

APPROVED
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

September 22, 2020

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, September 22, 2020, at 5:30 p.m. via Zoom teleconference and YouTube livestream.

President Ryan Bent called the meeting to order at 5:32 p.m. and led the Pledge of Allegiance to the Flag.

TRUSTEE ROLL CALL: Present: Ryan Bent, Stephen T. Blount, Jeffrey P. Brown, Barbara Dunsheath, Ed Lopez, Jacqueline Rodarte, and Student Trustees Ester Plavdjian and Chloe Reyes. Absent: None.

RESOURCE PERSONNEL PRESENT: Cheryl Marshall, Chancellor; Fred Williams, Vice Chancellor, Finance & Facilities; Irma Ramos, Vice Chancellor, Human Resources; Cherry Li-Bugg, Vice Chancellor, Educational Services & Technology; Greg Schulz, President, Fullerton College; JoAnna Schilling, President, Cypress College; Valentina Purtell, President, North Orange Continuing Education; Kai Stearns, District Director, Public & Governmental Affairs; Ty Volcy, representing the District Management Association; Jennifer Oo, representing the North Orange Continuing Education Academic Senate; Craig Goralski, representing the Cypress College Academic Senate; Kim Orlijan, representing the Fullerton College Faculty Senate; Christie Diep, representing United Faculty; Joseph Vasquez, representing CSEA; Tonya Cobb, representing Adjunct Faculty United; and Alba Recinos, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Paul de Dios and Alex Porter from Cypress College; Gil Contreras, Rod Garcia, Jose Ramon Nuñez, Joe Ramirez, Oscar Saghieh, Matt Taylor, and Dani Wilson from Fullerton College; Karen Bautista and Terry Cox from North Orange Continuing Education; and Jenney Ho and Danielle Davy from the District Office.

VISITORS: Public participation was provided via YouTube livestream.

COMMENTS: MEMBERS OF THE AUDIENCE: The following public comments were received via email and were read into the record by the Recording Secretary:

- A. **Kim Orlijan**, Fullerton College Faculty, provided a statement to the Board strongly encouraging them to adopt Resolution No. 20/21-04, In Support of California Proposition 15: Schools and Local Communities Funding, in order to close the property tax loopholes that benefit wealthy corporations to the detriment of the students in California. She also encouraged the Board to unanimously adopt Resolution No. 20/21-05, In Support of California Proposition 16: Repeal Proposition 209, Affirmative Action Amendment, to close racial opportunity gaps and fight for students and justice.

(See Supplemental Minutes #1261 for a copy of the statement.)

- B. **Liz Putman**, Cypress College Faculty, provided a statement to the Board noting that United Faculty have not had a raise since 2017 and the District is the only community college district in California that does not provide dependent medical benefits. She highlighted the costs of inflation over the past three years, how a 1% salary increase for mid-scale full-time faculty is less than the cost of a daily Starbucks latte, and stated that full-time faculty deserve more than a stale cup of coffee.

(See Supplemental Minutes #1261 for a copy of the statement.)

BLOCK VOTE APPROVAL OF NON-PERSONNEL ITEMS: It was moved by Trustee Jacqueline Rodarte and seconded by Trustee Barbara Dunsheath that the following non-personnel items be approved by block vote:

Finance & Facilities: 3.a, 3.b, 3.c

Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, and Rodarte voting yes, including Student Trustees Reyes and Plavdjian's advisory votes.

BLOCK VOTE APPROVAL OF PERSONNEL ITEMS: It was moved by Trustee Stephen T. Blount and seconded by Trustee Jacqueline Rodarte that the following personnel items be approved by block vote:

Human Resources: 4.a, 4.b, 4.c, 4.d, 4.e

Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, and Rodarte voting yes.

CHANCELLOR'S REPORT

- A. **Chancellor Marshall** reported that at the request of United Faculty the fact finding hearing that was scheduled for October 8-9 has been rescheduled for December 17-18. While the District had hoped to reach resolution sooner rather than later, we also wanted to be cooperative of the request. Dr. Marshall shared that she has begun meeting with the Black faculty and staff groups at each campus and has had good discussions about their recommendations and next steps. She thanked everyone involved in the MIS process improvement work over the past four months. The work, which included over 100 people, was centered on improving accuracy and consistency of data in order to fix gaps.

COMMENTS

- A. **Fred Williams** reported that SB 115 was signed by the Governor and includes approval for preliminary plans for the Fullerton College Music and Drama Complex and an initial allocation of \$1.8 million in state funds and will require a 20% district match.
- B. **Valentina Purtell** reported that at the last NOCE President's Cabinet meeting discussion included institutional annual priorities and their top initiatives include continuing to develop a connected work environment based on trust, communication, and collaboration; to develop an NOCE growth plan; implementation of the Call to Action Plan for NOCE; and begin the WASC accreditation self-study process.

President's Cabinet also approved the Call to Action Plan, developed in collaboration with faculty leaders, to address the adverse effects of racism, to be deliberate and intentional in identifying and eliminating systemic barriers to racial injustice, and to develop an inclusive and equitable culture on campus.

- C. **JoAnna Schilling** reported that she hosted the second presidential advisory group meeting with business leaders from Orange County where **Gisela Verduzco** and **Howard Kummerman** presented on fostering stronger ties with industry partners and how Cypress College prepares its students for internships, career preparation, and job readiness. On September 29 the Guided Pathways team will present at the sold out Pathways to Equity Conference sponsored by the Community College Foundation. She called attention to the growth of the Charger Experience Program which has dramatically grown and increased the number of students completing Math and English in their first year. She also reported on her joining Charger Experience staff to welcome students back at a drive thru event that included over 300 students.
- D. **Greg Schulz** thanked the Board for approving the Starfish contract that came from the Fullerton College Guided Pathways Steering Committee. He reported that on September 26, 94 faculty, classified, managers, and students will participate in "Reform or Dismantle?" an A2MEND webinar focused on anti-racism that will feature **Drs. Cornell West, Joy DeGruy, and Michael Eric Dyson**. The Cadena Cultural Center is hosting several virtual events for Hispanic Heritage Month including the Reclaiming Our Titles campaign to highlight banned books by Hispanic, Latino, and Chicano authors and the Brave Space student forum on October 6 for students to share how the current social climate has impacted them, what they would like to learn, and how they can best be supported at Fullerton college. Dr. Schulz thanked **Cecilia Arriaza** and her team for their efforts.
- E. **Ty Volcy** reported on recent changes to the District Management Association structure which include her attendance at Board meetings as President Elect. Projects in development include committee work related to salary and benefits, sick and vacation time accrual, revisions to the management appraisal instrument, and potential collaboration with the Office of Diversity and Compliance to facilitate anti-racism training for managers.
- F. **Jennifer Oo** shared her excitement that the NOCE President's Cabinet approved the Call to Action plan, and her pride in having eight student leaders serving on committees and workgroups throughout NOCE this year.
- G. **Craig Goralski** reported that the Cypress College Academic Senate met on September 10 and seated two new adjunct faculty senators; made recommendations regarding Pass/No Pass, EW, and incompletes for the Fall semester; discussed the process for faculty evaluations; and the possibility of implementing a college hour in order to pause instruction in order to allow for campus discussions, professional development, and community building. Lastly, he noted that the Senate's ad hoc committee to respond to the Black Lives Matter Task Force recommendations has been meeting and a future formal Senate discussion will be planned.
- H. **Christie Diep** reported that United Faculty is thankful for the mutual agreement on the revised fact finding dates due to COVID-19 concerns. She stated that CCA and CTA support Proposition 15 in order to address the deep financial inequities in school

funding, and Proposition 16 as a critical element on the path towards a stronger economic future for women and communities of color in California. United Faculty also supports the Board resolutions for both propositions.

- I. **Tonya Cobb** reported that Adjunct Faculty United had 58 participants at their general membership meeting, they have new members and volunteers interested in joining, and that they have endorsed **Keri Kropke** for Trustee Area 7. On a personal note, she shared her pleasure in participating in the meeting and in the Cypress College Black Lives Matter Task Force and Oversight Committee as an adjunct faculty member.
- J. **Trustee Barbara Dunsheath** shared that September 22 is National Voter Registration Day and encouraged everyone to register to vote. With six weeks until the election, she shared the variety of ways to vote in Orange County, and noted that the League of Women Voters are hosting a virtual forum for NOCCCD trustee candidates on September 28 at 4:00 p.m. She encouraged participation on the September 24 CCLC trustee webinar, "Bringing Excellence in Trusteeship to the Local Level" and the CCLC Annual Convention from November 19-21 which will be virtual and at no cost.
- K. **Trustee Jacqueline Rodarte** reported on her participation at the Cypress College Foundation Scholarship Ceremony and commended staff for hosting the virtual event.

MINUTES: It was moved by Trustee Stephen T. Blount and seconded by Trustee Jeffrey P. Brown to approve the Minutes of the Regular Meeting of September 8, 2020. **Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, and Rodarte voting yes, including Student Trustees Reyes and Plavdjian's advisory votes.**

FINANCE & FACILITIES

Item 3.a: By block vote, authorization was granted to approve the use of the Cooperative Piggyback Contract No. CB-162-18 with the Foundation for California Community Colleges for the procurement and installation of bleachers and a press box at Fullerton College through KYA Services LLC in the amount estimated at \$1,600,000.

Item 3.b: By block vote, authorization was granted to approve the agreement with Hobsons for Starfish at Fullerton College at an annual rate of \$64,835 for three years from October 2020 to September 2023, for a total cost of \$194,505.

Further authorization was granted for the Vice Chancellor, Finance & Facilities or District Director, Purchasing, to issue a purchase order on behalf of the District.

Item 3.c: By block vote, authorization was granted to approve the Deductive Change Order #1 for Bid #1920-09, Fullerton College 300-500 Sewer Replacement Project, with Los Angeles Engineering, in the total amount of \$84,011.13, reducing the contract amount from \$499,500.00 to \$415,488.87.

HUMAN RESOURCES

Item 4.a: By block vote, authorization was granted for the following academic personnel matters which are within budget:

RETIREMENT

Cain, Joyce	FC	ESL Instructor Eff. 12/13/2020 PN FCF700
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CHANGE IN RETIREMENT DATE

Whiting, Lindsay	FC	ESL Instructor From: 12/31/2020 To: 12/15/2020 PN FCF770
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CHANGE IN SALARY CLASSIFICATION

Lopez, Corinna	NOCE	ESL Non-Credit Instructor (EL Civics) From: Class B, Step 1 To: Class B, Step 7 Eff. 08/13/2020
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Yu, Yvonne	CC	Mortuary Science Instructor Temporary Contract (100%) Pursuant to E.C. 87482 From: Class B, Step 1 To: Class B, Step 3 Eff. 08/20/2020-05/22/2021
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LEAVES OF ABSENCE

Barabas, Liliana	FC	Physics Instructor Load Banking Leave With Pay (40.00%) Eff. 2020 Fall Semester
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Berger, Margaret	FC	Radio/Audio Production Instructor Load Banking Leave With Pay (11.67%) Eff. 2020 Fall Semester
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Garcia, Amy	FC	Reading Instructor Load Banking Leave With Pay (6.67%) Eff. 2020 Fall Semester
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Loney, Laura	FC	Mathematics Instructor Load Banking Leave With Pay (10.00%) Eff. 2020 Fall Semester
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Pacheco, Elizabeth	CC	Dental Assistant Instructor Family Medical Leave (FMLA/CFRA) (100%) Paid Leave using Regular and Supplemental Sick Leave until Exhausted; Unpaid thereafter Eff. 09/22/2020-11/03/2020
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Rodine, Jeff	FC	Reading Instructor Load Banking Leave With Pay (26.67%) Eff. 2020 Fall Semester
Salzameda, Bridget	FC	Chemistry Instructor Load Banking Leave With Pay (30.00%) Eff. 2020 Fall Semester
Wada, Kathryn	CC	ESL Instructor Load Banking Leave With Pay (26.67%) Eff. 2020 Fall Semester

TEMPORARY ACADEMIC HOURLY-INSTRUCTIONAL-2021 SPRING SEMESTER

Moreno, Juan	CC	Column 1, Step 1
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TEMPORARY ACADEMIC HOURLY-SPECIAL SERVICES

Balacanao, Darryl	FC	Humanities Adjunct Professional Development Training Stipend not to exceed \$150.00 Eff. 08/19/2020
Patton, Katherine	FC	Humanities Adjunct Professional Development Training Stipend not to exceed \$150.00 Eff. 08/19/2020
Robertson, Scott	CC	ESL Retraining for New Course Sequence Stipend not to exceed \$200.00 Eff. 06/02/2020-06/04/2020
Schmid, Andrea	CC	ESL Retraining for New Course Sequence Stipend not to exceed \$200.00 Eff. 06/02/2020-06/04/2020
Shaw, Jessica	FC	Humanities Adjunct Professional Development Training Stipend not to exceed \$150.00 Eff. 08/19/2020
Walker, Lynn	CC	ESL Retraining for New Course Sequence Stipend not to exceed \$200.00 Eff. 06/02/2020-06/04/2020
Whitsett, Catherine	CC	ESL Retraining for New Course Sequence Stipend not to exceed \$200.00 Eff. 06/02/2020-06/04/2020

Item 4.b: By block vote, authorization was granted for the following classified personnel matters which are within budget:

RESIGNATION

Fierro, Deniz	FC	Special Project Director, Counseling Temporary Management Position (100%) Eff. 09/08/2020 PN FCT969
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CHANGE IN HIRE DATE

Greiner, Anna Cathleen	CC	Interim Dir., Grants/Economic and Workplace Devel. 12-month position (100%) From: 09/08/2020 To: 10/01/2020 PN CIM694
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VOLUNTARY CHANGES IN ASSIGNMENT

Chavez, Sandra	FC	Administrative Assistant II (100%) Temporary Change in Assignment To: NOCE Administrative Assistant II 12-month position (100%) Range 36, Step D Classified Salary Schedule Eff. 10/01/2020 – 03/31/2021
Sandoval, Enrique	NOCE	IT Services Coordinator I (100%) Extension of Temporary Change in Assignment To: AC IT Security Analyst/System Administrator 12-month position (100%) Range 55, Step C + PG&D Classified Salary Schedule Eff. 10/01/2020 – 10/31/2020

LEAVES OF ABSENCE

Coggi, Anita	FC	Administrative Assistant II (100%) Military Leave With Pay (USERRA) Eff. 09/08/2020 – 09/10/2020; 09/15/2020 – 09/17/2020; 10/20/2020 – 10/23/2020
@01631302	FC	Facilities Custodian I (100%) Family Medical Leave (FMLA/CFRA/FFCRA) Paid Leave Using FFCRA Until Exhausted; Unpaid Thereafter Eff. 08/26/2020 – 09/08/2020
Jara, Jacqueline	FC	Admissions and Records Technician (100%) Family Medical Leave (FMLA/CFRA/CAPDL) Paid Leave Using Regular and Supplemental Sick Leave Until Exhausted; Unpaid Thereafter Eff. 07/07/2020 – 10/03/2020 (Consecutive Leave)

CORRECTION TO SEPTEMBER 8, 2020 BOARD AGENDA – STIPEND FOR ADDITIONAL ADMINISTRATIVE DUTIES

Olmedo, Catalina FC Business Office Specialist (100%)
From: Eff. 07/01/2020 – 12/31/2020
To: Eff. 08/01/2020 – 12/31/2020

Item 4.c: By the block vote, authorization was granted for the assignment of professional expert personnel per the professional expert listing.

(See Supplemental Minutes #1261 for a copy of the professional expert personnel listing.)

Item 4.d: By the block vote, authorization was granted for the hourly listing.

(See Supplemental Minutes #1261 for a copy of the hourly personnel listing.)

Item 4.e: By the block vote, authorization was granted for the assignment of volunteers per the volunteer listing.

(See Supplemental Minutes #1261 for a copy of the volunteer listing.)

GENERAL

Item 5.a: The Board received as information Resolution No. 20/21-04, In Support of California Proposition 15: Schools and Local Communities Funding Act which was provided as an information item to allow trustees an opportunity to provide feedback before returning for a vote.

During the discussion, it was recommended that the mention of a deferral for the entire system be modified to capture the impact on the District.

Trustee Barbara Dunsheath stated that Proposition 15 is supported by CCLC, the League of Women Voters, and CCCT, and has pretty widespread support with favorable polling numbers. She noted that it would increase property taxes for non-residential properties, exempt small business, and include a 60/40 split with 60% going locally and 40% going to schools statewide. She shared that CCLC is hosting a town hall meeting on Proposition 15 on September 23 at 2:00 p.m.

Trustee Ryan Bent listed a number of organizations in opposition to Proposition 15 which he stated was tone deaf to the current California economy, would be damaging to the farm and agriculture industry, and that funding estimations would change if California loses businesses to other states. In response, Trustee Barbara noted that individual farm properties are exempt and that a large percentage of farms are owned by agribusiness and those are the businesses that are targeted.

Trustee Ed Lopez shared his support for Proposition 15 because properties are reassessed after a change in ownership, but corporations instead pay on their older assessed values. In response to his inquiry regarding when the reassessments would occur, it was stated that they would be phased in over three years with incremental increases.

Resolution No. 20/21-04 will return to the October 13 Board meeting for consideration.

Item 5.b: The Board received as information Resolution No. 20/21-05, In Support of California Proposition 16: Repeal Proposition 209, Affirmative Action Amendment.

During the discussion, it was recommended that the term “Indigenous” replace “Native American” and also be added to the first whereas statement on page 5.b.3.

Trustee Jeffrey P. Brown expressed concern with the whereas statements mentioning Proposition 209, specifically as they apply to the District, due to contradicting studies regarding minority students.

Trustee Ryan Bent expressed serious concern with the resolution. He stated that in the current climate there is discrimination based on race, origin, etc. and that it would be wrong to apply that. He listed organizations in opposition to Proposition 16 including Senator Ling Ling Chang, said it would be harmful for Asian American students who are in the classroom based on merit, and that to lower the bar would be wrong.

Trustee Barbara Dunsheath stated that Proposition 16 is supported by the League of Women of Voters, the Board of Governors, CCLC, and CCCT. She cautioned that when looking at different studies, to look at how different rates were measured and that the Latinx population has risen considerably so it makes sense that the Latinx rates would have risen. She cited the UC Berkeley study, which she is most familiar with, that was pretty conclusive that Proposition 209 had an adverse impact. The study showed that Black and Latinx UC students dropped from 20% to 15% in three years, the large drop for nursing and STEM majors among students of color, and the adverse impact on wages and long-term earnings.

Christie Diep stated that as the wife of an Asian immigrant and mother to Asian-American children, she felt it was wrong –on a personal level and as an educator– to use one minority group to create divisions of equity and to disenfranchise other groups.

Trustee Ed Lopez clarified that Proposition 16 would give public agencies the flexibility to try modest affirmative action programs that would have to conform with strict Supreme Court rulings, and would not mean racial quotas. He expressed his support for the proposition and resolution by stating that while all Americans would like to live in a society that is color blind, as a society we are not.

Resolution No. 20/21-05 will return to the October 13 Board meeting for consideration.

Item 5.c: Board President Ryan Bent asked if there were any requests for potential future Board agenda items and there were none.

CLOSED SESSION: At 6:27 p.m., Board President Ryan Bent adjourned the meeting to closed session per the following sections of the Government Code and stated that there would be no readout:

Per Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR IRMA RAMOS, VICE CHANCELLOR, HUMAN RESOURCES; Employee Organizations: United Faculty/CCA/CTA/NEA, Adjunct Faculty United Local 6106, CSEA Chapter #167, and Unrepresented Employees.

Per Section 54957: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Per Section 54956.9(a): CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION: One (1) Potential Case.

RECONVENE MEETING: At 7:39 p.m., Board President Ryan Bent reconvened the meeting in open session.

ADJOURNMENT: At 7:39 p.m., it was moved by Trustee Jacqueline Rodarte and seconded by Trustee Stephen T. Blount to adjourn the meeting. **Motion carried with Trustees Bent, Blount, Brown, Dunsheath, Lopez, and Rodarte voting yes.**

Prepared By Recording Secretary for
Jacqueline Rodarte, Secretary, Board of Trustees