AGENDA ITEM BACKGROUND

TO: BOARD OF TRUSTEES
FROM: PRESIDENT
SUBJECT: Title IX in Intercollegiate Athletics

DATE
May 9, 2013

ATTACHMENT(S)
None

REASON FOR BOARD CONSIDERATION
☐ ACTION ☐ CONSENT ☐ FIRST READING
☒ INFORMATION ☐ REPORTS

ITEM NUMBER
3.1

BACKGROUND:

Ellen O’Connor, Associate Athletic Director, will provide an overview of Title IX of the Education Amendments of 1972 and the specific requirements for compliance in athletics. The analytical standards used by the Office of Civil Rights will be reviewed along with the SBCC data for each analytical standard.

RECOMMENDATION:

None

Administrator Initiating Item: Lori Gaskin, President
Gender Equity in Athletics
Title IX Compliance
A look at SBCC

Title IX of the Education Amendments of 1972

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

The Federal Office of Civil Rights is responsible for the enforcement of Title IX. Gender equity is not exclusive to Athletics.
Title IX Compliance Officer

- Ms. Pat English,
- Vice-President, Human Resources
- Compliance Officer is Required by law and is the contact person for any Title IX complaint

SBCC Intercollegiate Athletic History – Early Years

<table>
<thead>
<tr>
<th>Action Taken</th>
<th>Sport</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>SBCC Athletic Program begins</td>
<td>M. Basketball</td>
<td>1951</td>
<td>Operated as club sports without modern eligibility standards</td>
</tr>
<tr>
<td></td>
<td>M. Baseball</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Addition of More sports</td>
<td>M. Track and Field</td>
<td>1952</td>
<td></td>
</tr>
<tr>
<td></td>
<td>M. Cross Country</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SBCC Joins South Central Conference</td>
<td>Other conference members: Antelope Valley, Citrus, El Centro, Palomar, Palos Verdes</td>
<td>1954</td>
<td>Must offer football and other men's sports (m. golf and m. tennis)</td>
</tr>
<tr>
<td>SBCC Joins Western State Conference</td>
<td></td>
<td>1965</td>
<td></td>
</tr>
<tr>
<td></td>
<td>W. Volleyball</td>
<td>1974</td>
<td></td>
</tr>
<tr>
<td></td>
<td>W. Basketball</td>
<td>1975</td>
<td></td>
</tr>
<tr>
<td>First Tenure-Track Instructor/Coach for W. Sport Hired</td>
<td></td>
<td>1976</td>
<td>Coached both W. Tennis and W. Volleyball</td>
</tr>
<tr>
<td></td>
<td>W. Track and Field</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men's Sport Added</td>
<td>M. Volleyball</td>
<td>1978</td>
<td></td>
</tr>
</tbody>
</table>
### SBCC ICA History – The 1990’s “The Growth Decade”

<table>
<thead>
<tr>
<th>Action Taken</th>
<th>Sport</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>More Sports Added</td>
<td>M. Soccer</td>
<td>1992</td>
<td>Funded through community for several years. Used Dwight Murphy fields for practice and competition. Moved to La Playa Stadium Fall 2002</td>
</tr>
<tr>
<td></td>
<td>W. Soccer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SBCC establishes Gender Equity in Athletics Committee and conducts first “self-study of gender equity”</td>
<td></td>
<td>1994</td>
<td>Draft Report, Findings, and recommendations presented to Dr. Peter Max Dougall 12/13/1994</td>
</tr>
<tr>
<td>SBCC conducts yearly self-evaluation</td>
<td>W. Softball</td>
<td></td>
<td>practice/competition at Dwight Murphy field until 2002 moved to Pershing Park.</td>
</tr>
<tr>
<td>Women’s Sport Added</td>
<td></td>
<td>On going</td>
<td></td>
</tr>
<tr>
<td>First “sport interest survey conducted”</td>
<td>W. Golf</td>
<td>Fall 1997</td>
<td></td>
</tr>
<tr>
<td>Women’s Athletic Team locker room upgrade</td>
<td></td>
<td>April 1997</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fall 1999</td>
<td>M/W locker rooms equitable in size and quality</td>
</tr>
</tbody>
</table>

### SBCC ICA History – 2000 to Present Continued Growth

<table>
<thead>
<tr>
<th>Action Taken</th>
<th>Sport</th>
<th>Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completion of first EADA</td>
<td></td>
<td>Fall 2000</td>
<td>Ongoing completion each year</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ongoing completion each year</td>
<td></td>
</tr>
<tr>
<td>AB 2295</td>
<td></td>
<td>September 2002</td>
<td>California Department of Education and California Postsecondary Education Commission conduct Title IX Compliance study in California HS/Colleges/University</td>
</tr>
<tr>
<td>SBCC site visited by BRC Corporation as part of CDE/CPEC study</td>
<td></td>
<td>October 2003</td>
<td>SBCC one of three CCC selected for site visit</td>
</tr>
<tr>
<td>Softball field upgrade</td>
<td>W. Softball</td>
<td>Spring 2011</td>
<td>Lack of drainage resulting in lost practice and competition corrected</td>
</tr>
<tr>
<td>Online Application Sports Interest survey established</td>
<td></td>
<td>Fall 2009</td>
<td>All applicants surveyed</td>
</tr>
<tr>
<td>Women’s Sport Added</td>
<td>W. Swimming</td>
<td>Fall 2014</td>
<td></td>
</tr>
</tbody>
</table>
Title IX Compliance Evolution

- Since 1972, multiple lawsuits have shaped how Title IX compliance is determined, particularly in the area of athletics.

- In 1980, the Department of Education was formed and given oversight of Title IX through the Office of Civil Rights.

- Beginning in 1996, the OCR has sent several "Dear Colleague" letters that have further defined and clarified operational language for standards of compliance.

- 1996 Equity in Athletics Disclosure Act begins ANNUAL data collection

Annual Compliance Documentation

1) Equity in Athletics Disclosure Act
   -- The Equity in Athletics Disclosure Act is designed to make prospective students aware of a school's commitment to providing equitable athletic opportunities for its men and women students. Any co-educational institution of higher education that participates in a federal student aid program must prepare an EADA report by October 15. Institutions must also report data to the U.S. Department of Education via the mandatory online survey.

   -- Reviews the following for the previous academic year:
   Sports offered, number of participants per sport, head coaches employment status (FT or PT), head coach gender, assistant coaches employment status (FT or PT), gender of assistant coaches, coaching salaries (head and assistant), Athletic Scholarships offered, recruiting expenses, operating expenses by sport ("game day expenses), total expenses by sport, total revenues by sport, and expenses and revenues for the program not attributable to either gender.

   Link to EADA Report
Click on “Get data for one institution link” and follow prompts

Annual Compliance Documentation

- 2) California Community College Athletic Association Annual Statement of Compliance of Title IX Gender Equity (Form R4)
  -- Due November 1 each year
  -- Requires completion of the three tests of Analytical Standard 1: Participation opportunities
Three Analytical Standards of Compliance

1) Participation opportunities—Interest & Ability (Form R4)
   a) Proportionality — Test 1
   b) History of Program Expansion — Test 2
   c) Full & Effective Accommodation — Test 3

2) Athletic Scholarships — As a member of the CCCAA, SBCC does not offer any athletic scholarships.

3) Disparities in Program Components (“The laundry list”)
   Equipment, supplies, game and practice times/travel and per diem allowances/coaching assignments and compensation/visor assignments and compensation/locker rooms, Practice and Competitive Facilities/Medical and Training Facilities and Services/Housing and Dining Facilities and Services/Recruitment of Student-Athletes/Support Services

NOTE: OCR requires compliance with Test 1, 2, or 3 of Standard 1

FT student enrollment at SBCC was 50% male and 50% Female.
Student-Athlete Population was 67% Male and 33% Female.
Test Two now requires colleges to document all participation opportunities added and eliminated from 1972 to the present. Test Two is now considered a pathway to compliance with Test 1 or Test 3.

Test 3 looks at 3 factors: Interest, ability, and available competition.

Interest: Of the W. Sports SBCC does NOT currently offer W. Swimming & W. Water Polo show the highest level of student interest via the CCC Apply Survey, sufficient interest to field a team.
The Sports Interest Survey is linked to the CCC Apply online application each potential SBCC student completes. Three levels of participation – PE class, intramural, or intercollegiate athletics.

Ability: In the SBCC Athletic recruitment area (44 high schools) W. swimming and W. Water Polo are prominent sports.

Competition: W. Swimming/Water Polo have strong regional representation. WSC = 8 Women’s teams Allan Hancock College will add program Spring 2014 SoCal = 30 colleges offer swimming and water polo
### Form R4 Page 5 Test 3 Analysis

**Analysis:**
Test 1, 2, and 3 Compliance not met. The addition of W. Swimming and Water Polo work to satisfy Test 3.

**Signature Page:**
College President, College Athletic Administrators, College Title IX Compliance Officer Review and sign

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### SBCC Action Plan for Compliance with Prong 3
**Full and effective accommodation of the underrepresented gender**

1. Develop a task force consisting of community members and students affiliated and familiar with local aquatics (Fall, 2012).

2. Conduct interest meeting for women interested in participating in intercollegiate Women’s Swimming and Women’s Water Polo. Contact those women who expressed interest via the CCCApply Interest survey (Fall, 2012).

3. Find a local aquatics facility that could accommodate an SBCC Women’s intercollegiate swim team and/or an intercollegiate water polo team for both practice sessions and competition (Spring, 2013).

4. Develop a budget for a Women’s Intercollegiate Swim Team and Women’s Water Polo (Spring, 2013).

5. Develop plan for funding Women’s Swimming and Women’s Water Polo using existing departmental resources (Spring, 2012).

6. Develop fall/spring course offerings and curriculum related to Women’s Intercollegiate Swimming and Water Polo. Submit to curriculum committee (Spring, 2013).

7. Inform Western State Conference commissioner of intent to initiate Women’s Swimming Spring, 2014 and Water Polo Fall, 2014. (Spring, 2013).

8. Begin marketing Women’s Intercollegiate Swimming and Women’s Intercollegiate Water Polo within SBCC athletic recruitment area (Summer, 2013).


Disparities in Program Components ("The laundry list")

- Annual self-study of these components has demonstrated equity in all areas except:
  "locker room, practice and competitive facilities"
Inequities addressed:
- Women’s team locker room upgraded in 1999.
- Women’s Softball complex upgraded in 2011.
Access to Athletic Training Room needs improvement for female athletes and trainers.

Conclusions:
1) Survey results demonstrate sufficient interest, ability, and competition for the addition of women’s swimming and water polo. SBCC is a “Test 3” School.
2) SBCC will be adding Women’s Swimming in the Spring of 2014. Water Polo likely Fall of 2014 pending results of Aquatics interest meeting.
3) Annual review of Analytical Standards and program components will continue.
AGENDA ITEM BACKGROUND

TO: BOARD OF TRUSTEES
FROM: PRESIDENT
SUBJECT: Presentation of the 2013-14 Budget Assumptions and Zero Based Budget

REASON FOR BOARD CONSIDERATION
☐ ACTION ☐ CONSENT ☐ FIRST READING ☑ INFORMATION ☐ REPORTS

ITEM NUMBER 3.2

DATE May 9, 2013
ATTACHMENT(S) 4 pages

BACKGROUND:

Zero Based Budgeting (ZBB) is a process that allows the College to rebuild the discretionary section of the budget using three tiers to ensure the most critical needs of the College are met. Tier 1 is the most critical needs without which a program cannot function; Tier 2 includes important needs; and Tier 3 are needed funds but not considered absolutely necessary. A spreadsheet summarizing the ZBB adjustments will be presented along with the Budget Assumptions for the 2013-14 Tentative Budget. The 2013-14 Tentative Budget Assumptions include the results of the ZBB with the funding of Tier 1.

RECOMMENDATION:

None

Administrator Initiating Item: Joseph Sullivan, Vice President Business Services
SANTA BARBARA CITY COLLEGE
ASSUMPTIONS USED TO DEVELOP THE 2013-14 TENTATIVE BUDGET

The budget revenue assumptions are from the governor’s February Revise published on the Community College League of California website on February 21, 2013.

The 2013-14 Tentative Budget includes the following assumptions:

REVENUES

Assumptions below are from the Governor’s proposed budget

1. Contains all of the 2012-13 Prop 30 adjustment (see Attachment A for details).
2. 4.84% or $2.6 million increase in the state allocation for the Unrestricted General Fund:
   a. COLA of 1.65% or $1.2 million.
   b. Growth/restoration of 2.19% or $1.4 million. Not included in 2013-14 Tentative Budget
3. The College will generate the FTES borrowed from summer for the growth allocation in 2012-13 in 2013-14.
4. There is no deficit factor.
5. International student revenue is reduced by 100 FTES, which equals $620,000.
   Enrollment is based on 2012-13 actuals of approximately 1,509 students at 24 units a student.
6. Part-time compensation remains at $333,000.
7. Enrollment fee revenue is based on 2012-13 actuals of $46.00 per unit.
8. Interest revenue continues to decline.
9. Lottery revenue remains flat.
10. State Mandated reimbursement remains the same at $407,000.

EXPENSES

1. Zero Based Budget is included.
2. Center for Lifelong Learning is included at the budget estimate and is presented separately.
3. The State Unemployment Contribution Rate will decrease effective July 2013 from 1.10% to 0.05%. The impact on the Unrestricted General Fund is a decrease of approximately $739,047. This is a one-time only adjustment that occurs periodically. It is expected to increase to previous levels in 2014-15.
4. Employer contributions toward health benefits will not increase.
5. The increase for fixed and mandated expenses is based on actual or trends. Fixed and mandated expenses consist of increases in maintenance agreements, utilities, postage, rent etc. The projected net increase will be finalized in the adopted budget.

6. The state Workers compensation insurance rate will decrease from 1.49% to 1.47%. The impact on the Unrestricted General Fund is a decrease of approximately $34,688.

7. Sabbaticals are not budgeted.

8. The CalPERS Board recommended an increase to the employer contribution rate from 11.417% to ??% estimated rate, which will result in an additional cost of approximately $? for general fund. Other funds will also be affected. To be updated as soon as details are made available by CalPERS.

9. The CalSTRS Board recommended an increase to the employer contribution rate from 8.25% to ??% estimated rate, which will result in an additional cost of approximately $? for general fund. Other funds will also be affected. To be updated as soon as details are made available by CalSTRS.

**TRANSFERS**

**These are the transfer of funds to and from the Unrestricted General Fund Ending Balances.**

1. Categorical programs (EOPS, DSPS, and matriculation), contributed $825,173.

2. Transfer to the Children’s Center Fund is $209,000.

3. Transfer to the Construction Fund for ongoing campus maintenance of $2.0 million.

4. Transfer to the Construction Fund for loan payments to the California Energy Commission for the photovoltaic system loan was $191,846 for 2012-13 and will continue for the life of the loan.

5. Transfer to the Equipment Fund is $1.5 million for equipment replacement and $155,000 for copier replacement.

6. Transfer to the General Fund of the Administrative portion of the “I Can Afford College” State Financial Aid Media campaign grant of $140,000. This is a pass through of funds that the College manages for the chancellor’s office, equal to 5% of $2,800,000 for the contract administration fee.

7. The transfer from the Community Services Enterprise fund of $41,000 for Kaplan Instruction Center custodial is covered by the lease payments from Kaplan.

**CASH FLOW**

1. Deferral buy down of approximately $2.3 million. Remaining deferrals of $11.0 million,
Attachment A

Details of Prop 30 & 39

The following adjustments were made to the 2012-13 Budget after the passage of Prop 30:

- The $406,000 in new money for the mandates block grant is included.
- There is no workload reduction; $4.6 million is added to revenue.
- The $284 million targeted for pay down of deferrals would result in approximately $3.7 million improvement of cash flow in ending balances.
- Growth of $600,000 is added to revenue; FTES will be borrowed from summer to capture the growth.
- Prop 39 would provide funding for energy conservation projects. This is restricted funds; not unrestricted general fund.
<table>
<thead>
<tr>
<th>Account Name</th>
<th>6/30/2010 Year-To-Date Actual</th>
<th>6/30/2011 Year-To-Date Actual</th>
<th>6/30/2012 Year-To-Date Actual</th>
<th>6/30/2013 Fiscal Year Adj. Budget</th>
<th>Tier 1 ZBB</th>
<th>Tier 2</th>
<th>Tier 3</th>
<th>Total</th>
<th>ZBB Adjustment</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>VP 1 Total President's Office</td>
<td>669,468</td>
<td>715,523</td>
<td>860,397</td>
<td>1,029,190</td>
<td>748,852</td>
<td>10,405</td>
<td>5,700</td>
<td>765,738</td>
<td>(279,358)</td>
<td>Moved $198,000 to BS for legal and $38,000 for Contracts; reduced printing by $25,000.</td>
</tr>
<tr>
<td>VP 3 Total Business Services</td>
<td>929,105</td>
<td>1,063,148</td>
<td>1,042,694</td>
<td>1,063,482</td>
<td>1,400,355</td>
<td>23,745</td>
<td>3,350</td>
<td>1,427,450</td>
<td>336,873</td>
<td>Transferred in Legal $230,000, F&amp;O building repairs and hourly $53,000, $40,000 in consulting. This is a 5% increase of actual ongoing expenses.</td>
</tr>
<tr>
<td>VP 4 Total VP of Information Techn</td>
<td>1,439,327</td>
<td>1,482,836</td>
<td>1,478,810</td>
<td>1,502,059</td>
<td>1,542,659</td>
<td>163,680</td>
<td>43,202</td>
<td>1,749,541</td>
<td>40,600</td>
<td>The increase in contracts for ongoing software licenses.</td>
</tr>
<tr>
<td>VP 5 Total Human Resources</td>
<td>0,046</td>
<td>80,463</td>
<td>163,658</td>
<td>209,606</td>
<td>167,820</td>
<td>-</td>
<td>800</td>
<td>168,620</td>
<td>(41,786)</td>
<td>Increased marketing $60,000 for one time expenses.</td>
</tr>
<tr>
<td>VP 6 Total Continuing Education</td>
<td>937,416</td>
<td>993,767</td>
<td>995,053</td>
<td>1,074,231</td>
<td>848,495</td>
<td>-</td>
<td>-</td>
<td>848,495</td>
<td>(225,738)</td>
<td>Reduced only sections that are being converted to CCL.</td>
</tr>
<tr>
<td>Dean 20 Total Professional Dev. &amp; Business</td>
<td>695,827</td>
<td>683,584</td>
<td>611,262</td>
<td>625,068</td>
<td>679,685</td>
<td>-</td>
<td>-</td>
<td>679,685</td>
<td>54,617</td>
<td>Dual enrollment contracts increase with enrollment ($50,000). This is a fixed cost and will not be included in ZBB going forward. Without this the reduction would be $5,400.</td>
</tr>
<tr>
<td>Dean 21 Total Educational Programs Other</td>
<td>81,177</td>
<td>100,175</td>
<td>53,187</td>
<td>127,991</td>
<td>501,731</td>
<td>-</td>
<td>-</td>
<td>501,731</td>
<td>373,740</td>
<td>Increase of $186,000 in T&amp; C, Hourly and Program Improvement Initiatives.</td>
</tr>
<tr>
<td>Dean 23 Total Student Relations</td>
<td>94,619</td>
<td>128,638</td>
<td>134,299</td>
<td>126,637</td>
<td>111,354</td>
<td>17,584</td>
<td>300</td>
<td>129,238</td>
<td>(15,283)</td>
<td>Child care $16,000</td>
</tr>
<tr>
<td>Dean 24 Total Vocational Education</td>
<td>178,485</td>
<td>317,080</td>
<td>220,790</td>
<td>231,862</td>
<td>234,249</td>
<td>1,716</td>
<td>334</td>
<td>236,399</td>
<td>2,387</td>
<td>Reduced T&amp; C and Stipends, increased hourly.</td>
</tr>
<tr>
<td>Dean 25 Total Counseling &amp; Matriculates</td>
<td>263,227</td>
<td>261,390</td>
<td>147,064</td>
<td>216,397</td>
<td>225,073</td>
<td>300</td>
<td>5,843</td>
<td>231,210</td>
<td>6,676</td>
<td>Increased hourly, field trips, study abroad and printing and duplicating.</td>
</tr>
<tr>
<td>Dean 26 Total Math/Science/Foreign L</td>
<td>774,085</td>
<td>942,369</td>
<td>1,052,181</td>
<td>1,231,820</td>
<td>1,297,928</td>
<td>223,246</td>
<td>40,933</td>
<td>1,562,107</td>
<td>66,108</td>
<td>Total increase of $240,600. Arts 31%, Music 58%, Garvin 17%, Am. Ethnic Studies 82%, Communications 79%, History 220%, Philosophy 92%, Poltical Science 46%, Sociology 88%, ESL down by completely eliminating Printing and Duplicating?, Tutorial Center up $224,000, 120%, C.A.P. 111%, Honor Program 75%, Community Theater 24%. This is an increase of 21% after eliminating T&amp;C and Contracts Other which were moved to Jack's Org.</td>
</tr>
<tr>
<td>Dean 27 Total Humanities/ESL</td>
<td>1,015,945</td>
<td>1,356,672</td>
<td>1,334,093</td>
<td>1,158,185</td>
<td>1,398,785</td>
<td>15,304</td>
<td>5,760</td>
<td>1,419,849</td>
<td>240,600</td>
<td>Total increase up $249,000, 40% overall, Culinary Arts up $17,000 or 17%, Journalism 16%, SoMA down 10%, Film up $3,000 or 170%, Graphic design up $5,000 or 528%, Automotive Services up $9,000 or 60%, Drafting/CAD up 3,600 or 35%, CNE/Electronics up 2,226 or 24%, Environmental Horticulture up $2,400 or 17%, Marine Tech up $11,110 or 28%, PRC unchanged, Academic Tech Support up $48,310 or 140%, Dean of Tech down $1,500, Online College up $49,028 or 22%.</td>
</tr>
<tr>
<td>Dean 29 Total Technology</td>
<td>1,161,921</td>
<td>1,293,458</td>
<td>1,170,276</td>
<td>1,106,577</td>
<td>1,355,334</td>
<td>361,315</td>
<td>405,177</td>
<td>2,122,166</td>
<td>248,757</td>
<td>TOTAL INCREASE FROM ZBB</td>
</tr>
<tr>
<td></td>
<td>8,386,009</td>
<td>9,364,105</td>
<td>9,363,746</td>
<td>9,703,104</td>
<td>10,513,900</td>
<td>817,296</td>
<td>511,539</td>
<td>11,842,135</td>
<td>810,196</td>
<td>8% Overal increase</td>
</tr>
</tbody>
</table>