



District Consultation Council Meeting

September 25, 2023

2:00 p.m.

Anaheim Campus Room 105

**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 28, 2023 Summary

Action

STRATEGIC GOALS & PLANNING

1. 23-24 Budget Presentation

Discussion

OPERATIONAL REVIEW

- 1.

POLICY

1. Revised BP/AP 2015, Student Members
2. New BP 3830, Flying of National, State, and Commemorative Flags
3. Program Discontinuance Workgroup

Action

Discussion

Discussion

OTHER ITEMS

- 1.

DISTRICT CONSULTATION COUNCIL
August 28, 2023

SUMMARY

MEMBERS PRESENT: Yasmine Andrawis, Byron D. Clift Breland, Jennifer Carey, Karla Frizzler, Jennifer Combs, Christie Diep, Jean Foster, Geoff Hurst, Cherry Li-Bugg, Kathleen McAlister, Cynthia Olivo, Jennifer Oo, Jeremy Peters, Valentina Purtell, Irma Ramos, Alba Recinos, Jeanette Rodriguez, JoAnna Schilling, Pamela Spence, Kai Stearns, and Fred Williams.

VISITORS: Danielle Davy and Leslie Tsubaki.

Chancellor Byron D. Clift Breland called the meeting to order at 2:03 p.m. and led a round of introductions.

MEETING SUMMARY

Summary: The summary of the May 22, 2023 meeting was approved as submitted.

STRATEGIC GOALS & PLANNING

District Consultation Council 2023-24: Chancellor Byron D. Clift Breland led discussion related to the following:

Meeting Schedule: The 2023-24 DCC meeting dates are scheduled through May 2024. Meetings for December 2023 and June 2024 will take place only if needed. Dr. Breland reminded the group that the May meeting will be held on May 20 due to the Memorial Day holiday.

Membership Listing:

The 2023-24 DCC membership list was reviewed. It was noted that all three student representative positions from the campuses were vacant and needed to be filled. The group inquired about payment for students, and it was confirmed that they are compensated at a rate of \$16/hour.

Budget Update – Year End Closing: Fred Williams, Vice Chancellor, Finance & Facilities, provided a brief update on year-end closing and the 2023-24 Proposed Budget, and shared a copy of the draft Analysis of Ending Fund Balance as of June 30, 2023. He highlighted that the District has a structural deficit, that the beginning general fund balance increased by \$10 million since last year, and that the Board Policy Reserve Contingency increased from 5% to two months of operating expenses using PERS/STRS funds and the increase in Emergency Conditions funding. The team will present the Proposed Budget, including several scenarios that address the structural deficit, at the September 11 Council on Budget & Facilities and the September 12 Board of Trustees meeting.

During the discussion, Mr. Williams clarified the following:

- The higher restricted fund balance for parking at Fullerton College is due to a budget transfer done at Cypress College.

- Resuming parking charges and implementing electric vehicle charging station fees in the future could help efforts to address the structural deficit.
- The State took back allocations for Deferred Maintenance & Instructional Equipment and Student Retention Funds.
- The biggest change to the budget was the 8.22% COLA increase.
- Local revenue bonds are being requested to cover student housing funding that will no longer be covered by the State.
- The State Chancellors Office will be providing an additional two years of funding for LBTQIA2+ efforts which will be represented in the next update to the compendium.

One-Time Funding Request Update: Follett Equitable Access: At its May 23 meeting, DCC approved \$5,000,000 in one-time funding for the textbook assistance program with Chancellor's Staff determining how the split should be allocated. During the summer, campus administration continued discussions at their respective campuses with Cypress College approving the Follett Equitable Access Program and Fullerton College and NOCE proposing alternatives.

- Cypress College: The original program was estimated at \$19 per unit/hour with the participation of all three campuses. Without Fullerton College and NOCE participation, the unit/hour rate increased to \$21 per unit with a \$2.5 million cost.
- Fullerton College: The College developed a proposal which recommended an Open Educational Resources (OER) incentive program, along with textbooks on reserve in the library, and a textbook voucher program. The overall cost was \$2.4 million.
- NOCE: A proposal for one-time funds in the amount of \$100,000 was received for a CTE Textbook program and OER support.

The three proposals were discussed at Chancellor's Staff with Chancellor Cliff Breland approving the \$5 million allocations for inclusion in the District's 2023-24 Proposed Budget. The information was presented to DCC to conclude the one-time funding proposal discussion.

During the discussion, Valentina Purtell, NOCE President, explained that the Follett proposal of \$155/term per student is not sustainable considering the small number of students using textbooks. Cynthia Olivo, Fullerton College President, shared more details about the Textbook Voucher and Textbook on Reserve Programs for students. JoAnna Schilling, Cypress College President, provided clarification that the \$100 cost is only for students that opt-in for the Pilot Book Program.

Members shared that United Faculty has filed a demand to bargain over OER funds prior to moving forward with stipends, as the Cypress College Senate did not have an opportunity to review changes made to the incentive program. It was requested that Fullerton College not send information regarding OER funds to faculty until it has been negotiated across the District.

Chancellor Cliff Breland explained that OER stipends should be consistent across the District, and Vice Chancellor Williams confirmed that the funds have been allocated but not spent.

POLICY

Revised AP 3434, Responding to Harassment Based on Sex Under Title IX (Interim Procedures): DCC received a copy of revised AP 3434, Responding to Harassment Based on

Sex Under Title IX (Interim Procedures) which was revised to reflect updated contact information for the new District Title IX Coordinator.

Revised AP 7240-3, Management Employees – Vacation Plan: DCC received a first reading of AP 7240-3. Management Employees – Vacation Plan which was revised to comply with CalPERS requirements in order to disallow management employees from converting vacation leave balances to sick leave. Under revised AP 7240-3, once a manager reaches 44 vacation days, they will no longer accrue vacation hours and will not be allowed to convert those excess hours to sick leave.

During the discussion, Vice Chancellor Irma Ramos explained the current procedure, clarified that the policy applies to CalPERS and CalSTRS members, and urged managers to use their vacation days. Chancellor Clift Breland stated that the new revision should encourage managers to build support networks within their respective departments to ensure that a designated stand-in is available.

There was consensus to approve AP 7240-3 and post it to the District website.

New BP 3830, Flying of National, State, and Commemorative Flags: DCC received a first reading of BP 3830, Flying of National, State, and Commemorative Flags for review and discussion. The District does not currently have a policy governing the flying of commemorative flags. Recent events have demonstrated an interest on the part of campus communities in flying flags for certain observances, and the proposed policy was developed and discussed by the Board in response.

During the discussion, Chancellor Clift Breland provided background information about the request for BP 3830, which arose when a motion to adopt a neutrality resolution failed at the July 25 Board of Trustees meeting. The new, proposed BP 3830 was then shared at the August 22 meeting, where consensus was reached to vet it through the shared governance process. Dr. Clift Breland requested that members share BP 3830 with their respective constituent groups, and note feedback and changes requested that will be shared at a future DCC meeting.

During the discussion, members stated the following:

- The AP should be discussed and created concurrently with the BP.
- The BP should spell out all flags that are approved.
- The Board did not violate any common practice by creating the policy.
- In an effort to be as inclusive as possible, the BP should be discussed while keeping the District's core values and mission in mind.
- Additional student participation can be provided using surveys from the campus research offices.
- The campus presidents will share information with student groups so that all timelines are consistent.

Kai Stearns, District Director of Public and Governmental Affairs, agreed to take the lead to form a subcommittee that will work on the BP and AP once provided with information and recommended direction from constituents.

This item will return to a future DCC meeting.

OTHER

Kathleen McAlister, Cypress College Academic Senate President, inquired about the next steps for the revision of BP 4021, *Educational Program Discontinuance*. It was determined that a workgroup may need to be created and tasked with reviewing/revising policy and that more information would be provided at the September 26 DCC meeting.

Cherry Li-Bugg, Vice Chancellor of Educational Services and Technology, encouraged members to share information about the inaugural *Online Teaching and Learning (OTL) Best Practices Competition* taking place on October 18 at the Anaheim Campus.

ADJOURNMENT: The meeting adjourned at 3:38 p.m.

DRAFT

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 20, 2023

From: Fred Williams, Vice Chancellor, Finance and Facilities

Re: Agenda Item for District Consultation Council Meeting of September 25, 2023

1. AGENDA ITEM NAME

2023-24 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: **10 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

Staff will present the [2023-24 Budget and Financial Report](#) presentation and answer any questions related to the presentation, budget book and financial report. Staff also presented the following to CBF (09/11/23) and the Board of Trustees (9/12/23).

5. RECOMMENDATION:

Members are asked to review the information.

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

CBF Members

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 16, 2023

From: Valentina Purtell, President

Re: Agenda Item for District Consultation Council Meeting of September 25, 2023

1. AGENDA ITEM NAME

NOCE Student Trustee Proposal – Revised BP/AP 2015, Student Members

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **15 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

As one of NOCCCD’s three campuses, NOCE does not have a Student Trustee position to represent the voice of NOCE students at large as intended by the Board Policy 2015, Student Members. Revisions to BP 2015 and AP 2015 are being proposed to include the third Student Trustee position to represent NOCE. The draft of the NOCE Student Trustee election process is included for backup documentation.

5. RECOMMENDATION:

It is recommended that upon DCC consensus, revised BP 2715 be forwarded to the Board for their consideration, and AP 2715 be posted on the District website.

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

NOCE SEA Committee, NOCE Academic Senate, and NOCE President’s Cabinet

NOCE Student Trustee Proposal

The requirements and expectations

1. Be a current or former NOCE Student Leader, or commit to becoming one, who has actively served a minimum of one semester.
2. Be currently enrolled and active in NOCE classes, maintain current enrollment, as defined by the program of study, status at NOCE, and complete 75 hours of instruction each semester during the time they serve in the NOCE Student Trustee position.
3. Have and maintain either a minimum of 2.0 cumulative GPA (High School Diploma program) or Satisfactory Progress (SP) and Pass (P) grades in their NOCE classes in the fall and spring semesters.
4. Attend Student Trustee orientation/training.
5. Have a good command of the English language, both oral and written.
6. Commit to attending in-person Board Meetings twice monthly (June 1, 2023 – May 31, 2024) for one year. Meetings begin at 5:30 p.m. and meet in the Board Meeting Room on Anaheim Campus, 1830 W Romneya Drive, Anaheim.
7. Be comfortable utilizing online resources (i.e., internet, email, MyGateway, PDF documents, etc.)
8. At the Board meetings, participate in discussions, ask questions, and provide a voice that represents NOCE students to inform board decisions that benefit the student body, future students, and the community as a whole.
9. Prepare for board meetings by reviewing documents sent via email.
10. Gather input and opinions from the students at large on any relevant Board agenda items and provide such input to the Board of Trustees.

Process for submitting interest

1. Submit an application for NOCE Student Trustee.
2. Submit a candidate personal statement that captures who you are, what NOCE and its core values mean to you, your main goals and objectives if elected to this office, and why you believe you are the best candidate for the position. Statement should be between 150-200 words. Your statement will be posted in the voter information section along the election ballot for all students to view.
3. Submit a two-minute video explaining why you want to be the NOCE Student Trustee.
4. Obtain endorsements with signatures from two instructors OR obtain 20 signatures from active NOCE students. Signatures will be verified.
5. Participate in an interview.
6. Submit a copy of NOCE transcripts.

Candidate Selection and Election Process

1. Candidate will fill out and submit the following to the Counseling and Student Services Office (due date: end of second week of April):
 - a. Student Trustee application
 - b. List of student or faculty signatures
 - c. NOCE transcript showing grades

d. Candidate Personal Statement

2. Video statement (two minutes). NOCE will arrange video recording at candidate request by __ date.
3. Candidate will participate in an interview (April).
4. Students at NOCE will use an electronic link to vote for Student Trustee (voting open from May _ to May _). On May _, votes will be counted. *If there is an appeal, the review must take place by May __.**
 - a. *Candidates shall submit any appeals regarding election violations to the Counseling and Student Services Department (Special Projects Manager of Student Engagement). Appeals will be reviewed by a panel. All decisions of the panel will be final.*
 - b. *Student member shall be elected by a plurality vote of those voting in a regular election (50% plus 1).*

Appeal Process

1. Appeals are limited to cases in which a student feels that a fair election process was not followed.
2. Appeals must be submitted in writing within three days after the election.
3. Appeals will be reviewed by a panel. The decision of the election committee will be final.

BP 2015 Student Members

Reference:

Education Code Section 72023.5

- 1.0 The Board of Trustees shall include ~~three~~ two student members to represent the students at large. The term of office shall be one year, commencing June 1. Student members are authorized to cast advisory votes only, which shall not be included in determining the vote required to carry any measure before the Board of Trustees, but shall be recorded in the official minutes of the Board meeting, and shall be taken prior to the other votes. Advisory votes may not be cast on motions related to personnel and labor relations. Student members are expected to gather input and opinions from the students at large, as well as the Associated Students, on any relevant agenda items and provide such input to the Board of Trustees.
- 2.0 To be eligible for election as a student trustee, students shall be enrolled in and maintain a minimum of five (5) semester credit units or 75 semester noncredit hours in the District at the time of nomination and throughout the term of service. The student members must maintain a minimum of a cumulative 2.0 grade point average or Satisfactory Progress (SP) and Pass (P) grades in noncredit classes. If, on the first day of each semester, or during the term of service, a student member fails to meet the criteria of this policy, the student member shall be disqualified for service on the Board of Trustees. The student member is not required to give up employment with the District.
 - 2.1 These requirements apply to the spring and fall semesters only.
- 3.0 Student members shall be seated with the Board of Trustees and shall be recognized as full members of the Board at meetings. Student members may not attend closed session. Student members are entitled to participate in discussion of issues and receive all materials presented to members of the Board (except for closed session). Student members shall be entitled to any mileage allowance necessary to attend Board meetings to the same extent as publicly elected trustees.
 - 3.1 Student members may make or second open session motions, except motions underlying personnel and labor relations. Student members are encouraged to participate in the discussion of issues and agenda items in open session.
- 4.0 Student members who attend all Board meetings that they are legally allowed to attend shall receive 50 percent of the compensation afforded to other individual members of the Board of Trustees, pursuant to Education Code Section 72425. Any Board meetings missed by a student member shall result in a pro rata reduction in compensation for that month, except under the following condition: A student member may be paid for the first two meetings from which ~~he/she is~~ they are absent in a calendar year if the Board of Trustees, by resolution adopted and included in its minutes, finds at the time of the meeting that the student member was ill, on jury duty, performing services outside the meeting for the District, or the absence is due to a hardship deemed acceptable by the Board.
- 5.0 The Board of Trustees encourages participation of its student members in trustee-related conferences, activities, and retreats and may approve reasonable expenses that fall within the guidelines of Board policies.

BP 2015 Student Members

6.0 On or before May 15 of each year, the Board [of Trustees](#) shall consider whether to afford the student member any of the privileges noted in this policy by reviewing it for re-adoption.

See Administrative Procedure 2015, Student Members; and Board Policy and Administrative Procedures 2105, Election of Student Members.

Date of Adoption: May 10, 2022 Re-adoption
April 27, 2021 Re-adoption
April 28, 2020 Re-adoption
May 9, 2017
April 12, 2016
April 14, 2015
April 8, 2014
April 23, 2013
April 26, 2011
April 27, 2010
May 13, 2008
May 8, 2007
April 11, 2006
June 24, 2003

Date of Last Revision: April 25, 2023
February 12, 2019
May 8, 2012
January 27, 2009
June 14, 2005
April 13, 2004

AP 2015 Student Members

Reference:

Education Code Section 72023.5

- 1.0 Student members of the Board of Trustees shall have the following responsibilities:
 - 1.1 Attend meetings of the Board of Trustees.
 - 1.2 Study the agenda for each Board meeting in order to be familiar with the items to be discussed and acted upon.
 - 1.3 Gather input and opinions from the students at large and the student government (Associated Students [and NOCE Student Leadership Group](#)).
 - 1.4 Provide input to the Board of Trustees that reflects the opinions of students at the college they represent.

See Board Policy 2015, Student Members; and Board Policy and Administrative Procedure, Election of Student Members.

Date of Adoption: June 24, 2003

Date of Last Revision: November 26, 2018 District Consultation Council

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 20, 2023

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of September 25, 2023

1. AGENDA ITEM NAME

New BP 3830, Flying of National, State, and Commemorative Flags

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **15 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

At its August 23 meeting, DCC received a first reading of proposed BP 3830, Flying of National, State, and Commemorative Flags which was developed by the Board of Trustees in response to recent interest on the part of campus communities in flying flags for certain observances. At that time Dr. Clift Breland requested that members share BP 3830 with their respective constituent groups and note feedback to share with DCC, and agreed to form a subcommittee that will work to develop the Board Policy and corresponding Administrative Procedure with the feedback received.

5. RECOMMENDATION:

It is recommended that DCC discuss the status of the proposed draft of BP 3830 and the subcommittee.

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

Board of Trustees

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: September 20, 2023

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of September 25, 2023

1. **Program Discontinuance Workgroup (BP/AP 4021)**

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **15 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

At the May 23 DCC meeting, Kathleen McAlister and Jennifer Combs presented a proposal to suspend the District program discontinuance policy pending revisions of BP/AP 4021 at the request of the Cypress College Academic Senate due to concerns about how the process is invoked and interpreted, and the need for more faculty representation for the special review committee that requires a comprehensive look from a United Faculty perspective. Chancellor Clift Breland agreed to form a review committee to update the policies, but noted the need to respect the current policy in order to avoid unintended accreditation issues.

5. RECOMMENDATION:

It is recommended that DCC form a workgroup to revise BP/AP 4021, Program Discontinuance.

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

Jennifer Combs, Damon de la Cruz, and Kathleen McAlister