



San Francisco Free City College Oversight Committee

Meeting Packet



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Free City College Oversight Committee

Meeting Agenda



Members: Jenny Lam (Co-Chair), Shanell Williams (Co-Chair), Dr. Lisa Cooper Wilkins, Nikki Hatfield, Win-Mon Kyi, Angelica Campos, Supervisor Gordon Mar, Jennifer Fong, Maria Su, Alisa Messer, Christopher Brodie, Tyler Wu, Conny Ford, Vick Van Chung, Calvin Quock

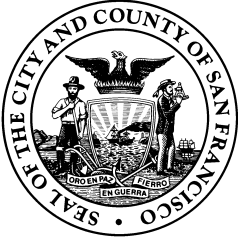
Date and Time: Thursday, January 27, 2022, 2:00 PM – 3:30 PM

Meeting Link: <https://us06web.zoom.us/j/84201785239?pwd=NjNlNzYVptRkxCSnVld3M2cTk0UT09>

Join by Telephone: +1-699-900-6833

Webinar ID: 842 0178 5239; Passcode: 506304

- I. Call to Order and Roll Call**
 - A. Action Required
- II. Adoption of the Agenda**
 - A. Action Required
- III. General Public Comment**
 - A. This item allows members of the public to comment generally on matters within the Committee’s purview that are not on the agenda.
- IV. Approval of the Minutes**
 - A. Action Required
- V. Resolution to Allow Teleconferenced Meetings Under CA Government Code Section 54953(e)**
 - A. Action Required
- VI. Crowe Audit Review Presentation**
 - A. Discussion Only
- VII. Update on Free City College Fall 2021**
 - A. Discussion Only
- VIII. Future Agenda Items**
 - A. Discussion Only
- IX. Adjournment**
 - A. Action Required



Free City College Oversight Committee

Meeting Agenda



KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapters 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, please contact: Sunshine Ordinance Task Force Administrator
 City Hall – Room 244 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102-4683
 415-554-7724 (Office); 415-554-7854 (Fax)
 E-mail: SOTF@sfgov.org

Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City's website at www.sfgov.org. Copies of explanatory documents are available to the public online at <http://www.sfbos.org/sunshine> or, upon request to the Commission Secretary, at the above address or phone number.

LANGUAGE ACCESS

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon request. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact Emily Davis at 415-554-8991 or Emily.Davis@dcyf.org at least 48 hours in advance of the hearing. Late requests will be honored if possible.

ACCESSIBLE MEETING POLICY

Per the Americans with Disabilities Act and the Language Access Ordinance, Chinese, Spanish, Filipino (Tagalog), and/or American Sign Language interpreters will be available upon request. Additionally, every effort will be made to provide assistive listening devices and meeting materials in alternative formats (braille or large print). Minutes may be translated after they have been adopted by the Commission. For all these requests, please contact Emily Davis, Community Engagement Associate at least 72 hours before the meeting at 415-554-8991. Late requests will be honored if possible. The hearing room is wheelchair accessible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City to accommodate these individuals.

LOBBYIST ORDINANCE

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, (415) 252-3100, FAX (415) 252-3112, website: www.sfgov.org/ethics.

CHINESE

如對會議有任何疑問，請致電415-557-9942查詢。當會議進行時，嚴禁使用手機及任何發聲電子裝置。會議主席可以命令任何使用手機或其他發出聲音裝置的人等離開會議場所。

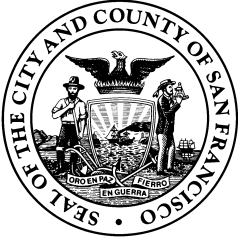
了解你在陽光政策下的權益

政府的職責是為公眾服務，並在具透明度的情況下作出決策。市及縣政府的委員會，市參事會，議會和其他機構的存在是為處理民眾的事務。本政策保證一切政務討論都在民眾面前進行，而市政府的運作也公開讓民眾審查。如果你需要知道你在陽光政策 (San Francisco Administrative Code Chapter 67) 下擁有的權利，或是需要舉報違反本條例的情況，請聯絡：

陽光政策 專責小組行政官

地址：City Hall – Room 244 1 Dr. Carlton B. Goodlett Place
 San Francisco, CA 94102-4683
 電話號碼:415-554-7724；傳真號碼415- 554-5163
 電子郵件: SOTF@sfgov.org

陽光政策的文件可以通過陽光政策專責小組秘書、三藩市公共圖書館、以及市政府網頁www.sfgov.org等途徑索取。民眾也可以到網頁 <http://www.sfbos.org/sunshine> 閱覽有關的解釋文件，或根據以上提供的地址和電話向委員會秘書索取。



Free City College Oversight Committee

Meeting Agenda



語言服務

根據語言服務條例(三藩市行政法典第91章), 中文、西班牙語和/或菲律賓語(泰加洛語) 傳譯人員在收到要求後將會提供傳譯服務。翻譯版本的會議記錄可在委員會通過後透過要求而提供。其他語言協助在可能的情況下也將可提供。上述的要求, 請於會議前最少48小時致電415-557-9942或電郵至 Brandon.Shou@dcyf.org 向委員會秘書Brandon Shou提出。逾期提出的請求, 若可能的話, 亦會被考慮接納。

利便參與會議的相關規定

根據《美國殘疾人士法案》(Americans with Disabilities Act) 與「語言服務條例」(Language Access Ordinance), 中文、西班牙文、菲律賓文和/或美國手語傳譯員, 須應要求, 提供傳譯服務。另外, 我們會盡一切努力予以提供輔助性聽力儀器及不同格式(點字印製或特大字體)的會議資料。翻譯版本的會議記錄可在委員會通過後予以提供。如有這些方面的請求, 請在會議前七十二(72)小時致電415-557-9942與Brandon Shou 聯絡。逾期所提出的請求, 若可能的話, 亦會接納。聽證室設有輪椅通道。

為了讓市政府更好照顧有嚴重過敏、因環境產生不適、或對多種化學物質敏感的病患者, 以及有相關殘疾的人士, 出席公眾會議時, 請注意其他與會者可能會對不同的化學成分產品產生過敏。請協助市政府關顧這些個別人士的需要。

遊說者法令

依據「三藩市遊說者法令」(SF Campaign & Governmental Conduct Code 2.100) 能影響或欲影響本地立法或行政的人士或團體可能需要註冊, 並報告其遊說行為。如需更多有關遊說者法令的資訊, 請聯絡位於 Van Ness 街25號 220室的三藩市道德委員會, 電話號碼:415- 252-3100, 傳真號碼 415-252-3112, 網址: www.sfgov.org/ethics。

SPANISH

Para preguntas acerca de la reunión, por favor contactar el 415-934-4840. El timbrado de y el uso de teléfonos celulares, localizadores de personas, y artículos electrónicos que producen sonidos similares, están prohibidos en esta reunión. Por favor tome en cuenta que el Presidente podría ordenar el retiro de la sala de la reunión a cualquier persona(s) responsable del timbrado o el uso de un teléfono celular, localizador de personas, u otros artículos electrónicos que producen sonidos similares.

CONOZCA SUS DERECHOS BAJO LA ORDENANZA SUNSHINE

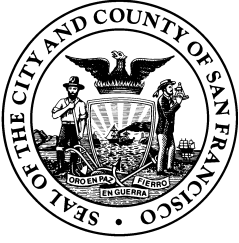
El deber del Gobierno es servir al público, alcanzando sus decisiones a completa vista del público. Comisiones, juntas, concilios, y otras agencias de la Ciudad y Condado, existen para conducir negocios de la gente. Esta ordenanza asegura que las deliberaciones se lleven a cabo ante la gente y que las operaciones de la ciudad estén abiertas para revisión de la gente. Para obtener información sobre sus derechos bajo la Ordenanza Sunshine (capítulo 67 del Código Administrativo de San Francisco) o para reportar una violación de la ordenanza, por favor póngase en contacto con:

Administrador del Grupo de Trabajo de la Ordenanza Sunshine (Sunshine Ordinance Task Force Administrator)
City Hall – Room 244 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
415-554-7724 (Oficina); 415-554-5163 (Fax);
Correo electrónico: SOTF@sfgov.org

Copias de la Ordenanza Sunshine pueden ser obtenidas del Secretario del grupo de Trabajo de la Ordenanza Sunshine, la Biblioteca Pública de San Francisco y en la página web del internet de la ciudad en www.sfgov.org. Copias de documentos explicativos están disponibles al público por Internet en <http://www.sfbos.org/sunshine>; o, pidiéndolas al Secretario de la Comisión en la dirección o número telefónico mencionados arriba.

ACCESO A IDIOMAS

De acuerdo con la Ordenanza de Acceso a Idiomas "Language Access Ordinance" (Capítulo 91 del Código Administrativo de San Francisco "Chapter 91 of the San Francisco Administrative Code") intérpretes de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Las minutas podrán ser traducidas, de ser requeridas, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con Prishni Murillo al 415-934-4840, o Prishni.Murillo@dcyf.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.



Free City College Oversight Committee

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POLITICA DE ACCESO A LA REUNIÓN

De acuerdo con la Ley sobre Estadounidenses con Discapacidades (Americans with Disabilities Act) y la Ordenanza de Acceso a Idiomas (Language Access Ordinance) intérpretes de chino, español, filipino (tagalo) y lenguaje de señas estarán disponibles de ser requeridos. En adición, se hará todo el esfuerzo posible para proveer un sistema mejoramiento de sonido y materiales de la reunión en formatos alternativos. Las minutas podrán ser traducidas luego de ser aprobadas por la Comisión. Para solicitar estos servicios, favor contactar a Prishni Murillo, por lo menos 72 horas antes de la reunión al 415-934-4840. Las solicitudes tardías serán consideradas de ser posible. La sala de audiencia es accesible a silla de ruedas.

ORDENANZA DE CABILDEO

Individuos y entidades que influyen o intentan influenciar legislación local o acciones administrativas podrían ser requeridos por la Ordenanza de Cabildeo de San Francisco (SF Campaign & Governmental Conduct Code 2.100) a registrarse y a reportar actividades de cabildeo. Para más información acerca de la Ordenanza de Cabildeo, por favor contactar la Comisión de Ética: 25 de la avenida Van Ness, Suite 220, San Francisco, CA 94102, 415-252-3100, FAX 415-252-3112, sitio web: www.sfgov.org/ethics.

FILIPINO

Kung mayroon kayong mga tanong tungkol sa miting, mangyaring tumawag lang sa 415-554-8991. Ang pagtunog at paggamit ng mga cell phone, mga pager at kagamitang may tunog ay ipinagbabawal sa pulong. Paalala po na maaaring palabasin ng Tagapangulo ang sinumang may-ari o responsible sa ingay o tunog na mula sa cell-phone, pager o iba pang gamit na lumilikha ng ingay.

ALAMIN ANG INYONG MGA KARAPATAN SA ILALIM NG SUNSHINE ORDINANCE

Tungkulin ng Pamahalaan na paglinkuran ang publiko, maabot ito sa patas at madaling maunawaan na paraan. Ang mga komisyon, board, kapulungan at iba pang mga ahensya ng Lungsod at County ay mananatili upang maglingkod sa pamayanan. Tinitiyak ng ordinansa na ang desisyon o pagpapasya ay ginagawa kasama ng mamamayan at ang mga gawaing panglungsod na napagkaisahan ay bukas sa pagsusuri ng publiko. Para sa impormasyon ukol sa inyong karapatan sa ilalim ng Sunshine Ordinance (Kapitulo 67 sa San Francisco Administrative Code) o para mag-----report sa paglabag sa ordinansa, mangyaring tumawag sa Administrador ng Sunshine Ordinance Task Force .

City Hall – Room 244 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4683
415-554-7724 (Opisina); 415-554-7854 (Fax)
E-mail: SOTF@sfgov.org

Ang mga kopya ng Sunshine Ordinance ay makukuha sa Clerk ng Sunshine Task Force, sa pampublikong aklatan ng San Francisco at sa website ng Lungsod sa www.sfgov.org. Mga kopya at mga dokumentong na nagpapaliwanag sa Ordinance ay makukuha online sa <http://www.sfbos.org/sunshine> o sa kahilingan sa Commission Secretary, sa address sa itaas o sa numero ng telepono.

PAG-ACCESS SA WIKA

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din magkaroon ng tulong sa ibang wika. Sa mga ganitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission Emily Davis sa 415-554-8991, o Emily.Davis@dcyf.org sa hindi bababa sa 48 oras bago mag miting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

PATAKARAN PARA SA PAG-ACCESS NG MGA MITING

Ayon sa batas ng Americans with Disabilities Act at ng Language Access Ordinance, maaaring mag-request ng mga tagapagsalin wika sa salitang Tsino, Espanyol, Filipino o sa may kapansanan pandinig sa American Sign Language. Bukod pa dito, sisikapin gawan ng paraan na makapaglaan ng gamit upang lalong pabutihin ang inyong pakikinig at maibahagi ang mga kaganapan ng miting sa iba't ibang anyo (braille o malalaking print). Ang mga kaganapan ng miting ay maaaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Sa mga ganitong uri ng kahilingan, tumawag po lamang kay Emily Davis sa 415-554-8991. Magbigay po lamang ng hindi bababa sa 72 oras na abiso bago ng miting. Kung maaari, ang mga late na hiling ay posibleng tanggapin. Ang silid ng pagpupulungan ay accessible sa mga naka wheelchair.

LOBBYIST ORDINANCE

Ayon sa San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code 2.100], ang mga indibidwal o mga entity na nag iimpluensiya o sumusubok na mag impluensiya sa mga lokal na pambatasan o administrative na aksyon ay maaaring kailangan mag-register o mag-report ng aktibidad ng lobbying. Para sa karagdagan na impormasyon tungkol sa Lobbyist Ordinance, tumawag lamang po sa San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102, (415) 252-3100, FAX (415) 252-3112, website: www.sfgov.org/ethics.



San Francisco Free City College Oversight Committee

Minutes



Members: Jenny Lam (Co-Chair), Shanell Williams (Co-Chair), Nikki Hatfield, Win-Mon Kyi, Angelica Campos, Supervisor Gordon Mar, Jennifer Fong, Mendy Ma, Maria Su, Elizabeth Coria, Alisa Messer, Christopher Brodie, Tyler Wu, Conny Ford, Vick Van Chung

Date and Time: Monday, November 16th, 2020, 3:00 PM – 5:00 PM

Location: Zoom Webinar Meeting, [click here for link](#).

I. Call to Order and Roll Call

- A. Meeting called to order at 4:06 pm.
- B. 14 members were present, Member Chung absent.
- C. Aliya Chisti, Senior Free City Analyst, presented best practices for the Zoom Meeting.

II. Adoption of the Agenda

- A. Motion made by Member Ford to adopt the agenda, seconded by Member Wu. Agenda unanimously adopted.

III. Approval of the Minutes from July 16, 2020

- A. Motion made by Member Brodie to adopt the minutes, seconded by Member Messer. Minutes approved unanimously.

IV. General Public Comments

- A. No public comment.

V. Spring and Summer 2020 Ongoing Program Reporting Update

- Aliya Chisti reviewed a Memo that DCYF sent to CCSF in December 2019, elaborating on the language in the MOU in regards to reporting requirements for the ongoing program reporting and the annual report on student success and equity outcomes.
- She thanked CCSF for drilling data down to Free City College Program Participants since it is a labor-intensive task. She also indicated that CCSF and DCYF will be meeting after the OC meeting to continue discussions on the Annual Progress Report and wanted to open discussion to the OC.
- Dr. Coria provided members with an overview of the Spring and Summer 2020 ongoing program report. She stated that 14,895 students were served by Free City in Spring 2020 and the total was \$4,831,336.61.
- She also indicated that Spring 2020 was impacted by the pandemic and that state chancellor's office declared a state of emergency in March and students are being held harmless due to the state of emergency if they dropped after March 9th.
- Supervisor Mar had a question about the repayment process for the enrollment fee waiver.
- Dr. Coria stated in Spring 2020 there were 1,965 total students that withdrew, but not all of those students were liable if they dropped after March 9th and not all 1,965 students are included in the repayment amount of \$337,000. If students had a late drop between January to March, Free City students would still be liable for the fee as required by Title 5 regulations since those fees cannot be removed if the student withdraws late.

- Member Messer asked for more information on the impact of students that owe fees that are a part of free city and reiterated that this was something that also came up in the previous annual report. Dr. Coria stated that the research team is researching and looking at this data and that she will bring this request back to them.
- Member Williams wanted to know about the barriers to removing those fees for students. Dr. Coria stated per Title 5, CCSF cannot remove the fees, but they can be paid off, and another funding mechanism would need to be identified.
- Member Messer stated that free city could pay for the repayment fees and still be Title 5 compliant.
- Member Hatfield requested information on whether students with grants could also be liable for repayment. Dr. Coria stated that students could be liable for repaying grants or waivers.
- Member Wu echoed the need to know about who is withdrawing and that data need to be known, especially if those students are low-income and students of color.
- Member Su, asked about the extended drop date by the state. Dr. Coria stated it depended on the institution, but for CCSF it was on March 9th when CCSF declared a state of emergency. Member Su suggested the City Attorney look into how Free City could be used to support students that withdrew.
- Dr. Coria presented Summer 2020 and there were no repayments, the final adjustment and disbursed amount are the same.

VI. Draft Annual Report on Student Success and Equity Outcomes and FAFSA Outreach Update

- Dr. Coria presented financial aid information on FCC students, and outcomes of earned awards for FCC students, and equity groups that earned a degree that were FCC students.
- Member Hatfield requested the need to break down the equity populations even further and the need to disaggregate the information to know more about specific groups. Member Hatfield also echoed the sentiment about the need for more information such as disaggregated data about who owes repayment.
- Chair Williams echoed sentiment for there to be a greater drill down, and Dr. Coria stated she will take this feedback to the team.
- Member Messer stated that the slide on student outcomes we see that for FCC students, associate degrees and ADT are high access, but FCC students with diplomas is smaller and posed how to leverage free city to help these groups in succeeding in college. Member Williams echoed. Dr. Coria will take this information to IR team.
- Member Lam emphasized the equity-focused lens for Mayor Breed and the desire of the OC to further drill down on data. She also wanted to follow up on the FAFSA slide and how there is a slight decrease in FAFSA application rate. Dr. Coria emphasized that the financial aid office had to work harder to do outreach since FAFSA is not required in Free City.
- Member Fong stated how the data for Free City is making an impact on transfer and awards and wants to know drill down on how Dual enrollment may have played a role and to have more data on how there has been an increase on the number of awards and how to keep that number high.
- Supervisor Mar emphasized the importance of drill down and how it is impressive how there has been an increase in degrees and certificates and hopes that Free City has played a role. However, the first slide on enrollment at City College shows there hasn't been an increase in enrollment over time.
- Dr. Coria stated enrollment has been going down since 2012 accreditation, enrollment is down across the board at all community colleges across the board, the institution has been exploring what to do differently, but there has not been a significant impact in a positive direction. There is a new team coming in that will work on improving marketing and governmental relations.
- Member Su, asked about the drop in college promise grant applications.

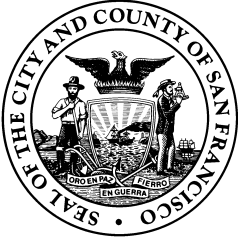
- Dr. Coria said that enrolling in Free City is simple because of the affidavit. However, federal and state applications are more complicated. The administration has heard feedback that students receive the FCC waiver and do not apply for FAFSA and do not want to draw down on FAFSA. There is a perception of the ease of Free City versus the more invasive federal and state application. Students find the Free City process is easier. Dr. Coria stated that the drop is most likely due to the complexity of FAFSA and that it is not required in Free City.
- Member Wu stated the importance of following students that received Free City dollars in 17-18 and following students year over year to see how many students received an award. He stated that 11% of free city students earned a reward and to explore how to pair access and success.
- Dr. Coria stated that Free City only covers tuition, there is a lot more needed to support success for completion factors, which is not included in Free City.
- Member Brodie stated the percentage of students in an equity group that have been getting a certificate has gone down, he stated that over the last few years students have fears around federal applications due to the Trump administration.
- Member Ford stated that 19-20 was a difficult year and that we need to be cautious as we review the numbers.
- Member Lam posed how to foster strategic partnerships to support with outreach and enrollment efforts at CCSF.
- Dr. Coria stated that the college has recruitment specialists. CCSF collaborated with CBOs for a CBO summit and that there also has been a "Why CCSF" discovery session to bring in high school students.
- Member Lam suggested to follow-up on outreach efforts at CCSF and to place on agenda for a future discussion.
- Dr. Coria stated she will take the feedback to the CCSF team, she is transitioning out of CCSF, and will make sure this information to the incoming vice-chancellor.
- City Attorney David Ries joined, and Member Su asked what the process is like to use Free City College dollars to support students that dropped between January to March and now owe the college for dropping classes during that time.
- Dr. Coria clarified that the state allowed the college to remove the outstanding balance from their accounts, the state did not pay the fees for students that dropped after the March 9th.
- David Ries stated there needs to be additional legislative analysis to determine whether it would be possible and that he would follow-up.

VII. Future Agenda Items

- A. Rosie Zepeda, Director of Media and Governmental and Marketing at City College wanted to greet members and to ensure there is collaboration moving forward.
- B. Member Messer requested additional information on students that owe fees.
- C. Member Wu wanted additional information on outreach and messaging for Free City.
- D. Mendy Ma echoed to review the independent audit.

VIII. Adjournment

- A. Motion to adjourn made by Member Campos and seconded by Member Messer. Meeting adjourned at 4:36 pm.



Free City College Oversight Committee

Minutes



Members: Jenny Lam (Co-Chair), Shanell Williams (Co-Chair), Dr. Lisa Cooper Wilkins, Nikki Hatfield, Win-Mon Kyi, Angelica Campos, Supervisor Gordon Mar, Jennifer Fong, Maria Su, Alisa Messer, Christopher Brodie, Tyler Wu, Conny Ford, Vick Van Chung

Date and Time: Monday, April 12th, 2021 10am-12pm
Location: Zoom Webinar Meeting, [click here for link](#).

I. Call to Order and Roll Call

- A. Meeting called to order at 10:03am
- B. Jasmine Dawson, Senior Manager, presented that due to the COVID-19 health emergency City Offices are closed. Members and employees will be participating in the meeting remotely.

II. Adoption of the Agenda

- A. Agenda unanimously adopted.
- B. Member Comments
 - Member Ford raised a question raised: The minutes were missing of the last meeting. Director Su offered to share the minutes after the meeting. City Attorney David Ries recommended approving the minutes at the next meeting.

III. General Public Comment

- A. No general public comment.
- B. Member Messer received permission to share a statement from a student on Free City and stated what it meant to her. The letter stated that for years the student experienced housing issues due to escaping from an abusive relationship and last year she was able to secure stable housing. She was living with a friend also experiencing housing issues but secured public housing and the friend shared that the local community college offered free tuition and encouraged her to enroll. Now at 31 she is enrolled thanks to the Free City grant and because the cost to attend is higher than she can afford, she watched her friends struggle and often end up in debt. She said without this grant she would not have been able to attend college. She concluded by thanking everyone and said that this has been so important to her. Member Messer also shared that a lot of instructors spend time hearing from students who's valued Free City and that the Committee doesn't often hear these stories.

IV. Update from Crowe

- A. Update from Mark Maraccini, Project Partner, and Aaron Coen, Project Manager, from Crowe, the firm that audits the Free City program. Their presentation on the Performance Audit shared the status. They opened by sharing their long history doing internal and external audits for institutions of higher education including federal and state compliance audits. They shared that this audit was for the period of August 1, 2019, to August 31, 2020, 13 month period, mainly to cover for the semesters Fall 2019, Spring 2020 and Summer 2020. Audit has three main objectives whether FCC funds used in accordance with the MOU, determine whether unspent funds were returned to the Program fund, and whether City College has reasonable controls for determining that financial and operational activities over the program are properly performed. Note: If there is a compliance item not found they will point to/recommendation around or strengthen controls. And several non-audit procedures which include preparing a cost analysis for FY under audit and provide recommendations to help program sustainability and look at how federal/state aid is being leveraged in conjunction with the Free Tuition Program, calculate the percentage of the total budget that is tuition and what is percentage is used to grant to students, assess DCFY's management and monitoring of the MOU, and



Free City College Oversight Committee

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make recommendations for this monitoring throughout the program, and lastly how much revenue is generated from the program.

B. Member Comments

- Member Chung asked who was involved in the non-audit procedure settings. Crowe responded that they worked through the City and DCYF to develop the non-audit procedures. Member Chung commented that they thought the Committee could be additional eyes, even though the settings are OK, on what the procedures would look like. Crowe agreed and shared that this is the first audit, these will be done annually, and that procedures are intended to give additional analysis, and this could be built into future audits. And with more time the objectives would be more enhanced.
- Member Cooper Wilkins commented about the terminology about the non-audit wording. Wanted to know how we distinguish between students who get grant money and tuition money because they are all grant funds. She shared that the terminology of grants and tuition could be confusing. Crowe responded that their process may be dated and said for the final report they could modify the language. Clarified to look at how students are utilizing the program along with other state and federal funding.
- Member Ford asked about the reserves and how much we are putting in the reserves because this is key to our ongoing economically troubling times with the City and state. Wondering if it's an audit question or a financial question. Crowe responded that this is not an audit objective, while important, they are looking at things through non-audit analysis and trying to better understand program needs and what needs to go into the reserves. Member Ford asked where she could find this information, how much being put into reserves and how healthy it is. Mendy offered to find out the reserves amounts and offered to send to the Chairs.
- Supervisor Gordon Mar asked clarifying information based on audit dates. Crowe clarified the context error that the calculation is for the audit period. Asked to understand the additional reserves. Crowe shared that the objectives look at the grant program and administrative portions. Supervisor Mar asked what the timeline was for completing this first audit and creating report for Committee.
- Crowe shared that there are still in the information gathering and learning phase of the audit. Met with TSA and DCYF initially and then developed audit program and after it was approved, they began interviewing City College staff and staff that touched the FCC program. They gathered as much as they could and as much information as they could while performing the audit. Conducted interviews which informed data requests with the City and added more questions, some outstanding questions but most are from recent data submissions. Next steps are to get all information from City College and check internal controls to satisfy goals and objectives. Will work through non-audit procedures and working closely with City College and the City and will share a draft report and then a final report. Still have a lot of work to do and still learning. Starting detail testing phase. On track for mid-May to have initial observations and findings/draft report. Some internal reviews and with City and before present to the Committee. Crowe shared they would vet any findings and recommendations with the City College and make sure underlying facts are correct and 100% accurate.
- Member Messer asked about the process and how its connected to some of the other work that's been done to understand how FCC been operating. Interested in interviews and wondered if they looked at the annual report from a few years ago which also made recommendations and how to strengthen program and its operations. Crowe responded that they have been looking at the materials and confirmed as part of their data gathering. This data was incorporated. Offered to also incorporate any previous findings. Member Messer encouraged Crowe to look at previous report because it would help with context.
- Member Chung asked if there was room to interview students and that this would be a great non-audit objective. Worried about unintentional burden we put on students if they miss a deadline. Crowe responded that in a future audit this step could be built in to solicit feedback from students. City and Committee can



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make this recommendation for future audits. Member Messer confirmed this was an original recommendation.

- Member Messer asked how much revenue is being generated by FCC program and how will this be measured. Crowe responded this is difficult to come up with, doesn't have an anchor, the exact number and tracking this metric. Offered to look at those components. If can't look at them this year can at least make recommendations for next year and look at them from an audit standpoint. Looking at better ways and tracking and monitoring so it can be analyzed. Alisa concluded that this is important to measure impact on students. Crowe is hopeful to have good recommendations and better monitor features and report back the important items.

C. Public Comment

- No public comment.

V. Final Presentation of Annual Report

- A. Member Cooper Wilkins and Liz Leiserson shared the CCSF Free City College Annual Data report for 2019-2020. Looked at the two semesters impacted by COVID-19, don't know what all of it means. Majority of students are FCC. Shared data on who students, trends on demographics of students over time, financial aid metrics data, retention and drop rates, annual unit load, academic progress, outcome: degrees and certificates and additional data and next steps. Member Cooper Wilkins also shared potential opportunities to close the equity gaps including engaging in targeted outreach.
- B. Member Comments
- Member Chung encouraged us to not eliminate broad outreach and expand book loan access program. Asked if demographics analyzed by total residents in a neighborhood. Wanted to better understand data points. Also asked about FAFSA info and does the data include students who may not qualify. Liz responded because she was trying to understand the reasons why students drop. Added that we could set different targets and for she would need to FAFSA definition, can follow up to confirm.
 - Member Wu was thankful for the report and shared what stood out for him was the 10% decline in financial aid application. Shared there are conversations about simplifying the FAFSA, that the state is looking to remove the age eligibility, and there needs to be incentives for students to complete applications and unlock tuition costs. Wondered if more disaggregated could be made publicly – specifically for other ethnic groups like Pacific Islander. Liz shared the groups come from standard reporting requirements and that it is complicated to compare with the City's demographics.
 - Member Fong question about financial aid metrics, particularly the younger students. Are you seeing trends with younger students not completing the applications? Liz offered to follow up.
 - Supervisor Mar questioned Lisa's opportunities to address equity gaps. Asked what the process is for exploring the ideas presented. Other question includes whether these require budget. Can we pull from the grant or the reserves? Member Cooper Wilkins responded that the last recommendations she could reach out to the group to get a scope of work and see if the work aligns with the approaches and could explore partnership if financially feasible. There are some no cost recommendations and those could be leveraged. Supervisor Mar asked about pilot incentives for students. Member Cooper Wilkins said she would see what resources are available and pointed to many things that are also already underway and would explore what's available to additional students. Supervisor Mar then asked for the financial report to understand how the expenditures on the program match the actual grant amount because City's amount increased from \$15M. Would like to see a report on the status and revenues. Director Su responded that in the next meeting would spend time to go through the financials to see how much funding has been spent and the reserves. Asked for us to investigate doing an equity audit. Would bring a full financial report and budget.



Free City College Oversight Committee

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- Member Messer commented about retention and wanted to lift the stories of what free education makes possible for students. Also commented about more conversation about pilot incentives and how Committee could shape this. Suggestion to the Committee to help students who get into debt and it's a barrier and can we figure out how it impacts students and how we want to address it. Request to meet sooner and work on these questions in the interim. Director Su offered scheduling is hard with the holidays.
- Member Chung shared there is a lot of work to serve the equity populations. Shared that we need to consider operational costs and not have an unintentional divestment of funds. Wants to second the idea of meeting more frequently. Mentioned the cuts and layoffs and wants to know if reserves can help bolster enrollment.
- Member Ford asked about Committee work and to help the work move forward. Consider breaking up into subcommittees and to meet more frequently. Chair Lam offered to check in with Co-Chair Williams to find ways to advance the work. Excited about the recommendations and opportunities.
- Chair Lam asked what about the implications with the decrease of FAFSA and this ongoing trend. Member Cooper Wilkins responded that the more students who complete it, the more funding they get. She shared there are things that students are eligible for and may be missing out on opportunities. This is a national trend and students may be putting off completing the FAFSA and deciding to go right into the workforce. Students don't know that there may be more support if they go full time. Outreach office is making this information available but with COVID-19 there are many articles about the lost generation – students who never completed the FAFSA. Goal continues to be to get students living wage jobs. Chair Lam asked what statistics for SFUSD students are going to City College. Liz shared that about a quarter of SFUSD students show up to City College and in terms of trends there's not a direct connection or major shift. There is an increase in dual enrollments. Member Fong shared that the numbers may be higher. Current students are submitting a FIRPA block so its hard to tell where students are going. So, it's harder to track students. Feels that closer to 40% of students are enrolling in City College.
- Chair Lam shared that we need to follow up pilot incentive and the equity audit.

VI. Update on Free City College Fall 2020

- A. Member Cooper Wilkins reported out that she developed enrollment metrics term over term. She shared this for the Fall and shared that it looks like it does for other semesters. Showed data in drops in enrollment and units earned.
- B. Member Chung shared that at last Board of Trustee' Student Success Committee Vice President Vogel gave a breakdown of percentages for students and what grade they received, withdrawals and subjects. Liz shared they are not seeing big changes. Note: Member Fong shared in the chat two years of data and clarified what the FIRPA block means.
- C. No public comment.

VII. Future Agenda Items

- A. Financial update FCC expenditures and looking at equity recommendations and scope and the incentive pilots being explored. Chair Williams asked to see demographic data on students as well. Members Chung and Ford asked for committee exploration work. Member Cooper Wilkins also asked to look at minutes from the last several meetings and wanted to pull out past recommended agenda items. Member Ford requested copies of all materials and documents.
- B. No public comment.

VIII. Adjournment

- A. Meeting adjourned at 12:00pm.



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MEMORANDUM

TO: Honorable London N. Breed, Mayor
Honorable Members, Board of Supervisors
Carmen Chu, City Administrator
Angela Calvillo, Clerk of the Board of Supervisors

FROM: Jon Givner, Deputy City Attorney
Anne Pearson, Deputy City Attorney
Bradley Russi, Deputy City Attorney
Paul Zarefsky, Deputy City Attorney

DATE: September 28, 2021

RE: Updated Advice Regarding Meetings of Policy Bodies during COVID-19 Emergency

Over the past 18 months, the City Attorney's Office has issued a series of public memoranda summarizing the evolving laws that apply to meetings of policy bodies during the ongoing COVID-19 pandemic. Based on recently enacted State legislation and other developments, in this memorandum we update and supersede our memorandum of June 5, 2020 on the same subject, which itself updated and superseded earlier memoranda dated March 13, 2020, March 24, 2020, and April 10, 2020. We will continue to update this memorandum as appropriate to address other significant changes in the law around public meetings while the pandemic continues.

On February 25, 2020, Mayor London N. Breed declared the existence of a local emergency relating to COVID-19. Since that declaration, the County Health Officer has issued a number of public health orders relating to COVID-19, the Governor and State Health Officer have issued overlay state orders, and the Mayor and Governor have issued emergency orders suspending select laws applicable to boards, commissions, and other policy bodies, including advisory bodies (collectively, "policy bodies"). As background, we summarize those orders in a brief chronology, in subsection A below.

Then, in subsection B of this memorandum, we address and update a number of legal questions that have arisen regarding policy body meetings during the emergency. The main change since our June 5, 2020 memorandum is that the Legislature recently enacted AB 361, a bill that facilitates the ability of policy bodies to meet remotely during a state of emergency. Most notably, beginning on October 1, 2021, policy bodies must make specific findings at least once every 30 days to continue holding remote meetings without complying with restrictions in State law that would otherwise apply. In this memorandum, we summarize AB 361 at the end of subsection A, and discuss that new requirement in Question 1 in subsection B.

In this memorandum, we do not address the laws and rules that will apply when policy bodies return to in-person meetings. We will issue additional public guidance at that time.

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A. Chronology of Orders and Recommendations of the Mayor, Governor, County Health Officer, and State Legislation, Relating to Public Meetings

The Mayor, the Governor, and the County Health Officer have issued the following emergency orders that specifically relate to meetings of policy bodies:

- On March 11, 2020, the Mayor supplemented her initial declaration of local emergency with an order to suspend select provisions of local law, including sections of the City Charter that prohibit teleconferencing by members of policy bodies, and extended deadlines in local law by which policy bodies must act. This order will remain in place until the Mayor or the Board of Supervisors terminates it.
- On March 12, 2020, the Governor issued an executive order suspending provisions of the Brown Act to allow members of policy bodies to participate in public meetings remotely and without noticing their remote locations, but requiring that there be a physical meeting place for members of the public. On March 18, 2020, the Governor issued another executive order superseding the previous order and authorizing policy bodies to meet by teleconference without having a physical meeting place for members of the public. The Governor superseded that order with a similar executive order on June 11, 2021 (the “Brown Act Suspension Order”). As stated in executive orders dated June 11, 2021 and September 20, 2021, the Brown Act Suspension Order will terminate on October 1, 2021.
- On March 16, 2020, the County Health Officer ordered City residents to stay safe in their homes except for certain essential needs and services, and prohibited all public and private meetings and travel, with certain exceptions. The Health Officer modified and extended the order several times, and replaced it on June 11, 2021 with a new Safer Return Together order. The Health Officer’s current order does not specify an end date.
- On March 17, 2020, the Mayor issued another supplemental order prohibiting all City policy bodies from holding public meetings without prior authorization from the Board of Supervisors, the Mayor, or the Mayor’s designee. This order applied to all policy bodies other than the Board of Supervisors and its committees. The Mayor twice extended that order on April 1 and 30, 2020, and replaced it with subsequent orders on May 29, June 20, and July 31, 2020, as summarized below.
- On March 21, 2020, the Governor issued another executive order, suspending provisions of the Brown Act to allow a majority of members of a policy body to simultaneously receive briefings from local, state, or federal officials concerning information relevant to the COVID-19 emergency outside of a meeting of the policy body and to ask questions of such officials, so long as the members of the policy body do not discuss the COVID-19 emergency among themselves or take any action (the “Private Briefing Order”). In a subsequent executive order on June 11, 2021, the Governor announced that the Private Briefing Order will terminate on September 30, 2021.
- On March 23, 2020, the Mayor issued another supplemental order suspending several provisions of local law regarding policy body meetings, including, among others: (1) the requirement for policy bodies to provide more than 24 hours’ notice of special meetings; (2) the requirement for policy bodies to post their agendas and other information at the Main

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Library; (3) any requirement to televise meetings if televising is not reasonably feasible; (4) the requirement to provide a physical location for members of the public to attend or make public comment when all members of the policy body are teleconferencing from remote locations; (5) the requirement that each member of the public be provided an equal amount of time for public comment; and (6) other requirements that would impede policy bodies' compliance with the Governor's executive orders. The supplemental order also waived all requirements in the Sunshine Ordinance regarding gatherings of passive meeting bodies.

- On May 29, 2020, the Mayor issued another supplemental order allowing policy bodies to meet without prior approval starting June 1, with three conditions. First, the meetings must occur by teleconference or other electronic means without providing a physical meeting place, in compliance with all applicable laws regarding public attendance and comment. Second, policy body meetings must prioritize any urgent action items necessary for public health, safety, and essential government functions. Third, before scheduling a meeting, a policy body that is not established in the Charter must confer with the department that provides administrative and clerical support to the body, to ensure that the meeting will not unreasonably require the time of staff who are otherwise responding to the COVID-19 pandemic.
- On June 20, 2020, the Mayor issued another order allowing a narrow exception to the prohibition on in-person meetings. The June 20 order allows policy body members to meet in-person without members of the public to consider a personnel-related item with advance permission from the Mayor. Finally, on July 31, 2020, the Mayor extended the prohibition on in-person meetings, and the narrow exception. The Mayor's July 31, 2020 order will remain in place until the Mayor or the Board of Supervisors terminates it. The Mayor's order does not apply to meetings of the Board of Supervisors and its committees.

On September 16, 2021, the Governor signed AB 361, a bill amending State law to allow policy bodies under certain circumstances to meet remotely without complying with the Brown Act's normal rules regarding teleconferencing. The bill authorizes modified Brown Act teleconferencing rules to allow remote meetings without providing a physical meeting place for members of the public to attend when the Governor has proclaimed a state of emergency and either (1) state or local officials have imposed or recommended measures to promote social distancing, or (2) meeting in person would present imminent risks to the health or safety of attendees. The bill requires each policy body to make two findings at least once every 30 days to allow the body to continue meeting remotely without complying with the Brown Act's teleconferencing rules: (1) that the policy body has considered the circumstances of the state of emergency, and (2) that one of the following circumstances exists: (a) the state of emergency continues to directly impact the ability of members to meet safely in person, or (b) state or local officials continue to impose or recommend measures to promote social distancing. AB 361 technically took effect on September 16, but the Governor subsequently issued an executive order that suspended AB 361 until October 1, 2021. AB 361 will remain in effect until January 1, 2024.

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B. Questions and Answers Regarding Policy Body Meetings during the Emergency

The orders and legislation described above have changed or suspended a number of rules that normally apply to policy body meetings. In this section of the memorandum we answer questions arising from the orders and legislation.

1. May policy bodies hold remote meetings during the emergency?

Yes. Under the Mayor's July 31, 2020 order, policy bodies may meet remotely without advance approval from the Mayor or the Board of Supervisors. But beginning on October 1, 2021, policy bodies must regularly adopt findings to continue holding remote meetings. Under normal circumstances, the Brown Act imposes special requirements for remote (teleconferenced) meetings—including requirements to provide special notice to the public and to allow members of the public to attend each teleconference location and observe each policy body member at the location calling into the meeting. AB 361 suspends those requirements if the Governor has proclaimed a state of emergency, provided that the policy body makes certain findings. Specifically, to invoke AB 361's provisions, so long as the Governor's emergency proclamation remains in effect, a policy body must make two findings at least once every 30 days:

- (1) it has considered (or reconsidered) the circumstances of the state of emergency; and either
- (2a) the state of emergency continues to directly impact the ability of policy body members to meet safely in person, or
- (2b) state or local officials continue to impose or recommend measures to promote social distancing.

Each policy body should adopt finding 1 and either finding 2a or 2b (or it could adopt both 2a and 2b) at its first meeting after September 30, 2021 and again every 30 days thereafter as long as the body continues to meet remotely. Policy bodies that meet less frequently than every 30 days should adopt the findings at the start of every meeting. If a policy body has subcommittees, the policy body may adopt findings governing the body and its subcommittees, so the subcommittees do not need to separately adopt findings.

A sample motion adopting findings is attached at the end of this memorandum. Policy bodies may modify the sample motion in consultation with the City Attorney's Office before adopting it. The City's Health Officer has confirmed the accuracy of the finding regarding social distancing recommendations.

Additionally, under the Mayor's orders, before scheduling a meeting, a policy body that is not established in the Charter must confer with the department that provides administrative support to the body, to ensure that the meeting will not unreasonably require the time of staff who are otherwise deployed or participating in the City's response to the COVID-19 pandemic.

2. May policy bodies hold meetings in-person at a physical meeting space?

No. With two exceptions described below, the Mayor's July 31, 2020 emergency order prohibits policy bodies from meeting in person, so policy body meetings must occur by teleconference or other electronic means (whether audio, video, or both) such as Zoom, Cisco

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WebEx, or Microsoft Teams without providing a physical meeting place. The Mayor's emergency orders and AB 361 temporarily suspend laws that would otherwise require members of policy bodies to attend meetings in person and provide a physical space for members of the public to attend.

The first exception: Under the Mayor's July 31, 2020 order, policy bodies may meet in person for the limited purpose of considering a personnel-related item, with advance permission from the Mayor. Members of the public cannot attend such a meeting in person.

The second exception: The Mayor's orders do not prohibit the Board of Supervisors or its committees from holding meetings in person at City Hall or another meeting space. The Board of Supervisors has held in-person meetings without members of the public on-site since July 2021 in compliance with local and State health orders.

3. Should policy body meeting agendas provide special information regarding public access to remote meetings?

When policy bodies hold remote meetings, they must ensure that the public is able to observe or listen and to offer public comment telephonically or through other electronic means. The policy body must disclose on any required meeting notice, and on the meeting agenda, the means by which the public may observe or listen and offer public comment in the meeting. The agenda should prominently provide precise information explaining how members of the public can offer public comment during the meeting. And as with any meeting, the policy body must have a process for a member of the public to request a reasonable modification or accommodation under the Americans with Disabilities Act to observe or listen and offer public comment in the meeting, and that process must be disclosed on meeting notices and agendas.

4. Where must notice and agendas of meetings of policy bodies be posted?

A policy body must post the notice and agenda for a meeting on the policy body's website. Also, the policy body must post the notice and agenda at the Main Library and in City Hall outside Room 244, the office for the Board of Supervisors. These notice requirements were infeasible during the first year of the pandemic when City Hall and the Main Library were largely closed, but the requirements apply now that both buildings are accessible to the public.

5. When must notice and agendas of policy body meetings be posted?

Under the Mayor's March 23, 2020 order, policy bodies must post a notice and agenda at least 72 hours before any regular meeting and at least 24 hours before any special meeting. And policy bodies are not required to post a special meeting notice 15 days in advance of holding a meeting at a location other than the building where the policy body holds regular meetings, including when a policy body meets by teleconference without providing a physical meeting place.

6. Can members of the public provide public comment by telephone, video call, email, or similar means?

As discussed above, policy bodies holding remote meetings must offer a means to allow the public to provide public comment telephonically or through other electronic means in real

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time. Policy bodies may allow members of the public to comment by telephone, Zoom, Cisco WebEx, Microsoft Teams, or similar electronic means. Policy bodies should take steps to ensure that members of the public providing remote public comment have an opportunity to access the meeting and be recognized. For example, the policy body should pause briefly before closing public comment to ensure that no remaining commenters are seeking to speak on an item. Policy bodies also may, but are not required to, allow members of the public to send email messages for the clerk or chairperson to read aloud during the meeting; but the opportunity for members of the public to submit written comments cannot replace their opportunity to provide comment in real time.

7. Must a policy body allow all members of the public the same amount of time to speak during public comment?

No. Under the Mayor's March 23, 2020 order, policy bodies are not required to provide equal time for members of the public to speak during public comment, provided that any departure from the equal time rule is not designed to favor or discriminate against a particular viewpoint. Suspension of the equal time rule gives policy bodies greater flexibility in managing periods for public comment in the face of challenges that may be presented by telephonic or other electronic means of public comment, or if the emergency presents a need to shorten meetings. But to our knowledge, no policy body has needed to depart from the equal time rule during the pandemic. If a policy body is interested in departing from the equal time rule, the chairperson should first confer with the City Attorney's Office.

8. May a policy body continue to meet if technical challenges disrupt public comment?

Remote meetings sometimes present unique challenges caused by malfunctioning technology. If a policy body discovers during a meeting that members of the public generally are not able to provide comment in the manner described in the agenda, then the body should consult with the City Attorney's Office immediately. The policy body cannot take any action on an agenda item until public comment on that item is complete; and even a discussion item may not be concluded without an opportunity for public comment.

While the staff attempts to correct the technical problem hindering public comment, the policy body may recess the meeting temporarily, may continue to discuss the agenda item (assuming the public is still able to observe or listen to the meeting), or may move on and discuss another agenda item, returning later in the meeting to the item that was interrupted. In no case may an agenda item be completed if there has not been an opportunity for public comment. If the staff cannot correct the problem, then the policy body should take no action on any outstanding items as to which there has not been an opportunity for public comment, and should recess the meeting to a later time or date and allow public comment when the meeting resumes.

9. Must a policy body televise meetings at which members are teleconferencing or videoconferencing from remote locations?

No. Under the Mayor's March 23, 2020 order, policy body meetings need not be televised if the chairperson of the body has determined that televising the meeting is not

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reasonably feasible. Before making that decision, the chairperson must consult with the Mayor's office or the staff of SFGovTV.

10. Must a policy body holding a remote meeting act by roll call votes?

Yes. Under the Brown Act, policy bodies must take a roll call vote on every action during a remote meeting. Policy bodies may not approve actions "without objection" or "same house same call."

11. May a policy body receive a briefing regarding the emergency outside a meeting?

No, beginning October 1, 2021. The Governor's March 23, 2020 Private Briefing Order allowed policy bodies to receive briefings from local, state, or federal officials concerning information relevant to the COVID-19 emergency without compliance with the Brown Act. But that order terminates on September 30, 2021.

12. Do legal deadlines for action by the policy body apply during the emergency?

State and local laws impose various deadlines on policy bodies. For example, many policy bodies are required to hold hearings on appeals within a specific number of days from the date of the notice of appeal. In her March 11, 2020 order, the Mayor suspended deadlines imposed by City law during the emergency and for 14 days following the termination of the emergency, if the policy body is unable to meet and take the required action due to the emergency. But as remote meetings have become commonplace and policy bodies have become familiar with the technology for video meetings, policy bodies have not needed to invoke this rule. And deadlines imposed by state law are still in effect. Policy bodies that are bound by legal deadlines under City law should consult in advance with the City Attorney's Office if they believe the Mayor's order may have waived those deadlines.

13. May there be remote gatherings of passive meeting bodies during the emergency?

Yes. In this memorandum, we discuss rules that apply to the City's policy bodies during the emergency. The Sunshine Ordinance also normally requires limited public notice and public access to gatherings of "passive meeting bodies" that are not policy bodies, such as, for example, gatherings of advisory committees or other multimember bodies created by the initiative of a member of a policy body, the Mayor, the City Administrator, a department head, or an elective officer. But the Mayor's March 23, 2020 order suspended the notice and access rules that normally apply to gatherings of passive meeting bodies. Under the Mayor's order, these gatherings may occur, but public notice and attendance rules do not apply. Even though these gatherings are legally permissible under the Mayor's order, members generally should not meet in person for the same reasons reflected in the Mayor's order prohibiting in-person meetings of policy bodies.

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; and

WHEREAS, In February 25, 2020, the Mayor of the City and County of San Francisco (the “City”) declared a local emergency, and on March 6, 2020 the City’s Health Officer declared a local health emergency, and both those declarations also remain in effect; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amends the Brown Act to allow local policy bodies to continue to meet by teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination and consistent mask-wearing to prevent the spread of COVID-19, the City’s Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote physical distancing and other social distancing measures, such as masking, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health (“Cal/OSHA”) has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19, including physical distancing and other social distancing measures; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City’s Department of Public Health, in coordination with the City’s Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks (as required by Health Officer Order No. C19-07), using physical distancing where the vaccination status of attendees is not known, and considering holding the meeting remotely if feasible, especially for long meetings, with any attendees with unknown vaccination status and where ventilation may not be optimal; and

WHEREAS, On July 31, 2020, the Mayor issued an emergency order that, with limited exceptions, prohibited policy bodies other than the Board of Supervisors and its committees from meeting in person under any circumstances, so as to ensure the safety of policy body members, City staff, and the public; and

WHEREAS, [Free City College Oversight Committee] has met remotely during the COVID-19 pandemic and can continue to do so in a manner that allows public participation and transparency while minimizing health risks to members, staff, and the public that would be present with in-person meetings while this emergency continues; now, therefore, be it

RESOLVED, That [Free City College Oversight Committee] finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, [Free City College Oversight Committee] has considered the circumstances of the state of emergency.
2. As described above, State and City officials continue to recommend measures to promote physical distancing and other social distancing measures, in some settings.

3. As described above, because of the COVID-19 pandemic, conducting meetings of this body in person would present imminent risks to the safety of attendees, and the state of emergency continues to directly impact the ability of members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days meetings of [Free City College Oversight Committee] will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings of [Free City College Oversight Committee] that occur by teleconferencing technology will provide an opportunity for members of the public to address this body and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing; and, be it

FURTHER RESOLVED, That the clerk and staff of [Free City College Oversight Committee] is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of [Free City College Oversight Committee] within the next 30 days. If [Free City College Oversight Committee] does not meet within the next 30 days, the [clerk and staff] is directed to place a such resolution on the agenda of the next meeting of Free City College Oversight Committee].



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Free City College Program Performance Audit

Crowe LLP

January 27, 2022

Agenda

Introductions

Audit Objectives

Audit Findings

Results of Nonaudit Procedures

Q&A

Introductions



Mark Maraccini, CPA
Project Partner



Aaron Coen
Project Manager

Audit Objectives



Audit Objectives

Audit Objectives

- Determine whether program funds were used in accordance with the stated purposes and permissible uses as agreed upon in the Memorandum of Understanding and San Francisco Administrative Code Section 10.100-288.
- Determine whether unspent funds were returned to the Program fund in accordance with the MOU and Administrative code.
- Determine whether City College has reasonable controls for determining that financial and operational activities over the Program fund are properly performed.

Audit Conclusion: City College had findings related to Objective #1 and #3 as summarized in this presentation. Objective #2 was met in all significant respects.



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Audit Findings



Audit Findings

Finding	Recommendation	Audit Objective Impacted
<p>1. City College used Free City College Program funds to pay for Information Technology (IT) support services that occurred before execution of the MOU. In total, City College included \$193,332 in IT support expenses covering periods before execution of the MOU.</p>	<p>DCYF should require City College to implement procedures to evaluate all administrative expenses being charged to the Free City College Program Fund to ensure costs are eligible and services provided in the period of performance of the MOU / academic year. DCYF should work with City College to determine whether the \$193,332 of costs charged before the execution of the MOU are eligible expenses for the Free City College Program Fund.</p>	<p>1</p>
<p>2. City College included \$122,043 in costs for computer hardware for the counseling department. The MOU does allow for costs due to increased staff hours for financial aid counseling staff, however this would not include the expenses for new hardware.</p>	<p>DCYF should work with City College to determine if the entire \$122,043 of costs charged for computer hardware for the counseling department should be allocated to the Free City College Program Fund. Further, DCYF should require City College submit a request with sufficient support for one-time costs being allocated to the Free City College Program fund.</p>	<p>1</p>
<p>3. City College did not provide support for the allocation of IT support services expenses to the Free City College Program. For the audit period, \$1,318,004 in IT support service expenses were charged to the program, which includes the amounts identified in Finding 1.</p>	<p>DCYF should require City college to develop a methodology for allocating IT support service expenses to the Free City College Program and submit for review and approval.</p>	<p>1</p>

Audit Findings

Finding	Recommendation	Audit Objective Impacted
4. City College did not provide sufficient evidence to support its methodology for allocations of administrative salaries and benefits to the Free City College Program Fund. Payroll expenses totaled \$565,763. Crowe questions the allocations for executive-level positions, including \$91,177 in salary and benefits.	DCYF should require City College to submit a methodology for review before approving additional staff allocation expenses. The methodology for allocating staff time to the Free City College Program needs to be better defined and approved by DCYF.	1
5. The oversight committee met less frequently than required by the MOU. The committee met less than every four months, which does not comply with the MOU.	DCYF should require the Oversight Committee meetings occur every three months as required by the MOU.	3



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Results of Nonaudit Procedures



Nonaudit Procedures

Nonaudit Procedures

1. Prepare a cost analysis for the following City fiscal year and provide recommendations to help program sustainability. Determine how federal/state aid is being leveraged in conjunction with the Free Tuition Program.
2. Calculate the percentage of the total budget that is used for tuition and what percentage is used to distribute grants to students.
3. Assess DCYF's management and monitoring of the MOU and make recommendations for improvement.
4. Determine how much revenue is generated to the college from the free city college program.

Nonaudit Procedures

Nonaudit Procedure 1

Prepare a cost analysis for the following City fiscal year and provide recommendations to help program sustainability. Determine how federal/state aid is being leveraged in conjunction with the Free Tuition Program.

Result: Crowe determined that the program is sustainable for the foreseeable future. Crowe recommends closely monitoring the program fund balance to mitigate carrying a balance that is more than 50 percent of the baseline funding for the following year, per the MOU. The fund balance could reach 50 percent or more by academic year 2021/22. In addition, the City should carefully consider what expenses are considered eligible because City College is currently in a state of financial distress.

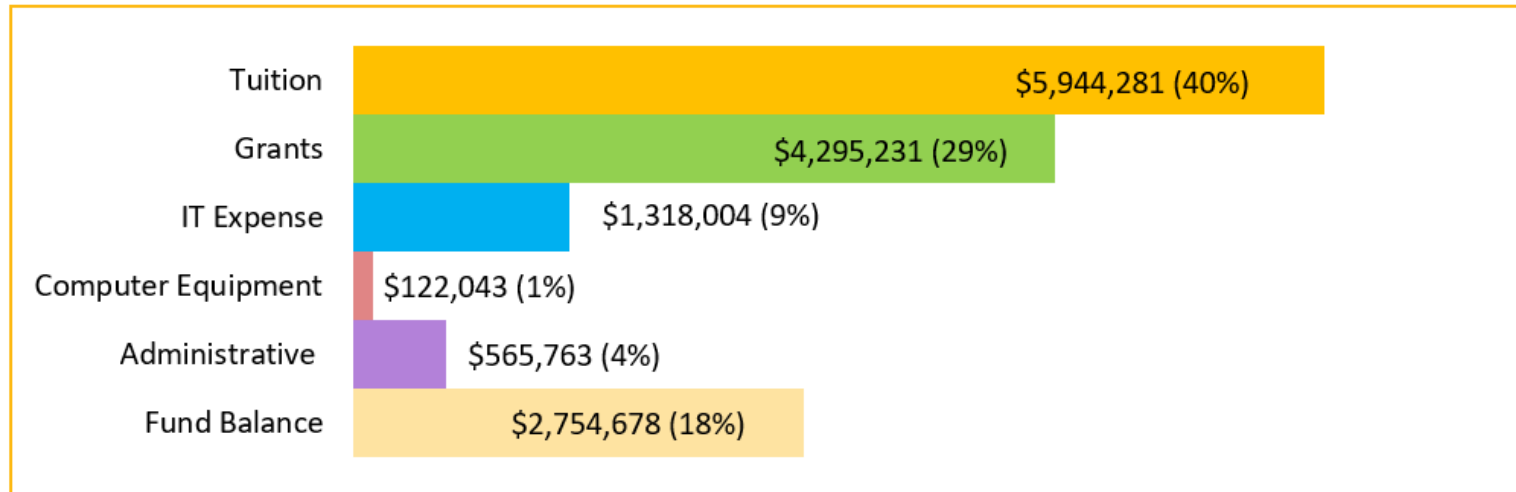
Nonaudit Procedures

Nonaudit Procedure 2

Calculate the percentage of the total budget that is used for tuition and what percentage is used to distribute grants to students.

Results: Crowe obtained detailed financial records from City College and calculated the ratio of funds used for tuition and grants. **Exhibit A-4** provides a breakdown of all expense categories for reference. The Free City College Program provided \$5,944,281 in enrollment fees and \$4,295,231 in grants, totaling 69 percent of allocated funding for Year 1.

Exhibit A-4
Free City College Program Expenditures, by Category, and Fund Balance



Nonaudit Procedures

Nonaudit Procedure 3

Assess DCYF's management and monitoring of the MOU and make recommendations for improvement.

Results: Crowe recommends the following:

- City College should identify a staff member as responsible for coordinating the Free City College Program.
- City College should include a more specific definition of return of funds. Propose calculation plan and other proposed expenses with the appropriate supporting documents and submit to DCYF for approval.
- City College should submit a methodology for administrative salary and benefit allocations and IT support overhead allocation to DCYF for approval.
- Update the MOU to more clearly define eligible administrative expenses.
- Update the MOU to include a cap to eligible administrative expenses.
- Align disbursements, invoicing and refunds based on City College and the City's fiscal year to align with audited financial statements.
- DCYF or other oversight agency needs to have more control over spending (e.g., approvals of administrative and IT support expense methodologies and one-time costs).
- DCYF should amend the MOU to add consequences (e.g., withhold funds) from City College for findings of noncompliance in the annual audit.

Nonaudit Procedures

Nonaudit Procedure 4

Determine how much revenue is generated to the college from the Free City College Program.

Results: Crowe determined that the range of revenue generated to the program was \$2,005,810 (Administrative costs + IT costs) to \$12,245,322 (including payments to students). Crowe included both payment to students (enrollment fees and grants) and administrative expenses reported by City College in the revenue range.

Crowe notes that all fees and tuition paid to City College (i.e., Payment to Students) is transferred to the State, which returns the funding to City College in the form of a general apportionment. The apportionment is not always dollar for dollar, therefore there is potential to receive less than the total “Payment to Students” amount back as revenue. Crowe recommends revisiting this topic in the year two audit to further understand the nexus between payments to students and revenue generated to City College.



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Questions and Answers

Thank you

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