

DISTRICT CONSULTATION COUNCIL
August 24, 2020

SUMMARY

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

VISITORS: Danielle Davy, Lisa Gaetje, Rod Garcia, and Julie Kossick.

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 May 18, 2020, meeting was approved as submitted.

STRATEGIC GOALS & PLANNING

District Consultation Council 2020-21: Chancellor Marshall led a round of introductions and led discussion related to the following:

Meeting Schedule: The 2020-21 DCC meeting dates are scheduled through May 2021. A December meeting date will be added if needed and will be considered in October or November. The meeting dates will be revisited during the spring semester and a June 2021 meeting will take place if needed.

Membership: The 2020-21 DCC membership list was reviewed. Additions included Carlos Diaz as the NOCE Academic Senate President Elect and Lauren Mata as the Adjunct Faculty United Representative.

One-time Funding Recommendation: It was recommended that DCC review and approve the Council on Budget and Facilities (CBF) recommendation to use one-time funds to backfill the campuses for the 2019-20 lost revenue during the COVID-19 pandemic by allocating \$4,000,594 as follows: Cypress College: \$1,164,371; Fullerton College: \$2,634,767; and NOCE: \$201,456.

In advance of discussion on the recommendation, Fred Williams, Vice Chancellor of Finance & Facilities, reported that the recommendation to DCC includes revised campus figures that were updated after the CBF meeting and noted that the District fund balance decreased from \$102 million to \$93.5 million.

Mr. Williams shared that at the last CBF meeting, that group discussed the lost revenue, that CARES funding cannot be used, and opted to approve the use of one-time funds. While there were variances in the costs due to differences between the Colleges, he did note that the Fullerton College request was larger than that of Cypress College. He and Chancellor Marshall

discussed potentially allocating a fixed dollar amount to the campuses instead of using actual figures due to concern with some of the significant differences.

Vice Chancellor Williams also emphasized the importance of looking at actual losses and that no budget center should benefit without having actually incurred losses, and noted that the revenue losses were for the previous year, and expected additional amounts for the 20-21 year.

In the ensuing discussion, members inquired about the difference in certain fees between the colleges. It was noted that for Fullerton College the figures were based on revenue received compared to expenses incurred, with the goal not gain a profit, but to address the true shortfall. Mr. Williams stated that additional information was requested from Cypress College, but it was not received. While there was uncertainty with the different figures between the colleges, there was support to move forward with the CBF recommendation, and **consensus to approve the allocation of \$4,000,594, in one-time funds, to the campuses for 2019-20 lost revenues during the COVID-19 pandemic.**

POLICY

Revised Administrative Procedures in Chapters 6 and 7: The following administrative procedures were revised to reflect changes recommended by Fiscal Affairs and/or Educational Services and Technology:

AP 6100, Delegation of Authority, Business and Fiscal Affairs: AP 6100 was revised to add language to Section 1.2 regarding individual memberships and to update grammar and titles. **There was consensus to approve AP 6100 and post it on the District website.**

AP 6150, Designation of Authorized Signatures: AP 6150 was revised to add new language to Sections 3.0 and 3.1 in order to include the use of digital signatures, and to update the "Reference" section and titles. **There was consensus to approve AP 6150 and post it on the District website.**

AP 7400, Travel and Conference Attendance: AP 7400 was revised to remove language in Section 4.5 regarding individual memberships as a result of the changes to AP 6100. **There was consensus to approve AP 7400 and post it on the District website.**

New AP 5041, Student Records: Preferred Names and Gender: A new administrative procedure, AP 5041, Student Records: Preferred Names and Gender, was submitted for approval by DCC. The use of preferred name and preferred gender assignment is driven by student demand and has risen as an equity topic for students and the District. The College Registrars and Student Team have discussed the implementation of specific solutions to accommodate student demand, but prior to implementation, the District must have a policy framework in place.

Chancellor Marshall shared that this policy framework was developed in order to follow the wishes of students and that the goal is to also develop a policy for employees. During the discussion, Craig Goralski asked whether Janelle Herman influenced the policy in its development, and it was noted that she participated on the work team that reviewed the policy.

Subsequent to members expressing their support for the important and necessary policy, **there was consensus to approve AP 5041 and forward it to the Board of Trustees for their consideration.**

Revised AP 7240-4, Management Employees: Leaves: AP 7240-4 was revised by a DMA Sabbatical Workgroup in order to update the sabbatical leave process that included revisions to policy language, the review committee composition, the sabbatical application form, and the review rubric.

During the discussion, it was noted that revisions to the management sabbatical process were proposed in order to develop a more transparent process that includes a clear connection to professional growth, contribution to the District, added an evaluation component, and mirrors the faculty and confidentials process.

Subsequent to confirmation that the committee composition cited in Section 14.3.1 is consistent with the committees that review faculty sabbaticals, **there was consensus to approve AP 7240-4 and post it on the District website.**

New Title IX Regulations: DCC reviewed the new legally mandated Title IX regulations and discussed the District's interim procedures, the new roles and costs associated with the new regulations, and the next steps which include beginning the shared governance process to update District policies and procedures to ensure compliance with the new Title IX regulations that were implemented on August 14, 2020.

Arturo Ocampo, District Director of Equity & Compliance, provided an overview on the new Title IX regulations which require revisions to the student code of conduct, discrimination, harassment, and sexual assault board policies and administrative procedures. Due to time constraints, and in order to meet the August 14, 2020 compliance date, the District and the Title IX team developed interim procedures that meet the minimum requirements of the new regulations. The permanent policies and procedures affected by the new Title IX regulations will be revised via the shared governance process.

The new Title IX regulations require that the District have the following roles in place:

- Title IX Coordinator – Currently filled.
- Investigator – Currently filled by the Title IX Coordinator and through external investigators.
- Informal Resolution Facilitator – New role; filled by the Title IX Coordinator or designee.
- Emergency Removal Officer – New role; filled by the Vice President of Student Services.
- Emergency Removal Appeals Officer – New role; filled by the Vice President of Instruction.
- Decision Maker/Hearing Officer (or panel) – New; will initially be filled by contracting out. A determination will need to be made on how the role is filled on a long-term basis.
- Advisors for Complainants and Respondents at hearings – New role; will initially be filled by contracting out. A determination will need to be made on how the role is filled on a long-term basis. Staff are exploring partnering with local bar associations and law schools who, for a fee, Pro Bono, or school credit, can fulfill this role.
- Appeals Determination Officer – New role for student appeals; to be filled by the Board of Trustees.

Mr. Ocampo reported that training for 60 managers and the Title IX team has been conducted, but further training will need to be provided. He also shared that based on estimates on the number of complaints, the new Title IX regulations will increase costs by an estimated \$250,000 per year. Legal counsel has also recommended that the investigator role should not be the Title IX Coordinator, and that would double the cost estimate.

Irma Ramos, Vice Chancellor of Human Resources, stated that a request for funding for Title IX investigations will be presented to CBF. On a short-term basis some services will be contracted out, but funding will need to be institutionalized for these long-term costs.

During the discussion, Mr. Ocampo clarified that the District cannot process Title IX complaints that occurred outside the country, but can be processed under Title V regulations under the student code of conduct, and expressed concern that perhaps students might be afraid to file due to fear of being cross examined.

ADJOURNMENT: The meeting adjourned at 3:17 p.m.