

DISTRICT CONSULTATION COUNCIL
February 24, 2025

SUMMARY

MEMBERS PRESENT: Byron D. Clift Breland, Jennifer Carey, Ziza Delgado Noguera, Christie Diep, Karla Frizler, Kyle Hsu, Sharon Kim, Bridget Kominek, Cherry Li-Bugg, Elaine Loayza, Jaclyn Magginetti, Kathleen McAlister, Flavio Medina-Martin, Michelle Patrick Norng, Jeremy Peters, Valentina Purtell, Irma Ramos, Jeanette Rodriguez (for Cynthia Olivo) Marlo Smith, Pamela Spence, Kai Stearns, Scott Thayer, Annalisa Webber, and Fred Williams.

VISITORS: Danielle Davy, Danielle Fouquette, Craig Lee, and John Krok.

ABSENT: Geoff Hurst.

Chancellor Byron D. Clift Breland called the meeting to order at 2:05 p.m.

MEETING SUMMARY

Summary: The summary of the January 27, 2025 meeting was approved as submitted. **There was consensus to approve the summary with three abstentions** (Michelle Patrick Norng, Jeanette Rodriguez, and Ziza Delgado Noguera).

STRATEGIC GOALS & PLANNING

2025-26 Budget Assumptions for the Tentative Budget: Fred Williams, Vice Chancellor of Finance & Facilities, presented the initial budget assumptions for the Tentative Budget which included the 2025-26 early preliminary budget resource allocation model assumptions and districtwide expenses in the ongoing budget.

2025-26 Resource Allocation Model Budget Assumptions – Revenue Highlights

- Student Centered Funding Formula Revenue – \$256,207,476
- Hold Harmless Allocation – \$262,433,892
- Amount available for Backfill and Reserves – \$6,226,416
- Mandated Costs – \$1,154,664
- Interest & Investment Income – \$3,000,000
- Nonresident Tuition – \$7,702,860
- OPEB Trust Contribution – \$5,750,057
- Total Revenue (excluding OPEB Trust Contribution) – \$286,289,980

2025-26 Resource Allocation Model Budget Assumptions – Expense Highlights

- Position Control for Permanent Positions – \$188,042,777
- Health Costs for Permanent Positions – \$12,654,370
- Dependent Care Coverage – \$7,574,515
- Extended Day (Adjunct & Overload) – \$38,888,970
- Budget Center Expenses – \$18,815,794
- Districtwide Expenses – \$6,005,349
- Total Expenses (net of OPEB Trust Contribution) – \$274,373,243

Districtwide Expenses in Fund 11200

- \$650,000 for the 10000's (Sabbatical replacement costs, additional duty days for faculty)
- \$1,095,00 for the 30000's (Retiree medical costs, part-time faculty insurance premiums, fringe benefits clearing, STRS/PERS fees)
- \$3,885,349 for the 50000's (Multiple expenses including audit expenses, attorney fees, waste disposal, student insurance, life insurance, and districtwide IT expenses)
- \$250,000 for the 70000's (Fullerton College Child Care Center contribution)
- \$125,000 for the 79000's (EEO Plan implementation, student success)

Fred Williams shared that the District received information that the deficit factor for 2023-24 is zero and the District factored 1%. He reported that the deficit factor for 2024-25 is very high at 7.11% or \$18.6 million, but stated this it will drop once all of the taxes come forward. He also noted that assumptions include no growth, cautioned that the demographics don't look good for the District, and that we will remain in hold harmless based on the estimates.

Vice Chancellor Williams pointed out that costs associated with CSEA and Adjunct Faculty United negotiations, the 34 new faculty positions that are currently in recruitment, and all of the job family studies are not included in the assumptions.

Chancellor Byron D. Cliff Breland shared that a number of responses from across the State have been shared regarding the Department of Education Dear Colleague letter, and asked if the budget officers have discussed what it means for federal dollars and programs that are feeling threatened by the nature of the letter. Vice Chancellor Williams responded that none of the District's grants have been targeted and no notification has been received, but noted that other districts have been notified.

Dr. Cliff Breland emphasized that nothing has been pulled back to date, stated that the District has a great budget and the capacity to continue to support programs, and thanked Fred Williams and his team for their work.

Finance staff will provide a comprehensive budget update at the March 11 Board meeting.

OPERATIONAL

Fullerton College Accreditation Update and Planning: Fullerton College Accreditation Steering Committee Co-chair Danielle Fouquette provided an update on the recent accreditation cycle, an overview of the ongoing work on the Fullerton College Accreditation Steering Committee to understand the new ACCJC standards, and potential intradistrict collaboration to ensure alignment in meeting accreditation standards.

Danielle Fouquette noted that as part of the review process, they are looking at evidence that has been collected in the past and one piece that was relied on by both colleges was the District Function Map. She inquired about next steps to ensure ongoing maintenance so the document does not become stagnant. The Chancellor inquired about the possibility of cross-referencing responsibilities related to the District Function Map with job descriptions and members recommended having the Institutional Effectiveness Coordinating Council (which reports to DCC) take the lead. She also stated that much of the accreditation evidence comes from District board policies and administrative procedures and inquired about information outlining the policy review process. It was noted that the District subscribes to the Community College League of

California (CCLC) Policies and Procedures Service which distributes updates in the spring and fall to ensure legal compliance, that the District has a six-year review cycle to maintain current policies within the accreditation cycles, and that the Chancellor's Office can provide supporting information as needed.

It was suggested that the District develop a group to evaluate all of the policies that affect accreditation.

POLICY

Revised Board Policies & Administrative Procedures in Chapter 2 – Review Cycle Revisions: The following Board Policies and Administrative Procedures were reviewed and revised as part of the District's review cycle. Proposed revisions to these policies include reference section updates pursuant to the 2024 changes to ACCJC Accreditation Standards, to update legal citations, and legal language as provided by the CCLC Policy and Procedure Legal Updates Service. Additional revisions include minor grammar corrections in keeping with District practices.

- **BP 2015, Student Members**
- **BP 2200, Board Duties and Responsibilities**
- **BP 2210, Officers**
- **BP 2220, Committees of the Board**
- **BP 2305, Annual Organizational Meeting**
- **BP 2310, Regular Meetings of the Board**
- **BP 2315, Closed Sessions**
- **BP 2320, Special and Emergency Meetings**
- **AP 2320, Special and Emergency Meetings**
- **BP 2330, Quorum and Voting**
- **BP 2340, Agendas**
- **AP 2340, Agendas**
- **BP 2345, Public Participation at Board Meetings**
- **AP 2345, Public Participation at Board Meetings**
- **BP 2350, Speakers**
- **AP 2350, Speakers**
- **BP 2355, Decorum**
- **BP 2360, Minutes**
- **AP 2360, Minutes**
- **BP 2365, Recording**
- **AP 2365, Recording**

During the discussion, members recommended adding “inclusive and” to BP 2200 section 2.10 so it reads, “...welcoming spirit, and maintains an inclusive and anti-racist culture”; requested clarification on why “disturbing” was added to BP 2355 section 1.1.

Subsequent to the discussion, **there was consensus to approve the revised Administrative Procedures and post them on the District website and forward the revised Board Policies to the Board for their consideration.**

New Administrative Procedure 3415, Immigration Enforcement Activities: AP 3415, Immigration Enforcement Activities, a legally required policy, was presented for a second reading. Recommended revisions from the January 27 DCC meeting have been incorporated regarding use of the term campus safety (instead of campus police) and citing the Vice Chancellor of Administrative Services as one of the two designated administrators that should be notified when immigration enforcement officers are on campus. Further revisions to sections 1.0, 1.1, 1.2, and 3.0 were made after consultation with legal counsel regarding student residences and designation of private/restricted spaces.

Bridget Kominek expressed concern from the Fullerton College Faculty Senate regarding use of “exigent circumstances” in section 5.0 which creates a huge loophole and noted that the Senate had a split endorsement vote due to that language. In response, DCC members agreed to add a new section 5.1 to include the following definition, “Exigent circumstances are defined as circumstances that would cause a reasonable person to believe that entry (or other relevant prompt action) was necessary to prevent physical harm to the officers or other persons, the destruction of relevant evidence, the escape of the suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.”

Members also changed “a staff” to “an employee” in section 12.0.

With the two noted revisions, **there was consensus to approve the new Administrative Procedure 3415 and post it on the District website with two abstentions** (Kathleen McAlister and Jaclyn Magginiti).

Revised BP/AP 7600, Campus Safety Officers – Original Revisions: The Council received a seventh reading of the proposed revisions to BP/AP 7600, Campus Safety Officers which were originally introduced at the February 23, 2022 DCC meeting.

As part of the discussion, it was noted that the NOCE Academic Senate unanimously voted to approve draft BP 7600 as presented; passed a motion to support community-oriented safety principles versus traditional law enforcement with an 18-5 vote; and passed a motion to support the addition of an collapsible baton for Campus Safety Officers with 12-6-5 vote.

The Cypress College Academic Senate discussion resulted in a 10-8 vote with an abstention in favor of a community-oriented approach. It was also noted that the Senate refused to vote on the use of an asp for Campus Safety Officers.

Vice Chancellor Fred Williams reported that the DCC workgroup tasked with revising the drafts of BP/AP 7600 had met three times since the last DCC reading. The workgroup felt there was too much baggage with the initial drafts and opted to start over. He requested that DCC strike down the proposed revisions and separately consider the use of the asp.

There was consensus to strike down the proposed original revisions to BP/AP 7600.

Revised BP/AP 7600, Campus Safety Officers – Newly Proposed: The Council received a first reading of the proposed revisions to BP/AP 7600, Campus Safety Officers developed by the workgroup—Fred Williams, Kai Stearns, Bridget Kominek, Elaine Loayza, and Sharon Kim—and a proposed schedule for review and DCC consideration.

Vice Chancellor Fred Williams shared that the workgroup has met three times and reviewed the original revisions, the information provided by constituent group representatives, and the State Chancellor report on community policing.

Bridget Kominek noted that there has been a significant amount of information from the community since the original draft policies have been discussed, including the State Chancellor report and CCLC community policing draft language, and now there will be opportunities to hear from students in a meaningful way and get feedback from the Campus Safety Officers. She noted that it would be helpful to hear concerns about language now.

Fred Williams and Kai Stearns led a step-by-step discussion of the proposed revisions and where the language was developed. In the ensuing discussion, the following was shared:

- BP 7600 now includes new legislation from Title 5 in sections 7.0 and 8.0.
- The applicable Title 5 sections from the new language should be added to the reference section in BP 7600.
- The last sentence in section 8.0 of BP 7600 should be revised to read, "...historically underserved groups in the community."
- Campus Safety Officers should attend the next DCC meeting.
- Changes to job descriptions with a new style of campus safety is a working condition that will need to be negotiated.
- Change "personnel" to "officers" in section 3.1.4 of AP 7600.
- Is "probable" necessary in section 3.2 of AP 7600.
- Revise language in section 3.2.3 in AP 7600 because Section 490.5 of the California Penal Code would only apply to a district-owned bookstore and the College bookstores are owned and operated by Follett. The language in sections 3.2.4.1 and 3.2.4.2 also needs to be reviewed for the same reason.

The proposed revisions to BP/AP 7600 will return to next meeting for further discussion.

Inclusive Restrooms for District Facilities: NOCE's LGBTQ+ Coordinator, Christian Garcia, contacted NOCE Academic Senate President Michelle Patrick-Norng regarding the process for proposing a new Administrative Procedure (AP) that would require new construction or renovation to have all-gender inclusive restrooms. Fullerton College recently had a new building constructed that did not include an all-gender restroom. Upon discovering this situation, it was determined that there is nothing in written policy that made the inclusion of an all-gender restroom a requirement. On behalf of the three LGBTQ+ Coordinators, Mr. Garcia shared that having access to a single stall gender inclusive restroom would benefit trans people, nonbinary people, people with disabilities that have a different gender caretaker, students with children, and even faculty looking for more private restroom options. Mr. Garcia met with President Purtell and Vice President of Student Services, Martha Gutierrez, who expressed support for the initiative. It is recommended that members discuss proposals for a new or revised administrative procedure that makes inclusive restrooms for district buildings/facilities a priority and/or requirement.

Michelle Patrick Norng shared that the LGBTQ+ coordinators meet regularly and wondered if there was an existing policy in place after they learned of the new Fullerton College building that did not include an inclusive restroom.

Vice Chancellor Fred Williams responded that there has been legislation since 2017 regarding restrooms and that in 2024 the law was reinterpreted and the Department of State Architects (DSA) now requires inclusive restrooms. He listed all of the District projects that include them in their plans and wondered if a policy was necessary since it is already a DSA requirement. He also shared that he requested a districtwide listing of inclusive restrooms and will share it.

Chancellor Byron D. Clift Breland noted that it is a practice the District needs to be in-tune with, and Jaclyn Magginietti recommended having infographics outlined on all campus maps.

Next DCC Meeting: The next DCC meeting will take place on Monday, March 24, 2025 in the Chancellors Conference Room at the Anaheim Campus.

ADJOURNMENT: The meeting was adjourned at 4:05 p.m.