



District Consultation Council Meeting

March 23, 2026

2:00 p.m.

Anaheim Campus – Room 105 (1st 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. February 23, 2026 Summary | Action |
|------------------------------|---------------|

STRATEGIC GOALS & PLANNING

- | | |
|--|--------------------|
| 1. 2026-2030 Districtwide Strategic Plan | Discussion |
| 2. Budget Review | information |

OPERATIONAL REVIEW

- | | |
|-------------------------------------|--------------------|
| 1. Digital Accessibility Compliance | Information |
|-------------------------------------|--------------------|

POLICY

- | | |
|--|-------------------|
| 1. Revised Board Policies & Administrative Procedures – Review Cycle Revisions | Action |
| 2. New Drone Policy | Discussion |
| 3. New APs: Inclusive Restrooms and Inclusive Locker Room Facilities | Discussion |

OTHER ITEMS

- 1.

DISTRICT CONSULTATION COUNCIL
February 23, 2025

SUMMARY

MEMBERS PRESENT: Erika Almaraz, Byron D. Clift Breland, Steven Estrada, Brandon Floerke, Karla Frizler, Maria Hernandez, Bridget Kominek, Elaine Loayza, Candace Lynch, Kathleen McAlister, Flavio Medina-Martin, Khaoi Mady, Jaclyn Magginetti, Michelle Patrick Norng, Aaron Pilkey, Valentina Purtell, Irma Ramos, Joel Salcedo, Kai Stearns, Scott Thayer, Jennifer Vega La Serna, and Annalisa Webber. Cynthia Olivo joined the meeting at 2:21 p.m. as a non-voting participant.

VISITORS: Miranda Bates, Elli Constantine, Danielle Davy, Ariel Gentalen, Craig Goralski, Jenelle Herman, Rosana Islas, Jennier Leggin, Connie Moreno Yamashiro, Jennifer Perez, Deb Perkins, Jeremy Peters, Marc Posner, Jay Seidel, Amita Suhrid, and Quyen Vuong.

ABSENT: Marlo Smith.

CALL TO ORDER: Chancellor Byron Clift Breland called the meeting to order at 2:09 p.m.

MEETING SUMMARY

Summary: The summary of the January 26, 2026 meeting was approved. **There was consensus to approve the summary with one abstention** (Kathleen McAlister).

STRATEGIC GOALS & PLANNING

2026-27 Budget Assumptions for the Tentative Budget: Erika Almaraz, Acting Vice Chancellor of Administrative Services, presented the initial budget assumptions for the 2026-27 Tentative Budget.

2026-27 Resource Allocation Model Budget Assumptions – Revenue Highlights

- Student Centered Funding Formula Revenue – \$282,594,302
- Lottery Fund Projections – \$8,690,936
- Mandated Costs – \$1,176,315
- Interest & Investment Income – \$3,000,000
- Nonresident Tuition – \$6,605,355
- OPEB Trust Contribution – \$6,000,000
- Total Revenue (excluding OPEB Trust Contribution) – \$306,173,725

2026-27 Resource Allocation Model Budget Assumptions – Expense Highlights

- Position Control for Permanent Positions – \$198,724,668
- Health & Dependent Care Coverage Costs – \$25,159,547
- Extended Day (Adjunct, Overload, Hourlies) – \$44,583,757
- Budget Center Expenses – \$25,022,433
- Districtwide Expenses – \$6,990,806
- Total Expenses (net of OPEB Trust Contribution) – \$300,481,211

Items Not Included in the Budgeted Expenses

- Job Family Study Costs – TBD
- Required Increase to the Board Policy Reserve – \$851,066
- Estimated One-time 2026-27 Contingency Payment – \$7,306,317
- Augmentation to the Extended Day Budgets – \$13,600,000

Districtwide Expenses in Fund 11200

- \$650,000 for the 10000's (Sabbatical replacement costs, additional duty days for faculty)
- \$748,000 for the 2000's (Grant accounting staff)
- \$1,280,00 for the 30000's (Retiree medical costs, part-time faculty insurance premiums, fringe benefits clearing, STRS/PERS fees)
- \$4,685,806 for the 50000's (Multiple expenses including audit expenses, attorney fees, waste disposal, student insurance, life insurance, and districtwide IT expenses)
- \$250,000 for the 70000's (Fullerton College Child Care Center contribution)
- \$125,000 for the 79000's (EEO Plan implementation, student success)

During the discussion, members clarified that the attorney fees exceeded the budgeted amount, that the one-time contingency payment is the negotiated payment for achieving enrollment targets to move out of hold harmless status, and confirmation that the one-time payment for United Faculty includes an on-schedule aspect.

Chancellor Byron Cliff Breland stated that the Tentative Budget is based on information that is known at this time and cautioned that information can change by the Governor's May Revise. He thanked the finance team for their work and noted that as the District moves out of hold harmless, ongoing conversations will take place to address efficiencies.

The 2026-27 Budget Assumptions for the Tentative Budget will be presented to the Board on March 10, 2026.

OPERATIONAL REVIEW

Digital Accessibility Compliance: The U.S. Department of Justice has issued a final ADA Title II rule requiring all public entities to ensure that websites, mobile apps, instructional materials, and digital services meet WCAG 2.1 Level AA standards by April 24, 2026. The rule states that colleges must proactively create an accessible digital environment regardless of disability disclosure. This requirement applies to district and college websites, Canvas content, PDFs, online forms, student portals, employee-facing systems, and required third-party tools. The rule ensures accessibility for all students, staff, and community members, regardless of ability so they can fully engage in programs and services.

Amita Suhrid, Elli Constantine, and Jennifer Perez led a presentation to provide an overview of the rule, compliance timeline, district impact, and recommended next steps for coordinated planning. To ensure compliance with the ADA Title II web accessibility rule and reduce legal risk, support equitable student access, and position the District for sustainable compliance the recommendations included:

- Require mandatory accessibility training for faculty, staff, and administrators responsible for digital content.

- Provide clear district-wide guidance aligned with WCAG 2.1 Level AA standards for Canvas, websites, documents, forms, and third-party tools.
- Allocate dedicated resources for remediation support, captioning, document accessibility, technology review, and ongoing compliance monitoring.

The presentation also highlighted the need for a districtwide expectation that digital content is “accessible by default” regardless of disability disclosure, a required baseline accessibility training for all employees, including onboarding (track), resources for role-based follow-up training (Microsoft, PDFs, Canvas, social media, etc.), and standardized and coordinated implementation processes across the District. The District was also encouraged to join the Accessibility Capability Maturity Model (ACMM), developed by the California Community Colleges Chancellor’s Office, which helps evaluate needs and provides training.

During the discussion, members inquired about the following:

- The compliance timeline.
- A clear definition of what the legal standard is for accessibility as it pertains to faculty.
- How compliance in Canvas can be ensured.
- Clarification that all existing documents online need to be converted to a compliant format.
- Whether training will be provided for managers.
- Costs associated with joining ACMFM.
- Additional resources to assist with ensuring compliance.
- The lack of a mechanism to assess faculty evaluations for full or part time faculty.
- Faculty concerns that compliance training is increasing and the quality is low.
- Consideration for a classified flex day to learn about digital accessibility.
- Faculty already have Distance Education and Professional Learning Committees, along with an online teaching certificate, so accessibility is not new to them, but they will need to be made aware of new requirements and updates. Encourage reaching out to those committees to message the information to faculty.
- Consider using the Fall Flex Days to provide information.

Acting Vice Chancellor Erika Almaraz shared that a workgroup will meet on March 3 to discuss compliance implementation which includes participants from various departments including Communications, Distance Education, Information Technology, Risk Management, and the Vice Presidents of Instruction. It was recommended that instructional design and professional development staff also be included.

Elli Constantine shared that an ADA bot was created for the State Chancellor’s Office that can answer questions and a link to it is available on the District and Cypress College websites.

Chancellor Byron Clift Breland thanked everyone for working to make progress within the District. He stated that he would like DCC to be the check-in group for progress and noted that compliance isn’t expected to be completed in a few weeks, but the expectation is that significant progress needs to be made.

This item will return to the next DCC meeting for follow-up discussion.

Communications Protocols for Immigration Enforcement: Kai Stearns Davis, District Director, Public & Governmental Affairs and Quyen Vuong, District Director, Public Safety,

introduced discussion on campus communication protocols regarding immigration enforcement activities in response to the discussion at the January 26, 2026 DCC meeting where members requested additional clarification and training.

Chancellor Byron Cliff Breland emphasized that the discussion was about the operational process, and not a policy change. In the ensuing discussion, members voiced the following:

- The Fullerton College Associated Students produced a video that includes good, clear information that can be shared, but how do we get that information out there?
- The campuses are only required to send notifications if there is an Immigration and Customs Enforcement (ICE) presence on campus, and not in the surrounding area.
- So far, in California ICE has not been on college and university campuses with the exception of two situations when they were across the street from a college and when they came on campus to use restroom facilities.
- A training manual for Campus Safety Officers has been created along with handouts for officers that details protocol and the District's Board approved resolution.
- All staff are to report any ICE activity to Campus Safety and they will take it from there.
- Concern that there isn't information available at Cypress College to share with staff and students, and concern for groups that share open spaces where students would be exposed. What is being done to help in those instances? Or in situations where students are on field trips and they are being racially profiled?
- Confusion related to the misalignment of information and lack of clarity regarding whether the campus will be notified or not about the presence of ICE.
- Fullerton College has done a good job of providing resources, so training isn't necessarily required, but they can share their resources and practices with Cypress College.
- We can reasonably expect that there will be immigration enforcement activity in the District community. What do we do then?
- A campus notification is necessary if ICE is on campus regardless of the reason because their presence needs to be shared.
- Any college communications need to keep in mind the NOCE Centers on their campus.
- There is a lack of clarity on what qualifies as private spaces and color-coded maps identifying the spaces would be helpful.
- Are there district requirements that preclude the internal locking of doors?
- The need to have further discussion on "what if" scenarios in order to think proactively.

District Director Quyen Vuong stated his appreciation for the voiced concerns, noted that he was hearing it loud and clear, and that the District would need to balance making policy decisions with the safety of students in mind without causing more anxiety.

Cypress College President Scott Thayer noted that he also appreciate the feedback, acknowledged the concerns raised, and stated that the College would work towards doing a better job of communicating out information while focusing on providing a safe environment.

Fullerton College President Cynthia Olivo that during the upcoming Spring Convocation event information regarding public versus private spaces would be provided, that role play scenarios with staff have taken place to ensure proper training, and that employee toolkits and door signs have been provided. She expressed pride in the College's efforts to remain on top of all of the topics raised because it takes the entire campus to navigate the situation.

Chancellor Byron Cliff Breland also expressed his gratitude for the information and feedback that was shared, noted that we will start to do things differently, and emphasized that the first priority is to protect our students. He clarified that Campus Safety is the first point of contact for all immigration enforcement activity on campus and that notifications will be shared when ICE is on campus. He urged everyone to work together to find solutions for a situation that is not normal, but an unfortunate reality.

POLICY

New BP 3450, Feral and Stray Animals on District Property: The District currently does not have a Board Policy addressing the presence, treatment, and management of stray or feral animals on District property. Recent events at various campus sites have underscored the need for clear guidance to ensure a safe, clean, and humane environment for students, employees, and visitors. The proposed new Board Policy establishes standards to address issues such as the humane treatment of animals and coordination with local animal control agencies. It also directs the Chancellor to develop administrative procedures for implementing catch-neuter-release and adoption programs in partnership with qualified organizations. This policy is designed to promote compliance with state and local regulations while supporting the District's commitment to environmental stewardship, public health, and humane practices.

The Board reviewed an initial draft of proposed BP 3450 on November 18, 2025. Subsequent to the meeting, further revisions were recommended by legal counsel, the Chancellor, and community advocates. The Board reached consensus on the proposed draft on January 27, 2026 and it is now presented to DCC for review and feedback.

After noting that there was a lot of positive feedback from those heavily involved with supporting animals during the Board meeting discussion, **there was unanimous consensus to approve to BP 3450 and forward it to the Board for their consideration.**

Revised Board Policies & Administrative Procedures – Review Cycle Revisions: The following BPs and APs were reviewed as part of the District's review cycle. The proposed revisions include recommendations by the CCLC Policy and Procedure Legal Updates Service. Additional revisions include minor grammar corrections in keeping with District practices.

- BP 3515, Reporting of Crimes
- AP 3515, Reporting of Crimes
- AP 3516, Registered Sex Offender Information
- BP 3518, Child Abuse Reporting
- AP 3518, Child Abuse Reporting
- BP 3520, Local Law Enforcement
- AP 3520, Local Law Enforcement
- BP 3530, Weapons on Campus
- BP 3550, Drug Free Environment and Drug Prevention Program
- AP 3550, Drug Free Environment and Drug Prevention Program
- BP 3560, Alcoholic Beverages
- AP 3570, Smoking on Campus
- BP 3580, Sustainability Plan
- AP 3580, Environmental Sustainability

There was unanimous consensus to approve to the revised Administrative Procedures and post them on the District website and forward the revised Board Policies to the Board for their consideration.

New APs – Inclusive Restrooms and Inclusive Locker Room Facilities: A workgroup comprised of districtwide representation developed proposals for AP Inclusive Restrooms and AP Inclusive Locker Room Facilities to codify existing campus and District commitments to inclusive facilities. The District is committed to providing an inclusive, supportive, and non-discriminatory learning and working environment for all, ensuring that every student and employee has equal access to the district's educational programs, services, and activities. That environment must be reflected in the physical spaces across the District, ensuring accessibility, safety, and inclusion.

Ariel Gentalen, Fullerton College LGBTQIA2S+ Resource Program Special Projects Manager, and Jenelle Herman, Cypress College LGBTQIA2S+ Liaison, led a presentation which outlined the gaps in inclusivity, equity, accessibility, and safety across the campuses regarding inclusive restroom and locker facilities which included student and staff testimonials and the populations impacted by the lack of inclusive facilities. The presentation recommended placing the proposed APs under BP 6600, Capital Construction which address construction planning and projects in coordination with the District Educational and Facilities Master Plan. The presenters requested that members review the proposed APs with their constituencies in order to provide feedback in anticipation of discussion at the next DCC meeting.

Chancellor Byron Clift Breland thanked the presenters for all of their work to bring forward the proposed policies. After noting that language related to issues pertaining to historical buildings would need to be addressed, the Chancellor noted that action on the policies would come at some point in the future.

New Drone Policy: Jay Seidel, Fullerton College Drone Technology Professor, introduced proposed language to set policy that establishes rules governing the operation, launch, landing, and use of drones and other Uncrewed Aircraft Systems (UAS) on or above Fullerton College and at college-sponsored events.

During the brief discussion, it was noted that there has not been consultation with Cypress College, but that the intent of the policy is to ensure a safe space in anticipation of the new Fullerton College baccalaureate degree in order to run a safe and effective program.

The proposed policy language will return to a future meeting for further review and to make it applicable districtwide.

Next DCC Meeting: The next DCC meeting will take place on Monday, March 23, 2026 in Room 105 at the Anaheim Campus.

ADJOURNMENT: The meeting was adjourned at 4:22 p.m.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 12, 2026

From: Jennifer Vega La Serna, Vice Chancellor, Educational Services and Institutional Effectiveness, and Gabrielle Stanco, District Director, Research, Planning and Data Management

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026

1. AGENDA ITEM NAME

2026-2030 Districtwide Strategic Plan

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **20 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

In August 2025, DCC authorized the formation of a Districtwide Workgroup (“Design Team”) to develop the 2026-2030 Districtwide Strategic Plan. The Design Team met and worked to develop the Strategic Plan throughout the 2025-26 academic year.

The resulting draft Strategic Plan represents the collaborative work of stakeholders from across the District and provides a framework for implementing, evaluating, and advancing the District Strategic Directions that guide NOCCCD’s districtwide initiatives.

The Strategic Plan focuses on District-wide systems, services, and leadership functions that support student success, employee development, and community engagement. Specifically, the Plan outlines goals and objectives in three areas:

- 1. Expand Equitable Student Success and Career Mobility**
- 2. Strengthen Employee Engagement and Organizational Effectiveness**
- 3. Advance Regional Impact and Strategic Partnerships**

The draft Strategic Plan is being presented to DCC for a first read. Concurrently, Design Team members are sharing the draft with their respective constituent groups to gather feedback prior to the second read at the April 27, 2026 DCC meeting.

5. RECOMMENDATION:

It is recommended that DCC members review the draft 2026-2030 Districtwide Strategic Plan developed by the Districtwide Design Team, a Workgroup of the DCC.

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

Districtwide Workgroup (Design Team)



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2026-2030 NOCCCD DISTRICT-WIDE STRATEGIC PLAN

Introduction

The *2026–2030 NOCCCD District-wide Strategic Plan* provides a coordinated framework to strengthen and align the work of District Services, Cypress College, Fullerton College, and North Orange Continuing Education (NOCE). While campus plans focus on site-specific priorities, this plan centers on District-wide systems, services, and leadership functions that support student success, employee development, and community engagement. These include enterprise technology, fiscal stewardship, human resources, enrollment management, data infrastructure, and regional partnerships. By identifying shared priorities and aligning resources across institutions, the Plan reduces institutional barriers. This collaborative approach establishes the operational foundation for NOCCCD to advance as “The Destination District” committed to equitable student success outcomes, workforce preparation for livable wage jobs and career advancement, and thriving, empowered employees.

1. Expand Equitable Student Success and Career Mobility

Goal: Advance equitable student access, academic success, and post-graduation opportunities by strengthening District-wide academic and career pathways, supported by integrated technology, data, and enrollment management systems that promote timely degree and certificate completion and transition into living-wage careers.

a) Improve student access by expanding noncredit-to-credit pathways and standardizing Credit for Prior Learning (CPL) practices through coordinated curriculum and articulation processes.

- *District Function:* The District will maintain and enhance enterprise systems (including Banner and DegreeWorks) and records infrastructure to support CPL evaluation, pathway mapping, and cross-campus curriculum alignment, ensuring consistent articulation from noncredit to credit programs.
- Key Performance Indicators:
 - i. Number of students who transition from NOCE noncredit programs to credit-bearing courses at Cypress or Fullerton Colleges.
 - ii. Number of students successfully awarded Credit for Prior Learning per academic year.
 - iii. Implementation of infrastructure to capture CPL evaluation and pathway mapping.

b) Increase student persistence and completion by aligning District-wide enrollment management efforts through coordinated learning opportunities, fiscally responsible resource allocation, instructional and administrative technology systems, and the strategic use of data.

- *District Function:* The District will coordinate targeted professional learning, District-wide planning, and shared data resources related to enrollment management, scheduling efficiency, and student progression.
- Key Performance Indicators:
 - i. Vision 2030 Metric: Number of students completing a certificate, associate degree, or baccalaureate degree
 - ii. Number of students completing a noncredit certificate
 - iii. Fall-to-Spring and Fall-to-Fall persistence rates
 - iv. Participants in District-wide enrollment management learning opportunities
 - v. Average time to complete program pathways

c) Coordinate workforce development initiatives and strengthen regional industry partnerships to expand internships, work-based learning, and career-connected education aligned with high-demand sectors.

- *District Function:* The District is responsible for coordinating and supporting large-scale partnerships with regional employers and workforce organizations and facilitating District-wide collaboration to guide students into programs that lead to living wage careers.
- Key Performance Indicators:
 - i. Vision 2030: Proportion of Students After Exit Who Attained the Living Wage
 - ii. Student Centered Funding Formula (SCFF) Metric: Number of students who earned nine or more career education units within the district in an academic year
 - iii. Number of students who completed internships in an academic year
 - iv. California Adult Education Program (CAEP) Score Card Metric: Number of Noncredit Students who Completed a Workforce Preparation Milestone
 - v. Program demand analysis results incorporated into curriculum development

2. Strengthen Employee Engagement and Organizational Effectiveness

Goal: Cultivate a strong, diverse, and equitable District workforce by investing in professional learning, inclusive communication, and competitive compensation and benefits that promote employee growth, engagement, and organizational effectiveness.

a) Evaluate employee professional development needs, align responsive professional development, and develop relevant mandated compliance and enterprise technology training (e.g., Banner, Microsoft Office).

- *District Function:* The District is responsible for designing, coordinating, and delivering District-wide professional learning to support employee growth, instructional and operational effectiveness, and innovation, as well as mandated compliance training (including Equal Employment Opportunity, Title IX, Section 508, and AB 2821), ensuring consistent standards, equity mindedness, access, and regular evaluation of effectiveness across all sites.
- Key Performance Indicators:
 - i. Number of employees attending District-wide trainings, specifically in Diversity, Equity, Inclusion, Accessibility, and Anti-Racism (DEIAA); Artificial Intelligence (AI) literacy; and Section 508 accessibility compliance.
 - ii. Completion of District-wide professional development needs assessment

- iii. Number of employees participating in the District-wide Leadership Academy
- b) **Strengthen District-wide communication to promote transparency, collaboration, trust, and engagement informed by regular employee feedback and climate assessment.**
 - *District Function:* The District will lead the development of transparent communication systems, promote inclusive dialogue across employee groups, and use climate and engagement data to guide continuous improvement, accountability, and organizational effectiveness.
 - Key Performance Indicators:
 - i. Percentage of employees responding positively to communication questions on the biennial Employee Climate Survey disaggregated by employee type and demographics.
 - ii. Number of District-wide communications sent annually (e.g., memos, emails, etc.)
- c) **Modernize District-wide classification and compensation structures to promote equity, recruitment, retention, and competitiveness across all employee groups.**
 - *District Function:* District Human Resources centrally manages and leads the compensation and classification systems, including the administration of benefits and the hiring lifecycle throughout the Pre-Hiring, Hiring, and Post-Hiring phases of employment in alignment with applicable laws, regulations, and collective bargaining agreements.
 - Key Performance Indicators:
 - i. Completion of McKnight Job Family Study
 - ii. Number of applicants to NOCCCD positions, disaggregated by position type and demographics as reported in the annual Equal Employment Opportunity Report 2025.
 - iii. Number of employees who separated from the district annually, disaggregated by demographics as reported in the annual Equal Employment Opportunity Report 2025.

3. Advance Regional Impact and Strategic Partnerships

Goal: Elevate the District's visibility, partnerships, and resource-building capacity to expand student opportunity, strengthen workforce connections, and advance regional impact.

- a) **Strengthen "The Destination District" identity through coordinated marketing and community outreach that highlights student success, program quality, employee experience, and institutional impact.**
 - *District Function:* The District will lead brand strategy and visual

communications, manage District-wide digital platforms, and coordinate external messaging to promote the achievements of Cypress College, District Services, Fullerton College, and NOCE.

- Key Performance Indicators:
 - i. Regional community survey results measuring the recognition and reputation of NOCCCD as "The Destination District"

b) Facilitate collaborative regional partnerships, including with educational partners (e.g., K–12 districts, adult schools, four-year institutions), local government, non-profit agencies, and employer agencies as well as basic needs providers to expand educational and career pathways.

- *District Function:* District Services will coordinate partnership development, maintain centralized agreements and relationships, and convene cross-campus teams to align pathway design and implementation.
- Key Performance Indicators:
 - i. Number of data-sharing and other agreements with local agencies and educational partners
 - ii. Vision 2030 Metric: Number of students who transferred to a CSU or UC institution.
 - iii. Total enrollment and unduplicated headcount of high school students participating in dual enrollment programs in the District
 - iv. Development of inventory of all agencies and educational partners
 - v. Number of partnerships with local government, non-profit agencies, and employer agencies

c) Increase public and private investment through coordinated grant development, philanthropic endeavors, and community engagement campaigns.

- *District Function:* Lead District-wide strategies related to grant development and philanthropic endeavors, pursue multi-institution funding opportunities, and align external investments with District priorities.
- Key Performance Indicators:
 - i. Investments received or committed
 - ii. Number of requests for proposals (RFPs) reviewed, grants submitted, and the total amount of awards and funding received by fiscal year
 - iii. Amount of braided funding allocated
 - iv. Recommendations from community engagement survey implemented

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 17, 2026

From: Erika Almaraz, Executive Director, Fiscal Affairs

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026

1. AGENDA ITEM NAME

Budget Review

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: **15 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

- **2024-25 Actuals**
- **Current year (2025-26) Budget**
- **Economic Outlook**
- **Multi-Year Projections**
- **Fiscal Crisis Management Assistance Team (FCMAT) Fiscal Health Risk Analysis**
- **Benchmarking Fiscal Performance against all 72 California Community Colleges using various key indicators**
- **Budget Planning Considerations**

5. RECOMMENDATION:

It is recommended that the committee receive the information on the District's fiscal position.

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

Members of Council on Budget and Facilities

Fiscal Position

March 10, 2026



NORTH ORANGE COUNTY
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Agenda

- Prior Year and Current Year Budget Update
- Next Year Budget Assumptions
- Economic Outlook
- Multi-Year Projections
- FCMAT Fiscal Health Risk Analysis
- Benchmarking Fiscal Performance against other CCCs
- Fiscal Stability Plan

Prior Year Budget Update

2024-2025

- Typically, districts receive their General Apportionment recalculation from the State Chancellor the following year in February.
- Prior year recalculation issued on February 19, 2026. No deficit factor was included.
- No revenue adjustment related to prior year will be necessary in the current year.

Current Year Budget Update

2025-2026

- District reported 32,780.03 FTES at P1, only 60.37 FTES below its target.
- Campuses improved across various Student Success and Supplemental Allocation metrics (30% of the SCFF).
 - Pell Grant Recipients
 - Transfer Level Math & English
 - Nine or More CTE Units
 - Achieve Regional Living Wage.
- Net effect is a projected \$3.3 million in additional earned SCFF revenue.
 - Next FTES reporting dates are April 2026 (P2) and July 2026 (P3).

Current Year Budget Update (cont.)

2025-2026

- Tentative State Deficit Factor
 - First Principal Apportionment Report issued February 19, 2026 includes a 3.04% deficit factor which equates to \$8.2 million for our District.
 - Expected to shrink as property taxes are trued-up around April and more information is released regarding EPA funding by June.
 - District will continue to monitor budget updates.
 - If a deficit factor is included in the Second Principal Apportionment Report (Exhibit C), it would impact the contingent off-schedule payment and on-schedule increase in 2026-27 for collective bargaining groups.
 - Second Principal Apportionment Report is expected by end of June 2026.

Current Year Budget Update (cont.)

2025-2026

- District Continues to Monitor Expenditures
 - As the focus has been on growing enrollments, \$13.6 million in additional expense was invested in adjunct and overload this year.
 - Funding to come from a combination of additional earned SCFF revenues, savings from vacant positions, and other campus funds.
- Bottomline
 - Expected to be out of hold harmless this year.
 - Early projection shows District as a whole may end the year with a modest surplus, but at the campus level, there may be deficits that could require backfilling from prior year carryover funds.
 - All budget centers continue to monitor budgets closely.

Next Year Budget Assumptions

2026-2027

Revenue Assumptions

- SCFF Revenues
 - Proposed 2.41% cost of living adjustment
 - 2025-26 P1 FTES
 - 2024-25 headcount data for Supplemental and Student Success allocations
- Other Revenues
 - State and Local revenues based on 2025-26.
 - Self-Supporting revenues based on 2025-26.
- Total Estimated Revenue = \$306.17 million

Next Year Budget Assumptions (cont.)

2026-2027

Expense Assumptions

- Used 2025-2026 Position Control
- Adjusted for regular step and column increase
- Salary increase of 2.97% (includes 0.25% known, plus 2.72% contingency)
- PERS decreased from 26.81% (2025-26) to 26.40% (2026-27)
- STRS remains at 19.10%
- Health & Welfare increase of 5% over prior year
- Districtwide Expenses of \$6.99 million
- Total Estimated Expenses = \$300.48 million

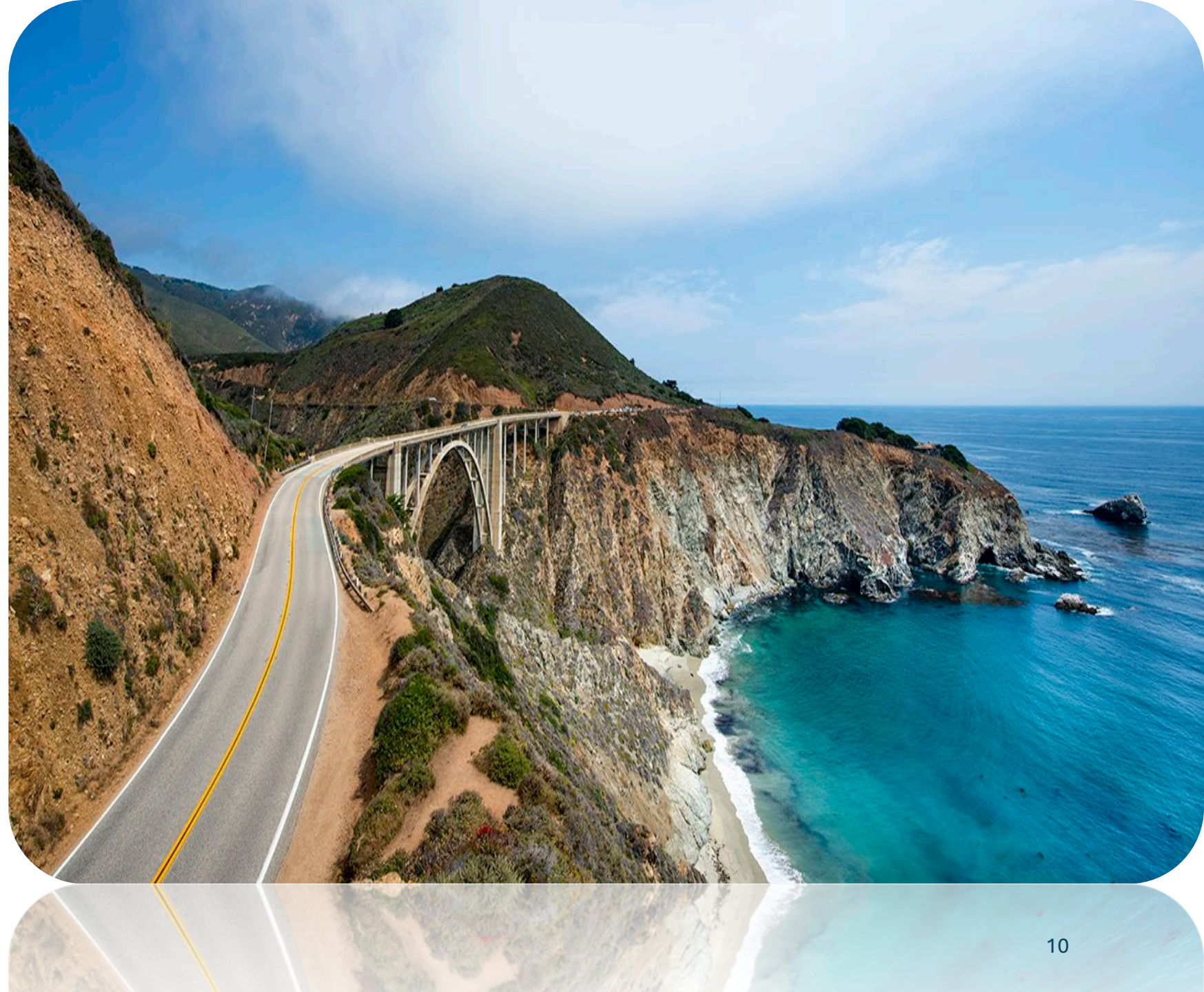
Next Year Budget Assumptions (cont.)

2026-2027

Not Currently Included

- Estimated cost of the Job Family Study
- Required 2026-27 increase to Board Policy Reserve (will be included once all budgeted expenses are finalized)
- Estimated one-time contingency payment in FY 2026-27
- Augmentation to Extended Day budgets based on 2025-26 projections
- Estimated cost savings from vacant positions.

Economic Outlook



Economic Outlook

Schools Services of California & UCLA Economic Spring 2026 Forecast

- Economists expect increasing fiscal stimulus from capital spending around artificial intelligence (AI) and federal fiscal policy. Continued output growth alongside weakening labor market and trade policy uncertainty is expected.
- In California, output and income growth have outpaced the nation but employment has lagged. Forecasters expect employment downturn to continue into early 2026. Housing continues to be an economic constraint.
 - Growth concentrated in high-technology sectors, while other sectors lag behind.
 - California accounts for roughly 70% of venture capital investment.
 - Highly contingent on changes to tariff policies, federal enforcement dynamics, and broader fiscal and geopolitical risks.

Multi-Year Projections



Three-Year Forecast

Scenario #1: No Growth

This scenario uses the 2025-26 FTES at P1 and assumes no growth in FTES in the outyears. Expenses for 2025-26 are projected based on activity through February 2026. Budgeted expenses in the outyears are based on 2025-26 as a starting point, adjusted for salary increases per current collective bargaining agreements, annual step and column increases, changes in statutory fringe benefits, an estimated annual increase in health and welfare costs of 5%, and estimated increases to non-personnel costs by the change in the Consumer Price Index (CPI). This scenario assumes the retiree benefit contribution is paid from the irrevocable trust. CPI and COLA for out years were obtained from the School Services of California Financial Projection Dashboard as of February 6, 2026.

Scenario Assumptions:

	2025-26	2026-27	2027-28	2028-29
Enrollment Trend after 2025-26:		0%	0%	0%
FTES	32,780.03	32,780.03	32,780.03	32,780.03
COLA Rate Increase to SCFF Rates:	2.30%	2.41%	3.06%	3.34%
Salary Increase (Contingency):	Varies	2.72%	3.88%	0.00%
Salaries Increases:	0.25%	0.25%	0.00%	0.00%
Statutory Fringe including PERS:	35.01%	34.60%	35.10%	34.30%
Statutory Fringe including STRS:	27.30%	27.30%	27.30%	27.30%
Health & Welfare Increases:		5.00%	5.00%	5.00%
CPI increases to nonpersonnel costs:	3.37%	3.08%	2.75%	2.68%

Revenues

SCFF Revenues	\$ 270,845,085	\$ 282,594,302	\$ 294,288,650	\$ 304,117,890
Other Revenues	23,551,698	23,579,423	23,579,423	23,579,423
Total Revenues	\$ 294,396,783	\$ 306,173,725	\$ 317,868,073	\$ 327,697,313

Expenses

Academic Positions (Contract)*	\$ 84,770,604	29%	\$ 90,222,507	30%	\$ 93,723,140	30%	\$ 93,723,140	30%
Other Academic Instructional**	45,439,496	16%	45,233,757	15%	46,988,827	15%	46,988,827	15%
Other Academic Non-Instructional***	1,012,724	0%	1,040,270	0%	1,080,632	0%	1,080,632	0%
Non-Academic Positions (Permanent)^	60,950,561	21%	65,741,518	22%	68,292,289	22%	68,292,289	22%
Other Non-Academic^^	3,534,189	1%	3,630,319	1%	3,771,175	1%	3,771,175	1%
Benefits Costs	70,108,320	24%	73,238,975	24%	75,629,562	24%	75,629,562	24%
Other Non-Personnel Costs	23,953,020	8%	25,412,651	8%	26,111,499	8%	26,811,287	8%
Total Expenses	289,768,912		304,519,996		315,597,123		316,296,911	
Surplus (Deficit)	\$ 4,627,871		\$ 1,653,729		\$ 2,270,950		\$ 11,400,402	

Three-Year Forecast

Scenario #2: Annual 1% Decline in FTES

This scenario is the same as Scenario #1 but assumes an annual 1% decline in FTES.

Scenario Assumptions:

	2025-26	2026-27	2027-28	2028-29
Enrollment Trend after 2025-26:		-1%	-1%	-1%
FTES	32,780.03	32,452.23	32,127.71	31,806.43
COLA Rate Increase to SCFF Rates:	2.30%	2.41%	3.06%	3.34%
Salary Increase (Contingency):	Varies	2.72%	3.65%	0.00%
Salaries Increases:	0.25%	0.25%	0.00%	0.00%
Statutory Fringe including PERS:	35.01%	34.60%	35.10%	34.30%
Statutory Fringe including STRS:	27.30%	27.30%	27.30%	27.30%
Health & Welfare Increases:		5.00%	5.00%	5.00%
CPI increases to nonpersonnel costs:	3.37%	3.08%	2.75%	2.68%

Revenues

SCFF Revenues	\$ 270,845,085	\$ 281,893,304	\$ 291,930,988	\$ 301,681,483
Other Revenues	23,551,698	23,579,423	23,579,423	23,579,423
Total Revenues	\$ 294,396,783	\$ 305,472,727	\$ 315,510,411	\$ 325,260,906

Expenses

Academic Positions (Contract)*	\$ 84,770,604	29%	\$ 90,222,507	30%	\$ 93,515,629	30%	\$ 93,515,629	30%
Other Academic Instructional**	45,439,496	16%	45,233,757	15%	45,233,757	14%	45,233,757	14%
Other Academic Non-Instructional***	1,012,724	0%	1,040,270	0%	1,078,239	0%	1,078,239	0%
Non-Academic Positions (Permanent)^	60,950,561	21%	65,741,518	22%	68,141,083	22%	68,141,083	22%
Other Non-Academic^^	3,534,189	1%	3,630,319	1%	3,762,825	1%	3,762,825	1%
Benefits Costs	70,108,320	24%	73,238,975	24%	75,037,120	24%	75,037,120	24%
Other Non-Personnel Costs	23,953,020	8%	25,412,651	8%	26,111,499	8%	26,811,287	9%
Total Expenses	289,768,912		304,519,996		312,880,152		313,579,940	
Surplus (Deficit)	\$ 4,627,871		\$ 952,731		\$ 2,630,259		\$ 11,680,966	

Three-Year Forecast

Scenario #3: Annual 1% Decline in FTES and No COLA

This scenario is the same as Scenario #2 but assumes no COLA beyond 2026-27.

Scenario Assumptions:

	2025-26	2026-27	2027-28	2028-29
Enrollment Trend after 2025-26:		-1%	-1%	-1%
FTES	32,780.03	32,452.23	32,127.71	31,806.43
COLA Rate Increase to SCFF Rates:	2.30%	2.41%	0.00%	0.00%
Salary Increase (Contingency):	Varies	2.72%	3.65%	0.00%
Salaries Increases:	0.25%	0.25%	0.00%	0.00%
Statutory Fringe including PERS:	35.01%	34.60%	35.10%	34.30%
Statutory Fringe including STRS:	27.30%	27.30%	27.30%	27.30%
Health & Welfare Increases:		5.00%	5.00%	5.00%
CPI increases to nonpersonnel costs:	3.37%	3.08%	2.75%	2.68%

Revenues

SCFF Revenues	\$ 270,845,085	\$ 281,893,304	\$ 283,263,136	\$ 283,263,136
Other Revenues	23,551,698	23,579,423	23,579,423	23,579,423
Total Revenues	\$ 294,396,783	\$ 305,472,727	\$ 306,842,559	\$ 306,842,559

Expenses

Academic Positions (Contract)*	\$ 84,770,604	29%	\$ 90,222,507	30%	\$ 93,515,629	30%	\$ 93,515,629	30%
Other Academic Instructional**	45,439,496	16%	45,233,757	15%	45,233,757	14%	45,233,757	14%
Other Academic Non-Instructional***	1,012,724	0%	1,040,270	0%	1,078,239	0%	1,078,239	0%
Non-Academic Positions (Permanent)^	60,950,561	21%	65,741,518	22%	68,141,083	22%	68,141,083	22%
Other Non-Academic^^	3,534,189	1%	3,630,319	1%	3,762,825	1%	3,762,825	1%
Benefits Costs	70,108,320	24%	73,238,975	24%	75,037,120	24%	75,037,120	24%
Other Non-Personnel Costs	23,953,020	8%	25,412,651	8%	26,111,499	8%	26,811,287	9%
Total Expenses	289,768,912		304,519,996		312,880,152		313,579,940	
Surplus (Deficit)	\$ 4,627,871		\$ 952,731		\$ (6,037,593)		\$ (6,737,381)	

Fiscal Health Risk Analysis



FCMAT & its Risk Analysis Tool

- FCMAT assists TK-12 schools and community colleges identify, prevent, and resolve financial, operational, and data management challenges.
- Tool to help evaluate a district's fiscal health and risk of insolvency.
- A higher score points to a greater potential risk of insolvency or fiscal issues.
 - Score of 40% or more = High Risk
 - Score of 25% to 39% = Moderate Risk
 - Score of 24% or less = Less Risk

North Orange CCCD's Risk Score

District	Score
North Orange County Community College District	18.2%

Score Breakdown by Section:

Note: Categorical values will calculate after all questions are answered with a "Yes", "No" or "N/A" on the Tool tab. Because the score is not calculated by category, category values provided are subject to minor rounding errors and are provided for informational purposes only.

Annual Independent Audit Report	0.0%
Budget Development and Adoption	0.6%
Budget Monitoring and Updates	3.1%
Cash Management	1.0%
Collective Bargaining Agreements	1.8%
Intrafund and Interfund Transfers	2.0%
Deficit Spending	0.0%
Employee Benefits	1.2%
Enrollment and Attendance	1.8%
Facilities	0.0%
Fund Balance and Reserve for Economic Uncertainty	0.0%
General Fund - Current Year	2.2%
Information Systems and Data Management	0.0%
Internal Controls and Fraud Prevention	1.0%
Leadership and Stability	1.0%
Multiyear Projections	0.0%
Non-Voter-Approved Debt and Risk Management	0.0%
Position Control	2.2%

Benchmarking Fiscal Performance



Benchmarking Fiscal Performance

- 72 districts in the CCC System
- 34 districts earned growth revenue in 2024-25
- This year in December 2025 (before P1 reporting), the State Chancellor's Office projected:
 - 21 districts would be funded based on SCFF
 - 33 districts would be funded based on Stability Protection (i.e. prior year earned revenue adjusted for COLA)
 - 18 districts would be funded based on Hold Harmless

Fiscal Stability Plan



Board Policies & Strategic Direction

- Assure fiscal health and stability (BP 2200 Board Duties and Responsibilities)
- Maintain unrestricted general fund reserves no less than two months of total general fund expenditures (BP 6250 Budget Management)
- Revenues accruing to the District in excess of amounts budgeted shall be added to the District's reserve for contingencies. They are available for appropriation only upon a resolution of the Board of Trustees. (BP 6250 Budget Management)
- The District will promote a shared vision of responsible stewardship of District resources through transparent and inclusive decision-making and integrated planning. (2020-2030 NOCCCD Strategic Directions)

Budget Process Major Principles

Established by the Council of Budget and Facilities

- Balance on-going expenditures with on-going revenues.
- Maintain board policy reserve for economic uncertainties.
- Maintain appropriate autonomy for each budget center to use resources in a manner that best addresses the budget center's needs. Budget center allocations are expected to align with the District's mission statement and link District strategic directions and District objectives to the resources needed to accomplish these institutional goals.

Fiscal Stability Plan

- Enrollment Management
 - Focusing on data-drive decision-making
 - Enhancing reporting capabilities
 - Stabilizing FTES but investing in growth area
 - Maximizing Supplemental & Student Success metric
 - Enhancing cross-team collaboration
 - Council of Budget & Facilities will be reviewing key efficiency metrics
- Maintain Board Policy Reserve
 - Could be used in an economic downturn
 - Unrestricted general fund expenditures are \$25 million per month
- Review of Resource Allocation Model
 - Incorporating fiscal stability at Campus Level
- Monitor Cashflow and Budget-to-Actuals
 - Budget Officers meet at least monthly
 - Council of Budget & Facilities meets monthly
 - Budget Management Training
- Providing Multi-Year Projections for Proposed Increases to Compensation
- Continuous Exposure Monitoring
 - Construction & Facilities Maintenance
 - Insurance Limits (AB218 claims)
 - OPEB Liability and Retiree Benefit Trust

Questions



TO: Chief Business Officers

FROM: Arthur Golovey, Director of Fiscal Services
College Finance and Facilities Planning Division

RE: Fiscal Year 2025-26 First Principal Apportionment

This memo describes the 2025-26 First Principal (P1) apportionment calculations for the Student Centered Funding Formula (SCFF) and various categorical programs. Associated exhibits are available on the Chancellor's Office [Fiscal Services Unit Apportionment Reports website](#).

Summary of Key Points

2025-26 First Principal (P1)

- Calculations reflect data and revenue estimates reported by districts and counties.
- Statewide enrollment growth needs exceed the growth budget, and proportional growth adjustments were applied. Fully funding enrollment growth remains a system budget request priority.
- The deficit factor is 3.04%, largely attributed to the timing of preliminary local revenue estimates, which historically increase as more complete data becomes available. Combined with the Administration's proposed \$88.7 million for the 2025-26 SCFF in the Governor's Budget, no deficit is expected at Recalculation.
- Starting in 2025-26, the Hold Harmless calculation reflects districts' 2024-25 Max Total Computational Revenue (TCR) without subsequent Cost of Living Adjustments (COLA).
- \$408.4 million in SCFF funds are deferred to 2026-27 and, contingent upon continued inclusion in the budget, are anticipated to be paid in July 2026.

2024-25 Recalculation (R1)

- Calculations reflect actual data and revenue amounts, rather than estimates.
- There is zero revenue deficit.

SCFF General Background

The SCFF consists of three principal components: the base allocation, the supplemental allocation, and the student success allocation, each calculated using the following parameters:

- Base allocation: Includes 1) the basic allocation, which is determined by college and center size based on prior year data, and 2) the Full Time Equivalent Students (FTES) allocation, which is based on current year FTES and a three-year average for credit FTES.

2025-26 First Principal Apportionment

February 19, 2026

- Supplemental allocation: Based on prior year data.
- Student success allocation: Based on an average of three prior years of data.

The Chancellor's Office generally certifies apportionments three times per year: the Advance Apportionment (AD) in July, the First Principal (P1) and Recalculation (R1) in February, and the Second Principal (P2) in June. Additional certification revisions are completed as necessary.

SCFF 2025-26 P1

At 2025-26 P1, SCFF calculations reflect district reported FTES estimates, supplemental and student success metric data reported as of January 15, 2026, county reported property tax, district reported enrollment fees, estimated 2025-26 Education Protection Account (EPA) resources, and available general fund.

FTES Allocation

Growth funding was applied for districts reporting FTES increases above the prior year base value (2024-25 Applied #3) that exceeded the available restoration balance. Statewide growth demand exceeded the available growth budget at 2025-26 P1. As a result, growth applied beyond districts' growth targets was proportionally adjusted to remain within the budget.

Growth will be reassessed at 2025-26 P2 with updated FTES data. The Chancellor's Office will continue to engage with stakeholders and work collaboratively with the Department of Finance and the Legislature to support fully funding enrollment growth.

Basic Allocation

Prior year FTES data is used to determine the current year basic allocation for college and center size. If a district's reported FTES for a college or center is below the prior year funding size, the prior three FTES data years are used to determine eligibility for stability protection. Declines in college or center FTES will not result in a reduction to revenue until the third year after the decline, and there is no revenue reduction if the college or center FTES has been restored back to or above the pre-decline amount.

Supplemental and Student Success Allocations

The supplemental and student success allocations at 2025-26 P1 reflect metric data updates provided by districts through January 15, 2026.

Transfer data for 2024-25 is currently pending for students transferring to University of California (UC), out of state institutions, or private institutions after Fall 2024. SCFF calculations at 2025-26 P1 use the 2023-24 Transfer to a Four-Year University metric data as of March 11, 2025, in place of 2024-25 data. At 2025-26 P2, the 2024-25 transfer data will be available and incorporated.

Total Computational Revenue

The 2025-26 P1 Total Computational Revenue (Max TCR) consists of the highest of the following three TCR calculations for each district: (A) 2025-26 SCFF Calculated Revenue, (B) TCR Stability (2024-25 SCFF Calculated Revenue plus COLA), or (C) Hold Harmless (2024-25 Max TCR). At 2025-26 P1, the statewide SCFF Max TCR is \$10.1 billion.

Temporary Revenue Deficit

At 2025-26 P1, the revenue deficit for non-basic aid districts is 3.04%, compared to 0.18% at 2025-26 Advance. This increase is largely attributable to the timing of available revenues, particularly preliminary local revenue estimates. Although local revenue estimates reported at 2025-26 P1 are below the assumptions used in the 2025 Budget Act, these amounts have historically trended upward in subsequent apportionment periods as more complete data becomes available.

As part of the 2026–27 Governor’s Budget, the Administration has proposed an additional \$88.7 million to support the 2025-26 SCFF. Based on current assumptions, incorporation of this proposal is expected to address the revenue deficit at the 2025-26 Recalculation Apportionment (R1). The Chancellor’s Office will continue to work collaboratively with the Department of Finance and the Legislature to support this outcome.

Deferral

As part of the 2025 Budget Act, \$408.4 million in SCFF funds are deferred to the 2026-27 fiscal year. These funds remain included in the Governor’s Budget and, assuming continued inclusion throughout the budget process, are anticipated to be paid in July 2026. The Chancellor’s Office will continue to advocate for the timely repayment of the deferral.

Table 1: 2025-26 P1 SCFF Components

SCFF Component	2025-26 P1 Amount (Statewide) (In Millions)
Basic Allocation	\$1,032
FTES Allocation	\$6,081
Supplemental Allocation	\$1,780
Student Success Allocation	\$1,074
SCFF Calculated Revenue (TCR A)	\$9,966
TCR Stability (TCR B)	\$9,943
Hold Harmless (TCR C)	\$9,855

2025-26 First Principal Apportionment

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SCFF Component	2025-26 P1 Amount (Statewide) (In Millions)
2025-26 TCR (Max of A, B, or C)	\$10,129
Stability Protection Adjustment	\$76
Hold Harmless Protection Adjustment	\$86
Property Tax & ERAF	\$4,847
Less Property Tax Excess	(\$552)
Student Enrollment Fees	\$424
Education Protection Account (EPA)	\$1,304
State General Fund Allocation	\$3,830
Deficit Factor for non-basic aid districts	3.0364%
(Deficit)	(\$276)

Table 2: 2025-26 P1 TCR Status by Number of Districts

2025-26 P1 TCR Status	Number of Districts
SCFF Calculated Revenue (TCR A)	34
TCR Stability (TCR B)	25
Hold Harmless (TCR C)	13

2025-26 P1 Exhibits

- Exhibit A (District Monthly Payments by Program)
- Exhibit B4 (County Monthly Payment Schedule)
- Exhibit C (Statewide and District SCFF details)
- Educational Revenue Augmentation Fund (ERAF) Memo
- ERAF and Property Tax Distribution by County and District

SCFF 2024-25 R1

At 2024-25 R1, SCFF calculations were updated to reflect actual FTES data, updated offsetting revenues, including district reported property tax and student enrollment fees, and updated annual certifications of the Education Protection Account (EPA) and state general apportionment.

Growth has been applied to districts that reported an increase in FTES value above the prior year base value (2023-24 Applied #3) that exceeded the available restoration balance. At 2024-25 R1, statewide enrollment growth exceeded available budgeted growth funding. As a result, growth applied beyond districts’ growth targets was proportionally adjusted to remain within the budget.

The 2024-25 R1 Total Computational Revenue (Max TCR) consists of the highest of the following three TCR calculations for each district: (A) 2024-25 SCFF Calculated Revenue, (B) TCR Stability (2023-24 SCFF Calculated Revenue plus COLA), or (C) Hold Harmless (2017-18 TCR plus yearly COLAs). At 2024-25 R1, the statewide SCFF Max TCR is \$9.85 billion.

Table 3: 2024-25 R1 SCFF Components

SCFF Component	2024-25 R1 Amount (Statewide) (In Millions)
Basic Allocation	\$1,001
FTES Allocation	\$6,072
Supplemental Allocation	\$1,622
Student Success Allocation	\$1,025
SCFF Calculated Revenue (TCR A)	\$9,719
TCR Stability (TCR B)	\$9,510
Hold Harmless (TCR C)	\$8,790
2024-25 TCR (Max of A, B, or C)	\$9,855
Stability Protection Adjustment	\$33
Hold Harmless Protection Adjustment	\$102
Property Tax & ERAF	\$4,824
Less Property Tax Excess	(\$509)
Student Enrollment Fees	\$430

2025-26 First Principal Apportionment

February 19, 2026

SCFF Component	2024-25 R1 Amount (Statewide) (In Millions)
Education Protection Account (EPA)	\$1,627
State General Fund Allocation	\$3,482
Deficit Factor for non-basic aid districts	0.00%
(Deficit)	(\$0)

Table 4: 2024-25 R1 TCR Status by Number of Districts

2024-25 R1 TCR Status	Number of Districts
SCFF Calculated Revenue (TCR A)	46
TCR Stability (TCR B)	13
Hold Harmless (TCR C)	13

2024-25 R1 Exhibits

- Exhibit C (Statewide and District SCFF details)
- Exhibit D (Education Protection Account (EPA))

SCFF Funding Protections

There are several funding protections applicable under the SCFF, summarized below.

Table 5: SCFF Funding Protections

Protection	Description
Hold Harmless (EDC 84750.4(h))	Starting in 2025-26, districts receive no less than their 2024-25 TCR, without subsequent annual cost of living adjustments (COLA).
TCR Stability Protection (EDC 84750.4(g)(4)(A))	Declines in the SCFF TCR (excluding the hold harmless) are applicable in the year after the decline and include any applicable COLA.
FTES Restoration Protection (EDC 84750.4(d)(2)(D))	Ability to restore FTES that have declined in the previous three years.

Protection	Description
Basic Allocation Protection (Title 5 § 58776)	Declines in college and center basic allocation tiers are effective three years after the initial decline. Increases or new colleges or centers are eligible for funding in the year following the increase or establishment.

SCFF Dashboard

Since the adoption of the SCFF, the Chancellor’s Office has collaborated with system partners to develop tools and resources to support SCFF implementation and district planning. The [SCFF Dashboard](#) provides a suite of analytics and visualizations related to the California Community Colleges funding formula, including the following interfaces:

- SCFF Data Trends and Insights: Provides analysis of trends in the SCFF supplemental and student success counts, funding protections, and race and ethnicity outcomes. This data is updated each year after Recalculation and was last updated in May 2025.
- SCFF Resource Estimator: Provides districts with a planning tool to estimate SCFF funding. Data is updated after each apportionment period and was last updated in July 2025.

The SCFF Resource Estimator allows users to adjust assumptions related to general enrollment, low-income student enrollment, student success metrics, and cost of living adjustments to generate projected funding levels for future years. The SCFF Resource Estimator is intended to support outyear planning and will be updated with 2025-26 P1 data in the coming weeks.

Categorical Programs

Allocations for 58 categorical programs totaling over \$2.9 billion were certified. The following exhibits summarizing these allocations can be found on our [website](#):

2025-26 P1:

- Exhibit A (District Monthly Payments by Program)
- Exhibit B4 (Monthly Payment Schedule by County)
- Adjustment Report – 2024-25 Adjustments at 2025-26 P1
- Exhibit A/B4 (Apprenticeship Training and Instruction, Local Education Agencies)
- Exhibit B4 (Statewide Community College)

2024-25 R1:

- Exhibit D (District Adjustments by Program)
- Exhibit A/B4 (Apprenticeship Training and Instruction, Local Education Agencies)
- Exhibit B4 (Reimbursement, Vocational Education (Perkins))

Additional information regarding categorical program allocations can be found in the Compendium of Allocations and Resources (the Compendium) on the [Budget News](#) web page.

2025-26 First Principal Apportionment

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The Chancellor's Office will continue to provide updates as additional data becomes available through subsequent apportionment periods.

Contacts

For questions regarding the SCFF please email scff@cccco.edu.

For general questions regarding apportionment payments please email apportionments@cccco.edu.

For questions regarding specific categorical programs, please contact the appropriate staff specified in Appendix B: Summary of Categorical Program Accounting of the Compendium on the [Budget News](#) web page.

**California Community Colleges
2025-26 First Principal
North Orange County CCD
Exhibit C - Page 1**

Total Computational Revenue and Revenue Sources

Total Computational Revenue (TCR)									
I. Base Allocation (FTES + Basic Allocation)								\$	191,805,327
II. Supplemental Allocation									46,833,424
III. Student Success Allocation									27,115,024
									<u>265,753,775</u>
									Student Centered Funding Formula (SCFF) Calculated Revenue (A) \$ 265,753,775
									2024-25 SCFF Calculated Revenue + COLA (B) 267,501,036
									Hold Harmless Revenue (C) 262,433,892
									Stability Protection Adjustment 1,747,261
									Hold Harmless Protection Adjustment -
									2025-26 TCR (Max of A, B, or C) \$ 267,501,036
Revenue Sources									
Property Tax & ERAF								\$	135,876,013
Less Property Tax Excess									-
Student Enrollment Fees									11,667,111
Education Protection Account (EPA)	Minimum of at least \$100 x Funded FTES			Funded FTES: 31,518.90	x			Rate: \$1,370.79	43,205,651
State General Fund Allocation									68,629,923
State General Fund Allocation									
General Fund Allocation								\$	65,924,529
Full-Time Faculty Hiring (FTFH) Allocation (2015-16 Funds Only)									2,705,394
									<u>Subtotal State General Fund Allocation \$68,629,923</u>
Adjustment(s)									-
									<u>State General Fund Allocation (Includes Deferral to be Paid in 2026-27) \$68,629,923</u>
									<u>State General Fund Certification (Exhibit A) \$61,308,017</u>
									<u>Deferral Amount \$7,321,906</u>
									Available Revenue \$ 259,378,698
									2025-26 TCR (Max of A, B, or C) 267,501,036
									3.0364% Revenue Deficit \$ (8,122,338)

Supporting Sections

Section Ia: FTES Data and Calculations

variable	a	b	c	d	e	f = b + c + d + e	g = f (except credit = (a + b + f)/3)	h	i = g + h
FTES Category	2023-24 Applied #3	2024-25 Applied #3	2025-26 Restoration	2025-26 Decline	2025-26 Adjustment	2025-26 Applied #1	2025-26 Applied #2	2025-26 Growth	2025-26 Funded
Credit	24,573.42	26,183.31	1,086.75	-	-	27,270.06	26,008.93	-	26,008.93
Incarcerated Credit	-	-	-	-	-	-	-	-	-
Special Admit Credit	657.82	940.09	23.35	-	-	963.44	963.44	-	963.44
CDCP	2,569.88	2,988.94	(1,305.33)	-	-	1,683.61	1,683.61	-	1,683.61
Noncredit	1,398.44	1,514.15	1,348.77	-	-	2,862.92	2,862.92	-	2,862.92
Total FTES=>>>	29,199.56	31,626.49	1,153.54	-	-	32,780.03	31,518.90	-	31,518.90
Total Values=>>>		\$178,571,573	\$2,309,225	\$0	\$0	\$180,880,797			
Change from PY to CY=>>>		\$2,309,224							

variable	j = g x l 2025-26 Applied #2 Revenue	k = h x l 2025-26 Growth Revenue	l 2025-26 Rate \$*	m = j + k 2025-26 Total Revenue
Credit	\$140,869,442	\$ -	\$5,416.20	\$140,869,442
Incarcerated Credit	-	-	\$7,595.29	-
Special Admit Credit	7,317,609	-	\$7,595.29	7,317,609
CDCP	12,787,511	-	\$7,595.29	12,787,511
Noncredit	13,075,709	-	\$4,567.26	13,075,709
Total	\$174,050,271	\$0		\$174,050,271

n 2025-26 Applied #0	o = f + h 2025-26 Applied #3	p = n - o 2025-26 Unfunded FTES	q = p x l 2025-26 Unfunded FTES Value
27,270.06	27,270.06	-	\$ -
963.44	963.44	-	-
1,683.61	1,683.61	-	-
2,862.92	2,862.92	-	-
32,780.03	32,780.03	-	\$ -

Total Value=>>> \$180,880,797

Section Ib: 2025-26 FTES Emergency Conditions Allowance (ECA)

variable	r ECA FTES	s Reported 320 2025-26 P1 FTES	t ECA Applied	n = s + t 2025-26 Applied #0
Credit	-	27,270.06	-	27,270.06
Incarcerated Credit	-	-	-	-
Special Admit Credit	-	963.44	-	963.44
CDCP	-	1,683.61	-	1,683.61
Noncredit	-	2,862.92	-	2,862.92
Total	-	32,780.03	-	32,780.03

Definitions:

PY: 2024-25 CY: 2025-26

PY App#3: PY App#1 plus PY Growth, is the base for CY.
CY App#0: Reported FTES with any ECA or statutory protections. These FTES are used in the calculations of the CY funded FTES.
CY App#1: Base for CY plus any restoration, decline or adjustment.
CY App#2: FTES that will be funded not including growth. Includes Credit 3-year average.
CY App#3: CY App#1 plus Growth. Used as the base for the following year.
CY Adjustment: Alignment of FTES to available resources.
Change Prior Year to Current Year: CY App#0 value minus PY App#3 value and is the sum of CY restoration, decline, growth and unapplied values

Section Ic: FTES Restoration Authority				
variable	v	w	y	z = (v + w + y) x l
FTES Category	2022-23	2023-24	2024-25	Total \$
Credit	-	1,900.67	-	\$ 10,294,400
Incarcerated Credit	-	-	-	-
Special Admit Credit	-	(436.06)	-	(3,312,003)
CDCP	-	(358.74)	-	(2,724,735)
Noncredit	-	1,003.31	-	4,582,381
Total	-	2,109.18	-	\$ 8,840,043

Section Id: FTES Growth Authority			
variable	aa	ab	ac = aa x ab
FTES Category	% target	2024-25 Applied #3 FTES	2025-26 Growth FTES
Credit	0.13%	26,183.31	34.80
Incarcerated Credit	0.13%	-	-
Special Admit Credit	0.13%	940.09	1.25
CDCP	0.13%	2,988.94	3.97
Noncredit	0.13%	1,514.15	2.01
Total		31,626.49	42.03
Total Growth FTES Value =>>> \$			237,941

Section Ie: Basic Allocation

District Type/FTES	Funding Rate	Number of Colleges	Basic Allocation	FTES	Funding Rate	Number of Centers	Basic Allocation	
Single College Districts				State Approved Centers				
≥ 20,000	11,096,910.43	-	\$0	≥ 1,000	\$2,219,381.74	1	\$2,219,382	
≥ 10,000 & < 20,000	8,877,528.70	-	-	Grandparented Centers				
< 10,000	6,658,143.47	-	-	≥ 1,000	2,219,381.74	-	-	
Multi-College Districts				≥ 750 & < 1,000	1,664,535.87	-	-	
≥ 20,000	8,877,528.70	-	-	≥ 500 & < 750	1,109,690.00	-	-	
≥ 10,000 & < 20,000	7,767,836.95	2	15,535,674	≥ 250 & < 500	554,845.87	-	-	
< 10,000	6,658,143.47	-	-	≥ 100 & < 250	277,424.68	-	-	
Additional Rural \$	2,117,699.79	-	-	Subtotal				
		Subtotal	\$15,535,674				\$2,219,382	
							Total Basic Allocation	\$17,755,056
							Total FTES Allocation	174,050,271
							Total Base Allocation	\$191,805,327

Section II: Supplemental Allocation

Supplemental Allocation - Point Value \$1,280.76	Points	2024-25 Headcount	Rate	Revenue
AB540 Students	1	1,116	\$1,280.76	\$1,429,324
Pell Grant Recipients	1	13,028	1,280.76	16,685,696
Promise Grant Recipients	1	22,423	1,280.76	28,718,404
		Totals		\$46,833,424

Section III: Student Success Allocation

All Students - Point Value \$755.21	Points	2022-23 Headcount	2023-24 Headcount	2024-25 Headcount	Three Year Average	Rate = Point Value x Points	Revenue
Associate Degrees for Transfer	4	1,655	1,650	1,747	1,684.00	\$ 3,020.86	\$5,087,122
Associate Degrees	3	1,322	1,381	1,408	1,370.33	2,265.64	3,104,685
Baccalaureate Degrees	3	1	4	6	3.67	2,265.64	8,307
Credit Certificates	2	793	882	892	855.67	1,510.43	1,292,423
Transfer Level Math and English	2	1,527	1,571	1,782	1,626.67	1,510.43	2,456,963
Transfer to a Four Year University*	1.5	1,977	1,177	1,177	1,443.67	1,132.82	1,635,416
Nine or More CTE Units	1	4,763	5,585	6,354	5,567.33	755.21	4,204,528
Regional Living Wage	1	3,244	2,076	2,435	2,585.00	755.21	1,952,228
	All Students Subtotal	15,282	14,326	15,801	15,136.33		\$19,741,672
Pell Grant Recipients - Point Value \$190.49							
Associate Degrees for Transfer	6	897	940	1,013	950.00	\$ 1,142.95	\$1,085,806
Associate Degrees	4.5	727	776	806	769.67	857.22	659,770
Baccalaureate Degrees	4.5	1	3	4	2.67	857.22	2,286
Credit Certificates	3	381	454	477	437.33	571.48	249,926
Transfer Level Math and English	3	668	704	892	754.67	571.48	431,275
Transfer to a Four Year University*	2.25	1,018	564	564	715.33	428.61	306,597
Nine or More CTE Units	1.5	2,416	2,876	3,426	2,906.00	285.74	830,356
Regional Living Wage	1.5	988	606	698	764.00	285.74	218,304
	Pell Grant Recipients Subtotal	7,096	6,923	7,880	7,299.67		\$3,784,320
Promise Grant Recipients - Point Value \$190.49							
Associate Degrees for Transfer	4	1,280	1,281	1,326	1,295.67	\$ 761.97	\$987,258
Associate Degrees	3	1,036	1,077	1,126	1,079.67	571.48	617,004
Baccalaureate Degrees	3	1	3	5	3.00	571.48	1,714
Credit Certificates	2	576	650	656	627.33	380.98	239,004
Transfer Level Math and English	2	995	1,053	1,178	1,075.33	380.98	409,685
Transfer to a Four Year University*	1.5	1,391	817	817	1,008.33	285.74	288,120
Nine or More CTE Units	1	3,517	4,190	4,703	4,136.67	190.49	788,003
Regional Living Wage	1	1,725	1,083	1,259	1,355.67	190.49	258,244
	Promise Grant Recipients Subtotal	10,521	10,154	11,070	10,581.67		\$3,589,032
	Total Headcounts	32,899	31,403	34,751	33,017.67		\$27,115,024

*2023-24 transfer data used for 2025-26 P1 in place of 2024-25 data. See memo for additional details.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 18, 2026

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026

1. AGENDA ITEM NAME

Digital Accessibility Compliance

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

Information Only	X	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 February 23, 2026 DCC meeting, a presentation outlining the requirements for compliance with the new ADA Title II rule that requires all public entities to ensure that websites, mobile apps, instructional materials, and digital services meet the new standards by April 24, 2026 was presented. The rule requires the use of an accessible digital environment regardless of disability disclosure and applies to the District and college websites, Canvas content, PDFs, online forms, student portals, employee-facing systems, and required third-party tools. To ensure compliance, it was recommended that the District require mandatory accessibility training for faculty, staff, and administrators responsible for digital content; provide clear district-wide guidance aligned with WCAG 2.1 Level AA standards for Canvas, websites, documents, forms, and third-party tools; and allocate resources for remediation support, captioning, document accessibility, technology review, and ongoing compliance monitoring.

In response to the discussion, the District explored participation in the Accessibility Capability Maturity Model (ACMM) developed by the California Community Colleges Chancellor’s Office (CCCCO) Accessibility Center. Enclosed are materials related to the ACMM and a listing of resources for accessibility provided by the CCCCCO.

5. RECOMMENDATION:

It is recommended that members review and discuss next steps regarding digital accessibility compliance districtwide.

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

Amita Suhrid, Erika Almaraz, and Khaoi Mady

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

CCC Accessibility Capability Maturity Model (ACMM)

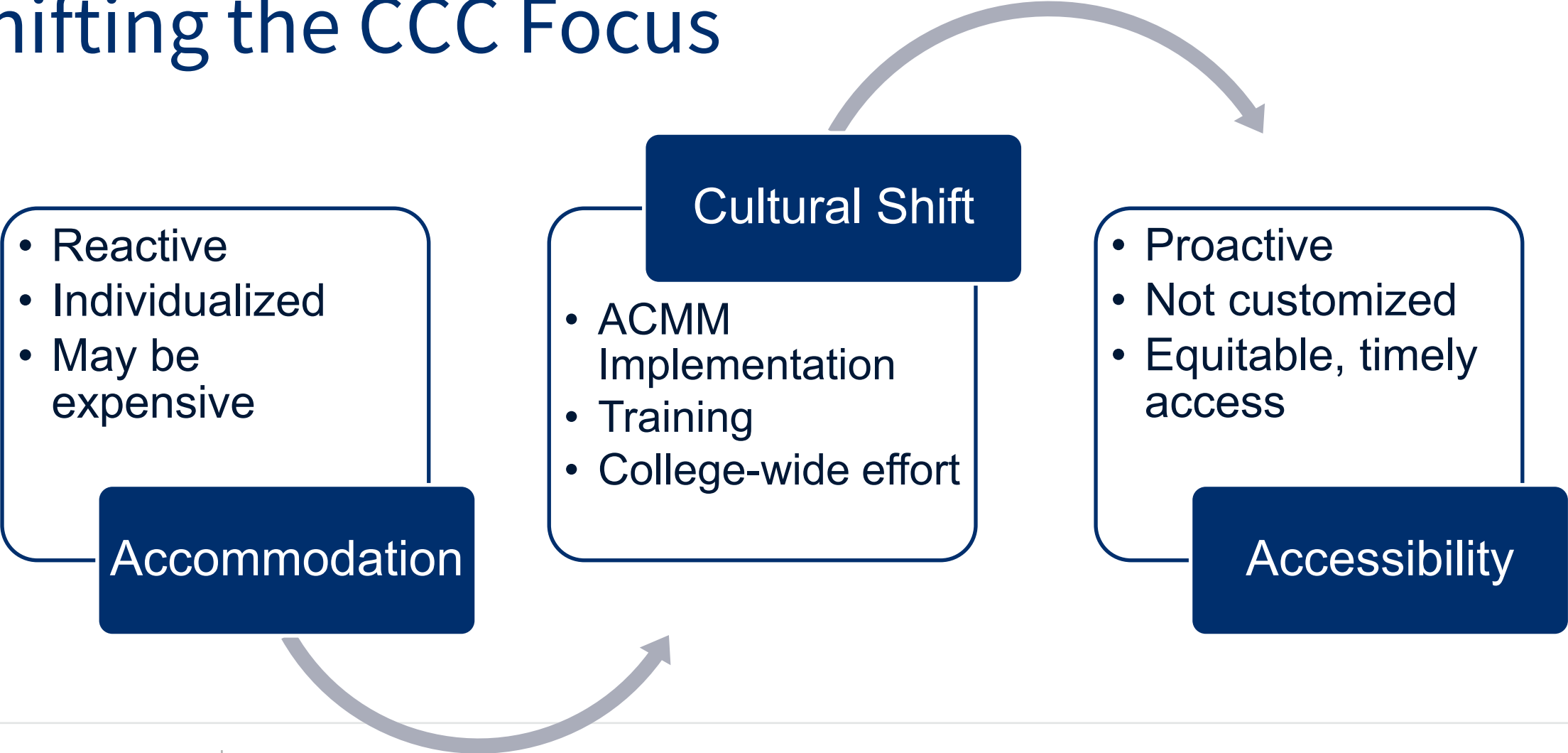
Dawn Okinaka
Christine Fundell



California
Community
Colleges

Accessibility Center

Shifting the CCC Focus

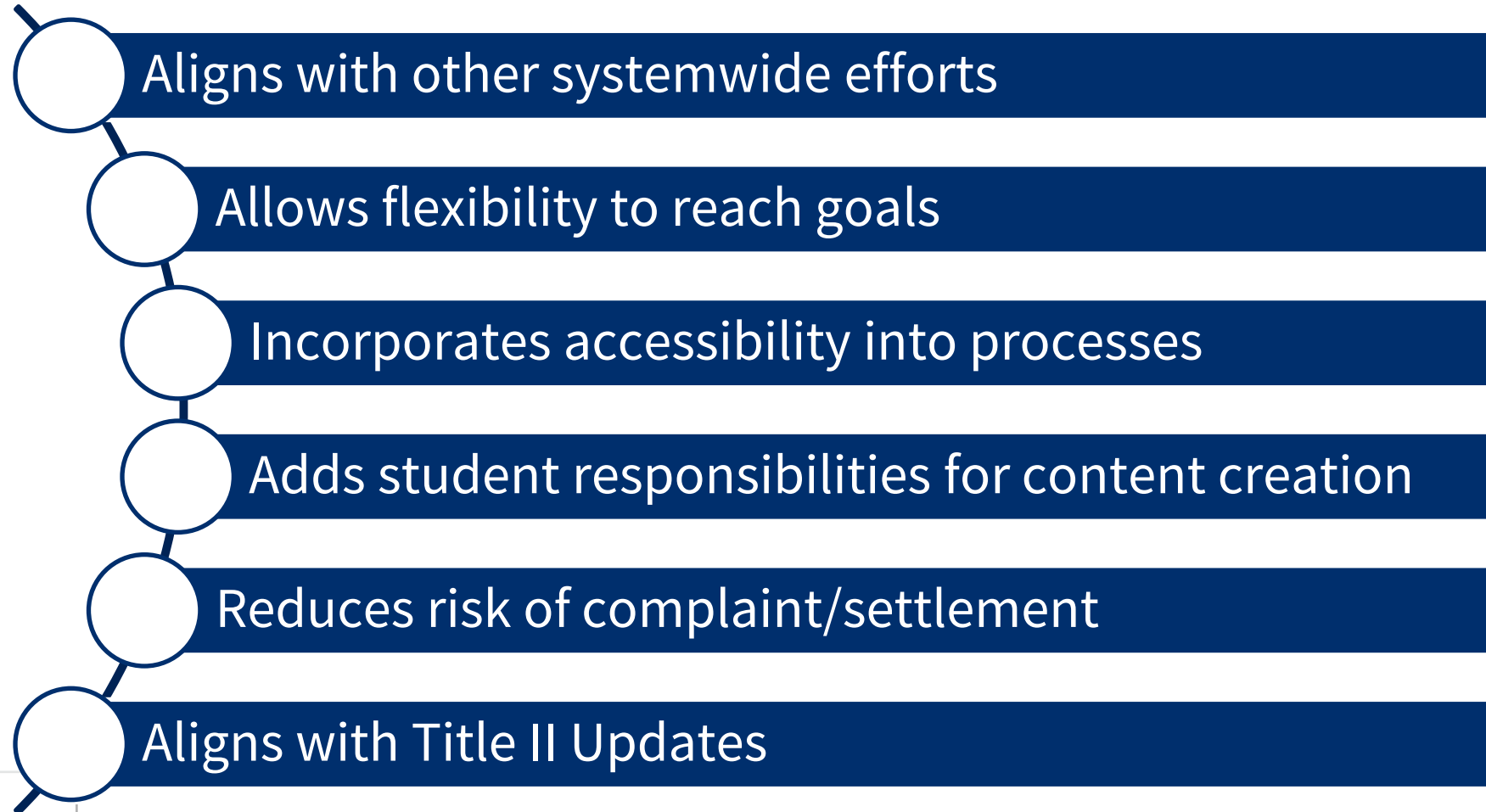


Accessibility Laws

- Section 508 of the Rehabilitation Act
- Section 504 of the Rehabilitation Act
- Title II of Americans with Disabilities Act (ADA)
- California Government Code 11135
- California Government Code 7405
- California Education Code Update (AB 2821)

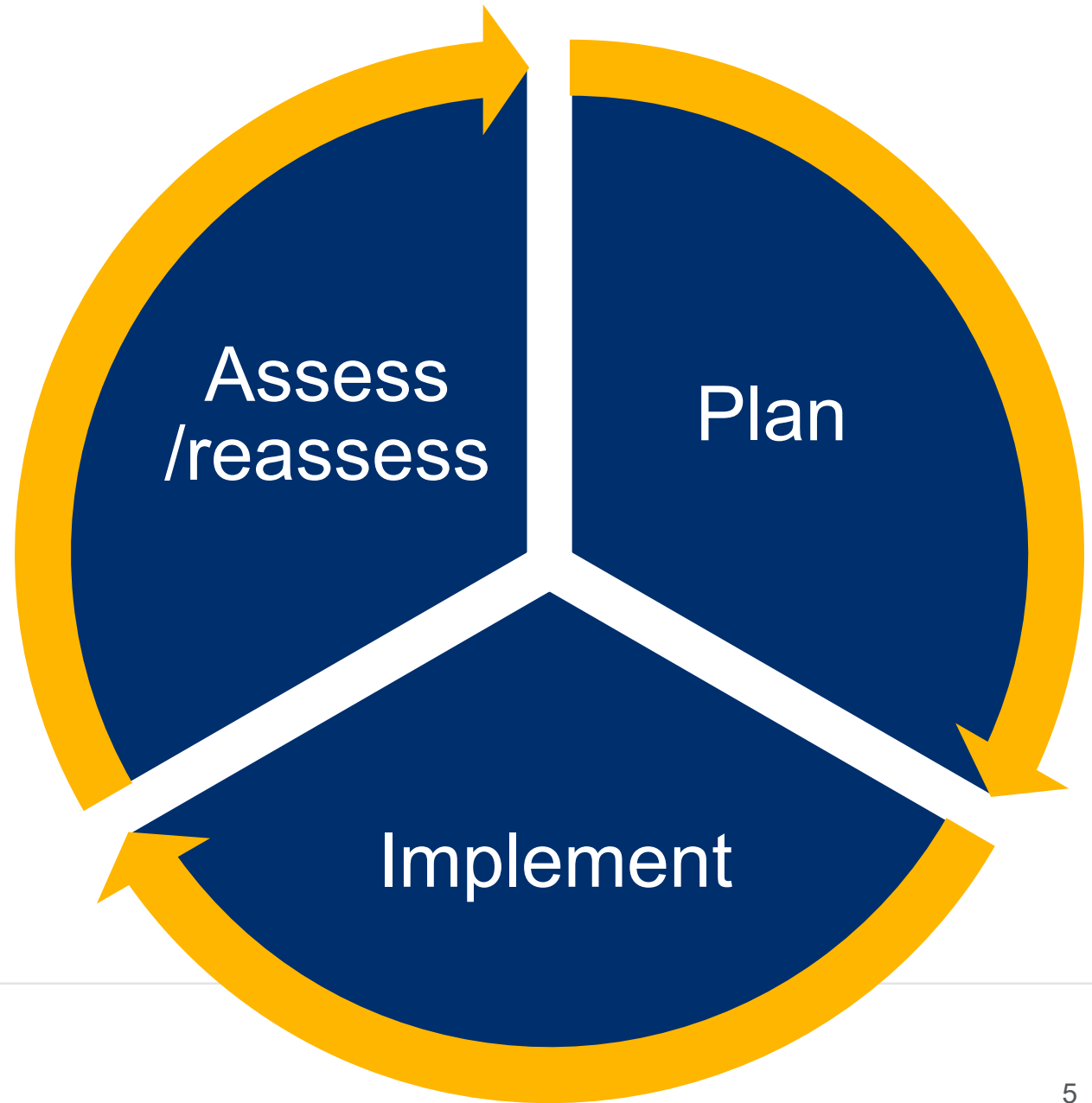


CCC Accessibility Capability Maturity Model



Capability Maturity Model

- Process improvement
- Building capacity



Governance

- Leadership, planning, documentation

Educational Materials and Technology

- Online, hybrid, flex, in-person classes

Web

- Monitoring and Remediation
- Design and Development
- Content Contributors

Digital Content

- Documents, Marketing, Video and Audio
- Student Services
- Employee Services
- Student clubs/organizations

ICT Procurement

- Pre-Purchase
- Evaluation
- Procurement Processes

Training

- Role-based

Culture

- Equally Effective Alternative Access
- Communications
- Events
- Onboarding
- Organizational Integration and Alignment

Current ACMM Participants

32 colleges+5 District Offices= 37 participants



Accessibility Center

25/26 Cohort



SAN DIEGO
CITY COLLEGE



SAN DIEGO
MIRAMAR
COLLEGE

SAN DIEGO
MESA COLLEGE

SAN DIEGO
COLLEGE OF
CONTINUING
EDUCATION



COLLEGE OF
MARIN



West Valley - Mission
Community College District



Accessibility Center

- VP/VC level or higher sponsorship

ACMM Engagement



Training for Decision-Makers

Focus on the “what and why” of accessibility



Identify opportunities to incorporate accessibility into existing processes



Align accessibility with existing college/district priorities



Align with other systemwide efforts, Section 508, & ADA Title II changes



Cultural shift for equity and success



Assessment

Small groups based on goal

- May have different attendees than training
- ACMM team facilitates discussions and take notes
- ACMM team reviews provided documentation

Collaborative, not punitive

- Set starting point
- Plan for progress
- Do not review individual courses or content



Progress Over Perfection

- Progress is an attainable annual goal
- Allows learning from mistakes and flexibility when the unexpected happens
- Focuses on what is working
- Iterative improvements:
 - Easy wins
 - Training
 - High risk areas



Resources for Accessibility - ADA Title II Updates

From: Chief Instructional Officers <CIO-ALL@LISTSERV.CCCCO.EDU> on behalf of Fagan, Jessica <000001da9122a8cb-dmarc-request@LISTSERV.CCCCO.EDU>

Sent: Monday, March 16, 2026 4:07 PM

To: CIO-ALL@LISTSERV.CCCCO.EDU <CIO-ALL@LISTSERV.CCCCO.EDU>

Subject: Resources for Accessibility - ADA Title II Updates

Dear Colleagues,

We know the new ADA Title II requirements are significant, but you are not without support or resources (see [Memo ESS 26-17](#)). The Chancellor's Office, in partnership with ASCCC, CVC@ONE, the CCC Accessibility Center, and ASCCC/OERI, is pleased to share a set of materials designed to support colleges as they prepare for the upcoming revisions to the ADA Title II regulations.

As part of this effort, we recently hosted a three-part webinar series and are excited to share the recordings for Part 1 and Part 2, as well as the link and information for Part 3: "AI for Universal Design & Accessibility Office Hour," Friday, March 27, from 12:00–1:00 PM. Links are below.

Below, you will find links to webinar recordings, along with additional resources, and information about upcoming sessions.

Tools & Resources

- [Universal Access Bot](#): remediates Canvas content for WCAG 2.1 AA compliance and UDL
- [ADA Access Coach](#): answers questions about ADA Title II Updates
- [Memo: Accessibility Standards and Revised ADA Title II Regulations](#)

Past Events:

- **Part 1: [Accessibility in Online Learning Webinar Recording](#)**
This webinar highlights key changes from the revised ADA Title II regulations, effective April 24, 2026, and how they impact faculty across California Community Colleges.
- **Part 2: [Using Accessibility-Aligned AI to Move Courses Toward the Revised ADA Title II Recording](#)**
Designed specifically for California Community Colleges faculty, this webinar highlights practical, faculty-centered strategies for implementing the new ADA Title II regulations. The session will also spotlight CVC@ONE Peer Online Course Review (POCR) Exchange courses as well as key Accessibility Center resources and micro-courses.

Upcoming Events:

- [**Accessibility Apps: So, You're Suddenly Expected to be an Accessibility Expert**](#)

Tuesday, March 17, 2026: 12:30 pm – 1:30 pm

New to accessibility review? This webinar introduces the [**OERI Accessibility Checklist**](#). Focusing on practical strategies, the checklist can help you to confidently provide feedback to your OER authors. [**Register for So, You're Suddenly Expected to be an Accessibility Expert**](#)

- [**The Role of the ADA Coordinator**](#)

Thursday, March 19, 2026: 11:00 am- 12:00 pm

Title II of the ADA addresses what State and local government agencies must do to avoid discrimination against people with disabilities in their programs, services, and activities. This 1-hour session will explore the critical role ADA Coordinators play in helping their agencies navigate the complex Title II requirements. [**Register for The Role of the ADA Coordinator**](#)

- [**AI Bytes: Boosting Accessibility, Not Workload**](#)

Thursday, March 26, 2026 from 12:30 pm – 1:30 pm

This session will explore opportunities for AI to support Universal Design for Learning in the online and in person classroom. When faculty are using open educational resources, AI can be employed to create ancillary resources and other educational materials. Participants will leave with tools, prompts, and examples to support generating accessible handouts, organize complex instructions, and create alternative formats for multiple learning preferences, while also being mindful of student privacy, accuracy, and accommodation versus modification. [**Register for AI Bytes: Boosting Accessibility, Not Workload**](#)

- [**Part 3: AI for Universal Design & Accessibility Office Hour**](#) (no registration required. Just pop in and join when you can.)

Friday, March 27: 12:00pm-1:00pm

A live Q&A on using artificial intelligence to support UDL, digital accessibility, equity, and inclusion. Bring your questions about improving access and outcomes in your courses. This is not a webinar — it's an open conversation about practical, barrier-reducing strategies. Topics may include: UDL, digital accessibility, AI-supported accessibility work, ADA Title II expectations, and practical strategies to improve equity and inclusion. Thank you for your continued commitment to creating equitable learning spaces for all students. [**Join Us!**](#)

- [Pope Tech Web Developer Training](#)

Thursday, April 9, 2026: 1:00 pm-2:00 pm

Targeted at web professionals, this session will provide technical information on how to best manage the web accessibility of your organization. [Register for Pope Tech Web Developer Training](#)

- [Leveraging AI to Scale Universal Design for Learning](#)

Thursday, April 16, 2026: 11:00am to 12:00 pm

Universal Design for Learning (UDL) provides a proactive framework to design learning environments where accessibility and equity are built in from the start, rather than retrofitted after the fact. But moving from individual classroom practices to institution-wide adoption may feel overwhelming. This webinar explores how artificial intelligence tools can accelerate and sustain the scaling of UDL across colleges and districts. Participants will see how AI can streamline curriculum processes, such as aligning learning objectives, SLOs, assessments, and instructional strategies, while ensuring they remain culturally responsive and inclusive. [Register for AI to Scale UDL Webinar](#)

- [CSU AimHub Webinar](#)

Tuesday, April 21, 2026: 10:00 am-11:00 pm

Join members of the CCC Accessibility Center and the CSU Accessible Technology Initiative to learn about the Accessible Instructional Materials Hub (AIMHub) alternate format sharing service. We'll cover account creation and how alternate media specialists/DSPS personnel can best utilize this collaborative platform. This is an encore of the 3/4/2026 presentation. [Register for the April CSU AimHub Webinar](#)

For questions about accessibility, email: accessibility@ccctechcenter.org

For questions or recommendations about future PD, email: FacultyPD@cccco.edu

Jessica Fagan

(she/her/hers)

Dean of Academic Affairs

Educational Services and Support Division

jfagan@cccco.edu

California Community Colleges Chancellor's Office

1102 Q Street, Sacramento, California 95811

www.cccco.edu

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 19, 2026

From: Byron D. Clift Breland, Chancellor

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026

1. AGENDA ITEM NAME

Revised Board Policies & Administrative Procedures – Review Cycle Revisions

- **BP/AP 3600, Auxiliary Organizations**
- **BP/AP 3720, Computer and Electronic Communication Systems**
- **AP 3721, District Password Procedure**
- **AP 3722, District Data Security Standards for End Users**
- **BP/AP 3740, Web Sites**
- **AP 3750, Use of Copyrighted Material**
- **BP/AP 3810, Claims Against the District**
- **BP/AP 3820, Gifts and Donations**
- **BP/AP 3900, Speech: Time, Place, and Manner**

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:

The BPs and APs were reviewed as part of the District’s review cycle. Proposed revisions to these policies are recommendations by the CCLC Policy and Procedure Legal Updates Service. [Refer to the enclosed revision summary.]

5. RECOMMENDATION:

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

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

CCLC Legal Updates Service



Board Policy/Administrative Procedures Revision Summary

DCC Meeting – March 23, 2026

Policy/Procedure	Proposed Changes
BP 3600, Auxiliary Organizations	No revisions.
AP 3600, Auxiliary Organizations	CCLC updated this procedure to reflect changes to Title 5 pertaining to District reimbursement by an auxiliary organization in the form of tangible and intangible benefits and to update the legal citations.
BP 3720, Computer and Electronic Communication Systems	No revisions.
AP 3720, Computer and Electronic Communication Systems	No revisions.
AP 3721, District Password Procedure	No revisions.
AP 3722, District Data Security Standards for End Users	No revisions.
BP 3740, Websites	This policy was revised to make minor grammatical corrections.
AP 3740, Websites	No revisions.
AP 3750, Use of Copyrighted Material	No revisions.
BP 3810, Claims Against the District	This policy was revised to update the legal citations and the title of the Vice Chancellor.
AP 3810, Claims Against the District	This policy was revised to update the legal citations and the title of the Vice Chancellor.
BP 3820, Gifts and Donations	No revisions.
AP 3820, Gifts and Donations	This procedure was revised to update the title of the Vice Chancellor.
BP 3900, Speech: Time, Place, and Manner	No revisions.
AP 3900, Speech: Time, Place, and Manner	No revisions.

BP 3600 Auxiliary Organizations

Reference:

Education Code Sections 72670 et seq.;
Title 5 Sections 59250 et seq.

- 1.0 The Board of Trustees may recognize and approve auxiliary organizations established for the purpose of providing to the District any and all supportive services, specialized programs and functions identified in Title 5.
 - 1.1 The Chancellor shall establish the administrative procedures necessary to fully comply with California law relating to auxiliary organizations, and to submit this policy and those procedures to the Chancellor for the California Community Colleges as required by law. At a minimum, the procedures shall address the subjects required by Title 5.
 - 1.2 Recognition and establishment of auxiliary organizations shall include a public hearing on the recommendation to recognize or establish an auxiliary organization; Board of Trustees approval of the auxiliary organization; and approval of a written agreement between the District and the auxiliary organization describing the services, programs, or functions to be performed. All such written agreements shall comply with the requirements of Title 5 Section 59257(j).
- 2.0 Any auxiliary organization recognized by the Board of Trustees shall conduct its business in accordance with the administrative procedures adopted by the Board pursuant to this policy. Notwithstanding anything contained in the administrative procedures, any auxiliary organization recognized by the Board of Trustees shall comply with Education Code provisions regarding:
 - 2.1 The composition of a board of directors and the way in which it conducts its meetings;
 - 2.2 Conducting an annual audit;
 - 2.3 Employing its work force; and
 - 2.4 Expending and appropriating its funds, and keeping its records.
- 3.0 No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations that constrain community college districts or providing the District with an unfair advantage with respect to any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for programs and services for disabled students.

See Administrative Procedure 3600, Auxiliary Organizations.

Date of Adoption: March 23, 2004

Date of Last Revision: June 23, 2020

AP 3600 Auxiliary Organizations

Reference:

Education Code Sections 72670 et seq.;
[Government Code Sections 12580 et seq.;](#)
Title 5 Sections 59250 et seq. [and 58300](#)

1.0 Definitions

- 1.1 **Board of Directors:** The term board of directors as used herein means the governing board of an auxiliary organization.
- 1.2 **Board of Trustees:** The term Board of Trustees as used herein means the Board of Trustees of the District.
- 1.3 **Board of Governors:** The term Board of Governors as used herein means the Board of Governors of the California Community Colleges.
- 1.4 **Chancellor:** The term Chancellor as used herein means the Chancellor of the District or designee.
- 1.5 **District:** The term District as used herein means the North Orange County Community College District.
- 1.6 **Associated Student Body:** The terms Associated Student Body, Associated Student Organization, Student Association, Student Organization, or ASB as used herein means an organization formed by any group of students from a College of the District in accordance with the provisions of Education Code Section 76060. All clubs and organizations recognized by an Associated Student Body or Organization shall be included in any auxiliary organization established by the Student Body or Organization.

2.0 Recognition and Establishment of Auxiliary Organizations

- 2.1 The Chancellor shall submit a recommendation to the Board of Trustees to establish an auxiliary organization when the organization will serve the District. The recommendation includes, but is not limited to, the following:
 - 2.1.1 The purpose(s) for which the auxiliary organization is to be established.
 - 2.1.2 Whether the proposed auxiliary organization will primarily serve the District or a particular college or North Orange Continuing Education.
 - 2.1.3 The functions which the auxiliary organization is intended to perform.
 - 2.1.4 The proposed bylaws and articles of incorporation for the auxiliary organization, including the size and composition of the Board of Directors.
 - 2.1.5 The proposed written agreement between the auxiliary organization and the District, as required in Title 5, Section 59259.

AP 3600 Auxiliary Organizations

- 2.2 The process of recognition shall be as follows:
- 2.2.1 When the Chancellor receives a request to establish an auxiliary organization, the Chancellor shall submit a recommendation concerning the establishment of said organization to the Board of Trustees within three months.
 - 2.2.2 The Board of Trustees shall hold a public hearing on each recommendation concerning the establishment of an auxiliary organization.
 - 2.2.3 At a subsequent scheduled meeting after the public hearing, the Board shall announce its decision concerning the establishment of the organization, and, if approved, authorize the functions it may perform, identify the number and category or categories of the Board of Directors and approve contractual arrangements.
- 2.3 At such time as the District recognizes an auxiliary organization, it shall submit to the California Community Colleges Chancellor's Office any written agreements with the auxiliary organization, as well as the articles of incorporation, bylaws, or other governing instruments.

3.0 Recognized Services, Programs, and Functions

- 3.1 Auxiliary organizations may be recognized and established by the Board of Trustees to perform the following services, programs, and functions which are integral part of the community college educational programs. The following supportive services and specified programs have been deemed to be appropriate:
- 3.1.1 Student association or organization activities;
 - 3.1.2 Bookstores;
 - 3.1.3 Food and campus services;
 - 3.1.4 Student union programs;
 - 3.1.5 Facilities and equipment, including parking;
 - 3.1.6 Loans, scholarships, grants-in-aid;
 - 3.1.7 Workshops, conferences, institutes and federal and specially funded projects;
 - 3.1.8 Alumni activities;
 - 3.1.9 Supplementary health services;
 - 3.1.10 Gifts, bequests, devises, endowments, and trusts; and
 - 3.1.11 Community relations programs.

AP 3600 Auxiliary Organizations

- 3.2 No auxiliary organization shall be authorized by the Board of Trustees to engage in any other function unless the Board of Governors amends Title 5 Section 59259 by adding said function to the list of approved functions of auxiliary organizations; or unless said function is essential to satisfy the non-profit corporation or tax laws of the State of California or the Federal tax laws.
- 3.3 Operations of commercial services on a campus shall be self-supporting when operated by an auxiliary organization.

4.0 Authority and Responsibility of Auxiliary Organizations

- 4.1 Enrollment in courses or programs offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.
- 4.2 All services, programs, and activities that may be undertaken by an auxiliary organization shall be maintained for the general benefit of the educational program of the District. Upon Board of Trustees approval, an auxiliary organization may assume any of the services, programs, and activities listed in these procedures in order:
 - 4.2.1 To provide the fiscal means and the management procedures that allow the District to carry on educationally related activities not normally funded by State apportionment;
 - 4.2.2 To eliminate the undue difficulty that would otherwise arise under the usual governmental budgetary, purchasing, and other fiscal controls except as expressly prohibited by the Education Code or Title 5, or the District's procedures; or
 - 4.2.3 To provide fiscal procedures and management systems that allow effective coordination of the auxiliary activities with the District in accordance with sound business practices.
- 4.3 Participation in workshops, conferences, or institutes offered by auxiliary organizations shall not be included in reports to the state for the purpose of receiving apportionment funding.

5.0 Composition of Boards of Directors

- 5.1 The boards of directors of each auxiliary organization shall have the following composition:
 - 5.1.1 Student Associations or Organizations Established as Auxiliary Organizations: The Board of Directors shall consist primarily of students. The Director of Student Activities may attend and participate in meetings of the Board of Directors in order to advise on policy and to provide for the control and regulation required by Education Code Section 76060.
 - 5.1.2 Other Auxiliary Organizations: Any other District approved auxiliary organization that is established pursuant to Education Code Sections

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72670 et seq. shall have a Board of Directors appointed in accordance with the organization's articles of incorporation or bylaws and consisting of voting membership from one or more of the following categories: Board of Trustees, faculty, administration, staff, members of the community, students.

- 5.2 The size of the Board of Directors of an auxiliary organization shall be at least large enough to accommodate the one or more categories from which board members are selected.
- 5.3 The Board of Directors shall have the advice and counsel of at least one attorney admitted to practice in California and at least one certified public accountant. Upon being notified of the certified public accountant selected by an auxiliary organization, the District shall forward the applicable auditing and reporting procedures to the selected certified public accountant. Neither the attorney nor the public accountant need be a member of the Board of Directors.

6.0 Conduct of Boards of Directors

- 6.1 No member of the Board of Directors of an auxiliary organization shall be financially interested in any contract or other transaction entered into by the Board of which ~~he/she is~~ **they are** a member. Any contract or transaction entered into in violation of this section is void.
- 6.2 No contract or other transaction entered into by the Board of Directors of an auxiliary organization is void under the provisions of Education Code Section 72677; nor shall any member of such board be disqualified or deemed guilty of misconduct in office under such provisions, if pursuant to Education Code Section 72678 both of the following conditions are met:
 - 6.2.1 The fact of such financial interest is disclosed or known to the Board of Directors and noted in the minutes, and the Board thereafter authorizes, approves, or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such financially interested member or members.
 - 6.2.2 The contract or transaction is just and reasonable as to the auxiliary organization at the time it is authorized or approved.
- 6.3 The provisions of Section 6.2 (Education Code Section 72678) above shall not be applicable if any of the following conditions exist:
 - 6.3.1 The contract or transaction is between an auxiliary organization and a member of the Board of Directors of that auxiliary organization.
 - 6.3.2 The contract or transaction is between an auxiliary organization and a partnership or unincorporated association of which any member of the governing board of that auxiliary organization is a partner or in which ~~he or she is~~ **they are** the owner or holder, directly or indirectly, of a proprietorship interest.

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6.3.3 The contract or transaction is between an auxiliary organization and a corporation in which any member of the Board of Directors of that auxiliary organization is the owner or holder, directly or indirectly, of five percent or more of the outstanding common stock.

6.3.4 A member of the Board of Directors of an auxiliary organization is interested in a contract or transaction within the meaning of Education Code Section 72677 and without first disclosing such interest to the governing board at a public meeting of the Board, influences or attempts to influence another member or members of the Board to enter into the contract or transaction.

6.4 It is unlawful for any person to utilize any information, not a matter of public record, which is received by the person by reason of their membership on the Board of Directors of an auxiliary organization, for personal pecuniary gain, regardless of whether ~~he or she is~~ they are or ~~is~~ are not a member of the Board at the time such gain is realized.

6.5 To help ensure compliance with these provisions, the Board of Directors of any auxiliary organization should adopt a conflict of interest policy. Each director must review and acknowledge the conflict of interest policy annually. The conflict of interest policy may address, among other things, the following: appropriate board conduct, gifts, confidentiality, fiduciary responsibilities, and conflicts of interest.

7.0 Bylaws

7.1 The bylaws of an auxiliary organization shall include, but not be limited to, the following:

7.1.1 The number of members of the Board of Directors, the categories from which members shall be selected, and the method by which they shall be selected.

7.1.2 The size of the Board of Directors.

7.1.3 That at least one public business meeting will be held each quarter. The Board of Directors shall conduct its business in public meetings in accordance with the provisions of the Ralph M. Brown Act, Government Code Sections 54950 et seq.

7.1.4 The timetable for the preparation and adoption of its program and annual budget and the submission of both for review to the Chancellor.

7.1.5 That an attorney admitted to practice in this state and a licensed certified public accountant shall be selected to provide advice and counsel to the Board of Directors. Each shall have experience appropriate to the responsibility and shall have no financial interest in any contract or other transaction entered into by the Board, which ~~he/she serves~~ they serve.

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Neither the attorney nor the certified public accountant needs to be a member of the Board of Directors.

7.1.6 The procedures for approving expenditures.

7.1.7 The procedures for accepting gifts, donations, bequests, trusts and specially funded grants and other income.

8.0 Master Agreement between District and Auxiliary Organizations

8.1 In the recognition and establishment of an auxiliary organization, there shall be a written agreement between the District and the auxiliary organization, which sets forth the purposes of the auxiliary organization as permitted under this Regulation, and Title 5 Section 59259.

8.2 Should an auxiliary organization provide more than one service, program, or function, such service, program, or function may be authorized in one or more written contracts with the District. Such services, programs, and functions thereby performed by a auxiliary organization may also be part of a joint powers agreement in accordance with Education Code Section 72671 and Government Code Sections 6500 et seq.

8.3 An auxiliary organization shall provide only those services, programs, or functions authorized by a written agreement. No other service, program, or function shall be permitted or performed unless a written agreement between the District and the auxiliary organization is amended to provide otherwise.

8.4. The agreement shall include, but is not limited to, the following provisions:

8.4.1 The services, programs, or functions the auxiliary organization is to manage, operate, or administer.

8.4.2 A statement of the reasons for administration of the functions by the auxiliary organization instead of by the District under usual District procedures.

8.4.3 The areas of authority and responsibility of the auxiliary organization and the District or College.

8.4.4 The facilities and services to be made available by the District to permit the auxiliary organization to perform the services, programs, or functions specified in the written agreement.

8.4.5 The charge or rental to be paid to the District by the auxiliary organization for the facilities used or services provided in connection with the performance of its function. The charge or rental specified shall be identified in sufficient time before it is incurred so that the organization may determine to what extent it is liable.

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- 8.4.6 ~~Full reimbursement to the District for services performed by the District or by District employees in support of the auxiliary organization. No more than 50% of the reimbursement may be made in the form of non-monetary benefits that the auxiliary organization provides to the District, such as increased community awareness or other such benefits that are agreed upon by authorized District officials and the auxiliary organization. The District shall assign a good faith reimbursement value to such non-monetary benefits. Methods of proration where services are performed by District employees for the organization shall be as mutually determined.~~ The value, form, and manner of District reimbursement by an auxiliary organization in tangible or intangible benefits for the District's provision of district employees, if any, to perform services under the direction of the auxiliary organization. Tangible benefits are financially quantifiable and may include: financial support to the college, student scholarships, and tuition waiver programs; contributions to student athletic, and instructional programs; unrecovered costs; use of auxiliary services, products, or facilities; marketing or promotional events; cash payments; or similar benefits. Intangible benefits are non-monetary and qualitative in nature, and may include: promotion of the college's brand; maintenance and growth of donor data and protection of donor privacy; growth of college endowments and assets; social media engagement; enrollment growth due to funding support; in-kind services of auxiliary board members and executive staff; the performance of functions assigned to the auxiliary; improved relations with college constituencies; and other forms of good will, or similar benefits. Student body auxiliary organizations may be exempt from reimbursing all or any portion of the costs for such services.
- 8.4.7 A mutually agreed upon method of determining in advance to what extent the organization shall be liable for indirect costs relating to specially funded programs (including federally sponsored programs).
- 8.4.8 The responsibility for maintenance and payment of operating expenses.
- 8.4.9 Proposed expenditures for public relations or other purposes, which would serve to augment District appropriations for operation of the District. With respect to these expenditures, the auxiliary organization may expend funds in such amount and for such purposes as are approved by the Board of Directors of the auxiliary organization. The Board of Directors shall file with the Chancellor a statement of such policy on accumulation and use of public relations funds. The statement shall include the policy and procedure on solicitation of funds, source of funds, amounts, and purpose for which the funds will be used, allowable expenditures, and procedures of control.
- 8.4.10 The disposition to be made of net earnings derived from the operation of the auxiliary organization, including earnings derived from facilities owned and leased by the auxiliary organization, and provisions for reserves.
- 8.4.11 The disposition to be made of net assets and liabilities on dissolution of the

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auxiliary organization or cessation of the operations under the agreement.

- 8.4.12 The covenant of the auxiliary organization to maintain its organization and to operate in accordance with Education Code Sections 72670 – 72682 and with the regulations contained in Title 5 Sections 59250 et seq., as well as District Board Policy and Administrative Procedures.
- 8.4.13 The understanding that the auxiliary organization shall obtain the services and counsel of an attorney admitted to practice in the State of California whenever the need arises.
- 8.4.14 The understanding that the auxiliary organization shall not enter into any contract or other business arrangement involving real property either by lease involving payments of more than \$25,000 per annum and duration terms of more than one year, or by purchase without prior notification and consultation with the Chancellor.

9.0 Personnel

- 9.1 Each auxiliary organization shall develop general regulations to govern its operations, including policies and regulations concerning the salaries, working conditions, and benefits of its employees.
- 9.2 The aforesaid regulations shall not conflict with the implementing policies adopted by the Board of Trustees or with these procedures.
- 9.3 Except as otherwise provided in any board rules, the Board of Directors of each auxiliary organization shall, pursuant to Education Code Section 72672, provide salaries, working conditions and benefits for its full-time employees that are comparable to those provided District employees performing substantially similar services. For those full-time employees who perform services that are not substantially similar to the services performed by District employees, the salaries established shall be comparable to the salaries prevailing in other educational institutions in the area or commercial operations of like nature in the area.
- 9.4 Regular District employees may be employed by the auxiliary organization. District employees must resign or request a personal leave of absence from the District in order to accept employment with the auxiliary organization. District officers and employees who are required by the District's Conflict of Interest Code (AP 2710) to file disclosure of financial information are responsible to determine whether or not they are eligible to accept employment with the auxiliary organization immediately upon resignation from the District.
 - 9.4.1 Educational Administrators or other Management Employees may be granted a personal leave of absence for two semesters, which may be extended to a maximum of 10 consecutive semesters.
 - 9.4.2 Classified Management Employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.

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- 9.4.3 Academic (Faculty) Employees may be granted personal leave of absence for two semesters. The leave may be extended for not more than six consecutive semesters.
- 9.4.4 Classified Employees may be granted a personal leave of absence for up to one year. This leave may not be extended beyond one year without the employee first having returned to active duty.
- 9.5 The Board of Directors of each auxiliary organization may provide retirement benefits different from those provided comparable District employees and may withhold retirement benefits of permanent status benefits or both from temporary employees. For the purposes of this Procedure, a temporary employee is:
- 9.5.1 An employee employed for a specific research project, workshop, institute, or other special project funded by any grant, contract, or gift; or
- 9.5.2 An employee whose contract of employment is for a fixed term not exceeding three years.
- 9.6 The Board of Directors of each auxiliary organization may withhold permanent status benefits from executive employees. For the purposes of this procedure, an executive employee is any management employee with responsibility for the development and execution of the auxiliary organization's policies and includes, but is not limited to, general managers, managers, directors and the like, as determined by the Board of Directors of each auxiliary organization.
- 9.7 Should retirement benefits be provided, they may, but need not be provided by the Public Employees' Retirement System. Any newly created auxiliary organization is exempted from the requirement of providing retirement benefits for a period not to exceed three years from the date on which the Board of Trustees recognizes the establishment of such auxiliary organization.
- 9.8 An auxiliary organization may contract with the District for the services of a District employee and reimburse the District for that portion of the employee's full-time assignment (and corresponding benefits) that is spent in providing said services.
- 10.0 Accounting and Reporting for Auxiliary Organizations**
- 10.1 The fiscal year of the auxiliary organization shall coincide with that of the District.
- 10.2 Each auxiliary organization shall develop an accounting system that is in accordance with generally accepted accounting principles.
- 10.3 The auxiliary organization shall implement financial standards that will assure its fiscal viability. Such standards shall include proper provision for professional management, adequate working capital, adequate reserve funds for current operations, capital replacements, contingencies, and adequate provisions for new business requirements.
- 10.4 Each auxiliary organization serving the District shall submit its programs and budgets for review at a time and in a manner specified by the Chancellor.

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Funds derived from indirect cost payments shall only be appropriated with the specific approval of the Chancellor. All uses of such funds shall be regularly reported to the Board of Trustees.

- 10.5 Should the Chancellor determine that any program or appropriation planned by an auxiliary organization is not consistent with District policy, the program or appropriation shall not be implemented. Further, should a program or appropriation which has received approval, upon review, be determined by the Chancellor to be operating outside the acceptable policy of the Board of Governors or the District, then that program or appropriation shall be discontinued by direction of the Chancellor until further review is accomplished and an appropriate adjustment is made.
- 10.6 The Board of Directors of an auxiliary organization shall approve all expenditure authorizations.

11.0 Records and Annual Report of Auxiliary Organizations

- 11.1 Personnel and payroll records shall be maintained as permanent records by each auxiliary organization.
- 11.2 Adequate records of all other transactions of an auxiliary organization shall be maintained for a minimum of five years. Transactions of the organization include, but are not limited to, purchases, disbursements, and investments.

11.3 The auxiliary organization shall publicly disclose, on an annual basis, the value of services performed by District employees under the direction of the auxiliary organization and a description of the commensurate benefits provided to the District by the auxiliary organization pursuant to subdivision (j)(6) of Title 5 Section 59257.

~~11.3~~ 11.4 An annual report shall be submitted to the Board of Directors of the auxiliary organization and to the Chancellor by September 15. The report shall include, but is not limited to:

~~11.3~~ 11.4.1 All financial statements required to be filed with the California Community Colleges Chancellor's Office.

~~11.3~~ 11.4.2 A comparison of budgeted and actual expenditures.

~~11.3~~ 11.4.3 A description of major accomplishments of the organization.

~~11.3~~ 11.4.4 A description of improvements proposed for operation of the organization.

~~11.4~~ 11.5 Records maintained by an auxiliary organization shall be available to the public to inspect or copy at all times during the office hours of the auxiliary organization, pursuant to and with the exceptions provided in Education Code Sections 72690 et seq.

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12.0 Annual Audit

- 12.1 Each auxiliary organization shall have an annual fiscal audit of any and all funds. The audit shall be performed by a certified public accountant in accordance with procedures prescribed by the Board of Governors, as contained in the *California Community College Auxiliary Organization Accounting and Reporting System*. Copies of the annual audit report shall be submitted to the Board of Trustees and to the California Community Colleges Chancellor's Office within 30 days after it is received by the auxiliary organization. Thereafter, it shall be a public record, except as otherwise provided by law. Such audits may be conducted as part of a fiscal audit of the District itself.
- 12.2 Auxiliary organizations shall annually publish an audited statement of their financial condition, which shall be disseminated as widely as feasible and be available to any person on request. A reasonable fee may be charged to cover the costs of providing a copy. An auxiliary organization shall comply with the requirement by:
- 12.2.1 Publishing the audited financial statement in a campus newspaper; or
 - 12.2.2 Publishing a notice in a campus newspaper indicating the on-campus location where copies of the financial statement may be obtained or reviewed; or
 - 12.2.3 Publishing or noticing the audited statement in a campus bulletin or other appropriate medium if a campus newspaper is unavailable.

13.0 Insurance

- 13.1 An auxiliary organization shall secure and maintain insurance adequate to protect its operations from catastrophic losses and as required by law, including but not limited to, the following:
- 13.1.1 Comprehensive liability;
 - 13.1.2 Property and extended coverage, when applicable;
 - 13.1.3 All risks, money, and securities;
 - 13.1.4 Fidelity and performance bonds covering its chief fiscal officer;
 - 13.1.5 Automotive liability when applicable; and
 - 13.1.6 Workers' Compensation.
- 13.2 In any insurance policy secured by the auxiliary organization, the District shall be named as additional insured.
- 13.3 A copy of each policy or endorsement or insurance certificates setting forth the coverage and limits shall be provided to the District within 30 days from the receipt of the document.

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13.4 In obtaining the insurance coverage, the auxiliary organization may secure the insurance directly through its own broker or through the District.

14.0 Auxiliary Organizations: Use of Facilities

14.1 Facilities may be made available by the District to an auxiliary organization to perform the functions specified in these procedures or in an agreement, under the following circumstances:

14.1.1 The auxiliary organization may occupy, operate, and use such District facilities as are mutually identified as appropriate for the functions and/or activities that have been undertaken by the auxiliary organization.

14.1.2 The auxiliary organization shall pay to the District a charge or rental for the District facilities to be used by it in connection with the performance of its function or functions.

14.1.3 The charge or rental to be paid by the auxiliary organization shall not require involved methods of computation, and shall be identified by the District and the auxiliary organization in sufficient time before it is incurred so that the auxiliary organization may determine to what extent it shall be liable.

14.1.4 The charge or rental to be incurred by an auxiliary organization for use of District facilities in excess of five days shall be incorporated into the agreement between the parties.

~~14.1.5 An auxiliary organization shall provide full reimbursement to the District for any services performed by District employees under the direction of the auxiliary organization. Methods of proration where services are performed by District employees for the auxiliary organization shall be simple and equitable.~~

15.0 List of Auxiliary Organizations in Good Standing

15.1 Each year, the Chancellor shall provide to the Board of Trustees a list of all auxiliary organizations in good standing. All auxiliary organizations which, after periodic review in the manner specified hereinafter in these regulations, are found to be in compliance with applicable laws, policies, and procedures shall be included in the list.

15.2 When the Chancellor has reason to believe that a particular organization should be removed from the list of auxiliary organizations in good standing, a conference shall be held to determine whether such grounds for removal do in fact exist. The Board of Directors of such organization shall be entitled to participate in this conference, and shall have a minimum of 30 days notice to prepare a response to the issues that have been raised.

15.3 Based upon such conference, the Chancellor shall recommend to the Board of Trustees whether a particular organization should be removed from the list of

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auxiliary organizations in good standing. The Board of Trustees may, in its sole discretion, remove such an auxiliary organization from said list, and may make such other provisions consistent with law as may be appropriate with respect to an auxiliary organization not included on said list.

15.4 An organization so removed shall not be permitted to do any of the following:

15.4.1 Use the name of the District;

15.4.2 Have as a director any official in the District acting in ~~his/her~~ **their** official capacity;

15.4.3 Operate a commercial service for the benefit of the District or any of its colleges; and

15.4.4 Receive gifts, property, or funds to be used for the benefit of the District or any of its colleges.

15.5 If the auxiliary organization is dissolved or ceases operations upon removal from the list of organizations in good standing, its net assets and liabilities shall be distributed according to the terms of the written agreement between the organization and the District.

16.0 Funds

16.1 Funds of an auxiliary organization shall be used for purposes consistent with District policy where applicable, and shall not be used:

16.1.1 To support or oppose any candidate for public office, whether partisan or not, or to support or oppose any issue before the voters of the state or any subdivision thereof or any city, municipality, or local governmental entity of any kind.

16.1.2 To make personal loans for nonprofit-educationally related purposes, except that such loans be made when specifically authorized by a trust instrument under which the funds were received.

16.2 Grants, bequests, trusts, donations, and gifts accepted by an auxiliary organization shall be maintained in accordance with policies and regulations established by the District.

17.0 Limitation on Transfer of Funds to Auxiliary Organizations

17.1 No funds or resources, other than funds or resources derived from gifts or bequests, shall be transferred by the District to any of its auxiliary organizations for the purpose of either avoiding laws or regulations which constrain community college districts or providing the District with an unfair advantage with respect to the application of any state funding mechanism. Such state funding mechanisms include, but are not limited to, general apportionment funding, capital outlay funding, Extended Opportunity Programs and Services funding, and funding for

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programs and services for disabled students.

18.0 Compliance Review by the Chancellor

- 18.1 All auxiliary organization procedures and practices shall be reviewed to determine compliance with Education Code Sections 72670 et seq., and the policies, rules, and regulations of the Board of Governors of the District. The Chancellor shall designate the individual to conduct this review, which shall be conducted at the end of the first complete fiscal year after its establishment and at least once every three years thereafter.
- 18.2 When the Chancellor's designee determines, after inspection and review, that certain auxiliary organization procedures and practices are not in compliance with policies, rules, and regulations of the Board of Governors and the District, a recommendation concerning the items of noncompliance shall be communicated in writing to the Chancellor and to the Board of Directors of the auxiliary organization. The Board of Directors shall reply in writing within 30 days, either describing the actions which will be taken, including time table, to bring said procedures and practices into compliance; or describing the reasons why the Board considers the procedures already to be in compliance.
- 18.3 If the Chancellor's designee considers the proposed corrective actions to be acceptable, the auxiliary organization shall be so informed. A second compliance review shall be held at the end of the time agreed to and the results communicated in writing to the Chancellor and to the Board of Directors.
- 18.4 When the auxiliary organization fails to provide an acceptable proposal for corrective actions or fails to implement successful corrective actions within the agreed upon time, the Chancellor shall inform the Board of Directors of such further action as ~~he/she~~ **they** considers appropriate, which may include a recommendation to the Board of Trustees for termination of the contract.

19.0 Revisions of Rules and Procedures and Reports to the California Community Colleges Chancellor's Office

- 19.1 Rules and procedures for the administration of auxiliary organizations may be revised as necessary by the Chancellor or designee. The Board of Directors of each auxiliary organization in good standing shall be promptly notified in writing of such revisions and be informed of the date by which any changes in the organization's procedures must be accomplished.
- 19.2 Any such revisions shall be submitted to the California Community Colleges Chancellor's Office for approval.
- 19.3 The District shall report, as may be required from time to time, on the operation of its auxiliary organizations.

See Board Policy 3600, Auxiliary Organizations.

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Date of Adoption: March 23, 2004

Date of Last Revision: February 24, 2020 District Consultation Council
September 25, 2017 District Consultation Council

PROPOSED

BP 3720 Computer and Electronic Communication Systems

Reference:

Education Code Section 70902;
17 U.S Code Sections 101 et seq.;
Penal Code Section 502;
Cal. Const., Art. 1 Section 1;
Government Code Section 3543.1(b)

- 1.0 The District owns and operates computer and electronic communication systems that support the District's mission of providing instruction and support services to students. Employees and students who use District computers and networks and the information they contain, and related resources, have a responsibility to not abuse those resources and to respect the rights of others. The Chancellor shall establish procedures that provide guidelines to students and staff for the appropriate use of information technologies. The procedures shall include that users must respect software copyrights and licenses, respect the integrity of computer-based information resources, refrain from seeking to gain unauthorized access, and respect the rights of other computer users.

See Administrative Procedure 3720, Computer and Electronic Communication Systems.

Date of Adoption: March 23, 2004

Date of Last Revision: July 28, 2020

AP 3720 Computer and Electronic Communication Systems

Reference:

Education Code Section 70902;
15 U.S. Code Sections 6801 et. seq.;
17 U.S. Code Sections 101 et seq.;
Penal Code Section 502, Cal. Const., Art. 1 Section 1;
Government Code Section 3543.1 subdivision (b);
16 Code of Federal Regulations Parts 314.1 et seq.;
Federal Rules of Civil Procedure, Rules 16, 26, 33, 34, 37, 45

1.0 This procedure applies to all District students, faculty, and staff and to others granted use of District computer and electronic communication systems. This procedure applies to all computer and electronic communication systems, either District-owned or individually owned which interfere with District operations or through operation violate District policy. For purposes of this procedure, Computer and Electronic Communication Systems include, but are not limited to, technology endpoints, electronic communication and collaboration systems, software, data, and intellectual property which traverse District-owned, leased, or rented computer hardware, software, database and communication and collaboration systems. Campuses may adopt acceptable use procedures which are not in conflict with this procedure.

2.0 Access to Systems

2.1 District computer and electronic communication systems components, devices, and services are District property. Any electronic device, mail address, account, or license associated with the District or assigned by the District to individuals or functions of the District are the property of the District. All electronic devices, mail addresses, accounts, and licenses and all devices connected to the District's secured computer and electronic communication systems must meet District interface and security protocol as determined by the District. For purposes of this procedure, the word "secured" means protection of District systems and data from unauthorized use.

2.2 Access to the District's computer and electronic communications systems is a privilege that may be revoked or restricted by the Chancellor or designee at any time without prior notice and without the consent of the user. Some reasons for revocation or restriction of access to services include, but are not limited to, the following:

2.2.1 when required by and consistent with law, or when there is probable cause to believe that violations of policy or law have occurred;

2.2.2 when necessary to prevent loss of evidence of violations of policy or law;

2.2.3 when necessary to prevent property damage or loss of property, or bodily harm;

2.2.4 when necessary to prevent liability to the District;

2.2.5 when business operational needs warrant, as determined by the District.

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2.3 Computer and electronic communications systems access privileges will be granted to users only with individually-assigned accounts which must use strong passwords. Passwords may not be transferred, shared, or converted to other individuals without explicit permission from the District.

2.4 Voice mail means an audio message transmitted between two or more systems, whether or not the message is converted to digital format after receipt and whether or not the message is heard upon transmission or stored for later retrieval. Voice mail includes telephonic messages that are transmitted through a local, regional, or global network.

3.0 Privacy Disclosure and Use Disclaimer

3.1 District Electronic Communication Systems and services are District property. Any electronic mail address or account associated with the District, or any sub-unit of the District, assigned by the District to individuals, sub-units, or functions of the District, is the property of the District. Users should be aware that because of the nature of electronic communications and the public character of the District's business, the District's computer and electronic communication systems are not private. Routine maintenance and system administration may result in observation of the contents of files and communications. Access to District computer and electronic communication systems may be logged at the discretion of the District. District computer and electronic systems may be subject to device location tracking. Users should be aware that there is no expectation of privacy or confidentiality in the content of electronic communications or data sent, received, or stored on District systems, and therefore, users should exercise extreme caution in using electronic communications to communicate or store information of a confidential or sensitive nature. Portable devices without encryption such as laptop computers and data storage devices are especially susceptible to theft or loss and should not be used to store any District information.

3.2 Electronic communications that utilize district computer and electronic communication systems equipment, including communication records arising from personal use, whether or not created or stored on District equipment, may be presumed to constitute a District record subject to disclosure under the California Public Records Act or other laws, or as a result of litigation. It is possible for information entered on or transmitted via computer and electronic communication systems to be retrieved, even if a user has deleted such information. Users should be aware of the implications of this presumption in any decision to use district computer and electronic communication systems for personal use.

3.3 Although the District respects the privacy of users and does not routinely inspect, monitor, or disclose electronic communications, the District reserves the right to inspect, monitor, or disclose electronic communications at any time without prior notice and without the consent of the user. Reasons for inspecting, monitoring or disclosing electronic communications include, but are not limited to, the following:

3.3.1 when required by and consistent with law, or when there is probable cause to believe that violations of District policy or law have occurred;

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- 3.3.2 when necessary to prevent loss of evidence of violations of District policy or law;
 - 3.3.3 when necessary to prevent property damage, loss, or bodily harm;
 - 3.3.4 when necessary to prevent liability to the District.
 - 3.4 Inspection or monitoring, other than for routine maintenance and system administration, must be authorized by the Chancellor, Vice Chancellor, or President. Such inspection or monitoring must be limited to materials related to the investigation, and the confidentiality of the inspection must be maintained to the highest degree possible.
 - 3.5 The District cannot protect users from receiving electronic communications they may find offensive, nor can the District guarantee the authenticity of electronic communications received, or that electronic communications received were in fact sent by the purported sender. Users are responsible for materials they access and disseminate on the District's computer and electronic communication systems.
 - 3.6 The District assumes no responsibility for the loss of data on individual owned or District-owned Computer and Electronic Communication Systems due to malicious or destructive software, or as a result of flaws in the application, operating system, or network.
- 4.0 **Acceptable Use**
- 4.1 The District's computer and electronic communication systems are provided to support the educational mission of the colleges, North Orange Continuing Education, and the administrative functions that support this mission, and are to be used primarily for District business-related purposes. Incidental personal use is permitted, provided that such incidental personal use conforms to this procedure and such use does not:
 - 4.1.1 Interfere with the user's employment or ability to perform work assignments or those of another employee;
 - 4.1.2 Directly or indirectly interfere with the District's operation of computer and electronic communication systems;
 - 4.1.3 Burden the District with noticeable incremental cost.
 - 4.2 Use of the District's computer and electronic communication systems and services is limited to the District's students, faculty, staff, and other authorized persons. Users of the District's computer and electronic communication systems and services are expected to do so responsibly and in compliance with local, state, and federal laws, as well as the policies and procedures of the District, and with normal standards of professional and personal courtesy and conduct.
 - 4.2.1 Under no circumstance shall any employee access or alter their own personal records, or cause another employee to access or alter their

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personal records. Banner self-service and myGateway functions are permissible.

- 4.3 The use of the District's computer and electronic communications systems for any of the following is prohibited:
 - 4.3.1 Use which violates local, state, or federal law;
 - 4.3.2 Use which violates board policies or administrative procedures;
 - 4.3.3 Use which violates District software licensing agreements, use of software without legal authorization, or unauthorized duplication, transmission, or use of unlicensed copies;
 - 4.3.4 Use for private commercial purposes not under the auspices of the District;
 - 4.3.5 Use for personal financial gain;
 - 4.3.6 Use, other than for purposes for an authorized course of instruction or system administration that interferes with, disrupts, causes excessive strain on, or interferes with others' use of District computer and electronic communications systems including, but not limited to, the following:
 - 4.3.6.1 Knowingly loading malicious programs onto or from any computer systems;
 - 4.3.6.2 Attempting or gaining unauthorized access or alteration to data, files, emails, or passwords (hacking);
 - 4.3.6.3 Unauthorized tampering with computing resources, including connecting or disconnecting computer equipment or otherwise altering the set-up of any computer or network;
 - 4.3.7 Use for unauthorized advertising, campaigning, soliciting or proselytizing for any religious or political cause, outside organization, business, or individual;
 - 4.3.8 Use for sending defamatory, intimidating, threatening, harassing, discriminatory, abusive, or patently offensive material to or about others, or any use that violates the District policy regarding unlawful discrimination;
 - 4.3.9 Use that violates board policy regarding intellectual property;
 - 4.3.10 Use for intentionally sending or accessing pornography or patently obscene material other than for authorized research or instructional purposes;
 - 4.3.11 Use for unlicensed downloading, copying, or distributing of copyrighted works such as movies or music for other than legally authorized uses, or uses authorized by the District;

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- 4.3.12 Use for connection of non-district devices to the District's computer and electronic communications systems that results in a violation of this procedure;
- 4.3.13 Personal use inconsistent with section 4.3 of this procedure;
- 4.3.14 Personal use which processes, stores, or transmits credit card information.
- 4.4 Users of the District's computer and electronic communication systems shall not give the impression that they are representing, giving opinions, or otherwise making statements on behalf of the District or any unit of the District unless authorized to do so. Where appropriate, an explicit disclaimer shall be included.
- 4.5 Users of the District's computer and electronic communication systems shall not employ a false identity or otherwise transmit or attempt to transmit any message which is misleading as to origination.
- 4.6 The District encourages the use of electronic communication systems to conduct all communication with the community, students, faculty, staff, and business partners. Communication sent from the District or any representative acting on behalf of the District will exclusively use District provided systems. Electronic mail, facsimiles, text messages, or other data that originated or traversed District systems should not be forwarded to personal accounts while conducting District business.
- 5.0 **District Access and Disclosure:** Violations of District policies and procedures governing the use of District computer and electronic communication systems may result in the restriction of access to District computer and electronic communication systems and appropriate disciplinary action, up to and including dismissal.
 - 5.1 Users should have no expectation of privacy or confidentiality in the content of electronic communications or other data sent, received, or stored on District computer systems.
 - 5.2 Although the District does not routinely inspect, monitor, or disclose electronic communications, the District reserves the right to inspect, monitor, or disclose electronic communications without prior notice and without consent. Reasons for inspecting, monitoring, or disclosing electronic communications include, but are not limited to, the following: when required by and consistent with law; when there is significant reason to believe that violations of policy or law have occurred; when failure to act may result in significant bodily harm, when significant property loss or damage would result, when loss of significant evidence of one or more violations of law or of District policies would result, when significant liability to the District or to members of the District community would result; or significant liability to business purposes, such as inspection of the contents of electronic messages in the course of an investigation triggered by indications of misconduct. Such inspections must be authorized by the Chancellor, Vice Chancellor, or President. The inspection must be limited to materials related to the investigation and the confidentiality of the inspection must be maintained to the highest degree possible.

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- 6.0 **Information Security Compliance:** In accordance with the Gramm-Leach-Bliley Act for entities that participate in Title IV Educational Assistance Programs, the District will develop, implement, and maintain a comprehensive information security program containing administrative, technical, and physical safeguards.
- 6.1 The Vice Chancellor of Educational Services and Technology in collaboration with the District Director, IT Infrastructure & Operations and District Director, Enterprise IT Applications Support & Development are responsible for coordinating the District information security program.
- 6.2 The District shall conduct an information security risk assessment to identify internal and external risks to the security, confidentiality, and integrity of student or District information. Risks will be assessed in each of the following areas on an annual basis:
- 6.2.1 Employee training and management;
- 6.2.2 Information systems, including network and software design, as well as information processing, storage, transmission and disposal;
- 6.2.3 Detecting, preventing and responding to attacks, intrusions, or other systems failures
- 6.3 Based on the results of the information security risk assessment, the District shall implement appropriate information safeguards to control the risks identified and regularly monitor the effectiveness of the safeguard's controls, systems, and procedures.
- 6.4 The District will take reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the District information at issue; and require service providers by contract to implement and maintain such safeguards.
- 6.5 The District will evaluate and adjust the information security program in light of the results of the testing and monitoring required; any material changes to the District's operations or business arrangements; or any other circumstances that may have a material impact on the information security program.
- 7.0 **Computer and Electronic System Agreement:** As a condition of providing access to the District's computer and electronic communications systems, users shall sign an agreement, in a form prescribed by the Chancellor, acknowledging that the user has read and understands the provisions of this procedure and agrees to comply with the terms stated herein.

See Board Policy 3720, Computer and Electronic Communication Systems and Administrative Procedure 6365, Accessibility of Information Technology.

Date of Adoption: March 23, 2004

AP 3720 Computer and Electronic Communication Systems

Date of Last Revision: January 25, 2021 District Consultation Council
April 27, 2020 District Consultation Council
September 25, 2017 District Consultation Council
September 26, 2016 District Consultation Council
November 23, 2015 District Consultation Council
April 28, 2008 Chancellor's Cabinet

NO REVISIONS

AP 3720 Computer and Electronic Communication Systems

Computer and Electronic Communication Systems Use Agreement

I have been provided with, and have read District Administrative Procedure (AP) 3720, Computer and Electronic Communications Systems. I agree to comply, and assist any staff for which I am responsible for to comply, with the provisions of AP 3720 regarding the use of the District's computer and electronic communications systems, and by any future terms and conditions of the procedure that may be developed.

I understand that District computer and electronic communications systems components, devices, and services are the property of the District and that access to the District's computer and electronic communications systems is a privilege that may be revoked or restricted at any time without prior notice and without consent of the user.

I also understand that because of the nature of electronic communications and the public character of the District's business, there is no expectation of privacy or confidentiality in the content of electronic communications or computer files sent and received on the District's computer or electronic communications systems or stored in the users' directories, and that the District reserves the right to inspect, monitor, or disclose electronic communications at any time without prior notice and without the consent of the user.

Signature

AP 3721 District Password Procedure

- 1.0 Passwords are an important aspect of computer and information security. They constitute the front line of protection for user accounts. An easily guessed password may result in data breaches that damage the reputation and/or create great financial exposure for the District. All students and employees (including third parties such as contractors and/or consultants who are provided with authorized access to NOCCCD systems) have a shared responsibility to ensure they are following the procedures in this document.
- 2.0 **Purpose**
- 2.1 The purpose of this administrative procedure is to establish a standard for the creation of strong passwords, and the ongoing protection of those passwords. This document further details the implementation of the password provisions of AP 3720, Computer and Electronic Communication Systems.
- 3.0 **Scope**
- 3.1 The scope of this administrative procedure includes all personnel and students who have or are responsible for an account (or any form of access that supports or requires a password) on any system (including cloud and Software as a Service [SaaS] accounts) which resides at or is used by any entity or entity acting on behalf of the District. This procedure applies to all information systems and technology including all networks, equipment, servers, end points, and any other Information Technology service involved in any operation onsite or remote.
- 4.0 **Procedures**
- 4.1 Passwords are used for various purposes at the District. Some of the more common uses include user level accounts (computer login), web accounts, email accounts, voicemail, and local logins.
- 4.2 Password construction requirements include the following:
- 4.2.1 Be a minimum length of ten (10) characters on all systems;
 - 4.2.2 Not contain the username or name of the user;
 - 4.2.3 Not be transmitted in the clear or plaintext outside the secure location;
 - 4.2.4 Not be displayed when entered;
 - 4.2.5 Not contain repeating characters (e.g. pass10241024);
 - 4.2.6 Not contain characters in sequence (e.g. 12345 or qwerty).
- 4.3 Multi-Factor Authentication (MFA), also referred to as two-factor authentication (2FA), is a security enhancement that allows users to present two pieces of evidence—otherwise known as credentials—when logging in to an account. Credentials fall into any of the following three categories:

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- 4.3.1 something you know (like a password or PIN);
- 4.3.2 something you have (like a smart card, authenticator application or physical token);
- 4.3.3 something you are (like your fingerprint - also known as biometrics);
- 4.4 MFA will be enabled for all accounts accessing the student information system (Banner), network resources, servers, endpoints, or any other technology that could compromise any of those systems.
 - 4.4.1 Students, faculty, and staff will have the ability to self-select their choice of receiving an MFA token. In order of most secure to least secure these are:
 - 4.4.1.1 Mobile authenticator;
 - 4.4.1.2 Physical key/token;
 - 4.4.1.3 Email;
 - 4.4.1.4 SMS.
 - 4.4.2 MFA tokens will not be required while using a device connected to the campus network.
 - 4.4.3 MFA tokens will be required upon first sign-in on any new device.
- 5.0 **Password Protection Standards**
 - 5.1 Passwords should not be shared. All passwords should be treated as personal and confidential information. The District recommends the use of a password management tool to generate and store personal passwords.
 - 5.2 Examples of “do nots” regarding passwords. This is not an exhaustive list and may be modified to ensure timely best practices.
 - 5.2.1 No Staff member will ever ask for your password;
 - 5.2.2 Do not reveal a password over the phone to anyone;
 - 5.2.3 Do not request someone’s password;
 - 5.2.4 Do not share your password with a co-worker, supervisor, subordinate, or assistant. Do not reveal a password to a fellow student or friend;
 - 5.2.5 Do not reveal a password in electronic communication (email, text, etc.);
 - 5.2.6 Do not talk about a password in front of others;
 - 5.2.7 Do not hint at the format of a password (e.g. “my family name”);

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- 5.2.8 Do not reveal a password on questionnaires or security forms;
- 5.2.9 Do not share a password with family members;
- 5.2.10 Do not write passwords down and store them anywhere in your office;
- 5.2.11 Do not store passwords in a file on ANY computer or information system that is unencrypted;
- 5.2.12 Do not forget to log off when using a shared computer on the college campus (e.g. public space, lab, library, classroom, etc.)
- 5.3 Poor, weak passwords that are easily compromised contain less than ten (10) characters or a common or familiar word such as:
 - 5.3.1 Birthdays and other personal information such as address and phone numbers, children's names, etc. that are easily discoverable;
 - 5.3.2 Word or number patterns (e.g. aaabbb, qwerty, zyxwvuts, w3e4r5);
 - 5.3.3 Any of the above spelled backwards;
 - 5.3.4 Any of the above preceded or followed by a digit (e.g., secret1, 1secret).
- 6.0 If someone demands a password, refer them to this document or have them call the District Information Services office for further clarification.
- 7.0 If an account or password is suspected to have been compromised, report the incident to your Academic Computing Department or the District Information Services office and immediately change all passwords.

See Board Policy 3720, Computer and Electronic Communication Systems; Administrative Procedure 3720, Computer and Electronic Communication Systems; and Administrative Procedure 6365, Accessibility of Information Technology.

Date of Adoption: April 25, 2022 District Consultation Council

AP 3722 District Data Security Standards for End Users

Reference:

Family Educational Rights and Privacy Act Regulations, 34 CFR Section 99.3;
Education Code Sections 76200 et seq.;
California Assembly Bill No. 1130 Personal information: Data breaches;
Title 5 Section 59020 et seq.

1.0 This procedure applies to all District students, faculty, and staff and to others granted use of District information and data assets (electronic and paper). An information asset is a definable piece of information that is created, collected, stored, manipulated, transmitted or otherwise used in the pursuit of the District's mission, regardless of the ownership, location, or format of the information. Specific protection requirements are mandated for certain types of data, such as credit card information (PCI), personally identifiable information (PII), or financial data. Consistent use of this procedure will help to ensure that we maintain robust data protection for all District information assets.

2.0 Personally Identifiable Information

2.1 Personally Identifiable Information (PII) is information that either alone or combined could directly identify an individual or make the individual's identity easily traceable. PII includes information that is unique to an individual (Direct Identifier) or can be combined with other information to identify a specific individual (Indirect Identifier). For purposes of this procedure, PII means an individual's first name or first initial and last name in combination with any one Direct Identifier or any combination of Direct/Indirect Identifiers that permits a person's identity to be reasonably inferred by someone who does not have personal knowledge of the relevant circumstances.

2.1.1 Direct Identifiers: Information that relates specifically to an individual, such as: name, social security number, student or employee id, driver's license number, address, telephone number, username or e-mail address, account number, credit card number, and biometric record (e.g., fingerprints).

2.1.2 Indirect Identifiers: Information that is not unique to an individual but that can be combined with other information to identify specific individuals, such as date of birth, place of birth, mother's maiden name, gender, race/ethnicity, geographic indicator, verification data (pet's name, etc.), and passwords.

3.0 Information Classification Guidelines

3.1 The District identifies three classification levels based on information's value, legal requirements, sensitivity, and availability to the public. Aggregate information is classified based upon the most secure classification level. That is, when information of mixed classifications exists in the same file, document, or other written form, then the entire file, document, etc. shall be classified at the most secure classification level. For example, a document with both Level 1 – Confidential and Level 2 – General information would be classified as Level 1-Confidential.

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3.1.1 Level 1 – Confidential: Information used by District operations that may contain SSN's, PII, financial, health, or other sensitive data such as passwords that may harm or damage the District or users if exposed to the public or to unauthorized subjects. Confidential data is intended solely for use within the District and limited to those with a "business need-to-know". These data must be secured and protected at all times and only authorized personnel may access such data. Examples of Level 1 – Confidential Information include:

- 3.1.1.1 Social Security Number;
- 3.1.1.2 Driver's license or California identification card number;
- 3.1.1.3 Account number, credit, or debit card number, in combination with the required security code or password;
- 3.1.1.4 Medical information (medical history, conditions, etc.);
- 3.1.1.5 Biometric information (e.g., fingerprints);
- 3.1.1.6 Private key (digital certificate);
- 3.1.1.7 Personal health insurance information (e.g., individual policy number, claims, etc.);
- 3.1.1.8 Personal financial information (e.g., tax exemptions, deductions, etc.);
- 3.1.1.9 Protected health information;
- 3.1.1.10 Law enforcement records (e.g., criminal background check results);
- 3.1.1.11 Legal information (e.g., investigations, attorney/client communication, etc.);
- 3.1.2.12 Contract information (e.g., sealed bids).

3.1.2 Level 2 – General: Other information not specifically protected, but may result in financial loss, legal action, damage to the District's reputation, or violate an individual's privacy rights if released. General information is vital to District operations and not intended for public knowledge or consumption. General classification includes information only for internal use within the District that must be protected due to proprietary, ethical, or privacy considerations. Examples of Level 2 – General Information include:

- 3.1.2.1 Banner ID;
- 3.1.2.2 Student information (e.g., address, gender, date of birth, etc.);

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- 3.1.2.3 Employee information (e.g., home address, personal telephone numbers, race/ethnicity, employment history, etc.);
- 3.1.2.4 Alumni information (same as student and employee information);
- 3.1.2.5 Job applicant information (same as employee information);
- 3.1.2.6 Donor/patron information (same as employee information);
- 3.1.2.7 NOCCCD Research (intellectual property);
- 3.1.2.8 Student directory information – release must comply with AP 5040 and FERPA regulations (student’s name, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student);
- 3.1.2.9 Student educational records – release must comply with AP 5040 and FERPA regulations (grades, GPA, test scores, etc.).
- 3.1.3 Level 3 – Public: Information prepared and approved for the public knowledge and consumption, which is either explicitly defined as public information or intended to be available to individuals both on and off campus. Examples of Level 3 – Public Information include:
 - 3.1.3.1 Employee information (title; work email address, location, and telephone number; position classification; gross salary);
 - 3.1.3.2 Marketing materials;
 - 3.1.3.3 Materials created for public release.

4.0 Standards for Data Ownership

- 4.1 All District employees are considered data stewards and are responsible for properly handling District data within information systems.
- 4.2 Managers are responsible for ensuring the information collected in their areas is being stored, used, shared, and retained in accordance with this procedure.

5.0 Standards for Data Collection

- 5.1 Information collection should only be made where such collections are essential to meet the authorized business purpose and mission of the District. Examples of information collection include web forms, surveys, account creation, payment transactions, etc.

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- 5.2 All District employees should regularly review their data collection procedures and purpose to determine whether it is still relevant and necessary for the District's business. Regular review should take place each semester at a minimum.

6.0 Standards for Data Storage

- 6.1 All District employees should use a District-managed secure storage system as their primary data storage location.
- 6.2 Data from the Level 1 – Confidential category should always be stored in a District-managed secure storage system. Level 1 – Confidential information should never be stored outside of the District-managed secure storage system, such as on a personal hard drive, removable media (USB Drive), personal cloud storage, etc.
- 6.3 Data from the Level 2 – General categories may only be stored on removable media (e.g., USB Drive, personal cloud storage, external hard drive, etc.) for specific business purposes and need to be encrypted.

7.0 Standards for Data Use and Transmission

- 7.1 All District employees should perform day-to-day work using the minimum appropriate level of information. For example, if work only requires Level 2 – General information, do not include Level 1 – Confidential information in the task.
- 7.2 All District employees should use a secure connection to access institutional information systems (e.g., Banner, Argos).
- 7.3 All District employees should use an NOCCCD-managed secure storage system to transmit and share Level 1 – Confidential and Level 2 – General data with other authorized users. Level 1 – Confidential and Level 2 – General information may also be shared using other electronic transmission (e.g., email) so long as the file is encrypted and/or anonymized (PII removed from the file).

8.0 Standards for Data Retention

- 8.1 All District employees should regularly review their holdings of previously collected Level 1 – Confidential and Level 2 – General information to determine whether it is still relevant and necessary for the District's business purpose. Regular review should take place at a minimum of once per semester.
- 8.2 All District employees should delete and/or anonymize (remove PII from the file for long-term storage) any electronic records no longer necessary for the District's business purpose.
- 8.3 Federal, state, or other programs, including various student aid or grant programs, may require longer retention periods and such program requirements shall take precedence over the requirements contained herein. Managers are responsible for ensuring the information in their area is retained according to the most appropriate requirements.

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9.0 Standards for Data Sharing and Data Agreements

- 9.1 Third parties who will access unitary Level 1 – Confidential or Level 2 – General District information to perform a service will sign the NOCCCD Confidentiality and Nondisclosure Agreement and return to the Vice Chancellor of Educational Services and Technology before gaining access to such information.
- 9.2 Third parties interested in requesting unitary District data for research and educational program improvement purposes should enter into a data-sharing agreement specifying the data need, data purpose, data scope, method of secure information transfer (e.g., secure ftp server), and plan for reliable and secure data storage and destruction. Data sharing agreements shall be approved by the Vice Chancellor of Educational Services and Technology before any data are shared. Alternatively, third parties could request to participate in the local research review process for project-specific requests at one of the District institutions or the District site for approval.
- 9.3 All shared information shall remain the property of the District and shall not be disclosed to any outside institution or individual not specifically mentioned in the NOCCCD Confidentiality and Nondisclosure Agreement and/or Data-Sharing Agreement.

Date of Adoption: May 23, 2022 District Consultation Council

BP 3740 Web Sites

- 1.0 Official web sites may be created by the District, the colleges, and the North Orange Continuing Education, as well as the divisions, departments, and other subdivisions therein. An official home page is the web page that serves as the initial entry point to an institution's web site.
 - 1.1 Official web pages may be established only for legitimate educational purposes to enhance the District's educational mission and to facilitate the educational process of the District. Official web pages are created for the express purpose of disseminating District educational and administrative information.
 - 1.2 These web pages are the property of the District and are intended to be closed forums. As such, the District, the colleges and the North Orange Continuing Education reserve the full right and authority to regulate and limit access to them, and to regulate the content of the items posted so they are consistent with the educational purpose of the District.
 - 1.3 Persons wishing to post items on an official web page pertaining to the educational mission of the District may submit such items to the responsible administrator. Official web pages must be reviewed for accuracy and appropriateness by the responsible administrator, in consultation with the District Director of Public [and Governmental](#) Affairs.
 - 1.4 Unless expressly authorized to do so, students, faculty, and staff may not post items on official web pages.
- 2.0 Faculty, staff, and students of the District may establish "personal" web pages that utilize the District's electronic communications systems if the web page is consistent with District standards as stated in AP 3740, [Web Sites](#) and does not violate applicable laws, District or site policies, or assigned resource limits and is established for legitimate educational purposes to enhance the mission of District, colleges and the North Orange Continuing Education.
 - 2.1 Persons wishing to establish personal web pages must obtain approval from the appropriate administrator, obtain training if necessary, and sign an acknowledgment and waiver form, stipulating compliance with this policy.
 - 2.2 Web pages utilizing the District's electronic communications systems are not intended to constitute open forums. Therefore, the District reserves the full right and authority to regulate the content of personal web pages so they are consistent with the educational purpose of the District, and to remove personal web pages from the District's electronic communications systems if they deviate from the District's policies and procedures, or are otherwise deemed by the District to be inappropriate.
- 3.0 Standards and guidelines for the development and maintenance of web pages are established to provide consistency and accuracy of information published on the World Wide Web.

BP 3740 Web Sites

- 4.0 The World Wide Web is a fluid environment that offers access to a wide range of information. While the District assumes responsibility for the accuracy and appropriateness of official District web pages, the District is not responsible for personal web pages. Users who believe the content of a personal page is offensive, obscene, violates District policy, or is inconsistent with the generally accepted norms for web page content may register a formal complaint by contacting the District Office of Public and Governmental Affairs at (714) 808-4829.
- 5.0 Links to other web sites contain information that is created, published, maintained, or otherwise posted by organizations independent of the District. The District is not responsible for the content of linked web sites and does not endorse, approve, certify, or guarantee the accuracy of any such information.
- 6.0 The District is not responsible for materials viewed on personal web pages or linked web pages.
- 7.0 Links found in violation of District policies may be removed without notification.

See Administrative Procedure 3740, [Web Sites](#).

Date of Adoption: March 23, 2004

Date of Last Revision: November 28, 2017

AP 3740 Web Sites

- 1.0 All official web pages must be approved by the administrator in charge of the program, department, or division that is the subject of the page, in consultation with the campus Director of Campus Communications or with the District Director of Public & Governmental Affairs. All official web pages must comply with the following procedures, as well as with those established by the colleges and North Orange Continuing Education.
- 2.0 Developers of official web pages are encouraged to utilize the resources of design professionals in the District in order to ensure the highest level of quality in presentation and style. Web pages should be both interesting and informative, while projecting a consistent and cohesive image.
- 3.0 All official home pages must include:
 - 3.1 The name and logo of the appropriate college, or North Orange Continuing Education.
 - 3.2 The North Orange County Community College District name or the abbreviation of the name with a link to the District home page. The District logo may be incorporated if desired, but is not required.
 - 3.3 Disclaimer statement or link to a disclaimer statement.
 - 3.4 Notification when a link is a non-supported District, college or North Orange Continuing Education link.
- 4.0 All official web pages and personal pages (faculty, staff, and student) must include:
 - 4.1 The name of the appropriate department or division and the name and logo of the appropriate college, or North Orange Continuing Education.
 - 4.2 The author of the page, with contact information, such as a “mail to” html tag.
 - 4.3 The most current modification date.
 - 4.4 Disclaimer statement or link to a disclaimer statement.
 - 4.5 All web pages must have links to the appropriate Home Page (Cypress College, Fullerton College, North Orange Continuing Education, or District).
 - 4.6 Notification when a link is a non-supported District, college or North Orange Continuing Education link.
- 5.0 Official home or web pages may not include:
 - 5.1 Any commercial advertising unless provided as part of free software for use with the pages.
 - 5.2 Information on for-profit activities or advertising unless in support of District, college or North Orange Continuing Education activities.

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- 5.3 Links to non-District-supported personal home pages, unless they support the academic, research, and public service mission of the District.
- 5.4 Copyrighted material without proper authorization.
- 6.0 Photographs, drawings, video clips, or sound clips may not be used on a web page without written permission from the owner of the image. In addition, people who are portrayed in such images must sign a release authorizing the use of their likeness unless the image was taken at an event that was clearly public in nature, where it is not feasible to obtain such a release.
- 7.0 Official web pages and their links should be regularly updated to ensure that they are accurate and timely.

See Board Policy 3740, Web Sites; Board Policy 3720, Computer and Electronic Communication Systems; and Administrative Procedure 3720, Computer and Electronic Communication Systems.

Date of Adoption: March 23, 2004

Date of Last Revision: May 22, 2023 District Consultation Council
April 27, 2020 District Consultation Council
September 25, 2017 District Consultation Council

AP 3750 Use of Copyrighted Material

Reference:

**U.S. Code Title 17, Copyright Act of 1976;
Education Code Sections 32360 and 67302**

1.0 Employees and students shall not reproduce copyrighted materials without prior permission of the copyright owner, except as allowed by the “fair use” doctrine.

2.0 Fair Use (Reference: Copyright Act, Section 107)

2.1 The “fair use” doctrine permits limited use of copyrighted materials in certain situations, including teaching and scholarship. In some instances, copyright owner permission may be required for works that fall within ‘fair use.’

2.2 Single Copying for Teachers

2.2.1 A single copy may be made of any of the following by or for a teacher at their individual request for their scholarly research or use in teaching or preparation to teach a class:

2.2.2.1 A chapter from a book.

2.2.2.2 An article from a periodical or newspaper.

2.2.2.3 A short story, short essay, or short poem, whether or not from a collective work.

2.2.2.4 A chart, graph, diagram, drawing, cartoon, or picture from a book, periodical, or newspaper.

2.3 Multiple Copies for Classroom Use

2.3.1 Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion, provided that:

2.3.1.1 The copying meets the tests of brevity and spontaneity as defined below.

2.3.1.2 Meets the cumulative-effect test as defined below.

2.3.1.3 Each copy includes a notice of copyright.

2.3.2 Definitions:

2.3.2.1 Brevity

2.3.2.1.1 Poetry: (a) A complete poem if less than 250 words and if printed on not more than two pages or (b) from a longer poem, an excerpt of not more than 250

AP 3750 Use of Copyrighted Material

words.

2.3.2.1.2 Prose: (a) Either a complete article, story or essay of less than 2,500 words, or (b) an excerpt from any prose work of not more than 1,000 words or 10% of the work, whichever is less, but in any event a minimum of 500 words. (Each of the numerical limits stated above may be expanded to permit the completion of an unfinished line of a poem or of an unfinished prose paragraph.)

2.3.2.1.3 Illustration: One chart, graph, diagram, drawing, cartoon or picture per book or per periodical issue.

2.3.2.1.4 “Special” works: Certain works in poetry, prose, or in “poetic prose,” which often combine language with illustrations and which are intended sometimes for children and at other times for a more general audience fall short of 2,500 words in their entirety. Paragraph 2.3.2.1.1 above notwithstanding such “special works” may not be reproduced in their entirety; however, an excerpt comprising not more than two of the published pages of such special work and containing not more than 10% of the words found in the text thereof may be reproduced.

2.3.2.2 Spontaneity:

2.3.2.2.1 The copying is at the instance and inspiration of the individual teacher.

2.3.2.2.2 The inspiration and decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

2.3.2.3 Cumulative Effect:

2.3.2.3.1 The copying of the material is for only one course in the school in which the copies are made.

2.3.2.3.2 Not more than one short poem, article, story, essay or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

2.3.2.3.3 There shall not be more than nine instances of such multiple copying for one course during one class term. (The limitations stated in 2.3.2.3.1 and 2.3.2.3.2

AP 3750 Use of Copyrighted Material

above shall not apply to current news periodicals and newspapers and current news sections of other periodicals.

2.4 Prohibitions

2.4.1 Notwithstanding any of the above, the following shall be prohibited:

2.4.1.1 Copying shall not be used to create or to replace or substitute for anthologies, compilations, or collective works. Such replacement or substitution may occur whether copies of various works or excerpts therefrom are accumulated or are reproduced and used separately.

2.4.1.2 There shall be no copying of or from works intended to be “consumable” in the course of study or teaching. These include workbooks, exercises, standardized tests and test booklets, and answer sheets and like consumable material.

2.4.1.3 Copying shall not:

2.4.1.3.1 Substitute for the purchase of books, publisher’s reprints, or periodicals.

2.4.1.3.2 Be directed by higher authority.

2.4.1.3.3 Be repeated with respect to the same item by the same teacher from term to term.

2.4.1.4 No charge shall be made to the student beyond the actual cost of the photocopying.

3.0 **Compilations: (Reference: “Basic Books, Inc. v. Kinko’s Graphics Corp. [S.D.N.Y. 1991] 758 F. Supp. 1522; and Princeton University Press v. Michigan Document Services, Inc., [6th Cir. 1996] F. 3d 1381.)**

3.1 Permission from the copyright owner should be obtained when using excerpts of copyrighted work to create anthologies or “course packs,” even if the excerpts fall under the definitions in the “fair use” doctrine.

4.0 **Online Courses: (Reference: The TEACH [Technology, Education and Copyright Harmonization] Act, USC 17, Copyright Act, Sections 110(2) and 112.)**

4.1 The Teach Act provides instructors greater flexibility to use third party copyrighted works in online courses. An individual assessment will be required to determine whether a given use is protected under the Act. The following criteria are generally required:

4.1.1 The online instruction is mediated by an instructor.

AP 3750 Use of Copyrighted Material

- 4.1.2 The transmission of the material is limited to receipt by students enrolled in the course.
- 4.1.3 Technical safeguards are used to prevent retention of the transmission for longer than the class session.
- 4.1.4 The performance is either of a non-dramatic work or a “reasonable and limited portion” of any other work that is comparable to that displayed in a live classroom session.
- 4.1.5 The work is not a textbook, course pack, or other material typically purchased or acquired by students for their independent use and retention, including commercial works that are sold or licensed for the purposes of digital distance education.
- 4.1.6 The District does not know, or have reason to know, that the copy of the work was not lawfully made or acquired.
- 4.1.7 The District notifies students that the works may be subject to copyright protection and that they may not violate the legal rights of the copyright holder.

5.0 Obtaining Permission to Use Copyrighted Material

- 5.1 Employees copying materials in either the Campus Bookstore or the Mailroom are required to sign a statement acknowledging that the print request is in compliance with all applicable copyright laws.
- 5.2 It is the sole responsibility of the faculty and/or staff member requesting the copies to ensure materials meet copyright standards.
- 5.3 Employees unsure as to whether they are violating copyright law will be directed to the U.S. Copyright Office’s website at <http://www.loc.gov/copyright>.

See Board Policy 3720, Computer and Electronic Communication Systems and Administrative Procedure 3720, Computer and Electronic Communication Systems.

Date of Adoption: December 13, 2004

Date of Last Revision: April 27, 2020 District Consultation Council

BP 3810 Claims Against the District

Reference:

Education Code Section 72502;
Government Code Sections 900 et seq., and 910, and 935

- 1.0 Any claims against the District for money or damages, which are not governed by any other statutes or regulations expressly relating thereto, shall be presented and acted upon in accordance with Title I, Division 3.6, Part 3, Chapter 1 (commencing with Section 900) and Chapter 2 (commencing with Section 910) of the Government Code.
- 2.0 Claims must be presented on the District's approved claim form according to this policy and related procedures as a prerequisite to filing suit against the District.
- 3.0 Claims that are subject to the requirements of this policy and related procedures, include the following, to the extent such claims are not governed by other statutes or regulations expressly relating thereto:
 - 3.1 Claims by Public Entities: Claims by the state or by a state department or agency or by another public entity.
 - 3.2 Claims for Fees, Wages, and Allowances: Claims for fees, salaries, or wages, mileage, or other expenses and allowances.
 - 3.3 Claims for Principal or Interest: Claims for principal or interest upon any bonds, notes, warrants, or other evidences of indebtedness.
 - 3.4 Claims Arising Under Contract: Claims for damages, including liquidated damages, arising from any contractual agreement, whether oral or written, express or implied.

Such claims shall further be subject to the provisions of Government Code Sections 945.5 and 945.6 relating to the prohibition of suits in the absence of the presentation of claims and action thereon by the District.

- 4.0 The designated place for services of claims, lawsuits, or other types of legal process upon the District is:

Office of the Vice Chancellor, ~~Finance and Facilities~~ **Administrative Services**
North Orange County Community College District
Anaheim Campus
1830 W. Romneya Drive
Anaheim, CA 92801

See Administrative Procedure 3810, Claims Against the District.

Date of Adoption: March 23, 2004

Date of Last Revision: July 28, 2020
October 11, 2005

AP 3810 Claims Against the District

Reference:

Education Code Section 72502;
Government Code Sections 900 et seq., and 910 et seq., and 935

1.0 Claims and Actions Against the District

- 1.1 Any and all claims for money or damages against the District must be presented to, and acted upon, in accordance with the following procedures. Compliance with these procedures is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly relieve the claimant from the obligation to comply with this policy and the claims procedures set forth in Government Code Sections 900 et seq.
- 1.2 If a claim, amendment to a claim, or application for leave to present a late claim is presented or sent by mail, or if any notice regarding a claim or application is given by mail, the claim, amendment, application, or notice shall be deposited in the United States mail, in a sealed envelope, properly addressed, with postage paid. Any period of notice and any duty to respond after receipt of service of a claim, amendment application, or notice set forth in this Board policy is extended five days upon service by mail, if the place of address is within the State of California, 10 days if the place of address is within the United States, and 20 days if the place of address is outside the United States. Proof of mailing may be made in the manner prescribed by the Code of Civil Procedure Section 1013a. (Government Code Section 915.2)

2.0 Time Limitations

- 2.1 Claims for money or damages relating to a cause of action for death, injury to a person or personal property, or damage to growing crops, shall be presented to the Board of Trustees not later than six months after the accrual of the cause of action. (Government Code Sections 905 and 911.2)
- 2.2 Claims for money or damages as authorized in Government Code Section 905 that are not included in 2.1 shall be filed not later than one year from the date the cause of action accrues. (Government Code Sections 905, 911.2, and 935)

3.0 Late Claims

- 3.1 Claims under "Time Limitations" paragraph 2.1, which are filed outside the specified time limitation must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action. If a claim under paragraph 2.1 is filed later than six months after the accrual of the cause of action and is not accompanied by the application, the Board of Trustees or Vice Chancellor, ~~Finance and Facilities~~ **Administrative Services**, may, within 45 days, give written notice that the claim was not filed timely and that it is being returned without further action.
- 3.2 The application shall state the reason for the delay in presenting the claim. The Board of Trustees shall grant or deny the application within 45 days after it is

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presented. By mutual agreement of the claimant and the Board of Trustees, such 45-day period may be extended by written agreement made before the expiration of such period. If the Board of Trustees does not take action on the application within 45 days, it shall be deemed to have been denied on the 45th day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

- 3.3 If the application to present a late claim is denied, the claimant shall be given notice in the form set forth in Government Code Section 911.8. (Government Code Sections 911.3, 911.4, 911.6, 911.8, 912.2, and 935)

4.0 Delivery and Form of Claim

- 4.1 A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the Office of the Vice Chancellor, ~~Finance and Facilities~~ Administrative Services, or deposited in a post office, sub-post office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to the District Office with postage paid. (Government Code Sections 915 and 915.2)

- 4.2 Claims shall be submitted on the District's approved claim form, which may be obtained in the Risk Management Office of the District, or in the Physical Plant\Facilities Offices on the college campus, shall provide all of the information required by Government Code Section 910 and shall be signed by the claimant or a person acting on the claimant's behalf. Any claim not presented using the form may be returned to the person presenting it. A claim returned for failure to use the form may be resubmitted using the appropriate form within the time in which a claim may be presented. (Government Code Sections 910, 910.3, 910.4, and 911.2)

5.0 Notice of Claim Insufficiency

- 5.1 The Vice Chancellor, Finance and Facilities, shall cause to have all claims reviewed for sufficiency of information. The Vice Chancellor or designee may, within 20 days of receipt of claim, either personally deliver or mail to claimant a notice stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board of Trustees shall not act upon the claim until at least 15 days after such notice is sent. (Government Code Sections 910.8 and 915.4)

6.0 Amendments to Claim

- 6.1 Claims may be amended within the above time limits or prior to final action by the Board of Trustees, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim.

7.0 Action on Claim

- 7.1 Within 45 days after the presentation or amendment of a claim, the Board of Trustees shall take action on the claim. This time limit may be extended by written agreement before the expiration of the 45-day period or before legal action is

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commended or barred by legal limitations. The Chancellor or designee shall transmit to the claimant a notice of action taken. If no action is taken by the Board of Trustees, the claim shall be deemed to have been rejected. (Government Code Section 912.4)

8.0 Retroactivity

- 8.1 This procedure shall apply retroactively to any causes of action or claims for money or damages that accrued prior to adoption of this procedure.

See Board Policy 3810, Claims Against the District; Board Policy 6540, Insurance; and Administrative Procedure 6540, Insurance.

Date of Adoption: March 23, 2004

Date of Last Revision: April 27, 2020 District Consultation Council
October 11, 2005

PROPOSED

BP 3820 Gifts and Donations

Reference:

Education Code Section 72205

- 1.0 The Board shall consider all gifts, donations and bequests made to the District. The Board reserves the right to refuse to accept any gift which does not contribute toward the goals of the District, or the ownership of which would have the potential to deplete resources of the District.
- 2.0 The District shall assume no responsibility for appraising the value of gifts made to the District.
- 3.0 Acceptance of a gift shall not be considered endorsement by the District of a product, enterprise, or entity.
- 4.0 In no event shall the District accept donations from any donors when the stated purposes of the donations are for unlawful discriminatory purposes.
- 5.0 Acceptance of donations for scholarships to help historically underrepresented groups shall be reviewed with legal counsel.

See Administrative Procedure 3820.

Date of Adoption: March 23, 2004

Date of Last Revision: August 9, 2017 Chancellor's Staff (Reference only)
September 25, 2012

AP 3820 Gifts and Donations

Reference:

Education Code Section 72122

- 1.0 When gifts or donations are received, the appropriate manager of the area receiving the gift must document its receipt in a memorandum to the President or the Vice Chancellor of ~~Finance and Facilities~~ Administrative Services.
- 1.1 The memorandum should specify: the item or dollar amount being donated; the Division or Department receiving the donation; the use or purpose of the donation; the date the donation was received; and the name and address of the donor.
- 2.0 If the President or Vice Chancellor approves acceptance of the donation, the memorandum should be sent to the Chancellor for approval and placement on the agenda of a meeting of the Board of Trustees.
- 3.0 Once approved by the Board of Trustees, a thank you and acknowledgement letter shall be sent to the donor from the President or Chancellor. No dollar value shall be indicated for in-kind gifts.
- 4.0 Gifts to the College Foundations must be accepted, processed, and acknowledged in accordance with legal requirements and procedures established by the Foundation Board of Directors.

See Board Policy 3820 Gifts and Donations.

Date of Adoption: March 23, 2004

Date of Last Revision: September 28, 2020 District Consultation Council
April 27, 2020 District Consultation Council

BP 3900 Speech: Time, Place, and Manner

Reference:

Education Code Sections 66301 and 76120
Penal Code Sections 422.6, 626.4, and 626.6

- 1.0 The North Orange County Community College District (“the District”) is committed to assuring that all persons may exercise their constitutional rights to free speech protected under the First Amendment to the United States Constitution and Article I, Section 2, of the California Constitution. As an owner of property, the District reserves the right to limit the use of its facilities for the exercise of free speech and free expression consistent with the United States Constitution and the California Constitution. The District’s commitment to the exercise of free speech and free expression set forth herein is not intended to permit, while utilizing District facilities, expression and activity that is not otherwise protected by the First Amendment or Article I, Section 2, of the California Constitution (e.g., obscenity, illegal activity, advertising of illegal substances, defamatory speech, true threats, false advertising, and any speech or activity that causes substantial disruption of the orderly operation of the District’s campuses).
- 2.0 The District desires to provide the best available curriculum and facilities in order to encourage its students to matriculate, study, graduate, obtain a place of employment, or go on to obtain a further degree. This policy is designed to encourage students who want to attend class and study in a peaceful and quiet setting to do so without substantial disruption. Maintenance of an atmosphere conducive to learning on campus in order to further the educational process is essential to the District, its students, faculty, and staff.
- 3.0 This policy is intended to respect and protect free speech rights and preserve the District’s substantial interests in: 1) protecting student health and safety, 2) preventing substantial disruption of the learning environment and the orderly operation of District campuses, 3) preserving District facilities for their intended use, 4) coordinating multiple uses of limited space, 5) preventing unlawful, dangerous, or impermissible uses of District facilities, and 6) assuring financial accountability for damages and litter caused by the use of District facilities for speech and advocacy purposes.
- 4.0 It is the policy of the District that its interpretation of Education Code Section 76120, be consistent with the First Amendment of the United States Constitution, Article I, Section 2 of the California Constitution and Education Code Section 66301, and that none of the District’s regulations shall prohibit any speech or expression unless it falls outside the protection of the First Amendment to the United States Constitution and Article I, Section 2 of the California Constitution.
- 5.0 Speech and expressive activities shall be permitted in common areas of each District campus, as defined, including those areas that are designated as recommended free speech assembly areas. The Chancellor or campus designee shall enact such administrative procedures as are necessary to reasonably regulate the time, place, and manner of the exercise of free expression in these common areas.
 - 5.1 The phrase “common areas,” as used in this policy and any administrative procedures enacted to reasonably regulate the time, place, and manner of the exercise of free expression, is defined as publicly accessible outdoor areas of an educational campus such as grassy areas, outdoor walkways, or other similar

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outdoor areas, and excludes areas within 20 feet of doorways opening to outdoor areas of campus, and all indoor facilities, including but not limited to campus offices, classrooms, lecture halls, laboratories, libraries, learning centers, performing arts facilities, indoor and outdoor athletic facilities, locker rooms, parking lots, warehouses, and maintenance yards. All common areas may be reserved by the District, including recognized student organizations, for specific uses.

- 5.2 Recommended free speech assembly areas are those areas that are recommended for speech and expressive activities because they tend to provide visibility and allow communication to a large number of students, administrators, faculty, and others walking or traveling on campus, while mitigating disruption to the educational and other activities of the District. Use of recommended free speech assembly area(s) is strongly suggested, but not required.
- 5.3 Peaceful assembly is best achieved in an atmosphere of mutual respect on the part of the speaker and the audience, recognizing the right of the speaker to be heard and the right of the audience to listen.
- 6.0 The administrative procedures promulgated by the Chancellor or campus designee shall not prohibit the right of students to exercise free expression protected under the First Amendment of the United States Constitution, and Article I, Section 2 of the California Constitution, including but not limited to the use of bulletin boards designated for such use, the distribution of printed materials or petitions, and the wearing of buttons, badges, or other insignia.
- 7.0 Students shall be free to exercise their rights of free expression, subject to the requirements of this policy.
- 8.0 Speech shall be prohibited that is defamatory, obscene according to current legal standards, or that so incites others as to create a clear and present danger of the commission of unlawful acts, activity in violation of District policies or procedures, or conduct that results in the substantial disruption of the orderly operation of the District.
- 9.0 Nothing in this policy shall prohibit the regulation of hate violence, so long as the regulation conforms to the requirements of the First Amendment to the United States Constitution, and of Article I, Section 2 of the California Constitution.
- 10.0 This policy and Administrative Procedure 3900 are intended to be content—and viewpoint—neutral, and shall be implemented as such.
- 11.0 The District expressly disclaims the sponsorship and/or endorsement of any statements or activities of any student, person, or group utilizing the facilities or grounds of the District for speech and advocacy purposes unless there is a written document that is signed and authorized by the Chancellor or designee, which expressly provides for District sponsorship and/or endorsement.
- 12.0 Use of District facilities by the general public also is governed by other provisions of law including but not limited to, the Civic Center Act, Education Code Section 82537. The District shall enact regulations pursuant to this section.

BP 3900 Speech: Time, Place, and Manner

See Administrative Procedure 3900, Speech: Time, Place, and Manner; Board Policy 4030, Academic Freedom; and Board Policy and Administrative Procedures 6700, Civic Center and Other Facilities Use.

Date of Adoption: June 14, 2005

Date of Last Revision: August 25, 2020
April 14, 2015
August 26, 2014
March 14, 2006

NO REVISIONS

AP 3900 Speech: Time, Place, and Manner

Reference:

Education Code Sections 66301 and 76120

Penal Code Sections 422.6, 626.4, and 626.6

- 1.0 The students and employees of the District, and members of the public, shall be permitted to exercise their rights of free expression subject to the time, place, and manner policies and procedures contained in Board Policy 3900 and these administrative procedures. These procedures are enacted to implement and enforce Board Policy 3900 consistent with the First Amendment to the United States Constitution; Article I, Section 2 of the California Constitution; and Education Code Sections 66301 and 76120.
- 2.0 Speech and expressive activities shall be permitted in common areas of each District campus, as defined in Board Policy 3900, including those areas that are designated as recommended free speech assembly area(s). Limitations on the use of common areas or recommended free speech assembly areas will be implemented when needed to address noise, overcrowding, obstruction, safety or other disruptions to campus operations. Should the need arise to limit the number of speakers or groups assembled in these areas, priority to remain in the area being used shall be afforded first to those who had made a reservation to use the space, and then to others who arrived on a first come, first serve basis.
 - 2.1 At Cypress College, the recommended free speech assembly areas are: 1) the stage area at the northeast end of the lake; 2) the area at the west end of the Gateway Plaza; and 3) the area generally located around the lake and near the Students' Activity Center, Library/Learning Resource Center, and the Science, Engineering & Mathematics (SEM) Building. Persons using this third designated free speech assembly area may request up to three locations within this area to exercise their free speech rights and are entitled to walk ten yards in either direction from that location to pass out literature or communicate with other persons. A Free Speech Board is located outside the Humanities Building.
 - 2.2 At NOCE Cypress Center, the recommended free speech assembly area is the main hallway/breezeway in Building 18. A Free Speech Board is located inside the NOCE 100 Building, Bldg 18, inside the hallway, near the bathrooms.
 - 2.3 At Fullerton College, the recommended free speech assembly area is the south end of the quad. Two Free Speech Boards is located north of Building 1200 and west of Building 1000.
 - 2.4 At NOCE Wilshire Center, the recommended free speech assembly area is the north end of campus, in the walkway between the Center quad area and the parking lot. The Free Speech Board is located inside the 200 Building.
 - 2.5 At the Anaheim Campus, which is a multi-story building, the recommended free speech assembly area is the Patio just south of the first floor entrance. A Free Speech Board is located on the first floor, on the south wall of the hallway leading to the Café Cypress dining area directly across from the vending machines.

AP 3900 Speech: Time, Place, and Manner

- 3.0 The common areas, including recommended free speech assembly area(s), as set forth above, may be temporarily reserved by the District, including recognized student organizations, for specific uses, including campus functions or events, maintenance, or compliance with the Civic Center Permit rules set forth in Board Policy and Administrative Procedure 6700, Civic Center and Other Facilities Use. In the event a recommended free speech assembly area(s) or common area becomes temporarily unavailable for use for any reason including, but not limited to, construction or events, campus officials may designate one or more alternate recommended free speech assembly area(s).
- 4.0 Freedom of expression on campus is guaranteed where such expression does not violate District policy, campus rules, or laws on illegal harassment and discrimination, or incite (or tend to incite) others so as to create a clear and present danger of the commission of unlawful acts, cause the substantial disruption of the orderly operation of the campus, or disrupt activities previously scheduled for that day and time in the area(s) sought to be used for expressive activities. In the event the area sought to be used for expressive activities is already in use or has been reserved for another activity, so that there will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content or viewpoint, the campus will offer alternative available areas or if none are available offer alternative dates.
- 5.0 **Use of Common Areas Including Recommended Free Speech Assembly Areas**
- 5.1 Persons and groups are encouraged to act reasonably and to share the common areas, including recommended free speech assembly areas. If no sharing agreement is reached, the non-reserving or later reserving user(s) may use the area earlier or later in the day, or schedule use for another day. Similarly, if a space is already in use or has been reserved for another activity so that there is or will be substantial interference or disruption based on noise, overcrowding, or other considerations unrelated to content, the non-reserving or later reserving user(s) may be asked to move or reschedule their use and the College will offer alternative available areas, if available, or alternative dates.
- 5.2 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Those who distribute such materials are expected to retrieve and remove, or properly discard in an appropriate receptacle, their materials which are discarded or dropped in or around the area being used for expressive activity.
- 5.3 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall not impede the progress of passersby, nor shall they force passersby to stop to engage in dialogue or to receive material or literature being distributed.
- 5.4 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall not touch or strike passersby, except for incidental or accidental contact, or contact initiated by a passerby.
- 5.5 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall not obstruct campus or building

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entrances or interfere with or disrupt classes, meetings, business, events, or other District or campus sponsored or initiated activities occurring in or near the area(s). Such persons or groups shall remain more than 20 feet from doorways opening to outdoor areas of campus.

- 5.6 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall not use any means of amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes taking place.
 - 5.7 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall not solicit donations of money through direct requests for funds, sales of tickets, goods, or otherwise, except where the person or group can demonstrate upon request that the activity is being conducted on behalf of and collecting funds for an organization that is registered with the California Secretary of State as a nonprofit corporation or is an approved Associated Students Organization or club, or is an organization or group directly connected with the institution.
 - 5.8 Persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall neither bring on campus items or articles that are generally considered to be weapons or reasonably capable of being used as weapons, nor use such items or articles as weapons.
 - 5.9 The use of canopies and other large, free-standing display materials by persons or groups are permitted only in the recommended free speech assembly areas. Such materials are not permitted in common areas, unless a reservation is made.
- 6.0 Reservations of Common Areas Including Recommended Free Speech Assembly Areas**
- 6.1 It is the District's intent to prevent overcrowding and obstruction of the free passage of students and staff; to ensure campus security and priority use of property by students and staff; and to avoid disturbing the regular instructional program of the campus.
 - 6.1.1 On the Cypress College Campus: The user shall contact the Campus Safety office to provide the following information:
 - 6.1.1.1 the sponsoring person or group, whose name or identification will be kept in confidence and will not be disclosed, except as required by law, e.g., California Public Records Act;
 - 6.1.1.2 the area proposed to be reserved;
 - 6.1.1.3 the proposed type of usage in generic terms, such as meeting, presentation, speech (without designation of content), or event;
 - 6.1.1.4 the date and time for the proposed event and/or usage; and

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- 6.1.1.5 the anticipated size of the assembly, to the extent known or reasonably subject to estimation.
- 6.1.2 At the NOCE Cypress Center: The user shall contact the Cypress College Campus Safety Office to provide the information listed in 6.1.1.1 to 6.1.1.5.
- 6.1.3 On the Fullerton College Campus: Recommended free speech assembly areas are first-come, first-serve and cannot be reserved in advance for free speech activity.
 - 6.1.3.1 Common areas may be used without a reservation for free speech activity if they are available.
 - 6.1.3.2 Advanced reservations of common areas may be made using the College's online reservations system. Standard reservation procedures apply to advanced reservations.
- 6.1.4 On the NOCE Wilshire Center: The user shall contact the Wilshire Center Site Administrator located in Building 300. Individuals will need to sign-in on the reservation form. Individuals will receive a campus map highlighting the recommended free speech area (north quad area, in the walkway between the quad and the park lot) and a copy of this Administrative Procedure. The Wilshire Center Site Administrator shall contact Campus Safety as an informational item.
- 6.1.5 On the NOCE Anaheim Campus: The user shall contact the Campus Safety Office. Individuals will need to sign-in on the reservation form. Individuals will receive a campus map highlighting the recommended free speech area (outside patio), and a copy of this Administrative Procedure.
- 6.1.6 A request by any person or group to use a common area including a recommended free speech assembly area without a reservation, shall be granted unless:
 - 6.1.6.1 there is a preexisting conflicting reservation or use;
 - 6.1.6.2 conditions exist that preclude use of the areas due to, for example, construction or maintenance;
 - 6.1.6.3 the person or group has on prior occasions damaged District property and has not paid in full for such damage;
 - 6.1.6.4 the proposed use or activity is inconsistent with the character and uses of the area sought to be used;
 - 6.1.6.5 the use or activity intended by the person or group would present a danger to the health or safety of the applicant, or other students, community members, faculty, or staff of the District;

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6.1.6.6 the use or activity intended by the person or group is prohibited by law or District policy or procedure.

6.2 Reservations or use of common areas including recommended free speech assembly area(s) will not be denied based on the content or viewpoint of the speaker(s).

7.0 Postings

7.1 Free Speech bulletin boards shall be provided for use in posting materials at campus locations convenient for use by students, staff, and members of the public. All materials displayed on a Free Speech bulletin board shall clearly indicate the author or agency responsible for its production, and shall be dated with the date of posting by the Cypress College Student Activities Office, the Fullerton College Student Activities Office, or the North Orange Continuing Education Site Administrator at Anaheim Campus, Cypress Center, and Wilshire Center. Materials posted shall be removed after the passage of 14 calendar days in order to free up space and/or to facilitate maintenance.

7.2 It is the District's intent to maintain campus environments that are attractive and conducive to learning. Accordingly, no material may be posted:

7.2.1 in the following interior areas: classrooms, closets, bathrooms, ceilings, windows, trash cans, stairwells, stair railings, elevators, and benches, except as permitted herein;

7.2.2 in the following exterior areas (including material placed on stakes): trees, grass and landscaping, shrubbery, bricks, sign posts, directional signs, directional information or historical markers, vending machines, light poles, and the sides of buildings that have not otherwise been designated for posting; or

7.2.3 on glass, painted surfaces, including painted light posts and railings.

7.3 Postings may not be placed over previously posted materials or campus communications to students, staff and the public. In the event of overcrowding on bulletin boards, speakers may be limited to no more than one posting on a single bulletin board or open posting area.

8.0 Large Groups and Large Materials and Displays

8.1 It is the District's intent to ensure there is sufficient space and resources for crowd control and security for large group events; to take necessary steps to assess whether activities that involving large materials present reasonably foreseeable risks, hazards, or dangers to public health or safety; and to properly respond to those risks, including requiring that adequate security measures be taken to provide protection for persons in attendance at an event and/or for campus property.

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- 8.2 To fulfill these purposes, the District and its colleges need to coordinate with any person or group who wishes to conduct an expressive activity that is expected or reasonably likely to have more than 100 people in attendance or involve the use of materials that are larger than 36 inches by 36 inches.
- 8.3 Except in the circumstances described below, any person or group who wishes to conduct an expressive activity that is expected or reasonably likely to have more than 100 people in attendance or involve the use of materials that are larger than 36 inches by 36 inches is required to notify the Campus Safety Office, using the reservation process described in Section 6.0 above, at least three (3) business days before the day of the expressive activity, and providing information as to the specific location to be used for the event, the estimated expected number of persons, the size and nature of the large materials intended to be used, and the name and contact information of at least one person who can be contacted regarding logistics of the event, which should include at least one person who will be personally present. Event organizers or the applicable college may request a meeting to discuss their respective needs for a safe and successful event.
- 8.4 If such advance notice is not feasible because of circumstances that could not be reasonably anticipated, such as because of very recent or still-unfolding news developments, the person or group is expected to provide as much advance notice as circumstances reasonably permit.
- 9.0 The District disclaims any liability for any damages for any defamation alleged to be committed by any student or member of the public using District facilities, and further disclaims any liability for damages for any violation of copyright, trademark, or service mark laws alleged to have been committed because of any posting or distribution of material on campus. Nothing in these rules, permitting speech and/or distribution of materials on its college campuses and property, shall be construed as requiring the District to provide any defense or payment of damages for defamatory statements made by any student, faculty or staff member, or member of the public, nor shall these rules be construed as requiring the District to provide any defense or payment of damages for violations of copyright, trademark or service mark laws.
- 10.0 Violation of any law, including City ordinances, pertaining to physical violence or the carrying or use of weapons, by any persons or groups using the common areas, including recommended free speech assembly area(s), for expressive activity shall result in exclusion from District property, discipline as appropriate, and potential criminal action.

See Board Policy 3900, Speech: Time, Place, and Manner; Board Policy 4030, Academic Freedom; and Board Policy and Administrative Procedures 6700, Civic Center and Other Facilities Use.

Date of Adoption: June 14, 2005

Date of Last Revision: August 25, 2020 Board of Trustees
May 18, 2020 District Consultation Council
September 25, 2017 District Consultation Council

AP 3900 Speech: Time, Place, and Manner

February 23, 2015 District Consultation Council
June 23, 2014 District Consultation Council
November 24, 2008 Chancellor's Cabinet
March 14, 2006

NO REVISIONS

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 18, 2026

From: Jay Seidel, Professor – Drone Technology

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026.

1. AGENDA ITEM NAME

Drone Policy

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

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

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

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

A set policy to establishes rules governing the operation, launch, landing, and use of drones and other Uncrewed Aircraft Systems (UAS) on or above college property and at college-sponsored events.

5. RECOMMENDATION:

Review/discussion item for possible adoption.

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

Ken Starkman, Dean Engineering & Technology Division – FC
John Krok, Director Campus Safety – FC
Bridgette Kominek, Faculty Senate President – FC
Julianne Leggin, Risk Management and Workplace Safety Director -NOCCCD
Roselyne Hanifa, Risk Management - NOCCCD

Fullerton College Drone and Uncrewed Aircraft Systems Policy (Draft)

1. Purpose

Fullerton College is committed to maintaining a safe, secure, and disruption-free learning and working environment. This policy establishes rules governing the operation, launch, landing, and use of drones and other Uncrewed Aircraft Systems (UAS) on or above college property and at college-sponsored events.

2. Scope

This policy applies to all students, employees, contractors, vendors, visitors, and other third parties on:

- Fullerton College property (grounds, buildings, parking, facilities), and
- Any College-sponsored event (including off-campus locations where the College is the host or sponsor).

3. Definitions

- UAS / Drone: Any uncrewed aircraft (including model aircraft) and associated systems (controller, payload, camera, accessories).
- Operation: Launch, landing, flight, hovering, or active control of a UAS.
- Prolonged operation: Any activity beyond brief, incidental use, including repeated flights, scheduled filming, surveying, training labs, demonstrations, or multi-hour work.

4. Policy Statement: General Prohibition

UAS operations are prohibited on or above Fullerton College property unless conducted under one of the authorized exceptions in Section 5 and approved in accordance with Section 6. Unauthorized UAS activity may be treated as a safety and conduct violation and may be referred to Campus Safety and/or local law enforcement as appropriate.

5. Authorized Exceptions

UAS operations may be permitted only under the following circumstances:

- A. Drone Technology / Academic Instruction and Training
Operations conducted as part of approved instructional activities, labs, curriculum, or College-sanctioned research (e.g., Drone Technology program training activities).
- B. College Administration Authorized Operations
Operations explicitly authorized by college administration for official college purposes, including but not limited to:
 - Campus Communications (marketing, official photography/videography),
 - Commencement / graduation-related official imaging,

- Facilities, risk management, or other official College functions as approved by the appropriate administrator.
 - Public Safety / Emergency Operations
- C. Operations conducted by or under the direction of authorized public safety agencies or officials when required for safety, emergency response, or investigations.

6. Approval and Coordination Requirements

A. Required Authorization

All permitted UAS operations must have prior written authorization from the appropriate College authority (e.g., program leadership for academic training; campus administration for official College purposes).

B. Campus Safety Notification and Authorization for Prolonged Operations

Prolonged operations must be coordinated with Campus Safety in advance and may require written authorization/conditions of operation. Campus Safety provides services to support safety and respond to incidents on campus and should be contacted for operational coordination.

C. Operational Limitations and Safety Conditions

Authorized operations may be limited by time, place, crowd density, weather, nearby events, or other conditions. Operators must comply immediately with directives from Campus Safety and College officials, including any order to pause, relocate, or terminate UAS operations. (Campus Safety maintains emergency communication capabilities and directs safety actions during incidents.)

7. Legal Compliance Requirement

All UAS operations must comply with:

- Federal law and FAA regulations (including Part 107 or applicable recreational rules),
- State law, and
- Municipal/local ordinances and any applicable venue/event rules.

Operators are solely responsible for ensuring they are legally authorized to operate and for maintaining any required certifications, waivers, registrations, or authorizations.

8. Privacy, Filming, and Conduct Expectations

Even when authorized, UAS operations must:

- Avoid creating a hazard, disturbance, or disruption to instruction, services, or campus operations.
- Respect privacy and avoid targeting or harassing individuals.

- Comply with any College directives related to filming/recording, use of likeness, or restricted areas.
- Not interfere with emergency procedures, evacuation routes, or emergency response activities.

9. Prohibited Activities (Non-Exhaustive)

The following are prohibited on college property except as expressly authorized in writing:

- Launching/landing/operating a UAS without approval.
- Flying over crowds, building entries/exits, or areas designated as restricted for safety.
- Operating in a manner that endangers persons or property or interferes with college operations.
- Operating during an emergency or when Campus Safety issues a restriction.
- Operating for personal commercial purposes (e.g., paid shoots) without college authorization.
- Operating any UAS in connection with prohibited conduct or unsafe activity.

10. Enforcement, Reporting, and Immediate Response

Campus Safety may respond to UAS incidents and violations, complete incident reports, and coordinate with local law enforcement when needed.

Anyone observing unsafe or unauthorized UAS activity should notify Campus Safety immediately (Campus Safety contact information is published in college safety materials).

11. Penalties and Sanctions

Violations of this policy may result in one or more of the following, depending on severity:

- A. Administrative Actions
 - Immediate cessation of operations.
 - Removal from campus for visitors/vendors.
 - Revocation of authorization for current or future UAS operations.
- B. Student and Employee Discipline
 - Students may be subject to the College's student conduct and discipline processes.
 - Employees may be subject to applicable employee discipline procedures and District policies. (College policy materials describe discipline procedures and notice/appeal concepts for certain violations; similar due-process principles apply under relevant District/College procedures.)

C. Restitution and Costs

- The operator may be responsible for repair costs, restitution, or other expenses resulting from damage or disruption.

D. Law Enforcement Referral

- Violations involving public safety risk, restricted conduct, or suspected legal violations may be referred to the Fullerton Police Department or other appropriate law enforcement agencies.

12. Authority and Exceptions

The College reserves the right to restrict or prohibit UAS operations at any time for safety, security, or operational reasons. Exceptions to this policy, if any, must be approved in writing by the appropriate College administrator and may require Campus Safety conditions/oversight.

DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: March 16, 2026

From: Ariel Gentalen, LGBTQIA2S+ Resource Program Special Projects Manager, Fullerton College and Jenelle Herman, LGBTQIA2S+ Liaison, Cypress College

Re: Agenda Item for District Consultation Council Meeting of March 23, 2026

1. AGENDA ITEM NAME

New AP Inclusive Restrooms and AP Inclusive Locker Room Facilities

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION: **20 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

A workgroup comprised of district wide representation has developed proposals for AP Inclusive Restrooms and AP Inclusive Locker Room Facilities to codify existing campus and district commitments to inclusive facilities.

The North Orange County Community College District is committed to providing an inclusive, supportive, and non-discriminatory learning and working environment for all, ensuring that every student and employee has equal access to the district’s educational programs, services, and activities. The North Orange County Community College District fosters an equitable, inclusive, and supportive learning and working environment that empowers all students and employees to thrive. An equitable learning and working environment must be reflected in our physical spaces across the District, ensuring accessibility, safety, and inclusion.

5. RECOMMENDATION:

It is recommended that DCC members complete a first read to discuss, and provide feedback and/or questions on the new AP Inclusive Restrooms and Locker Room Facilities.

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

Senior Leadership Consulted:

- **Dr. Byron D. Clift Breland (Chancellor, District)**
- **Dr. Cynthia Olivo (President, Fullerton College)**
- **Valentina Purtell (President, NOCE)**

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

- Dr. Sonia de la Torre (VPSS, Fullerton College)
- Dr. Paul de Dios (VPSS, Cypress College)
- Dr. Tony Jake (VPAS, Cypress College)
- Martha Gutierrez (VPSS, NOCE)

Shared Governance Groups and Impacted Programs:

- CSEA President (District)
- Classified Senate (Cypress)
- DSS (NOCE, Fullerton College, Cypress)
- Diversity Advisory Committee (Fullerton College)
- DEIAA Committee (NOCE)
- EOPS (Fullerton College, Cypress)
- Facilities and Maintenance (Fullerton College)
- SEA Committee (NOCE)
- Queer Student Advisory Committee (Fullerton College)
- LGBTQIA2S+ Students (Cypress, Fullerton College, NOCE)

Consulted Faculty and Staff:

- Craig Goralski (Professor, Cypress College)
- Jaclyn Magginiti (Professor, Cypress College)
- Dr. Connie Moreno Yamashiro (Director, Student Development and Engagement Fullerton College)
- Bridget Kominek (Faculty Senate President, Fullerton College)
- Saimy Castillo Bolivar (Student Trustee, Fullerton College)
- Gilberto Valencia (Coordinator, Cadena Cultural Center, Fullerton College)
- Deb Perkins (Director, Student Equity and Success, Counseling and Student Services, NOCE)
- Michelle Patrick (Academic Senate President, NOCE)
- Terry Cox (Director, Administrative Services, NOCE)
- Christian Garcia (LGBTQIA+ Program Coordinator, NOCE)

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

AP: All-Inclusive Restrooms

The North Orange County Community College District is committed to providing an inclusive, supportive, and non-discriminatory learning environment for all students and to ensuring that every student has equal access to the district's educational programs, services, and activities. All District and campus planning shall prioritize accessible, equitable, inclusive, and safe restrooms for all students and employees.

The following guidelines have been established to create consistency and reliability for students and employees regarding the availability of all-inclusive restrooms. These guidelines exist to affirm students and employees' identities and physical needs.

The District recognizes that all-inclusive restrooms must be highly visible, non-gender-segregated multi-user spaces, providing a mix of individual and private rooms that contain toilets and sinks.

The District further recognizes all-inclusive restrooms must exist in safe, secure and accessible locations, consistent with other facilities. Their access and visibility shall be equal to that of other restrooms and shall be in heavily trafficked and commonly used locations. They must be marked on the exterior door, as well as on campus maps, with all-inclusive restroom signage consistent with current best practices, across the District. Any final recommendations for signage should include LGBTQ+ liaisons at each campus to ensure continuity, inclusivity, and representation across the district.

The District shall provide all-inclusive restrooms in all new construction and major renovation plans. At minimum, there shall be one all-inclusive restroom on every floor, in every building, with a preference towards all-inclusive multi-stall facilities, in accordance with current best practices. All efforts shall be made to make the existing restrooms as inclusive as possible.

The District shall ensure that newly constructed, renovated, and current existing restrooms are equally well-equipped to meet the diverse needs of all students, employees, and visitors, regardless of gender identity, accessibility, mobility, or additional individual needs. This can include but is not limited to menstrual products, changing tables, stalls with floor to ceiling doors for maximum privacy, in-stall trash receptacles, handrails, mirrors, and clear signage.

AP: All-Inclusive Locker Facilities

The North Orange County Community College District is committed to providing an inclusive, supportive, and non-discriminatory learning and working environment for all, ensuring that every student and employee has equal access to the district's educational programs, services, and activities. All District and campus planning shall prioritize accessible, equitable, inclusive, and safe facilities for all students and employees.

The following guidelines have been established to create consistency and reliability for students and employees regarding the availability of all-inclusive locker facilities. These guidelines exist to affirm students and employees' identities and physical needs.

The District recognizes that inclusive locker facilities are designed to be accessible and comfortable for everyone. These facilities shall offer a private, safe, and inclusive space for all users, including but not limited to those with housing insecurity, gender diversity, disabilities, and a need for caregivers. All users shall be offered the same level of privacy and access to lockers, toilets, showers, sinks, and changing facilities.

The District shall make every effort to make the existing locker facilities as inclusive as possible. Every locker facility shall be equally well-equipped to meet the diverse needs of all students, employees, and visitors, regardless of gender identity, accessibility, mobility, or additional individual needs. Inclusive locker facilities shall include private showers, private toilet stalls, with a private sink area, that have shared locker space. Efforts shall be made to update existing locker facilities to include multiple private showers, private changing areas, and gender-inclusive signage consistent with current best practices. Any final recommendations for signage should include LGBTQ+ liaisons at each campus to ensure continuity, inclusivity, and representation across the district.

All future locker room construction and major renovations shall include the development of a universal, all-gender locker room¹ with completely private changing rooms, showers, and toilets, that can be used by all students, employees and visitors, regardless of who they are or how they may identify, in addition to existing, gender-specific locker room facilities. These all-inclusive universal locker room facilities must exist in safe, secure, and accessible locations, consistent with other gendered facilities.

¹ <https://recwell.berkeley.edu/facilities/recreational-sports-facility-rsf/lockers/universal-locker-room/>