



District Consultation Council Meeting

September 23, 2024

2:00 p.m.

Anaheim Campus – Chancellor’s Conference Room (9th Floor)

Videoconferencing participation available from the Cypress College President’s Conference Room
and the Fullerton College President’s Conference Room B

AGENDA

MEETING SUMMARY

- | | |
|----------------------------|---------------|
| 1. August 26, 2024 Summary | Action |
|----------------------------|---------------|

STRATEGIC GOALS & PLANNING

- | | |
|------------------------------------|--------------------|
| 1. 2024-25 Budget Presentation | Discussion |
| 2. Calendar for the 2025-26 Budget | Information |

OPERATIONAL REVIEW

- 1.

POLICY

- | | |
|---|-------------------|
| 1. Revised AP 7120-9, Employment of Special Project Administrators | Action |
| 2. Revised AP 5015, Residence Determination; AP 5020, Nonresident Tuition; AP 5030, Fees; and AP 7120-11, Verification of Eligibility of Employment | Action |
| 3. Revised BP/AP 7600, Campus Safety Officers | Discussion |

OTHER ITEMS

- 1.

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 Magginiti, 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 2.6% 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 Cliff 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.

DRAFT

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2024
From: Fred Williams, Vice Chancellor, Finance and Facilities
Re: Agenda Item for District Consultation Council Meeting of September 23, 2024

1. AGENDA ITEM NAME

2024-25 Budget Presentation

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: **25 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Staff will present the [2024-25 Proposed Budget and Financial Report](#) and answer any questions related to the presentation, proposed budget book and financial report.

5. RECOMMENDATION:

Members are asked to review the information.

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



2024-25 PROPOSED BUDGET

Presented by:

Fred Williams, Vice Chancellor, Finance and Facilities

Erika Almaraz, Executive Director, Fiscal Affairs

PRESENTATION OVERVIEW



- Introduction
- Ending Fund Balances (Carryovers)
- State Budget
- Community College System Budget
- District Budget
- Structural Deficit
- Six-year Forecasts
- Other Considerations

INTRODUCTION

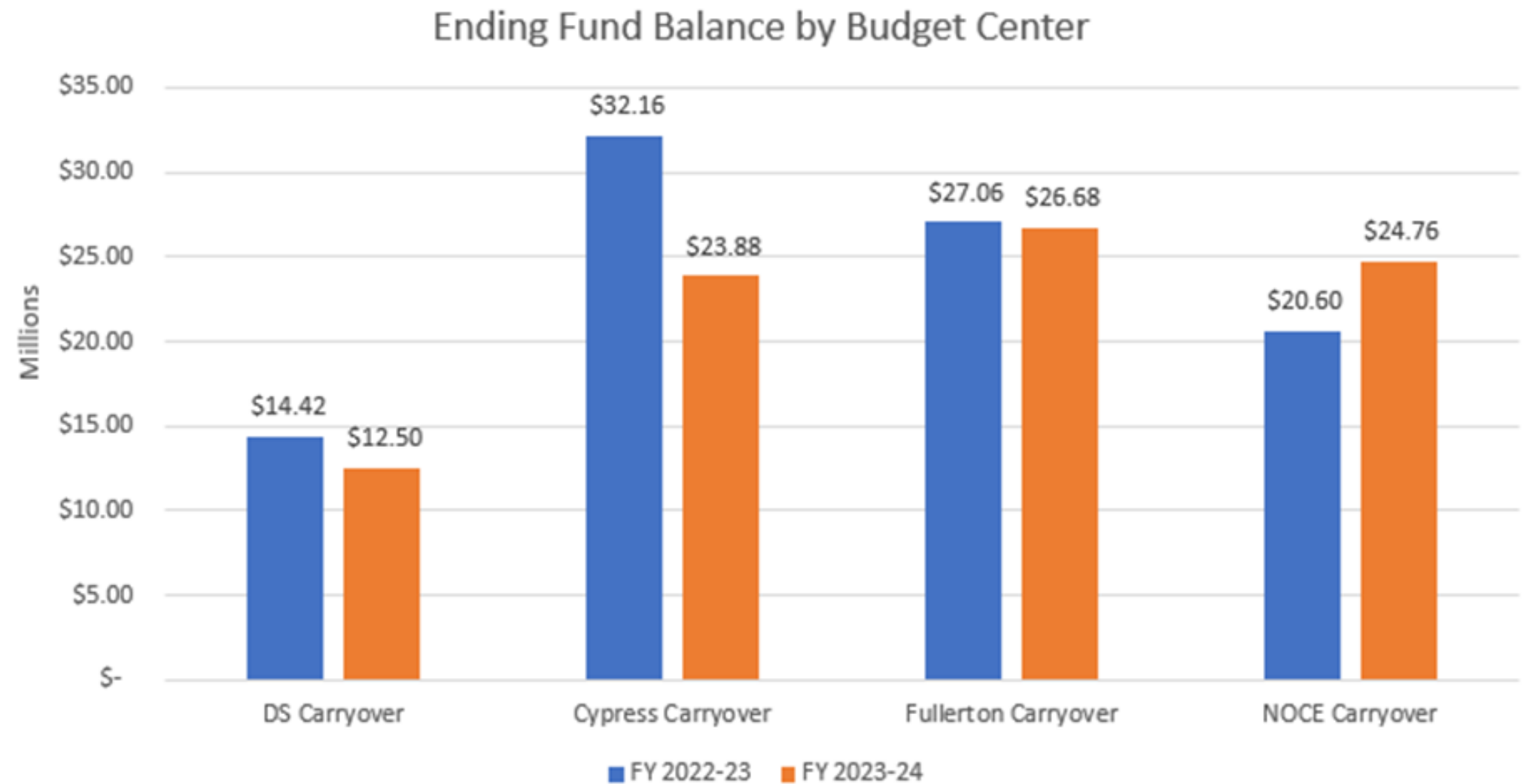
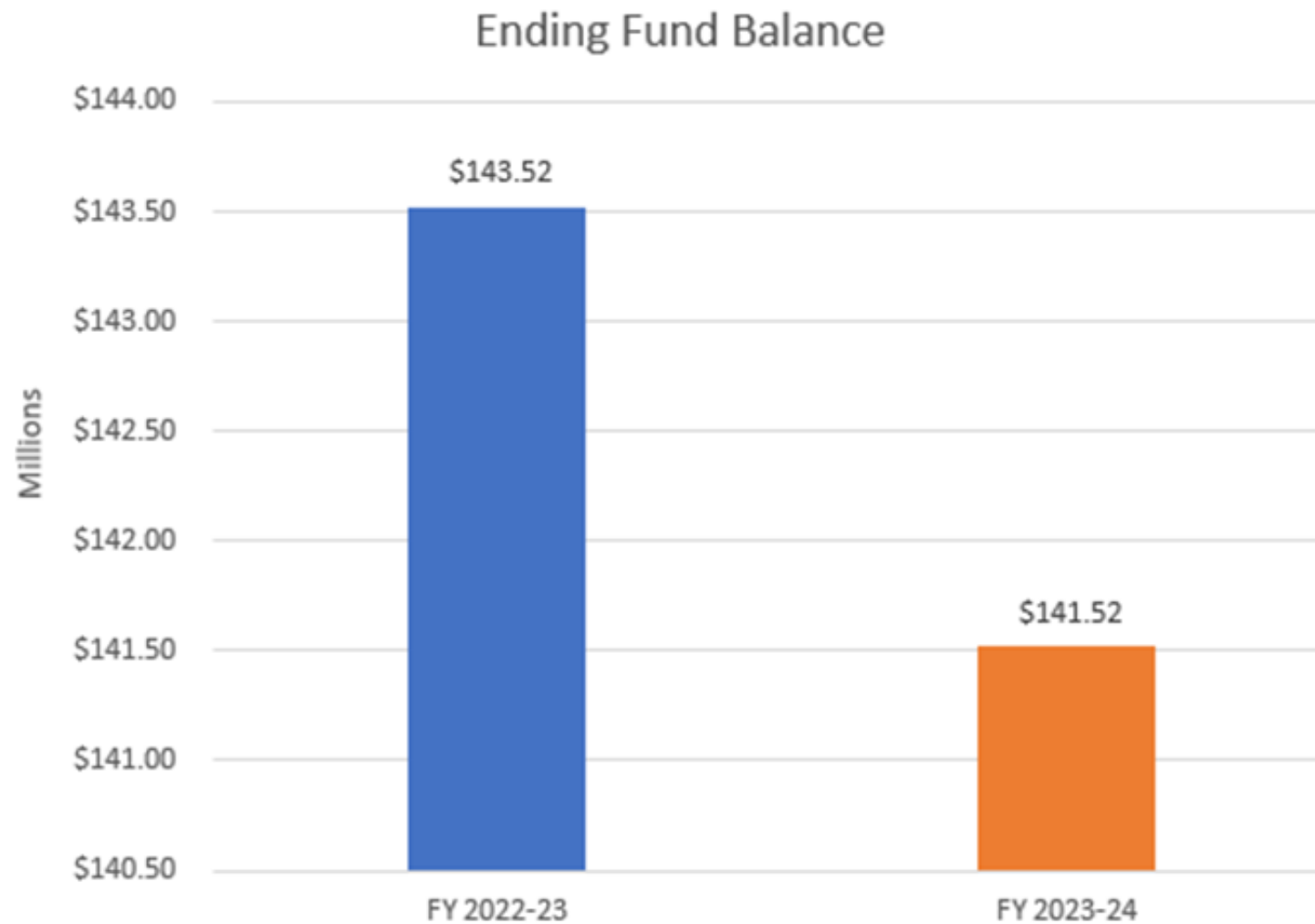
Budget Basics

- Tool to Manage
- Balanced Budget
- Board Approved Plan, not an Estimate of Expenditures

We're in a much different place than we were last year!



ENDING FUND BALANCE (CARRYOVERS)

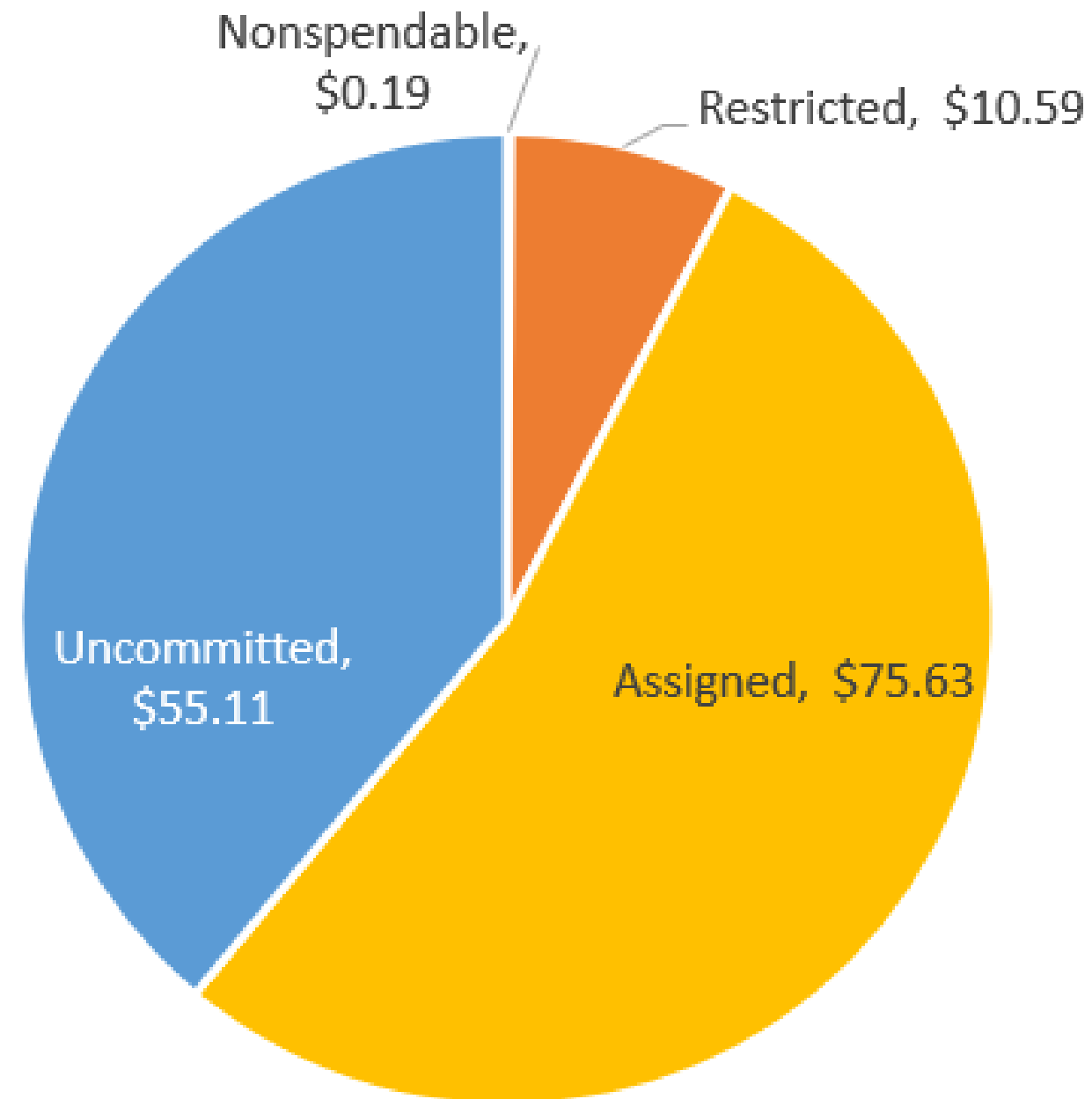


Used a 1% deficit factor for 2023-24 (\$2.657M).

Started to spend down budget center reserves to continue student basic needs benefits.

ENDING FUND BALANCE (CARRYOVERS)

Ending Fund Balance \$141.52M



Uncommitted

- \$46.5M Board Policy Reserve
- \$5.98M Unallocated DW Resources
- \$2.63M Unallocated Budget Center Carryovers

Assigned

- \$57.87M Assigned by Center
- \$17.37M One-Time Allocations
- \$396K Other

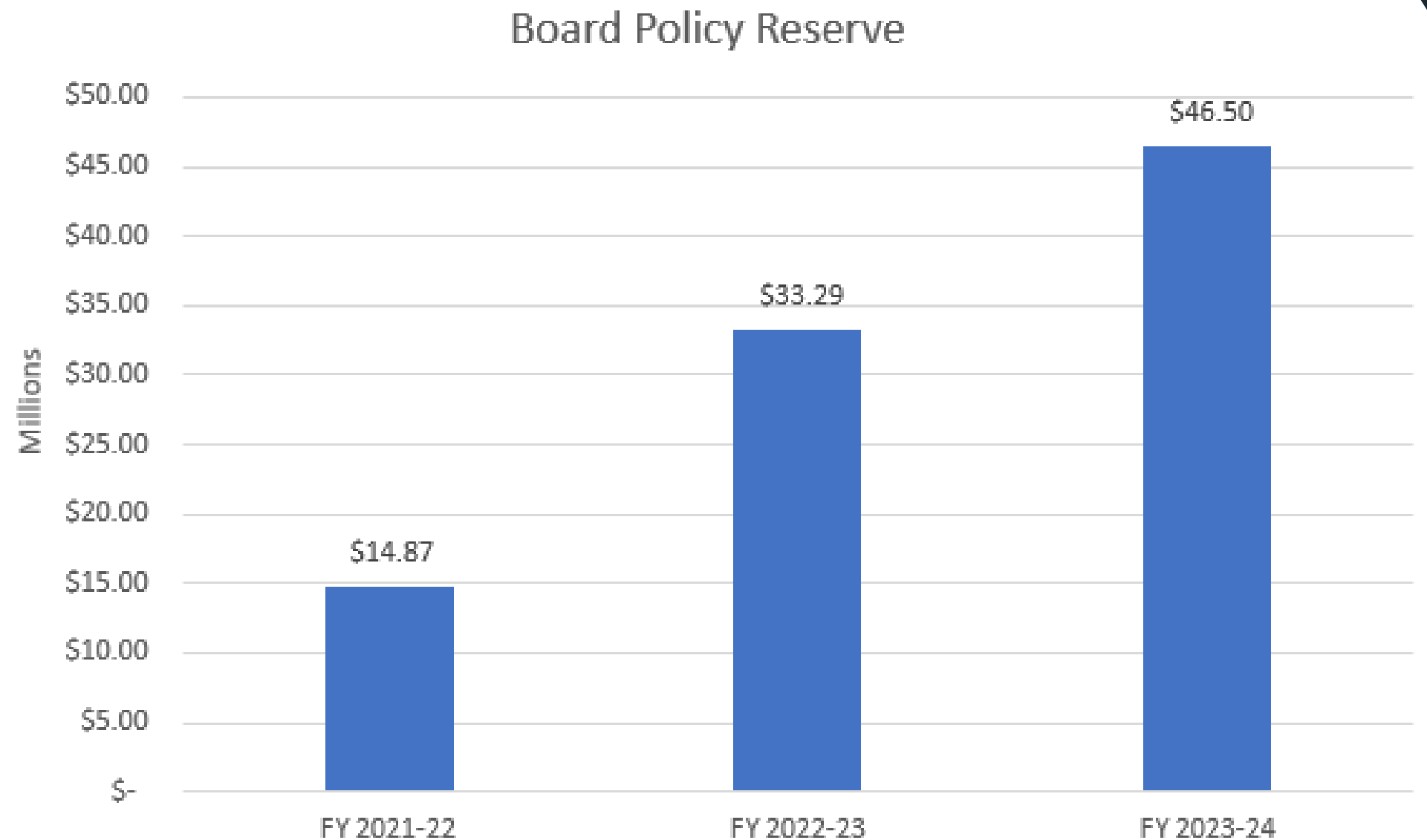
BOARD POLICY RESERVES

Board Policy on reserves changed from 5% of general fund unrestricted expenditures to two months of general fund expenditures.

\$279M ongoing operating expense divided by 12 months and times 2 months = **\$46.5M**

How the reserve is funded:

- \$14.9M existing reserve
- \$6.3M Committed Fund Balance Transfer
- \$10.9M 22-23 Emergency Conditions Funding
- \$10.9M 23-24 Emergency Conditions Funding
- \$1.2M Transfer from Unallocated Resources
- \$2.3M Transfer from Unallocated Resources



STATE BUDGET

- State taking a two-year budget approach
- Multi-year budget deficits
 - \$45 billion in 2024-25
 - \$30 billion in 2025-26
- Cuts to government operations, reductions to programs, and a pause on new investments
 - 7.95% reduction to operations.
 - Permanently eliminates 10,000 vacant positions beginning in 2025-26.
- No major reductions to core community college programs or services
 - Utilizing deferrals and reserves to balance the budget

For more information: <https://ebudget.ca.gov/>.



SYSTEM BUDGET

COLA 1.07% for Apportionment & Select Categorical Programs

Enrollment Growth funding 0.5% to address unfunded growth in the system

Reallocation of Unspent Funds

- 2020 Strong Workforce Program
- 2022 Student Success Completion Grant

Additional resources:

- 2024 Budget Workshop Part I
- Joint Analysis of the Enacted 2024-25 Budget



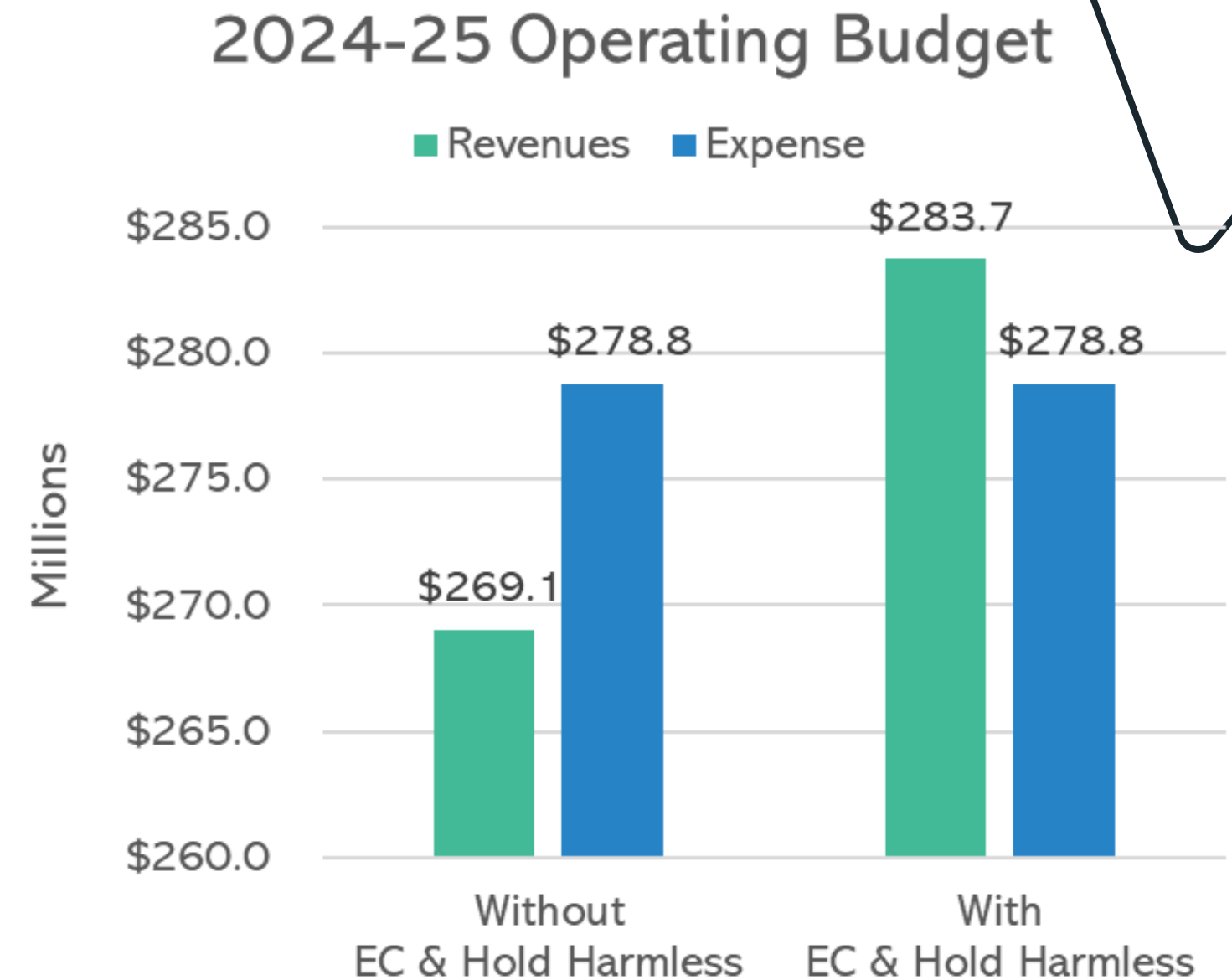
DISTRICT BUDGET

GENERAL FUND SUMMARY

<i>(in millions)</i>	Unrestricted	Restricted	Total
Adjusted Beginning Balance	\$ 130.93	\$ 10.59	\$ 141.52
Plus Revenues	\$ 287.42	\$ 96.25	\$ 383.67
Less Expenditures	308.6	107.78	416.38
Plus Other Sources/(Uses)	(17.17)	1.99	(15.18)
Net	\$ (38.35)	\$ (9.54)	\$ (47.89)
Ending Balance/Contingency	\$ 92.58	\$ 1.05	\$ 93.63

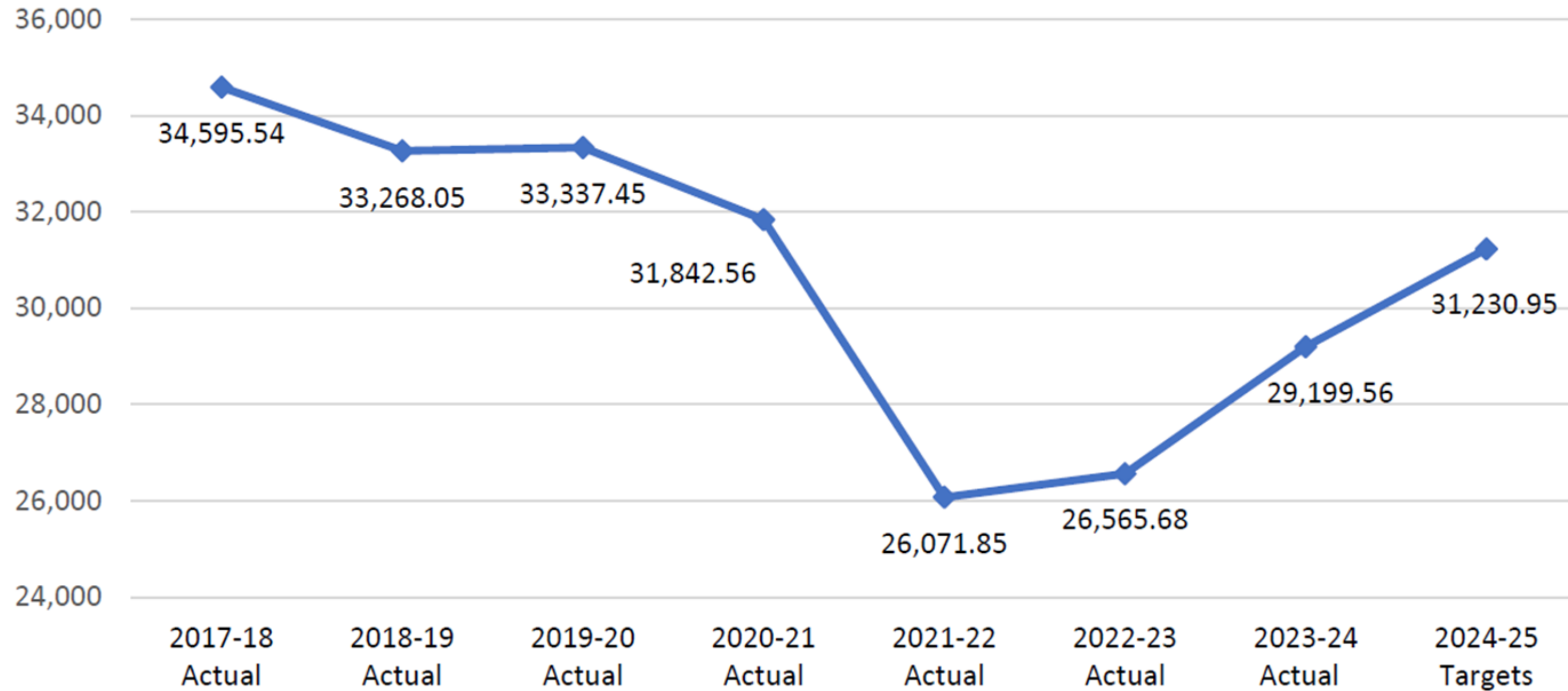
STRUCTURAL DEFICIT

	Proposed Budget 2023-24 <i>in millions</i>	Proposed Budget 2024-25 <i>in millions</i>
Earned SCFF Revenue	\$ 227.5	\$ 247.8
Other Revenue	\$ 22.6	\$ 21.3
Total Revenue	\$ 250.1	\$ 269.1
Expenses	\$ 272.1	\$ 278.8
Structural Surplus (Deficit)	\$ (22.0)	\$ (9.7)
Emergency Conditions Revenue	\$ 18.2	\$ 9.1
Stability Funding	\$ 20.1	\$ -
Hold Harmless Revenue	\$ -	\$ 5.6
Additional Revenues	\$ 38.3	\$ 14.7



- Budgeted shows “structural deficit” as expenses exceed earned and other revenues.
- EC and Hold Harmless revenues and savings from personnel vacancies could result in a surplus.
- Extent of deficit or surplus depends on state deficit factor, negotiations, spend of carryover balances.

FTES TREND



This is why we're in a different position...

	Budget 2023-24		Actuals 2023-24		Budget 2024-25		Budget to Budget Difference
				%		%	
FTES		26,611.33		29,199.56		31,230.95	4,619.62
Earned Revenue	\$	227,471,347.00	\$	238,129,087.00	4.7%	\$ 247,764,356.00	\$ 20,293,009.00
Hold Harmless & Stability		38,315,853.00		27,658,113.00	-27.8%	14,669,536.00	(23,646,317.00)
Total Revenue	\$	265,787,200.00	\$	265,787,200.00		\$ 262,433,892.00	
New Hold Harmless Funding Floor						<u>\$ 262,433,892.00</u>	

- Funding received in 2024-25 creates the District's new Hold Harmless "funding floor". No future COLAs applied to the new floor.
- Earned Revenues would need to grow above the new funding floor to receive additional dollars.
- Growth in FTES shows we're moving in the right direction.

6 YEAR FORECAST

Scenario 1

This scenario uses the 2024-25 budgeted expenses and 2023-24 FTES to stand-in for 2024-25. This scenario assumes that any COLA increases are passed-through as salary increases and that benefit costs increase by COLA as well. COLA for FY 2024-25 is 1.07%. COLAs for out years were obtained from the School Services of California Financial Projection Dashboard as of July 23, 2024.

Scenario Assumptions:

Enrollment Growth after 2024-25:	0%	0%	0%	0%	0%
COLA Rate Increase per year to SCFF Rates:	2.93%	3.08%	3.30%	3.00%	3.00%
COLA Rate Increase passed on to Salaries & Benefits:	2.93%	3.08%	3.30%	3.00%	3.00%
CPI increases to nonpersonnel costs:	0.00%	0.00%	0.00%	0.00%	0.00%

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
FTES (Actuals)	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56
Total Base (ECA, then phasing out)	30,369.75	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56
Revenues						
SCFF Revenues						
Calculated Revenue	\$ 243,235,800.00	\$ 253,330,507.00	\$ 261,133,098.00	\$ 269,750,304.00	\$ 277,842,379.00	\$ 286,177,823.00
Add'l from Emergency Conditions FTES	9,078,872.00	-	-	-	-	-
Add'l from Stability/HH/Floor Revenues	10,119,220.00	9,103,385.00	1,300,794.00	-	-	-
Total SCFF Revenues	262,433,892.00	262,433,892.00	262,433,892.00	269,750,304.00	277,842,379.00	286,177,823.00
Other Revenues	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00
Backfill from Campus	2,969,842.00	-	-	-	-	-
Total Revenues	286,697,900.00	283,728,058.00	283,728,058.00	291,044,470.00	299,136,545.00	307,471,989.00
Expenses						
Expenses 11200	280,121,114.00	287,468,037.00	295,417,368.00	304,196,836.00	312,441,554.00	320,933,614.00
Expenses Self-Supporting	3,646,796.00	3,663,751.00	3,682,097.00	3,702,359.00	3,721,386.00	3,740,984.00
Total Expenses	283,767,910.00	291,131,788.00	299,099,465.00	307,899,195.00	316,162,940.00	324,674,598.00
Surplus (Deficit)	\$ 2,929,990.00	\$ (7,403,730.00)	\$ (15,371,407.00)	\$ (16,854,725.00)	\$ (17,026,395.00)	\$ (17,202,609.00)

6 YEAR FORECAST

Scenario 2

This scenario is the same as Scenario 1 but uses the 2023-24 actual expenses as a starting point, less the \$5.395M retiree benefit contribution in FY 2023-24 that is not budgeted in FY 2024-25.

Scenario Assumptions:

Enrollment Growth after 2024-25:	0%	0%	0%	0%	0%
COLA Rate Increase per year to SCFF Rates:	2.93%	3.08%	3.30%	3.00%	3.00%
COLA Rate Increase passed on to Salaries & Benefits:	2.93%	3.08%	3.30%	3.00%	3.00%
CPI increases to nonpersonnel costs:	0.00%	0.00%	0.00%	0.00%	0.00%

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
FTES (Actuals)	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56
Total Base (ECA, then phasing out)	30,369.75	29,199.56	29,199.56	29,199.56	29,199.56	29,199.56
Revenues						
SCFF Revenues						
Calculated Revenue	\$ 243,235,800.00	\$ 253,330,507.00	\$ 261,133,098.00	\$ 269,750,304.00	\$ 277,842,379.00	\$ 286,177,823.00
Add'l from Emergency Conditions FTES	9,078,872.00	-	-	-	-	-
Add'l from Stability/HH/Floor Revenues	10,119,220.00	9,103,385.00	1,300,794.00	-	-	-
Total SCFF Revenues	262,433,892.00	262,433,892.00	262,433,892.00	269,750,304.00	277,842,379.00	286,177,823.00
Other Revenues	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00
Backfill from Campus	2,969,842.00	-	-	-	-	-
Total Revenues	286,697,900.00	283,728,058.00	283,728,058.00	291,044,470.00	299,136,545.00	307,471,989.00
Expenses						
Expenses 11200	259,338,861.00	266,388,317.00	274,015,789.00	282,439,787.00	290,350,687.00	298,498,914.00
Expenses Self-Supporting	1,358,948.00	1,389,699.00	1,422,972.00	1,459,719.00	1,494,228.00	1,529,772.00
Total Expenses	260,697,809.00	267,778,016.00	275,438,761.00	283,899,506.00	291,844,915.00	300,028,686.00
Surplus (Deficit)	\$ 26,000,091.00	\$ 15,950,042.00	\$ 8,289,297.00	\$ 7,144,964.00	\$ 7,291,630.00	\$ 7,443,303.00

6 YEAR FORECAST

Scenario 3

This scenario is the same as Scenario 2, but uses 2024-25 Target FTES.

Scenario Assumptions:

Enrollment Growth after 2024-25:	0%	0%	0%	0%	0%
COLA Rate Increase per year to SCFF Rates:	2.93%	3.08%	3.30%	3.00%	3.00%
COLA Rate Increase passed on to Salaries & Benefits:	2.93%	3.08%	3.30%	3.00%	3.00%
CPI increases to nonpersonnel costs:	0.00%	0.00%	0.00%	0.00%	0.00%

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
FTES (Actuals)	31,230.95	31,230.95	31,230.95	31,230.95	31,230.95	31,230.95
Total Base (ECA, then phasing out)	31,179.87	30,620.32	31,230.95	31,230.95	31,230.95	31,230.95
Revenues						
SCFF Revenues						
Calculated Revenue	\$ 247,764,356.00	\$ 261,319,411.00	\$ 272,798,237.00	\$ 281,800,387.00	\$ 290,253,959.00	\$ 298,961,757.00
Add'l from Emergency Conditions FTES	9,078,818.00	-	-	-	-	-
Add'l from Stability/HH/Floor Revenues	5,590,718.00	1,114,481.00	-	-	-	-
Total SCFF Revenues	262,433,892.00	262,433,892.00	272,798,237.00	281,800,387.00	290,253,959.00	298,961,757.00
Other Revenues	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00
Backfill from Campus	2,969,842.00	-	-	-	-	-
Total Revenues	286,697,900.00	283,728,058.00	294,092,403.00	303,094,553.00	311,548,125.00	320,255,923.00
Expenses						
Expenses 11200	259,338,861.00	266,388,317.00	274,015,789.00	282,439,787.00	290,350,687.00	298,498,914.00
Expenses Self-Supporting	1,358,948.00	1,389,699.00	1,422,972.00	1,459,719.00	1,494,228.00	1,529,772.00
Total Expenses	260,697,809.00	267,778,016.00	275,438,761.00	283,899,506.00	291,844,915.00	300,028,686.00
Surplus (Deficit)	\$ 26,000,091.00	\$ 15,950,042.00	\$ 18,653,642.00	\$ 19,195,047.00	\$ 19,703,210.00	\$ 20,227,237.00

6 YEAR FORECAST

Scenario 4

This scenario is the same as Scenario 3, but illustrates the impact of annual step and column increases in out years (approximately 1.5% increase to personnel costs each year) and the impact of Consumer Price Index (CPI) increases to non-personnel costs. CPI for out years was obtained from the School Services of California Financial Projection Dashboard as of July 23, 2024.

Scenario Assumptions:

Enrollment Growth after 2024-25:	0%	0%	0%	0%	0%
COLA Rate Increase per year to SCFF Rates:	2.93%	3.08%	3.30%	3.00%	3.00%
COLA Rate Increase passed on to Salaries & Benefits:	2.93%	3.08%	3.30%	3.00%	3.00%
Step and Column increases to personnel costs:	1.50%	1.50%	1.50%	1.50%	1.50%
CPI increases to nonpersonnel costs:	2.86%	2.81%	2.85%	2.85%	2.85%

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
FTES (Actuals)	31,230.95	31,230.95	31,230.95	31,230.95	31,230.95	31,230.95
Total Base (ECA, then phasing out)	31,179.87	30,620.32	31,230.95	31,230.95	31,230.95	31,230.95
Revenues						
SCFF Revenues						
Calculated Revenue	\$ 247,764,356.00	\$ 261,319,411.00	\$ 272,798,237.00	\$ 281,800,387.00	\$ 290,253,959.00	\$ 298,961,757.00
Add'l from Emergency Conditions FTES	9,078,818.00	-	-	-	-	-
Add'l from Stability/HH/Floor Revenues	5,590,718.00	1,114,481.00	-	-	-	-
Total SCFF Revenues	262,433,892.00	262,433,892.00	272,798,237.00	281,800,387.00	290,253,959.00	298,961,757.00
Other Revenues	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00
Backfill from Campus	2,969,842.00	-	-	-	-	-
Total Revenues	286,697,900.00	283,728,058.00	294,092,403.00	303,094,553.00	311,548,125.00	320,255,923.00
Expenses						
Expenses 11200	259,338,861.00	270,639,048.00	282,809,203.00	296,127,716.00	309,241,181.00	322,940,806.00
Expenses Self-Supporting	1,358,948.00	1,414,752.00	1,474,421.00	1,539,380.00	1,603,640.00	1,670,659.00
Total Expenses	260,697,809.00	272,053,800.00	284,283,624.00	297,667,096.00	310,844,821.00	324,611,465.00
Surplus (Deficit)	\$ 26,000,091.00	\$ 11,674,258.00	\$ 9,808,779.00	\$ 5,427,457.00	\$ 703,304.00	\$ (4,355,542.00)

6 YEAR FORECAST

Scenario 5

This scenario is the same as Scenario 4, but illustrates 1% annual growth in FTES.

Scenario Assumptions:

Enrollment Growth after 2024-25:	1%	1%	1%	1%	1%
COLA Rate Increase per year to SCFF Rates:	2.93%	3.08%	3.30%	3.00%	3.00%
COLA Rate Increase passed on to Salaries & Benefits:	2.93%	3.08%	3.30%	3.00%	3.00%
Step and Column increases to personnel costs:	1.50%	1.50%	1.50%	1.50%	1.50%
CPI increases to nonpersonnel costs:	2.86%	2.81%	2.85%	2.85%	2.85%

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
FTES (Actuals)	31,230.95	31,543.26	31,858.69	32,177.28	32,499.05	32,824.04
Total Base (ECA, then phasing out)	31,179.87	30,756.59	31,592.88	31,908.81	32,227.89	32,550.17
Revenues						
SCFF Revenues						
Calculated Revenue	\$ 247,764,356.00	\$ 262,123,343.00	\$ 272,798,237.00	\$ 281,800,387.00	\$ 290,253,959.00	\$ 298,961,757.00
Add'l from Emergency Conditions FTES	9,078,818.00	-	-	-	-	-
Add'l from Stability/HH/Floor Revenues	5,590,718.00	310,549.00	-	-	-	-
Growth Revenue	-	-	2,160,089.00	4,131,211.00	6,231,511.00	8,474,509.00
Total SCFF Revenues	262,433,892.00	262,433,892.00	274,958,326.00	285,931,598.00	296,485,470.00	307,436,266.00
Other Revenues	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00	21,294,166.00
Backfill from Campus	2,969,842.00	-	-	-	-	-
Total Revenues	286,697,900.00	283,728,058.00	296,252,492.00	307,225,764.00	317,779,636.00	328,730,432.00
Expenses						
Expenses 11200	259,338,861.00	270,639,048.00	282,809,203.00	296,127,716.00	309,241,181.00	322,940,806.00
Expenses Self-Supporting	1,358,948.00	1,414,752.00	1,474,421.00	1,539,380.00	1,603,640.00	1,670,659.00
Total Expenses	260,697,809.00	272,053,800.00	284,283,624.00	297,667,096.00	310,844,821.00	324,611,465.00
Surplus (Deficit)	\$ 26,000,091.00	\$ 11,674,258.00	\$ 11,968,868.00	\$ 9,558,668.00	\$ 6,934,815.00	\$ 4,118,967.00

OTHER CONSIDERATIONS

- Deficit Factor
 - 6.8538% deficit factor (\$18M) used for 2024-25 Advance Revision (page 51).
 - 1% deficit factor (\$2.6M)
- Negotiations for all groups have not been settled.
- Job Family Studies are still in-progress.
 - IT family study expected to increase budget by ~\$900,000.
- Change in Attendance Accounting Formula
 - Systemwide change to standardize calculations for credit FTES.
 - Estimating 2% decline in calculated FTES based on existing class schedules and rosters.
- As federal COVID funds used to support student basic needs are exhausted, impact to enrollments is uncertain.
- Fullerton College Construction Program
 - College started a lot of capital projects but is running out of funds to complete them due to continuing escalation of prices in the construction industry.

QUESTIONS?



NORTH ORANGE COUNTY
COMMUNITY COLLEGE DISTRICT



Cypress College



Fullerton College

NOCE
NORTH ORANGE
CONTINUING EDUCATION



NOCCCD FISCAL YEAR 2024-25 BUDGET DISCUSSION

We invite you to join us for a District and campus presentation and overview of the ending fund balance, the State budget, the California Community College System budget, the District's budget, campus-specific budget (campus events only), and Q&A. We look forward to seeing you there!

District Office - Monday, September 30, 2024, at 3:00 - 4:00 pm via Zoom [Registration LINK](#)

SAVE THE DATE:

- **Fullerton College** - Monday, October 21, 2024, at 3:00 - 5:00 pm - Location TBD
- **NOCE** - Wednesday, October 23, 2024, at 3:00 - 5:00 pm - Location TBD
- **Cypress College** - Thursday, October 24, 2024, at 3:00 - 5:00 pm - Location TBD

Questions? Please contact Debbie Shandy at
714-808-4780 or dshandy@nocccd.edu



DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2024
From: Fred Williams, Vice Chancellor, Finance and Facilities
Re: Agenda Item for District Consultation Council Meeting of September 23, 2024

1. AGENDA ITEM NAME

Calendar for the 2025-26 Budget

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:

The calendar for the 2025-26 budget highlights significant dates related to budget preparation, including dates for presentations of the tentative budget, required public hearings, Board study sessions, and approval of the final budget. The schedule will be shared with the Board at its October 8, 2024 Board meeting.

5. RECOMMENDATION:

Members are asked to review the information.

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

Calendar for FY 2025-26 Budget

January 15, 2025	P-1 Apportionment Attendance Report Submission Due
January 28, 2025	Board review of Governor's January Budget and discussion on Priorities
February 17, 2025	Budget Centers are requested to start Position Clean up
February 28, 2025*	First Principal Apportionment Report Issued by State Chancellor's Office
March 10, 2025	CBF review of Tentative Budget Assumptions and Board Priorities
March 24, 2025	DCC review of Tentative Budget Assumptions and Board Priorities
April 14, 2025	CBF review of Tentative Budget Assumptions and Board Priorities
April 20, 2025	P-2 Apportionment Attendance Report Submission Due
April 21, 2025	Budget Centers are requested to start Faculty Position Clean up
April 28, 2025	DCC review of Tentative Budget Assumptions and Board Priorities
May 05, 2025	Personnel Change Forms due to Human Resources for Tentative Budget
May 12, 2025	CBF review of Tentative Budget Assumptions and Board Priorities
May 12, 2025	HR to complete processing all submitted Personnel Changes related to Tentative Budget (further changes are to be held until the data is rolled over to the Budget Tables (See May 19 below)
May 19, 2025	<ul style="list-style-type: none"> • HR & District Fiscal Affairs to clean up Position Control budget information related to Tentative Budget • District Fiscal Affairs to roll Position Budget data over to the Budget Tables • Budget Centers to start budget input for NONPOS phase
May 27, 2025	Report provided to Board on Governor's May Budget Revisions
June 04, 2025	Budget Centers to be complete with Budget inputs of NONPOS phase and reconciliation of budgets for Tentative Budget
June 10, 2025	Prepare GASB 54 Agenda item to be taken to the Board (if needed)
June 9, 2025	CBF review of Governor's May Budget Revisions and Proposed Budget Assumptions (if needed)
June 9, 2025	Completion of the Tentative Budget
June 06, 2025	Final changes for Position Control due to HR for Proposed Budget
June 13, 2025	HR to complete Personnel Changes related to Proposed Budget
June 26, 2025*	Second Principal Apportionment Report issued by State Chancellor's Office
June 20, 2025	HR & District Fiscal Affairs to clean up Position Control budget information related to Proposed Budget. (further permanent changes to NYSPBUP are to be held until the Tentative Budget is rolled over to the finance tables (See June 26 below)
June 23, 2025	DCC review of Proposed Budget Assumptions (if needed)
June 24, 2025	Board approval of the Tentative Budget
June 25, 2025	<ul style="list-style-type: none"> • District Fiscal Affairs to Feed Tentative Budget (TENTAT) to Operating Ledger to start the fiscal year • District Fiscal Affairs to roll Position Budget over to the Budget Tables. • HR can resume making permanent changes to NYSPBUP • Budget Centers can access NONPOS for updated budget input
July 15, 2025	Annual Apportionment Attendance Report Submission Due
July 31, 2025*	Year-end closing completed for District and Campus accounts
August 6, 2025*	Carryover balances completed and distributed
Aug. 12 or 26, 2025	Board review of the Proposed Budget Assumptions
August 14, 2025*	Budget Centers to complete Budget input of NONPOS phase and reconciliation of budgets for Proposed Budget
August 21, 2025*	Completion of Proposed Budget and close FINAL phase in Banner
August 22, 2025*	Public Notice published in the Orange County Register
Sept. 5-9, 2025	Proposed Budget available for public inspection
September 9, 2025	Public Hearing on the Proposed Budget at Board Meeting
September 10, 2025	District Fiscal Affairs to Feed Proposed Budget (FINADJ) to the Operating Ledger.

*Estimated Date

(as of 9/6/2024)

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2024

From: Irma Ramos, Vice Chancellor, Human Resources

Re: Agenda Item for District Consultation Council Meeting of September 23, 2024

1. AGENDA ITEM NAME

Revised AP 7120-9, Employment of Special Project Administrators

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: **5 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Currently, AP 7120-9 does not allow Special Project Administrators (SPAs) to serve in more than one role with the District. The ability to assign a SPA to another assignment within the District has been requested by the campuses. This is important in critical areas where there are insufficient numbers of adjunct faculty to meet student course demands. As an example, NOCE has not been able to meet student demand for ESL courses. SPAs are FSLA Exempt. This amendment will enable the use of SPAs to serve a dual role so that campuses can better manage resources and address critical needs in real-time, which is essential for meeting student demands and maintaining educational quality.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, revised AP 7120-9 be posted on the District website.

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

Chancellor's Staff

AP 7120-9 Employment of Special Project Administrators

1.0 Use of Temporary Special Project Administrators

- 1.1 The Special Project Administrator category is used for the *temporary* employment of a person in a management capacity for a specific, limited-term project (typically a grant or other specially-funded project) requiring professional knowledge, skills or technical expertise.
- 1.2 Special Project Administrators are designated as "management" by the Board of Trustees in accordance with the Educational Employees Relations Act of the State of California and are exempt under the Fair Labor Standards Act.

2.0 Criteria for Employment

- 2.1 Employment must be in conjunction with a specific, limited-term project or service.
- 2.2 The service to be performed is not of a type designated as academic in Title 5 of the California Code of Administrative Regulations (i.e., service which requires state-mandated minimum qualifications).
- 2.3 Special Project Administrators must be employed in one of the designated Special Project Administrator classifications approved by the Board of Trustees and must possess the required qualifications for the classification.

3.0 Conditions of Employment

- 3.1 Terms of Employment: Special Projects Administrators are temporary employees. Employment is subject to termination at will by either the District or the employee.
- 3.2 Period of Employment: The requested period of employment must be for the actual period of time during which services are required, not to exceed the project termination date or the end of the current fiscal year, whichever occurs first. Where the project duration exceeds one year, employment may be renewed during the term of the project from fiscal year-to-fiscal year.
- 3.3 Employment Limitation: A person employed as a Special Project Administrator shall not be concurrently employed in any other capacity within the District [unless such employment does not conflict with the temporary Special Projects Administrator role and received prior authorization from the immediate management supervisor and Human Resources.](#)

4.0 Compensation

4.1 Salary

- 4.1.1 Special Project Administrators will be compensated at the appropriate daily rate according to the Temporary Special Project Administrator Daily Rate Schedule.

AP 7120-9 Employment of Special Project Administrators

- 4.1.2 The total salary compensation for the term of employment will be calculated as the sum of the assigned duty days and designated holidays within the period of the employment contract, multiplied by the daily rate. The daily rate will be prorated for assignments less than one hundred (100) percent. The maximum number of compensable days during any fiscal year, including holidays, shall not exceed two hundred sixty-two (262) days.
- 4.2 Holidays: Special Project Administrators will be entitled to the scheduled management holidays, which fall within the contract period.
- 4.3 Sick Leave
 - 4.3.1 Special Project Administrators will earn one (1) day of paid sick leave for each full month of service. The amount of earned sick leave will be prorated for assignments less than one hundred (100) percent.
 - 4.3.2 Sick leave may be taken prior to being earned, up to the maximum number of days earnable for the period of the employment contract. If sick leave is taken in advance and the sick leave taken exceeds the sick leave earned at the time of termination, the salary and stipend pay for the excess days will be deducted from the Special Project Administrator's final paycheck. Unused sick leave days at the time of termination will not be compensated or applied to any subsequent contract of employment.
- 4.4 Vacation
 - 4.4.1 Special Project Administrators may be granted vacations with pay at the discretion of the District, based upon the requirements of the project and the length of period of employment. Special Project Administrators who are employed full time (100%) may earn one (1) day of paid vacation leave for each calendar month in which the employee is in paid status for more than one-half (1/2) of the working days in the month. Special Project Administrators who are employed less than full-time may earn a proportionate share of vacation leave, prorated by the percentage of employment.
 - 4.4.2 Vacation leave must be earned before it can be taken. A Special Project Administrator may not elect to be paid in lieu of taking vacation leave.
 - 4.4.3 Requests for vacation leave must normally be submitted in writing and the use of vacation leave must be approved in advance by the employee's immediate management supervisor.
 - 4.4.4 When a holiday falls during the scheduled vacation of a Special Project Administrator, the holiday will not be charged against the employee's earned vacation days.
 - 4.4.5 Unused vacation leave at the time of termination will be compensated at the employee's current daily salary rate. In lieu of payment for unused vacation leave, the District may require the Special Project Administrator

AP 7120-9 Employment of Special Project Administrators

to use, prior to termination, any or all remaining vacation leave.

4.4.6 Where the Special Project Administrator's employment contract is to be renewed, if requested by the Special Project Administrator and approved by the District at its sole discretion, a maximum of ten (10) unused vacation days may be carried over to the immediately succeeding contract employment period.

4.5 Health and Welfare Benefits

4.5.1 Persons employed as Special Project Administrators with an assignment of at least seventy-five (75) percent (30 hours per week) are eligible to participate in the District's hospital and medical care plan in conjunction with their employment as a Special Project Administrator. The District will pay the full cost of the employee-only premium for hospital and medical care coverage. Coverage may be elected for eligible dependents, at the employee's expense.

5.0 **Effective Date:** This revised procedure becomes effective July 1, 2013.

Date of Adoption: February 12, 2008

Date of last Revision: March 25, 2013 District Consultation Council

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2024

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of September 23, 2024

1. AGENDA ITEM NAME

**Revised AP 5015, Residence Determination;
Revised AP 5020, Nonresident Tuition;
Revised AP 5030, Fees; and
Revised AP 7120-11, Verification of Eligibility of Employment**

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: **15 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

The administrative procedures were revised to replace the terms “illegally” and “alien” with alternate language and to update pronoun usage. Updates to AP 5015 also reflect legally recommended revisions per the Community College League of California (CCLC) Policy and Procedure Service’s legal updates.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, revised AP 5015, AP 5020, AP 5030, and AP 7120-11 be posted on the District website.

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

Cynthia Olivo, Bridget Kominek, Jeanette Rodriguez, and CCLC Policy and Procedure Service

AP 5015 Residence Determination

Reference:

**Education Code Sections 68000 et seq., 68130.5; ~~and 68074-68075.7, and 68086;~~
Title 5, Sections 54000 et seq.
38 U.S. Code Section 3679**

1.0 **Residence Classification:** Residency classifications shall be determined for each student at the time of registration and whenever a student has not been in attendance for more than one semester. Residence classifications are to be made in accordance with the following provisions:

1.1 A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

1.2 Residence classification is the responsibility of the Admissions & Records Office.

1.3 Students must be notified of residence determination within 14 calendar days of submission of application.

1.4 A student seeking to enroll exclusively in career development and college preparation courses, and other courses for which no credit is given, shall not be subject to this residency classification requirement.

1.4⁵ The Colleges and North Orange Continuing Education shall publish the residence determination date and summary of the rules and regulations governing residence determination and classification in the Colleges' and North Orange Continuing Education's catalogs or addenda thereto.

2.0 **Rules Determining Residence**

2.1 A student who has resided in the state for more than one year immediately preceding the residence determination date is a resident.

2.2 A student who has not resided in the state for more than one year immediately preceding the residence determination date is a nonresident.

2.3 The residence of each student enrolled in or applying for enrollment in any class or classes maintained by the District shall be determined in accordance with the Education Code which states that every person has, in law, a residence. In determining the place of residence, the following rules are to be observed:

2.3.1 Every person who is married or eighteen years of age, or older, and under no legal disability to do so, may establish residence.

2.3.2 A person may have only one residence.

2.3.3 A residence is the place where one remains when not called elsewhere for labor or other special or temporary purpose and to which one returns in seasons of repose.

AP 5015 Residence Determination

- 2.3.4 A residence cannot be lost until another is gained.
- 2.3.5 The residence can be changed only by the union of act and intent.
- 2.3.6 A man or a woman may establish ~~his or her~~ **their** residence. A person's residence shall not be derivative from that of ~~his or her~~ **their** spouse.
- 2.3.7 The residence of the parent with whom an unmarried minor child maintains ~~his/her~~ **their** place of abode is the residence of the unmarried minor child. When the minor lives with neither parent, the minor's residence is that of the parent with whom the last place of abode was maintained, provided the minor may establish ~~his/her~~ **their** residence when both parents are deceased and a legal guardian has not been appointed.
- 2.3.8 The residence of an unmarried minor who has a parent living cannot be changed by the minor's own act, by the appointment of a legal guardian, or by relinquishments of a parent's right of control.
- 3.0 **Determination of Resident Status:** A resident is a student who has been a bona fide resident of the state for one year prior to the residence determination date. A bona fide resident is a person whose residence is in California as determined above except:
- 3.1 A student who is a minor and remains in this state after the parent, who was previously domiciled in California and has established residence elsewhere, shall be entitled to retain resident classification until attaining the age of majority and has resided in the state the minimum time necessary to become a resident, so long as continuous attendance is maintained at an institution.
- 3.2 A student who is a minor and who provides evidence of being entirely self-supporting and actually present in California for more than one year immediately preceding the residence determination date with the intention of acquiring a residence therein, shall be entitled resident classification until ~~he/she has~~ **they have** resided in the state the minimum time necessary to become a resident.
- 3.3 A student who has not been an adult for one year immediately preceding the residence determination date for the semester for which the student proposes to attend an institution shall have the immediate pre-majority-derived California residence, if any, added to the post-majority residence to obtain the one year of California residence.
- 3.4 A student holding a valid credential authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the college year in which the student enrolls in an institution, shall be entitled to resident classification if each student meets any of the following requirements:
- 3.4.1 ~~He/she~~ **They** holds a provisional credential and ~~is~~ **are** enrolled in courses necessary to obtain another type of credential authorizing service in the public schools.

AP 5015 Residence Determination

- 3.4.2 ~~He/she~~ **They** holds a credential issued pursuant to Education Code Section 44250 and is enrolled in courses necessary to fulfill credential requirements.
- 3.4.3 ~~He/she is~~ **They are** enrolled in courses necessary to fulfill the requirements for a fifth year of education prescribed by subdivision (b) of Education Code Section 44259.
- 3.4.4 A student holding a valid emergency permit authorizing service in the public schools of this state, who is employed by a school district in a full-time position requiring certification qualifications for the academic year in which the student enrolls at an institution in courses necessary to fulfill teacher credential requirements, is entitled to resident classification only for the purpose of determining the amount of tuition and fees for no more than one year. Thereafter, the student's residency status will be determined under the other provisions of this procedure.
- 3.5 A student who is a full-time employee of the California State University, the University of California, or a community college, or of any state agency, or a student who is a child or spouse of a full-time employee of the California State University, the University of California, or a community college, or of any state agency may be entitled to resident classification, until the student has resided in the state the minimum time necessary to become a resident.
- 3.6 A student who is a natural or adopted child, stepchild, or spouse who is a dependent of a member of the armed forces of the United States stationed in this state on active duty shall be entitled to resident classification. If the member of the armed forces of the United States later transfers on military orders to a place outside this state, or retires as an active member of the armed forces of the United States, the student dependent shall not lose his/her resident classification, so long as ~~he/she~~ **they** remains continuously enrolled in the District.
- 3.7 A student who is a member of the armed forces of the United States stationed in this state on active duty, except a member of the armed forces assigned for educational purposes to a state-supported institution of higher education, is entitled to resident classification only for the purpose of determining the amount of tuition and fees. If the student later transfers on military orders to a place outside this state the student shall not lose ~~his/her~~ **their** resident classification, so long as ~~he/she~~ **they** remains continuously enrolled in the District.
- 3.8 A veteran who was discharged or released from at least 90 days of active services less than three years before the date of enrollment in a course commencing on or after July 1, 2015, and ~~his/her~~ **their** dependents, regardless of the veteran's state of residence is entitled to resident classification.
- 3.9 An individual who is the child or spouse of a person who, on or after September 11, 2001, died in the line of duty while serving on active duty as a member of the Armed Forces who resides in California and enrolls in the community college within three years of the Service Member's death in the line of duty following a period of active duty service of 90 days or more.

AP 5015 Residence Determination

- 3.10 A student who is a minor and resides with ~~his or her~~ **their** parent shall be entitled to resident classification, provided that the parent has been domiciled in California for more than one year prior to the residence determination date for the semester or term for which the student proposes to attend.
- 3.11 A student who is a Native American is entitled to resident classification for attendance at a community college if the student is also attending a school administered by the Bureau of Indian Affairs located within the community college district.
- 3.12 A student who is a federal civil service employee and ~~his or her~~ **their** natural or adopted dependent children are entitled to resident classification if the parent has moved to this state as a result of a military mission realignment action that involves the relocation of at least 100 employees. This classification shall continue until the student is entitled to be classified as a resident, so long as the student continuously attends an institution of public higher education.
- 3.13 A student who resides in California and is 19 years of age or under at the time of enrollment, who is currently a dependent or ward of the state through California's child welfare system, or was served by the California's child welfare system and is no longer being served either due to emancipation or aging out of the system, may be entitled to resident classification until ~~he/she has~~ **they have** resided in the state the minimum time necessary to become a resident.
- 3.14 A student who lives with a parent who earns a livelihood primarily by performing agricultural labor for hire in California and other states, and the parent has performed such labor in this state for at least two months per year in each of the two preceding years, and the parent resides in this District and the parent of the student has claimed the student as a dependent on ~~his~~ **their** state or federal personal income tax return if ~~he/she has~~ **they have** sufficient income to have personal income tax liability shall be entitled to resident classification.
- 3.15 A student who demonstrates financial need, has a parent who has been deported or was permitted to depart voluntarily, moved abroad as a result of the deportation or voluntary departure, lived in California immediately before moving abroad, attended a public or private secondary school in the state for three or more years, and upon enrollment, will be in ~~his or her~~ **their** first academic year as a matriculated student in California public higher education, will be living in California, and will file an affidavit with the District stating that ~~he/she~~ **they** intends to establish residency in California as soon as possible.
- 3.16 A student who has a special immigrant visa that has been granted status under Section 1244 of Public Law 110-181 or under Public Law 109-163, or is a refugee admitted to the United States under Section 1157 of Title 8 of the United States Code, and who, upon entering the United States, settled in California, shall be exempt from paying the nonresident tuition fee required by Education Code Section 76140 for the length of time they live in this state up to the minimum time necessary to become a resident.**

AP 5015 Residence Determination

3.17 Any Team USA student athlete who trains in the state in an elite level program approved by the United States Olympic and Paralympic Committee is entitled to resident classification for tuition and fee purposes until the athlete has resided in the state the minimum time necessary to become a resident.

4.0 Right to Appeal: Students who have been classified as non-residents have the right to a review of their classification (Title 5, Section 54010(a)). Any student, following a final decision of residence classification by the Admissions & Records Office, may make written appeal to the Dean of Admissions and Records within 30 calendar days of notification of final decision by the college regarding classification.

5.0 Appeal Procedure

5.1 The appeal is to be submitted to the Admissions & Records Office, which must forward it to the Dean of Admissions and Records or designee within five working days of receipt. Copies of the original application for admission, the residency questionnaire, and evidence or documentation provided by the student, with a cover statement indicating upon what basis the residence classification decision was made, must be forwarded with the appeal.

5.2 The Dean of Admissions and Records or designee shall review all the records and has the right to request additional information from either the student or the Admissions Office.

5.3 Within 30 calendar days of receipt, the Dean of Admission and Records or designee shall send a written determination to the student. The determination shall state specific facts on which the appeal decision was made.

6.0 Reclassification: A student previously classified as a non-resident may be reclassified as of any residence determination date. A residence determination date is that day immediately preceding the opening day of instruction for any session during which the student proposes to attend.

6.1 Petitions are to be submitted to the Admissions & Records Office.

6.2 Petitions must be submitted prior to the semester for which reclassification is to be effective. Extenuating circumstances may be considered in cases where a student failed to petition for reclassification prior to the residency determination date. In no case, however, may a student receive a non-resident tuition refund after the date of the first census.

6.3 Written documentation may be required of the student in support of the reclassification request.

6.4 A questionnaire to determine financial independence must be submitted with the petition for reclassification. Determination of financial independence is not required for students who were classified as non-residents by the University of California, the California State University, or another community college district. (Education Code Section 68044)

AP 5015 Residence Determination

- 6.5 A student shall be considered financially independent for purposes of residence reclassification if the applicant meets all of the following requirements:
- 6.5.1 Has not and will not be claimed as an exemption for state and federal tax purposes by ~~his or her~~ **their** parent in the calendar year prior to the year the reclassification application is made.
 - 6.5.2 Has not lived and will not live for more than six weeks in the home of ~~his or her~~ **their** parent during the calendar year the reclassification application is made.
 - 6.5.3 Has not and will not receive more than \$750 per year in financial assistance from ~~his or her~~ **their** parent in the calendar year the reclassification application is made and in any of the three calendar years prior to such application.
- 6.6 A student who has established financial independence may be reclassified as a resident if the student has met the requirements of Title 5, Section 54020, 54022, and 54024.
- 6.7 Failure to satisfy all of the financial independence criteria listed above does not necessarily result in denial of residence status if the one-year requirement is met and demonstration of intent is sufficiently strong.
- 6.8 Financial dependence in the current or preceding calendar year shall weigh more heavily against finding California residence than financial dependence in the preceding second and third calendar years. Financial dependence in the current or preceding calendar year shall be overcome only if (1) the parent on whom the student is dependent is a California resident, or (2) there is no evidence of the student's continuing residence in another state.
- 6.9 The Registrar or designee will make a determination, based on the evidence and notify the student not later than 14 days of receipt of the petition for reclassification.
- 6.10 Students have the right to appeal according to the procedures above.
- 7.0 **Non-Citizens:** The District will admit any non-citizen who is 18 years of age or a high school graduate.
- 7.1 If non-citizens are present in the United States ~~illegally~~ **without documentation status** or with any type of temporary visa, they will be classified as non-residents and charged non-resident tuition unless they meet the exceptions contained below.
 - 7.2 If, for at least one year and one day prior to the start of the semester in question, a non-citizen has possessed any immigration status that allows ~~him or her~~ **them** to live permanently in the United States and ~~she or he~~ **they** meets the California residency requirements, the student can be classified as a resident.
 - 7.3 A student who is without lawful immigration status may be eligible for non-resident tuition exemption if ~~he or she~~ **they** meets the following requirements:

AP 5015 Residence Determination

- 7.3.1 High school attendance in California for three or more years.
- 7.3.2 Graduation from a California high school or attainment of the equivalent thereof.
- 7.3.3 Registration for classes not earlier than the fall semester or quarter of 2001-2002.
- 7.3.4 The filing of an affidavit that the student has filed an application to legalize ~~his or her~~ **their** immigration status, or will file an application as soon as ~~he~~ **or she is** **they are** eligible to do so.

[7.3.5 Completion of a questionnaire form prescribed by the Chancellor of the California Community Colleges and furnished by the District of enrollment, verifying eligibility for this nonresident tuition exemption.](#)

[7.4 Documents and information obtained in implementing this exemption are confidential.](#)

- 7.45 The initial residency classification will be made at the time the student applies for admission. Students may file residency questionnaire forms through the third week of the semester to request a review of their residency status. Final residency determination is made by the Registrar. Students may appeal the decision to the Dean of Admissions and Records.

[See Board Policy 5015, Residence Determination.](#)

Date of Adoption: June 14, 2005

Date of Last Revision: September 25, 2017 District Consultation Council
September 26, 2016 District Consultation Council
August 24, 2015 District Consultation Council
February 23, 2015 District Consultation Council

AP 5020 Nonresident Tuition

Reference:

**Education Code Sections 68075.65, 68130.5, and 76140 et seq.
Title 5 Section 54045.5**

- 1.0 **Non-Resident Tuition:** Students who are not residents of California for one year prior to the first day of the term will be charged Nonresident Tuition at the Board-approved rate per semester unit. Nonresident students must pay Nonresident Tuition in addition to the California Community College Enrollment Fees. Students who believe they should be reclassified as a resident student have the responsibility to change their classification in the Admissions and Records Office prior to registration.
- 1.1 Nonresident special part-time students shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 1.1.1 The term “special part-time student” refers to students who have been recommended by the principal of the pupil’s school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester. The exemption does not apply to special full-time students.
- 1.2 A nonresident student who is a U.S. citizen and resides in a foreign country shall be exempt from nonresident tuition if the student meets all of the following requirements.
- 1.2.1 Demonstrates a financial need for the exemption.
- 1.2.2 Has a parent or guardian who has been deported or was permitted to depart voluntarily under the federal Immigration and Nationality Act.
- 1.2.3 Moved abroad as a result of the deportation or voluntary departure.
- 1.2.4 Lived in California immediately before moving abroad.
- 1.2.5 Attended a public or private secondary school in California for three or more years.
- 1.2.6 Upon enrollment, will be in his or her first academic year as a matriculated student in California public higher education.
- 1.2.7 Will be living in California and will file an affidavit with the community college stating that he or she intends to establish residency in California as soon as possible.
- 1.2.8 Documentation shall be provided by the student as required by statute as specified in Education Code Section 76140(a)(5).
- 2.0 **Nonresident Capital Outlay Fee:** Nonresident students who are both citizens and residents of a foreign country will be charged a Nonresident Capital Outlay Fee, in addition to the Nonresident Tuition and the California Community College Enrollment Fee, unless exempt per BP 5020.

AP 5020 Nonresident Tuition

- 3.0 **Military Resident Exemption:** Nonresident U.S. military personnel on active duty in California (except those assigned for educational purposes to state-supported institutions of higher education) are granted a waiver of Nonresident Tuition until they are discharged from their military service. Their dependents are granted a waiver for a period of one year from the date they enter California. Upon expiration of the waiver, evidence must be provided as to the date the student surrendered his/her out-of-state residence to become a resident of California. The student will be classified as a nonresident and charged Nonresident Tuition until one year has elapsed since the out-of-state residence was surrendered.
- 4.0 **Nonresident Minor High School Student Exemption:** High school/pre-high school students admitted on a part-time basis on the recommendation of their principal are exempt from paying Nonresident Tuition when taking a class for high school credit. Nonresident special part-time students, who have been recommended by the principal of the pupil's school and have parental permission to attend a community college during any session or term and who enroll in 11.99 or fewer units per semester, shall be exempt from the requirement to pay nonresident tuition for community college credit courses.
- 5.0 **High School Graduate Exemption:** Students without lawful immigration status who attended high school in California for three or more years and graduated from a California high school or attained the equivalent are exempt from non-resident tuition. Students without lawful immigration status must file an affidavit stating that the student has filed an application to legalize their immigration status, or will do so as soon as possible. ~~Nonimmigrant alien~~ **Undocumented** students are not eligible for exemption.
- 6.0 **Foreign Students:** Citizens and residents of a foreign country shall be charged a Board-approved tuition and a Capital Outlay Fee. Foreign students may be exempt from the nonresident tuition and/or the Capital Outlay Fee if they meet the criteria in BP5020, Section 4.0. Nonresident tuition and Capital Outlay Fees are paid in addition to the enrollment fee paid by all students. If the students believe they should be reclassified as a resident student, it is their responsibility to change their classification in the Admissions and Records Office prior to registration.
- 7.0 **September 11, 2001 Exemption:** If an individual who was killed in the terrorist attacks on the World Trade Center in New York City, the Pentagon in Washington, D.C., or the crash of United Airlines Flight 93 was a resident of California on September 11, 2001, or if their dependent was a resident on that date and if they meet the financial need requirement for the Cal Grant A Program, the dependents of this individual may be exempt from non-resident tuition. If the dependent is a spouse, the exemption applies until January 1, 2013. If the dependent is a child, the exemption applies until the person reaches the age of 30.
- 8.0 **College and Career Access Pathways Special Part-time Student Exemption:** High school students, other than a nonimmigrant ~~alien~~ **individuals who are not citizens or nationals of the United States** under 8 U.S. Code Section 1101(15)(a), participating in a College and Career Access Pathways (CCAP) partnership program and enrolled in no more than 15 units per term are exempt from nonresident tuition.
- 9.0 **English as a Second Language Student Exemption:** A nonresident student who enrolls in a credit English as a Second Language course at the District and who is any of the following:

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ADMINISTRATIVE PROCEDURES
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AP 5020 Nonresident Tuition

- 9.1 A recent immigrant, as defined in 8 U.S. Code Section 1101(a)(15);
- 9.2 A recent refugee, as defined in 8 U.S. Code Section 1101(a)(42); or
- 9.3 A person who has been granted asylum by the United States, as defined in 8 U.S. Code Section 1158.

This exemption applies only to individuals who, upon entering the United States, settled in California and who have resided in California for less than one year, and applies only to the tuition fee for credit ESL courses.

10.0 **Payment:** Tuition must be paid in full within 72 hours of registering.

10.1 For nonresident students, tuition must be paid in full within 72 hours of registering. Failure to do so will result in the students being dropped from all registered classes unless the student enrolls and actively participates in the payment plans offered by the District.

11.0 **Refunds:** The same refund guidelines apply as those for other registration fees. (Refer to AP 5030, Fees, Sections 4.4, 4.5, and 4.8.).

See Board Policy 5020, Nonresident Tuition and Administrative Procedure 5030, Fees.

Date of Adoption: June 14, 2005

Date of Last Revision: May 20, 2024 District Consultation Council
February 26, 2024 District Consultation Council
September 25, 2017 District Consultation Council
June 23, 2014 District Consultation Council

North Orange County Community College District
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AP 5030 Fees

Reference:

Education Code Sections 66025.3, 70902 subdivision (b)(9), 76300, and 76300.5;
Title 5 Sections 51012, 58520, and 58629;
California Community Colleges Chancellor's Office (CCCCO) Student Fee Handbook;
ACCJC Accreditation Standard I.C.6;
WASC/ACS Criterion 2, Indicator 2.4

1.0 Required Fees:

- 1.1 Enrollment (Education Code Sections 76300 and 76300.5; Title 5 Sections 58500 and 58509)
- 1.2 Baccalaureate degree pilot program fees (Title 5 Section 58520)
- 1.3 Non-resident tuition with these permissive exemptions: (Education Code Sections 76140 and 76140.5)
 - 1.3.1 All nonresident students enrolling for 6 or fewer units; or
 - 1.3.2 A student who is a citizen and resident of a foreign country who demonstrates financial need and this required exemption (Education Code Section 68130.5);
 - 1.3.3 ~~All students, other than nonimmigrant aliens~~ **Student who are not citizens or nationals of the United States** under 8 U.S. Code Section 1101 subdivision (a)(15), who meet the following requirements:
 - 1.3.3.1 high school attendance in California for three or more years;
 - 1.3.3.2 graduation from a California high school or attainment of the equivalent thereof;
 - 1.3.3.3 registration or enrollment in a course offered for any term commencing on or after January 1, 2002;
 - 1.3.3.4 completion of a questionnaire form prescribed by the California Community Colleges Chancellor's Office verifying eligibility for this nonresident tuition exemption; and
 - 1.3.3.5 in the case of a student without lawful immigration status, the filing of an affidavit that the student has filed an application to legalize their immigration status, or will file an application as soon as they are eligible to do so.
- 1.4 Student representation (Education Code Section 76060.5; Title 5 Section 54805)

2.0 Fees Authorized by Law:

- 2.1 Non-District physical education facilities (Education Code Section 76395)

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- 2.2 Noncredit courses (Education Code Section 76385)
- 2.3 Community services courses (Education Code Section 78300)
- 2.4 Auditing of courses (Education Code Section 76370)
- 2.5 Instructional materials (Education Code Sections 73365, 81457, and 81458; Title 5 Sections 59400-59408)
- 2.6 Athletic insurance (Education Code Section 70902 subdivision (b)(9))
- 2.7 Health (Education Code Section 76355)
- 2.8 Parking (Education Code Section 76360)
- 2.9 Transportation (Education Code Sections 76361 and 82305.6)
- 2.10 Student activities (California Community Colleges Chancellor's Office [CCCCO] Student Fee Handbook)
- 2.11 Student center (Education Code Section 76375; Title 5 Section 58510)
- 2.12 Copies of student records (Education Code Section 76223)
- 2.13 Dormitory (Education Code Section 81670)
- 2.14 Child care (Education Code Section 79121 et seq., 66060)
- 2.15 Application processing fee for nonresidents who are both citizens and residents of a foreign country. The fee shall be the actual cost of processing the application and other documentation required by the federal government, not to exceed one hundred dollars (\$100). (Education Code Section 76142)
- 2.16 Nonresident capital outlay fee (Education Code Section 76141)
- 2.17 Credit for prior learning (Education Code Section 76300; Title 5 Section 55050)
- 2.18 Use of facilities financed by revenue bonds (Education Code Section 81901(b)(3))
- 2.19 Refund processing (Title 5 Section 58508)
- 2.20 Telephone registration (Education Code Section 70902 subdivision (a))
- 2.21 Physical fitness test (Education Code Section 70902 subdivision (b)(9))
- 2.22 Cross-Enrollment with the California State University (CSU) or the University of California (UC) (Education Code Section 66753)
- 2.23 Instructional Tape lease/Deposit (Education Code Section 70902 subdivision (b)(9))

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- 2.24 Credit Card Use (Education Code Section 70902 subdivision (b)(9))
- 2.25 International Student Medical Insurance (Education Code Section 70902 subdivision (b)(9))

3.0 Prohibited Fees:

- 3.1 Late application (CCCCO Student Fee Handbook)
- 3.2 Add/Drop (CCCCO Student Fee Handbook)
- 3.3 Mandatory student activities (CCCCO Student Fee Handbook)
- 3.4 Student identification cards (CCCCO Student Fee Handbook)
- 3.5 Fees charged through student body organizations (CCCCO Student Fee Handbook)
- 3.6 Nonresident application (CCCCO Student Fee Handbook)
- 3.7 For dependents of certain veterans (Education Code Section 66025.3)
- 3.8 For dependents of certain victims of the September 11, 2001, terrorist attacks (CCCCO Student Fee Handbook)
- 3.9 For certain recipients of the Medal of Honor and certain children of the recipients of the Medal of Honor (Education Code Section 66025.3)
- 3.10 For surviving spouses and children of a firefighter employed by the federal government whose duty assignment involved performance of firefighting services in California (Education Code Section 68120)
- 3.11 For students who have been exonerated of a crime through writ of habeas corpus or pardon that meet certain conditions (Education Code Section 69000)
- 3.12 Required or funded services (CCCCO Student Fee Handbook)
- 3.13 Refundable deposits (CCCCO Student Fee Handbook)
- 3.14 Distance education (other than the statutorily authorized enrollment fee) (CCCCO Student Fee Handbook)
- 3.15 Mandatory mailings (CCCCO Student Fee Handbook)
- 3.16 Mandatory fee for use of practice rooms (CCCCO Student Fee Handbook)
- 3.17 Apprenticeship courses (Education Code Section 76350)
- 3.18 Technology fee (CCCCO Student Fee Handbook)

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- 3.19 Late payment fee (Title 5 Sections 58502 and 59410)
- 3.20 Nursing/healing arts student liability insurance (Title 5 Sections 55234)
- 3.21 Cleaning fees (CCCCO Student Fee Handbook)
- 3.22 Breakage fees (CCCCO Student Fee Handbook)
- 3.23 Test proctoring fees (CCCCO Student Fee Handbook)

4.0 Collection and Refund of Registration Fees:

- 4.1 Collection: All registration fees must be paid in full within seven (7) calendar days of registering. Acceptable forms of payment are: cash, check, money order, MasterCard or VISA.
 - 4.1.1 Service charge will be added to the amount of all checks returned by the bank for non-sufficient funds or stop payments. Enrollment at the colleges, as well as credit, may be affected if this debt is not paid.
 - 4.1.2 A payment plan option may be offered to students who have financial hardship in paying their outstanding obligations to the District.
 - 4.1.3 For nonresident students, tuition must be paid in full within 72 hours of registering. Failure to do so will result in the students being dropped from all registered classes unless the student enrolls and actively participates in the payment plans offered by the District.
- 4.2 Failure to Pay Financial Obligations: The District shall withhold diplomas. In addition, the student will not be allowed to enroll in any additional or future classes until all outstanding financial obligations to the District are paid in full. Any item or items withheld shall be released when the student satisfactorily meets the financial obligation. (Education Code Section 72237)
 - 4.2.1 Any student who fails to pay their financial obligations will be sent to collections either through COTOP (Chancellors Office Tax Offset Program) or other entities to collect any remaining balance.
- 4.3 Collection when Legislature Changes Fees Following Registration: When, by an act of the Legislature, the registration fees are increased during a semester in which a student has already registered and paid fees in full, the student will be informed of the fee increase. The student will be allowed to continue enrollment for the semester currently in progress, but will not be allowed to enroll in additional or future classes until payment for the fee increase is made in full.
- 4.4 Refund Policy: Registration fees are refundable when a student withdraws from class(es) if the student withdraws from class(es) by the 10% point of the length of the course for summer, intersession, and short-term courses, or by the end of the second week for full-term fall/spring semester classes. The campus I.D. card fee will not be refunded and a processing fee will be deducted from the refund.

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- 4.4.1 All summer intersession refunds will be processed after the second week of the summer session. For fall or spring semester periods all refunds will be processed the 4th week of the semester. Winter intersession refunds will be processed at the same time as spring semester refunds.
- 4.4.2 All refunds will be in the form of a check regardless of how the fees were paid.
- 4.4.3 Refunds must be requested during the semester of attendance. If a student withdraws from classes, a processing fee will be deducted from the refund.
- 4.5 **Refund Deadlines for Enrollment, Health and Nonresident Tuition Fees:**
 - 4.5.1 Summer/Winter Intersession Classes: Refundable through the 10% date of the length of the class.
 - 4.5.2 Fall/Spring Semester Classes: Refundable through the end of the second week of class.
- 4.6 Refunds for Campus ID Card: Refundable through the 10% date of the length of the class for intersession or end of the second week of class for fall/spring semester, as long as the card has not been produced and non-refundable if the card has been produced.
- 4.7 Parking: Refundable through the 10% date of the length of the class for intersession/short-term classes or end of the second week of the term for fall/spring full-term classes (only with complete withdrawal and when the permit is returned).
- 4.8 Refunds as a Result of Registration Adjustments: Refunds due to changes in the college's educational offerings, or fees collected in error will be refunded to the student in full and the refund processing fee will be waived.
- 5.0 **Collection of Fees for Service or Other Fees:**
 - 5.1 Transcript and Student Status Fees: For transcript requests (first two copies free) and verification of student status fees are payable at the Admissions and Records Office. (A photo ID is required.)
 - 5.2 Non-District Physical Education Facilities Fee: Fees for non-District physical education facilities are paid by the student directly to the facility being used.
- 6.0 **Exemptions:** Students will be notified of the availability of exemptions from certain mandatory and authorized fees.
- 7.0 **Waiver of Fees:** The District may waive enrollment fees which were not collected in a previous session where the enrollment fees were not collected as a result of the District's error in awarding a Board of Governors Fee Waiver to an ineligible student and not through the fault of the student, and to collect the enrollment fee would cause the student undue hardship.

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AP 5030 Fees

See Board Policy 5030, Fees; Board Policy 5031, Instructional Materials; and Administrative Procedure 5031, Instructional Materials.

Date of Adoption: September 26, 2005

Date of Last Revision: May 20, 2024 District Consultation Council
February 26, 2024 District Consultation Council
May 22, 2023 District Consultation Council
September 26, 2016 District Consultation Council
April 22, 2015
August 27, 2012 District Consultation Council
January 22, 2007

AP 7120-11 Verification of Eligibility of Employment

- 1.0 In accordance with the Immigration Reform and Control Act of 1986, the District will only hire or knowingly recruit United States citizens or people legally authorized to be employed in the United States.
- 2.0 All offers of employment are contingent upon the applicant's ability to provide satisfactory documentary proof of identity and eligibility to work in the United States as required by law. The District Office of Human Resources will examine documents to determine that they appear to be genuine and that they relate to the person who has presented them. The Office of Human Resources will not accept documents that appear to be forged, fraudulent, or subject to tampering.
- 3.0 Each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9. The employee must affirm that ~~he or she is~~ **they are** a citizen or national of the United States. A former employee who is rehired must also complete the form if ~~he or she has~~ **they have** not completed Form I-9 with the District within the past three years, if the employee's previous I-9 is no longer valid, or is not on file with the Office of Human Resources.
- 4.0 An ~~alien~~ **person who is not a citizen or national of the United States** authorized to work must provide the expiration date for such authorization. Current employees whose employment authorizations have an expiration date must present documents to re-verify employment authorization prior to the expiration date.

Date of Adoption: February 12, 2008

Date of Last Revision: September 25, 2017 District Consultation Council

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 18, 2024

From: Fred Williams, Vice Chancellor, Finance and Facilities

Re: Agenda Item for District Consultation Council Meeting of September 23, 2024

1. AGENDA ITEM NAME

Revised BP/AP 7600, Campus Safety Officers

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

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

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

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

At the February 23, 2022 meeting, a DCC item was submitted by Interim Fullerton College Vice President, Student Services for proposed revisions for BP/AP 7600, Campus Safety Officers. At that meeting, changes and rationale were shared with DCC members, so that campus representatives could vet the policies/procedures concurrently and bring their recommendations back to a Safety Committee workgroup. No feedback was received, so the Vice Chancellor, Finance and Facilities was asked to start the discussion over.

BP 7600 included minimal changes, but there were significant changes proposed for AP 7600. Changes included adding definitions explaining 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 revision's secondary purpose is so that the Standard Operating Procedures, required by board policy, are established and documented.

At the August 26, 2024, DCC meeting, proposed revisions to BP/AP 7600 were reintroduced for review and discussion. It was requested that members share the proposed policies with their constituencies and be prepared to share feedback at the next DCC meeting.

5. RECOMMENDATION:

It is recommended that DCC members discuss the proposed revisions to AP/BP 7600 and provide feedback from their constituencies.

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

Campus Safety Workgroup and Chancellor's Staff

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

North Orange County Community College District
BOARD POLICY
Chapter 7
Human Resources

BP 7600 Campus Safety Officers

Reference:

Education Code Sections 72330.5 et seq.;
Government Code Sections 3300 et seq.

- 1.0 It is the policy of the Board [of Trustees](#) to protect the property of the District and to provide reasonable security measures to protect the District's students, employees, and visitors while on campus, with the understanding that students, employees, and visitors must assume the primary responsibility for their own personal safety and the security of their personal belongs.
- 2.0 The District shall employ campus safety officers, who shall provide services as security guards or patrol persons on or about the campuses owned or operated by the District. Their duties include, but are not limited to, protecting persons or property, preventing theft and vandalism of District property, and reporting any unlawful activity to the District and local law enforcement.
- 3.0 The Chancellor or designee shall enter into an agreement with local law enforcement agencies to request assistance for incidents that require resources not available to the District's safety officers and which shall provide that campus safety officers shall cooperate with local law enforcement in performing their duties. Local police agencies shall have jurisdiction on District premises to enforce Federal, State, and local laws, including criminal laws and Vehicle Code violations, and shall have the authority to investigate all criminal and moving traffic violations that occur on District property.
- 4.0 Every campus safety officer ~~who works more than twenty hours per week~~ shall complete a course of training developed by the Bureau of Security and Investigative Services of the Department of Consumer Affairs as required by Education Code Section 72330.5(b). An officer who is required to carry security equipment shall complete appropriate training and certification in the use of such equipment as specified by the District and state law.
- 5.0 Every campus safety officer shall meet other requirements set out in Education Code Section 72330.5.
- 6.0 The Chancellor shall establish procedures necessary for administration of campus security.

See Administrative Procedure 7600, [Campus Safety Officers](#).

Date of Adoption: June 12, 2001

Date of Last Revision: May 6, 2009 Chancellor's Staff
July 22, 2003

AP 7600 Campus Safety Officers

Reference:

Education Code Sections 72330.5 et seq.;
Government Code Sections 3300 et seq.

1.0 Definitions

1.1 “Campus Safety Officer” means an employee of Cypress College, Fullerton College, or North Orange Continuing Education with the title of Campus Safety Officer, Reserve Campus Safety Officer, Facilities Security Officer, Campus Safety Officer Coordinator, and Director of Campus Safety.

1.2 “Community-oriented safety principles” means a philosophy that combines traditional aspects of law enforcement with prevention measures, problem-solving, community engagement, and appropriate community and campus partnerships (e.g., Behavioral Intervention Team).

1.3 “Objectively reasonable” means that officers shall evaluate each situation requiring the use of force in light of the known circumstances in determining the necessity for force and the appropriate level of force.

The evaluation of the situation includes, but is not limited to, the severity of the crime, whether an individual poses an immediate or imminent threat to the safety of the Campus Safety Officer or others, and whether the individual is actively resisting.

Campus Safety Officers maintain the right to self-defense and have a duty to protect the safety of others. Campus Safety Officers are authorized to use only the amount of force that is objectively reasonable to perform their duties.

1.4 “Probable cause” – Probable cause for an arrest exists when facts and circumstances, within the Campus Safety Officer’s knowledge, would lead a reasonable officer to believe that an individual has committed or is committing a crime.

1.5 “Reasonable suspicion” – Is the basis for detention when specific facts would lead any reasonable person to believe criminal activity has taken place or is taking place, and further investigation is required. Reasonable Suspicion is not sufficient for an arrest.

42.0 Campus Safety Departments and Community-Oriented Safety Philosophy

2.1 The Campus Safety Departments will apply community-oriented safety principles, problem solving techniques and other appropriate methods to foster a safe and inclusive educational environment. The Campus Safety Departments are committed to providing a safe and inclusive campus environment for students, faculty, staff, and visitors using a community-oriented philosophy. The Campus Safety Departments shall provide the

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safest possible environment within the scope of the authority, training, and job duties of its personnel. To contribute to student success in a supportive and safe environment, the Campus Safety Departments provide a variety of services and resources, such as escort services, safety awareness training and materials, traffic control, welcoming and visible presence on campus, safety patrols, and referrals to campus and community resources.

~~1.1~~ **2.2** The objectives of the ~~District's campus safety departments~~ **Campus Safety Departments** are to promote a safe and secure environment for the District's students, employees, and visitors, to provide for the protection of District property against theft and vandalism, and to increase **safety** awareness through appropriate crime prevention **and safety** programs.

~~1.2~~ The District's campus safety departments will employ community oriented security principles, problem solving techniques and other appropriate methods that fit within and contribute to the educational philosophy and processes of the District. The District's safety officers are responsible for providing the safest possible environment within the scope of their authority, training, job duties and abilities.

23.0 Campus Safety Officers

23.1 General Authority and Role of Campus Safety Officers

~~23.1.1~~ The District's safety officers **Campus Safety Officers** are non-sworn and unarmed. Their primary role, within the limits of the law and the authority granted by the Board **of Trustees**, is to protect the persons and property of the District, primarily through prevention, **deterrence, presence,** observation, and reporting. Other authorized functions may include monitoring safety standards established by the District, issuing parking citations on District premises pursuant to Section 21113(a) of the California Vehicle Code, enforcing District rules and regulations, monitoring facility access control, ~~and~~ providing assistance with special events, **and providing other general security functions.**

~~23.1.2~~ The District's safety officers **Campus Safety Officers** are not **sworn** peace officers and **thus** are not empowered with police authority to enforce laws. No ~~District safety officer~~ **Campus Safety Officer** shall impersonate a police officer, **Sheriff Deputy, School Police Officer, law enforcement official,** or use a title, wear a uniform or badge, use an insignia or identification, or make any statement with the intent to give an impression that the **Campus Safety Officer** ~~safety officer~~ is a **acting as a sworn** peace officer **when on duty for NOCCCD.**

3.1.3 Campus Safety Officers shall at all times be courteous, unbiased, and civil in accordance with NOCCCD Administrative Procedure 3050, Institutional Code of Ethics. Campus Safety Officers will act and serve with cultural intelligence and professionalism at all times.

3.1.4 During situations that require an emergency response (e.g. active shooter), Campus Safety personnel are expected to follow personal

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protection tactics, established training, policies, and procedures. This may include collaboration with District administration and local law enforcement as needed.

3.1.5 Campus Safety Officers are employees of the District. Periodically there may be a need for mutual aid and may be assigned to perform their duties at a different campus per the any current collective bargaining agreement.

3.1.6 Campus Safety Officers uphold campus safety standards throughout the student conduct and discipline process, including all applicable Board Policies and Administrative Procedures.

23.2 Authority to Question Persons

3.2.1 ~~District safety officers~~ Campus Safety Officers may question, and request identification, and/or detain of any persons on District property when ~~probable cause~~ reasonable suspicion to do so exists with respect to suspicious circumstances involving persons, accidents, assaults or complaints regarding the commission of a public offense.

3.2.2 Campus Safety Officers may detain an individual on campus for reasonable suspicion of involvement in criminal activity but short of probable cause to arrest. Detaining an individual is for investigative purposes and limited to a short period of time. If there are facts that a crime occurred, the local police department shall be immediately contacted and the situation referred to local police.

3.2.3 Campus Safety Officers have the authority to question and request identification of students when necessary, (Board Policy 5500, Standards of Student Conduct and Discipline) to investigate administrative violations of Board Policy. The authority to question does not give officers the authority to use force to detain an individual for solely violating a Board Policy that would not rise to the level of a crime or public offense. Officers shall use other means to identify the student and complete an incident report for violating the Board Policy 5500, Standards of Student Conduct and Discipline.

3.2.4 When an individual is detained, Campus Safety Officers are required to identify specific and articulable facts that would indicate to a reasonable officer that the person detained was involved in a crime or is involved in a crime. Officers are required to tell the detained person what they are investigating, and the reason for their detention.

23.3 Authority to Make Arrests

23.3.1 ~~District safety officers~~ Campus Safety Officers are authorized but not required to effect a citizen's arrest on District property pursuant to Section 837 of the California Penal Code, within the limits of established District procedure:

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~~23.3.1.1~~ District safety officers **Campus Safety Officers** are authorized **but not required** to make a ~~citizen's~~ **private person's** arrest where a public offense has been committed or attempted in the officer's presence on District property and detention of the suspect is reasonably necessary to defend or regain District or personal property or to defend the officer or ~~another~~ **others** from bodily harm.

~~23.3.1.2~~ District safety officers **Campus Safety Officers** are authorized **but not required** to make a ~~citizen's~~ **private person's** arrest where a felony has been in fact committed on District property, ~~although~~ **whether or** not in the officer's presence, and the officer has ~~reasonable~~ **probable** cause for believing the person arrested to have committed it.

3.3.1.3 **A Campus Safety Officer is authorized but not required to make a private person's arrest where a public offense has been committed on District property in the presence of the officer, and the officer reasonably believes the person arrested committed the offense.**

~~23.3.2~~ District safety officers **Campus Safety Officers** are authorized, pursuant to Section 490.5 of the California Penal Code, to detain a person for a reasonable time for the purpose of conducting an investigation in a reasonable manner where there is probable cause to believe the person detained is attempting to unlawfully take or has unlawfully taken merchandise from a bookstore or other retail facility on District property, or where there is probable cause to believe that a person is attempting to unlawfully remove or has unlawfully removed books or library materials from the premises of a library facility on District property.

~~23.3.3~~ District safety officers **Campus Safety Officers** are authorized to use reasonable and necessary force, within the limitations prescribed in section ~~23.4~~ of these procedures, to make a ~~citizen's~~ **private person's** arrest or to detain a person for purposes of conducting an investigation as provided in section ~~23.3.2~~ above.

23.4 **Authorized Use of Force**

~~23.4.1~~ District safety officers **Campus Safety Officers** are authorized to use the amount of force **objectively** reasonable ~~and necessary, within the limits of established District procedure,~~ to accomplish the lawful and authorized security objectives of the District.

~~23.4.2~~ **Campus Safety Officers will use other reasonable means to gain compliance before resorting to force including: verbal commands, critical decision-making, tactical deployment and/or de-escalation techniques.** Where control of a situation cannot be accomplished through ~~advice, warnings and persuasion,~~ **these methods,** District safety officers **Campus Safety Officers** shall use only the amount of force **objectively**

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reasonable and necessary, given the facts and circumstances known at the time of the event **incident**, to accomplish the lawful and authorized security objectives of the District.

~~23.4.3~~ District safety officers **Campus Safety Officers** are authorized to use low to intermediate levels of force, defined as follows:

~~23.4.3.1~~ **Low force** is calculated to gain compliant behavior with no expectation of injury and includes the physical presence of the officer, verbal commands, request for additional personnel, gesturing, **or other similar measures**, ~~and physical contact involving a firm grip.~~

~~23.4.3.2~~ **Intermediate force** is calculated to control or overcome resistance with no expectation of great bodily injury or death, but with some possibility of injury and includes physical control tactics such as holding, pulling, pushing, the application of handcuffs, and the use of pepper spray.

3.4.3.3 Pepper spray or similar products authorized by the District will not be used at any time except as a defense measure when there is a threat of personal injury to the Campus Safety Officer or another person(s).

~~2.4.4~~ The highest level of force approved is the use of a District issued pepper spray or similar products authorized by the District. ~~Pepper spray will not be used at any time except as a defensive measure when there is an immediate threat of personal injury to the officer or another person.~~

~~2.4.5~~ District safety officers are authorized to use reasonable and necessary force, within the limitations prescribed above, to make a citizen's arrest, to defend or regain District or personal property, or to defend the officer or another from bodily harm.

23.5 Authorization to Conduct Searches

~~23.5.1~~ Except as provided in sections ~~23.5.2~~ **and 3.5.3** below, District safety officers **Campus Safety Officers** are not authorized to conduct searches of persons, property, or vehicles.

~~23.5.2~~ District safety officers **Campus Safety Officers** are authorized to conduct, pursuant to Section 490.5 of the California Penal Code, a limited and reasonable search where there is probable cause to believe that a person is attempting to unlawfully take or has unlawfully taken merchandise from a bookstore or other retail facility on District property, or where there is probable cause to believe that a person is attempting to unlawfully remove or has unlawfully removed books or library materials from the premises of a library facility on District property. Only packages, shopping bags, handbags, or other property in the immediate possession of the person

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detained, but not including any clothing worn by the person, may be searched.

Campus Safety Officers are authorized to conduct, pursuant to Section 846 of the California Penal Code, a limited and reasonable search for weapons, only if the officer has probable cause to believe that the person arrested is in possession of a weapon. Any contraband or stolen articles discovered while searching for weapons should be left on the person arrested, unless there is a likelihood the person arrested will dispose of or use the items against the officer. Any items discovered or seized should be relinquished to responding law enforcement as soon as reasonably possible.

3.5.3 Campus Safety Officers may pat-down the outer garment of an individual subject to arrest. The purpose of the pat-down is for the safety of the Campus Safety Officer when there are articulable facts that would indicate the individual(s) detained may have weapons. The pat-down is limited to accessible weapons that could harm the Campus Safety Officer.

3.6 Authorization to Engage in Pursuits

~~3.6.1~~ Except as provided in ~~3.6.2~~ below, the primary responsibility of ~~District safety officers~~ Campus Safety Officers is to observe and report information to local law enforcement where a fleeing suspect is observed leaving the scene. Campus Safety Officers should make observations ~~while following at~~ from a safe distance and immediately notify local law enforcement.

~~3.6.2~~ ~~Safety officers~~ Campus Safety Officers are authorized but not required to engage in foot or bicycle pursuits on District property to detain or arrest for criminal activity, (837 PC). ~~regain District or personal property. All pursuit shall end if the suspect exits District property. Safety officers shall not engage in foot or bicycle pursuits that may cause injury to themselves, innocent bystanders, or the suspect.~~

Campus Safety Officers may pursue off-campus if capture is imminent. It is the intent of this policy to limit pursuits to District property with few exceptions.

3.6.3 Campus Safety Officers are authorized to follow an individual who has committed a crime for the purpose of updating law enforcement as to the location of the individual.

~~3.6.3~~ 3.6.3 Vehicle pursuits, including automobiles, motorized cycles, or motorized cars and utility vehicles, are expressly prohibited (excluding providing updates under section 3.6.3).

3.7 Authorization Regarding Traffic and Parking Violations

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~~23.7.1~~ ~~Safety officers~~ **Campus Safety Officers** have the responsibility to observe and report moving traffic violations on District property, but are not authorized to make traffic stops. Violators will be identified via license plate and/or parking permit and will be referred to the appropriate campus administrator via memorandum or incident report. **Violators should not be confronted or blocked to obtain any compliance.**

~~23.7.2~~ ~~District safety officers~~ **Campus Safety Officers** may be authorized to issue parking citations on District premises for violations of parking regulations established by the District.

44.0 Equipment

~~44.1~~ Only District issued and approved equipment shall be carried or used by ~~safety officers~~ **Campus Safety Officers** while on duty. This includes uniform wear, both mandatory and optional. ~~Safety officers~~ **Campus Safety Officers** ~~may be authorized to carry and use handcuffs and pepper spray or similar products authorized by the District,~~ **may only carry authorized equipment,** subject to satisfactory completion of appropriate training and certification in the use of such equipment as specified by the District and state law. Equipment issued to ~~safety officers~~ **Campus Safety Officers** shall not be removed from District property without authorization.

~~44.2~~ ~~Safety officers~~ **Campus Safety Officers** are expressly prohibited from carrying or using any deadly weapon on District property or in the performance of their duties. Deadly weapons include, but are not limited to, firearms, knives, batons, any razor with an unguarded blade, any pipe or bar used or intended to be used as a club, and those items listed in Section ~~12020(a)(1)~~ **16590** of the California Penal Code. Flashlights are provided for illumination only and shall not be used as a weapon.

45.0 Patrolling

~~45.1~~ ~~District safety officers~~ **Campus Safety Officers** will employ community-oriented security strategies, which shall include the use of foot, bicycle, and vehicle patrols. ~~Safety officers~~ **Campus Safety Officers** will not patrol or respond to calls outside designated District property **and/or established campus** patrol boundaries.

~~45.2~~ The provisions of the state traffic laws and municipal traffic ordinances applicable to the drivers of vehicles upon the highways shall apply to the operation of all vehicles operated by ~~safety officers~~ **Campus Safety Officers** in the performance of their duties.

5.3 Use of campus safety vehicles are restricted to licensed department drivers. The vehicles are for official District business. There shall be no unapproved transportation of individuals or unapproved ride-along. Driving or patrolling shall be done in a safe manner for conditions. Consideration of conditions includes the presence of pedestrians, heavy vehicular traffic, weather and road conditions and visibility. Campus Safety Officers shall follow all standard operating procedures and obey all traffic rules.

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5.4 Campus Safety Officers shall immediately report any accident to their immediate management supervisor. All facts associated with the accident shall be included in an incident report. Witnesses to the accident shall be interviewed and that information included in the incident report. For accidents on a public street, the local police department shall be requested to make an accident report.

~~5.0 **Personal Bearing:** It is essential that safety personnel be sensitive to the higher education environment. Safety officers shall at all times be courteous and civil to the public and to one another. Safety officers shall not use unnecessary harsh, profane or vulgar language when dealing with members of the public or fellow employees in an official capacity.~~

6.0 Training and Adherence to Policies and Procedures

6.1 ~~District safety officers~~ **Campus Safety Officers** shall, as a condition of employment, satisfactorily complete and maintain appropriate annual training and certification as specified by the District and state law.

6.2 Adherence to District policies and procedures governing the conduct of ~~safety officers~~ **Campus Safety Officers** is considered a condition of employment. Any violation of, deviation from, or abuse of these **Board** policies, procedures or regulations may result in disciplinary action, including termination.

7.0 **Standard Operational Procedures:** Campus safety departments shall establish written standard operational procedures consistent with these procedures, which shall be approved by the Chancellor.

8.0 **Change in Procedures:** Any change in approved procedures must be authorized by the Chancellor.

See Board Policy 7600, Campus Safety Officers.

Date of Adoption: June 12, 2001

Date of Last Revision: May 6, 2009 Chancellor's Staff
July 22, 2003