



District Consultation Council Meeting

February 27, 2023

2:00 p.m.

Zoom Teleconference | Meeting ID: 976 5725 0668

<https://nocccd-edu.zoom.us/j/97657250668>

AGENDA

TELECONFERENCE RESOLUTION & MEETING SUMMARY

- | | |
|--|---------------|
| 1. Resolution No. 22/23-05, Authority to Hold Virtual Meetings | Action |
| 2. January 23, 2023 Summary | Action |

STRATEGIC GOALS & PLANNING

- | | |
|---|--------------------|
| 1. 2023-24 Resource Allocation Model Preliminary Budget | Discussion |
| 2. One-time Funding Allocations | Information |
| 3. Remote Hybrid Workgroup Update | Information |

OPERATIONAL REVIEW

- 1.

POLICY

- | | |
|--|---------------|
| 1. Revised BP 6320, Investments | Action |
| 2. Revised Chapter 6 Board Policies & Administrative Procedures – Continuous Review Cycle (See attached summary) | Action |

OTHER ITEMS

- 1.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 16, 2023

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

Resolution No. 22/23-05, Authority to Hold Virtual Meetings Pursuant to AB 361

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Second Reading	
Review/Discussion		Action	X
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **5 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

In light of California remaining in a state of emergency due to the COVID-19 pandemic and the District continuing a 3 days on-site/2 days remote work schedule through the Spring semester, it is recommended that the District Consultation Council (DCC) conduct its meetings remotely. In order to conduct Zoom meetings, DCC must adopt a resolution to authorize remote meetings pursuant to AB 361.

5. RECOMMENDATION:

It is recommended that DCC approve Resolution No. 22/23-05 authorizing remote teleconference DCC meetings for 30 days pursuant to AB 361.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

**RESOLUTION OF THE DISTRICT CONSULTATION COUNCIL
OF THE NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT**



**Resolution No. 22/23-05, Authority to Hold Virtual Meetings Pursuant to AB 361 –
Open Meetings: State and Local Agencies: Teleconferences**

WHEREAS, on March 4, 2020, pursuant to the California Emergency Services Act and Government Code Section 8625, Governor Gavin Newsom declared a statewide emergency arising from the coronavirus (COVID-19); and

WHEREAS, the aforementioned declaration of emergency has not been rescinded, and, thus, remains in effect; and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act pertaining to teleconferenced meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 which indicated that Executive Order N-29-20's authorization for holding virtual meetings would expire on September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (Rivas) as urgency legislation effective immediately, which provides that legislative bodies may continue to meet remotely during a declared State of Emergency subject to certain conditions; and

WHEREAS, AB 361 amends the Brown Act (Government Code section 54953) to add the following provision:

(e)(1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

- (A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing. [-OR-]
- (B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees. [-OR-]
- (C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.;

WHEREAS, AB 361 further amends the Brown Act (Government Code section 54953) to add the following provision:

(e)(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.
[-AND-]

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person; [-OR-] (ii) state or local officials continue to impose or recommend measures to promote social distancing.

WHEREAS, according to the Orange County Health Care Agency (OCHCA) COVID-19 data page, as of February 16, 2023 there were 1,426 positive cases reported over a seven-day period and 170 current hospitalizations¹;

WHEREAS, the CDC has established a “Community Transmission” metric with 3 tiers designed to reflect a community’s COVID-19 case rate and percent positivity;

WHEREAS, Orange County currently has the community transmission metric of “low”²; and

THEREFORE, BE IT RESOLVED that the District Consultation Council of the North Orange County Community College District hereby makes the following findings:

(1) The District Consultation Council has reconsidered the circumstances of the Governor’s March 4, 2020 declaration of a state of emergency due to the COVID-19 pandemic, and the District Consultation Council finds that the declared state of emergency remains active, and continues to directly impact the ability of District Consultation Council members to meet safely in person.

BE IT FURTHER RESOLVED, that based on the findings herein, the District Consultation Council shall hold meetings via teleconference as permitted by Government Code section 54953(e) for the next thirty (30) days from the date of this Resolution;

BE IT FURTHER RESOLVED, that any meetings held via teleconference pursuant to this Resolution shall comply with all requirements of Government Code section 54953(e)(2), including, but not limited to, Government Code section 54953(e)(2)(E), which provides: “The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.”

¹ OCHCA COVID-19 Case Counts and Testing Figures

² CDC COVID-19 County Check

BE IT FURTHER RESOLVED, that not more than thirty (30) days from the date of this Resolution, the District Consultation Council shall again reconsider the circumstances of the state of emergency declared by the Governor on March 4, 2020, in order to determine whether such circumstances warrant the District Consultation Council continuing to hold teleconference meetings as permitted by Government Code section 54953(e).

PASSED AND ADOPTED by the District Consultation Council of the North Orange County Community College District on this 27th day of February 2023.

Byron D. Clift Breland, Chair
District Consultation Council of the
North Orange County Community College District

DISTRICT CONSULTATION COUNCIL
January 23, 2023

SUMMARY

MEMBERS PRESENT: Byron D. Clift Breland, Jim Bunker, M. Leonor Cadena, Jennifer Combs, Damon De La Cruz, Carlos Diaz, Christie Diep, Jean Foster, Raine Hambly, Geoff Hurst, Cherry Li-Bugg, Kathleen McAlister, Cynthia Olivo, Jennifer Oo, Jeremy Peters, Valentina Purtell, Irma Ramos, Jeanette Rodriguez, JoAnna Schilling, Melissa Serrato, Pamela Spence, Kai Stearns, and Fred Williams.

VISITORS: Fola Odebunmi, Simone Brown Thunder, and Danielle Davy.

Chancellor Byron D. Clift Breland called the Zoom teleconference meeting to order at 2:01 p.m.

TELECONFERENCE RESOLUTION & SUMMARY

Teleconference Resolution: There was consensus to approve Resolution No. 22/23-04 to authorize remote teleconference DCC meetings for 30 days. Members also discussed the sunset of AB 361 expiring in February 2023, the need to go back to in-person meetings outside of the new AB 2449 legislation requirements, and a return to the past practice of in-person meetings from the three posted locations at the Anaheim Campus, Cypress College, and Fullerton College.

Summary: The summary of the November 28, 2022 meeting was approved with the noted correction to the page 4 discussion of AP 7120-4 sections 8.8.1-8.8.4.

STRATEGIC GOALS & PLANNING

Governor's 2023-24 Budget Proposal: Fred Williams, Vice Chancellor of Finance & Facilities, reported that the Governor introduced the 2023-24 Budget Proposal and shared the State Chancellor's Office's Joint Analysis and the School Services of California's economic overview which highlighted the following:

- The proposal tackles a budget deficit while seeking to keep prior year promises without touching the rainy day funds.
- Very few new programs in the budget.
- 8.13% COLA for the Student Centered Funding Formula (SCFF) and categorical programs including adult education.
- A portion of deferred maintenance funds allocated in FY 2022-23 will be reinvested in retention and enrollment efforts.

Vice Chancellor Williams stated that he had not previously seen a proposal from the State to take \$200 million back and reappropriate it, and noted that he anticipated seeing significant changes in the May Revise. He also reported on his attendance at the recent State Budget Workshop that included presentations from the Legislative Analyst's Office, the State Chancellor's Office, and the Department of Finance and the overall theme was increasing enrollment because there appears to be a loss of legislative support to continue to pay for enrollment. He cautioned that emergency conditions and hold harmless are likely going away

after next year, that there could be potential penalties, the importance of documenting and increasing strategies, and that while a recession is expected, no big cliff fall is expected.

Contribution for Capital Projects: Vice Chancellor Williams stated that with escalation increases in for our capital construction, several projects are coming in costlier than expected. He shared the following:

- Cypress College: One million dollars for the Culinary Swing Space due to additional requirements for the dining room, restroom facilities, and ADA Lot 1 upgrades, as well as another \$1 million for Phase III for the LLRC Data Center which would provide additional electrical capacity and HVAC upgrades.
- Fullerton College: An \$8 million increase for the Performing Arts Complex has been identified. Campus staff have attempted to fill the gap by reducing the scope and eliminating future projects, but a new addition has been identified. For ADA purposes, a new elevator for the 100 Building is necessary in order to replace the 1100 Building elevator upon its demolition at an anticipated cost of \$2 million.
- Anaheim Campus: The swing space for NOCE during the replacement of the upper deck parking lot is estimated at \$1.5 million over the existing budget.

At its December 12 meeting, the Council on Budget and Facilities approved a one-time funding request of \$5.5 million dollars to be moved forward to the District Consultation Council for consideration and approval.

During the discussion, members requested details about the Fullerton College measures to fill the gap, what's being eliminated, and opportunities to be a part of the conversation. Vice Chancellor Williams also stated that there was \$27 million available in one-time funding and that to date, \$1 million have been earmarked for sustainability efforts and \$10.7 million for repayment of financial aid due to fraudulent students. That would leave a balance of \$10 million after the proposed \$5.5 million for contributions to capital projects.

There was consensus to allocate \$5.5 million of one-time dollars for the noted capital facilities projects (\$2 million for Cypress College, \$2 million for Fullerton College, and \$1.5 million for the Anaheim Campus).

Emergency Conditions Recovery Plan Update: Cherry Li-Bugg, Vice Chancellor Educational Services & Technology, shared with DCC that in October 2022 the District submitted an emergency conditions application to the State Chancellor's Office, which was approved. Part of the requirements for the approval of the District's emergency conditions application was that the District provide an update on its recovery plan and submit it for Board approval by the end of February 2023. District Services and the three campuses have been collaborating on the update and will submit the update to the Board at its February 14 meeting.

Vice Chancellor Li-Bugg conducted a brief presentation outlining efforts centered on increasing enrollment and improving student success with major activities focused on marketing, scheduling practices, outreach, recruitment/retention, and equity intervention. The update included details on the major activities the campuses have conducted in these areas and evidence of success. The major piece of evidence of success is that enrollment is trending upward for Spring 2023, which is the primary goal of the emergency conditions application.

During the discussion, members asked if all campuses were providing free parking for students; noted that it was a great start for the District to begin marketing itself; highlighted some missed opportunities like adding mentions of Cypress College and Fullerton College in the NOCE class schedule that is mailed to every household in the area; having the Colleges do the same for each other and for NOCE; and support for finding creative ways for the Colleges and NOCE to work together including the development of articulated pathways.

POLICY

Revised BP 6250, Budget Management: DCC received a second reading of the proposed revisions to BP 6250, Budget Management which incorporated revisions to update the District's unrestricted reserves with a suggested minimum of two months of total General Fund operating expenditures to comply with the emergency conditions allowances and other minor corrections. Vice Chancellor Fred Williams shared that the simulations comparing emergency condition allowance FTES versus actual FTES reflect an increase of \$10.9 million for both 2022-23 and 2023-24 and staff recommends that the additional \$21.8 million in revenue from the emergency conditions allowance over two years plus the current Committed Fund Balance be used to meet the two-month requirement. Without changes to BP 6250, the District does not qualify for the emergency conditions funding.

During the discussion, members sought clarification on whether the two months of general fund expenditures are derived from the actual expenditures or budgeted expenditures, and voiced concern that it's using the budgeted figures because they can be significantly higher than the actuals which impacts the funding that is available at the negotiations table. Vice Chancellor Williams stated that accreditation guidelines and the State both look at the actual expenditures from the previous year. It was also suggested that "actual" be included in section 2.0 to read, "...two months of actual total general fund actual expenditures." Vice Chancellor Williams stated that he would prefer not to because it would place the District in a position where it would need to take money back from the campuses. Members expressed concern that it would take a 2/3 vote of the Board to get the money back and Mr. Williams noted that in two years he anticipated the District would face some challenges and he supported raising the figure in order to not have to rely on personnel changes.

It was suggested that the BP include language as to why the revisions were being made and it was agreed to revise section 2.0 to read, "...two months of actual total general fund actual expenditures in compliance with the emergency conditions application requirements."

There was consensus to approve BP 6250 and forward it to the Board for their consideration.

Revised AP 7120-4, Management Employee Hiring: DCC received a sixth reading of the proposed revisions to AP 7120-4, Management Employee Hiring which incorporated revisions based on the feedback received at the November 28 DCC meeting that was shared by Simone Brown Thunder, District Manager of Human Resources, and included the following:

- Section 3.1: The addition of a definition of diversity as defined in the District EEO Plan.
- Section 4.3.4: Having a separate United Faculty representative.
- Section 4.3.5: Having three faculty representatives selected by the campus academic/faculty senates.

- Section 5.3.3: Updated to reflect the new District Director of EEO and Compliance title.
- Section 8.2: Reverse the order so that the committee (in consultation with the executive officer or designee) selects the chair.

During the discussion, members discussed the following:

- Section 3.0: Members expressed concern about how additional members would work when there is a specific composition when there is a prescriptive procedure that also includes such vague language; removing mentions of additional members and allowing constituency groups to reappoint alternate representatives; and keeping the additional member option and having a community member serve selected by the EEO Director and the committee. The consensus was that it would be okay to remove mentions of “or additional” regarding committee composition changes.
- Section 4.2.9: Add “each” so that there is one student representative for president recruitments and three students (one from each campus) for vice chancellor recruitments.
- Section 4.3.5: Fullerton College Faculty Senate representatives stated they were against reducing the number for dean positions from four to three. Vice Chancellor Irma Ramos suggested adding four faculty for dean recruitments and leaving the vice president recruitments at three faculty (all appointed by the academic/faculty senate).
- Section 6.2.1: Members shared concern with decreasing the job announcement window from six to two weeks because it could minimize diversity efforts; that the window should be long; whether other institutions utilize a two-week window; that the window should be determined in consultation with the entire committee, not just the chair; support for a shorter period because it would be advantageous due to lengthy recruitments and it is one of the reasons there are so many interim appointments; consideration of a 4-week window; consideration of a three-week window; support for a three-week window to provide the District with a competitive advantage due to concerns about losing candidates; and support for a three-week window as a good compromise. The consensus was to change the job announcement window to “at least three weeks.”
- Section 8.8.7: Members expressed concern about the language in this section and how it compromises the entire process by allowing for the selection of a different candidate if the new hire leaves the position within eight months. Vice Chancellor Irma Ramos clarified that it’s not going back to the pool, but to the committee’s agreed upon finalists who have at that point had significant reference checks. There was consensus to change the window to select from the original list of finalists to 6 months (from 8 months) if the new hire does not continue employment which is inline with the probationary period.
- Sections 8.8.4 & 8.8.5: CSEA voiced discomfort with not going back to the search committee to discuss the end result. Simone Brown Thunder reiterated that the search committee role as a recommending body is complete once they have selected finalists and Chancellor Cliff Breland noted that confidentiality needs to be maintained after the committee has forwarded finalists and it would be inappropriate and not a good practice for the District to incorporate that into it’s procedures.

Chancellor Cliff Breland called for a vote, and after reiterating the changes that were agreed upon during the discussion, **there was consensus to adopt AP 7120-4 and post it on the District website.**

ADJOURNMENT: The meeting adjourned at 4:26 p.m.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 22, 2023

From: Fred Williams, Vice Chancellor, Finance & Facilities

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

2023-24 Resource Allocation Model Preliminary Budget

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Second Reading	
Review/Discussion	X	Action	
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION:

15 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

To present an early preliminary budget and to allow members to discuss the information.

5. RECOMMENDATION:

Members are asked to receive and review the information on the preliminary budget.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Kashmira Vyas, District Director, Fiscal Affairs, will be presenting information on the RAM.

North Orange County Community College District
Early Preliminary Budget
2023-24 Resource Allocation Model Budget Summary
February 14, 2023

	DW	DS	CC	FC	NOCE	Total
SCFF Revenues	\$ -	\$ 20,322,527	\$ 81,346,217	\$ 105,014,996	\$ 13,019,261	\$ 219,703,001
Other Revenues	-	2,098,694	7,102,594	8,333,544	1,586,895	19,121,727
Funding for Districtwide Expenses	11,673,623	(1,094,986)	(4,323,910)	(5,540,301)	(714,426)	-
Net Chargebacks	-	868,353	96,920	253,027	(1,218,300)	-
	11,673,623	22,194,588	84,221,821	108,061,266	12,673,430	238,824,728
Expenses	11,548,623	24,339,539	88,947,945	119,576,767	23,809,750	268,222,624
Contingencies	125,000	-	-	100,000	-	225,000
	11,673,623	24,339,539	88,947,945	119,676,767	23,809,750	268,447,624
Net Available Revenue	-	(2,144,951)	(4,726,124)	(11,615,501)	(11,136,320)	(29,622,896)
Net Transfers In/(Out) to Supplement Self-Supporting Operations	-	-	72,873	-	184,920	257,793
Structural Surplus (Deficit)	\$ -	\$ (2,144,951)	\$ (4,653,251)	\$ (11,615,501)	\$ (10,951,400)	\$ (29,365,103)
Additional Sources (Uses)						
Emergency Conditions SCFF	-	-	7,618,457	10,435,928	-	18,054,385
Less 9.25% to DS	-	1,670,030	(704,707)	(965,323)	-	-
Additional Revenue (ECA)	-	1,670,030	6,913,750	9,470,605	-	18,054,385
Subtotal Net Revenue (Deficit) A	\$ -	\$ (474,921)	\$ 2,260,499	\$ (2,144,896)	\$ (10,951,400)	\$ (11,310,718)
Stability Funding based on PY +COLA	-	-	3,278,598	6,488,562	18,030,097	27,797,257
Less 9.25% to DS	-	2,571,246	(303,270)	(600,192)	(1,667,784)	-
Additional Revenue (Stability)	-	2,571,246	2,975,328	5,888,370	16,362,313	27,797,257
Subtotal Net Revenue (Deficit) B	\$ -	\$ 2,096,325	\$ 5,235,827	\$ 3,743,474	\$ 5,410,913	\$ 16,486,539
Amount pulled back to increase Reserves from Emergency Conditions Funding	-	(796,045)	(1,728,396)	(4,313,903)	(4,066,367)	(10,904,711)
Balance	-	1,300,280	3,507,431	(570,429)	1,344,546	5,581,828

Amount To Pull Back to Increase Required Reserves

2023-24 Est. Max TCR (includes Stability Funding)	265,554,643
Hold Harmless SCFF	259,439,637
Amount to be used to increase reserves	6,115,006
Additional to pull back towards reserves	4,789,705

Ratios of Net Structural RAM	7.30%	15.85%	39.56%	37.29%	
Allocations of amount to be pulled back, by Center	446,396	969,228	2,419,096	2,280,286	6,115,006
Allocations of Add'l amount to be pulled back, by Center	349,649	759,168	1,894,807	1,786,081	4,789,705

North Orange County CCD
2023-24 Early Preliminary Budget
General Fund Ongoing (11200) & Self-Supported/Local Revenues
February 14, 2023

	Districtwide		District Services		Cypress College		Fullerton College		N. Orange Cont. Education		Total
	\$	%	\$	%	\$	%	\$	%	\$	%	\$
Revenues											
SCFF 2023-24 Estimated State Apportionment	\$ -	0.00%	\$ -	0.00%	\$ 89,652,475	40.81%	\$ 115,659,596	52.64%	\$ 14,390,930	6.55%	\$ 219,703,001
Revenue Allocation to District Services, 9.25%	\$ -	0.00%	\$ 20,322,527	9.25%	\$ (8,306,258)	40.87%	\$ (10,644,600)	52.38%	\$ (1,371,669)	6.75%	\$ -
Subtotal Revenue, 1	\$ -	0.00%	\$ 20,322,527	9.25%	\$ 81,346,217	37.03%	\$ 105,014,996	47.81%	\$ 13,019,261	5.92%	\$ 219,703,001
Other Unrestricted Revenue	\$ -	0.00%	\$ 363,564	1.91%	\$ 7,811,779	40.85%	\$ 9,242,376	48.33%	\$ 1,704,008	8.91%	\$ 19,121,727
Revenue Allocation to District Services, 9.25%	\$ -	0.00%	\$ 1,735,130	9.25%	\$ (709,185)	40.87%	\$ (908,832)	52.38%	\$ (117,113)	6.75%	\$ -
Subtotal Revenue, 2	\$ -	0.00%	\$ 2,098,694	10.98%	\$ 7,102,594	37.14%	\$ 8,333,544	43.58%	\$ 1,586,895	8.30%	\$ 19,121,727
Subtotal Revenue, 3	\$ -	0.00%	\$ 22,421,219	9.39%	\$ 88,448,811	37.04%	\$ 113,348,540	47.46%	\$ 14,606,156	6.12%	\$ 238,824,728
Contribution towards Districtwide Expenditures	\$ 11,673,623	100.00%	\$ (1,094,986)	-9.38%	\$ (4,323,910)	-37.04%	\$ (5,540,301)	-47.46%	\$ (714,426)	-6.12%	\$ -
Subtotal Revenue, 4	\$ 11,673,623	4.89%	\$ 21,326,233	8.93%	\$ 84,124,901	35.22%	\$ 107,808,239	45.14%	\$ 13,891,730	5.82%	\$ 238,824,728
Chargebacks between budget centers											
FC Chargebacks	\$ -						\$ 253,027		\$ (253,027)		\$ -
CC Chargebacks	\$ -				\$ 287,517				\$ (287,517)		\$ -
NOCE Chargebacks	\$ -		\$ (197,933)		\$ (43,619)				\$ 241,552		\$ -
DS Chargebacks	\$ -		\$ 1,066,286		\$ (146,978)				\$ (919,308)		\$ -
Net Chargebacks	\$ -		\$ 868,353		\$ 96,920		\$ 253,027		\$ (1,218,300)		\$ -
Final Revenue Allocation	\$ 11,673,623	4.89%	\$ 22,194,586	9.29%	\$ 84,221,821	35.27%	\$ 108,061,266	45.25%	\$ 12,673,430	5.31%	\$ 238,824,728
Expenditures											
Position Control Expenses	\$ -	0.00%	\$ 19,670,258	9.80%	\$ 71,111,620	35.44%	\$ 92,377,291	46.04%	\$ 17,507,863	8.72%	\$ 200,667,032
Personnel Costs outside of Position Control	\$ -	0.00%	\$ 540,158	0.27%	\$ 11,475,429	5.72%	\$ 20,499,711	10.22%	\$ 5,519,904	2.75%	\$ 38,035,202
Other Operating Expenses	\$ 11,673,623	39.25%	\$ 4,129,123	13.88%	\$ 6,360,896	21.38%	\$ 6,799,765	22.86%	\$ 781,983	2.63%	\$ 29,745,390
Total Expenditures	\$ 11,673,623	4.35%	\$ 24,339,539	9.07%	\$ 88,947,945	33.13%	\$ 119,676,767	44.58%	\$ 23,809,750	8.87%	\$ 268,447,624
Total Net Available Revenue	\$ -	0.00%	\$ (2,144,953)	7.24%	\$ (4,726,124)	15.95%	\$ (11,615,501)	39.21%	\$ (11,136,320)	37.59%	\$ (29,622,896)
Intrafund Transfers In/Out (To supplement Exp.)											
Intrafund Transfer In to 11200	\$ -		\$ -		\$ 72,873		\$ -		\$ -		\$ 72,873
Intrafund Transfer Out from 11200	\$ -		\$ -		\$ -		\$ -		\$ (13,470)		\$ (13,470)
Intrafund Transfer In to Self-Supporting	\$ -		\$ -		\$ -		\$ -		\$ 198,390		\$ 198,390
Intrafund Transfer Out from Self-Supporting	\$ -		\$ -		\$ -		\$ -		\$ -		\$ -
Total Intrafund Transfers	\$ -		\$ -		\$ 72,873		\$ -		\$ 184,920		\$ 257,793
Final Net Available Revenue	\$ -	0.00%	\$ (2,144,953)	7.30%	\$ (4,653,251)	15.85%	\$ (11,615,501)	39.56%	\$ (10,951,400)	37.29%	\$ (29,365,103)

North Orange County Community College District
2023-24 Early Preliminary Budget
Districtwide (DW) Expenses in Fund 11200 (Ongoing Budget only)
February 14, 2023

	Actuals 2021-22	Budget 2022-23	Budget 2023-24
Sabbatical Replacement Costs	\$ 61,205.08	\$ 300,000	\$ 300,000
Related Activity (Additional Duty Days for Faculty)	\$ 391,379.70	350,000	350,000
Subtotal 10000's	<u>\$ 452,584.78</u>	<u>650,000</u>	<u>650,000</u>
Retiree Medical Benefits	\$ 5,439,906.18	5,602,204	5,925,821
Contribution from Retiree OPEB Trust	\$ (3,000,000.00)	-	- *
Net Retiree Medical Benefits Cost	\$ 2,439,906.18	5,602,204	5,925,821
Part-time Faculty Insurance	\$ 168,719.08	215,000	215,000
Fringe Benefits Clearing	\$ 391,471.77	1,000,000	1,000,000
Adjustments/Fees from STRS	\$ 48,228.52	40,000	40,000
Fees from PERS	\$ 11,444.26	10,000	10,000
Load Banking Benefits Accrual Adjustment	\$ 76,730.24	15,000	15,000
Subtotal 30000's	<u>\$ 3,136,500.05</u>	<u>6,882,204</u>	<u>7,205,821</u>
Other (Memberships for Contract Employees)	\$ 4,440.00	6,000	6,000
Recruiting Budget	\$ 54,012.99	40,000	40,000
Fingerprinting	\$ 14,953.50	25,000	25,000
Sabbatical Bond Reimbursements	\$ 866.50	3,000	3,000
Districtwide Memberships	\$ 154,819.05	137,000	137,000
Audit Expenses	\$ 124,200.00	132,000	133,500
Information & Emergency Communication System	\$ 44,375.04	45,706	47,077
Sewer Expenses	\$ 31,924.61	99,000	99,000
Additional Attorney Expenses	\$ -	350,000	350,000
Waste Disposal	\$ 133,615.86	160,000	160,000
Election Expense	\$ -	150,000	150,000
Ride Share (AQMD)	\$ 58,160.84	120,000	120,000
Student Insurance	\$ 212,759.00	223,840	223,840
Employee Assistance Program	\$ 23,225.52	60,000	60,000
Interest	\$ 79,312.39	90,000	90,000
Life insurance	\$ 150,000.00	150,000	150,000
Mandated Fees from PERS (for reports)	\$ 350.00	5,350	5,350
County Payroll Postage Charges	\$ 4,647.71	4,650	4,650
DW IT Expenses	\$ 1,087,853.33	1,442,062	1,498,385
Subtotal 50000's	<u>\$ 2,179,516.34</u>	<u>3,243,608</u>	<u>3,302,802</u>
FC Child Care Center Contribution (B/A 4/14/09)	\$ 250,000.00	250,000	250,000
Hospitality	\$ 98,215.53	140,000	140,000
Subtotal 70000's	<u>\$ 348,215.53</u>	<u>390,000</u>	<u>390,000</u>
EEO Plan Implementation	\$ -	25,000	25,000
Student Success	\$ -	100,000	100,000
Subtotal 79000's (Contingencies)	<u>\$ -</u>	<u>125,000</u>	<u>125,000</u>
Total Districtwide Expenses	<u>\$ 6,116,816.70</u>	<u>\$ 11,290,812</u>	<u>\$ 11,673,623</u>
STRS on behalf payments from the State	<u>9,148,100.00</u>		
Total	<u><u>15,264,916.70</u></u>		

*: Contribution from Retiree OPEB Trust: Expected to be provided from the OPEB Trust towards the cost of the pay as you go retiree medical costs. Zero for 2022-23 as the Trust Asset value has declined below the level of the District's OPEB Liability.

NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT
2023-24 Proposed Budget - Budget Assumptions
Resource Allocation Model
February 14, 2023

Student-Centered Funding Formula

Estimated COLA		8.13%	
Apportionment Base:		<u>2023-24</u>	
Basic Allocation		\$ 17,157,854	
Credit FTES		120,066,849	
Special Admit		3,180,124	
Non-Credit FTES		10,031,586	
CDCP		<u>2,309,768</u>	
Subtotal - 2023-24 Funding from Base Allocation		152,746,181	
Supplemental Allocation		39,883,000	
Student Success Incentive Allocation		<u>27,073,820</u>	
SCFF Earned Allocation		\$ 219,703,001	<A>
Additional funding resulting from applying prior Emergency Conditions Allowances		18,054,385	
Stability Funding based on PY Funding + COLA		<u>27,797,257</u>	
2023-24 SCFF Total Revenue		\$ 265,554,643	
2023-24 SCFF Hold Harmless Allocation		<u>259,439,637</u>	
Amount available for backfill and reserves		<u>\$ 6,115,006</u>	*

*: The District applied to continue with the Emergency Conditions Allowance (ECA) into 2022-23. This resulted in the District's calculated SCFF funding moving above the hold harmless levels for two years, 2022-23 as well as 2023-24. The 2022-23 ECA has several conditions the District must meet, including increasing it's Board Policy reserve levels equal to 2 months of general fund operating expenditures. This would be an increase from the current 5% to ~16-17% of expenses. The additional funding above the hold harmless level that will be received will be used to help meet the required increase to reserves.

State Revenue

Enrollment Fee Waiver

2% fee waiver administration allocation estimate: \$ 516,460 <A>

Full-Time Faculty Hiring Funds 2018-19

Provided separately from SCFF in 2018-19 (no COLA on this since initial allocation): \$ 1,441,228 <A>

Part-Time Faculty Compensation Items

Estimated reimbursement for part-time faculty office hours		\$ 1,150,000	
Estimated reimbursement for part-time faculty health insurance benefits		\$ 50,000	
Estimated funding towards part-time faculty compensation		<u>\$ 700,000</u>	
		\$ 1,900,000	<A>

Lottery Funds

		<u>22-23 Res+N/R</u>		
Unrestricted lottery projection per FTES:	\$ 170.00	34,413.00		\$ 5,850,210 <A>
Restricted lottery projection per FTES:	\$ 67.00	34,413.00		\$ 2,305,671

Mandated Costs

The budget proposal included funding for the Mandated Block Grant. The District will annually reevaluate whether it is prudent to continue selecting this option.

		<u>22-23 Funded</u>		
		<u>P2 FTES</u>		
Mandated cost revenue projection per FTES:	\$ 35.34	33,735.67	\$ 1,192,219	<A>

Local Revenue/Self-Supporting Revenue

Interest & Investment Income

Interest earnings estimate: \$ 1,000,000 <A>

Miscellaneous Districtwide Income

Other miscellaneous income estimate: \$ 10,000 <A>

Budget Center Revenues

Budget Centers have provided for the self-supported activities for each center. Included in this section, Cypress and Fullerton Colleges have budgeted Nonresident Tuition as part of ongoing revenues. \$ 6,211,613 <A>

Interfund Transfer In

Transfer In from Redevelopment Funds: \$ 1,000,000 <A>

Additional Contribution from OPEB Trust

The downturn the stock market is experiencing has reduced the Trust assets below the level of the District's OPEB liability. In the prior year, the Retiree Benefits Trust Board authorized the use of funds to pay current retiree benefit costs, capped at \$3 million. However, due to the change in value of the Trust assets, we do not anticipate having funds available to use from the Trust to offset these expenses for 2023-24. \$ -

Total Revenues \$ 238,824,731 = sum of <A>

Appropriations and Expenditures

Position Control Budgets (Permanent Positions)

All Permanent Positions have been budgeted based on applicable employee step, grade, and, if applicable, longevity, premium pay, professional growth and education stipends.

\$ 200,667,032

The current rates for benefits have been applied as follows:

STRS: For employer share of contributions towards STRS pension costs.	19.10%
PERS: For employer share of contributions towards PERS pension costs.	25.20%
OASDI: For State Disability Insurance and Medicare required.	6.20% & 1.45%
SUI: State Unemployment Insurance. Rate has significantly increased due to pandemic.	0.50%
WC: Worker's Compensation Rate to contribute towards worker's comp costs.	0.50%
RB: Retiree Benefits Rate to contribute towards ongoing retiree health benefit costs.	1.00%

Health Costs

Health costs have been increased by an expected 4.5% annually. This estimates an annualized increase of 6.8%. The rates increased an average 2.58% for HMO's and 9.92% for PPO's from 2022-23 to 2023-24.

Dependent Care Coverage Costs

All groups' current agreements include a contribution by the District towards dependent care coverage as well as full family coverage. An estimate of these costs has been added, based on employees currently participating.

Other Operating Expenses

The remaining costs outside of position control have been budgeted to help meet departmental needs at each budget center. Included herein are estimated costs for Adjunct faculty.

Adjunct Faculty: Extended Day budgets have been estimated by each campus. Associated benefit costs have been added as an estimate.

\$ 30,790,375

Other Budget Center Expenses: Amounts budgeted to support operations as determined by each budget center.

\$ 25,316,594

Districtwide Expenses

Districtwide expenses include budget for costs that have been approved through CBF and DCC and that will be shared across all budget centers.

\$ 11,673,623

Total Expenses \$ 268,447,624

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 22, 2023

From: Fred Williams, Vice Chancellor, Finance and Facilities

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

One-time Funding Allocations

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only	X	Second Reading	
Review/Discussion		Action	
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION:

5 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Attached is a summary of the One-Time Funds Allocations as of February 22, 2023.

The request to allocate \$5.5M to the campuses for Capital Projects was approved at the January 23, 2023, DCC meeting and \$400,000 is being used to fund the Part-time Faculty Office hours – Spring Semester, leaving a balance of \$9,943,423 unallocated.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, revised BP 6250, Budget Management be forwarded to the Board of Trustees for their consideration.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Members of the Council on Budget and Facilities

North Orange County Community College District
One-time Funding Discussion
DCC
February 12, 2023

Districtwide	Districtwide
Sustainability (<i>DCC approval: 11/28/22</i>)	1,000,000
<i>Repayment of Financial Aid Payments to Fraudulent Students</i>	\$ 10,700,000
Contribution for Capital Projects (<i>DCC approval: 1/23/23</i>)	5,500,000
Cypress	2,000,000
Fullerton	2,000,000
Anaheim Campus	1,500,000
Part-time Faculty Office Hours - Spring Semester	400,000
Unallocated	9,943,423
Total	<u><u>\$ 27,543,423</u></u>

Uncommitted Fund Balance	
Unallocated Resources	\$ 17,612,711
2021-22 SCFF Hold Harmless	9,930,712
Total	<u><u>\$ 27,543,423</u></u>

Placeholder
 New Allocation

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 22, 2023

From: Cherry Li-Bugg, Vice Chancellor, EST

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

NOCCCD Flexible (Hybrid) Work Guidelines

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only	X	Second Reading	
Review/Discussion		Action	
First Reading		Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION:

5 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Back in the fall of 2022, the Chancellor convened a Districtwide Workgroup made up of stakeholder representatives to discuss the principles and guidelines of flexible i.e., hybrid work for the District. The Workgroup met three times over the course of four months, reviewed data, held robust discussions and have concluded their work with their work product being the NOCCCD Flexible (Hybrid) Work Guidelines in the attachment. We are bringing the work product to DCC for information before working out the details of implementation of flexible (hybrid) work including negotiations with collective bargaining bodies where required.

5. RECOMMENDATION:

It is recommended that DCC receive the NOCCCD Flexible (Hybrid) Work Guidelines and share information with their respective constituent groups. This item will be agendized at a subsequent meeting for review and discussion.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Remote/Hybrid Workgroup

NOCCCD Flexible(Hybrid) Work Guidelines

Introduction

Enabling flexible(hybrid) work at NOCCCD that combines in-person, on-campus and remote work is a strategic practice to achieve institutional goals, enable employees to serve students in an equitable manner, foster individual and collective wellbeing, support a diverse and inclusive work environment, and increase flexibility to provide services that best meet student needs. Students today need/want options, classes in different modalities (online, in-person, hybrid) and services offered online and in-person. It is imperative that NOCCCD take student need into consideration in scheduling classes and crafting employee work schedules, both for institutional health and for student success.

These guidelines provide principles and effective practices for implementing a flexible(hybrid) work schedule effectively and equitably, a framework for structuring flexible(hybrid) work, shared definitions of common flexible(hybrid) work terms, the application process, flexible(hybrid) work basics for employees, key communication requirements, and how success will be measured. The guidelines are not intended to be prescriptive or permanent, and individual departments and units will need to adapt them to their local circumstances. These guidelines do not currently apply to fulltime remote work.

Six Principles of Flexible(hybrid) Work at NOCCCD

Flexible(hybrid) Work is guided by these 6 principles:

- Student needs come first – online college is a reality these days and NOCCCD needs to adapt quickly and effectively to be flexible(hybrid) into the future.
- The process is equitable, but not the same, for all employees
- Decisions about applicability for flexible(hybrid) work is without bias or favoritism
- Flexible(hybrid) work needs to be job appropriate
- Flexible(hybrid) work can be changed based on the needs of the department/unit
- Flexible(hybrid) work does not change the regularly scheduled work assignment/responsibilities whether on campus or remote

These principles are intended to provide the foundation for best practices and decisions. Any consideration of flexible(hybrid) arrangements must first be aligned with NOCCCD's mission and closely coordinated with the departments' and units' specific needs and goals. The nature of the work should be the primary guide for when and where work is carried out, but other factors will have to be considered, including having enough coverage to keep all offices open during normal business hours.

Core activities will be fairly distributed; blackout periods will apply, when employees will be on campus based on student need, irrespective of any flexible(hybrid) agreement; and student and employee wellbeing will be recognized as a critical factor for success.

Student needs come first: The flexibility to serve students is paramount. All offices will be open on campus Monday-Friday, and if a colleague in the same department is unable to be on campus, employees may be asked to come to campus in order to serve students. Blackout periods may also apply at the beginning and end of each semester, as well as during registration periods in student services, as student need dictates. All employees may be called to work on campus on their “remote” days, based on the needs of the students, institution, and department. NOCCCD has to offer quality online classes and programs to serve students more effectively and to serve more students. With the flexibility in employee schedules, both classes and services can be offered remotely in the evening hours and on the weekends.

The process is equitable, but not the same for every employee: All employees may request a flexible(hybrid) work arrangement, based on whether the job duties can be accomplished remotely. The decision to approve or deny a Flexible(hybrid) arrangement is the immediate manager’s/supervisor’s (IMS) and it is paramount that the process for making decisions — about when, where, and how work gets done — should also be fair and equitable.

Final approvals for the flexible(hybrid) work schedule by the vice president, vice chancellor, and college president are required. As the District adapts to flexible(hybrid) work, there will be situations in which employees or managers/supervisors want to adjust their on-campus/remote status. The manager’s/supervisor’s role is to set parameters, evaluate the team’s work, and prioritize what must be completed and by whom; however, it is essential that managers/supervisors work with individual employees and with their whole teams objectively when evaluating flexible(hybrid) arrangements. This means that although personal circumstances may factor into scheduling considerations, organizational planning will be the main driver. **Some positions will have little to no room for flexible(hybrid) work.** But the key to equity is having a fair process and using objective criteria by which requests/applications are submitted, assessed, approved, and changed, and this process must be consistent and transparent.

Decisions about applicability for flexible(hybrid) work is without bias or favoritism: It is critical that personal bias or favoritism is removed from flexible(hybrid) work discussions, decisions, and implementation. To achieve this, it is best if managers/supervisors do not ask about an individual’s personal circumstances or base their approval or denial of a flexible(hybrid) arrangement on the employee’s reason for the request. The principle of respecting an employee’s privacy and evaluating a request on its business merits is an ideal practice. Using a student needs/team-first approach can help integrate the employee’s autonomy and need into decision making without compromising collective effectiveness. Once approved and implemented it is important that managers/supervisors treat remote and in-person work as equal and valid.

Flexible(hybrid) Work is job appropriate: Any consideration of flexible(hybrid) work arrangements must first be aligned with the college's mission and student needs, and closely coordinated with departmental needs and goals. Flexible(hybrid) work arrangements are neither appropriate, or even possible, for every position nor are they a guaranteed employee benefit. Successful flexible(hybrid) work situations are available to positions that do not require a consistent physical presence or proximity to a campus location or unit. Other factors to consider include: whether campus and operational continuity can be maintained by working remotely, whether the student experience and access to services is hindered in any way, whether the employee can work productively with minimal supervision, whether the team dynamic is compromised with flexible(hybrid) work arrangements, and whether there are clearly defined measurables that can be successfully accomplished with a remote arrangement.

Flexible(hybrid) work can be changed based on the needs of the department/unit: Under optimal conditions, once approved and implemented, Flexible(hybrid) Work should have no impact on the ability to serve students or the work environment. Temporary blackout periods, when it is determined that employees must be on campus for the purpose of serving students, will be communicated in advance so all employees know and can adapt. Flexible(hybrid) arrangements are intended to be responsive to the changing needs of the college/district and should not be considered permanent. They should be reviewed regularly and updated as drivers of change for achieving excellence and greater student success.

Employees' regularly scheduled work assignment/responsibilities, whether on campus or remote, will not change: All employees understand their regular work assignment/responsibilities do(es) not change whether on campus or in a remote work space. This means all employees will log in to the accepted communications software when on campus or off campus, communicate break and lunch times, and be available to respond within an agreed-upon amount of time to all requests from managers and colleagues. Flexible(hybrid) work should not be confused with working off hours to make up for regularly scheduled hours, taking unscheduled breaks to attend to personal matters, or to be asked to respond to work requests after hours. In addition, if an employee cannot accomplish their tasks remotely, it will be necessary to explore alternative approaches to understand what other options are available (such as the use of vacation time, leave, or revoking remote work hours) should the arrangement become untenable.

Flexible(hybrid) Work Frameworks and Definitions

A shared understanding of key terms and definitions is critical since misunderstandings can lead to confusion, conflict, or missed opportunities.

- **Fully On-site:** Working on-campus for all working hours. Fully on-site can be further defined as:

- **Designated Workplace** – expected to be on-campus for all working hours
- **Flexible(hybrid) Work Schedule:** Working some number of days/hours in an remote environment.
 - **Regular** – an established schedule of remote work days per week or month
 - **Occasional** – staff occasionally works off site, but not on a regular basis
 - **Temporary** – a fixed time frame with a start date and an end date, to complete a project or specific scope of work

Whatever the approach, everyone should remember a flexible(hybrid) schedule can be changed to support individuals and teams when unanticipated circumstances impact business operations, student needs, personal obligations, and wellbeing. And as another reminder, these guidelines do not apply to fulltime remote work.

Creating and Reviewing a Flexible(hybrid) Work Application

For Employees: Submitting an Application

Employees and managers/supervisors may follow these steps in ways that make the most sense for them and their departments/teams:

- **Review the definitions** and the [Six Principles of Flexible\(hybrid\) Work](#) at NOCCCD.
- **Refer to your bargaining unit agreement**, if applicable, to review any provisions if you are a collective bargaining unit member, or a manager/supervisor of a member. If there is a conflict between the language of the contracts and these guidelines, the contract prevails.
- **Download the NOCCCD Flexible(hybrid) Application** and use it as a template or guide for your thought process.
- **Address how and where work will get done.** Under optimal conditions, once approved and implemented, remote work should have no adverse impact on results/outcomes in serving students or the work environment. Your application must address the potential impact on teammates, students, and other stakeholders.

Note: When health may be at issue

If you are seeking a flexible(hybrid) arrangement to manage a health situation for yourself or a family member, you should consult with your manager/supervisor or HR to determine if your situation would be more appropriately considered under vacation or leave options, or explore a reasonable accommodation under the Americans with Disabilities Act (ADA).

For Managers/Supervisors: Evaluating an Application

All employees may request a Flexible(hybrid) work arrangement, and each application should be evaluated on its merits. Immediate managers and supervisors (IMS) are responsible for considering applications objectively and fairly but are not obligated to grant approval (unless otherwise directed by the college or District). Employees requesting a Flexible(hybrid) work arrangement must submit a written request using the [NOCCCD Flexible\(hybrid\) Work Application](#). Managers/supervisors should have a conversation with any employee requesting this arrangement by setting expectations for the individual or team performance. It is the IMS' decision to approve or decline an application (with final approvals by the vice president, vice chancellor and president/chancellor). If an application is declined, however, managers/supervisors must provide a carefully considered reason for the decision, and the employee has the right to appeal within 30 days.

The IMS may refer to the following steps in ways that make the most sense for them and their departments/teams.

- **Setting expectations:** Managers/supervisors' ensure that all team members understand the criteria for determining a flexible(hybrid) schedule.
- **Consider each employee's application:** Does it address student needs and work priorities? Has the employee reviewed and affirmed that they meet information security requirements while working off campus? Has the employee considered how a flexible(hybrid) work arrangement might affect collaboration with others? Has the employee agreed to work the same schedule whether on campus or off campus and maintain communication with the team and their supervisor? Has the employee shown that job duties (including those that affect others) can be performed fully under the proposed arrangement? Does performance history show that this employee can manage the arrangement? Have you had candid conversations about anything that might make you hesitate to approve the proposal? Have the required trainings been completed? Are there any unaddressed issues complicating the decision?
- **Consider applications holistically based on department needs, if applicable:** If several employees have submitted applications, consider whether they work together. If they leave gaps, consider a group meeting to bring up concerns, make adjustments, and find innovative solutions among the group.
- **Approve or decline based on business reasons:** Applications are expected to explain in detail how the proposed arrangement will support a department's goals and objectives. Managers/supervisors will assess whether the proposed arrangement will have any impact on the individual or department. A small inconvenience in one area may be outweighed by a greater benefit to the department overall, even if only realized in the long run. Managers/supervisors should keep an open mind regarding flexible(hybrid) work, but not agree to changes that could undermine business goals, unreasonably burden other staff, or have an impact on service to students.

Note: If Health-Related Issues Emerge

If issues of health or disability are stated directly or appear to emerge during conversations about flexible(hybrid) work, managers/supervisors should determine if the employee's request/applications should now be considered under vacation or leave options, or be explored as a reasonable accommodation under the Americans with Disabilities Act (ADA).

Equity and Unconscious Bias

The manager/supervisor should not ask about an individual's personal circumstances or base their approval or denial of a Flexible(hybrid) work arrangement on the employee's reason for the proposal. The principle of respecting an employee's privacy and evaluating a proposal on its business merits should hold true regardless of the present circumstances.

To the extent that childcare, schools, and elder care services is altered or unavailable, some employees will have challenges balancing work and dependent care responsibilities. Employees are expected to be familiar with the range of wellbeing and family support programs and policies of NOCCCD and find ways to accomplish job responsibilities, whenever brief or lengthier disruptions occur.

Keep in mind that discussions of personal considerations inevitably call on our biases. While it may seem obvious to a manager/supervisor that one reason has more validity than another, fostering a diverse and inclusive environment makes it critical to avoid conflict.

When an Application is Not Approved

Managers/supervisors must give concrete feedback about why an application is modified or declined to demonstrate that the decision is a well-considered one. It may be because of a lack of sufficient detail about how, where, and when work will get done; broader considerations of the department/team as a whole; work history; or simply that the job itself is not suitable for the kind of arrangement proposed by the employee.

Employees have the opportunity to appeal the decision, by completing the [NOCCCD Flexible\(hybrid\) Work Appeal Form](#), but the manager is encouraged to discuss options and seek clarification prior to the final decision and that modifications to the initial request be made wherever possible to avoid full denial.

Remote Work Basics

Employees who plan to work remotely have many factors to consider as follows.

Technology and Equipment: Technology, accessibility, and responsiveness are critical to productivity when working remotely. Employees may be provided basic equipment by their departments to enable telework. Employees are required to stay connected with their manager/supervisor and team during the entire work shift, by utilizing the District supported communication method approved by their IMS. See the [Communication Tools section](#) of these guidelines and in the [NOCCCD Flexible\(hybrid\) Work Application](#) for more information.

Information Technology Security: Whether working from home or the office, protecting information is the responsibility of every employee. All employees must complete the NOCCCD's mandatory information security awareness training and follow the [NOCCCD Administrative Procedure 3720 Computer and Electronic Communication Systems](#). Employees are expected to ensure the protection of confidential and proprietary college/district information accessible from their remote work location. This includes but is not limited to information and data about students and employees.

The district has provided mandatory information security awareness training for all employees to help you understand your role in protecting the district's information resources and to acknowledge your agreement to comply with the [NOCCCD Administrative Procedure 3720, Computer and Electronic Communication Systems, and Administrative Procedure 3722](#) District Data Security Standards for End Users.

*To access the NOCCCD's mandatory information security awareness training, navigate to My Gateway click on "EdVantage".

Non-NOCCCD Work, Including Dependent Care, when Working Remotely: When conducting Flexible(hybrid) work, employees are expected to attend to their NOCCCD work only and should not anticipate handling non-NOCCCD projects. In general, employees are expected to replicate the working conditions of a NOCCCD-provided office/location. Therefore, the following conditions apply:

- Employees may not work on any non-NOCCCD project during paid work hours when working remotely
- Employees may not care for children and/or adults when working remotely
- Employees who must take time to care for others or attend to non-NOCCCD projects during the work day must take sick time, personal time, or comp time, after approval from their IMS
- Employees are not to take time away from their work day and "make up" this work time after hours unless approved in advance by their IMS

Major activities that wouldn't be a normal part of the on-campus workday (such as full-time care for an infant or intensive work on a personal project) are not appropriate while working remotely. Activities

that might normally be interspersed throughout the day at the office during lunch or scheduled breaks, such as brief check-ins from a caregiver or dependent, are acceptable if they do not interfere with expected routines and deliverables.

Supplies: NOCCCD will provide employees with appropriate office supplies (pen, paper, etc.) as deemed necessary. Employees should acquire supplies using the normal department protocols with manager/supervisor pre-approval.

Coming to Campus: Regardless of flexible(hybrid) work arrangements, employees may be required to work on campus at any time at the sole discretion of their manager/supervisor, vice president, vice chancellor or president/chancellor. Managers/supervisors should discuss such instances (e.g., hands-on training, peak demand for services, office coverage, etc.) with the staff member in advance whenever possible and any permanent change in work schedule must align with the CSEA Collective Bargaining Agreement requirements. Decisions regarding scheduling and attending meetings in person or virtually should be based on optimizing outcomes and not on personal preferences for remote work. The college is not responsible for any travel expenses the employee incurs to report to campus. Additionally, the travel time to and from the campus does not constitute hours worked. (29 C.F.R sec. 785.35).

Communication

A thorough communication plan ensures that employees have resources to stay connected with their team, students, stakeholders, and the college/district. Discussions about communication tools, protocols, and the ways in which employees use these to interact with one another are best done at the onset of a team approach to flexible(hybrid) work. Teams should develop a communication plan that clearly identifies which tools will be used, response time, and ability for all team members to contact one another easily.

Best Practices for Communication

- **Communication Tools:** Establish a contained number of agreed-upon tools that the team will use (emails, TEAMS messaging, personal cell phones, video-conferencing services, etc.). Employees are expected to use the required tools including, but not limited to, entering their schedule in Outlook, be signed into Teams, and utilize tools in Teams such as Planner/Tasks, etc. as assigned by the manager/supervisor. Managers should always seek to minimize the number of distinct tools/applications required of employees, where possible.
- **Staying Inclusive and in Sync:** Once you have agreed on the kinds of tools you will use, identify how and when to use them. It can be useful to operationalize and formalize expectations for scheduling and managing online meetings, calendaring and signaling availability, and participating effectively over video or conference calls. Remember all meetings must include options for remote attendance;

this supports effective collaboration and ensures inclusivity. All employees will be supplied with computers with working cameras and are required to participate in video/conference calls with the camera enabled.

- **Formal and Informal Communication Methods:** Define how team meetings, one-on-one meetings, staff meetings, and other forms of communication will be used during this period and establish if and when it is appropriate to use personal modes of communication such as personal cell phones. Look for ways to reproduce informal, in-person communication.
- **Expectations of Team Members:** The team should collaborate and agree on length of time for responsiveness. Teams may also need to adjust their practices around timelines, deadlines, and accountability. Expectations concerning the use of communication tools will vary according to circumstances.
- **Evaluating the Communication Plan:** Effective and honest communication is foundational to trust, so it's a good practice for the team to check in frequently to see how well the plan is working and how well everyone is following it. If something isn't working well, it's wise to acknowledge that and change it before the plan fails – and trust is eroded.
- **Equitable Process:** Managers/supervisors will ensure an equitable process for those proposing new or altered communication arrangements; staff will understand that an equitable process does not mean an identical or even similar outcome.
- **Post Schedule and Contact Information:** All members will be readily available and maintain a published schedule when they are working remotely.. Team members will also keep their online calendars up to date, noting periods of absence and using the “remote work” designation where appropriate.
- **Email Specificity:** To support email management and improve productivity, emails requesting action should include “Action Requested by (date)” in the subject line to support prioritization. Email best practices will be developed to help employees highlight email content and/or requests for action.
- **Blackout Periods:** All employees may be required to be available for seasonal and peak “all-hands-on-deck” periods, as applicable.
- **Accountability:** If a situation arises where a colleague is not honoring a remote work principle, direct, timely, and constructive conversations with that colleague should be discussed with the IMS to resolve the issue.
- **Email Protocols:** NOCCCD encourages email and communication occur during work hours. Emails at late hours or on weekends sends the message that employees should check emails regularly when they are not meant to be working. Teams should be clear about their expectations for response times. It is helpful to be familiar with email tools that schedule message delivery during standard business hours and use high/medium/low importance indicators so the team knows what is urgent, can wait, or can be responded to when convenient.

Managing Teams

Managing/supervising hybrid teams requires additional skills that managers will need in the context of a changing workplace. At its core, managing team performance is about setting expectations and measuring performance outcomes in relation to these expectations, but empowering and managing hybrid teams does require some extra insight. Employees should keep in mind that managers/supervisors and teams will likely utilize shared communication, document storage and tracking, and other tools to keep each other updated on expectations and outcomes.

Measuring Success

Flexible(hybrid) work is successful when teams manage productivity by setting goals and timetables, defining deliverables clearly, and following through on measuring the achievement of deliverables and resulting outcomes.

The evaluation of flexible(hybrid) work will be based on the individual agreement between employee and manager/supervisor. All work arrangements whether on or off campus should be evaluated on an ongoing and periodic basis. The arrangement should be assessed regularly to ensure that the individual's quality of work, efficiency, and productivity are not compromised by work location. In addition, the employee should continue to receive regular performance evaluations in accordance with business or work unit processes, and institutional policy, regardless of work location.

Best Practices for Assessment

When evaluating the success of flexible(hybrid) work, managers/supervisors and employees should generally consider whether:

- The quantity, quality, and timeliness of work has been maintained, enhanced, or diminished
- The Flexible(hybrid) work arrangement has met the expectations laid out in the original documentation of the arrangement
- The Flexible(hybrid) work arrangement has affected, either positively or adversely, relations with the employee's colleagues and/or stakeholders, students and/or customers
- The Flexible(hybrid) work arrangement has had a neutral impact, or has created a need for additional resources, or caused a department's/unit's other employees to assume more work, or it has had a positive impact (e.g., by streamlining processes, making the team more effective)
- The established goals, timetables, and flexible(hybrid) work arrangements are in full alignment with

each other

- The Flexible(hybrid) work arrangements have led to new opportunities (e.g., extended coverage) and helped meet the college's overarching goals (e.g., empowerment; flexibility; diversity, inclusion and belonging; wellbeing; student-centeredness; and student success)

Flexible(hybrid) Work Arrangement Termination

Employees may discontinue participation in the program at any time, for any reason, upon written or verbal notice to their supervisor. Management may also terminate an individual employee's participation after discussion with and a clear explanation to the employee.

Institutional Review

The institutional review is an opportunity for the District to reimagine our college's future and gain insights as to how flexible(hybrid) work schedules can contribute to our collective ability to deliver more accessible, flexible(hybrid), engaging, and high-valued experiences both online/digitally and in person. As such, these guidelines will likely undergo revisions as the colleges and District gain data and experience from implementing flexible(hybrid) work.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 16, 2023

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

Revised BP 6320, Investments

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only		Second Reading	
Review/Discussion	X	Action	X
First Reading	X	Consent Agenda Item	

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **10 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

BP 6320 was reviewed by a Board Ad Hoc Committee formed to address issues related to environmentally sustainable investments and fossil fuel divestment. The Board Ad Hoc Committee presented its recommendations to the Board who expressed support for the proposed revisions to section 1.0 to and the addition of new language to section 6.4.7 in order to align investments with BP 3580, Sustainability Plan and to outline prohibited direct and indirect investments in the stock market.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, revised BP 6320, Investments be forwarded to the Board for their consideration.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

Board Ad Hoc Committee

BP 6320 Investments

Reference:

Government Code Section 53600 et seq.

- 1.0 **Investment Philosophy:** It is the policy of the North Orange County Community College District ("District") to invest surplus monies not required for immediate necessities in a manner which will provide the maximum security of principal invested with secondary emphasis on achieving the highest yield while meeting the daily cash flow needs of the District and conforming to all applicable State and County statutes governing the investment of public funds. [Investments should be consistent with the environmental goals and direction of Board Policy 3580 Sustainability Plan.](#)
- 1.1 All District funds adhere to this policy, with the exception of the Other Post Employment Benefit Irrevocable Trust, that was established to fund retiree health benefits, and that is governed by a separate Investment Policy Statement which is available on the District website.
- 2.0 **Objectives:** The primary objectives, in priority order, of the District's investment activities shall be:
 - 2.1 Safety of Principal: Safety of principal is the foremost objective of the District. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
 - 2.2 Liquidity: Liquidity is the second most important objective of the District. The District's investments will be sufficiently liquid to enable it to meet all operating requirements that might be reasonably anticipated. "Liquidity" refers to the ability to sell at any given moment with a minimal chance of losing some portion of principal or interest.
 - 2.3 Yield: Yield is the third most important objective of the District. The District's investments shall be designed to attain a short-term current market rate of return throughout budgetary and economic cycles.
- 3.0 **Delegation of Authority:**
 - 3.1 The Board of Trustees of the North Orange County Community College District ("the Board") is responsible for establishing the investment policy and ensuring investments are made in compliance with this policy. The Investment Committee is charged with the responsibility of renewing the investment policy and recommending modifications to the Board.
 - 3.2 The Board of Trustees delegates investment authority to the Vice Chancellor Finance & Facilities for a one-year term. Subject to review, this delegation may be renewed pursuant to this section each year. The Chancellor is ultimately responsible for compliance with this policy. The District may employ the services of a Registered Investment Advisor ("Advisor") for implementing the policy. This policy will be reviewed and approved at least annually by the Board.

BP 6320 Investments

4.0 Prudence:

4.1 The standard of prudence to be used in the investment function shall be the “prudent investor” standard and shall be applied in the context of managing the overall portfolio. This standard states “investment shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as the expected income to be derived.”

4.2 The Chancellor, Vice Chancellor Finance & Facilities, or the Advisor, acting in accordance with written procedure and this policy, shall not be held personally liable for a specific security’s credit risk or market price change, provided that any unexpected deviations are reported in a timely manner and that appropriate action is taken to control adverse developments.

5.0 **Ethics and Conflicts of Interest:** Trustees, employees and investment officials involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Trustees, employees and investment officials shall disclose any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment position that could be related to the performance of the District’s portfolio.

6.0 **Authorized Investments:** To the extent not inconsistent with the objectives stated above and Investment Restrictions outlined below, all monies shall be invested according to the following guidelines:

6.1 Fund Segmentation: Given the various natures of the Fund’s obligations, a certain portion of the Fund should be allocated to a short duration/maturity fixed income portfolio while the remainder should be invested with an objective of higher, longer-term returns. The Fund’s allocation to the short duration/maturity fixed income portfolio should be conservatively based on an actuarial assessment of the Fund’s expected cash needs for withdrawals and benefits. The Chancellor, Vice Chancellor Finance & Facilities and the Board should review this allocation at least annually. Guidelines and restrictions for each approved investment portion are described below.

6.2 Maximum Maturity. Restrictions of the maximum maturity will vary on the different styles employed:

6.2.1 Short Duration/Maturity Fixed Income: Investments in the short duration/maturity portfolio are subject to a maximum stated term of three years. Term or tenure shall mean the remaining time to maturity when purchased.

6.2.2 Core Fixed Income: Investments in the core fixed income style are restricted to five-year terms to maturity. Term or tenure shall mean the remaining time to maturity when purchased.

BP 6320 Investments

6.3 Permitted Investments:

- 6.3.1 State of California Local Agency Investment Fund (LAIF): LAIF is a pooled fund managed by the State Treasurer whose permitted investments are identified in the Government Code Section 16429.2.
- 6.3.2 Orange County Investment Pool (OCIP): Orange County Treasury Investment Pool is managed by the Orange County Treasurer whose permitted investments are identified in Government Code 53600, et.seq.
- 6.3.3 U.S. Treasuries: United States Treasury notes, bonds, bills, or certificates of indebtedness, for which the full faith and credit of the United States are pledged for the payment of principal and interest.
- 6.3.4 Federal Agencies: Obligations, participations, or other instruments, including those issued by or guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.
- 6.3.5 Corporate Notes: Corporate and depository institution debt securities issued by corporations organized and operating within the United States or depository institutions licensed by the United States or any state and operating within the United States. Notes eligible for investment under this subdivision shall be rated "A" or better. The maximum remaining maturity shall be five years or less and shall not exceed 30% of the District's investments. Furthermore, no more than 10% is to be invested in any one company.
- 6.3.6 Asset-Backed Securities: Any mortgage pass-through security, collateralized mortgage obligation, or other pay through bond, equipment lease-backed certificate, or consumer receivable pass-through certificate, consumer receivable back bond. Securities eligible for investment under this subdivision shall be issued by an issuer having an "A" or higher rating for the issuer's debt as provided for by a nationally recognized rating service. For maturity purposes the average life of the securities return of principal will be used as the implied maturity and will not exceed five years. The investments shall not exceed 20% of the District's investments.
- 6.3.7 Commercial Paper: Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization (NRSRO). The entity that issues the commercial paper shall meet all of the following conditions: (1) Is organized and operating in the United States as a general corporation, (2) has total assets in excess of five hundred million dollars (\$500,000,000), and (3) has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization; or (1) Is organized within the United States as a special purpose corporation, trust, or limited liability company, (2) has program-wide credit enhancements including, but not limited to, over-collateralization, letters of credit, or surety bond, and (3) has commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally

BP 6320 Investments

recognized statistical-rating organization (NRSRO). Eligible paper shall have a maximum maturity of 270 days or less. The District shall not invest more than 25% of their money in eligible commercial paper. Furthermore, the District shall not purchase more than 10% of the outstanding commercial paper of any single issuer.

6.3.8 Negotiable Certificates of Deposit: Negotiable certificates of deposit issued by a nationally or state-chartered bank or state or federal association with total assets of at least one billion dollars or by a state-licensed branch of a foreign bank, provided such foreign bank is one of the 75 largest foreign banks in terms of total assets. The investments shall not exceed 30% of the District's investments.

6.3.9 Repurchase Agreements: Investments in repurchase agreements (pursuant to section 53601(i) "repurchase agreement") means a purchase of securities pursuant to an agreement by which the seller will repurchase the securities on or before a specified date and for a specified amount and will deliver the underlying securities to the District by book entry, physical delivery, or by third party custodial agreement. The term of repurchase agreements shall be for one year or less. The term "securities" for the purposes of repurchase agreements shall mean securities issued or guaranteed by the U.S. Government and its agencies or instrumentalities. The Investment Restrictions enumerated below shall further limit such securities. With respect to any repurchase agreement the District will require the seller to maintain the market value of such securities that underlie the repurchase agreement at 102% of the repurchase price (including accrued interest). Furthermore, the investments provided should have certain standards of qualifications (i.e. the highest short-term rating or AA rating).

6.3.10 Bankers Acceptances: Known as bills of exchange or time drafts that are drawn on and accepted by a commercial bank. Purchases of bankers acceptances may not exceed 180 days maturity or 40 percent of the District's money that may be invested pursuant to this section. However, no more than 10 percent of the District's money may be invested in the bankers acceptances of any one commercial bank pursuant to this section.

6.3.11 Money Market Fund: Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940.

6.3.12 If additional types of securities are approved for investment by public funds by State Statute, they will not be eligible for investment by the District until this policy is amended and the amendment is passed by the Board. (Calif. Govt. Code Sect 53600, et.seq.)

6.4 Investment Restrictions And Prohibited Transactions: The following types of transactions are restricted or prohibited:

BP 6320 Investments

- 6.4.1 Borrowing for investment purposes (“Leverage”) is prohibited.
- 6.4.2 Reverse Repurchase Agreements, as defined by California Government Code Sections 53601(i) and 53636(i) or otherwise are prohibited.
- 6.4.3 The District shall not invest in instruments known as Structured Notes (e.g. inverse floaters, range notes, mortgage-derived, interest-only strips, leveraged floaters, structured certificate, or deposit, equity-linked securities) or any security that could result in zero interest accrual if held to maturity. Investment in any instrument which is commonly considered a “derivative” instrument (e.g. options, futures, swaps, caps, floors, collars) is prohibited.
- 6.4.4 No more than 10% of total assets may be invested in securities of any one issuer with the exception of LAIF, the OCIP or obligations of the U.S. Government and its agencies or instrumentalities.
- 6.4.5 All investments will be U.S. dollar denominated.
- 6.4.6 Securities that are downgraded below the minimum acceptable rating levels should be reviewed for possible sale within a reasonable amount of time following a downgrade.

6.4.7 Direct or indirect investment in the stock market is prohibited. Indirect investments in the stock market are investments of District funds in the stock market by outside agents, brokers, or other intermediaries acting on behalf of the District.

7.0 **Diversification:** It is the policy of the District to diversify its investment portfolio. Within each investment style, invested funds shall be diversified to minimize the risk of loss resulting from over concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

7.1	State of California Local Agency Investment Fund (LAIF)	100%
7.2	Orange County Investment Pool	100%
7.3	U.S. Treasuries and securities having principal and interest guaranteed by the U.S. Government	100%
7.4	U.S. Government agencies, instrumentalities and government sponsored enterprises	no more than 50%
7.5	Corporate notes	no more than 30%
7.6	Asset-backed securities	no more than 20%
7.7	Commercial Paper	no more than 25%

BP 6320 Investments

- | | | |
|------|--|------------------|
| 7.8 | Fully insured or collateralized CD's | no more than 30% |
| 7.9 | Negotiable Certificates of Deposit | no more than 30% |
| 7.10 | Repurchase Agreements | no more than 50% |
| 7.11 | Bankers Acceptances | no more than 40% |
| 7.12 | Money Market Fund | no more than 10% |
| 7.13 | The Chancellor, Vice Chancellor Finance & Facilities, or the designated investment advisor shall also be required to diversify maturities, and to the extent possible, will attempt to match investments with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. | |

8.0 Authorized Financial Dealers And Institutions:

- 8.1 The Chancellor, Vice Chancellor Finance & Facilities, or Investment Advisor may place orders for the execution of transactions with or through such brokers, dealers, banks and repurchase agreement counterparties as may be selected from an approved list of broker/dealers.
- 8.2 The District or the Advisor shall maintain a list of broker/dealers that are authorized to provide investment services to the District. Institutions shall provide their most recent "Consolidated Report of Condition" (call report) at the request of the District. At a minimum, the District or the Advisor shall conduct an annual evaluation of each institution's creditworthiness to determine whether it should be on the "Qualified Institution" listing.

9.0 Performance Evaluation:

- 9.1 The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles commensurate with the investment risk constraints and the cash flow needs of the District.
- 9.2 The District shall maintain an active investment strategy. Given this strategy, the basis used by the Vice Chancellor Finance & Facilities to determine whether market yields are being achieved shall be to identify a comparable benchmark upon establishing the structure of the portfolio.

10.0 Reporting:

- 10.1 The Chancellor, Vice Chancellor Finance & Facilities, and the Advisor shall submit a monthly list of transactions to the Board of Trustees and quarterly reports to the Investment Committee and the Board of Trustees. The quarterly report shall state compliance of the portfolio to the statement of investment policy or the manner in which the portfolio is not in compliance.

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BOARD POLICY
Chapter 6
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BP 6320 Investments

- 10.2 The monthly reports shall include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, market value as of the date of the report, and shall include the source of this same valuation.
- 11.0 **Safekeeping and Custody:** All funds managed by an investment advisor shall be held by a third party custodian. All security transactions, including collateral for repurchase agreements, entered into by the District shall be conducted on a delivery-versus-payment (DVP) basis. All securities will be held by a third-party custodian except for LAIF, OCIP and money market fund because these securities are not deliverable. The Treasurer shall maintain evidence of delivery. Securities shall be held by a third-party custodian designated by and approved by the Investment Committee. The third party custodian shall be required to issue a safekeeping statement to the District listing the specific instrument, rate, maturity and other pertinent information.
- 12.0 **Collateralization:** In order to anticipate market changes and provide a level of additional security for all funds, collateralization shall be required on the following types of investments:
- 12.1 Repurchase Agreements: For repurchase agreements, the minimum collateralization level shall be 102% of the market value of principal and accrued interest.
- 13.0 **Bond Proceeds:** The investment of bond proceeds shall be governed by the bond documents relevant to each specific bond issuance and the County Investment Policy Statement. If the bond documents are silent as to permitted investments, then this policy shall govern the investment of bond proceeds. In such case, Guaranteed Investment Contracts (GICs) shall be deemed permitted investments, solely for the purpose of bond proceeds and shall be limited in the following manner (1) investment agreements with providers with claims-paying, financial strength, or whose obligations are fully guaranteed by a company, rated at least "AA-" and "Aa3" by S&P and Moody's, respectively or (2) collateralized investment agreements with providers with claims-paying, financial strength, or whose obligations are fully guaranteed by a company, rated at least "A-" and "A3" by S&P and Moody's, respectively.

Date of Adoption: May 10, 2022 Re-adopted
May 11, 2021 Re-adopted
May 12, 2020 Re-adopted
May 14, 2019 Re-adopted
May 8, 2018 Re-adopted
May 9, 2017 Re-adopted
May 13, 2014 Re-adopted
May 14, 2013 Re-adopted
May 8, 2012 Re-adopted
April 26, 2011 Re-adopted
February 12, 2002

Date of Last Revision: May 10, 2016
June 14, 2005

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 16, 2023

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of February 27, 2023

1. AGENDA ITEM NAME

Revised Board Policies & Administrative Procedures – Continuous Review Cycle

- **BP 6100, Delegation of Authority, Business, and Fiscal Affairs**
- **BP 6150, Designation of Authorized Signers**
- **BP 6200, Budget Preparation**
- **AP 6250, Budget Management**
- **BP 6300, Fiscal Management**
- **AP 6300, Fiscal Management**
- **BP 6310, Personal Use of District Property, Facilities, and Equipment**
- **BP 6330, Purchasing/Warehouse**
- **BP 6340, Bids and Contracts**
- **BP 6350, Hospitality**
- **AP 6364, Coordination and Direction of Legal Services**
- **AP 6365 Accessibility of Information Technology**
- **BP 6380 District Activities Involving Sale or Catering of Food**
- **BP 6400, Financial Audits**
- **AP 6400, Financial Audits**
- **BP 6450 Wireless or Cellular Telephone Use**
- **BP 6500, Property Management**
- **BP 6520, Security for District Property**
- **AP 6520, Security for District Property**
- **BP 6540, Insurance**
- **AP 6540, Insurance**
- **BP 6550, Disposal of District Property**
- **AP 6550, Disposal of District Property**
- **BP 6600, Capital Construction**
- **BP 6620, Naming of Facilities & Properties**
- **BP 6740, Citizens’ Oversight Committee**
- **AP 6740, Citizens’ Oversight Committee**
- **BP 6800, Safety**
- **BP 6900, Bookstore(s)**

2. AGENDA ITEM ACTION (Please check all that apply.)

Information Only	
Review/Discussion	X
First Reading	X

Second Reading	
Action	X
Consent Agenda Item	

NOTE: Please forward this form by required dates with all backup material to the Chancellor's Office.

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: 30 minutes

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The BPs and APs were revised to reflect changes per the Community College League of California (CCLC) Policy and Procedure Legal Updates and revisions recommended by Jane Wright, CCLC Consultant. (Please refer to the attached revision summary.)

5. RECOMMENDATION:

It is recommended that upon DCC consensus, the revised Administrative Procedures be posted on the District website and the revised Board Policies be forwarded to the Board for their consideration.

6. OTHER PEOPLE CONSULTED, INFORMED OR ATTENDING MEETING ABOUT THIS ITEM:

CCLC Legal Updates Service and CCLC Consultant



Board Policy/Administrative Procedures Revision Summary

DCC Meeting – February 27, 2023

Policy/Procedure	Proposed Changes
BP 6100, Delegation of Authority, Business, and Fiscal Affairs	Update the “Reference” section, grammar corrections, and update the corresponding BP/APs.
BP 6150, Designation of Authorized Signers	Update the “Reference” section, grammar corrections, update the corresponding AP.
BP 6200, Budget Preparation	Update the “Reference” section, grammar corrections, and cite the corresponding BP/APs.
AP 6250, Budget Management	Update the “Reference” section, add legally required language, and cite the corresponding BP/APs.
BP 6300, Fiscal Management	Update the “Reference” section, grammar corrections, update job title, and update the corresponding AP.
AP 6300, Fiscal Management	Update the “Reference” section, grammar corrections, and cite the corresponding BP.
BP 6310, Personal Use of District Property, Facilities, and Equipment	Add NOCE to listing and change references from “College” to “District.”
BP 6330, Purchasing/Warehouse	Grammar corrections and add the NOCE budget officer to the listing in section 5.0.
BP 6340, Bids and Contracts	Update the “Reference” section, add legally required language regarding the ability to obtain a contract through the State Chancellor’s Office CollegeBuys Program, grammar corrections, and cite the corresponding AP.
BP 6350, Hospitality	Grammar corrections and remove references to “Provost” and “Executive Vice President.”
AP 6364, Coordination and Direction of Legal Services	No revisions.
AP 6365 Accessibility of Information Technology	Update the “Reference” section, grammar corrections, and cite the corresponding BP/APs.
BP 6380 District Activities Involving Sale or Catering of Food	A grammar correction.
BP 6400, Financial Audits	Grammar corrections.
AP 6400, Financial Audits	Update the “Reference” section, grammar corrections, and cite the corresponding BP.
BP 6450 Wireless or Cellular Telephone Use	Grammar correction.
BP 6500, Property Management	Update the “Reference” section, grammar corrections, and cite the corresponding BP/APs.
BP 6520, Security for District Property	Update the “Reference” section, remove “Provost” reference, grammar corrections, and update the corresponding BP/APs.
AP 6520, Security for District Property	Cite the corresponding BP/APs.
BP 6540, Insurance	Update the “Reference” section, grammar corrections, remove section 1.3 worker’s compensation language to reflect Ed Code, add legal reference to section 3.0, and update the corresponding BP/APs.
AP 6540, Insurance	Update the “Reference” section and cite the corresponding BP/APs.

BP 6550, Disposal of District Property	Update the "Reference" section, grammar corrections, and cite corresponding AP.
AP 6550, Disposal of District Property	Grammar corrections and cite corresponding BP.
BP 6600, Capital Construction	Update the "Reference" section and add legally required language to section 2.0.
BP 6620, Naming of Facilities & Properties	Grammar corrections and update the corresponding AP.
BP 6740, Citizens' Oversight Committee	Update the "Reference" section and cite corresponding AP.
AP 6740, Citizens' Oversight Committee	Update the "Reference" section, grammar corrections, and cite corresponding BP.
BP 6800, Safety	Update the "Reference" section, add legally required language to new section 1.5, grammar corrections, and cite corresponding BP/APs.
BP 6900, Bookstore(s)	Update the title and grammar corrections.

BP 6100 Delegation of Authority, Business and Fiscal Affairs

Reference:

Education Code Sections [70902\(d\)](#), [81655](#), and [81656](#)

- 1.0 The Board [of Trustees](#) delegates to the Vice Chancellor, Finance & Facilities, the authority to supervise the general business procedures of the District to assure the proper administration of property and contracts; the budget, audit and accounting of funds; the acquisition of supplies, equipment and property; and the protection of assets and persons. All transactions shall comply with applicable laws and regulations, and with the California Community Colleges Budget and Accounting Manual.
- 2.0 No contract shall constitute an enforceable obligation against the District until it has been approved or ratified by the Board [of Trustees](#). (See Board Policy 6340, Bids and Contracts).
- 3.0 The Vice Chancellor, Finance & Facilities, shall make appropriate periodic reports to the Board [of Trustees](#) and shall keep the Board fully advised regarding the financial status of the District.

See Administrative Procedure 6100, [Delegation of Authority, Business and Fiscal Affairs and Board Policy 6340, Bids and Contracts](#).

Date of Adoption: February 12, 2002

Date of Last Revision: June 23, 2015
April 30, 2014 Chancellor's Staff

North Orange County Community College District
BOARD POLICY
Chapter 6
Business and Fiscal Affairs

BP 6150 Designation of Authorized Signatures

Reference:

Education Code Sections [85232](#), [and 85233](#)

- 1.0 Authority to sign orders and other transactions on behalf of the Board [of Trustees](#) is delegated to the Chancellor and other officers appointed by the Chancellor.

The authorized signatures shall be filed with the Orange County Superintendent of schools annually or as necessary for revisions.

See Administrative Procedure 6150, [Designation of Authorized Signers](#).

Date of Adoption: February 12, 2002

BP 6200 Budget Preparation

Reference:

**Education Code Section 70902(b)(5);
Title 5, Sections 58300 et seq.;
ACCJC Accreditation Standard III.D;
WASC/ACS Criterion 8, Indicators 8.1, 8.2, and 8.3**

- 1.0 Each year, the Vice Chancellor, Finance & Facilities shall present to the Board [of Trustees](#) a budget, prepared in accordance with Title 5 and the California Community Colleges Budget and Accounting Manual. The schedule for presentation and review of budget proposals shall comply with state law and regulations, and provide adequate time for Board study.
- 2.0 Budget development shall meet the following criteria:
 - 2.1 The annual budget shall support the District's master and educational plans.
 - 2.2 Assumptions upon which the budget is based are presented to the Board [of Trustees](#) for review.
 - 2.3 A schedule is provided to the Board [of Trustees](#) by October 15 of each year that includes dates for presentation of the tentative budget, required public hearing(s), Board study session(s), and approval of the final budget. At the public hearings, interested persons may appear and address the Board regarding the proposed budget or any item in the proposed budget.
 - 2.4 Changes in the assumptions upon which the budget was based shall be reported to the Board [of Trustees](#) in a timely manner.
 - 2.5 Budget projections address long term goals and commitments.

[See Administrative Procedure 6200 Budget Preparation; Board Policy 6250, Budget Management; Administrative Procedure 6250, Budget Management; Board Policy 6300 Fiscal Management; Administrative Procedure 6300, Fiscal Management.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff
August 26, 2014

AP 6250 Budget Management

Reference

Title 5 Sections 58305, 58307, [and](#) 58308

1.0 Total amounts budgeted as the proposed expenditure for each major classification of expenditures shall be the maximum expended for that classification for the academic year, except as specifically authorized by the Board of Trustees.

~~Budget transfers that meet the following criteria will be taken for ratification at each Board Business Meeting:~~

- ~~• All transfers involving the Board Policy Contingency~~

2.0 Transfers may be made from the reserve for contingencies to any expenditure classification by written resolution of the Board of Trustees, and must be approved by a two-thirds vote of the members of the Board.

3.0 Transfers may be made between expenditure classifications by written resolution of the Board of Trustees, and may be approved by a majority of the members of the Board.

4.0 Excess funds must be added to the general reserve of the District, and are not available for appropriation except by resolution of the Board of Trustees setting forth the need according to major classification.

See Board Policy 6200, Budget Preparation; Administrative Procedure 6200, Budget Preparation; Board Policy 6250, Budget Management; Board Policy 6300, Fiscal Management; and Administrative Procedure 6300 Fiscal Management.

Date of Adoption: February 12, 2002

BP 6300 Fiscal Management

Reference:

**Education Code Section 84040(c);
Title 5, Sections 58311;
ACCJC Accreditation Standard III.D;
WASC/ACS Criterion 8, Indicators 8.1, 8.2, and 8.3;
2 Code of Federal Regulations Parts 200.302(b)(6)-(7), 200.305, and 200.400 et seq.**

- 1.0 The Vice Chancellor, Finance & Facilities shall establish procedures to assure that the District's fiscal management is in accordance with the principles contained in Title 5, ~~Section~~ Section 58311, including:
 - 1.1 Adequate internal controls exist.
 - 1.2 Fiscal objectives, procedures, and constraints are communicated to the Board of Trustees and employees.
 - 1.3 Adjustments to the budget are made in a timely manner, when necessary.
 - 1.4 The management information system provides timely, accurate, and reliable fiscal information.
 - 1.5 Responsibility and accountability for fiscal management are clearly delineated.
- 2.0 The Vice Chancellor, Finance & Facilities shall also establish procedures that satisfy the U.S. Education Department General Administrative Regulations (EDGAR) Second Edition for any federal funds received by the District.
- 3.0 All bank accounts must be approved by either the Vice Chancellor, Finance & Facilities; the Director, Fiscal Affairs; the Vice President, Administrative Services; the ~~Manager~~ Director, Administrative Services; or the Manager, Campus Accounting, before establishment. Only these accounts duly approved may utilize the District's Federal Tax Identification Number.
- 4.0 The books and records of the District shall be maintained pursuant to the California Community Colleges Budget and Accounting Manual.
- 5.0 As required by law, the Board of Trustees shall be presented with a quarterly report showing the financial and budgetary conditions of the District.
- 6.0 As required by the California Community Colleges Budget and Accounting Manual, expenditures shall be recognized in the accounting period in which the liability is incurred, and shall be limited to the amount budgeted for each major classification of accounts and to the total amount of the budget for each fund.

See Administrative Procedure 6300, Fiscal Management.

Date of Adoption: February 12, 2002

BP 6300 Fiscal Management

Date of Last Revision: November 28, 2017
September 14, 2016 Chancellor's Staff
October 13, 2015

AP 6300 Fiscal Management

Reference

**Education Code Section 84040(c);
Title 5 Section 58311;
ACCJC Accreditation Standard III.D.9;
WASC/ACS Criterion 8, Indicators 8.1, 8.2, and 8.3;
2 Code of Federal Regulations Parts 200.302(b)(6)-(7), 200.305, and 200.400 et seq.**

- 1.0 **Accounts Maintained Through Campus Accounting:** The ~~campus~~ [College](#) Bursar's Offices maintain the books and records for Bursar Office activities, the Associated Students, other trust and agency funds, and the enterprise activities on campus such as the Bookstore and Food Services operations. In addition, they maintain trust accounts for various student and department activities.
- 1.1 Cash Collection: All cash receipts will be supported by adequate documentation.
- 1.2 Cash Disbursements: All cash disbursements shall be approved by a minimum of two authorized individuals and be supported by adequate documentation. Purchases shall be made in accordance with the guidelines established in the District Purchasing Handbook.
- 1.3 Financial Reporting: The ~~campus~~ [College](#) Bursar Offices will submit to the District a quarterly report showing the financial and budgetary conditions of all campus funds maintained by the Bursar's Office. These reports will then be incorporated into the quarterly financial reports provided to the Board [of Trustees](#).

[See Board Policy 6300, Fiscal Management.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: August 9, 2017 Chancellor's Staff (Reference only)
September 14, 2016 Chancellor's Staff
November 26, 2014, Chancellor's Staff

BP 6310 Personal Use of District Property, Facilities and Equipment

- 1.0 No District employee shall use the District, ~~or~~ College, or NOCE names, facilities, equipment, or staff position in selling a commercial product or in promoting service to gain financial or material advantage.
- 2.0 The use of ~~College~~ District property for the sale of any publications or merchandise, or for the conduct of business ventures of any kind to the benefit of any individual, group, or organization not under direct control of the ~~College~~ District, shall be prohibited unless specifically authorized by the Board of Trustees.
- 3.0 Personal use of District equipment such as phones, copiers, fax machines, etc. should be kept to a minimum. District employees shall reimburse the District for all costs related to personal use.

Date of Adoption: February 12, 2002

BP 6330 Purchasing/Warehouse

Reference:

Education Code Section 81656;
Public Contracts Code Sections 20650 and 20651

- 1.0 The operation of the District Purchasing Department is defined in the District Purchasing Handbook, which incorporates information on policies, procedures, and requirements of State law.
- 2.0 Employees may consult the District Purchasing Handbook for information on purchase order amounts that may be initiated without prior Board [of Trustees](#) approval or written quotations; purchase order amounts that require written quotations; purchase order amounts that require prior Board approval; instances when advertising for bids is required; purchase orders for equipment replacement or capital expenditures; emergency repairs or work; prohibition of warehouse stock sale to individuals; the unavailability of assistance with an employee's personal purchases; the determination of low bid; and bid conditions defined on a bid form.
- 3.0 The District goal regarding Minority, Women and Disabled Veteran Business Enterprises Pursuant to the Leroy F. Greene School Facilities Act of 1998 the District shall have a participation goal of at least 3%, per year, of the overall dollar amount expended each year by the District for disabled veteran business enterprises (Education Code [Section 17076.11](#)).
- 4.0 The Vice Chancellor, Finance & Facilities, or District Director, Purchasing is delegated the authority to purchase supplies, materials, apparatus, equipment, and services as necessary to the efficient operation of the District. No such purchase shall exceed the amounts specified by Section 20651 of the California Public Contract Code as amended from time to time.
- 5.0 The Manager, Campus Accounting, ~~and~~ Vice President, Administrative Services, [and Director, Administrative Services](#) are delegated the authority to purchase supplies, materials, and services related to Associated Student Body Funds, Bookstore Funds, Campus Service Funds, Food Service Funds, and Other Trust and Agency Funds. No such purchase shall exceed \$5,000 except for bookstore purchases. All such transactions shall be reviewed by the Board [of Trustees](#) every 60 days.

Date of Adoption: February 12, 2002

Date of Last Revision: November 26, 2014 Chancellor's Staff
November 27, 2012

BP 6340 Bids and Contracts

Reference:

Education Code Sections 81641 et seq.;
Public Contracts Code Sections 20103.7, 20112, 20650 et seq., and 22000 et seq.;
Government Code Section 53060;
ACCJC Accreditation Standard III.D.16;
WASC/ACS Criterion 8, Indicators 8.2 and 8.3;
2 Code of Federal Regulations Part 200.318;
Title 5 Sections 59130 et seq.

- 1.0 The Board of Trustees delegates to the Vice Chancellor, Finance & Facilities, or District Director, Purchasing the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:
 - 1.1 Contracts are not enforceable obligations until they are ratified by the Board of Trustees.
 - 1.2 Contracts for work to be done, services to be performed, or for goods, equipment, or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board.
 - 1.3 When bids are required according to Public Contracts Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsive, responsible bidder who meets the specifications published by the District and who shall give such security as the Board of Trustees requires, or reject all bids.
 - 1.4 When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value. The bidder shall give such security as the Board of Trustees requires and may reject all bids.
 - 1.5 When the Chancellor, in consultation with the Vice Chancellor, Finance & Facilities or District Director, Purchasing, determines that, the District can obtain a contract for goods or services through the California Community Colleges Chancellor's Office CollegeBuys Program for the Procurement of Goods and Services for Community College Districts at a lower price upon the same terms, conditions and specifications, the Vice Chancellor, Finance & Facilities or District Director, Purchasing may proceed with the contract without conducting a formal bidding process.
- 2.0 In addition, positions included under ~~Board Policy~~ Administrative Procedure 6150, Designation of Authorized Signatures, have been authorized to enter into agreements with certain restrictions.
- 3.0 If the Vice Chancellor, Finance & Facilities, or District Director, Purchasing, concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contracts Code Section 20651.5, pre-qualification may be conducted in

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BP 6340 Bids and Contracts

accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

- 4.0 If the best interests of the District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contracts Code Section 20652, the Vice Chancellor, Finance & Facilities, is authorized to proceed with a contract.

[See Administrative Procedure 6150, Designation of Authorized Signers.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: August 9, 2017 Chancellor's Staff (Reference only)
September 14, 2016 Chancellor's Staff
June 23, 2015
May 14, 2014, Chancellor's Staff

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BP 6350 Hospitality

- 1.0 ~~It is the general policy of the North Orange County Community College~~ The District ~~to~~ encourages public participation and awareness of college and college district programs and activities through direct personal contact with individuals and community groups. The Board of Trustees believes that the authorized activities specified under section 1.1 facilitate communication and increase public participation in college/district sponsored meetings, events, and activities.
- 1.1 The Board of Trustees hereby authorizes actual, reasonable and prudent expenditures incurred by the Colleges, North Orange Continuing Education Centers, and District Office for the following:
- 1.1.1 Functions for volunteers.
 - 1.1.2 Functions for retiring employees.
 - 1.1.3 Activities honoring individuals in education.
 - 1.1.4 College Week and/or Senior Days activities.
 - 1.1.5 Educational events sponsored by the Board of Trustees and Board meetings.
 - 1.1.6 Breakfast, luncheon, and dinner meetings sponsored by state, municipal, county, or other community agencies relating to college/district activities.
 - 1.1.7 Flowers and cards for special occasions.
 - 1.1.8 Seminars and workshops only with prior approval of the Board of Trustees.
 - 1.1.9 Service club membership dues and fees at the discretion of the Chancellor and/or Vice Chancellors/President/~~Provost~~.
 - 1.1.10 Board appointed committee meetings.
 - 1.1.11 Group planning and operational meetings.
 - 1.1.12 Business related meals.
 - 1.1.13 Other activities to encourage public participation and awareness of college and district programs and activities through direct personal contact with individuals and community groups.
- 2.0 Each year in accordance with the budget requirements, the Vice Chancellor, Finance & Facilities, shall submit a hospitality budget for Board of Trustees approval. The hospitality budget may be augmented at any time during the year pursuant to statutory requirements.
- 3.0 All expenditures authorized under ~~article~~ section 1.1 shall be paid from interest income.

BP 6350 Hospitality

- 3.1 All expenditures related to hospitality activities shall be identified and remain separate and distinct from any and all other disbursements. A separate bank account may be established for the specific use of hospitality activities. Any such account shall be authorized by a Board resolution. In order to maximize budget and expenditure control, no disbursement, in payment of hospitality expenses, shall be made unless such expenditures have been budgeted and approved for payment by an authorized signature. The Chancellor, Vice Chancellors, Presidents, **and** ~~Executive Vice Presidents, and Provost~~ may authorize disbursements.
- 3.2 Such approval may take the form of a disbursement order which must include where applicable, activity or event, participant(s), vendor name, quantity, unit price, and total price including applicable taxes.
- 4.0 The Chancellor will provide a financial report to the Board **of Trustees** on all hospitality activities/events on an annual basis.

Date of Adoption: February 12, 2002

Date of Last Revision: November 28, 2017

AP 6364 Coordination and Direction of Legal Services

- 1.0 The North Orange County Community College District is the client of an attorney providing legal services to the District. Accordingly, in providing services, the attorney has responsibility to consider the interests of the District as an entity and the interests of all constituents, including the Board of Trustees, administrators, faculty, staff, and District residents, and taxpayers.
- 2.0 The President of the Board of Trustees, Chancellor, and Vice Chancellors have authority to contact legal counsel for consultation or to request services.
 - 2.1 The Chancellor shall be responsible for coordinating requests for legal services from the Board of Trustees.
 - 2.2 The Vice Chancellor of Human Resources shall be responsible for coordinating requests for legal services related to the following areas:
 - 2.2.1 The Education Code and related state and federal statutes and regulations affecting community college district;
 - 2.2.2 Employment and personnel matters;
 - 2.2.3 Labor negotiations and related labor law issues;
 - 2.2.4 Student discipline, expulsion, and other student matters;
 - 2.2.5 Free speech and other state and federal constitutional law issues;
 - 2.2.6 State and federal laws relating to discrimination and accommodation in community colleges.
 - 2.3 The Vice Chancellor of Finance and Facilities shall be responsible for coordinating requests for legal services related to the following areas:
 - 2.3.1 Community college finance;
 - 2.3.2 School construction projects and facilities issues;
 - 2.3.3 Real estate and environmental matters;
 - 2.3.4 General contract, bidding, and procurement issues;
 - 2.3.5 Workers' Compensation issues;
 - 2.3.6 Litigation.
- 3.0 Except for general advice on new legal developments that impact or require District action, legal counsel shall not perform services except as requested by the persons authorized to contact legal counsel as provided in Section 2.0, above.

Date of Adoption: April 24, 2006

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AP 6365 Accessibility of Information Technology

Reference

Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. [Code](#) Section 794 subdivision d);
~~36 CFR~~ [Code of Federal Regulations Parts 1194.1 et seq.](#);
Government Code Sections [7405 and 11135](#);
Title 5 Sections [59300 et seq.](#)

1.0 Whenever the District enters into a contract for the purchase, development, procurement, maintenance, or use of any electronic or information technology, the vendor shall certify that it complies with the requirements of Section 508 of the Rehabilitation Act of 1973 and its related regulations. This requirement shall apply to software applications, operating systems, web-based intranet and Internet information and applications, telecommunications products, video or multimedia products, self-contained closed products such as copiers, and desktop and portable computers.

2.0 Each contract with such a vendor shall contain the following provision:

The vendor hereby warrants that the products or services to be provided under this agreement comply with the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended, and its implementing regulations. Vendor agrees to respond promptly to and resolve any complaints regarding accessibility of its products or services that are brought to its attention. Vendor further agrees to indemnify and hold harmless the North Orange County Community College District from and against any claim arising out of its failure to comply with these requirements. Failure to comply with these requirements shall constitute a breach and be grounds for termination of this agreement.

[See Board Policy 3720 Computer and Electronic Communication Systems; Administrative Procedure 3720, Computer and Electronic Communication Systems; Board Policy 6330, Purchasing/Warehouse; and Board Policy 6340, Bids and Contracts.](#)

Date of Adoption

September 12, 2005

BP 6380 District Activities Involving Sale or Catering of Food

- 1.0 All foods sold or catered on District property potentially expose NOCCCD to a variety of general liability issues. Because of concerns that some staff members, students, or other members of the public could potentially become ill due to unsafe food handling, the following guidelines should be followed:
 - 1.1 Under no circumstance can food prepared in a private residence be sold on campus.
 - 1.2 Non-campus sources of food services (restaurants and caterers) must be in possession of all currently required health and food handler permits and must provide a \$1,000,000 certificate of insurance naming the North Orange County Community College District as additional insured
 - 1.3 Food provided for sale by District organizations (e.g. clubs, athletic teams, etc.) requires either, 1) a Health Permit Waiver for the event, which must be obtained through the County of Orange Health Care Agency; or 2) the sign-off by the District's contract food service provider.

Date of Adoption: February 12, 2002

BP 6400 Financial Audits

Reference:

**Education Code Section 84040(b);
ACCJC Accreditation Standard III.D.7;
WASC/ACS Criterion 8, Indicator 8.2**

- 1.0 There shall be an annual outside audit of all funds, books, and accounts of the District in accordance with the regulations of Title 5. The Vice Chancellor, Finance & Facilities shall assure that an annual outside audit is completed. The Vice Chancellor, Finance & Facilities shall recommend a certified public accountancy firm to the Board [of Trustees](#) with which to contract for the annual audit.

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff
June 23, 2015

AP 6400 Financial Audits

Reference:

Education Code Section 84040(b), [84040.5](#), and 81644;
[Title 5 Section 59102](#);
ACCJC Accreditation Standard III.D.7;
WASC/ACS Criterion 8, Indicator 8.2

- 1.0 The Board of Trustees shall provide for an annual audit of all funds, books, and accounts under the control and jurisdiction of the District in accordance with the regulations of the Board of Governors. Arrangements for the audit for any fiscal year shall be made final no later than May 1 of the preceding fiscal year.
- 2.0 The annual audit shall be made by certified public accountants licensed by the California Board of Accountancy and shall contain the following.
 - 2.1 Identification of expenditures by source of funds.
 - 2.2 A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code Section 84040.5.
 - 2.3 A summary of audit exceptions and management recommendations.
- 3.0 The Board of Trustees shall review the annual audit at a public meeting of the Board.
- 4.0 Not later than December 31 of the subsequent fiscal year, the annual audit for any fiscal year shall be filed with the Board of Governors and other regulatory agencies in accordance with [Education Code](#) Section 84040.5 ~~of the Education Code~~.
- 5.0 A continuing contract for services to be performed by an auditor shall not exceed five (5) years.

[See Board Policy 6400, Financial Audits.](#)

Date of Adoption: February 13, 2006

Date of Last Revision: September 14, 2016 Chancellor's Staff
August 24, 2015

BP 6450 Wireless or Cellular Telephone Use

Reference:

Vehicle Code Sections 12810.3, 23123, and 23124;

26 U.S. Code Sections 274(d)(4) and 280(d)(4)

- 1.0 The Vice Chancellor, Finance and Facilities, shall determine if it is in the best interests of the District to provide a cellular or wireless phone at District expense.
- 2.0 Cellular telephones provided by the District for compensatory reasons are classified by the Internal Revenue Service as a fringe benefit, the value of which must be included in an employee's gross income.
- 3.0 The value of a cellular telephone provided by the District primarily for non-compensatory business purposes is excludable from an employee's income. Record keeping of business and personal use of District-issued cellular telephones shall not generally be required when the telephones are issued for non-compensatory business reasons.
- 4.0 These rules do not apply to wireless or cellular telephones owned by employees. Any reimbursements to employees for use of their own wireless or cellular telephones may be excluded from wages if the employee accounts for the expense pursuant to the Internal Revenue Service accountable plan.
- 5.0 The District discourages the use of a wireless or cellular telephone while driving a motor vehicle on District business. If telephone use is necessary, it must be done in compliance with California law.
- 6.0 There shall be no expectation of privacy in the use of a District-issued cellular telephone.

Date of Adoption: February 10, 2009

Date of Last Revision: August 9, 2017 Chancellor's Staff (Reference only)
November 27, 2012

BP 6500 Property Management

Reference:

Education Code Sections [81300 et seq.](#)

- 1.0 The Vice Chancellor, Finance & Facilities, is delegated the authority to act as the Board's negotiator regarding all property management matters that are necessary for the benefit of the District. No transaction regarding the lease, sale, use, or exchange of real property by the District shall be enforceable until acted on by the Board [of Trustees](#) itself, excluding facility use as described in BP 6700, [Civic Center and Other Facilities Use](#).
- 2.0 The Vice Chancellor, Finance & Facilities, shall establish such procedures as may be necessary to assure compliance with all applicable laws relating to the sale, lease, use, or exchange of real property by the District.

[See Board Policy 6700, Civic Center and Other Facilities Use and Administrative Procedure 6700, Civic Center and Other Facilities Use.](#)

Date of Adoption: February 12, 2002

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BP 6520 Security for District Property

Reference:

Education Code Sections 81600 et seq.;
ACCJC Accreditation Standard III.B.1;
WASC/ACS Criterion 8, Indicator 8.4

- 1.0 The Vice Chancellor, Finance & Facilities, ~~and~~ and College Presidents, ~~and Provost~~ shall establish procedures necessary to manage, control, and protect the assets of the District, including but not limited to ensuring sufficient security to protect property, equipment, and information from theft, loss, or significant damage.

See [Board Policy 3501, Campus Security and Access; Administrative Procedure 3501, Campus Security and Access; Administrative Procedures 6520, Security for District Property; Board Policy 6540, Insurance; and Administrative Procedure 6540, Insurance.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff
November 26, 2014 Chancellor's Staff

AP 6520 Security for District Property

Reference

**ACCJC Accreditation Standard III.B.1;
WASC/ACS Criterion 8, Indicator 8.4**

1.0 Fixed Assets

- 1.1 The District will maintain a fixed asset inventory system. Fixed assets include furniture, computers, vehicles, etc. costing in excess of \$1,000.
- 1.2 The District will conduct a physical inventory of fixed assets on an annual basis. This listing will include a description, name, identification numbers, original cost, date of acquisition, location, and funding source.

2.0 Transfer of Assets

- 2.1 In the event that fixed assets are moved within District boundaries, the manager in each respective area must approve the request. In addition, notice must be sent to the site designated Inventory Control Clerk.
- 2.2 The Inventory Control Clerks will be responsible for ensuring that the inventory system is properly updated.

- 3.0 **Releasing of College Equipment for Use Off Campus:** All requests to borrow or to remove community college property from any campus for educational or district related purposes must be in writing and be cleared through immediate management. Equipment loaned for non-educational purposes, and where charges are involved, must be cleared through immediate management.

[See Board Policy 3501, Campus Security and Access; Administrative Procedure 3501, Campus Security and Access; Board Policy 6310, Personal Use of District Property, Facilities, and Equipment; Board Policy 6520, Security for District Property; Board Policy 6540, Insurance; and Administrative Procedure 6540 Insurance;](#)

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff
November 26, 2014 Chancellor's Staff

North Orange County Community College District
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BP 6540 Insurance

Reference:

Education Code Sections 70902, 72502, 72506, and 81601, ~~81603~~; et seq.

- 1.0 The Vice Chancellor, Finance and Facilities shall be responsible to secure insurance for the District as required by law, which shall include but is not limited to the liabilities described in Education Code Section 72506 as follows:
 - 1.1 Liability for damages for death, injury to persons, or damage or loss of property;
 - 1.2 Personal liability of the members of the Board of Trustees and the officers and employees of the District for damages for death, injury to a person, or damage or loss of property caused by the negligent act or omission of the member, officer, or employee when acting within the scope of ~~his or her~~ their office or employment. The Chancellor or Vice Chancellors may authorize coverage for persons who perform volunteer services for the District.
 - ~~1.3 Worker's compensation insurance.~~
- 2.0 Insurance also shall include fire insurance and insurance against other perils.
- 3.0 The District may join in a joint powers agreement pursuant to Education Code Section 81603 for the purposes described in this policy.

See [Board Policy 2735, Board Member Travel; Board Policy 3810, Claims Against the District; Administrative Procedure 3810, Claims Against the District; Board Policy 4300, Field Trips and Excursions; Administrative Procedure 4300, Field Trips and Excursions; Board Policy 5700, Intercollegiate Athletics; Administrative Procedure 6540, Insurance; Board Policy 6800 Safety, Board Policy 7400, Travel and Conference Attendance; and Administrative Procedure 7400, Travel and Conference Attendance.](#)

Date of Adoption: February 12, 2002

Note: The Service updated this policy to delete a reference to workers' compensation insurance to reflect Education Code Section 72506.

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AP 6540 Insurance

Reference:

Education Code Sections 70902, 72502, 72506, [and](#) 81601 et seq.;
WASC/ACS Criterion 8, Indicator 8.4

- 1.0 The District will minimize the District's liability for Workers' Compensation claims by restricting authorization of the attendance of employees at special activities and/or professional conferences when they are off duty or otherwise not in a paid status.
 - 1.1 Employees who attend special activities and/or professional conferences at the request and expense of the District, while not in a paid status, will be covered by Workers' Compensation insurance.
 - 1.2 Employees not in paid status, who attend special activities and/or professional conferences at the request of the District but at their own expense, will be covered by Workers' Compensation insurance.
 - 1.3 Employees who attend special activities and/or professional conferences at their own expense, not at the request of the District and while not in paid status, will not be covered by Workers' Compensation insurance.
 - 1.4 Employees who attend special activities and/or professional conferences at District expense will be covered by Workers' Compensation insurance only for the portion of the trip involving the professional activity, and not for any portion involving personal travel or activities.

[See Board Policy 2735, Board Member Travel; Board Policy 3810, Claims Against the District; Administrative Procedure 3810, Claims Against the District; Board Policy 4300, Field Trips and Excursions; Administrative Procedure 4300, Field Trips and Excursions; Board Policy 5700, Intercollegiate Athletics; Board Policy 6540, Insurance; Board Policy 6800 Safety, Board Policy 7400, Travel and Conference Attendance; and Administrative Procedure 7400, Travel and Conference Attendance.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: September 14, 2016 Chancellor's Staff

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BP 6550 Disposal of District Property

Reference:

Education Code Sections [70902\(b\)\(6\)](#), [81360 et seq.](#), and [81450 et seq.](#)

- 1.0 The Vice Chancellor, Finance & Facilities, or Director, Purchasing, is delegated authority by the Board [of Trustees](#) to declare as surplus such personal property of the District as is no longer useful for District purposes, and shall establish procedures to dispose of such property in accordance with applicable law. All sales of surplus personal property shall be reported to the Board [of Trustees](#) on a periodic basis. This policy shall not be construed as authorizing any representative of the District to dispose of surplus real property at any time.

[See Administrative Procedure 6550, Disposal of District Property.](#)

Date of Adoption: February 12, 2002

Date of Last Revision: April 9, 2013
November 12, 2008 Chancellor's Staff
July 25, 2006
June 1, 2004

AP 6550 Disposal of District Property

Reference:

Education Code Sections 70902(b)(6), 81360 et seq., and 81450 et seq.

- 1.0 **District Personal Property:** The Vice Chancellor, Finance and Facilities, or the District Director, Purchasing, are authorized to dispose of District personal property to the highest bidder after payment has been received by the District.
 - 1.1 The disposal of District personal property and equipment will be conducted on an as needed basis and will be reported to the Board [of Trustees](#) at that time.
 - 1.2 District personal property authorized for sale as surplus may also be disposed of by means of a public auction conducted by employees of the District, or by other public agencies, or by contract with a private auction firm. The District personal property shall be sold or transferred to the highest responsible bidder upon completion of the auction and after payment has been received by the District.
 - 1.3 The District may sell for cash/check any District personal property if the property is not required for District purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for use. District personal property cannot be sold until notice has been given. Notice must be posted in at least three public places in the District for not less than two weeks; notice may also be by publication for at least once a week for a period of not less than two weeks in a newspaper published in the District and having a general circulation. If there is no such newspaper, then notice can be published in a newspaper having a general circulation in the county in which the District or any part thereof is situated. The Vice Chancellor, Finance and Facilities, or the District Director, Purchasing, shall sell the District personal property to the highest responsible bidder, or shall reject all bids.
 - 1.4 The District may also exchange for value, sell for cash/check, or donate any personal property belonging to the District without complying with the preceding procedures if all of the following criteria are met:
 - 1.4.1 The District determines that the personal property is not required for District purposes, that it should be disposed of for the purpose of replacement, or that it is unsatisfactory or not suitable for school use.
 - 1.4.2 The District personal property is exchanged with, or sold or donated to a school district, community college district, or other public entity that has had an opportunity to examine the property proposed to be exchanged, sold, or donated.
 - 1.4.2 The receipt of the District personal property by a school district or community college district will not be inconsistent with any applicable district wide or school site technology plan of the recipient district.
- 1.5 If the Board [of Trustees](#), by a unanimous vote of those members present, finds that the District personal property, whether one or more items, does not exceed in value the sum of five thousand dollars (\$5,000), the property may be sold by the

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Vice Chancellor, Finance and Facilities, or the District Director, Purchasing, at private sale without advertising. If the property is of insufficient value to defray the cost of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board [of Trustees](#), or it may be disposed of in the local public dump.

- 1.6 Any item or items of property having previously been offered for sale as provided in Education Code Section 81450, but for which no qualified bid was received, may be sold by the Vice Chancellor, Finance and Facilities, or the District Director, Purchasing, at private sale without advertising.
 - 1.7 Any equipment purchased with grant funds must be disposed of in accordance with the grant-funding agency guidelines.
- 2.0 **District Real Property:** The Vice Chancellor, Finance and Facilities, is authorized to dispose of District real property to the highest bidder after payment has been received by the District.
- 2.1 The Board [of Trustees](#) may sell or lease real property belonging to the District under the following conditions:
 - 2.1.1 If the District receives only one sealed proposal from a responsible bidder that conforms with the standard rate or rates for the lease of its real property established by a majority vote of the Board [of Trustees](#), the Board may by majority vote delegate to an officer or employee the power to enter into leases, for and in behalf of the District, of any real property of the District.
 - 2.1.2 Generally, the funds derived from the sale or from a lease with an option to purchase shall be used for capital outlay or deferred maintenance. However, the proceeds of property sold or leased that was first offered for park or recreational purposes where applicable and then offered for sale or lease with an option to purchase at fair market value may be deposited in the general fund of the District if, prior to the sale or lease, the Board [of Trustees](#) has determined that the District has no anticipated need for additional sites or building construction for the five-year period following the sale or lease.
 - 2.1.3 The proceeds from sale or lease are expended for capital outlay purposes related to qualified community college facilities and the District complies with specified conditions.

[See Board Policy 6550, Disposal of District Property.](#)

Date of Adoption: July 26, 2006

Date of Last Revision: February 25, 2013 District Consultation Council
November 24, 2008 Chancellor's Cabinet

BP 6600 Capital Construction

Reference:

Education Code Sections [81005 and 81820](#);

Title 5 Sections [57150 et seq.](#)

- 1.0 The Vice Chancellor, Finance & Facilities is responsible for planning and administrative management of the District's capital outlay and construction program.
- 2.0 District construction projects shall be supervised by the Vice Chancellor, Finance & Facilities. The District shall monitor the progress of all construction work including inspection of workmanship, completion of work to meet specifications, and the suitability of proposed changes to the scope and original design of the work. **The District shall assure compliance with all laws related to the use of state funds to acquire and convert existing buildings.**
- 3.0 The Board **of Trustees** shall approve and submit to the Board of Governors a five-year capital construction plan as required by law. The Vice Chancellor, Finance & Facilities shall annually update the plan and present it to the Board **of Trustees** for approval. The plan shall address, but is not limited to, the criteria contained in law.

Date of Adoption: February 12, 2002

BP 6620 Naming Facilities & Properties

- 1.0 All recommendations for naming facilities and properties shall be submitted to the Board of Trustees by the Chancellor for action.
- 2.0 All recommendations shall comply with the following:
 - 2.1 When an individual has brought extraordinary distinction, provided exemplary service, or made a significant material donation to one of the District colleges, the North Orange Continuing Education Program, or the District in general, a recommendation may be made to the Board of Trustees that a facility or property be named in honor of the individual.
 - 2.2 Once the appropriate procedures for naming a facility or property have been followed, the final authority for naming District facilities and properties rests with the Board of Trustees. This authority includes the naming of facilities and properties such as: all buildings; major portions of buildings; college roads and access routes; athletic fields; and other major areas of assembly or activity; plazas, dining commons, and other areas of campus circulation; and all other highly visible facilities and properties. The Board [of Trustees](#) delegates to the Chancellor the authority to name individual rooms, limited areas and individual features of buildings, individual landscape items or features, limited outdoor areas, and other minor properties.
 - 2.2.1 When no gift is involved:
 - 2.2.1.1 Recognition by the naming of a District facility or property may be recommended to honor any person who has achieved unique distinction through campus leadership, service to students, service to the community, uncommon achievement, and/or contributions to the advancement of the mission and goals of the District.
 - 2.2.1.2 Recognition by the naming of a District facility or property may be recommended to honor any person who has worked for the District and has made an extraordinary contribution to the District, one of its colleges or one of its programs. Proposals to name a facility or property after an individual who has worked for the District will be considered a year or more after the individual has resigned, retired, or passed away.
 - 2.2.2 When a gift is involved before or during construction of a facility or property:
 - 2.2.2.1 When a significant bequest, gift, or donation is given to one of the Colleges or to North Orange Continuing Education, or to the District in general, the naming of a District facility or property in honor of the donor may be recommended.
 - 2.2.2.2 The procedures to be followed to name a District facility or property after an individual who has made a significant gift will include consultative channels as outlined in the administrative

BP 6620 Naming Facilities & Properties

procedure for this policy. The District will take into consideration the significance and amount of the proposed gift as either or both relate to the realization or completion of a facility or property and the enhancement of its value to the District.

- 2.2.3 When a gift is involved after construction of a facility or property, Sections 2.2.2.1 and 2.2.2.2 above shall apply. However, the bequest, gift, or donation may instead be applied to a purpose other than funding of the facility or property to be named after the donor. In these cases, the funding will be applied to a purpose established through campus consultative channels as outlined in the administrative procedure and in keeping with District and campus missions.

See Administrative Procedure 6620, [Naming of Facilities & Properties](#).

Date of Adoption: February 12, 2002

Date of Last Revision: November 28, 2017
March 28, 2006

North Orange County Community College District
BOARD POLICY
Chapter 6
Business and Fiscal Affairs

BP 6740 Citizens' Oversight Committee

Reference

Education Code Sections 15278, 15280, [and](#) 15282;
California Constitution Article XIII A Section 1(b), Article XVI Section 18(b)

- 1.0 In accordance with the conditions of Proposition 39 as defined in the California Constitution, the Chancellor shall establish a Citizens' Oversight Committee to oversee the expenditure of bond funds in accordance with the applicable law and necessary regulations.

[See Administrative Procedure 6740, Citizens' Oversight Committee.](#)

Date of Adoption: October 22, 2002

AP 6740 Citizens' Oversight Committee

Reference:

**Education Code Sections 15278, 15280, [and 15282](#);
[California Constitution Article XIII A Section 1\(b\), Article XVI Section 18\(b\)](#)**

The Citizen's Oversight Committee is established.

Purpose

- To inform the public about the expenditure of bond revenues;
- To review and report on the proper expenditure of taxpayers' money for school construction; and
- To advise the public as to the ~~NOCCCD's~~ [North Orange County Community College District's](#) compliance with the Proposition 39 requirements as contained in the California Constitution.

Activities

- Receive and review copies of the annual, independent performance audit;
- Receive and review copies of the annual, independent financial audit;
- Inspect school facilities and grounds to ensure that bond revenues are expended properly;
- Receive and review copies of any deferred maintenance proposals or plans developed by NOCCCD; and
- Review efforts by NOCCCD to maximize bond revenues by implementing cost-saving measures.

Members

- The Committee shall consist of at least seven (7) members to serve for a term of two (2) years and for no more than three (3) consecutive terms. Members shall serve without compensation.
- The Committee shall be comprised of at least:
 - One member active in a business organization representing the business community located within the ~~the~~ [District](#);
 - One member active in a senior citizens' organization;
 - One member active in a bona fide taxpayers' organization;
 - One member who is a student, both currently enrolled in the NOCCCD and active in a campus group. The student may serve up to six (6) months after ~~his or her~~ [their](#) graduation;
 - One member active in a support organization of the NOCCCD.

No employee, official, vendor, contractor, or consultant of NOCCCD shall be appointed to the Committee.

Assistance

- The NOCCCD shall provide the Committee with any necessary technical or administrative assistance, as well as other resources, to publicize its conclusions.

AP 6740 Citizens' Oversight Committee

Public Meetings

- Meetings shall be open to the public and notice provided in accordance with the provisions of open meetings laws.

Reports

- At least once a year the Committee shall issue a report on the result of its activities. Minutes from its proceedings, all documents received, and reports issued are a matter of public record and shall be made available on an Internet website maintained by the District.

[See Board Policy 6740, Citizens' Oversight Committee.](#)

Date Adopted: October 22, 2002

Date of Last Revision: September 26, 2016 District Consultation Council

North Orange County Community College District
BOARD POLICY
Chapter 6
Business and Fiscal Affairs

BP 6800 Safety

Reference:

~~49 C.F.R., Code of Federal Regulations; Part 40, 49 C.F.R. Part 655;~~
[49 Code of Federal Regulations Park 655;](#)
Title 8 Section 3203;
~~29 C.F.R., Code of Federal Regulations Parts~~ 1910.101 et seq.;;
Health & Safety Code Section 104420

- 1.0 The Vice Chancellor, Finance & Facilities shall establish administrative procedures to ensure the safety of employees and students on District sites, including the following:
 - 1.1 Compliance with the United States Department of Transportation regulations implementing the Federal Omnibus Transportation Employee Testing Act of 1991. Specifically, the District shall comply with the regulations of the Federal Highway Administration (FHWA) and, if applicable, the Federal Transit Administration (FTA). Compliance with these policies and procedures may be a condition of employment.
 - 1.2 Establishment of an Injury and Illness Prevention Program in compliance with applicable [Occupational Safety and Health Administration \(OSHA\)](#) regulations and state law. These procedures shall promote an active and aggressive program to reduce and/or control safety and health risks.
 - 1.3 Establishment of all other State mandated safety programs in compliance with applicable laws and regulations governing public educational institutions and workplaces as outlined by Federal, State, and local regulations.
 - 1.4 Prohibition of the use of tobacco in all public buildings.
 - [1.5 Establishment of a Hazardous Material Communications Program, which shall include review of all chemicals or materials received by the District for hazardous properties, instruction for employees and students on the safe handling of such materials, and proper disposal methods for hazardous materials.](#)

[See Board Policy 3500, Campus Safety; Administrative Procedure 3500, Campus Safety; Board Policy 3505, Emergency Response Plan; Board Policy 3510 Workplace Violence; and Administrative Procedure 3510, Workplace Violence.](#)

Date of Adoption: February 12, 2002

North Orange County Community College District
BOARD POLICY
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BP 6900 Bookstore(s)

Reference:

Education Code Section 81676;

Civil Code Section 1798.90

- 1.0 College bookstore[s] shall be established and operated by either the District or by a qualified vendor.
 - 1.1 If the bookstore is run by the District:
 - 1.1.1 Operational costs of the college bookstore(s) shall be paid from revenue earned from the bookstore.
 - 1.1.2 Fiscal management of the bookstore[s] shall be in accordance with the California Community Colleges Budget and Accounting Manual. An annual audit of the records and accounts of the bookstore shall be provided to the Board of Trustees.
 - 1.2 If a qualified vendor is to provide bookstore services:
 - 1.2.1 Contracts for outside vendors to operate bookstores shall be awarded by competitive bid, submitted to the Board of Trustees for approval, and awarded in the best interests of the students. Student organizations shall be encouraged to submit bids and given preference if they meet all other bid criteria.
- 2.0 College bookstore(s) shall comply with the requirements of the Reader Privacy Act.

Date of Adoption: February 12, 2002

Date of Last Revision: April 18, 2012 Chancellor's Staff