



## District Consultation Council Meeting

February 22, 2021

2:00 p.m.

Zoom Teleconference | Meeting ID: 926 9641 5355

<https://nocccd-edu.zoom.us/j/92696415355>

### AGENDA

#### CONSENT CALENDAR & SUMMARY

- |                                     |        |
|-------------------------------------|--------|
| 1. Approval of Consent Agenda Items | N/A    |
| 2. January 25, 2020 Summary         | Action |

#### STRATEGIC GOALS & PLANNING

- |                     |             |
|---------------------|-------------|
| 1. One-time Funding | Information |
|---------------------|-------------|

#### OPERATIONAL REVIEW

- 1.

#### POLICY

- |                                                                                 |             |
|---------------------------------------------------------------------------------|-------------|
| 1. Revised BP 2715, Code of Ethics                                              | Discussion  |
| 2. Revised BP/AP 4235, Credit by Examination <a href="#">for Prior Learning</a> | Action      |
| 3. Faculty Hiring Procedures                                                    | Information |

#### OTHER ITEMS

- 1.

**DISTRICT CONSULTATION COUNCIL**  
**January 25, 2021**

**SUMMARY**

**MEMBERS PRESENT:** Morgan Beck, Tonya Cobb, Damon De La Cruz, Carlos Diaz, Christie Diep, Craig Goralski, Cherry Li-Bugg, Cheryl Marshall, Lisa McPheron, Arturo Ocampo, Kim Orlijan, Jeremy Peters, Valentina Purtell, Irma Ramos, Lizeth Sanchez, JoAnna Schilling, Greg Schulz, Kai Stearns, Joseph Vasquez, and Fred Williams.

**VISITORS:** Rod Garcia and Fola Odebunmi.

Chancellor Cheryl Marshall called the Zoom teleconference meeting to order at 2:01 p.m.

**CONSENT CALENDAR & SUMMARY**

**Consent Items:** The agenda contained no consent items.

**Summary:** The summary of the November 23, 2020, meeting was approved as submitted.

**STRATEGIC GOALS & PLANNING**

**2021-2022 Governor’s January Budget Proposal:** Fred Williams, Vice Chancellor of Finance & Facilities provided a brief overview of the Governor’s 2021-2022 Budget Proposal.

Community College One-time Funding: Emergency aid to students, work-based learning, mental health, student retention and (re)enrollment, on-line education infrastructure, and expansion of apprenticeship.

Community College On-going Funding: COLA, growth, and the buy down of deferrals.

Economic Forecast: 2021-22 – \$15 billion estimated surplus; 2022-23 – (\$7.6) billion deficit; 2023-24 – (\$8.7) billion deficit; and 2024-25 – (\$11.3) billion deficit.

Budget Highlights: COLA 1.5% (\$111.1 million); Growth .5% (\$23.1 million); Buy down of deferrals (\$1.1 billion leaving \$326.5 million); and PERS/STRS stabilization.

**Estimated Cal PERS/STRS Rates**

	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>
STRS	17.10%	16.15%	15.92%
PERS	19.721%	20.70%	23.00%

Other Funding: Emergency Financial Assistance – \$250 million (\$100 million for student financial needs and \$150 million for grade requirements); Zero Textbook Costs – \$15 million; Student Basic Needs – \$130 million (\$100 million over 3 years for housing and food security, and \$30 million for mental health); Student retention and (re)enrollment – \$20 million; On-line education support and infrastructure – \$13.1 million.

## Flexible Federal Funding (Part of the 20-21 Year)

	<b>Amount</b>	<b>Minimum for Students</b>	<b>Maximum for Institution</b>
Fullerton	\$20,180,789	\$4,850,367	\$15,330,422
Cypress	\$15,639,532	\$3,573,967	\$12,065,565

There will be \$1.286 billion in flexible funding for California Community Colleges to use within one year. Allowable uses include operating expenses, backfill from lost revenue, authorized student support services, and Financial Aid grants without regard to immigration status.

Other: There is a difference in COLA funding for K-12 (3.84%) and community colleges (1.5%). Prop 98 funding will now go to student aid which will reduce the institutional funding and could be problematic in the long term.

Vice Chancellor Williams reminded the group that in January last year the State had a very good budget, but at the May Revise had significant differences. He noted that the District's enrollment decline at 7% is much better than other districts due to declining enrollment statewide with some districts declining by 40%. He cautioned that while the PERS/STRS rates were bought down for another year, and that is a direct savings for the District and budget centers, it is only temporary.

During the discussion, the following points were asked/stated:

- What is the timeline for the federal funds disbursement? Some districts have already received it with it going directly to Financial Aid. As soon as the campuses are notified they will have access to the funds, but there needs to be a discussion on the NOCE allocation.
- The federal funds do not include an allocation for NOCE, but the Department of Finance confirmed that non-credit students are eligible even without a designation. The State Chancellor's Office also used NOCE enrollment to calculate funding that was included with the financial allocation to the Colleges.
- The higher K-12 COLA is intended to partially cover this year and next year and designed to help open the schools. The belief is that open schools will help open the economy by allowing people to go back to work without children at home. The message to Governor will be that community colleges also have additional costs that warrant additional COLA.
- A status update on CARES funding will be coming soon and will include funds spent to date and allocated amounts.
- Vice Chancellor Williams suggested that the campuses reconsider the \$10 million in backfill allocations from one-time funding dollars due to the newly available federal funds.

**One-time Funding:** Vice Chancellor Fred Williams provided a status update of one-time funding from the December 7, 2020 Council on Budget & Facilities (CBF) meeting. He noted that adjustments for the hold harmless funding for 20-21 have not been made.

Categories for student basic needs, emergency preparedness, increase to revenue, student success and equity, sustainability, capital improvements, and institutional capacity that were previously removed have been added back to the listing. A line item for \$131,760 was added for Human Resources automated processes.

An allocation of \$5 million to backfill the campuses for the Spring 2021 semester was also added. Vice Chancellor Williams highlighted that the \$10 million in backfill to the campuses, for Fall 2020 and Spring 2021, is what he suggested could be taken back since those funds do not have spending restrictions and can be carried over.

He noted that the next two years of hold harmless funding have not been included, but cautioned that deficits are expected and those funds could be used to cover the deficits that the State will pass on to the District.

During the discussion, the following points were asked/stated:

- The rationale for the \$10 million makes sense. That information will be shared and Fullerton College is open to input as they continue their planning.
- There needs to be a systematic way to bring funding proposals, which is currently lacking, so that funding can be provided to the campuses. Perhaps use the list of criteria that was previously developed (by FTES, by enrollment, etc.) and take that back to CBF?
- With the federal funds freeing up one-time funding dollars, CBF needs to have a discussion that incorporates those facts.
- Have caution as to how the federal funds are split because they are not interchangeable dollars. CARES funding has specific criteria that needs to be tied to certain requirements and cannot be used for some of the projects.

**Strategic Plan Allocation: Diversity, Equity, Inclusion, and Anti-racism:** The Strategic Plan Fund was set up over five years ago by the Board to support projects that would contribute to strategic directions, but the \$1 million allocation has not been used in the past four years. With the new Educational and Facilities Master Plan and the District's renewed commitment to Diversity, Equity, Inclusion and Anti-racism, Chancellor Marshall recommended earmarking \$400,000 of those funds to support campus and District-wide initiatives.

Suggestions for allocations were based on a review of the campus reports, meetings with the DEI Faculty Fellows, Campus Task Forces, United Faculty RJEC, and discussion in Chancellor's Staff, and include items that were consistently mentioned to address DEIA, social justice, and anti-Blackness in the District.

Proposed initial actions/initiatives include: Legacy and Umoja Program support, mental health counseling, mentoring for employees and students, student internships, expansion of the DEI Faculty Fellows, expansion of the Future Instructor Training Program, trained facilitators to guide discussions on DEIA (both external and internal), professional development, and stipends for work on selected projects at each campus.

Additional proposed actions that may be incorporated into the above list or be completed as a part of on-going responsibilities: communication and messaging campaigns; review of the Faculty of Color Survey and determination of next steps; changes to Campus Safety procedures; changes to recruitment and hiring procedures; review of Board Policies and Administrative Procedures; and changes to evaluation processes and tools.

The total proposed allocation of \$400,000 to be distributed as follows:

Budget Center	Spring 2021*	2021-22 Year
Cypress College and Fullerton College	\$35,000 each	\$110,000 each
NOCE	\$15,000	\$40,000
Districtwide or District Services	\$15,000	\$40,000

\* Funds would rollover if not spent

To ensure transparency and accountability, reports from each campus and District Services would be provided to CBF, DCC, and the Board of Trustees on a quarterly basis with the first report due in April 2021.

Chancellor Marshall noted that the proposal was previously shared with CBF and includes suggestions for what can be done based on that discussion across the District. The work noted would begin over the next 12 months. She stated that the allocation would be presented to the Board at the February 9 meeting and it would include a report to provide context, share the work that has already taken place, and longer term planning.

During the discussion, the following points were asked/stated:

- How much was allocated by the Board? \$1 million. The funding has not been used for the last few years because the projects were more operational in nature, so it was stopped. The funding previously used is not factored into this proposal; it would be a new \$1 million.
- If the Board asks, what is the plan for the remaining \$600,000? There is currently no exact answer, but since the District has a new EFMP, it might be used there, but what that looks like is unknown.
- The work on the campuses via the faculty-driven task forces might have planning suggestions.
- Reminded the Chancellor to take remember the Black Lives Matter Task Force recommendations when considering how to allocate the funds.
- Long term goals that need funding, like positions, will be included in the Board Report and that will include the BLM Task Force recommendation for an Ombudsperson position.
- The report to the Board will require input from campuses and Dr. Marshall asked the campuses to provide any finalized reports in order to help differentiate between the short-term and long-term needs.
- The Latino Faculty and Staff Association is working on document similar to the BLM Task Force recommendations and it might include overlapping recommendations.

## POLICY

**Board Subcommittee Revised Policies:** DCC received two board policies that were revised by the Board of Trustees Policy Subcommittee and initially reviewed by the Board.

**BP 2310, Regular Meetings of the Board:** This policy was revised to clarify when Board meetings occur in Section 1.0; to add language in the newly created Sections 7.0 and 8.0 regarding teleconferenced meetings and procedural rules; make grammatical corrections; and to cite the corresponding policies and procedures. **There was consensus to approve BP 2310 and forward it to the Board of Trustees for their consideration.**

BP 2715, Code of Ethics/Standards of Practice: This policy was substantially revised to expand on the expectations of trustees (Sections 1.0 – 1.16); clarify the formal complaint process related to trustee misconduct (Sections 2.0 – 5.0); make grammatical corrections; include gender neutral language; and to cite the corresponding policies and procedures.

During the discussion, members requested clarification from the Board Subcommittee regarding the following points:

- Section 3.0: Is the reporting on a resolution after speaking to the trustee done during a Board meeting and at open session?
- Section 3.0: Who deems that further action is needed? Board President or someone else?
- Section 3.0: What is the rationale behind making the ad hoc committee optional?
- Section 3.0: Can a timeframe for the process be outlined and/or suggestions given from DCC members?
- Section 4.0: What are some examples of “less severe sanctions”?
- Section 4.0: Why do less severe sanctions require a majority vote?

DCC recommended changing “may” to “will” in Section 3.0 to read, “If resolution is not achieved and further action is deemed necessary, the Board President **will** appoint...” Members were asked to solicit feedback on the appropriate length of time to file a complaint in Section 2.5.

Chancellor Marshall stated she would relay the inquiries to the Subcommittee and provide responses so that they can be included in the BP when it is shared at the campus level. She requested that members share the BP at that time with their constituencies and campuses, and be prepared to share that feedback via Teams in preparation for the February DCC meeting.

**Revised AP 3720, Computer and Electronic Communication Systems**: DCC received revisions to AP 3720 that were made to reflect changes per the Community College League of California (CCLC) Policy and Procedure Legal Updates to add a section to address information security program requirements for institutions that participate in Title IV Educational Assistance Programs. Additional revisions were also recommended by the Technology Coordinating Council to reflect current terminology and practice.

During the discussion, members revised Section 4.3.14 to include “personal” to read, “**Personal** use which processes, stores, or transmits credit card information.” **There was consensus to approve revised AP 3720 and post it on the District website.**

**ADJOURNMENT**: The meeting adjourned at 3:07 p.m.

# DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 16, 2021

From: Fred Williams and Irma Ramos

Re: Agenda Item for District Consultation Council Meeting of February 22, 2021

1. AGENDA ITEM NAME

**One-time Funding**

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

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

3. ESTIMATED TIME REQUIRED FOR PRESENTATION/DISCUSSION:

**10 minutes**

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

**At the February 8, 2021 Council on Budget and Facilities (CBF) meeting, the Council recommended removing the campus Fall 2020 and Spring 2021 semester backfill allocation (\$10,000,000) out of one-time funds and defer funding to CRRSSA – HEERF II funds. However, after additional research, the 2020 Fall semester was not eligible to be covered with CRRSSA funds. Therefore, it is requested for \$5,000,000 of one-time funding be deferred to CRRSSA – HEERF II funding for the Spring 2021 campus lost revenues.**

**At the January 25, 2021 DCC meeting, information was provided to the committee regarding funding for the HR automated processes (SIG) project. It is requested that \$131,760 of one-time funding be approved for the HR automated Processes (SIG) project.**

5. RECOMMENDATION:

**It is recommended that \$5,000,000 of one-time funding to backfill campuses for lost revenue for the Fall 2020 semester be used and the \$5,000,000 that was previously allocated for the Spring 2021 semester be added back to the unallocated one-time funding total, for an unallocated balance of \$19,398,620.**

**It is also recommended that DCC approve the previously discussed \$131,760 of one-time funding for the HR Automated Processes (SIG) project.**

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

**Budget Officers**

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

**North Orange County Community College District**  
**One-time Funding Discussion**  
**DCC**  
**February 22, 2021**

Districtwide	<b>Districtwide</b>								
MOUs- 20-21 COVID Fall Semester	2,000,000								
MOUs- 20-21 COVID Spring Semester	645,000								
Student Basic Needs									
Emergency Preparedness									
Increase to Reserves									
HR Automated Processes (SIG)	131,760								
 Off-Schedule Salary Increases - 2020-21									
Faculty	5,750,000								
CSEA - 1% (Offered)	463,249								
Mgmt - 1%	182,022								
Confidential - 1%	15,690								
SERP Payments	3,000,000								
 Technology									
 Title IX -Compliance	550,000								
 Campus Priorities:									
Backfill Campuses for lost Revenue:									
Fall Semester 2020	5,000,000								
Spring 2021 Semester (CRRSSA Funds)									
 Student Success & Equity									
Sustainability									
Capital Improvements:									
Facilities Upgrade (including ADA)									
Instructional Equipment									
Institutional Capacity:									
Foundations									
Business Process Analysis									
Professional Development									
Outreach & Marketing									
District Resource Allocation Model	8,000,000								
 Unallocated	19,398,620								
Total	45,136,341								
<table border="0" style="width: 100%;"> <tr> <td>July 1, 2020 Beginning Balance</td> <td style="text-align: right;">33,888,438</td> </tr> <tr> <td>Estimated Hold Harmless Dollars 2020-2021</td> <td style="text-align: right;">9,621,893</td> </tr> <tr> <td>COVID-19 Block Grant Backfill</td> <td style="text-align: right;">1,626,010</td> </tr> <tr> <td>Total Available</td> <td style="text-align: right; border-top: 1px solid black;">45,136,341</td> </tr> </table>		July 1, 2020 Beginning Balance	33,888,438	Estimated Hold Harmless Dollars 2020-2021	9,621,893	COVID-19 Block Grant Backfill	1,626,010	Total Available	45,136,341
July 1, 2020 Beginning Balance	33,888,438								
Estimated Hold Harmless Dollars 2020-2021	9,621,893								
COVID-19 Block Grant Backfill	1,626,010								
Total Available	45,136,341								

\*\*Since the September 23, DCC meeting the July 1,2020 beginning balance was adjusted by \$1,652,922 to balance out the 5% contingency

	Previously discussed in 2019-20
	Approved at the 12/14/20 CBF meeting
	\$5,000,000 to be used from CRRSAA Funds

# DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 8, 2021

From: Cheryl Marshall, Chancellor

Re: Agenda Item for District Consultation Council Meeting of February 22, 2021

1. AGENDA ITEM NAME

**Revised BP 2715, Code of Ethics/Standards of Practice**

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:

**At a Board study session to review and discuss the District’s policy development process, four Board Policies were referred to the Board Policy Subcommittee for review. BP 2715 was one of the policies revised by the Board Subcommittee. Recommendations made by the Board at its November 24, 2020 meeting are highlighted in yellow.**

**BP 2715 was substantially revised to expand on the expectations of trustees (Sections 1.0 – 1.16); clarify the formal complaint process related to trustee misconduct (Sections 2.0 – 5.0); make grammatical corrections; include gender neutral language; and to cite the corresponding policies and procedures.**

**DCC reviewed BP 2715 on January 25, 2021. Changes resulting from the discussion during that DCC meeting are noted in red. Clarification provided by the Board Subcommittee follows the policy language.**

**The policy was made available for electronic review and comment via Teams and no comments were received.**

5. RECOMMENDATION:

**It is recommended that DCC members discuss BP 2715 with their constituencies and be prepared to share that feedback at the March DCC meeting.**

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

**Board of Trustees Policy Subcommittee and Board of Trustees**

## **BP 2715 Code of Ethics/Standards of Practice**

Reference:

[Government Code Section 8314](#);  
[Penal Code Section 424](#);  
ACCJC Accreditation Standard IV.C.11;  
WASC/ACS Criterion 2, Indicator 2.1

- 1.0 The Board of Trustees maintains high standards of ethical conduct for its members. ~~Members of the Board are responsible to establish and uphold, imploment and enforce all laws and codes applying to the District.~~ [The Board of Trustees recognizes a responsibility to observe all applicable legal and ethical standards of conduct in the performance of its duties.](#) Given this basic charge, the activities and deliberations of the Board of Trustees will be governed by the following Code of Ethics.

Each member of the Board of Trustees will:

- 1.1 Avoid any situation that may constitute a conflict of interest and disqualify him/herself from participating in decisions in which ~~he or she has~~ [they have](#) a financial interest. Conflicts of interest may relate not only to the individual trustee but also to ~~his or her~~ [their](#) family ~~and~~ [or](#) business associates, or transactions between the District and trustees, including hiring relatives, friends, ~~and~~ [or](#) business associates as ~~college~~ [District](#) employees.
- [1.2](#) [Avoid any prohibited use of public resources for campaign activity or a personal purpose, in compliance with Government Code Section 8314.](#)
- 1.3 Maintain confidentiality of all Board of Trustees discussions held in closed session and recognize that deliberations of the Board of Trustees in closed session are not to be released or discussed in public without the prior approval of the Board of Trustees by majority vote, in compliance with ~~BP 2315~~ [Government Code Section 54963](#).
- [1.4](#) [Promote an atmosphere of civility and collegiality and encourage others to do the same.](#)
- ~~1.25~~ [1.45](#) Recognize that the Board of Trustees acts as a whole and that the authority rests only with the Board of Trustees in a legally constituted meeting, not with individual members.
- ~~1.46~~ [1.46](#) As an agent of the public – entrusted with public funds – protect, advance, and promote the interest of all ~~citizens~~ [residents](#), maintaining independent judgment unbiased by private interests or special interest groups.
- ~~1.57~~ [1.57](#) [Do their best to ensure](#) ~~Ensure~~ that the District, in compliance with all applicable Federal and State laws, does not discriminate on the basis of race, color, national origin, ancestry, marital status, age, religion, disability, sex, or sexual orientation in any of its policies, procedures, or practices.
- ~~1.68~~ [1.68](#) In all decisions hold the educational welfare and equality of opportunity of the students of the District as ~~his or her~~ [their](#) primary concern; Board members should

## **BP 2715 Code of Ethics/Standards of Practice**

demonstrate interest in and respect for student accomplishments by attending student ceremonies and events.

~~1.7~~**9** Attend and participate in all meetings insofar as possible, having prepared for discussion and decision by studying all agenda materials.

~~1.8~~**10** **Make every effort to ensure that the Board of Trustees conducts** ~~Conduct~~ all District business in open public meetings unless in the judgment of the Board, and only for those purposes permitted by law, it is appropriate to hold a closed session.

~~1.9~~**11** Enhance ~~his or her~~ **their** ability to function effectively as a trustee through devotion of time to study contemporary educational issues, as well as attendance at professional workshops and conferences on the duties and responsibilities of trustees.

~~1.40~~**12** Promote and maintain good relations with fellow Board members by:

~~1.40~~**12.1** Respectfully working with other Board members in the spirit of harmony and cooperation and giving each member courteous consideration of ~~his or her~~ **their** opinion.

~~1.40~~**12.2** Respecting the opinion of others and abiding by the principle of majority rule.

~~1.44~~**13** Promote an effective working relationship with the Chancellor and ~~e~~**D**istrict staff by:

~~1.44~~**13.1** Providing the responsibility, necessary authority, and support to effectively perform their duties.

~~1.44~~**13.2** Referring complaints and/or criticisms through the appropriate channels as previously agreed upon by the Chancellor and the Board **of Trustees**.

~~1.42~~**14** Be an advocate of the District in the community by encouraging support for and interest in the North Orange County Community College District.

**1.15** **Make use of an opinion disclaimer when publicly expressing personal views while using their trustee or Board title. Such a disclaimer should clearly state that the opinions expressed are those of the trustee and do not represent those of the District or of the Board of Trustees.**

**1.16** **Use their District email account, and avoid use of any personal email account, for District business.**

2.0 ~~All Board members are expected to maintain the highest standards of conduct and ethical behavior and to adhere to the Board's Code of Ethics. The Board will be prepared to investigate the factual basis behind any charge or complaint of trustee misconduct. A Board member may be subject to a resolution of censure by the Board should it be determined that trustee misconduct has occurred. Censure is an official expression of~~

## BP 2715 Code of Ethics/Standards of Practice

~~disapproval passed by the Board.~~ A complaint of trustee misconduct may be filed with the Board President or the Chancellor by any student, employee, or trustee. A filed complaint shall be shared with all members of the Board of Trustees. To be acted upon, a complaint must:

2.1 Be in writing;

2.2 Include the names of and contact information for the complainant(s);

2.3 Allege specific actions and include dates or approximate dates of such actions;

2.4 Identify provisions of the Code of Ethics, laws, or other standards that have allegedly been violated;

2.5 Be filed within 12 months of the alleged violation(s), or within 12 months of the time the complainant(s) first learned of the alleged violation(s), or within any applicable statute of limitations.

3.0 ~~A complaint of trustee misconduct will be referred to an ad hoc committee composed of three trustees not subject to the complaint. In a manner deemed appropriate by the committee, a fact-finding process shall be initiated and completed within a reasonable period of time to determine the validity of the complaint. The committee shall be guided in its inquiry by the standards set forth in the Board's Code of Ethics as defined in policy. The trustee subject to the charge of misconduct shall not be precluded from presenting information to the committee. The committee shall, within a reasonable period of time, make a report of its findings to the Board for action.~~ A complaint alleging a violation of the Code of Ethics will be addressed by the Board President who will first discuss the violation with the Board member to reach a resolution and then report on the resolution during a Board meeting. If resolution is not achieved and further action is deemed necessary by the Board of Trustees, the Board President may will appoint an ad hoc committee composed of three trustees to examine the matter and recommend a course of action to the Board of Trustees within a reasonable period of time. The affected trustee shall be provided an opportunity to present information to the committee. Sanctions, if any, will may be determined by the Board of Trustees and may include censure, or removal from a Board officer position, or other actions of less severity. If the Board member in question is the Board President, the Board Vice President is authorized to pursue resolution and in the absence of the Board Vice President, the Board Secretary is authorized to do so.

4.0 Censure is an official expression of disapproval passed by the Board. Sanctions of including censure or removal from a Board officer position shall require a vote of two-thirds of the members of the Board of Trustees. Less severe sanctions require a majority vote of the Board of Trustees.

5.0 The Board President and the Chancellor are authorized to consult with legal counsel if a complaint alleges violations of pertinent laws or regulations including but not limited to those dealing with conflict of interest, misuse of public resources, and confidentiality of closed session information. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.

## **BP 2715 Code of Ethics/Standards of Practice**

See [Board Policy 2200, Board Duties and Responsibilities; Board Policy 2315, Closed Sessions; Board Policy 2710, Conflict of Interest; Administrative Procedure 2710, Conflict of Interest; Administrative Procedure 2715, Code of Ethics/Standards of Practice; Board Policy Board 2740, Board Professional Development; Administrative Procedure 2740, Board Education; Board Policy 3050, Institutional Code of Ethics; Administrative Procedure 3050, Institutional Code of Ethics; Board Policy 3410, Unlawful Discrimination; and Administrative Procedure 3410, Unlawful Discrimination.](#)

[Also see the Community College League of California publication “The Ethical and Lawful Board of Trustees California Community Colleges” and the Institute for Local Government publication “Walking the Line: What to Do if You Suspect an Ethics Problem.”](#)

**Date of Adoption:** June 24, 2003

**Date of Last Revision:** September 14, 2016 Chancellor's Staff  
November 26, 2014 Chancellor's Staff  
April 24, 2007

### **Clarification from Board Subcommittee**

#### Section 3.0

1. Is the reporting on a resolution after speaking to the trustee done during a Board meeting and at open session? **Yes. The Board President or Vice President, if the complaint is against the President, would first speak to the trustee. The outcome would then be reported at a Board meeting. (See proposed new language noted in red).**
2. Who deems that further action is needed? The Board President or someone else? **The Board. (See proposed new language noted in red).**
3. What is the rationale behind making the ad hoc committee optional? **The purpose of the ad hoc committee is to find and report facts. In some cases the facts may be known to the Board and an investigation may be unnecessary. For example, if allegations concern statements made by a trustee at a Board meeting at which all trustees were present, or if the trustee concedes the facts alleged but denies that they constitute a violation, then fact-finding would not be needed. The current BP's requirement of an ad hoc committee in all cases was seen as too inflexible.**
4. Can a timeframe for the process be outlined and/or suggestions given from DCC members? **The current BP states an ad hoc committee shall report its findings “within a reasonable period of time.” That language was inadvertently left out of the proposed revisions. Including it would be a good idea. (See proposed new language noted in red).**

#### Section 4.0

1. What are some examples of “less severe sanctions”? **Examples might include an expression of the Board's will that the trustee receive training or that the trustee tender an apology.**
2. Why do less severe sanctions require a majority vote? **In general, the Board acts by majority vote. The requirement of a 2/3 vote is unusual. A 2/3 vote was seen as needed for the imposition of severe sanctions but not for others.**

# DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 15, 2021

From: Cheryl Marshall, Chancellor

Re: Agenda Item for District Consultation Council Meeting of February 22, 2021

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1. AGENDA ITEM NAME

**Revised BP/AP 4235, Credit by Examination [for Prior Learning](#)**

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

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

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

4. BRIEF NARRATIVE SUMMARY OF AGENDA ITEM:

**BP/AP 4235 were revised to reflect changes per the Community College League of California (CCLC) Policy and Procedure Legal Updates and revisions recommended by Jane Wright, CCLC Consultant. Faculty were instrumental in the revision and update of both policy items; the campus curriculum committees and senates conducted multiple reviews to arrive at the proposed revisions.**

**BP/AP 4235 were reviewed and approved by the District Curriculum Coordinating Committee.**

**The policy was made available for electronic review and comment via Teams and no comments were received.**

5. RECOMMENDATION:

**It is recommended that upon DCC consensus, revised AP 4235 be posted on the District website and the revised BP 4235 be forwarded to the Board for their consideration.**

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

**CCLC Legal Updates Service, CCLC Consultant, Chancellor’s Staff, District Curriculum Coordinating Council, and campus Curriculum Committees.**

North Orange County Community College District  
**BOARD POLICY**  
Chapter 4  
Academic Affairs

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**BP 4235 Credit by Examination for Prior Learning**

Reference:

**Title 5 Section 55050**

- 1.0 The Board of Trustees shall adopt and publish regulations pertaining to credit ~~by examination~~ for prior learning in accordance with the provisions of Section ~~55753~~ 55050. The Board of Trustees may grant credit to any student who ~~satisfactorily passes an examination~~ or completes an assessment approved by discipline faculty or conducted by and other proper authorities of the college. Procedures for students to attain credit for prior learning shall include, but not be limited to, credit by examination, evaluation of Joint Services Transcripts, evaluation of student-created portfolios, evaluation of industry-recognized credential documentation, and standardized exams. ~~Students who satisfactorily pass authorized examinations may earn credit.~~ The Chancellor, in consultation with the faculty, as stated in BP/AP2510, Participation in Local Decision-making, shall establish administrative procedures to implement this policy.

See Board Policy 2510, Participation in Local Decision-making; Administrative Procedure 2510; Participation in Local Decision-making; and Administrative Procedure ~~AP~~4235, Credit for Prior Learning.

**Date of Adoption:** June 22, 2004

**Date of Last Revision:** November 5, 2008 Chancellor's Staff

North Orange County Community College District  
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## **AP 4235 Credit by Examination for Prior Learning**

Reference:

Title 5, Sections [55050](#) and [55052](#)

Education Code Sections ~~70901 and 70902~~ [79500](#)

1.0 [Credit for Prior Learning may be obtained by one of the following methods:](#) ~~Credit by examination may be granted only to a student who is registered at the college and in good standing. Credit by examination is limited to those courses designated by the Division Office as eligible for such credit.~~

[1.1 Achievement of a score of \[3 or higher\] on an Advanced Placement \(AP\) examination administered by the College Entrance Examination Board.](#)

[1.2 Achievement of a satisfactory score on a high-level International Baccalaureate \(IB\) examination.](#)

[1.3 Achievement of a satisfactory score on the College Level Examination Program \(CLEP\).](#)

[1.4 Evaluation of Joint Services Transcripts \(JST\).](#)

[1.5 Achievement on an examination administered by other agencies approved by the District.](#)

[1.6 Evaluation of industry recognized credential documentation.](#)

[1.7 Evaluation of student-created portfolios.](#)

[1.8 Satisfactory achievement on an institutional examination, known as Credit by Examination, administered by the college in lieu of completion of an active course listed in the current college catalog.](#)

2.0 [Eligibility for Credit for Prior Learning](#) ~~The nature and content of the examination shall be determined solely by faculty in the discipline that normally teaches the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record. The faculty may accept an examination conducted at a location other than the college for this purpose.~~

[2.1 Credit for prior learning may be granted only to a student who is registered at the college and in good standing.](#)

[2.2 The nature and content of the examination shall be determined solely by faculty in the discipline that normally teaches the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee. The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the course outline of record \(COR\).](#)

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## AP 4235 ~~Credit by Examination~~ Credit for Prior Learning

- 2.3 A separate evaluation shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which evaluations are conducted pursuant to this section.
- 2.4 Units for which credit is given shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.
- 2.5 Specific steps for requesting credit for prior learning are listed in the college catalogs.
- 2.6 The eligible courses must be listed in the current college catalog.
- 2.7 The student is not currently or previously enrolled in the course for which credit for prior learning is desired.
- 2.8 Credit by Examination: The student is registered in the District and not currently enrolled in nor received credit for a more advanced course in the same subject (may be waived by department).
- 2.8.1 Specific steps for requesting credit by examination are listed in the college catalog.
- 3.0 Prior Learning Assessment Grading Policy: Students shall be offered a “Pass/No Pass” option, in accordance with Administrative Procedure 4232, Pass/No Pass Grading Option, if that option is ordinarily available for the course. ~~A separate examination shall be conducted for each course for which credit is to be granted. Credit may be awarded for prior experience or prior learning only in terms of individually identified courses for which examinations are conducted pursuant to this section.~~
- 4.0 Transcription of Credit for Prior Learning: The student’s academic record shall be clearly annotated to reflect that credit was earned by ~~examination~~ assessment of prior learning.
- 5.0 Advanced Placement: See current College Catalog for Advanced Placement Credit. ~~Grading shall be according to the regular grading scale approved by the Board, except that students shall be offered a credit/no credit option if that option is ordinarily available for the course.~~
- 6.0 International Baccalaureate: See current College Catalog for International Baccalaureate Credit. ~~Units for which credit is given shall not be counted in determining the 12 semester hours of credit in residence required for an associate degree.~~
- 7.0 College Level Examination Program: See current College Catalog for College Level Examination Program Credit. ~~Specific steps for requesting credit by examination are listed in the college catalogs.~~
- 8.0 Credit for Military Service/Training: Students interested in Credit for Prior Learning using Joint Service Transcripts shall receive credit as recommended by the

**AP 4235 Credit by Examination for Prior Learning**

American Council on Education (ACE) directory and approved by the appropriate discipline faculty of the college under the following circumstances:

- 8.1 The student shall complete the Credit for Prior Learning assessment process as specified by the college catalog.
  - 8.2 Credit course equivalency shall be determined by the faculty of the appropriate discipline.
  - 8.3 Official transcripts must be on file in the Records Office. These may include Joint Services Transcript (JST), Sailor/Marine American Council on Education Registry Transcript (SMART), Army and American Council on Education Registry Transcript Service (AARTS), Coast Guard Institute (CGI), DANTES/USAFI, Defense Language Institute Foreign Language Transcripts (DLIFLC), Defense Manpower Data Center (DMDC), DLPT Examinee Results, DA Form 330 Language Proficiency Questionnaire, or verified copies of DD214 or DD295 military records.
- 9.0 Industry Recognized Credentials: Students interested in Credit for Prior Learning using industry recognized credential(s) shall receive credit as recommended by the appropriate department chair or faculty designee:
- 9.1 The student shall complete the Credit for Prior Learning assessment process as specified by the college catalog.
  - 9.2 Enrollment services shall grant credit for industry recognized credential(s) that have already been evaluated and approved by the appropriate department chair or faculty designee.
  - 9.3 If an industry recognized credential(s) has not yet been evaluated and approved by the appropriate faculty:
    - 9.3.1 The student meets with the department chair or faculty designee to receive further instructions for industry recognized credential(s) assessment.
    - 9.3.2 The student submits all industry recognized credential documents to the department chair or faculty designee for assessment of prior learning.
    - 9.3.3 If the department chair or faculty designee determine the industry certification adequately measures mastery of the course content as set forth in the Course Outline of Record (COR), the appropriate faculty shall sign the petition with the recorded grade, attach the industry recognized credential(s), and forward the completed petition and supporting documents to the Records Office to be kept on file and recorded on the student transcript.

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10.0 Student-Created Portfolio Assessment: Students interested in Credit for Prior Learning using a student-created portfolio shall receive credit as recommended by the appropriate department chair or faculty designee under the following circumstances:

10.1 A department approved portfolio assessment rubric for the course is on file.

10.2 The student shall complete the Credit for Prior Learning assessment petition available in the Counseling or Records Office.

10.3 The student meets with the department chair or faculty designee to receive further instructions for student-created portfolio assessment.

10.4 The student submits all portfolio documents to the department chair or faculty designee for assessment of prior learning.

10.5 If the department chair or faculty designee determine the student-created portfolio adequately measures mastery of the course content as set forth in the Course Outline of Record (COR), the appropriate faculty shall sign the petition with the appropriate grade and forward it to the Records Office to be kept on file and recorded on the student transcript.

11.0 Credit by Examination: Credit by examination is limited to those courses designated by the Division Office as eligible for such credit.

11.1 The nature and content of the examination shall be determined solely by faculty in the discipline that normally teaches the course for which credit is to be granted in accordance with policies and procedures approved by the curriculum committee.

11.2 The faculty shall determine that the examination adequately measures mastery of the course content as set forth in the outline of record.

11.3 A separate examination shall be conducted for each course for which credit is to be granted.

11.4 Specific steps for requesting credit by examination are listed in the College Catalog.

11.5 The faculty may accept an examination conducted at a location other than the College for this purpose.

12.0 Fees: Credit for Prior Learning is intended to advance the student's educational progress; therefore, it is offered at no cost to the student.

See Board Policy 4235, Credit for Prior Learning.

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**AP 4235 Credit by Examination for Prior Learning**

**Date of Adoption:** June 22, 2004

**Date of Last Revision:** November 5, 2008 Chancellor's Staff

# DISTRICT CONSULTATION COUNCIL

Agenda Item Submittal Form

Date: February 11, 2021  
From: Arturo Ocampo, District Office of Diversity and Compliance  
Re: Agenda Item for District Consultation Council Meeting of February 22, 2021

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1. AGENDA ITEM NAME

**Faculty Hiring Procedures**

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:

**Human Resources has invited the Academic Senates to begin discussions on changes to the faculty hiring procedures.**

5. RECOMMENDATION:

**N/A**

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

**Academic Senate Presidents, Vice Chancellor for Human Resources, Chancellor's Staff.**