



**ANTELOPE VALLEY COLLEGE
STRATEGIC PLANNING & BUDGET COUNCIL (SPBC) AGENDA
February 20, 2013
2:30 p.m. – SSV 151**

To conform to the open meeting act, the public may attend open sessions

- 1. CALL TO ORDER AND ROLL CALL**
- 2. OPENING COMMENTS FROM THE CO-CHAIRS**
- 3. OPEN COMMENTS FROM THE PUBLIC**
- 4. APPROVAL OF MINUTES**
 - a. January 16, 2013 (attachment)**
- 5. REPORTS**
 - a. Human Resources Sub-Group – Dr. V. Nicholson**
 - b. Facilities Sub-Group – D. Jensen**
 - c. Communications Sub-Group – S. Standerfer**
 - d. Educational Master Plan – K. Cowell**
- 6. ACTION ITEM**

None
- 7. DISCUSSION ITEM**
 - a. SPBC Committee Membership (attachment)**
 - b. Gmail Project – R. Shaw**
 - c. Legal Opinion Memo: Response to Shared Governance Councils/Committees, the Brown Act (attachment) – M. Clinton**
 - d. ACCJC Response to Midterm Report (attachment) – S. Lowry and M. Clinton**
- 8. SPBC ADMINISTRATIVE BUSINESS**
 - a. Spring SPBC Meetings**
 - March 20, 2013; April 17, 2013; and May 15, 2013**
 - b. Summer SPBC Meetings**
 - Summer meeting dates: June 19, 2013 and July 17, 2013**
- 9. OPEN FORUM**
- 10. ADJOURNMENT**

NON-DISCRIMINATION POLICY

Antelope Valley College prohibits discrimination and harassment based on sex, gender, race, color, religion, national origin or ancestry, age, disability, marital status, sexual orientation, cancer-related medical condition, or genetic predisposition. Upon request, we will consider reasonable accommodation to permit individuals with protected disabilities to (1) complete the employment or admission process, (b) perform essential job functions, (c) enjoy benefits and privileges of similarly-situated individuals without disabilities, and (d) participate in instruction, programs, services, activities, or events.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Ms. Sharon A. Lowry, Vice President of Academic Affairs, at (661) 722-6304 (weekdays between the hours of 8:00 a.m. and 4:30 p.m.) at least 48 hours before the meeting, if possible. Public records related to agenda items for open session are available for public inspection 72 hours prior to each regular meeting at the Antelope Valley College Vice President of Academic Affairs Office, Administration Building (A 134), 3041 West Avenue K, Lancaster, California 93536.



ANTELOPE VALLEY COLLEGE
STRATEGIC PLANNING & BUDGET COUNCIL (SPBC)
MEETING MINUTES
January 16, 2013
2:30 pm. – SSV 151

1. CALL TO ORDER AND ROLL CALL

Ms. Maria Clinton, Faculty Co-Chair, called the meeting to order at 2:33 p.m.

2. OPENING COMMENTS FROM THE CO-CHAIR

- Ms. Clinton extended a warm welcome to the newly hired AVC employees: Dr. Vicki Nicholson, Vice President of Human Resources and Employee Relations; Ms. Mazie Brewington, Vice President of Administrative Services; and Mr. Rick Shaw, Director of Information Technology Services. Ms. Clinton requested introductions be performed.
- The new Legislative Analyst's Office budget information indicated California Community Colleges will be awarded funding to address adult education preparatory courses. Given the expected timeline of funding it may be prudent for the council to begin engaging in discussion on potential General Educational Development (GED) test preparation course offerings for fall 2013.
- At the January College Coordinating Council meeting members engaged in discussion regarding the agenda and minute requirements for established meetings. More information will be provided when decisions are made in terms of expected distribution and posting of meeting information.

3. OPEN COMMENTS FROM THE PUBLIC

- None

4. APPROVAL OF MINUTES

a. December 12, 2012 (attachment)

A motion was made and seconded to approve the December 12, 2012 SPBC meeting minutes. Ms. Sherrie Padilla requested her name be spelled correctly on the membership list. Motion carried as corrected.

5. REPORTS

a. Human Resources Sub-Group – V. Nicholson

Dr. Nicholson indicated the subgroup has not met but she will coordinate a future meeting date to address pertinent Human Resources and Employee Relation issues. An update on subgroup discussion will be provided at the February 2013 SPBC meeting if a subgroup meeting is coordinated.

b. Facilities Sub-Group – D. Jensen

A report for the Facilities subgroup was not provided.

c. Communications Sub-Group – S. Standerfer

A report for the Communications subgroup was not provided.

d. Educational Master Plan – K. Cowell

A call was placed for Educational Master Plan volunteers but did not garner any response for volunteers. Another call will be disseminated closer to the spring semester. Currently, Mr. Aeron Zentner is updating the introductory section of the Educational Master Plan publication. The workload will go into high gear at the commencement of the spring 2013 semester. The format of the publication was discussed at a recent Deans meeting and it was determined it would be best to maintain the same format as used in the previous Educational Master Plan publications in efforts to maintain consistency and maximize efficiency in finalizing the publication. Dr. Lee Grishman stated in previous years the Academic Senate President and Executive members actively participated in assisting in the completion of this District publication. The following council members volunteered to serve as members of the

Educational Master Plan participants: Dr. Lee Grishman, Mr. Jack Halliday, Ms. LaDonna Trimble, Mr. Ty Mettler, and Dr. Liette Bohler. Dr. Cowell indicated all campus constituent volunteers are needed.

6. ACTION ITEMS

None

7. DISCUSSION ITEMS

a. Position Restoration Plan – P. Ford

Ms. Pamela Ford inquired whether the council should begin establishing criteria to determine how restoration of frozen positions or staffing requests is handled. There are several position recruitment hiring requests being brought forward for approval by the council yet discussion and/or the establishment of a plan to restore frozen positions or new positions has not been fully established. Dr. Fisher indicated the council should review and resurrect the Human Resources Staffing Plan. This campus document needs to be revised and made current. Dr. Uhazy indicated he was a member of the Human Resources subgroup and it has been approximately two years since the subgroup met to discuss issues relating to Human Resources and Employee Relations. At one of the last meetings of subgroup members it was determined alternate college Staffing Plans would be researched and presented to subgroup members in efforts to determine how to proceed in updating the District Staffing Plan. A subgroup meeting date was never established to review and discuss findings. Given the lapse in time, there are several vacancies on the subgroup that will need to be filled to proceed with the work needing to be completed. Dr. Cowell reported staffing needs should be included in submitted Program Learning Outcomes action plans entered in the WEAVEonline database which will ultimately be included in the Educational Master Plan publication. Ms. Brewington indicated all positions (faculty and classified) need to be critically reviewed at the Human Resources subgroup level. She volunteered to work with Dr. Nicholson to ensure funding elements are incorporated in the drafted Staffing Plan. A critical analysis of all positions should be reviewed and prioritized at the subgroup level and brought forward to the council. The District has been operating in an emergency mode and needs to move to a mode where positions are validated based on need. Ms. Razo stated the Staffing Plan should be broadened to ensure administrative positions (i.e. managers and Deans) are included in discussion, as many administrators are fulfilling the role of two positions. In addition, a reevaluation of staffing is needed to determine how technology has impacted specific areas on campus thus altering staffing needs. Ms. Hoover reported Mr. Turner, former Vice President of Human Resources and Employee Relations, stated the Staffing lists are so old and outdated that the current needs of departments and areas are not accurately reflected. Ms. Fite indicated the council determined the Staffing Plan was stated to be a living document to be reviewed annually. Dr. Nicholson stated she will make it a priority to coordinate a subgroup meeting and will present a report of business completed at the February 2013 SPBC meeting.

b. Palmdale Center Staffing – Dr. C. Forte-Parnell/S. Dalmage (a revised attachment forthcoming)

Dr. Forte-Parnell stated she is not sure if the Palmdale Center staffing needs has ever been incorporated in the Staffing Plan. There is a definite need to address the staff requirements of the center as employees that operate as generalists will no longer suffice. There is a need to provide specific support services for students at the Palmdale Center. These staffing needs should be incorporated in completed Program Review reports. There are separate budgeting line items for the Palmdale Center which differentiates the center from main campus revenue and expenditures. Ms. Clinton requested the staffing needs of the Palmdale Center be incorporated in the revised Staffing Plan. Mr. Jensen stated the Program Review process incorporates staffing needs and should remain the primary element of the process as to maintain equity. The process should not to base staffing approval on appeasing those managers and/or administrators who express their need most emphatically therefore creating an inequity in the process. Dr. Zimmerman reported this is the first time she has seen any information on Palmdale Center Staffing need. There are very few students that are unable to travel from the Palmdale Center to the main campus to obtain support services. There have not been any efforts made to discuss additional staffing hours needed with the administrators and/or managers of service areas which would be instrumental. The initial dialogue for staffing should be initiated with the administrators of specific

service areas prior to proposing additional working hours. The District needs to determine if services will be provided in a centralized or decentralized manner. Support services have specific supervisory administrators therefore maybe there needs to be a discussion regarding the pros and cons of decentralized services. Ms. Ford stated the council agreed to freeze positions and has not changed this position to permit new positions to be forwarded to the council for consideration. There was some confusion on whether this discussion item was a request to increase current staff or increase available hours of existing staff. Dr. Fisher indicated the Council decided only critical hiring requests would be brought forward to the council for a formal recommendation or denial. Ms. Brewington stated her experience is the Educational Master Plan and Strategic Plan are the primary components in determining needs and expected future growth. She indicated as the Vice President of Administrative Services she will work with the Vice President of Human Resources and Employee Relations to thoroughly determine the expected growth and staffing needs of the Palmdale Center.

c. Report on the SPBC Handbook – Draft (attachment to be forthcoming)

Ms. Diana Keelen has been out ill. She has been working on drafting a revised handbook for the council to review, provide input, and approve at a future date. This agenda item will be placed on a future agenda.

8. SPBC ADMINISTRATIVE BUSINESS

a. Spring SPBC Meetings

- February 20, 2013; March 20, 2013; April 17, 2013; and May 15, 2013

b. Summer SPBC Meetings

- Summer meeting dates: June 19, 2013 and July 17, 2013

9. OPEN FORUM

- Dr. Fisher stated any comments he makes during the meeting are based on his participation of being an Accreditation Team Chair not as the Superintendent/President of the District. He provides input as an observer of the process to determine how an evaluation team would deem the process which is being discussed. It is important for council members to keep in mind how an Accreditation Team will evaluate established processes.
- The issue Dr. Zimmerman is speaking to in terms of providing centralized or decentralized services is something that needs to be evaluated to determine how to proceed. There is a need to look at the current process to determine what would work best. This is an organizational structure issue which needs to be thoroughly addressed in the Educational Master Plan publication to determine how to proceed in the foreseeable future.
- A handout depicting classified positions restored to 100% was distributed to council members.

10. ADJOURNMENT

A motion was made and seconded to adjourn the meeting at 3:33 p.m. Motion carried.

MEMBERS PRESENT			
Mazie Brewington	Pamela Ford	Sherrie Padilla	LaDonna Trimble
Dr. Liette Bohler	Dr. Charlotte Forte-Parnell (proxy)	Jenell Paul	Dr. Les Uhazy
Newton Chelette	Dr. Lee Grishman	Bridget Razo	Dr. Jill Zimmerman
Maria Clinton	Jack Halliday	Wade Saari	
Dr. Karen Cowell	Doug Jensen	Rick Shaw	
Kim Fite	Dr. Vicki Nicholson	Steve Standerfer	
MEMBERS ABSENT			GUESTS/EX-OFFICIO MEMBERS
Dr. Ed Beyer	Sharon Lowry	Vacant - Student Rep.	Sharon Dalmage
Diana Keelen	Maria Valenzuela		Cynthia Hoover
Dr. Scott Lee	Vacant - Dean, DIERP		Dr. Jackie Fisher

STRATEGIC PLANNING & BUDGET COUNCIL MEMBERS

Current Membership

2012 – 2013

CONSTITUENCY	TERM	BEGIN	END	NAME	EXT
SPBC Co-Chair/Dean, DIERP		Determined By Cabinet		Sharon A. Lowry (Interim)	6304
SPBC Co-Chair/Senate President	3 yr	2012	2015	Maria Clinton	6614
College President (Ex-Officio)		Permanent by Position		Dr. Jackie Fisher	6301
VP, Academic Affairs/Designee		Permanent by Position		Dr. Karen Cowell	6404
VP, Administrative Services		Permanent by Position		Mazie Brewington	6302
VP, Student Services		Permanent by Position		Newton Chelette	6303
VP, Human Resources		Permanent by Position		Dr. Vicki Nicholson	6588
Executive Director, Advancement Off.		Permanent by Position		Ms. Bridget Razo	6313
Director, Business Services		Permanent by Position		Ms. Diana Keelen	6319
Director, Facilities & Campus Dev		Permanent by Position		Mr. Doug Jensen	6526
Interim Director, ITS		Permanent by Position		Richard Shaw	6541
Director, Public Relations		Permanent by Position		Mr. Steve Standerfer	6312
Co-Chair, Enrollment Mgmt Comm.		Permanent by Position		LaDonna Trimble	6486
Faculty Union Representative		Permanent by Position		Dr. Liette Bohler	6002
Classified Union Representative		Permanent by Position		Ms. Pamela Ford	6266
Faculty Representatives (4)					
• Transfer	3 yrs.	2010	2013	Dr. Edward Beyer	6374
• Student Services	3 yrs.	2011	2014	Dr. Lee Grishman	6352
• Instructional Resources	3 yrs.	2011	2014	Dr. Scott Lee	6546
• Vocational	3 yrs.	2011	2014	Jack Halliday	6736
Classified Representatives (4)	2 yrs.	2011	2013	Kim Fite	6196
	2 yrs.	2011	2013	Janell Paul	6168
	2 yrs.	2011	2013	Maria Valenzuela	6219
	2 yrs.	2011	2013	Wade Saari	6341
Confidential/Mgmt/Supervisory (1)	3 yrs.	2010	2013	Sherri Padilla	6138
Deans/Directors (2)					
• Academic	3 yrs.	2009	2012	Dr. Les Uhazy	6417
• Student Services	3 yrs.	2009	2012	Dr. Jill Zimmerman	6344
Student Representatives (2)	1 yr.	2012	2013	Michael Reyes	
	1 yr.	2012	2013		

January 29, 2013

Mazie Brewington
Vice President, Administrative Services
Antelope Valley Community College District
3041 West Avenue K
Lancaster, California 93536

Re: *Opinion Regarding Application of Brown Act to Budget Committee and Strategic Planning Committee*
Client-Matter: AN060/001

Dear Ms. Brewington:

You have asked us to provide you with our opinion regarding whether the District's Strategic Planning and Budget Council is a "Brown Act Committee" subject to the strictures of the Ralph M. Brown Act.

Question

Does the Ralph M. Brown Act, found at Government Code section 54950 et seq., apply to the District's Strategic Planning and Budget Council?

Short Answer

The District's Strategic Planning and Budget Council is not subject to the Brown Act, but is subject to certain agenda requirements set out in Administrative Procedure 2510.

Factual Background

The District's Strategic Planning and Budget Council (Council) is a Committee established by the President/Superintendent pursuant to Administrative Procedure 3250. The Council provides for staff and student involvement in the strategic planning and budgeting process as required by the accreditation standards. The Committee makes recommendations to the President/Superintendent and the Vice President of Administrative Services regarding budgeting priorities. In turn, the budget is forwarded to the Board of Trustees. Administrative Procedure 2510 establishes the membership of the Council. No Board members are on the Council.

Discussion

A. Requirements of the Brown Act

We begin by looking at the general requirement of the Brown Act for local agencies to hold their meetings open to the public. This requirement is found in Government Code section 54953, subdivision (a):

“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.”

We next look to Government Code section 54952, which defines a “legislative body” of a local agency as follows:

“As used in this chapter, ‘legislative body’ means:

“(a)”

“(b) A commission, committee, board, or other body of a local agency, whether permanent or temporary, decisionmaking or advisory, created by charter, ordinance, resolution, or formal action of a legislative body....”

Accordingly, if the Council is “created by charter, ordinance, resolution, or formal action of a legislative body” as defined in the Brown Act, it must comply with the requirements of the Brown Act.

B. The Council is not “Created by Formal Action of the Board of Trustees.”

A commission, committee, board, or other body of a local agency is “created by” charter, ordinance, resolution or other formal action of a legislative body if the legislative body “ ‘played a role’ in bringing ... ‘into existence’ ” the commission, committee, board, or other body. (*Epstein v. Hollywood Entertainment District II Bus. Improvement Dist.* (2001) 87 Cal.App.4th 862, 864, 104 Cal.Rptr.2d 857 (*Epstein*), quoting *International Longshoremen's, supra*, 69 Cal.App.4th at p. 295, 81 Cal.Rptr.2d 456; see also *McKee v. Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force* (2005) 134 Cal.App.4th 354, 358–363, 36 Cal.Rptr.3d 47.)

Here, the President/Superintendent adopted Administrative Procedure 3250. The Superintendent/President creates Administrative Procedures setting out the method the administration will use to implement Board Policy. Administrative Procedures must be consistent with the intent of Board Policy. The Superintendent/President may revise administrative procedures as necessary. (Board Policy 2410.)

Re: Opinion Regarding Application of Brown Act to Budget Committee and Strategic Planning Committee

January 29, 2013

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The Council was created as part of the action in adopting Administrative Procedure 3250. Thus, the President/Superintendent created the Council. The Board did not take action or play a role in bringing the Council into existence. For these reasons, we conclude that the Strategic Planning and Budget Council is not a "legislative body" within the meaning of the Brown Act and does not need to meet the requirements of the Brown Act.

C. The Strategic Planning and Budget Council Must Post its Agenda Pursuant to Administrative Procedure 2510.

The Strategic Planning and Budget Council is defined as a "shared governance council" in Administrative Procedure 2510. Pursuant to Administrative Procedure 2510, participatory governance committees must abide by "Participatory Governance Committee Operating Procedures" in Appendix I. These procedures specify that the Council must circulate a call for agenda items five days before a meeting and must post its agenda two days before a meeting. There are other requirements for posting draft minutes and similar issues. These are internal requirements of the District, which apply to the Council.

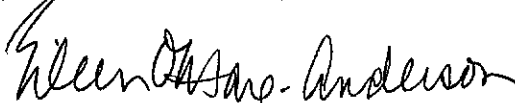
Conclusion

Because the Strategic Planning and Budget Council is not an advisory committee created by formal action of the Board of Trustees, we conclude it is not subject to the Brown Act. However, the Council is subject to the requirements of Administrative Procedure 2510, which include the requirement to post an agenda two days before a meeting.

Please do not hesitate to contact me if you have additional questions about any of the matters discussed in this opinion. Thank you for the opportunity to assist you.

Very truly yours,

LIEBERT CASSIDY WHITMORE


Eileen O'Hare-Anderson

EOA/ks



**ACCREDITING
COMMISSION
for COMMUNITY and
JUNIOR COLLEGES**

*Western Association
of Schools and Colleges*

10 COMMERCIAL BOULEVARD
SUITE 204
NOVATO, CA 94949
TELEPHONE: (415) 506-0234
FAX: (415) 506-0238
E-MAIL: accjc@accjc.org
www.accjc.org

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Associate Vice President
NORVAL WELLSFRY

February 11, 2013

Dr. Jackie Fisher, Sr.
Superintendent/President
Antelope Valley College
3041 West Avenue K
Lancaster, CA 93536

Dear President Fisher:

The Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, at its meeting January 9-11, 2013, reviewed the Follow-Up Report submitted by the Antelope Valley College. The Commission took action to require that the institution complete a **Follow-Up Report in conjunction with the Midterm Report.**¹ The report will be followed by a visit by Commission representatives.

The Commission requires that the Midterm and Follow-Up Reports be submitted by **October 15, 2013**. The Follow-Up Report should demonstrate that the institution has addressed the recommendations noted below, resolved the deficiencies, and now meets Accreditation Standards.

Recommendation 1:

In order to comply with the standards, it is recommended that the college modify its processes to create documentation and other forms of evidence that can be used to reveal the college's progress toward implementation of Student Learning Outcomes (SLOs) and assessment of those outcomes. More specifically, the team recommends that to show compliance with the standards that the college:

- a. Develop a method to monitor progress made when implementing activities identified in program reviews to include listing steps in action plans, listing of individual student learning outcomes for each course, and assessment activities matched against progress made to achieve assessment activities. (I.B.3)
- b. Provide evidence in the form of documents or other deliverables to result from the operation of the integrated planning cycle. (I.B.3)
- c. Provide evidence that outcomes demonstrate the integrated planning cycle, from student learning outcomes to making budget decisions. (I.B.5)

Dr. Jackie Fisher, Sr.
Antelope Valley College
February 11, 2013

- d. Assess Program Learning Outcomes (PLOs) and provide evidence of program, student service, and administrative changes and improvements that result because of changes made. (II.A.1.a; II.A.1.c)

Recommendation 2:

To meet the standards, to raise the quality of instructional programs, and to instill a culture of evidence across the college the team recommends the following practices be institutionalized:

- a. To meet the standards it is recommended that when curriculum is being modified and at other appropriate points in time, the college establish clear connections with and document the involvement of members of professions, associations and professional organizations in order to demonstrate input from vocational/occupational advisory boards, and experts in the field to ensure the College is able to verify that the quality of educational programs is based on experts in the profession. (II. A.2.b)
- b. To ensure each department is being consistently evaluated under the program review process it is recommended that the college develop a list of minimum areas considered to ensure a rigorous self examination is conducted consistently across the college. (II.C.1)
- c. To meet the standards requirement that adequate resources be allocated to support the Library function of the college, it is recommended that the college conduct a comparative analysis against other similarly sized colleges to assess whether the amount of resources to meet the needs of students who rely on the Library to complete their educational goals. (I.B.7)
- d. To meet the standards and to enhance the effectiveness of its technology, it is recommended that the college adjust its technology advisory committee structure to ensure that the needs of administrative and instructional computing are equally well addressed, and that this dialogue then results in equitable priorities, implementation, and budget allocations for all technology needs. (III.C.1, III.C.1.d.)

Recommendation 4:

To comply with the standards, it is recommended that the college, when making its short-range financial plan, e.g., the annual budget of the college, consider its long-range financial obligation to pay the cost of the GASB 45 - Other Post- Employment Benefits (OPEB) as the costs are incurred instead of delaying payment to some future date. Specifically, the college is encouraged to prepare a comprehensive plan to prevent disruption of services offered to students by paying the Annual Required Contribution (ARC) determined using generally accepted accounting principles into an irrevocable trust fund at the amount equal to the actuarially determined Annual Required Contribution. (III.D.1.c)

Dr. Jackie Fisher, Sr.
Antelope Valley College
February 11, 2013

I wish to inform you that under U.S. Department of Education regulations, institutions out of compliance with Standards or on sanction are expected to correct deficiencies within a two-year period or the Commission must take adverse action. While Recommendations 1, 2, and 4 were identified as deficiencies in 2010, the Commission has extended Antelope Valley College's time to correct the deficiencies associated with these Recommendations. However, the College must fully resolve these deficiencies by **October 2013** or the Commission will be compelled to act.

The Follow-Up Report will become part of the accreditation history of the college and should be used in preparing for the next comprehensive evaluation. The Commission requires that you give the report and this letter appropriate dissemination to your college staff and to those who were signatories of your college report. This group should include campus leadership and the Board of Trustees.

The Commission also requires that the College's Follow-Up Report and this Commission action letter be made available to students and the public by placing a copy on the College website. *Please note that in response to public interest in disclosure, the Commission now requires institutions to post accreditation information on a page no farther than one click from the institution's home page.*

On behalf of the Commission, I wish to express continuing interest in the institution's educational quality and students' success. Professional self-regulation is the most effective means of assuring institutional integrity, effectiveness, and quality.

Sincerely,



Barbara A. Beno, Ph.D.
President

BAB/tl

cc: Ms. Sharon Lowry, Accreditation Liaison Officer
Board President, Antelope Valley CCD
Dr. Steven M. Kinsella, Superintendent/President, Gavilan College, Team Chair

¹ Institutions preparing and submitting Midterm Reports, Follow-Up Reports, and Special Reports to the Commission should review *Guidelines for the Preparation of Reports to the Commission*. It contains the background, requirements, and format for each type of report and presents sample cover pages and certification pages. It is available on the ACCJC website under College Reports to ACCJC at: (<http://www.accjc.org/college-reports-accjc>).