

DISTRICT CONSULTATION COUNCIL
January 23, 2023

SUMMARY

MEMBERS PRESENT: Byron D. Clift Breland, Jim Bunker, M. Leonor Cadena, Jennifer Combs, Damon De La Cruz, Carlos Diaz, Christie Diep, Jean Foster, Raine Hambly, Geoff Hurst, Cherry Li-Bugg, Kathleen McAlister, Cynthia Olivo, Jennifer Oo, Jeremy Peters, Valentina Purtell, Irma Ramos, Jeanette Rodriguez, JoAnna Schilling, Melissa Serrato, Pamela Spence, Kai Stearns, and Fred Williams.

VISITORS: Fola Odebunmi, Simone Brown Thunder, and Danielle Davy.

Chancellor Byron D. Clift Breland called the Zoom teleconference meeting to order at 2:01 p.m.

TELECONFERENCE RESOLUTION & SUMMARY

Teleconference Resolution: There was consensus to approve Resolution No. 22/23-04 to authorize remote teleconference DCC meetings for 30 days. Members also discussed the sunset of AB 361 expiring in February 2023, the need to go back to in-person meetings outside of the new AB 2449 legislation requirements, and a return to the past practice of in-person meetings from the three posted locations at the Anaheim Campus, Cypress College, and Fullerton College.

Summary: The summary of the November 28, 2022 meeting was approved with the noted correction to the page 4 discussion of AP 7120-4 sections 8.8.1-8.8.4.

STRATEGIC GOALS & PLANNING

Governor's 2023-24 Budget Proposal: Fred Williams, Vice Chancellor of Finance & Facilities, reported that the Governor introduced the 2023-24 Budget Proposal and shared that the State Chancellor's Office's Joint Analysis and the School Services of California's economic overview which highlighted the following:

- The proposal tackles a budget deficit while seeking to keep prior year promises without touching the rainy day funds.
- Very few new programs in the budget.
- 8.13% COLA for the Student Centered Funding Formula (SCFF) and categorical programs including adult education.
- A portion of deferred maintenance funds allocated in FY 2022-23 will be reinvested in retention and enrollment efforts.

Vice Chancellor Williams stated that he had not previously seen a proposal from the State to take back \$200 million back and reappropriate it, and noted that he anticipated seeing significant changes in the May Revise. He also reported on his attendance at the recent State Budget Workshop that included presentations from the Legislative Analyst's Office, the State Chancellor's Office, and the Department of Finance and the overall theme was increase enrollment because there appears to be a losing of legislative support to continue to pay for enrollment. He cautioned that emergency conditions and hold harmless are likely going away

after next year, that there could be potential penalties, the importance of documenting and increasing strategies, and that while a recession is expected, no big cliff fall is expected.

Contribution for Capital Projects: Vice Chancellor Williams stated that with escalation increases in for our capital construction, several projects are coming in costlier than expected. He shared the following:

- Cypress College: One million dollars for the Culinary Swing Space due to additional requirements for the dining room, restroom facilities, and ADA Lot 1 upgrades, as well as another \$1 million for the Phase III for the LLRC Data Center which would provide additional electrical capacity and HVAC upgrades.
- Fullerton College: An \$8 million increase for the Performing Arts Complex has been identified. Campus staff have attempted to fill the gap by reducing the scope and eliminating future projects, but a new addition has been identified. For ADA purposes, a new elevator for the 100 Building is necessary in order to replace the 1100 Building elevator upon its demolition at an anticipated cost of \$2 million.
- Anaheim Campus: The swing space for NOCE during the replacement of the upper deck parking lot is estimated at \$1.5 million over the existing budget.

At its December 12 meeting, the Council on Budget and Facilities approved a one-time funding request of \$5.5 million dollars to be moved forward to the District Consultation Council for consideration and approval.

During the discussion, members requested details about the Fullerton College measures to fill the gap, what's being eliminated, and opportunities to be a part of the conversation. Vice Chancellor Williams also stated that there was \$27 million available in one-time funding and that to date, \$1 million have been earmarked for sustainability efforts and \$10.7 million for repayment of financial aid to fraudulent students. That would leave a balance of \$10 million after the proposed \$5.5 million for contributions to capital projects.

There was consensus to allocate \$5.5 million of one-time dollars for the noted capital facilities projects (\$2 million for Cypress College, \$2 million for Fullerton College, and \$1.5 million for the Anaheim Campus).

Emergency Conditions Recovery Plan Update: Cherry Li-Bugg, Vice Chancellor Educational Services & Technology, shared with DCC that in October 2022 the District submitted an emergency conditions application to the State Chancellor's Office, which was approved. Part of the requirements for the approval of the District's emergency conditions application was that the District provide an update on its recovery plan and submit it for Board approval by the end of February 2023. District Services and the three campuses have been collaborating on the update and will submit the update to the Board at its February 14 meeting.

Vice Chancellor Li-Bugg conducted a brief presentation outlining efforts centered on increasing enrollment and improving student success with major activities focused on marketing, scheduling practices, outreach, recruitment/retention, and equity intervention. The update included details on the major activities the campuses have conducted in these areas and evidence of success. The major piece of evidence of success is that enrollment is trending upward for Spring 2023, which is the primary goal of the emergency conditions application.

During the discussion, members asked if all campuses were providing free parking for students; noted that it was a great start for the District to begin marketing itself; highlighted some missed opportunities like adding mentions of Cypress College and Fullerton College in the NOCE class schedule that is mailed to every household in the area; having the Colleges do the same for each other and for NOCE; and support for finding creative ways for the Colleges and NOCE to work together including the development of articulated pathways.

POLICY

Revised BP 6250, Budget Management: DCC received a second reading of the proposed revisions to BP 6250, Budget Management which incorporated revisions to update the District's unrestricted reserves with a suggested minimum of two months of total General Fund operating expenditures to comply with the emergency condition allowances and other minor corrections. Vice Chancellor Fred Williams shared that the simulations comparing emergency condition allowance FTES versus actual FTES reflect an increase of \$10.9 million for both 2022-23 and 2023-24 and staff recommends that the additional \$21.8 million in revenue from the emergency condition allowance over two years plus the current Committed Fund Balance be used to meet the two-month requirement. Without changes to the BP 6250, the District does not qualify for the emergency condition funding.

During the discussion, members sought clarification on whether the two months of general fund expenditures are derived from the actual expenditures or budgeted expenditures, and voiced concern that it's using the budgeted figures because they can be significantly higher than the actuals which impacts the funding that is available at the negotiations table. Vice Chancellor Williams stated that accreditation guidelines and the State both look at the actual expenditures from the previous year. It was also suggested that "actual" be included in section 2.0 to read, "...two months of actual total general fund actual expenditures." Vice Chancellor Williams stated that he would prefer not to because it would place the District in a position where it would need to take money back from the campuses. Members expressed concern that it would take a 2/3 vote of the Board to get the money back and Mr. Williams noted that in two years he anticipated the District would face some challenges and he supported raising the figure in order to not have to rely on personnel changes.

It was suggested that the BP include language as to why the revisions were being made and it was agreed to revise section 2.0 to read, "...two months of actual total general fund actual expenditures in compliance with the emergency conditions application requirements."

There was consensus to approve BP 6250 and forward it to the Board for their consideration.

Revised AP 7120-4, Management Employee Hiring: DCC received a sixth reading of the proposed revisions to AP 7120-4, Management Employee Hiring which incorporated revisions based on the feedback received at the November 28 DCC meeting that was shared by Simone Brown Thunder, District Manager of Human Resources, and included the following:

- Section 3.1: The addition of a definition of diversity as defined in the District EEO Plan.
- Section 4.3.4: Having a separate United Faculty representative.
- Section 4.3.5: Having three faculty representatives selected by the campus academic/faculty senates.

- Section 5.3.3: Updated to reflect the new District Director of EEO and Compliance title.
- Section 8.2: Reverse the order so that the committee (in consultation with the executive officer or designee) selects the chair.

During the discussion, members discussed the following:

- Section 3.0: Members expressed concern about how additional members would work when there is a specific composition when there is a prescriptive procedure that also includes such vague language; removing mentions of additional members and allowing constituency groups to reappoint alternate representatives; and keeping the additional member option and having a community member serve selected by the EEO Director and the committee. The consensus was that it would be okay to remove mentions of “or additional” regarding committee composition changes.
- Section 4.2.9: Add “each” so that there is one student representative for president recruitments and three students (one from each campus) for vice chancellor recruitments.
- Section 4.3.5: Fullerton College Faculty Senate representatives stated they were against reducing the number for dean positions from four to three. Vice Chancellor Irma Ramos suggested adding four faculty for dean recruitments and leaving the vice president recruitments at three faculty (all appointed by the academic/faculty senate).
- Section 6.2.1: Members shared concern with decreasing the job announcement window from six to two weeks because it could minimize diversity efforts; that the window should be long; whether other institutions utilize a two-week window; that the window should be determined in consultation with the entire committee, not just the chair; support for a shorter period because it would be advantageous due to lengthy recruitments and is one of the reasons there are so many interim appointments; consideration of a 4-week window; consideration of a three-week window; support for a three-week window to provide the District with a competitive advantage due to concerns about losing candidates; and support for a three-week window as a good compromise. The consensus was to change the job announcement window “at least three weeks.”
- Section 8.8.7: Members expressed concern about the language in this section and how it compromises the entire process by allowing for the selection of a different candidate if the new hire leaves the position within eight months. Vice Chancellor Irma Ramos clarified that it’s not going back to the pool, but to the committee’s agreed upon finalists who have at that point had significant reference checks. There was consensus to change the window to select from the original list of finalists to 6 months (from 8 months) if the new hire does not continue employment which is inline with the probationary period.
- Sections 8.8.4 & 8.8.5: CSEA voiced discomfort with not going back to the search committee to discuss the end result. Simone Brown Thunder reiterated that the search committee role as a recommending body is complete once they have selected finalists and Chancellor Cliff Breland noted that confidentiality needs to be maintained after the committee has forwarded finalists and it would be inappropriate and not a good practice for the District to incorporate that into it’s procedures.

Chancellor Cliff Breland called for a vote, and after reiterating the changes that were agreed upon during the discussion, **there was consensus to adopt AP 7120-4 and post it on the District website.**

ADJOURNMENT: The meeting adjourned at 4:26 p.m.