



LOS RIOS
COMMUNITY
COLLEGE
DISTRICT

Los Rios CCD

2012-2013 PROGRAM REVIEW

SUPPORT SERVICES

Unit: General Counsel's Office

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I. Program Review Purpose

Definition of a Support Services Unit

For the purposes of this program review document, a support services unit is defined as a District department which is responsible for providing services throughout the District in a manner which creates and maintains an optimal learning environment for students and/or provides the necessary services to support the overall operation of the District and colleges.

Program Review Purpose

The purpose of review is to evaluate the quality of the support services provided and to use the information from the evaluation to plan program improvements. Regular program reviews are required to meet regional accreditation requirements, state requirements, and best practices. ACCJC Accreditation Standard I.B states,

The institution demonstrates a conscious effort to produce and support student learning, measures that learning, assesses how well learning is occurring, and makes changes to improve student learning. The institution also organizes its key process and allocates its resources to effectively support student learning. The institution demonstrates its effectiveness by providing 1) evidence of the achievement of student learning outcomes and 2) evidence of institution and program performance. The institution uses ongoing and systematic evaluation and planning to refine its key processes and improve student learning.

Support services units are expected to undergo a full review every three years.

Relationship of Program Review to Unit Plans

When completed, this Program Review document should provide the following to support your annual Unit Plan document:

- Unit mission statement
- Purpose statement that identifies how your unit supports creation and maintenance of an optimal student learning environment and/or provides the necessary services to support the overall operation of the District and colleges
- Findings to justify continuing or changing current operating procedures
- Justifications for requesting new resources

Program Review Due Dates

All departments must be reviewed at least once every three years during the year cited on the LRCCD Support Services Program Review Cycle. Reviews are due by June 30th of the year in which they are reviewed. A copy of the review will be maintained in the unit and the Office of Education and Technology.

Mission Statement

Provide your **unit's mission statement** below. Your statement must align with the District mission statement and should match your mission statement in your unit plan.

For reference, the following are LRCCD's Vision and Mission statements:

Vision Statement

We, the Los Rios community colleges, provide outstanding programs and services so that all students meet and exceed their educational, career, personal and social goals. We meet the social and economic needs of the community.

Mission Statement

Relying on their professional and organizational excellence, the Los Rios community colleges:

- Provide outstanding undergraduate education, offering programs that lead to certificates, associate degrees, and transfer;
- Provide excellent career and technical educational programs that prepare students for job entry and job advancement through improved skills and knowledge, including the demands of new technologies;
- Provide a comprehensive range of student development programs and services that support student success and enrich student life;
- Provide educational services that address needs in basic skills, English as a second language, and lifelong learning; and
- Promote the social and economic development of the region by educating the workforce and offering responsive programs such as service learning, business partnerships, workforce literacy, training, and economic development centers.

Provide your unit's mission statement below:

The mission of the Office of the General Counsel is to provide quality legal services to the Los Rios Community College District and all its constituent groups by representing and providing advice to the Board of Trustees, the administration, faculty, and employees on matters having legal significance to the management and operation of the District.

III. Unit Responsibilities

List your unit's **primary assigned responsibilities**, including those related to creating and supporting an optimal student learning environment and/or the overall operation of the District and colleges. Also identify any major projects your unit is expected to support on a periodic basis (e.g. opening of new facilities, IT infrastructure upgrades, etc.).

The specific areas of responsibility for the General Counsel's Office include:

- Advising and counseling the Board of Trustees, the administration, faculty, and employees on legal issues;
- Reviewing, drafting and shepherding the enactment of District Policies and Regulations through the Participatory Governance Process;
- Reviewing and preparing contracts;
- Representing the District in court, legal proceedings, and in administrative hearings;
- Providing training and seminars on legal topics;
- Advocating for the District before the state and federal governments.

List those **district and college** operating units your unit must interact with on a regular basis in order to complete the primary responsibilities of your unit. Briefly describe the types of interaction you have with the listed units.

- **Board of Trustees** – Provide memoranda on legal issues and government affairs issues; oral presentations to the Board in open and closed sessions; respond to inquiries of individual board members by telephone and email.
- **Chancellor/Associate Vice Chancellor of Communications** – Participate in weekly staff meetings; individual meetings; provide legal memoranda, correspondence and email responses; respond to inquiries on legal issues and government affairs issues in person, in writing, by email and by teleconference.
- **Deputy Chancellor/Associate Vice Chancellor of Human Resources/Associate Vice Chancellor of Finance/Associate Vice Chancellor of Facilities Management** – Participate in weekly staff meetings; individual meetings; provide legal memoranda, correspondence and email responses; respond to inquiries on legal issues and government affairs issues in person, in writing, by email and by teleconference.
- **Vice Chancellor of Education and Technology/Associate Vice Chancellor of Student Services/Associate Vice Chancellor of Information Technology** – Participate in weekly staff meetings; individual meetings; provide legal memoranda, correspondence and email responses; respond to inquiries on legal issues and government affairs issues in person, in writing, by email and by teleconference.
- **Vice Chancellor of Resource Development/Associate Vice Chancellor of Economic Development** – Participate in weekly staff meetings; individual meetings; provide legal memoranda, correspondence and email responses; respond to inquiries on legal issues and government affairs issues in person, in writing, by email and by teleconference.
- **College Presidents/Vice Presidents** – Participate in weekly staff meeting with Presidents, bi-monthly meetings with Vice Presidents of Instruction and Student Services, and monthly meetings with Vice Presidents of Administration; semester meetings at the campus with each of the Presidents; individual meetings on specific subjects; provide legal memoranda, correspondence and email responses; respond to inquiries on legal issues and government affairs issues in person, in writing, by email and by teleconference.

IV. Relevancy

Briefly describe why your unit's work is **relevant to the institution** with respect to how it supports an optimal student learning environment and/or overall operation of the District and colleges. State the reasons you expect the need for this program to continue.

The General Counsel's main function is to support the overall operation of the District and the colleges and anticipate and respond to the host of legal issues that confront them. The General Counsel's Office supports the Board of Trustees' and the Executive Staff's work by providing the Board and Executive Staff with timely and appropriate legal advice and recommendations about matters that come before the Board. This includes presentations and recommendations on policies and regulations, claims and lawsuits, real property transactions, human resources transactions, labor relations, student discipline and expulsions, discrimination claims, Brown Act and Public Records Act obligations, and governmental relations issues.

The General Counsel's Office reviews the District's policies, regulations and the District's and college's operational protocols for compliance with federal, state and local law. The office proposes changes to policies, regulations and operational protocols to ensure compliance. The General Counsel's Office supervises the policies and regulations through the District's Participatory Governance Process by presenting at the Vice President councils, the Chancellor's Cabinet and ultimately to the Board.

The General Counsel's Office receives and reviews contracts that assist the colleges and District to perform their mission including, educational materials and services contracts; information technology products and services; and construction products and services. The General Counsel's review ensures that contracts are clear, fair and meet the requirements of the law and that the contracts protect the District's interests.

The District must defend itself in court when threatened with lawsuits and when sued. The General Counsel's Office intervenes in those claims early to see if resolution is possible. If it is not possible, the General Counsel's Office selects and manages the lawyers that represent the District's and the college's interests and supervises the ultimate resolution of those matters in consultation with management and the Board of Trustees. In administrative matters, the General Counsel also provides representation for the District, presenting matters to the administrative tribunal.

Further, the General Counsel's Office assists the work of the Human Resources department in advising on all type of employment related issues including employment law compliance and discipline. This includes advice and counsel on discipline and representation of the District in termination hearings. The General Counsel's Office also attempts to be proactive in giving advice to constituent groups. This is performed by providing quarterly newsletters, regular emails and meetings.

Finally, the General Counsel's Office monitors legislation at the state and federal level, coordinates the District's support or opposition to that legislation and interacts with elected representatives that represent the District's geographic footprint.

V. Currency

Describe the ways in which your unit is **current** (e.g. technology use, equipment, approaches and methodologies), or what you need to do to become and remain current over the next three years.

The General Counsel stays current on the substantive legal issues by daily, weekly and monthly review of periodicals, newspapers, legal publications, and publications focused on government affairs issues (e.g., the San Francisco Daily Journal; the Sacramento Bee; the Chronicle of Higher Education; NACUA weekly list of key cases and legal issues; legal updates from outside counsel; Liebert, Cassidy & Whitmore monthly newsletter) and list serves dedicated to focus on higher education issues and government affairs issues (NACUA listserve; McCallum Group weekly newsletter; Twitter feeds and online reports of capitol reporters focused on legislative matters). The office pushes this information out to relevant constituents as these matters are relevant to those constituents.

In terms of technology and equipment, the General Counsel's Office uses appropriate legal print publications and legal database services available on the Internet for accurate and current legal information; scanners and a system of filing by client and matter using PDF formats to maintain files and be able to replicate responses to common questions in a timely and consistent manner. This system also serves to create an accurate contemporaneous record of critical legal communications.

The General Counsel's Office maintains a website to provide information on a real time basis to the District's management, faculty and staff concerning legal developments; topics of interest; legal reference websites; governmental affairs information; and discrimination and harassment rules for the District. The office further uses Microsoft products including Word for documents and correspondence; Excel for spreadsheets; PowerPoint for presentations; Dropbox to provide common resource data; and Outlook for email, calendar management, contact management and task management.

VI. Effectiveness

1. List the types of data/information you will use to **assess how effective** your unit is in completing **each** of its primary responsibilities (e.g. student/client satisfaction surveys, audits, safety inspections, facility use information, product quality and timeliness, etc.).

The primary method of assessing effectiveness is face-to-face meetings with the various clients who engage the services of the General Counsel's Office: the Chancellor, the Deputy Chancellor, the Vice Chancellors, the Associate Vice Chancellors, the College Presidents and Vice Presidents, and the Directors of Human Resources, Finance and General Services. This takes the form of semi-annual formal meetings with the Chancellor and College Presidents. Further, it takes the form of daily and weekly interactions with other managers.

Further assessment is performed on an annual basis in developing Goals and Achievements and assessing whether the prior year's Goals and Achievements have been met as well as the preparation and delivery of an annual attorney client privileged report to the Chancellor addressing the work of the office in the three major areas of focus: preventative law; litigation management and governmental relations.

2. Comment on how the results of your assessments (listed in #1) **provide evidence** of your unit's effectiveness.

The face-to-face conversations address whether the information requested has been useful, provided the tools necessary to resolve the legal issue requested in a clear and concise manner, and provided in a timely manner.

The Annual Reports and Goals and Achievements analysis demonstrate the effectiveness of the unit in accomplishing the goals set for the unit.

3. Identify any areas you believe **need improvement now**.

Further focus could be addressed in capturing in closer to real time the myriad of legislative and regulatory developments that are occurring on a daily basis.

Contractual review needs to be reduced to a seven-day turn around. Currently, only 70% of contracts are turned around in one week. 80% are reviewed in two weeks.

4. Identify any areas you believe will need improvement **to respond to expected changes** in your unit's future primary responsibilities or overall unit workload (e.g. changes created by increased enrollment, state budget allocations, additional facilities, new technologies, etc.)

The unit does not foresee expected changes in its primary responsibilities. The workload remains extensive given the broad nature of the legal issues facing the District. In terms of compliance, the sheer number of new ideas and the speed with which they need to be implemented may call for further staff or creative use of staff outside the General Counsel's Office to keep track of these changes and to assist in the update of the District's policies, regulations and processes.

II. Institutional Support for Unit Effectiveness

Based on your findings regarding your unit's effectiveness in meeting its primary responsibilities, identify **how the District can better support** you in your improvement efforts.

Long term, the hiring of a legal fellow – a first or second year attorney who would serve on a one-year or two-year contract without the expectation that it would be renewed – could provide further legal support on quick research issues; a broader review of our contractual obligations and documentation; and a fuller more regular review of the District's Policies and Regulations.

VIII. Resources Required to Improve Unit Effectiveness

Briefly summarize current resources available to your unit (e.g. staff, facilities, equipment, professional development, research data, etc.) to carry out your primary responsibilities. Identify new **resources needed** to meet or maintain program effectiveness, maintain currency, and meet anticipated growth needs. Include evidence to support your conclusions.

The General Counsel's Office currently consists of a single attorney and a single support staff member (although that position is currently vacant and in the process of being filled). The office utilizes a single office and a single secretarial station both of which have computers, desktop scanners, and utilizes the Chancellor's Office's telephone service, internet connection, copiers, scanners, fax machines and office supplies.

For all litigation, complex real estate issues, projects of a specialized nature, and projects where the office is unable to respond in a timely manner, the office retains and utilizes outside counsel services from several local firms. In the arena of governmental affairs, the office utilizes an outside lobbyist in conjunction with the Chancellor.

The General Counsel utilizes the National Association of College and University Attorneys as its basic source of professional development (including its annual meeting and webinars). The General Counsel also participates in local professional development with the local state and federal bar associations.

IX. Recommendations

1. Based on your program review findings, **list your recommendations** to improve your unit. (Cite appropriate section of this report for each recommendation.)

Section VI (3); More focus on reviewing contacts faster to have 80% of contracts reviewed and approved within one week.

Section VI (3); More focus on reviewing new legislation and regulations as they come out and implementing necessary changes in the District's policies, regulations and operations.

2. Suggestions for Improving the Program Review Process

Please provide any constructive **feedback** aimed at improving LRCCD's Program Review process, including ways in which it may be more effectively aligned with other processes at the District and colleges (strategic plan, other planning, resource allocation, etc.).

None.

X. Appendix

1. List the **sources** you used to support this Program Review document.
 - General Counsel Website
 - Task List (Attorney-Client Privileged and Attorney Work Product)
 - Reports to Chancellor of ongoing and completed projects (Attorney-Client Privileged and Attorney Work Product)
 - Annual report to the Chancellor (Attorney-Client Privileged and Attorney Work Product)
 - Goals and Achievements

2. Identify here the **supporting documents** (e-copies) you intend to include with your program review submittal.
 - General Counsel Website
 - Goals and Achievements