

**APPROVED**  
MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF TRUSTEES OF THE  
NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

February 28, 2017

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, February 28, 2017, at 5:30 p.m. in the Anaheim Campus Board Room.

Board President Molly McClanahan called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance to the Flag.

**TRUSTEE ROLL CALL:** Present: Ryan Bent, Stephen T. Blount, Jeffrey P. Brown, Barbara Dunsheath, Ed Lopez, Molly McClanahan, Jacqueline Rodarte, and Student Trustees Scott Begneski and Tanya Washington. Absent: None.

**RESOURCE PERSONNEL PRESENT:** Cheryl Marshall, Chancellor; Fred Williams, Vice Chancellor, Finance & Facilities; Irma Ramos, Vice Chancellor, Human Resources; Cherry Li-Bugg, Vice Chancellor, Educational Services & Technology; Greg Schulz, President, Fullerton College; Bob Simpson, President, Cypress College; Valentina Purtell, Provost, School of Continuing Education; Deborah Ludford, District Director, Information Services; Olivia Veloz, representing the District Management Association; Adam Gottdank, representing the School of Continuing Education Academic Senate; Bryan Seiling representing Cypress College Academic Senate; Pete Snyder, representing Fullerton College Faculty Senate; Tina Johannsen, representing United Faculty; Pamela Spence, representing CSEA; Kent Stevenson, representing ADFAC; and Alba Recinos, Recording Secretary.

**OTHER ADMINISTRATORS AND EMPLOYEES PRESENT:** Erika Adakai, Carlos Ayon, Joe Carrithers, Gilbert Contreras, Rod Garcia, Cyndi Grein, Lisa McPheron, and Jose Ramon Nuñez from Fullerton College; Darlene Fishman and Judy Swytak from Cypress College; Terry Cox, Jenney Ho, Esther Landin, Raquel Murillo, Martha Payan-Hernandez, Jennifer Perez, Christina Ryan Rodriguez, and Chelsea Salisbury from the School of Continuing Education; and Melissa Hesson, Ivy Hwee, Julie Kossick, Arturo Ocampo, Kai Stearns Moore, Janet Thomas, Kashu Vyas, and Rick Williams from the District Office.

**VISITORS:** Pat Armijo, Mary Dalessi, Chris Meyer, Cheeraphan Schneider, Gail Smead, and Arvid Spor.

**COMMENTS: MEMBERS OF THE AUDEIENCE:**

- A. **Cheeraphan Schneider**, SCE Student, addressed the Board to voice her support for the SCE institutional name change in order to avoid confusion.
- B. **Adam Gottdank**, SCE Faculty, also encouraged the Board to adopt a new name for SCE to alleviate name and identity confusion.

**BLOCK VOTE APPROVAL OF NON-PERSONNEL ITEMS:** It was moved by Trustee Jeffrey P. Brown and seconded by Trustee Barbara Dunsheath that the following non-personnel items be approved by block vote:

Finance & Facilities: 3.a, 3.b, 3.d  
Instructional Resources: 4.a, 4.b, 4.c

**Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes, including Student Trustees Begneski and Washington's advisory votes.**

**BLOCK VOTE APPROVAL OF PERSONNEL ITEMS:** It was moved by Trustee Jacqueline Rodarte and seconded by Trustee Stephen T. Blount that the following personnel items be approved by block vote:

Human Resources: 5.a, 5.b, 5.c, 5.d, 5.e, 5.f, 5.g, 5.h

**Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes.**

## REPORTS

A. **Honor Retirees:** The following individuals were honored upon their retirement from the District:

**Gail Smead**, Cypress College Administrative Assistant II  
**Pat Armijo**, District Services Administrative Assistant I  
**Judy Swytak**, Cypress College Nursing Faculty

B. **Citizens' Oversight Committee Community Report:** As part of the Chancellor's Report, **Chris Meyer**, Chair of the Citizens' Oversight Committee, presented the District's 2015-16 Measure J Community Progress Report. During his presentation, Mr. Meyer noted that the report detailed bond program planning, was mailed to 13,000 residents within a one-mile radius of the Anaheim Campus and the Colleges, and is available on the District website. He also invited the Board to attend the next Citizens' Oversight Committee meeting on March 1 at 4:00 p.m.

C. **Preliminary Budget Assumptions and Affirmation of Strategic Directions:** Also as part of the Chancellor's Report, **Fred Williams**, Vice Chancellor of Finance & Facilities, and **Kashu Vyas**, Interim District Director, Fiscal Affairs, presented the District's Preliminary Budget Assumptions and Affirmation of the Strategic Directions. The five District Strategic Directions are:

Strategic Direction #1: The District will annually improve the rates of completion for degrees, certificates, diplomas, transfers, transfer-readiness requirements, and courses.

Strategic Direction #2: The District will annually make progress toward eliminating the documented achievement gap among race/ethnicity groups.

Strategic Direction #3: The District will annually improve the success rate for students moving into:

- The highest level possible credit basic skills courses in mathematics, English, and English-as-a-Second-language from noncredit basic skills instruction in the same discipline and;
- College-level courses in mathematics, English and English-as-a-Second-language from credit basic skills courses in these disciplines and;
- The next higher course in the sequence of credit or noncredit basic skills courses in mathematics, English and English-as-a-Second-language.

Strategic Direction #4: The District will implement best practices related to planning including transparent decision-making processes, support of strategic and comprehensive planning activities at campus and District levels, and the allocation of resources to fund planning priorities.

Strategic Direction #5: The District will develop and sustain collaborative projects and partnerships with the community's educational institutions, civic organizations, and businesses.

The budget presentation highlighted the following key points:

Governor's January Budget for Community Colleges: The budget includes:

- \$98 million for 1.48% COLA
- \$79 million for 1.34% Enrollment Target Growth
- \$24 million Base Increase (\$750,000 for the District)
- One-time Funding Proposals
  - \$44 million for Instructional Equipment and Scheduled Maintenance
  - \$150 million for a new "Guided Pathways" Initiative
  - 5 approved facilities projects funded by general obligation bonds (the Fullerton College 300/500 Building is included on the list of projects)

Impact of the January Budget on Ongoing General Fund Revenues & Expenses:

Total Ongoing General Fund Revenues	\$ 198,552,007
Total Ongoing General Fund Expenses	\$ 203,621,371
Net Ongoing General Fund Deficit	\$ (5,069,364)

Vice Chancellor Williams stated that the \$5 million deficit was reported to the District Consultation Council at its February 27 meeting, but since then, the preliminary spring semester census figures received by the Colleges are 674 FTES lower than expected, resulting in a larger deficit.

Additional Potential Deficit based on Spring Census	\$ (3,372,865)
Potential Net Ongoing General Fund Deficit	\$ (8,442,229)

Contributing Factors to Net Deficit: Factors include declining enrollment (829 FTES short at P-1); Staffing/Meeting the Faculty Obligation Number (FON); and 4.48% salary increases (1.48% for COLA and the negotiated 3% increase for 2017-18).

PERS/STRS Rate Increases: The District will continue to set aside annual State contribution dollars for the PERS/STRS rate increases, in three years the costs will outpace the State contribution.

Future Steps: The District will: 1) focus on enrollment management via the Districtwide Enrollment Management Advisory Committee (DEMAC) and by implementing targeted training; 2) evaluate the allocation model by developing a potential "Push-Out" allocation model; 3) implement a hiring "soft freeze" by critically reviewing all positions; 4) recommend a Board budget study session; and 5) wait for the Governor's May Revise of the budget.

(See Supplemental Minutes #1187 for a copy of the presentation)

- D. **Chancellor Cheryl Marshall** shared copies of the District Annual Report and commended the Office of Public Affairs for creating a beautiful publication. She also reported on her attendance at the CCLC CEO Symposium, where Bob Simpson was honored as a retiring CEO, and the Cal State University, Fullerton Annual Research Symposium where the research of Olivia Veloz, DMA President, and Annette Lechter, Cypress College Reading Faculty, presented their research.

(See Supplemental Minutes #1187 for a copy of the Chancellor's full report.)

- E. **Valentina Purtell**, School of Continuing Education Provost, reported on the District's Hire Me Workshop and the Citizenship Fair hosted by the SCE English as a Second Language (ESL) in partnership with Orange County Communities Organized for Responsible Development (OCCORD). She also noted her participation on *Welcoming America*, the City of Anaheim's Mayoral Taskforce designed to make policy recommendations and develop strategies to create a welcoming environment for immigrants and refugees residing in Anaheim.

(See Supplemental Minutes #1187 for copy of the Provost's full report.)

- F. **Bob Simpson**, Cypress College President, reported on Assemblymember Sharon Quirk-Silva's campus roundtable event and tour of the Mortuary Science facilities, the 41<sup>st</sup> Americana Awards Ceremony taking place on March 4, and expressed his appreciation to the Cypress College Legacy Advisory Committee for presenting all of the activities in honor of Black History Awareness Month.

(See Supplemental Minutes #1187 for copy of the President's full report.)

- G. **Greg Schulz**, Fullerton College President, reported on the Annual Fullerton College Retired Faculty and Staff Luncheon hosted by the Fullerton College Foundation, and thanked Trustee Blount, Trustee Rodarte, and Chancellor Marshall for attending. He noted the College will host Carolina Valdivia, creator of the website *My Undocumented Life*, on March 10 at 10:00 a.m., and that the men's basketball team will play in the regional finals on March 4 at 7:00 p.m.

(See Supplemental Minutes #1187 for copy of the President's full report.)

## COMMENTS

- A. **Olivia Veloz** thanked Dr. Marshall and Dr. Schulz for attending the CSUF Research Symposium, and expressed her gratitude to Chancellor Marshall for using the managers' survey results to shape the agenda for the districtwide managers meeting on March 3.
- B. **Adam Gottdank** reported on on-going training and preparation for the upcoming SCE accreditation visit, and the passing of SCE student Janet Pineda.
- C. **Bryan Seiling** thanked Trustee McClanahan and Trustee Rodarte for attending the *Mothers of the Movement* symposium, and noted the continued work taking place on campus related to the Cypress College accreditation report. He also expressed concern regarding the Board's comments and tone used to critique the College's draft accreditation report at the February 14 Board meeting.
- D. **Pete Snyder** shared that Fullerton College Faculty Jo Wen Wu was selected as a recipient of the Hayward Award for excellence in education by the Academic Senate for California Community Colleges. Dr. Snyder also reported that the Fullerton College Faculty Senate unanimously approved a resolution in support of the Deferred Action for Childhood Arrivals (DACA) program, and read an excerpt from the resolution.

(See Supplemental Minutes #1187 for the full resolution language.)

- E. **Tina Johannsen** reported on her attendance at the Community College Association (CCA) winter conference, the future implementation of electronic elections for United Faculty, and proposed changes to bylaws to allow flexibility for committee participation.
- F. **Pamela Spence** thanked the Board for their on-going support at CSEA events.
- G. **Kent Stevenson** provided an update on negotiations with the District, and reported that evaluations have been completed.
- H. **Student Trustee Tanya Washington** reported on campus activities in celebration of Black History Month which culminated with a presentation by the social justice performance group, *InterACT & Free Expression*.
- I. **Student Trustee Scott Begneski** reported that the kickoff for "Fullerton College Night at Angel Stadium" is taking place on March 1, a campus blood drive is scheduled for the following week, and planning for WorldFest in April is underway.
- J. **Trustee Stephen T. Blount** complimented the District Annual Report which included a profile of him as a new trustee.
- K. **Trustee Ryan Bent** thanked Cypress College President Bob Simpson for the campus tour and remarked on the remarkable Mortuary Science facility.

- L. **Trustee Ed Lopez** also thanked Dr. Simpson for the campus tour, congratulated Valentina Purtell for her selection to serve on Mayor Tom Tait's Welcoming America Taskforce, and commended the Fullerton College Faculty Senate for their support of the DACA resolution.
- M. **Trustee Barbara Dunsheath** distributed flyers for the Cypress College 50<sup>th</sup> Anniversary Festival and Reunion taking place on April 1, and encouraged the District to nominate a faculty member for the Association of Community College Trustees (ACCT) Awards.
- N. **Trustee Molly McClanahan** thanked Bryan Seiling for his honesty and comments regarding the Cypress College draft accreditation report, voiced her approval of the District Annual Report, and reported on her attendance at the *Mothers of the Movement* panel discussion.

**MINUTES:** It was moved by Trustee Jeffrey P. Brown and seconded by Trustee Jacqueline Rodarte to approve the Minutes of the Regular Meeting of February 14, 2017 as amended: "Subsequent to the discussion, the Board affirmed their desire that Cypress College follow-up on the next steps and provide a timeline." was added to the discussion related to Item 4.a, Cypress College Self-Evaluation First Draft for Reaffirmation of Accreditation. Subsequent to Trustee Dunsheath reiterating that her accreditation comments were based in her strong desire to see Cypress College do well, the **motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes, including Student Trustees Begneski and Washington's advisory votes.**

## **FINANCE & FACILITIES**

**Item 3.a:** By block vote, authorization was granted for the 2016-2017 General Fund and Capital Outlay Fund transfers netting to the amount of \$892,916 and adoption of the resolutions showing the summary, pursuant to the California Code of Regulations, Title 5, §58307.

**Item 3.b:** By block vote, authorization was granted to allow Fullerton College Physical Education Division to host the Athletic Hall of Fame on the college campus Friday, April 7, 2017, and allow them to serve alcoholic beverages to attendees.

**Item 3.c:** It was moved by Trustee Jacqueline Rodarte and seconded by Trustee Jeffrey P. Brown to continue the consulting agreement with Cambridge West Partnership for a fee not to exceed \$100,000. The term of the agreement shall end on December 31, 2017.

Subsequent to clarification on CM Brahmhatt's previous employment with the District as Interim Vice Chancellor of Finance & Facilities in 2015, and his role within Cambridge West Partnership, the **motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes, including Student Trustees Begneski and Washington's advisory votes.**

Further authorization was granted for the Vice Chancellor, Finance & Facilities, or District Director, Purchasing, to execute the agreement on behalf of the District.

**Item 3.d:** By block vote, authorization was granted to declare the listed items surplus and for the Liquidation Company to conduct an auction for the sale of the surplus items. Proceeds collected by the auction company will be split between the District (55%) and the auction company (45%).

## **INSTRUCTIONAL RESOURCES**

**Item 4.a:** By block vote, authorization was granted to make adjustments to General Fund revenue and expenditure budgets in accordance with the revised fiscal year 2016-2017 allocations, and to adopt a resolution to adjust budgets and authorize expenditures within the General Fund pursuant to the California Code of Regulations Title 5, Section 58308.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, or the District Director, Fiscal Affairs, to execute any agreements and related documents and any amendments to modify the agreements on behalf of the District.

**Item 4.b:** By block vote, authorization was granted to accept new revenue from the NEA foundation Student Achievement Grant in the amount of \$5,000, and to adopt a resolution to accept new revenue and authorize expenditures within the General Fund, pursuant to the California Code of Regulations Title 5, Section 58308.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, or the District Director, Fiscal Affairs, to execute any agreements and related documents and any amendments to modify the agreements on behalf of the District.

**Item 4.c:** By block vote, authorization was granted to accept funding in the amount of \$16,500, in compliance with the USDA/NIFA Urban Agriculture Community-based Research Experience (U-ACRE 3.0): Partnerships across HSIs to Enhance the Student Research Experience, for use beginning September 1, 2016 through August 30, 2019, and to adopt a resolution to accept new revenue and authorize expenditures within the General Fund, pursuant to the California Code of Regulations Title 5, Section 58308.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, or the District Director, Fiscal Affairs, to execute any agreements and related documents and any amendments to modify the agreements on behalf of the District.

**Item 4.d:** It was moved by Trustee Stephen T. Blount and seconded by Trustee Jacqueline Rodarte that the Board approve the Fullerton College Distance Education Substantive Change Report.

Subsequent to clarification on student input, the core group that worked on the report, future instruction delivery methods, and the impact of distance education on the renovation of facilities, the **motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes, including Student Trustees Begneski and Washington's advisory votes.**

## **HUMAN RESOURCES**

**Item 5.a:** By the block vote, authorization was granted for the following academic personnel matters, which are within budget:

RETIREMENTS

Couron, Brian	FC	Counselor Eff. 03/30/2017 PN FCF942
Kyle, Diana	FC	Psychology Instructor Eff. 05/28/2017 PN FCF845

RESIGNATION

Krahn, Graham	FC	Physics Instructor Eff. 05/30/2017 PN FCF604
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EXTENSION OF TEMPORARY MANAGEMENT CONTRACT

Carrigan, Joyce	AC	Dean, Baccalaureate Degree Pilot Program Eff. 07/01/2017-07/31/2017
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CHANGE IN SALARY CLASSIFICATION

Boone, Edward	CC	Nursing Instructor (ADJ) From: Column 1, Step 1 To: Column 2, Step 1 Eff. 01/30/2017
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ADDITIONAL DUTY DAYS @ PER DIEM

Bevec, Gina	FC	Head Coach, W. Track & Field	15 days
Byrnes, Tim	FC	Asst. Coach, M&W Track & Field	11 days
Crooks, Brian	FC	Asst. Coach, Beach Volleyball	8 days
Duron, Yolanda	FC	Head Coach, Women's Tennis	13 days
Foster, Marcia	FC	Head Coach, W. Basketball	15 days
Fuscardo, Nicholas	FC	Head Coach, Baseball	15 days
Plum, Alix	FC	Director, Dance	4 days
Price, Rhett	FC	Asst. Coach, Men's Swim/Dive	8 days
Rapp, Eddie	FC	Head Coach, Beach Volleyball	13 days
		Head Coach, Men's Volleyball	13 days
Rosa, Melanie	FC	Director, Dance	4 days
See, Roger	FC	Asst. Coach, Men's Basketball	11 days
		Head Coach, Men's Tennis	13 days
Sheil, Sean	FC	Head Coach, M. Track and Field	15 days
Webster, Perry	FC	Head Coach, Men's Basketball	15 days
		Assistant Coach, Baseball	8 days

LEAVE OF ABSENCE

Garcia, Amy	FC	Reading Instructor Family Medical Leave (FMAL)/CFRA (100%)
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Regular and Supplemental Sick Leave  
Until Exhausted; Unpaid Thereafter  
Eff. 01/27/2017-04/21/2017

Grabiell, Susan	FC	Geography Instructor Load Banking Leave With Pay From: 23.33% To: 53.33% Eff. 2017 Spring Semester
Wilson, Marcus	FC	Business Instructor Load Banking Leave With Pay (3.33%) Eff. 2017 Spring Semester

TEMPORARY ACADEMIC HOURLY-INSTRUCTIONAL-2017 SPRING SEMESTER,  
TRIMESTER

Bucholtz, Cheryl	SCE	Column 2, Step 1
Carter, Martha	CC	Column 1, Step 1
Curcuruto, Jordan	FC	Column 1, Step 1
Draskovich-Long, Lisa	FC	Column 1, Step 1
Haro, Maria	CC	Column 1, Step 1
Troesh, Joshua	FC	Column 1, Step 2

**Item 5.b:** By the block vote, authorization was granted for the following classified personnel matters, which are within budget:

RETIREMENTS

Alvarez, Raul	CC	Executive Director, College Foundation and Community Relations 12-month position (100%) Eff. 06/30/2017 PN CCM967
Chambers, Teresa	AC	Benefits Coordinator 12-month position (100%) Eff. 03/31/2017 PN DEC994
Ruscheinsky, Christopher	FC	Facilities Custodian I 12-month position (100%) Eff. 02/14/2017 PN FCC985

RESIGNATION

Anguiano, Eileen	FC	Administrative Assistant II 12-month position (100%) Eff. 05/04/2017 PN FCC925
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NEW PERSONNEL

Brown, Anthony	AC	Accounting Specialist 12-month position (100%) Range 40, Step A Eff. 03/13/2017 PN DEC967
Fimbres, Ralph	SCE	Special Projects Coordinator, Student Equity Temporary Management Position (100%) Range 1, Special Project Admin Daily Rate Schedule Eff. 03/01/2017 - 6/30/2017 PN SCT964
Le, Lynn	AC	Accounting Specialist 12-month position (100%) Range 40, Step E Eff. 03/13/2017 PN DEC927
Llamas, Jimmy	FC	Groundskeeper 12-month position (100%) Range 29, Step A Classified Salary Schedule Eff. 03/01/2017 PN FCC995

REHIRES

Banks, Antonio	FC	Special Project Manager, Student Services/UMOJA Temporary Management Position (100%) Range 2, Special Project Admin Daily Rate Schedule Eff. 07/01/2017 - 06/30/2018 PN FCT976
Fimbres, Ralph	SCE	Special Projects Coordinator, Student Equity Temporary Management Position (100%) Range 1, Special Project Admin Daily Rate Schedule Eff. 07/01/2017 - 6/30/2018 PN SCT964
Verduzco, Gisela	CC	Special Project Director, Charger Experience Program Temporary Management Position (100%) Range 3, Special Project Admin Daily Rate Schedule Eff. 07/01/2017 - 06/30/2018 PN CCT728

CHANGE IN SALARY STEP

Luthi, Christopher	FC	Piano Accompanist (100%)
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Tran, Luu	CC	Special Project Coordinator/ Assessment (100%) Family Medical Leave (FMLA/CFRA) Paid Leave Using Sick Leave and Vacation Until Exhausted; Unpaid Thereafter Eff. 01/13/2017 – 02/12/2017 (Consecutive Leave)
Truong, Chelsea	CC	Financial Aid Technician (100%) Family Medical Leave (FMLA/CFRA) Paid Leave Using Personal Necessity Leave Until Exhausted; Unpaid Thereafter Eff. 02/17/2017 – 05/11/2017 (Intermittent Leave)
Wilkening, Nicholas	AC	District Manager, IT Technical Support (100%) Military Leave with Pay Eff. 02/09/2017; 02/23/2017 – 03/30/2017 Military Leave Without Pay Eff. 04/01/2017 – 05/18/2017

#### ADMINISTRATIVE LEAVE WITH PAY

@00288956	FC	12-month position (100%) Eff. 02/23/2017 - 05/03/2017 PN FCC925
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**Item 5.c:** By the block vote, authorization was granted for the assignment of professional expert personnel per the professional expert listing.

(See Supplemental Minutes #1187 for a copy of the professional expert personnel listing.)

**Item 5.d:** By the block vote, authorization was granted for the hourly personnel per the hourly personnel listing.

(See Supplemental Minutes #1187 for a copy of the hourly personnel listing.)

**Item 5.e:** By the block vote, authorization was granted for the assignment of volunteers per the volunteer listing.

(See Supplemental Minutes #1187 for a copy of the volunteer listing.)

**Item 5.f:** By the block vote, the Board approved the revised Nonclassified Short-Term Hourly Employee Rate Schedule, effective July 1, 2017.

(See Supplemental Minutes #1187 for a copy of the salary schedule.)

**Item 5.g:** By the block vote, the Board approved the revised Regular and Contract Faculty Summer Intersession Teaching Salary Schedule, effective for the 2017 Summer Intersession.

(See Supplemental Minutes #1187 for a copy of the salary schedule.)

**Item 5.h:** By the block vote, the Board approved the revised 2017-2018 Academic Calendar with the addition the Cesar Chavez Holiday (Observed) effective with the 2017-2018 academic year.

(See Supplemental Minutes #1187 for a copy of the revised 2017-2018 Academic Calendar.)

## **GENERAL**

**Item 6.a:** The Board received for a first reading Resolution No. 16/17-18, Support for Students and Privacy of Student Records, reaffirming the North Orange County Community College District's full support for all students.

In the ensuing discussion, it was suggested that "United States" be added before "presidential" in the third Resolved statement, that the Board possibly consider supporting the State's resolution instead, and concern was expressed regarding language related to agreements with law enforcement agencies referenced in the first Resolved statement.

During the discussion Trustee Bent read the following statement regarding the resolution:

"Our administrators, faculty and staff have clearly done an excellent job with inclusion and making all students feel welcomed district-wide. Certainly, that should continue but I think that can be done without entering into such a designation and I believe in this case, it is my job to provide an alternative view to what is being proposed.

The following are some of the preliminary issues I have with our Board of Trustees establishing a new "Sanctuary Policy" for our district:

1. At the November 22<sup>nd</sup>, 2016, meeting, Board President Dunsheath more than adequately addressed this subject matter in a way that didn't give any impression of an attempt to stand against federal law.
2. Our district also has taken several steps already to make students feel comfortable including dispatching counsellors after the election.
3. Both the state of California and the California Community Colleges Chancellor's Office issued similar statements and in this case, it is not necessary or appropriate to restate what's been said at the higher levels of government.
4. As a community college board, we don't make laws. Therefore we should also not make anti-law enforcement statements. We do not have our own police department and will not be expected to enforce immigration law but certainly before ever issuing a statement like this, it would be appropriate to consult the Fullerton Police Department, the Anaheim Police Department, the Cypress Police Department, the Orange County Sheriff's Department, and the U.S. Immigration and Customs Enforcement Agency. People may be surprised to hear that sanctuary cities like Santa Ana and Los Angeles still partner with I.C.E. without a need for warrants, subpoenas, or court orders.
5. It is improper to make any statement regarding the permanence of any financial aid program, especially federal financial aid, when we have no ability to make that

determination. Just like anything, we can lobby for such things but not make a promissory note to students that we have no way to fulfill.

6. Article 1 Section 8 Clause 4 of the United States Constitution states that the Federal Legislature has the responsibility to establish a uniform Rule of Naturalization. The Federal Government has always been responsible for immigration issues, not community college districts, and I believe it would be a violation of my Oath of Office to support any policy that attempts to get between the Federal Government and its Enumerated Powers. I would no sooner attempt to stop a Marine Battalion (which is also the responsibility of the Federal Government).
7. Section 274 [8 USC 1324] states that you can be fined under Title 18 and imprisoned for up to 10 years for knowing or being in reckless disregard of the fact that an undocumented immigrant has come to, or remains in the United States in violation of law OR for harboring or shielding them from detection. (That's another reason, I think it would be a violation of Oath to support such a policy).
8. I think it's important to continue to make students feel safe but I also believe it's important to not give a false sense of security. The district can work as an influencer but can't create laws or choose which ones are enforced. If we are saying we'll comply with all laws, why is such a sanctuary policy statement necessary? In our over 100 year history, why is this policy being considered right now and what's the harm in not getting directly involved in this issue beyond what we have already done?
9. Since in our last meeting, the election of Donald Trump was cited as a reason for introducing this policy, I will read two quotes and you can decide which President they are from:

Quote #1: "We all agree on the need to better secure the border and to punish employers who choose to hire illegal immigrants. We are a generous and welcoming people here in the United States but those who enter the country illegally and those who employ them disrespect the rule of law and they are showing disregard for those who are following the law. We simply cannot allow people pouring into the United States undetected, undocumented, unchecked, and circumventing the line of people who are waiting patiently, diligently, and lawfully to become immigrants in this country."

Quote #2: "One of these areas is the problem of illegal immigration. This administration has taken a strong stand to stiffen the protection of our borders. We are increasing border controls by 50%. We are increasing inspections to prevent hiring of illegal immigrants and tonight, I announce I will sign an Executive Order to deny Federal contracts to businesses that hire illegal immigrants. We should honor every legal immigrant here working hard to be a good citizen... But we are also a nation of laws."

Answers: Quote #1 – Barack Obama, and Quote #2 – Bill Clinton

10. To me, there is nothing new under the sun that makes this a pressing issue. The majority of the residents in Area 7 would not support such a statement. Yorba Linda makes up over 50% of this Area and it is considered a "Rule of Law" city that will fully comply with Federal Law and voluntarily cooperate with Federal Enforcement Agencies. I recommend not entering us into this policy but rather the district can

continue to diligently support students and advocate for its interests just as it has been doing all along.”

In response to Trustee Bent’s statement, Student Trustees Begneski and Washington, and Constituent Group Presidents Seiling, Johannsen, Gottdank, and Veloz expressed the need for District action in support of undocumented students.

The Board directed that the following take place prior to placing the resolution on the March 14, 2017 Board meeting agenda for action: 1) a review by legal counsel of the proposed resolution; 2) staff review Anaheim, Cypress, and Fullerton Police Department policies and/or District agreements with those agencies, including the Orange County Sheriff’s Department; 3) provide the Board with Trustee Dunsheath’s personal statement from the November 22, 2016 Board meeting; and 4) provide the Board with the districtwide/campus memos distributed by Chancellor Marshall, President Schulz, President Simpson, and Provost Purtell.

Trustee Bent requested that staff review the impact of the proposed resolution on the Anaheim, Cypress, and Fullerton Police Departments and the Orange County Sheriff’s Department, and also inquire whether or not those agencies would be in favor of the Board adopting such a resolution.

**Item 6.b:** The Board received the School of Continuing Education request for an institutional name change and authorization to conduct a name/brand launch campaign, as an information item. Jennifer Perez, SCE Director of Campus Communications, conducted a presentation which outlined the results from the SCE website redesign and re-branding project that initially revealed confusion with the SCE name. She noted that as a result, SCE embarked on a name analysis and exploration project that included the formation of a workgroup, surveying stakeholders, focus groups, and ultimately a new name recommendation. Ms. Perez stated that should the Board ultimately approve an institutional name change for SCE, next steps would include the development of a new logo, colors, and brand style guide, with implementation throughout 2017, and a launch event at SCE’s Opening Day event on September 8, 2017.

The Board directed that the request for an institutional name change and authorization to conduct a name/brand launch campaign be placed on the March 14, 2017 Board meeting agenda for action.

(See Supplemental Minutes #1187 for a copy of the full presentation.)

**Item 6.c:** The Board reviewed its Board of Trustees Assessment Instrument, which was adopted August 26, 1997, and last revised March 26, 2015. Board President McClanahan stated that the assessment would be distributed to the Board resource table personnel and regular Board meeting attendees at the April 11 meeting, with responses due by April 25. The Board will discuss the assessment results in open session at its May 9 meeting.

During the discussion, it was suggested that the “0” rating be renamed “No knowledge of” instead of “Unknown.” Any additional suggestions for revision are to be forwarded to the Chancellor’s Office.

**CLOSED SESSION:** At 8:22 p.m., Board President Molly McClanahan adjourned the meeting to closed session per the following sections of the Government Code:

**Per Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR IRMA RAMOS, VICE CHANCELLOR, HUMAN RESOURCES; - Employee Organizations: United Faculty/CCA/CTA/NEA, Adjunct Faculty United Local 6106, CSEA Chapter #167, and Unrepresented Employees.**

**Per Section 54957: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

**Per Section 54957: PUBLIC EMPLOYEE APPOINTMENTS: Cypress College President**

**Per Section 54956.9(a): CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION: One (1) Potential Case**

**Claimant: Martha Lopez**  
**Agency Claimed Against: NOCCCD**

**RECONVENE MEETING:** At 9:22 p.m., Board President Molly McClanahan reconvened the meeting in open session and reported the following action taken in closed session:

It was moved by Trustee Stephen T. Blount and seconded by Trustee Jacqueline Rodarte that the Board take action to approve a Resignation Agreement with a classified employee (Banner ID @00288956) under which the employee resigned effective May 4, 2017 and shall be on paid administrative leave until May 3, 2017. The parties further release and waive all claims they may have had against each other. **Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes.**

**ADJOURNMENT:** At 9:27 p.m., it was moved by Trustee Barbara Dunsheath and seconded by Trustee Jacqueline Rodarte to adjourn the meeting. **Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, McClanahan, and Rodarte voting yes.**

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Prepared By Recording Secretary for  
Jeffrey P. Brown, Secretary, Board of Trustees