

President's Report – October 19, 2022

Budget Reserve Language – BOT report

Here is the section of my report to the Board of Trustees about the proposed change in the districtwide unrestricted funds budget reserve of BP 6200/6250.

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The proposal to increase the hard floor of 15% for the unrestricted districtwide reserve and the soft ceiling of 20% by five percentage points each (i.e., to 20% and 25%, respectively) in BP 6200 and BP 6250 is going through the full consultative process in all three college academic senates because those Board policies are “rely primarily upon the advice and judgement” of the Academic Senate. The reserve designated as “districtwide” in Board Policy does not include the already sizable reserves held by the individual colleges and to which the Board can draw from in dire financial conditions because those reserves are also under your control.

No one in the BC faculty is denying the reality of the potential fiscal headwinds coming soon due to a recession. No one in the BC faculty is denying the value of a healthy reserve to weather storms on choppy fiscal seas. However, the BC faculty (and based on conversations with the other two Senate presidents, I can also safely say CC and PC faculty) are very concerned about taking advantage of the fear of an upcoming short term recession to codify permanently locking away an even larger amount of taxpayer money in good times and bad times by the proposed change to Board Policy because of the following undisputed facts:

An extensive amount of research by the Districtwide Budget Committee in 2013-14, using best practices from GFOA, FCMAT, PARS, NACUBO, and CCLC and a detailed analysis the district's cashflow and actual ending balances in the 2010 to 2014 fiscal years, which included the time period when the Great Recession hit the community colleges, led to the current language of a 15% hard floor & 20% soft ceiling in Board Policy in April 2014.

A comparison of KCCD's reserves with all of the other community college districts in California over the past ten years of certified expenditures and reserves in the CCFS 311 reports shows that the KCCD reserve percentage has been in the top five over the past eight years and is at the second place for the most current certified year (and at the top first place for districts with more than 10,000 FTES). The budget reserve percentage was calculated by the state Chancellor's office using the same methodology for all of the college districts, so it is a true “apples-to-apples” comparison of all of the college districts in California.

KCCD weathered the severe storm of the Great Recession when the Board Policy had a hard floor of just 5% and KCCD weathered the recent smaller storm of deferments in state funding during the pandemic when the Board Policy had a hard floor of 15%.

In other words, sound fiscal practices allowed and enabled in the current Board Policy (and even when Board Policy had a lower floor) have kept KCCD healthy and strong

through very powerful financial storms, including the once-in-a-lifetime storm of the Great Recession. Current Board Policy will enable us to weather any upcoming recession just fine. There is no need to raise the floor any higher, locking away even more taxpayer money from being used in the instruction of our students.

As elected officials, the Board of Trustees should provide a sound justification to its tax-paying constituents why even more money should be automatically locked away in a reserve as a matter of policy, instead of being used in the instruction of students as intended by the taxpayers. You on the Board, like the rest of us, expect such accountability of our elected representatives at the state and national level, so the faculty are expecting that same accountability of you as stewards of taxpayer funds allocated for higher education. As of yet, we (including students, classified staff, and college administration in KCCCD) have not heard any reasoned, data-driven rationale for permanently codifying a higher reserve floor in Board Policy nor why the flexibility already given in current Board Policy will not enable KCCCD to weather the upcoming short-term recession. If there is such a reasoned justification, we respectfully ask that you please share it with the faculty and your constituents before changing the Board Policy.

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No justification has been offered yet beyond the desire to beef up the reserves in advance of the upcoming recession. Note that *current* Board Policy allows them to temporarily beef up reserves in advance of an upcoming recession. The proposed language would not allow them to reduce the budget reserve back down to less than 20% when times are good. The current Board Policy allows them to reduce the reserve back down to less than 15% when times are good. They've never done that, of course, since 2014 but now the Board wants to reduce the financial flexibility—“codify permanently locking away an even larger amount of taxpayer money in good times and bad times.”

The BC Senate already passed the joint resolution. Cerro Coso is in the process this week of passing it. Porterville will vote on it at their October 28th meeting. The Board will be voting on the change to Board Policy at their November meeting.

District Consultation Council

The October District Consultation Council was held on October 18, 2022. Items discussed include:

1. **Chancellor's Update:** She presented to the state Board of Governors how KCCCD has been able to grow using one slide to summarize to them how we did it. A LOT of grants submitted and awarded in Workforce and Economic Development! Also, plug for the CA Economic Pre-Summit about Community Economic Mobility: A Focus on Energy and Climate Resilience happening October 25-26 from 8 a.m. to 4 p.m. at the Bakersfield Marriott at the Convention Center. Chancellor will become

more actively engaged in the work of Pillar 4 “Ensure Learning” of Guided Pathways. This will include Dual Enrollment work.

2. **Board Policy Updates** (updated language is in red in the linked documents):

- a. AP 4100 Graduation Requirements for Degrees Certificates. This is a “Rely Primarily Upon”, **so we need to vote on it**. Adds line at very end: “The District may obtain approval of a direct assessment competency-based program from the California Community College Chancellor’s office.”
- b. BP 3430 and AP 3430 Prohibition of Harassment (CCLC Updates). Just adds reference to an additional Education Code section.
- c. BP 5040 and AP 5040 Student Records Directory Information (CCLC Updates). Adds ability in BP for students to update student records with their chosen name and gender. Adds language in AP about charges for transcripts, use of social security numbers, and name & gender changes in student records.
- d. AP 5520 Student Discipline Procedures (CCLC Update). Adds language saying no disciplinary action against complainants or witnesses in sexual assault Investigations.
- e. AP 6355 Job Order Contracts (CCLC Update). Adds language about job order contracts over \$25K using skilled and trained workforce.
- f. AP 6540 Insurance (CCLC Update). Adds language referencing other BP and AP.
- g. BP 7230 Classified Employees (CCLC Update). Adds additional Education Reference, BP reference, and reduction of probationary period.
- h. AP 7237 Layoffs (CCLC Update). Adds additional Education Reference.
- i. BP 7340 Leave (CCLC Update). Adds language for family care and medical leaves and citations of other relevant BP/AP.

3. **Academic Calendars (voting item in Senate!)**

- a. 2022-23 Bakersfield Academic Calendar: adds two-week operational closure during winter break, adds option to implement condensed operating hours during summer, and adds Juneteenth holiday.
- b. 2023-24 KCCD Academic Calendar and 2024-25 Academic Calendar: consolidates calendar for all three colleges in which colleges can choose their spring break without separate BOT vote, adds two-week operational closure during winter break, adds option to implement condensed operating hours during summer.

4. **Accreditation ISER timeline**. We will be using the 2014 Standards and not the new proposed ones because the new ones will not be ready in time for our ISER development in Fall 2023-Spring 2024.

5. **Migration from EthicsPoint to Maxient.** Complaints will need to have names and specific incidents except whistleblower complaints. Maxient will handle Discrimination or Harassment complaints, Classified grievances, Faculty grievances, and Whistleblower complains.

Classified Staff Representation Number on Committees

This is a personal belief statement and not official stance of the Academic Senate. First my prepared remarks to EODAC about the number of classified staff on EODAC and then further commentary:

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Personally, I support the proposal to have the number of classified staff equal the faculty number. The classified staff I've worked with on various committees I've served have all provided valuable insights and have felt free to speak their mind and they have shared their opinions. Also, the classified staff at BC have received training in critical thinking through their own college education, many of them from our faculty here at BC. If a reasoned argument can be made for a particular action, then I believe the classified staff would come to the same conclusions as any reasonable faculty member would.

The argument I've heard against making the classified representation equal to the faculty representation has focused on the desire to ensure faculty power to override any classified objection and the argument assumes that classified staff would be intimidated by administration to vote a certain way. That belief does strike me as a bit elitist and is not congruent with a committee that has "equal opportunity" in its name. A proposed action should be decided upon through a reasoned argument and not through numerical domination.

Furthermore, EODAC is a recommending body. It can propose policy or procedure changes as can any committee but Education Code assigns the responsibilities of minimum qualifications and equivalency processes, faculty hiring, faculty evaluation and tenure review, administrative retreat rights, and faculty service areas to the Academic Senate. For some of those areas, there is also the collective bargaining agent (the faculty union) who is involved in negotiating those things into the contract (faculty tenure, performance evaluation, and faculty service areas). [Education Code 87360 (b) says that faculty hiring criteria, policies, procedures must be developed and agreed upon by the Board and the Academic Senate.] Policies and procedures in these areas must be approved by the Academic Senate which is why there is the regular reporting out to the Academic Senate noted in the proposed charge as well as in the Senate By-Laws.

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My intent was to allay concerns I've heard from faculty who are concerned about the dilution of faculty power on EODAC and to back up what I said in the previous paragraph. There are reporting mechanisms in place, so that recommendations from EODAC that would impact faculty/classified/administrative hiring and evaluation would

then be reported to the respective bodies in charge of actually approving, modifying, or negating recommendations for their employee group. Faculty have two “guard rails” — the Senate and CCA. So, in addition to my strong belief that the classified staff are valuable and my long EXPERIENCE that those classified staff who have volunteered to be on committees are very knowledgeable and willing to actively participate in discussions, I think there are sufficient safeguards in place around policy/procedure creation/adoption impacting academic and professional matters and working conditions given to faculty by Education Code, Title 5, Board Policy, and contract.

In the same way that faculty might be concerned about classified staff having undue influence on faculty hiring, faculty evaluation and tenure review, administrative retreat rights, and faculty service areas; classified might be concerned about undue faculty influence on classified hiring, evaluation, and classified professional development through numerical domination. On matters of race/ethnicity all of us have lived experience of equal value in bringing to bear on diversity, equity, and inclusion issues in our work environment.

Education Code 70902(b)(7) requires governing boards “to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration.” Title 5 §51023.5 requires the governing board to “adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance.” Classified staff should participate in the formation and development of policies and procedures on matters that significantly affect staff.

At the ASCCC Area A meeting I found that West Hills has classified number equal the faculty number in all of its shared governance committees (except Curriculum). Clovis has at least two of its committees having equal classified and faculty (their computer technology committee and professional development). Butte also has some of its committees having equal classified and faculty. Basically, committees should have equal classified representation where it impacts classified being able to do their job effectively.

Student Enrollments (FTES and Unique Headcount) Analysis

Here’s the text of the message I sent out October 11 which analyzed the Week 8 enrollment figures and the enrollments by delivery mode/location as of October 10.

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Here’s the enrollment update with comparison to same point in time comparisons with Fall 2020 and Fall 2021 (week 8 of the semester). BC accounts for 75.6% of the KCCD FTES while our workload is just 72.5% of the KCCD workload. We’ve surpassed Fall 2019 (pre-COVID) numbers in several areas. In Fall 2022 our FTES is 8317.9 and at week 8 in Fall 2019 we were at 8189.0, so this semester we’re 128.9 more in FTES than in Fall 2019. Unique headcount in Fall 2022 is 26,418 and Fall 2019 was 24,961, so this semester we have 1457 more students at week 8 than in Fall 2019 week 8. The

percentage of full sections in Fall 2022 is 2.1 percentage points greater than in Fall 2019.

There are slightly more post-census withdrawals compared to Fall 2019 => Fall 2019 post-census withdraws was 6.380% and Fall 2022 is 7.562% of census enrollments. The Persistence Project is working to improve our retention and persistence.

The Fall 2022 Summary of the enrollment dashboard tells us where our students are enrolling (it is attached below the enrollment update from Amber. As of October 10, BC Online (asynchronous) is 36.8% of our FTES and our face-to-face (BC Main Campus + BC Southwest + BC Delano College Center) is 34.3% of our FTES. The next largest mode is BC Hybrid (face-to-face plus online asynchronous) at 10.3% FTES. Regarding unique headcount, 52.8% of our students are taking BC Online, 39.8% are face-to-face and 18.05% are BC Hybrid. The unique headcount percents add up to more than 100% because many students take a mixed schedule with multiple delivery modes. Clearly, there is a demand for a variety of instructional modes. Finally, the top 3 fullest sections are in BC Online Hybrid, BC Online, and BC Hybrid (in that order). I've attached the Fall 2022 summary image below Amber's forwarded message.

Click Here to Filter Data **KCCCD Daily Enrollment Summary, Fall 2022: October 10, 2022**
Hover over info icon for instructions and definitions.

		Section Count	Current Enrollments	FTES	Unique Headcount	Workload	% Full Sections	% Full Waitlist Sections
BC	BC Apprenticeship Classes	22.0	201.0	36.9	131.0	0.00	0.0%	0.0%
	BC Arvin-Lamont	36.0	599.0	66.6	560.0	1.80	2.8%	0.0%
	BC Bakersfield Area	196.0	2,316.0	287.9	2,029.0	8.05	1.0%	0.0%
	BC Delano - Off Campus	187.0	4,033.0	440.8	2,805.0	21.87	2.7%	0.0%
	BC Delano College Center	74.0	1,338.0	172.7	727.0	18.06	1.4%	0.0%
	BC Hybrid	318.0	6,012.0	858.5	4,769.0	87.96	13.2%	0.3%
	BC Main Campus	660.0	15,958.0	2,281.4	7,894.0	174.85	4.5%	0.0%
	BC McFarland	26.0	582.0	58.0	520.0	1.84	3.8%	0.0%
	BC Northwest Extension	16.0	253.0	46.7	196.0	0.00	0.0%	0.0%
	BC Online	912.0	28,093.0	3,060.1	13,944.0	189.81	13.6%	0.0%
	BC Online - Scheduled	112.0	2,628.0	346.8	2,335.0	25.34	2.7%	0.0%
	BC Online Hybrid	36.0	820.0	87.6	796.0	7.70	19.4%	0.0%
	BC Shafter	9.0	122.0	16.4	103.0	1.93	0.0%	0.0%
	BC Southwest Campus	130.0	2,906.0	402.7	1,839.0	34.03	6.2%	0.0%
	BC Wasco	33.0	580.0	74.7	376.0	7.39	0.0%	0.0%
	BC Weekend Classes	18.0	190.0	17.7	190.0	1.97	0.0%	0.0%
	BC Weill Institute	19.0	331.0	60.6	214.0	5.91	0.0%	0.0%
	BC Westec	23.0	111.0	1.9	111.0	0.00	8.7%	0.0%
	Total	2,827.0	67,073.0	8,317.9	26,418.0	588.51	8.0%	0.0%
	Grand Total	2,827.0	67,073.0	8,317.9	26,418.0	588.51	8.0%	0.0%