



**2018-2019**

*Kern Community College District*

*District Office Administrative Unit Review*

**→ General Counsel**

Christopher W. Hine

General Counsel

Submitted by:

Executive Summary

- a) In one paragraph or with bullet points, summarize the key points learned in this evaluation. *[list the highlights of the document]*

The data regarding the costs of external investigations indicates that we are facing challenges at the colleges in a number of areas. This data will be reviewed with the Vice Chancellor for Human Resources and the administration of the colleges to identify strategies and measures to address these challenges. The data regarding litigation costs appears to be related to one-time events that may not indicate the need for any proactive or remedial measures. We will continue to collect and monitor this data to ascertain whether there are trends that indicate possible challenges for the district or any of the colleges.

## Future Directions of the Unit

a) How will your unit address internal and external trends in the next 3-5 years? *[how will the unit respond and improve in the future]*

The most significant legal trend that we are observing both internally from our data and externally from both anecdotal accounts in the media and in discussions with both the higher education legal community and with investigation professionals is the increase in the number and complexity of investigations performed by external investigators. This appears to be a product on a nationwide basis of high profile publicity generated by the “me too” movement as well as the federal regulatory environment under Title IX (sex discrimination in education) and VAWA (Violence Against Women Act).

The General Counsel’s office will work with the Vice Chancellor for Human Resources and the college Human Resources Managers to develop efficient systems and training for internal investigators. In addition, we are working with the Vice Chancellor for Human Resources to identify and develop relationships with cost-effective external investigation firms are well-qualified in conducting workplace and student investigations in higher education. This effort is intended to reduce or to contain the increasing cost of such investigations while not sacrificing the quality of investigations.

The General Counsel’s office will also continue to work with Vice Chancellor for Human Resources and the college presidents and vice presidents to identify and implement suitable training for staff and students in the areas of discrimination, sexual harassment and campus violence. We will develop methods for disseminating the data and information obtained during the investigations of student and employee complaints to assist Human Resources and the colleges in taking actions designed to reduce the frequency and severity of incidents of discrimination, sexual harassment and campus violence.

## Section One: Unit Overview

- a) **What is the purpose of the unit and what populations (internal and external) are served by the unit?** *[why does the unit exist and how does the unit support the mission and vision of the Kern Community College District; who benefits directly from the services provided by the unit]*

The Office of General Counsel provides proactive professional advice on critical strategic, legal, and public policy issues, is part of the senior management team, and interacts closely with the District's senior officers. The size, complexity, scope and diversity of the District, generates a range of complex, cutting-edge legal issues. Many, such as academic freedoms, participatory governance, and student's rights and obligations, are unique to a community college academic environment and add complexity to the more traditional and predictable legal practice.

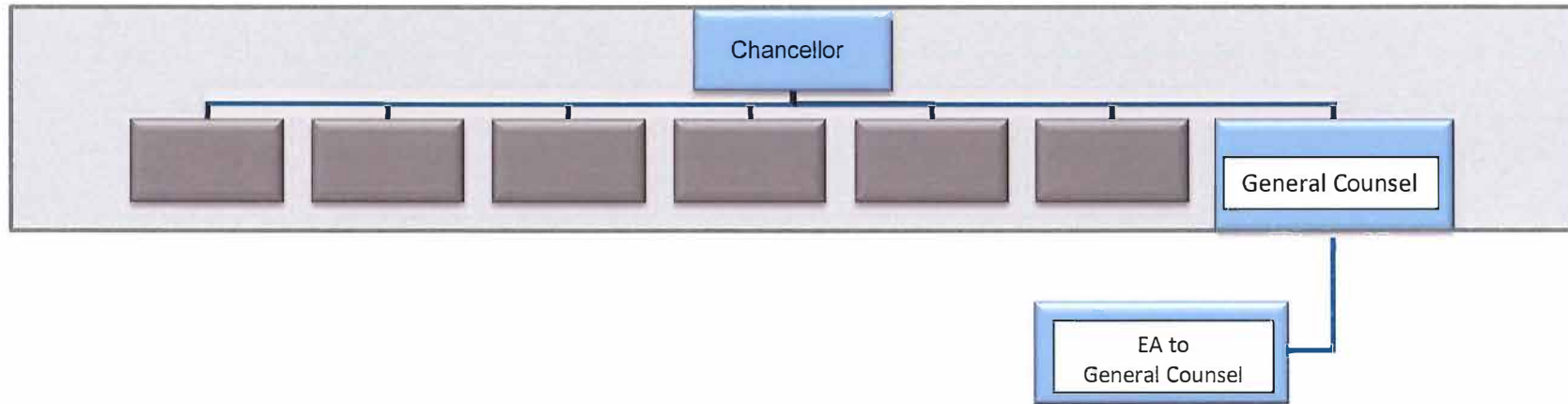
The Office of General Counsel provides advice and support to the Chancellor and District's Board of Trustees on legal issues. The goal of the Office of General Counsel is to:

Support the District's functions and business through the delivery of legal support and guidance.

1. Develop and implement an ethical vision and strategic plan for the District's legal services.
2. Function as an integral partner with the Chancellor's senior leadership team.
3. Co-ordinate the identification and management of legal risks across the District.
4. Identify and prioritize the response to various areas of legal risk and establish a clearly understood framework for legal practices within the Office of General Counsel.
5. Lead the internal legal team and contract legal teams and set objectives.
6. Be accountable for the management of relationships with external legal partners; monitor such relationships for effective, cost efficient and constructive outcomes on behalf of the District's stakeholders.
7. Establish and manage a budget for the provision of the District's legal services by both inside and outside counsel, monitoring compliance with the budget, as well as establishing levels of accountability and results.

**Section One: Unit Overview** *continued*

b) How is the unit structured within the district? Modify the org chart template below to illustrate the unit's organization.



**Section Two: Administrative Unit Outcomes (AUOs)**

a) List all the AUOs for the unit. AUOs describe what a customer or end-user will understand, experience or obtain as a result of the service the unit provides. Specify the time-period in which each AUO will be assessed (focus on 1 to 3 assessments per year). Describe the method of assessment and the criteria used to determine success.

Administrative Unit Outcomes (AUOs)	Strategic Plan Alignment	Review Period	Method of Assessment	Outcome or Desired Outcome
Cost of External Investigations	N/A	7/17 to 6/18	Cost	
Cost of litigation	N/A	7/17 to 6/18	Cost	
Number of Contracts Reviewed	N/A	7/17 to 6/18	Number	

b) Summarize the results from any AUOs evaluated during the past year providing details regarding findings and plans for change or improvement.

Not applicable. Initial AUO's are for 17-18 academic year, no previous AUO's.

### Section Three: Key Performance Indicators (KPIs)

a) List the KPIs for the unit along with the relevant outcomes for the last 3 years. KPI data tracks process efficiency and/or demand for services. Examples of KPIs include a count of customers served, a count of services performed, the average time to complete a service, etc. They are closely related to the AUOs and should reflect the unit's core function or purpose.

Key Performance Indicators (KPIs)	2015-16	2016-17	2017-18
Cost of external investigations	\$29,758.03	\$63,563.03	\$86,310.36
Cost of litigation	\$59,132.82	\$362,760.75	\$99,655.66
Number of contracts reviewed	n/a	80	70

b) Summarize any changes or findings.

See chart attached at end of document.

## Section Four: Prior Year Goals

a) **List the Goals from the prior year.** Indicate the status and list an anticipated completion date if not complete. Were unit outcomes met and/or what findings were realized in the process? *[starting in 2017-18, this will relate directly to the goals and outcomes listed in section five]*

Prior Goals	Status	Strategic Plan Alignment	AUO Alignment	Outcomes and/or Findings
1) N/A*				
2)				
3)				
4)				
<ul style="list-style-type: none"> <li>First year doing this version of AUR's</li> </ul>				



**Section Five: Goals for the Upcoming Year**

a) **Identify annual goals for the unit.** Describe how progress toward the goals will be measured during the upcoming year. Describe the target to be met during the year and the timeframe for completion. Specify how the unit goals align with the goals and objectives outlined in the districtwide strategic plan and the unit's AUOs. Indicate whether additional resources will be needed. *[just a Yes or No – these will be described in section seven]*

Unit Goals	Assessment Method	Annual Target and Timeline			
None*					

\* The General Counsel's Office operates in support of the Board of Trustees, the Chancellor and the colleges. Of necessity its activities are primarily of a responsive nature rather than being proactive. To the extent that we are involved in assisting proactive activities, we are acting in support of the Board, the Chancellor and the colleges in meeting their identified goals for the academic year. Although we do not believe that there are any useful measurements or assessments of data regarding the operations of the General Counsel's Office in support of the other functions of the district, the General Counsel's Office is open to any suggestions that the Board or the Chancellor might have regarding goals, assessments and targets.

**Section Six: Current Unit Resources**

a) List the unit's current resource levels by outlining existing staff, listing (major) technology/equipment the unit uses, describing the space the unit occupies, and the unit's current budget.

Resources	Current Level	
<b>Staffing</b> (list current staffing levels)	•General Counsel and Executive Assistant to General Counsel • •	
<b>Technology / Equipment</b>	• • •	
<b>Space / Facilities</b>	•	
<b>Budget (Unrestricted) Total</b>	\$	<b>Notes (if any)</b>
1000 (Academic Salaries)	\$	
2000 (Classified Salaries)	\$289,795.19	
3000 (Employee Benefits)	\$115,537.79	
4000 (Supplies & Materials)	\$20,000.00	
5000 (Operating Expenses and	\$244,500.00	
6000 (Capital Outlay)	\$	
7000 (Other Outgo)	\$	
<b>Budget (Restricted) Total</b>	\$	
<b>Budget (Contract/Community Ed)</b>	\$	

## Section Seven: Projected Unit Resource Needs

- a) **List the unit's needs above the current level.** *[if a Unit Goal in section five has a 'Yes' in the resources needed column, the need should be outlined here]*  
 Describe the unit goal to which the request is related. Indicate the expected cost along with the rationale. Rank the proposals in order of their importance to the unit (a rank of '1' would be the most important resource the unit needs in order to achieve its goals).

Resource Needs	Proposed Allocation, Need or Change	Related Unit Goal or AUO	Cost and Justification	Rank
Staffing	None			
Technology	None			
Equipment / Supplies	None			
Space / Facilities	None			
Professional Development	None			
Other: <i>[describe]</i>	Funding for outside investigators		\$100,000.00 based on upward trend of data	1
<b>Total cost of resource needs over and above current budget allocation: \$100,000.00</b>				

**Routing and Review**

Submitter's Name: Christopher W. Hine

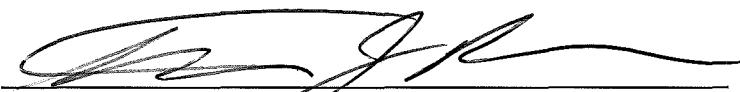
Title: General Counsel

Submitter's Signature: Christopher W. Hine

Date Submitted: 12/18/18

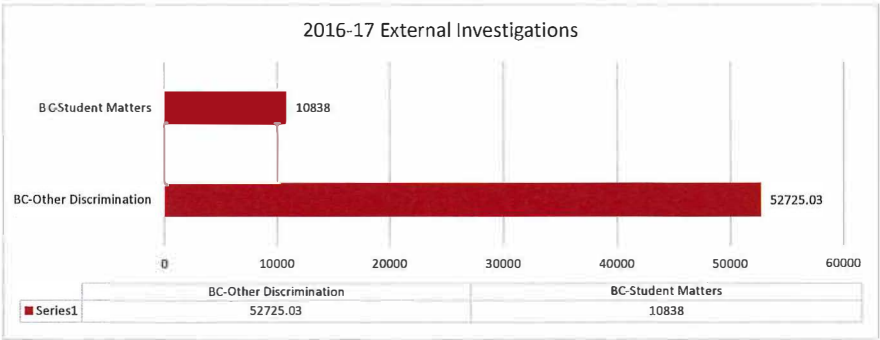
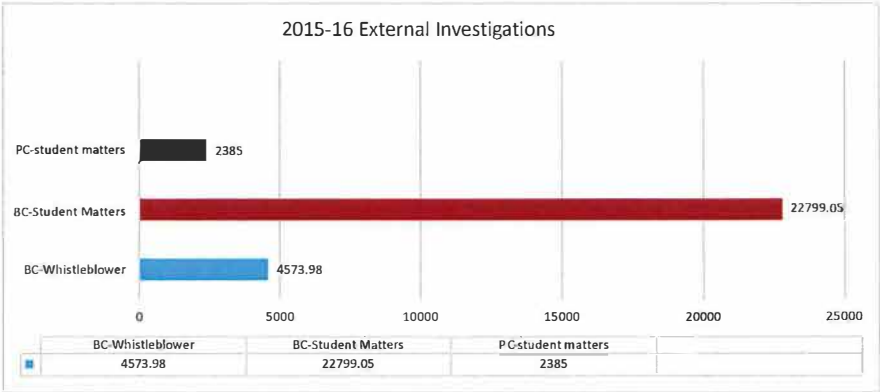
Submitter's Immediate Supervisor: \_\_\_\_\_

Date of Review: \_\_\_\_\_

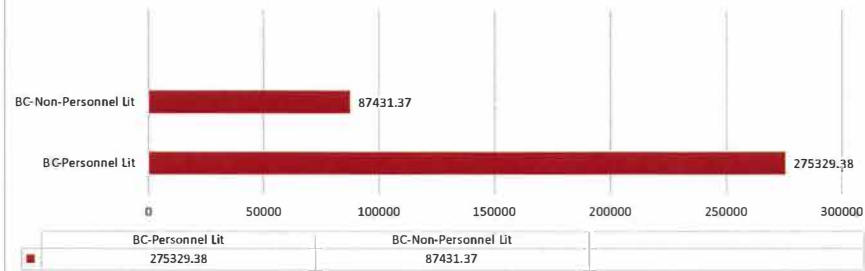
Chancellor's Signature:  \_\_\_\_\_

Date of Review: 12-18-18

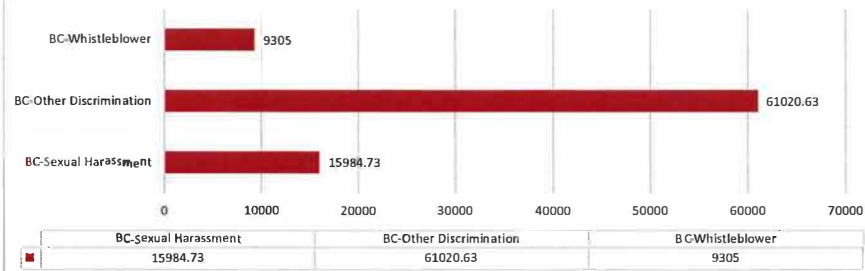
Date of Presentation to Administrative Council: October 29, 2018



2016-17 Cost of Litigation



2017-18 External Investigations



2018-17 Cost of Litigation

