

CHANCELLOR'S CABINET MEETING

Agenda

Monday, February 24, 2025

3:00 – 4:00pm

Board Room

1. Call to Order	Brian King
2. Finalize Agenda & Minutes of Meetings* a. January 27, 2025	Brian King
3. SB 226 Update*	Brian King
4. Dear Colleague Letter*	Brian King
5. Adjournment	Brian King

**Attachment*

CHANCELLOR'S CABINET MEETING

Minutes

Monday, January 27, 2025

Board Room

3:00pm

1. CALL TO ORDER

Deputy Chancellor Nye called the meeting to order at 3:00pm.

2. FINALIZE AGENDA & MINUTES OF MEETINGS

LRCFT Representative Theresa Aldredge requested that a discussion about the current Executive Orders be added to the agenda. Executive Vice Chancellor Rodriguez responded that district staff are currently working closely with our partners at CCLC and ACCT to assess the Executive Orders, particularly relating to immigration/deportation and DEI.

The December 16, 2024 meeting minutes and January 27, 2025 agenda were approved.

3. BUDGET/LEGISLATIVE UPDATE

Executive Vice Chancellor Rodriguez went through some of the high-level talking points of the Governor's January budget proposal, which currently appears to be overall good news for the Community College system. He also provided updates on some key legislative bills, including Senator Cabaldon's preliminary draft bill (SB 226) to transfer of territory from Yuba CCD to Los Rios CCD.

3. ADJOURNMENT

Deputy Chancellor Nye adjourned the meeting at 3:37 pm.

Bill Text: CA SB226 | 2025-2026 | Regular Session | Introduced California Senate Bill 226

Bill Title: Community colleges: territory transfers between districts.

Spectrum: Partisan Bill (Democrat 1-0)

Status: (*Introduced*) 2025-02-05 - Referred to Com. on ED. [SB226 Detail]

Download: California-2025-SB226-Introduced.html

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 226

Introduced by Senator Cabaldon

January 28, 2025

An act to add Article 6 (commencing with Section 74298) to Chapter 5 of Part 46 of Division 7 of Title 3 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 226, as introduced, Cabaldon. Community colleges: territory transfers between districts.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in the state. The segment comprises 73 community college districts and a total of 116 community colleges throughout the state. Existing law establishes requirements and procedures for the initiation and approval of proposals to reorganize community college districts through the transfer of territory between existing districts.

This bill, notwithstanding certain requirement and procedure provisions described above, would authorize the board of governors to approve the transfer of territory, in whole or in part, from specified community college districts to another district upon its own initiative or upon the filing of a petition by the governing board of a district or the county committee on school district organization for the county where territory would be transferred. The bill would require the board of governors to ensure that a transfer of territory and any necessary agreements between the community college districts comply with and meet the requirements of specified provisions of existing state law, including, among others, that the reorganization of any district or districts does not affect the classification of academic employees already employed by any district affected and that the transfer agreement provides for the allocation of funds, property, and obligations affected by the transfer, as provided.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 6 (commencing with Section 74298) is added to Chapter 5 of Part 46 of Division 7 of Title 3 of the Education Code, to read:

Article 6. Special Transfer of Territory

74298. (a) This article shall only apply to the transfer of territory from a community college district that meets both of the following criteria:

(1) The community college district is located in a county whose territory is divided among three or more community college districts and a majority of the population residing in the territory of each of those districts is located in one or more other counties.

(2) The community college district territory is being transferred, in whole or in part, to one of the districts described in paragraph (1).

(b) Notwithstanding Chapter 2 (commencing with Section 74100) and Chapter 3 (commencing with Section 74201), the transfer of territory to another community college district pursuant to this article may be approved by the board of governors upon its own initiative or upon the filing of a petition by the governing board of a district or the county committee on school district organization for the county where territory would be transferred.

(c) In approving a transfer of territory pursuant to this article, the board of governors shall ensure that the transfer of territory and any necessary agreements between the community college districts comply with and meet the requirements of Article 2 (commencing with Section 74270), Article 3 (commencing with Section 74280), and Article 4 (commencing with Section 74290).

(d) An action to transfer territory that is approved by the board of governors pursuant to this article shall be deemed as approved for purposes of Section 74250, without election.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE ACTING ASSISTANT SECRETARY

February 14, 2025

Dear Colleague:

Discrimination on the basis of race, color, or national origin is illegal and morally reprehensible. Accordingly, I write to clarify and reaffirm the nondiscrimination obligations of schools and other entities that receive federal financial assistance from the United States Department of Education (Department).¹ This letter explains and reiterates existing legal requirements under Title VI of the Civil Rights Act of 1964,² the Equal Protection Clause of the United States Constitution, and other relevant authorities.³

In recent years, American educational institutions have discriminated against students on the basis of race, including white and Asian students, many of whom come from disadvantaged backgrounds and low-income families. These institutions' embrace of pervasive and repugnant race-based preferences and other forms of racial discrimination have emanated throughout every facet of academia. For example, colleges, universities, and K-12 schools have routinely used race as a factor in admissions, financial aid, hiring, training, and other institutional programming. In a shameful echo of a darker period in this country's history, many American schools and universities even encourage segregation by race at graduation ceremonies and in dormitories and other facilities.

¹ Throughout this letter, "school" is used generally to refer to preschool, elementary, secondary, and postsecondary educational institutions that receive federal financial assistance from the Department.

² Title VI provides that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." 42 U.S.C. § 2000d, *et seq.*; 34 C.F.R. § 100, *et seq.*

³ This document provides significant guidance under the Office of Management and Budget's Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432 (Jan. 25, 2007). This guidance does not have the force and effect of law and does not bind the public or create new legal standards. This document is designed to provide clarity to the public regarding existing legal requirements under Title VI, the Equal Protection Clause, and other federal civil rights and constitutional law principles. If you are interested in commenting on this guidance, please email your comment to OCR@ed.gov or write to the following address: Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202. For further information about the Department's guidance processes, please visit the Department's webpage [here](#).

Educational institutions have toxically indoctrinated students with the false premise that the United States is built upon “systemic and structural racism” and advanced discriminatory policies and practices. Proponents of these discriminatory practices have attempted to further justify them—particularly during the last four years—under the banner of “diversity, equity, and inclusion” (“DEI”), smuggling racial stereotypes and explicit race-consciousness into everyday training, programming, and discipline.

But under any banner, discrimination on the basis of race, color, or national origin is, has been, and will continue to be illegal.

The Supreme Court’s 2023 decision in *Students for Fair Admissions v. Harvard*⁴ (*SFFA*), which clarified that the use of racial preferences in college admissions is unlawful, sets forth a framework for evaluating the use of race by state actors and entities covered by Title VI. The Court explained that “[c]lassifying and assigning students based on their race” is lawful only if it satisfies “strict scrutiny,” which means that any use of race must be narrowly tailored—that is, “necessary”—to achieve a compelling interest.⁵ To date, the Supreme Court has recognized only two interests as compelling in the context of race-based action: (1) “remediating specific, identified instances of past discrimination that violated the Constitution or a statute”; and (2) “avoiding imminent and serious risks to human safety in prisons, such as a race riot.”⁶ Nebulous concepts like racial balancing and diversity are not compelling interests. As the Court explained in *SFFA*, “an individual’s race may never be used against him” and “may not operate as a stereotype” in governmental decision-making.⁷

Although *SFFA* addressed admissions decisions, the Supreme Court’s holding applies more broadly. At its core, the test is simple: If an educational institution treats a person of one race differently than it treats another person because of that person’s race, the educational institution violates the law. Federal law thus prohibits covered entities from using race in decisions pertaining to admissions, hiring, promotion, compensation, financial aid, scholarships, prizes, administrative support, discipline, housing, graduation ceremonies, and all other aspects of student, academic, and campus life. Put simply, educational institutions may neither separate or segregate students based on race, nor distribute benefits or burdens based on race.

Although some programs may appear neutral on their face, a closer look reveals that they are, in fact, motivated by racial considerations.⁸ And race-based decision-making, no matter the form, remains impermissible. For example, a school may not use students’ personal essays, writing samples, participation in extracurriculars, or other cues as a

⁴ *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181 (2023).

⁵ *Id.* at 207.

⁶ *Ibid.*

⁷ *Id.* at 218.

⁸ *Village of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265 (1977).

means of determining or predicting a student's race and favoring or disfavoring such students.⁹

Relying on non-racial information as a proxy for race, and making decisions based on that information, violates the law. That is true whether the proxies are used to grant preferences on an individual basis or a systematic one. It would, for instance, be unlawful for an educational institution to eliminate standardized testing to achieve a desired racial balance or to increase racial diversity.

Other programs discriminate in less direct, but equally insidious, ways. DEI programs, for example, frequently preference certain racial groups and teach students that certain racial groups bear unique moral burdens that others do not. Such programs stigmatize students who belong to particular racial groups based on crude racial stereotypes. Consequently, they deny students the ability to participate fully in the life of a school.¹⁰

The Department will no longer tolerate the overt and covert racial discrimination that has become widespread in this Nation's educational institutions. The law is clear: treating students differently on the basis of race to achieve nebulous goals such as diversity, racial balancing, social justice, or equity is illegal under controlling Supreme Court precedent.

All students are entitled to a school environment free from discrimination. The Department is committed to ensuring those principles are a reality.

This letter provides notice of the Department's existing interpretation of federal law. Additional legal guidance will follow in due course. The Department will vigorously enforce the law on equal terms as to all preschool, elementary, secondary, and postsecondary educational institutions, as well as state educational agencies, that receive financial assistance.

The Department intends to take appropriate measures to assess compliance with the applicable statutes and regulations based on the understanding embodied in this letter beginning no later than 14 days from today's date, including antidiscrimination requirements that are a condition of receiving federal funding.

All educational institutions are advised to: (1) ensure that their policies and actions comply with existing civil rights law; (2) cease all efforts to circumvent prohibitions on the use of race by relying on proxies or other indirect means to accomplish such ends; and (3) cease all reliance on third-party contractors, clearinghouses, or aggregators that are being used by institutions in an effort to circumvent prohibited uses of race.

⁹ *Students for Fair Admissions*, 600 U.S. at 230 (“[U]niversities may not simply establish through application essays or other means the regime we hold unlawful today.”).

Institutions that fail to comply with federal civil rights law may, consistent with applicable law, face potential loss of federal funding.

Anyone who believes that a covered entity has unlawfully discriminated may file a complaint with OCR. Information about filing a complaint with OCR, including a link to the online complaint form, is available [here](#).

Thank you in advance for your commitment to providing our Nation's students with an educational environment that is free of race, color, or national origin discrimination.

Sincerely,

/s/

Craig Trainor
Acting Assistant Secretary for Civil Rights
United States Department of Education