budget Center has the discretion to move unused and available budget from the previous employee's position for other one-time costs until filled or defunded. Any payoffs of accrued vacation, or any additional costs incurred at separation from employment with the district, will be borne by the particular Budget Center. When there is a vacancy that won't be filled immediately, Human Resources should be consulted as to how long it can remain vacant. The colleges should also consult Human Resources regarding the FON when recommending to defund faculty positions.

## **Grants/Special Projects**

Due to the timeliness issues related to grants, approvals rest with the respective Chancellor's Cabinet member, through established processes, in all cases except for Economic Development grants in which a new grant opportunity presents itself which requires an increase to the District Office budget due to match or other unrestricted general fund cost. In these cases, the grant will be reviewed by Chancellor's Cabinet with final approval made by the Chancellor.

Some grants allow for charges of indirect costs. These charges will accumulate by Budget Center during each fiscal year. At fiscal year end, once earned, each college will be allocated 100% of the total indirect earned by that college and transferred into Fund 13 the following year to be used for one-time expenses. The indirect earned by district projects will roll into the institutional ending fund balance **with the exception of the District Educational Services grants. In order to increase support services and resources provided to the colleges and to acknowledge the additional costs associated with administering grants, any accumulated indirect generated from these grants will be distributed as follows: 25% will roll into the institutional ending fund balance, 25% will offset the overall District Services expenditures in that given year, and 50% will carryover specifically in a Fund 13 account under Educational Services to be used for one-time expenses to increase support services to the colleges.**

It is the district's goal to fully expend grants and other special project allocations by the end of the term, however sometimes projects end with a small overage or can be under spent. For any overage or allowable amount remaining, these amounts will close into the respective Budget Center's Fund 13 using 7200 transfers.

## **Banked LHE Load Liability**

Beginning in 2012/13, the liability for banked LHE will be accounted for in separate college accounts. The cost of faculty banking load will be charged to the college during the semester the course is taught and added to the liability. When an instructor takes banked leave, they will be paid their regular salary and district office will make a transfer from the liability to the college 1300 account to pay the backfill cost of teaching the load. A college cannot permanently fill a faculty position at the time someone takes their final year or semester off before retirement. Filling a vacancy cannot occur until the position is actually vacant. In consultation with Human Resources and Fiscal Services, a college can request to swap another faculty vacancy they may have in another discipline or pay the cost differential if they determine programmatically it needs to be filled sooner.

This method will appropriately account for the costs of each semester offerings and ensure an appropriate liability. Although the liability amounts will be accounted for by college, only District Fiscal Services will be able to make transfers from these accounts. Each year end a report will be run to reconcile the total cost of the liability and if any additional transfers are required, the colleges will be charged for the differences.

## **Other Possible Strategic Modifications**

### **Summer FTES**

There may be times when it is in the best financial interest of the District to shift summer FTES between fiscal years. When this occurs, the first goal will be to shift FTES from both colleges in the same proportion as the total funded FTES for each of the colleges. If this is not possible, then care needs to be exercised to ensure that any such shift does not create a disadvantage to either college. If a disadvantage is apparent, then steps to mitigate this occurrence will be addressed by FRC.

Borrowing of summer FTES is not a college-level decision, but rather it is a District-level determination. It is not a mechanism available to individual colleges to sustain their internal FTES levels.

## **Long-Term Plans**

Colleges: Each college has a long-term plan for facilities and programs. The Chancellor, in consultation with

the Presidents, will evaluate additional funding that may accrue to the colleges beyond what the model provides. The source of this funding will also have to be identified.

Santa Ana College utilizes the Educational Master Plan in concert with the SAC Strategic Plan to determine the long-term plans for the college. Long-term facilities plans are outlined in the latest Facilities Master Plan, and are rooted in the Educational Master Plan. SAC links planning to budget through the use of the SAC Comprehensive Budget Calendar, which includes planning milestones linked to the college's program review process, Resource Allocation Request (RAR) process, and to the District's planning and budget calendar. As a result of the Program Review Process, resource allocation needs are requested via the RAR process, which identifies specific resources required to achieve specific intended outcomes. The budget augmentation requests are then prioritized at the department, division, and area level in accordance with established budget criteria. The college's Planning and Budget Committee reviews the prioritized RARs, and they are posted to the campus Planning and Budget web page for the campus community to review. As available resources are realized, the previously prioritized RAR are funded.

At Santiago Canyon College, long-term plans are developed similarly to short-term plans, and exist in a variety of interconnected processes and documents. Department Planning Portfolios (DPP) and Program Reviews are the root documents that form the college's Educational Master Plan and serve to align planning with resource allocation. The allocation of resources is determined through a formal participatory governance process. The Planning and Institutional Effectiveness (PIE) committee is the participatory governance committee that is charged with the task of ensuring resource allocation is tied to planning. Through its planning cycle, the PIE committee receives resource requests from all college units and ensures that each request aligns with the college mission, college goals, program reviews, and DPPs. All requests are then ranked by the PIE committee, placed on a college-wide prioritized list of resource requests, and forwarded to the college budget committee for review. If the budget committee identifies available funds, those funds are noted on the prioritized list, and sent back to the PIE committee. The PIE committee then forwards the prioritized list, along with the budget committee's identification of available funds, to College Council for approval of the annual budget.

District Services: District Services and Institutional Costs may also require additional funding to implement new initiatives in support of the colleges and the district as a whole. POE will evaluate budget augmentation requests and forward a recommendation to District Council. District Council may then refer such requests to FRC for funding consideration.

### **Full-Time Faculty Obligation Number (FON)**

To ensure that the District complies with the State required full-time Faculty Obligation Number (FON), the Chancellor will establish a FON for each college. Each college shall be required to fund at least that number of full-time faculty positions. If the District falls below the FON and is penalized, the amount of the penalty will be deducted from the revenues of the college(s) causing the penalty. FRC, along with the District Enrollment Management Committee, should regularly review the FON targets and actuals and determine if any budget adjustment is necessary. If an adjustment is needed, FRC should develop a proposal and forward it to POE Committee for review and recommendation to the Chancellor.

### **Budget Input**

Using a system for Position Control, Fiscal Services will budget 100% of all regular personnel cost of salary and benefits, and notify the Budget Centers of the difference between the computational total budget from the Budget Allocation Model and the cost of regular personnel. The remaining line item budgets will roll over from one year to the next so the Budget Centers are not required to input every line item. The Budget Centers can make any allowable budget changes at their discretion and will also be required to make changes to reconcile to the total allowable budget per the model.

# Appendix Attached

## A. Definition of Terms

<b>TABLE 1 Expenditure and Budget Responsibilities</b>		<b>Santa Ana College &amp; CEC <input checked="" type="checkbox"/></b>	<b>Santiago Canyon College &amp; OEC <input checked="" type="checkbox"/></b>	<b>District Services <input checked="" type="checkbox"/></b>	<b>Institutional or Districtwide monitoring <input checked="" type="checkbox"/></b>
<b>Academic Salaries- (1XXX)</b>					
1	State required full-time Faculty Obligation Number (FON)	✓	✓	✓	✓
2	Bank Leave	✓	✓		✓
3	Impact upon the 50% law calculation	✓	✓	✓	✓
4	Faculty Release Time	✓	✓		✓
5	Faculty Vacancy, Temporary or Permanent	✓	✓		
6	Faculty Load Banking Liability	✓	✓		✓
7	Adjunct Faculty Cost/Production	✓	✓		
8	Department Chair Reassigned Time	✓	✓		✓
9	Management of Sabbaticals (Budgeted at colleges)	✓	✓		✓
10	Sick Leave Accrual Cost	✓	✓		✓
11	AB1725	✓	✓		
12	Administrator Vacation	✓	✓	✓	
<b>Classified Salaries- (2XXX)</b>					
1	Classified Vacancy, Temporary or Permanent	✓	✓	✓	
2	Working Out of Class	✓	✓	✓	
3	Vacation Accrual Cost	✓	✓	✓	
4	Overtime	✓	✓	✓	
5	Sick Leave Accrual Cost	✓	✓	✓	
6	Compensation Time taken	✓	✓	✓	
<b>Employee Benefits-(3XXX)</b>					
1	STRS Employer Contribution Rates, Increase/(Decrease)	✓	✓	✓	
2	PERS Employer Contribution Rates, Increase/(Decrease)	✓	✓	✓	
3	OASDI Employer Rates, Increase/(Decrease)	✓	✓	✓	
4	Medicare Employer Rates, Increase/(Decrease)	✓	✓	✓	
5	Health and Welfare Benefits, Increases/(Decrease)	✓	✓	✓	
6	SUI Rates, Increase/(Decrease)	✓	✓	✓	
7	Workers' Comp. Rates, Increase/(Decrease)	✓	✓	✓	
8	Retiree Health Benefit Cost				
	-OPEB Liability vs. "Pay-as-you-go"				✓
9	Cash Benefit Fluctuation, Increase/(Decrease)	✓	✓	✓	
<b>Other Operating Exp &amp; Services-(5XXX)</b>					



1	Property and Liability Insurance Cost				✓
2	Waiver of Cash Benefits	✓	✓	✓	
3	Utilities				
	-Gas	✓	✓	✓	
	-Water	✓	✓	✓	
	-Electricity	✓	✓	✓	
	-Waste Management	✓	✓	✓	
	-Water District, Sewer Fees	✓	✓	✓	
4	Audit			✓	✓
5	Board of Trustee Elections				✓
6	Scheduled Maintenance	✓	✓		✓
7	Copyrights/Royalties Expenses	✓	✓		
<b>Capital Outlay-(6XXX)</b>					
1	Equipment Budget				
	-Instructional	✓	✓	✓	✓
	-Non-Instructional	✓	✓	✓	✓
2	Improvement to Buildings	✓	✓	✓	✓
3	Improvement to Sites	✓	✓	✓	✓

<b>TABLE 2 Revenue and Budget Responsibilities</b>		<b>Santa Ana College &amp; CEC</b> ✓	<b>Santiago Canyon College &amp; OEC</b> ✓	<b>District Services</b> ✓	<b>Institutional or Districtwide monitoring</b> ✓
<b>Federal Revenue- (81XX)</b>					
1	Grants Agreements	✓	✓	✓	
2	General Fund Matching Requirement	✓	✓	✓	
3	In-Kind Contribution (no additional cost to general fund)	✓	✓	✓	
4	Indirect Cost (overhead)	✓	✓	✓	✓
<b>State Revenue- (86XX)</b>					
1	Base Funding	✓	✓		✓
2	Apportionment	✓	✓		✓
3	COLA or Negative COLA	✓	✓	✓	✓ subject to collective bargaining
4	Growth, Work Load Measure Reduction, <b>Negative Growth</b>	✓	✓	✓	✓
5	Categorical Augmentation/Reduction	✓	✓	✓	
6	General Fund Matching Requirement	✓	✓	✓	
7	Apprenticeship	✓	✓		

8	In-Kind Contribution	✓	✓	✓	
9	Indirect Cost	✓	✓	✓	✓
10	Lottery				
	- Unrestricted (abate cost of utilities)	✓	✓	✓	
	- Restricted-Proposition 20	✓	✓		
11	Instructional Equipment Matches (3:1)	✓	✓		✓ and will have chargeback to site proportionally
12	Scheduled Maintenance Matches (1:1)	✓	✓	✓	✓ and will have chargeback to site proportionally
13	Part time Faculty Compensation Funding	✓	✓		✓ subject to collective bargaining
14	State Mandated Cost	✓	✓		✓
<b>Local Revenue- (88XX)</b>					
1	Contributions	✓	✓	✓	
2	Fundraising	✓	✓	✓	
3	Proceed of Sales	✓	✓	✓	
4	Health Services Fees	✓	✓		
5	Rents and Leases	✓	✓	✓	
6	Enrollment Fees	✓	✓		
7	Non-Resident Tuition	✓	✓		
8	Student ID and ASB Fees	✓	✓		
9	Parking Fees			✓	✓

## **Rancho Santiago Community College District**

### **Budget Allocation Model Based on SB 361**

#### **Appendix A – Definition of Terms**

**AB 1725** – Comprehensive California community college reform legislation passed in 1988, that covers community college mission, governance, finance, employment, accountability, staff diversity and staff development.

**Accreditation** – The review of the quality of higher education institutions and programs by an association comprised of institutional representatives. The Accrediting Commission for Community and Junior Colleges (ACCJC) of the Western Association of Schools and Colleges (WASC) accredits California's community colleges.

**Apportionments** – Allocations of state or federal aid, local taxes, or other monies among school districts or other governmental units. The district's base revenue provides most of the district's revenue. The state general apportionment is equal to the base revenue less budgeted property taxes and student fees. There are other smaller apportionments for programs such as apprenticeship and EOPS.

**Augmentation** – An increased appropriation of budget for an intended purpose.

**Bank Leave** – Faculty have the option to “bank” their beyond contract teaching load instead of getting paid during that semester. They can later request a leave of absence using the banked LHE.

**BAM** – Budget Allocation Model.

**BAPR** – Budget and Planning Review Committee.

**Base FTES** – The amount of funded actual FTES from the prior year becomes the base FTES for the following year. For the tentative budget preparation, the prior year P1 will be used. For the proposed adopted budget, the prior year P2 will be used. At the annual certification at the end of February, an adjustment to actual will be made.

**Budget Center** – The three Budget Centers of the district are Santa Ana College, Santiago Canyon College and the District Services.

**Budget Stabilization Fund** – The portion of the district’s ending fund balance, in excess of the 5% reserve, budget center carryovers and any restricted balances, used for one-time needs in the subsequent year.

**Cap** – An enrollment limit beyond which districts do not receive funds for additional students.

**Capital Outlay** – Capital outlay expenditures are those that result in the acquisition of, or addition to, fixed assets. They are expenditures for land or existing buildings, improvement of sites, construction of buildings, additions to buildings, remodeling of buildings, or initial or additional equipment. Construction-related salaries and expenses are included.

**Categorical Funds** – Money from the state or federal government granted to qualifying districts for special programs, such as Matriculation or Vocational Education. Expenditure of categorical funds is restricted to the fund's particular purpose. The funds are granted to districts in addition to their general apportionment.

**Center** – An off-campus site administered by a parent college that offers programs leading to certificates or degrees that are conferred by the parent institution. The district centers are Centennial Education Center and Orange Education Center.

**COLA** – Cost of Living Adjustment allocated from the state calculated by a change in the Consumer Price Index (CPI).

**College Reserve** – College-specific one-time funds set aside to provide for estimated future expenditures or deficits, for working capital, economic uncertainty, or for other purposes.

**Ending Fund Balance** – Defined in any fiscal year as Beginning Fund Balance plus total revenues minus total expenditures. The Ending Fund Balance rolls over into the next fiscal year and becomes the Beginning Fund Balance. It is comprised of College Reserves, Institutional Reserves and any other specific carryovers as defined in the model or otherwise designated by the Board.

**Defund** – Permanently eliminating a position and related cost from the budget.

**Fifty Percent Law (50% Law)** – Section 84362 of the Education Code, commonly known as the Fifty Percent Law, requires each community college district to spend at least half of its “current expense of education” each fiscal year on the “salaries of classroom instructors.” Salaries include benefits and the salaries of instructional aides.

**Fiscal Year** – Twelve calendar months; in California, it is the period beginning July 1 and ending June 30. Some special projects use a fiscal year beginning October 1 and ending September 30, which is consistent with the federal government’s fiscal year.

**FON** – Faculty Obligation Number, the number of full time faculty the district is required to employ as set forth in title 5, section 53308.

**FRC** – Fiscal Resources Committee.

**FTES** – Full Time Equivalent Students. The number of students in attendance as determined by actual count for each class hour of attendance or by prescribed census periods. Every 525 hours of actual attendance counts as one FTES. The number 525 is derived from the fact that 175 days of instruction are required each year, and

students attending classes three hours per day for 175 days will be in attendance for 525 hours. That is, three times 175 equals 525.

**Fund 11** – The unrestricted general fund used to account for ongoing revenue and expenditures.

**Fund 12** – The restricted general fund used to account for categorical and special projects.

**Fund 13** – The unrestricted general fund used to account for unrestricted carryovers and one-time revenues and expenses.

**Growth** – Funds provided in the state budget to support the enrollment of additional FTE students.

**In-Kind Contributions** – Project-specific contributions of a service or a product provided by the organization or a third-party where the cost cannot be tracked back to a cash transaction which, if allowable by a particular grant, can be used to meet matching requirements if properly documented. In-kind expenses generally involve donated labor or other expense.

**Indirect Cost** – Indirect costs are institutional, general management costs (i.e., activities for the direction and control of the district as a whole) which would be very difficult to be charged directly to a particular project. General management costs consist of administrative activities necessary for the general operation of the agency, such as accounting, budgeting, payroll preparation, personnel services, purchasing, and centralized data processing. An indirect cost rate is the percentage of a district's indirect costs to its direct costs and is a standardized method of charging individual programs for their share of indirect costs.

**Institutional Reserve** – Overall districtwide one-time funds set aside to provide for estimated future expenditures or deficits, for working capital, economic uncertainty, or for other purposes. The Institutional Reserve consists of the Board Policy Contingency, the Budget Stabilization Fund, and any other contingency fund held at the institutional level over and above the College Reserves.

**LHE** – Lecture Hour Equivalent. The standard instructional work week for faculty is fifteen (15) LHE of classroom assignments, fifteen (15) hours of preparation, five (5) office hours, and five (5) hours of institutional service. The normal teaching load for faculty is thirty (30) LHE per school year.

**Mandated Costs** – District expenses which occur because of federal or state laws, decisions of federal or state courts, federal or state administrative regulations, or initiative measures.

**Modification** – The act of changing something.

**POE** – Planning and Organizational Effectiveness Committee.

**Proposition 98** – Proposition 98 refers to an initiative constitutional amendment adopted by California's voters at the November 1988 general election which created a minimum funding guarantee for K-14 education and also required that schools receive a portion of state revenues that exceed the state's appropriations limit.

**Reserves** – Funds set aside to provide for estimated future expenditures or deficits, for working capital, economic uncertainty, or for other purposes. Districts that have less than a 5% reserve are subject to a fiscal 'watch' to monitor their financial condition.

**SB 361** – The New Community College Funding Model (Senate Bill 361), effective October 1, 2006, includes funding base allocations depending on the number of FTES served, credit FTES funded at an equalized rate, noncredit FTES funded at an equalized rate, and enhanced noncredit FTES funded at an equalized rate. The

intent of the formula is to provide a more equitable allocation of system wide resources, and to eliminate the complexities of the previous Program Based Funding model while still retaining focus on the primary component of that model, instruction. In addition, the formula provides base operational allocations for colleges and centers scaled for size.

**Seventy-five/twenty-five (75/25)** – Refers to policy enacted as part of AB 1725 that sets 75 percent of the hours of credit instruction as a goal for classes to be taught by full-time faculty.

**Target FTES** – The estimated amount of agreed upon FTES the district or college anticipates the opportunity to earn growth/restoration funding during a fiscal year.

**Title 5** – The portion of the California Code of Regulations containing regulations adopted by the Board of Governors which are applicable to community college districts.

**1300 accounts** – Object Codes 13XX designated to account for part time teaching and beyond contract salary cost.

**7200 Transfers** – Intrafund transfers made between the restricted and unrestricted general fund to close a categorical or other special project at the end of the fiscal year or term of the project.

# **AR 4010 – Academic Calendars (New)**

## **References:**

Education Code Section 79020;  
Title 5 Sections 55700 et seq. and 58142

## Credit Instructional Calendar

The District shall maintain an academic calendar for the credit instructional program consisting of two 16-week semesters (fall and spring) which shall include no less than 175 days of instruction and evaluation.

The number of flexible calendar days as well as the start and end dates for each semester will be negotiated with the Faculty Association of the Rancho Santiago Community College District (FARSCCD). Summer and winter Intersession dates will also be established through negotiations with FARSCCD.

## Non-Credit Instructional Calendar

The non-credit instructional calendar shall consist of a fall and spring semester plus a summer session. Specific start dates and term lengths may vary from year to year and will be negotiated with FARSCCD and the Continuing Education Faculty Association (CEFA).

## Holidays

The District will reflect all mandated instructional holidays plus any additional holidays approved by the Board of Trustees.

**Adopted:** \_\_\_\_\_

# AR ~~7120.7~~ 7337 – Employee Fingerprinting

## **References:**

Education Code Sections 87013 and 88024;

Penal Code Sections 11102.2 and 11077.1

All employees are required to submit fingerprints as a condition of employment prior to the first day of work. The fingerprints are processed by the State of California to ensure that the employee has not been convicted of any crime that would preclude them from providing service to the district.

**Fees:** All ~~full-time and part-time~~ employees will be responsible for paying the fingerprinting processing fee that is charged by the State. Payment of the fee shall be through payroll deduction.

The Vice Chancellor of Human Resources will designate one or more employees to receive, store, disseminate and destroy criminal records furnished by the California Department of Justice and to serve as the contact for the California Department of Justice for related issues. Any such employee must be confirmed by the California Department of Justice as required by law and pursuant to California Department of Justice procedures. The Vice Chancellor of Human Resources will notify the California Department of Justice by March 1 of each year beginning on March 1, 2012, of the individuals designated.

The Vice Chancellor of Human Resources will ensure that criminal history record information is destroyed once the District's business need for the information is fulfilled.

**Responsible Manager:** ~~Executive Vice Chancellor of Human Resources & Educational Services~~

**Revised:** \_\_\_\_\_ **(Previously AR4104.2)**



# BP 7365 – Discipline and Dismissal - Classified Employees

## References:

Education Code Section 88013  
Government Code Sections 3300 et seq.

~~A permanent classified employee of the District may be disciplined by the District for just cause. The causes for discipline shall include but not be limited to:~~

- ~~1. Incompetency~~
- ~~2. Inefficiency~~
- ~~3. Insubordination~~
- ~~4. Inattention to or dereliction of duty~~
- ~~5. Discourteous treatment of the public or of fellow employees~~
- ~~6. Any willful or persistent violation of the provisions of the Education Code or rules, regulations, or procedures adopted by the Board of Trustees~~
- ~~7. Political activity engaged in by an employee in violation of BP 4227~~
- ~~8. Immoral or unprofessional conduct~~
- ~~9. Any violation of Article 4 (commencing with Section 11400 of Chapter 3 of Title 1 of Part 4 of the Penal Code)~~
- ~~10. Dishonesty~~
- ~~11. Evident unfitness for service~~
- ~~12. Physical or mental condition which makes him or her unfit to instruct or associate with students~~
- ~~13. Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed by the board of governors or by the Board of Trustees~~
- ~~14. Conviction of a felony or any crime involving moral turpitude~~
- ~~15. Conduct specified in Section 1028 of the Government Code~~
- ~~16. Any other willful failure of good conduct tending to injure the public service~~

~~No disciplinary action shall be taken for any cause which arose prior to the employee's becoming permanent, nor for any cause which arose more than two years preceding the date of the filing of the notice of cause unless such cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District (Education Code Section 88013).~~

~~All notices of proposed disciplinary action shall be processed through the Executive Vice Chancellor of Human Resources and Educational Services or his designee.~~

~~The employee shall be notified in writing of any intent to discipline and given the opportunity to respond orally and in writing to the specific charges (Skelly hearing).~~

~~The written notice of the specific charges shall include a statement of the employee's right to a hearing on such charges and the time within which such hearing may be requested, which shall be not less than five days after service of the notice to the employee. Included will be a Request for Evidentiary Hearing form, the signing and filing of which with the party delivering or mailing the charges shall constitute a request for hearing and a denial of all charges.~~

~~The hearing will be conducted within a reasonable period of time from receipt of the request by the Board of Trustees or a hearing officer selected by the Board of Trustees or its designee in accordance with the following procedures.~~

~~The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Irrelevant and unduly repetitious evidence shall be excluded. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of~~

~~privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions.~~

~~The employee shall have a right to appear in person, with counsel or such other representation as determined by the employee. The District will have the burden of proof and shall first present evidence. Normal procedures shall be followed: i.e., District presentation, defense cross-examination and rebuttal evidence from each party. Each party may introduce exhibits or cross-examine witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness to testify. If the employee does not testify in his own behalf, the respondent may be called and examined as if under cross-examination by the District.~~

~~A request by the employee for the presence of District witnesses shall be submitted to the Executive Vice-Chancellor of Human Resources and Educational Services or his designee in writing at least 72 hours prior to the date of the hearing. After the hearing, the matter shall be given consideration, either in open or closed session after which a decision shall be made. An employee has the right to a public hearing upon request.~~

~~If the hearing was conducted by a hearing officer, the hearing officer shall submit a recommendation to the Board within ten days after the conclusion of the hearing. Within five days after receiving such recommendation, the board shall make a decision.~~

~~If the hearing was conducted by the Board, it shall make a decision within fifteen days after the conclusion of the hearing.~~

~~The Board's decision may be that the recommended discipline be sustained in full, modified, or rescinded.~~

~~In the event the Board makes a finding that the recommendation of the administration should be rescinded, the Board shall make a finding that the employee shall be reinstated in his former position and shall receive pay for all of the period of time he was removed from duty.~~

~~The Board's determination of the sufficiency of cause for disciplinary action shall be conclusive.~~

~~The Chancellor shall enact procedures for the disciplinary proceedings applicable to permanent classified employees of the District. Such procedures shall conform to the requirements of the Education Code and may be delineated in the appropriate collective bargaining agreement.~~

~~The Board's determination of the sufficiency of the cause for disciplinary action of a classified employee shall be final.~~

~~No disciplinary action shall be taken for any cause that arose prior to the employee becoming permanent, or for any cause that arises more than two years preceding the date of the filing of any charge against the employee, unless that cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee shall have disclosed the facts to the district.~~

**Adopted October 28, 2013 (Previously AR4319)**

**Revised: \_\_\_\_\_**

# AR 7365 – Discipline and Dismissal - Classified Employees (New)

## References:

Education Code Section 88013  
Government Code Sections 3300 et seq.

A permanent classified employee of the District may be disciplined by the District for just cause. The causes for discipline shall include but not be limited to:

1. Incompetency
2. Inefficiency
3. Insubordination
4. Inattention to or dereliction of duty
5. Discourteous treatment of the public or of fellow employees
6. Any willful or persistent violation of the provisions of the Education Code or rules, regulations, or procedures adopted by the Board of Trustees
7. Political activity engaged in by an employee in violation of BP 4227
8. Immoral or unprofessional conduct
9. Any violation of Article 4 (commencing with Section 11400 of Chapter 3 of Title I of Part 4 of the Penal Code)
10. Dishonesty
11. Evident unfitness for service
12. Physical or mental condition which makes him or her unfit to instruct or associate with students
13. Persistent violation of or refusal to obey the school laws of the state or reasonable regulations prescribed by the board of governors or by the Board of Trustees
14. Conviction of a felony or any crime involving moral turpitude
15. Conduct specified in Section 1028 of the Government Code
16. Any other willful failure of good conduct tending to injure the public service

No disciplinary action shall be taken for any cause which arose prior to the employee's becoming permanent, nor for any cause which arose more than two years preceding the date of the filing of the notice of cause unless such cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee should have disclosed the facts to the District (Education Code Section 88013).

All notices of proposed disciplinary action shall be processed through the Vice Chancellor of Human Resources or their designee.

The employee shall be notified in writing of any intent to discipline and given the opportunity to respond orally/and in writing to the specific charges (Skelly hearing).

If disciplinary action is proposed after the due process (Skelly) meeting, the employee shall be notified in writing of the specific acts and/or omissions upon which the proposed disciplinary action is based ("written notice of charges"); the rule or regulation, policy, practice or law which the employee has violated; the proposed level of discipline to be imposed; any materials upon which the proposed action is based; and the length of time in which the employee will have to appeal the disciplinary action.

The written notice of the charges shall include a statement of the employee's right to an evidentiary hearing on such charges and the time within which such hearing may be requested. Included will be a Request for Evidentiary Hearing form, the signing and filing of which with the party delivering or mailing the written notice of charges shall constitute a request for hearing and a denial of all charges.

If the employee chooses to appeal the proposed disciplinary action set forth in the written notice of charges, he/she must file the Request for Evidentiary Hearing with the Human Resources Office within ten (10) calendar days of the date of service of the written notice of charges. The evidentiary hearing will be held within a reasonable period of time from the District's timely receipt of the

Request for an Evidentiary Hearing. Evidentiary Hearings may be heard by the Board of Trustees or a designated hearing officer agreeable to both the District and the classified union or the employee if they are represented by a union.

If the employee fails to request an evidentiary hearing or has failed to request an evidentiary hearing in the prescribed time period set forth above, the recommendation for disciplinary action/written notice of charges shall be submitted to the Board of Trustees. The employee shall have the right to address the Board of Trustees regarding the proposed disciplinary action pursuant to the provisions of the Government Code.

If the employee chooses to have an Evidentiary Hearing, the hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Irrelevant and unduly repetitious evidence shall be excluded. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the same extent that they are now or hereafter may be recognized in civil actions.

The employee shall have a right to appear in person, with counsel or such other representation as determined by the employee. The District will have the burden of proof and shall first present evidence. Normal procedures shall be followed: i.e., District presentation, defense cross-examination and rebuttal evidence from each party. Each party may introduce exhibits or cross examine witnesses on any matter relevant to the issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness to testify. If the employee does not testify in his own behalf, the respondent may be called and examined as if under cross examination by the District.

A request by the employee for the presence of District witnesses shall be submitted to the Vice Chancellor of Human Resources or their designee in writing at least 72 hours prior to the date of the hearing. After the hearing, the matter shall be given consideration, either in open or closed session after which a decision shall be made. An employee has the right to a public hearing upon request.

If the hearing was conducted by a hearing officer, the hearing officer shall submit a recommendation to the Board within ten days after the conclusion of the hearing or in a reasonable time agreed upon by both parties. Within five days after receiving such recommendation from the hearing officer, the District must agendaize the matter to go before the Board of Trustees for the next regular Board meeting.

The Board's decision may be that the recommended discipline be sustained in full, modified, or rescinded.

The Board's determination of the sufficiency of cause for disciplinary action shall be final.

If the hearing was conducted by the Board, it shall make a decision within fifteen days after the conclusion of the hearing.

**Adopted:** \_\_\_\_\_



**REVISED**

**Rancho Santiago Community College District**  
**2016 - 2017 District Council Meetings**

District Council meetings are held in the **Executive Conference Room (#114)** from **3:00 – 5:00 p.m.** Meeting participants include Chancellor’s Cabinet members, Presidents of the district governance groups, and the Chairs and Co-Chairs of the district’s five participatory governance committees. The Executive Assistant to the Chancellor provides administrative support to the committee.

**Fall 2016**

August 8	October 17
August 29	November 7
September 19	November 28
October 3	

**Spring 2017\***

January 30  
March 6  
April 3  
May 8  
June 5

\*Assumes move to one meeting/month at the first Monday based on Board Meeting calendar.