

WEST VALLEY-MISSION COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

RESOLUTION NO. 25071502

AUTHORIZING THE CHANCELLOR TO PURSUE LEGISLATIVE ACTION TO
EXCLUDE FEDERALLY DEFUNDED DEIA PROGRAM EXPENDITURES FROM
THE 50 PERCENT LAW CALCULATION

WHEREAS, the West Valley-Mission Community College District Board of Trustees is deeply committed to fostering equitable educational opportunities and promoting student success in its fullest context; and

WHEREAS, the District is dedicated to taking action in support of social justice, equity, diversity, inclusion, accessibility, belonging, and anti-racism; and

WHEREAS, the West Valley-Mission Community College District Service Area, although located in an economically prosperous area of the State, contains significant populations who experience economic disadvantages and educational disparities; and

WHEREAS, California's 50 Percent Law (Education Code Section 84362), enacted in a markedly different era of public higher education, now presents structural challenges for districts striving to meet the contemporary needs of students, especially those from historically minoritized, low-income, and first-generation backgrounds; and

WHEREAS, the District's strategic priorities include supporting essential student success infrastructure—such as counselors, librarians, basic needs coordinators, and investments in technology and learning resources—which are currently classified in the denominator ... outside the instructional expenditure calculation and therefore disincentivized under the existing statute; and

WHEREAS, the District's strategic priorities include supporting essential student success infrastructure, including counselors, librarians, basic needs coordinators, and investments in technology and learning resources, which are currently counted in the denominator—rather than the numerator—of the 50 Percent Law calculation, thereby actively penalizing districts for investing in services fundamental to student retention and achievement; and

WHEREAS, the April 2025 State Auditor's review of the 50 Percent Law, along with formal recommendations from the Community College League of California and the California Community College Student Senate, affirm the urgent need for a modern, equity-driven legislative adjustment; and

WHEREAS, pending or actual reductions in federal funding for programs such as TRIO, Title V Hispanic-Serving Institutions (HSI), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISI), and several others threaten the ability of districts to sustain critical support for the most vulnerable student populations; and

WHEREAS, without relief, districts face an untenable choice between legal compliance and continuation of federally defined student support programs vital to student retention, completion, and well-being; and

WHEREAS, the District is funded from community support (Basic Aid) funds and has access to local resources that could be deployed to maintain these essential programs, but such action—absent a statutory carve-out—would force the District out of compliance with the 50 Percent Law, to the detriment of both our core student success mission and legal compliance; now, therefore, be it

RESOLVED, that the West Valley-Mission Community College District Board of Trustees hereby affirms its unwavering commitment to supporting students through evidence-based, equity-minded practices and calls upon state policymakers to enact a narrowly tailored, sunset legislative revision to the 50 Percent Law; and, be it further

RESOLVED, that the Board authorizes and directs the Chancellor to engage with Assemblymember Marc Berman and others in the state legislator to advance bill language that a) secures a five-year, temporary carve-out excluding expenditures tied to federally defined student support programs (TRIO, Title V-HSI, AANAPISI, and similar programs) from the 50 Percent Law calculation; b) preserves full transparency and robust public reporting on such expenditures; and c) sunsets the carve-out upon restoration of federal funding or expiration of the defined period, whichever occurs first; and, be it further

RESOLVED, that the Chancellor shall invite input and recommendations from all campus constituents in shaping the legislative proposal to ensure alignment with the District's commitment to instructional excellence and shared governance; and, be it finally

RESOLVED, that the Board of Trustees will continue to advocate for thoughtful reforms to state law and policy that safeguard the District's capacity to protect and uplift its most at-risk students, fortifying the fabric of our institution and the broader community.

Dated: 7-15-2025

Signed: 

Anne Kepner, Board President, WVMCCD

Signed: 

Bradley J. Davis, Chancellor, WVMCCD