

DISTRICT CONSULTATION COUNCIL
August 26, 2024

SUMMARY

MEMBERS PRESENT: Byron D. Clift Breland, Jennifer Carey, Karla Frizler, Geoff Hurst, Bridget Kominek, Cherry Li-Bugg, Elaine Loayza, Jaclyn Magginetti, Kathleen McAlister, Flavio Medina-Martin, Cynthia Olivo, Michelle Patrick Norng, Jeremy Peters, Valentina Purtell, Irma Ramos, Jeanette Rodriguez, Marlo Smith, Pamela Spence, Scott Thayer, Annalisa Webber, and Fred Williams.

VISITORS: Erika Almaraz and Danielle Davy.

Chancellor Byron D. Clift Breland called the meeting to order at 2:06 p.m. and led a round of introductions.

MEETING SUMMARY

Summary: The summary of the May 20, 2024 meeting was approved as submitted with the noted abstentions.

STRATEGIC GOALS & PLANNING

District Consultation Council 2024-25: Chancellor Byron D. Clift Breland led discussion related to the following:

Meeting Schedule: The 2024-25 DCC meeting dates are scheduled through June 2025 with the December 2024 and June 2025 taking place only if needed. Chancellor Clift Breland asked members to hold December 16, 2024 as an alternate meeting date to ensure that the meeting takes place when faculty are on contract.

Membership Listing: The 2024-25 DCC membership list was reviewed. It was noted that all three student representative positions from the campuses were vacant and that the campuses should solicit representatives.

Budget Update: Fred Williams, Vice Chancellor of Finance & Facilities, provided a budget update that include review of District FTES, ending fund balances, one-time funding allocations, and summaries for the 2024-25 Proposed Budget Resource Allocation Model.

Vice Chancellor Williams noted that not a lot of changes have occurred since the last DCC budget presentation in May. Overall, the State budget is treating community colleges far more favorably than others and essentially keeping them whole. Finance is still going through reconciliation right now and will present the Proposed Budget to the Board in September. He highlighted several points including: an almost 10% increase in FTES; a total ending balance of \$141 million; the addition of emergency conditions funding which brought in additional funding, but also required an increase to the Board Policy reserve amount; the \$5.8 million balance in unallocated resources (one-time funding); \$270 million of ongoing funding districtwide with an \$11.2 million deficit based on what the District is earning; additional hold harmless funding has not been allocated, which deviates from past practice, due to negotiations with a caution that anything in excess of \$4.1 million will need to be covered by the campuses; and a reminder that

hold harmless and emergency conditions funding will expire after 2024-25 and the District will remain at that revenue amount until what we earn exceeds that threshold, so enrollment is key.

During the discussion, members stated the following:

- Requested clarification on the enrollment targets that were listed.
- How was the allocation of one-time funding for campus enrollment support spent?
- As we move forward, is it \$270 million that the District will receive until FTES go up?
- How much would the District receive without the additional funding?
- Does the \$141 million reserve include the board policy reserve?
- A reminder that in 2025-26 there will be changes in how FTES are calculated which would result in a 2.0% decline for the District based on preliminary calculations.
- Requested an explanation on the FTES calculation change. (In response, it was noted that the formula that outlines the hours of instruction and faculty compensation for lab hours will change, and the State will only compensate to a certain threshold despite the District paying faculty beyond that threshold.)
- Expressed support for dual enrollment and continuing efforts to expand it at both colleges.
- Is there outreach at the high schools?

Chancellor Clift Breland reminded everyone that enrollment had been declining prior to the pandemic, so there are other factors that have affected enrollment (wages, for profit competition, and declining value in education among some students). He encouraged members to focus on what we're doing with our students because every student retained is important and what we build out is critical. The campuses are on the right track—virtual campuses and winter intersession—and the District is here to provide support to help get students in our pipeline.

Network Refresh 2.0 Funding: Geoff Hurst, Executive Director of Information Technology, presented a request to approve the use of \$4.49 million in one-time funds for a five-year budget to address funding the replacement and maintenance of network equipment and services in the District. He noted that with the completion of the Network Refresh Bond Project it is important to maintain the momentum and avoid another costly one-time project in the future by transitioning to an ongoing model for funding the replacement and maintenance of network equipment and services in the District. There were also a number of projects that were identified as being outside the scope of the Network Refresh scope that still need to be addressed, as they are integral in ensuring that NOCCCD's network infrastructure is modern and responsive. Technology changes rapidly and the District has made a commitment to provide a high quality of service to students and staff. In order to continue to uphold that commitment there is a need to set aside funding that can be used to enhance and extend the existing network infrastructure.

Geoff Hurst shared that the District now must pay for license fees, items that were intentionally left off that now have to be implemented to maintain equity of access, and to have funding for future projects. He clarified that this funding request is for hardware-related costs, and not for security which currently requires constantly playing catch up with the deployment of patches.

Vice Chancellor Williams stated that the proposal was shared with the Council on Budget and Facilities but wasn't built into the budget without DCC approval. He also noted that there is funding in the state budget for these expenses and he recommended that it be built into the campus operational budgets. At this time, use of one-time funds was sought simply to provide

time for the campuses to build the expenditures into their budgets, but cautioned that only \$5.8 million in one-time funding remains prior to this \$4.49 million request.

During the discussion, members stated the following:

- Expressed support for the approach of having multiple years of a runway so the campuses have time to prepare to absorb the costs into their budgets.
- Concern that it seems to be “putting all of our eggs in one basket.”
- How AI can be used and whether that would replace classified jobs.
- The funding would help with planning and prevent the continual ask for funding because the infrastructure would be in place to accommodate IT’s needs and wants.
- With this type of investment, at what point will the campuses be expected to budget for items that are necessary? (In response, it was noted that in five years’ time.)
- At CBF, it was suggested that an audit be performed for the programs used. Did that occur? (In response, it was noted that the audit was for districtwide funding, not this, and to date, the campuses haven’t really been complying with the request.)

Chancellor Cliff Breland expressed support for the request, but noted that along the way it would be helpful to receive a review of what was spent and what will be spent to analyze what was used and what was not.

Subsequent to the discussion, members supported the allocation of \$4,490,000 in one-time funds for the network refresh and **there was general consensus to approve with one member voting against** (Jeremy Peters).

POLICY

Revised AP 3510, Workplace Violence: Effective July 1, 2024, the majority of employers in California must establish, implement, and maintain a Workplace Violence Prevention Plan that includes prohibiting employee retaliation, accepting and responding to reports of workplace violence, employee workplace violence training and communication, emergency response, workplace violence hazard assessments, and other requirements, such as maintaining a Violent Incident Log. AP 3510, Workplace Violence was revised to comply with the new legal requirements.

Chancellor Cliff Breland thanked everyone that has already completed the short training that is required by the Occupational Safety and Health Administration (OSHA). Vice Chancellor Williams noted that classified employees have already received the training notification and faculty will receive it now that they are back on contract.

Members supported the revisions and **there was consensus to approve AP 3510 and post it to the District website.**

Subsequent to approval, Irma Ramos, Vice Chancellor of Human Resources, shared that new Title IX required training was forthcoming. In response to questions, she responded that a chart outlining all the required training would be provided and would include the length of time of each training.

Revised AP 6100, Delegation of Authority, Business, and Fiscal Affairs: Revisions to AP 6100, Delegation of Authority, Business, and Fiscal Affairs were proposed in order to improve efficiency and transparency with regard to hospitality related expenses. Several changes are underway which include: 1) Separating sponsorships from hospitality and having them annually be approved by the Board; 2) Shifting the processing of hospitality related costs from the campus Bursar's Office to District Services; and 3) Having all hospitality related costs (excluding grant funds) follow BP 6350, Hospitality and the 13 approved categories and no longer utilizing accounts 44400 and 51950.

After clarification on how the hospitality-related expenditures would be processed, how there would be no changes to grant funded expenditures, and how notification of the changes would be shared, **there was consensus to approve AP 6100 and post it to the District website.**

Revised AP 6520, Security for District Property: AP 6520, Security for District Property was revised to amend section 1.1 in order reflect changes to the fixed assets cost. Vice Chancellor Williams noted that the increased amount was proposed in order to simply the process.

Members supported the revisions and **there was consensus to approve AP 6520 and post it to the District website.**

Revised AP 7230-10, Confidential Employees – Salary Provisions and AP 7240-10, Management Employees – Salary Provisions: Revisions to AP 7230-10, Confidential Employees – Salary Provisions and AP 7240-10, Management Employees – Salary Provisions were recommended to address the following: 1) When a new employee is hired, the employee's employment experience is taken into consideration when determining salary placement. The current one-year recency experience is very restrictive, and we are recommending a change from one year to five years of employment experience; 2) California Labor Code section 432.2 prohibits an employer from relying on the salary history information for employment as a factor in determining whether to offer employment to an applicant or what salary to offer an applicant. As such, these provisions have been removed from the administrative procedure; and 3) California Labor Code section 432.2 also allows for an applicant to voluntarily and without prompting, disclose salary history information.

Vice Chancellor Irma Ramos stated that the revisions would allow flexibility and for the District to be more competitive with salary placement because it provides credit for experience, and provided examples. Pamela Spence inquired about CSEA being included and in response Vice Chancellor Ramos noted that inclusion for CSEA would be handled through their contract and the collective bargaining process.

Members supported the revisions and **there was general consensus to approve AP 7230-10 and AP 7240-10 and post them to the District website with one member voting against (Pamela Spence).**

Revised BP/AP 7600, Campus Safety Officers: At the February 23, 2022 DCC meeting, the group discussed the proposed revisions to BP/AP 7600, Campus Safety Officers which were submitted by the Interim Fullerton College Vice President, Student Services. At that meeting, changes and rationale were shared with DCC members so that campus representatives could vet the policies concurrently and bring their recommendations back to a Safety Committee Workgroup. No feedback was ever received. At that time, Vice Chancellor Williams was asked to initiate the discussion again.

The revisions to BP 7600 were minimal, while AP 7600 had significant changes which included the defining the community-oriented safety philosophy and outlining the general authority and role of campus safety officers, including providing guidance on use of force, conducting searches, engaging in pursuits, authorization regarding traffic and parking violations, equipment, patrolling, and training. The secondary purpose of the revisions was also to establish and document Standard Operating Procedures which are required by board policy.

Members were provided copies of the proposed revisions along with the Board agenda item related to campus safety that would take place on August 27, 2024, the July 25, 2023 "NOCCCD Commitment to Safety" presentation to Board, and the State Chancellor's Office 2022 Call to Action: Reimagining Campus Policing Task Force Recommendations.

Chancellor Clift Breland introduced the discussion by sharing that at the last Board meeting impactful statements were made by the campus safety officer who was injured, and that campus safety officers requested that they be provided with additional equipment to be able to better defend themselves and others. He outlined the previous DCC discussion, the history of the item within the District, the recent requests, and noted that the Board will have a campus safety discussion at their August 27 meeting.

Vice Chancellor Williams shared that the conversation began after some issues developed in the past and the Chancellor, at that time, requested a study to address inconsistencies with uniforms and the development of standard operating procedures (SOPs) that were missing but are required per Board Policy. The District worked with consultants to develop SOPs but realized that they didn't align with the administrative procedure so that was revised as well. The revised policies were to be vetted by the campuses, but got lost in the process. He stated that the District desperately needs to revise AP 7600 so that it is clear how campus safety officers are allowed to respond to different events, but noted that there is not a lot of consistency across the District since there are three campuses with different leadership.

During the discussion, members shared that the policies would be agendaized at their campus President Advisory Committee meetings, expressed support for making revisions to the policies, sought clarification on whether the revisions were what was initially proposed (yes), requested that Vice Chancellor Williams attend campus meetings or provide the data collected, and inquired whether there was data available that provides insight on what type of incidents campus safety officers are involved in.

Chancellor Clift Breland agreed that officers should be able to protect themselves but noted that we cannot simply provide equipment because of training and oversight requirements that come with additional equipment. He highlighted the various options used by community colleges including armed officers or the community policing model that tends to be desired by students, especially the populations we serve, and the cost associated with them. Dr. Clift Breland emphasized that action must be taken, that there will likely be disagreement on how to proceed, and that while everyone will have a vote, the majority will decide the outcome. He asked that members review the reference materials provided, ask questions, and share information with their constituencies in order to continue the discussion at the next DCC meeting.

This item will be kept as a running item on future DCC meeting agendas.

OTHER ITEMS

Program Discontinuance Workgroup: Kathleen McAlister shared that she is still waiting to receive participant names in order to begin working on the program discontinuance policy. In response, members noted that Cherry Li-Bugg and Gabrielle Stanco would represent District Services, comparable positions from NOCE would be included, and that a United Faculty appointment was still needed.

Revised Administrative Procedures: Cynthia Olivo shared that Fullerton College would like to propose revisions to four administrative procedures and one Human Resources form to remove the term “alien.”

Payroll Period for Adjunct Faculty: Chancellor Clift Breland shared that he was informed of an issue with the December payroll process that negatively impacts adjunct faculty. It was noted that the restrictions are because the District relies on the Orange County Department of Education to process the payroll and is beholden to their requirements. In order to change the process, the District would have to process its own payroll and hire staff to do that.

Next DCC Meeting: The next DCC meeting will take place on Monday, September 23.

ADJOURNMENT: The meeting was adjourned at 4:04 p.m.