



# DHBC

Dental Hygiene  
Board of California

**Friday and Saturday, March 27-28, 2025  
DHBC Board Meeting Materials Addendum  
(Full Board and Committees)**





DHBC

Dental Hygiene  
Board of California

**March 27-28, 2026, Board Meeting Materials Addendum Content:**

- 1) November 8, 2025, Education Committee Meeting Minutes.
- 2) November 8, 2025, Legislative and Regulatory Committee Meeting Minutes.
- 3) November 8, 2025, Full Board Meeting Minutes.
- 4) Cabrillo Community College's Latest Violation Determination Letter (3/18/2026).

## Dental Hygiene Board of California Education Committee Meeting Minutes

**DRAFT**

**Saturday, November 8, 2025**

DHBC Headquarters Building  
2005 Evergreen Street  
1<sup>st</sup> Floor Hearing Room  
Sacramento, CA 95815

### **Education Committee Members Present:**

Chair – Joanne Pacheco, Registered Dental Hygienist (RDH) Educator Member  
Committee Member – Michael Long, Registered Dental Hygienist in Alternative Practice (RDHAP)  
Committee Member – Dr. Justin Matthews, Public Member

### **DHBC Staff Present:**

Anthony Lum, Executive Officer  
Adina A. Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and Regulatory Specialist  
Crystal Yuyama, Administrative Analyst  
Yuping Lin, Department of Consumer Affairs (DCA) Legal Counsel  
Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel

### **1. EDU Committee Agenda Item 1: Roll Call and Establishment of a Quorum.**

Joanne Pacheco, Education Committee Chair, called the Education Committee meeting to order at **10:59 a.m.** A quorum was established with three (3) members present.

### **2. EDU Committee Agenda Item 2: Public Comment for Items Not on the Agenda.**

**Committee Member comment:** None.

**Public comment:** None.

### 3. EDU Committee Agenda Item 3: Discussion and Possible Action on the Report from the Dental Hygiene Educational Program Penalty Rubric Taskforce.

Chair Pacheco reported that the Board is mandated by the Legislature to approve all California dental hygiene educational programs (DHEPs) for oversight. When the Board started reviewing the DHEPs, the Board was aware there might be some concerns as to the level of compliance with California laws, regulations, and Commission on Dental Accreditation of the American Dental Association (CODA) Standards, but was not aware of the extent of the issues that were present until the Board began its site visits and observed what practices were occurring and as to the level of non-compliance within the DHEPs.

Due to the variance and extent of violations, and the desire to ensure penalties are applied evenly among the DHEPs, at the March 22, 2025, Full Board meeting, the Board voted to create a penalty rubric to allow the Board to be fair and consistent to all DHEPs. The Board appointed Board members Joanne Pacheco and Julie Elginer as co-chairs of the DHEP Penalty Rubric Taskforce. After the meeting, the Taskforce co-chairs received requests from three interested stakeholders who were appointed to the taskforce based on their qualifications. These experts were JoAnn Galliano, Dr. Michelle Hurlbutt, and Lisa Kamibayashi who have extensive DHEP experience and knowledge of the subject to create an appropriate penalty rubric.

Since the Taskforce conducted their first meeting on June 4, 2025, the Taskforce has met seven (7) times and categorized the violations utilizing the factors as outlined in 16 CCR section 1104.3 which include:

- Nature and severity of the violation;
- Length of time that has passed since the date of the violation;
- Consequences of the violation, including the potential to harm, or actual patient harm;
- History of previous violations of similar nature;
- Evidence that the violation was willful;
- Gravity of the violation; and
- The extent to which the cited DHEP has remediated the deficiencies.

Along with categorizing the aforementioned factors, the Taskforce discussed the frequency of violations discovered at DHEPs along with discussions on timeframes and penalties DHEPs shall be given to remediate violations and deficiencies providing structure to a potentially perceived subjective determination.

The next Taskforce meeting is scheduled for November 21, 2025, and continued meetings will occur until a draft rubric is ready for the committee's review.

**Motion:** Member Matthews moved for the Education Committee to approve the Report from the Dental Hygiene Educational Program Penalty Rubric Taskforce.

**Second:** Member Long.

**Committee Member discussion:** Executive Officer (EO) Lum commended the Taskforce on all their hard work and efforts to draft the penalty rubric.

**Public comment:** None.

**Vote: Motion for the Education Committee to approve the Report from the Dental Hygiene Educational Program Penalty Rubric Taskforce.) Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Joanne Pacheco, Chair	X		
Michael Long	X		
Justin Matthews	X		

**4. EDU Committee Agenda Item 4: Discussion and Possible Action on Board Acceptance of the Revised Accreditation Nomenclature Pursuant to the United States Department of Education.**

EO Lum stated that this item was brought up at today’s Legislative and Regulatory Committee on pages 10 through 38. He stated that this item was included as an agenda item separately to allow the Education Committee an opportunity to vote on the statutory language to be changed as it is a topic relevant to dental hygiene education.

**Motion:** Member Long moved for the Education Committee to review the amended statutory language to re-affirm the change is warranted. If the Education Committee re-affirms the change is warranted, the Education Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2026.

**Second:** Member Matthews.

**Committee Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Education Committee to review the amended statutory language and re-affirm the change is warranted. If the Education Committee re-affirms the change is warranted, the Education Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2026. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Joanne Pacheco, Chair	X		
Michael Long	X		
Justin Matthews	X		

**5. EDU Committee Agenda Item 5: Dental Hygiene Educational Program Site Visit Update and Schedule. (Informational Only).**

Dr. Adina Petty reported on the current status of the following DHEPs at Pasadena City College (PCC), Taft College (Taft), Concorde Career College-San Diego (CCC-SD), Cerritos College (Cerritos), Concorde Career College-Garden Grove (CCC-GG), Concorde Career College-San Bernardino (CCC-SB), West Coast University (WCU), and Diablo Valley College (DVC).

Dr. Petty also shared the upcoming Dental Hygiene Educational Program (DHEP) site visit schedule.

**Committee Member comment:** Chair Pacheco thanked Dr. Petty presenting her report and for her hard work in conducting DHEP site visits.

Most of the committee member discussion centered on concerns regarding Diablo Valley College (DVC) and their reported site visit information. Member Long initially stated he is concerned with DVC’s direct patient contact hours and National Board Exam performance. The discussion also presented the issue of language used by Commission on Dental Accreditation (CODA) when defining the standard of direct patient care as it uses “should” statements as this is a concern for Board staff and the Committee members if it is interpreted as recommended and not mandatory. Dr. Petty recommended the Board revisit this topic as a future agenda item to hold programs accountable to a minimum standard of direct patient care hours. Member Matthews suggested a taskforce be formed to identify “should” statements in the CODA Standards and documents, and then assess each instance the word is used. The EO suggested that the Board host another townhall meeting to get buy-in from the program educators and gather their feedback on the matter.

Member Long asked DVC Program Director Tonette Steeb about one of the violations they received concerning students having to provide their own personal protection equipment (PPE), including masks, gloves, and gowns. Program Director Steeb referred to a section of law that allows vocational programs to charge students a fee for equipment. Dr. Petty stated that the section of law is being misinterpreted by DVC and explained that PPE should be provided by schools unless the students can take the equipment with them.

**Public comment:** Tooka Zokaie, on behalf of the California Dental Association (CDA), supported the suggestion of a townhall meeting to hear more from educators and their view on how this may affect their student’s ability to pass all requirements and examinations, as

well as any other challenges that may affect graduating dental hygienists entering the workforce.

Tonette Steeb, Program Director for Diablo Valley College (DVC), addressed the Education Committee’s recent comments and concerns regarding the schedule changes affecting the direct patient care hours and adjustments made to their curriculum and their National Board Exam passage rates. Program Director Steeb stated the program has taken steps to improve student performance across clinical and didactic areas. She shared the program strongly values having the clinical assistant rotation included in the curriculum to reinforce infection control concepts for public safety and stated that the program did not have any recommendations during their CODA site visit.

**6. EDU Committee Agenda Item 6: Discussion and Possible Action on the July 19, 2025, Education Committee Meeting Minutes.**

**Motion:** Member Matthews for the Education Committee to approve the July 19, 2025, Education Committee Meeting Minutes.

**Second:** Member Long.

**Committee Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Education Committee to approve the July 19, 2025, Education Committee Meeting Minutes. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Joanne Pacheco, Chair	X		
Michael Long	X		
Justin Matthews	X		

**7. EDU Committee Agenda Item 7: Future Agenda Items.**

**Committee Member comment:** Chair Pacheco recommended a town hall meeting for program directors to discuss the educational standards required by the Dental Hygiene Board of California (DHBC). This recommendation was supported by Member Matthews. Chair Pacheco also recommended the Education Committee assemble a taskforce to address the concerns of the DHBC educational requirements. Chair Pacheco added that the taskforce should be created after the town hall meeting is held and when the Committee members agree.

**Public comment:** None.

**8. EDU Committee Agenda Item 8: Education Committee Adjournment.**

Chair Pacheco adjourned the Education Committee at 11:41 a.m.

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## Dental Hygiene Board of California Legislative & Regulatory Committee Meeting Minutes

**DRAFT**

**Saturday, November 8, 2025**

DHBC Headquarters Building  
2005 Evergreen Street  
1<sup>st</sup> Floor Hearing Room  
Sacramento, CA 95815

### **Legislative & Regulatory Committee Members Present:**

Chair – Michael Long, Registered Dental Hygienist in Alternative Practice (RDHAP)

Committee Member – Dr. Julie Elginer, Public Member

Committee Member – Joanne Pacheco, Registered Dental Hygienist (RDH) Educator Member

### **DHBC Staff Present:**

Anthony Lum, Executive Officer

Adina A. Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and Regulatory Specialist

Crystal Yuyama, Administrative Analyst

Yuping Lin, Department of Consumer Affairs (DCA) Legal Counsel

Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel

### **1. LEG REG Committee Agenda Item 1: Roll Call and Establishment of a Quorum.**

Michael Long, Legislative and Regulatory Committee Chair, called the Legislative and Regulatory Committee to order at **9:14 a.m.**, completed the roll call, and a quorum was established with three (3) members present.

### **2. LEG REG Committee Agenda Item 2: Public Comment for Items Not on the Agenda.**

**Committee Member comment:** None.

**Public comment:** None.

### **3. LEG REG Committee Agenda 3: Update and Regulatory Townhall Meeting Minutes for CCR Sections 1116 & 1116.5. (Informational Only).**

Executive Officer (EO) Anthony Lum reported that the Dental Hygiene Board of California (Board) facilitated a Townhall Meeting on Friday, September 12, 2025, via Microsoft Teams. EO Lum stated that a Townhall Meeting was conducted to receive direct input from Registered Dental Hygienists in Alternative Practice (RDHAPs) regarding the Board's revisions on regulatory packages, in a centralized forum.

**Committee Member comment:** Member Elginer commented that she participated at the Townhall meeting and expressed it was a valuable opportunity to listen and collect information from the public. She thanked EO Lum and staff for facilitating the meeting and encouraged additional opportunities to host future townhalls for topics where there is a strong desire for engagement and participation. Chair Long also echoed Member Elginer's comments and appreciated being at the Townhall meeting to hear the public's input.

**Public comment:** Jeannette Diaz-Olivera thanked the Board for hosting the Townhall meeting and shared that she would like to see more meetings in the future.

### **4. LEG REG Committee Agenda 4: Discussion and Possible Action on Amendments to California Code of Regulations (CCR), Title 16, Sections 1116: Mobile Dental Hygiene Clinics; Issuance of Approval and 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.**

Dr. Adina Petty reported on January 1, 2025, California Code of Regulations (CCR), Title 16, section 1116.5 went into effect for the registration of physical facilities by Registered Dental Hygienists in Alternative Practice (RDHAPs). Subsequently, the Dental Hygiene Board of California (Board) was informed about some confusion regarding the requirements for registration of physical facilities as a stand-alone practice versus registration of physical facilities to maintain portable equipment for registered dental hygienists in alternative practice (RDHAPs).

In an effort to address those concerns, Board staff prepared proposed amendments to the previously approved language and form for 16 CCR section 1116.5 and presented the amended language and form at the March 21 – 22, 2025, Full Board meeting. The Board approved the amended language and form and directed Board staff to continue the rulemaking process.

Staff continued work on the amendments and identified another issue that was brought back to the Board at the May 27, 2025, Full Board Teleconference. The Board reviewed and approved the amendments.

While preparing the package for submission for Department review and public comment, Board staff became aware of a conflicting definition in the regulatory text and the underlying

statute. Prior to the Board's July 19, 2025, meeting, the Board staff received additional information and public comments. The Legislation and Regulatory Committee tabled the discussion and possible action on 16 CCR sections 1116 and 1116.5 until the November 8, 2025, meeting so staff may revise the proposed language for clarity.

Due to the public comments received, and in the interest of transparency, the Board held a Townhall Meeting on September 12, 2025. The goal of this meeting was to obtain stakeholder input so staff may put forth regulations that are easily understood and implemented as regulations provide specific direction for Board staff to implement the provision of broad-based laws the Legislature approved.

Dr. Petty presented the changes to the language for California Code of Regulations (CCR), Title 16, Sections 1116: Mobile Dental Hygiene Clinics; Issuance of Approval and 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.

**Motion:** President Pacheco moved for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed amended language and form for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5.

**Second:** Member Elginer.

**Committee Member discussion:** President Pacheco thanked Chair Long and Dr. Petty for their combined efforts on this agenda item.

The Legislative and Regulatory Committee, Dr. Petty, EO Lum, and Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel, engaged in a lengthy discussion with suggestions for replacing and amending the proposed language in 16 CCR sections 1116 and 1116.5.

**Public comment:** Susan McLearn inquired why there are not two separate forms for mobile and portable operations for hygienists that only operate in one capacity.

Tooka Zokaie, on behalf of the California Dental Association (CDA), stated that CDA recommends keeping the current regulatory language unchanged for now, to avoid introducing new or inconsistently defined terms. Ms. Zokaie suggested that any revisions be considered in a future sunset bill or when regulatory language can be reviewed as a whole.

Diane Reese, RDHAP, requested clarification on the forms regarding the definitions of “portable” versus “mobile.” Ms. Reese stated “mobile” was described as a van with wheels that houses the equipment and “portable” refers to equipment brought into a facility. She requested that these distinctions be clearly reflected in the forms and inquired about the appropriate contact for information related to establishing mobile operations.

Jeannette Diaz-Olivera commented in support for removing the term “dental hygiene care plan” and replacing it with “dental hygiene process of care,” noting that although a definition does not currently exist one could be established by outlining its required components, similar to other listed requirements. Ms. Diaz-Olivera requested clarification on whether a definition for a portable dental hygiene clinic or practice exists. Dr. Petty responded that portable equipment is defined in 1116.5(a)(9) as any tool instrument or device used by an RDHAP to provide dental hygiene services designed for and capable of being carried or moved from one location to another.

Member Long suggested for the Legislation and Regulatory Committee to consider the following amendments to the proposed language:

For 16 CCR section 1116(a)(9):

“Patient treatment records” shall include the patient’s dental history maintained by the MDHC related to the dental hygiene process of care which includes medical history, dental hygiene ~~evaluation(s)~~assessments, dental hygiene ~~diagnosis(es)~~care plan, dental hygiene procedures and treatment, response to dental hygiene treatment, documented consultations with other dental care and healthcare providers, and referrals for dental care and healthcare follow-up treatment.

For 16 CCR section 1116.5(a)(7):

“Patient treatment records” shall include the patient’s dental history maintained by the facility related to the dental hygiene process of care which includes medical history, dental hygiene ~~evaluation(s)~~assessments, dental hygiene ~~diagnosis(es)~~care plan, dental hygiene procedures and treatment, response to dental hygiene treatment, documented consultations with other dental care and healthcare providers, and referrals for dental care and healthcare follow-up treatment.

**The Legislative and Regulatory Committee agreed on all suggested substantive and non-substantive amendments and Member Elginer amended the motion to the following:**

Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the

Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5.

Member Elginer seconded.

**Public comment:** Jeannette Diaz-Olivera commented in support of the revised amendment, noting that it more accurately reflects the professional experience of RDHs and RDHAPs.

**Vote: Motion for the Legislation and Regulatory Committee to recommend to the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**5. LEG REG Committee Agenda 5: Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages. (Informational Only).**

Dr. Adina Petty provided an update on the status of regulatory packages starting on page 45. She stated that currently the Board is running the following packages: 16 CCR section 1105.2(e) (Periodontal Classifications); 16 CCR section 1116.5 (RDHAP Physical Facility Registration) and 16 CCR section 1116 (Mobile Dental Hygiene Clinics). Dr. Petty stated that other regulatory packages are forthcoming.

**Committee Member comment:** Member Elginer asked Dr. Petty if there is a cutoff date to roll off past regulations promulgated by the Board. Dr. Petty and EO Lum responded that it is a running list and can start rolling off regulations after five (5) years.

Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel, commended Dr. Petty and the Board on clearing the backlog of regulations that accumulated during the pandemic years.

**Public comment:** None.

**6. LEG REG Committee Agenda 6: Discussion and Possible Action on Proposed Amendments to the Business and Professions Code:**

- a) Add Business and Professions Code (BPC) section 1915.1 – Dental Hygiene Students Participating in Sponsored Health Events: Access to Care.
- b) Amend BPC section 1926.3 – RDHAPs to Report Working Locations for Board Statistics.
- c) Amend BPC section 1941 – Accrediting Agencies for Dental Hygiene Educational Programs.
- d) Add BPC section 1961.5 – Post Board Enforcement Actions on Website and Executive Officer Citation Removal.

EO Lum reported Board staff was unsuccessful in obtaining a sponsor or author for the submitted legislation. EO Lum stated Board staff revised the language and presented a summary of the revisions regarding the BPC sections, as listed above, to the committee. He stated that the information regarding these revisions can be found on pages on 49 through 56.

EO Lum reported at the Board's November 15-16, 2024, Full Board meeting, the members engaged in a robust discussion regarding amending BPC sections 1915.1, 1926.3, 1941, and 1961.5. The Full Board approved the final draft of proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and directed staff to seek sponsored legislation for 2025.

The reasons for the requested statutory changes are as follows:

- 1) Mirrors previously approved language for dental students to be applied to dental hygiene students to work at sponsored events to improve access to dental care and increase their clinical experiences (BPC section 1915.1).
- 2) Provide direction to Registered Dental Hygienists in Alternative Practice to notify the Board of their working locations at each license renewal which assists in the Board's work statistics and oversight of the license category (BPC section 1926.3) for consumer protection.
- 3) Adds and expands accrediting agencies recognized by the US Dept. of Education which focus on allied health education for entities interested in starting new dental hygiene educational programs (BPC section 1941).
- 4) Allows the Board to post enforcement related information about licensees and their licensure status on the website for consumer protection and transparency (BPC section 1961.5).
- 5) Provides authority to the Executive Officer to rescind a citation after the appeals process and discovered the licensee would not have violated the Dental Practice Act when the initial citation was issued (BPC section 1961.5).

**Motion:** Member Elginer moved for the Legislation and Regulatory Committee to review the amended statutory language and re-affirm the changes are warranted. If the Legislation and Regulatory Committee re-affirms the changes are warranted, the Legislation and Regulatory Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and direct staff to seek sponsored legislation for 2026.

**Second:** President Pacheco.

**Committee Member discussion:** Regarding BPC section 1961.5, Member Elginer recommended grammatical revisions to the language.

President Pacheco recommended removing language in BPC section 1941(c) that is no longer applicable. She stated that the Dental Board of California (DBC) no longer approves programs and so it should be removed from the language.

Member Elginer and EO Lum discussed the possibility of adding the DHBC to the list of boards that can post enforcement actions to the website. EO Lum stated he can request it be added to statute language when the Board seeks legislation.

**Public comment:** Susan McLearn asked for clarification on why the proposed stricken language in BPC section 1926.3 is being removed and how the information will be collected if it is removed from the language.

EO Lum suggested the committee add the language allowing the Executive Officer to remove citations in BPC section 1951.1.

Based on the committee member and public discussion the original motion maker, Member Elginer, agreed to the language amendments made during the live discussion. The

language amendments will be added to the proposed language amendments brought to the committee for today's meeting.

**Vote: Motion for the Legislation and Regulatory Committee to review the amended statutory language and re-affirm the changes are warranted. If the Legislation and Regulatory Committee re-affirms the changes are warranted, the Legislation and Regulatory Committee shall recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and direct staff to seek sponsored legislation for 2026. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**7. LEG REG Committee Agenda 7: Legislative Update: Discussion of 2025 Bills of Interest and Legislative Calendar. (Informational Only).**

Dr. Adina Petty reported as to current legislation of interest to the Board on pages 58 to 67, as well as reporting on the current legislative calendar on pages 68 through 69.

- **Assembly Bill (AB) 224** Bonta: Health care coverage: essential health benefits.
- **AB 341** Arambula: Oral Health for People with Disabilities Technical Assistance Center Program.
- **AB 350** Bonta: Health care coverage: fluoride treatments.
- **AB 371** Haney: Dental coverage.
- **AB 489** Bonta: Health care professions: deceptive terms or letters: artificial intelligence.
- **AB 742** Elhawary: Department of Consumer Affairs: licensing: applicants who are descendants of slaves.
- **AB 873** Alanis: Dentistry: dental assistants: infection control course.
- **AB 966** Carrillo: Dental Practice Act: foreign dental schools.
- **AB 980** Arambula: Health care: medically necessary treatment.
- **AB 1307** Ávila Farías: Licensed Dentists from Mexico Pilot Program.
- **AB 1418** Schiavo: Department of Health Care Access and Information.
- **Senate Bill (SB) 62** Menjivar: Health care coverage: essential health benefits.
- **SB 351** Cabaldon: Health Facilities.
- **SB 386** Limón: Dental providers: fee-based payments.
- **SB 470** Laird: Bagley-Keene Open Meeting Act: teleconferencing.
- **SB 744** Cabaldon: Accrediting agencies.

- **SB 861** Committee on Business, Professions and Economic Development: Committee on Business, Professions and Economic Development. Consumer affairs (Omnibus Bill).

**Committee Member discussion:** Regarding the failed status of AB 350, Member Elginer asked if there were plans to move this bill to the two (2) year bill and requested Board staff to inquire what concerns were for AB 350 to be pulled from the Senate.

Member Elginer requested Board staff to add a column for the bill’s sponsor if available on the fact sheet in the committee consultant analysis or in consultation with the author’s office.

Regarding the legislative calendar, Member Elginer requested the Board implement a May teleconference meeting to primarily discuss and review pieces of legislation.

**Public comment:** None.

**8. LEG REG Committee Agenda 8: Discussion and Possible Action on the July 19, 2025, Legislative and Regulatory Committee Meeting Minutes.**

**Motion:** Member Elginer moved to approve the July 19, 2025, Legislative and Regulatory Committee Meeting Minutes.

**Second:** President Pacheco.

**Committee Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Legislative and Regulatory Committee to approve the July 19, 2025, Legislation and Regulatory Committee Meeting Minutes. Passed 3:0:0.**

Name	Aye	Nay	Abstain/Absent
Michael Long, Chair	X		
Julie Elginer	X		
Joanne Pacheco	X		

**9. LEG REG Committee Agenda 9: Future Agenda Items.**

**Committee Member comment:** None.

**Public comment:** None.

**10. LEG REG Committee Agenda 10: Legislative and Regulatory Committee Adjournment.**

Chair Long adjourned the Legislative and Regulatory Committee at **10:57 a.m.**

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## Dental Hygiene Board of California Full Board Meeting Minutes

**DRAFT**

**Saturday, November 8, 2025**

DHBC Headquarters Building  
2005 Evergreen Street  
1<sup>st</sup> Floor Hearing Room  
Sacramento, CA 95815

### **DHBC Members Present:**

President – Joanne Pacheco, Registered Dental Hygienist (RDH) Educator Member  
Vice President – Sonia “Pat” Hansen, RDH Member  
Registered Dental Hygienist in Alternative Practice (RDHAP) Member – Michael Long  
Public Member – Dr. Julie Elginer  
Public Member – Sherman King  
Public Member – Dr. Justin Matthews  
Public Member – Nicolas Kiet Quach

### **DHBC Members Absent:**

Secretary – Naleni “Lolly” Tribble-Agarwal, RDH Member  
Public Health Dentist Member – Dr. Sridevi Ponnala

### **DHBC Staff Present:**

Anthony Lum, Executive Officer  
Adina A. Pineschi-Petty, Doctor of Dental Surgery (DDS), Education, Legislative, and Regulatory Specialist  
Crystal Yuyama, Administrative Analyst  
Yuping Lin, Department of Consumer Affairs (DCA) Legal Counsel  
Elizabeth Dietzen-Olsen, DCA Regulatory Legal Counsel

Joanne Pacheco, President of the Dental Hygiene Board of California (DHBC, Board) reviewed meeting guidelines and called the meeting to order at **9:06 a.m.** Executive Officer (EO) Anthony Lum provided directions to the nearest emergency exits and restroom locations. The meeting then transitioned to allow for the Legislative and Regulatory Committee meeting and subsequently the Education Committee to meet. The Full Board meeting commenced following the adjournment of the Education Committee meeting.

### 1. FULL Board Agenda Item 1: Roll Call and Establishment of a Quorum.

Joanne Pacheco, Board President called the meeting to order at **11:45 a.m.** Board Staff completed the roll call, and a quorum was established with seven (7) members present.

### 2. FULL Board Agenda Item 2: Public Comment for Items Not on the Agenda.

**Board Member comment:** None.

**Public comment:** None.

### 3. FULL Board Agenda Item 3: President's Report.

President Pacheco introduced the new Board member, Nicolas Kiet Quach. Member Quach provided a brief background on his professional and governmental experience and expressed his gratitude to serve as a Board member.

Joanne Pacheco, Board President, reported on the following:

President Pacheco attended and participated in the Dental Board of California's (DBC) November 7, 2025, meeting in Sacramento where she provided an update of the DHBC's activities, projects, and program status. She reported that the DHBC and DBC continue their collaborative efforts and discussions on many issues to maintain our dental relationships.

President Pacheco participated and co-chaired with Member Elginer the Board's taskforce to address a penalty rubric for the dental hygiene educational programs that are non-compliant of the California laws and Commission on Dental Accreditation Standards. She stated they have met seven (7) times so far and are progressing well on a draft rubric to present to the Education Committee at a future meeting. She stated it is a complex issue, and they are attempting to incorporate many scenarios that could face the Board and determine appropriate penalties for them.

She completed the October 22, 2025, Board Member Orientation Training to comply with the Board member requirements. She stated that this version was one of the most comprehensive and informative trainings to prepare board members for their service.

President Pacheco attended the California Dental Hygiene Educator's Association's meeting in September representing herself and not the Board and shared that the educators expressed positive words and opinions in working with Board staff during site visits and communications with their respective programs.

The President stated she and EO Lum maintain frequent communication for updates on Board issues and for items that need her attention.

President Pacheco announced that this meeting would be Member Matthews last Board meeting, because he did not seek reappointment due to other commitments. She thanked him for his valuable input, discussions, and dialogue on important DHBC topics.

**Board Member comment:** Member Matthews commented that he has enjoyed working the past three (3) years on the Board and expressed his contentment with the Board tackling important issues and making good decisions with the goal of protecting consumers in California. Member Matthews thanked the Board for his time spent as a member and hopes for the continued success of the DHBC.

**Public comment:** None.

#### **4. FULL Board Agenda Item 4: Update from the Department of Consumer Affairs (DCA) Executive Staff.**

Judie Bucciarelli, Department of Consumer Affairs (DCA) Board and Bureau Relations Representative, welcomed the recently appointed member, Nicolas Quach to the Board and thanked member Justin Matthews for his service to the Board. Ms. Bucciarelli reported on the following:

##### **a. Board and Bureau Relations Team**

Governor Newsom has appointed two new leaders to the Department's Executive Team.

Governor Newsom appointed Lucy Saldivar as the Deputy Director of Board and Bureau Relations. Lucy previously served as Chief of Staff in the Office of Assemblymember Lisa Calderon since 2022 and Legislative Director from 2021 to 2022. She held multiple roles in the Office of Assemblymember Jacqui Irwin from 2017 to 2021. Lucy is a member of the Hispanas Organized for Political Equality (HOPE) Leadership Institute and the California Latino Capitol Association Foundation.

Shelly Jones was appointed by Governor Newsom as the Assistant Deputy Director of Board and Bureau Relations. Shelly has 29 years of state experience; many of them working with boards. She has been with DCA since 2015, serving in several capacities with Board and Bureau Relations, as well as in the DCA's Strategic Organizational Leadership and Individual Development and Organizational Improvement Offices. Prior to joining DCA, she served in multiple roles at the Juvenile Parole Board of the California Department of Corrections.

After 36 years with DCA, Director Kimberly Kirchmeyer will retire at the end of the year. She began as a student assistant in 1989 and was appointed DCA Director in 2019, leading the Department through major challenges including wildfires and the COVID-19 pandemic and the transition to telework. She extends her gratitude for your service and dedication to DCA's mission.

## b. Sexual Harassment Prevention Training

Sexual Harassment Prevention Training is required within 30 days of appointment and every two years thereafter. On October 27<sup>th</sup>, DCA launched its new Sexual Harassment Prevention Training in the Learning Management System (LMS).

- If Board Members completed the 2024/2025 Sexual Harassment Prevention Training during the 2024/2025 calendar years, the new course will be automatically assigned to the Board Member's LMS account two months (60 days) before the two-year deadline.
- If Board Members have not completed the 2024/2025 Sexual Harassment Prevention Training, the new course was assigned to the Board Member's LMS account on October 27, 2025, and should be completed as soon as possible.

Future deadlines will be either two years from the last completion date or December 27<sup>th</sup> for those Board Members who have not yet taken the training. The course will automatically be reassigned 22 months from your last completion date.

## c. Unconscious Bias Training

DCA has developed new "Unconscious Bias Training" for Board Members. This training will appear in the Board Member's LMS account in November and will be incorporated in the onboarding of new Board Members. Training records are available in the "Transcript" section of LMS. For assistance, contact [MemberRelations@dca.ca.gov](mailto:MemberRelations@dca.ca.gov).

## d. Our Promise Campaign Launch – State Employees Giving at Work Campaign

Through the Our Promise California, State employees and Board Members can support nonprofit through payroll contributions or one-time donations. The campaign runs through December 31, 2025. Additional information will be emailed to Board Members this month. Any questions may be directed to Board and Bureau Relations.

**Board Member comment:** Member Elginer asked if there was an update on the Governor's reorganization plan for DCA and splitting into two agencies. Ms. Bucciarelli stated that she did not have an update, but that information could be available on the Governor's website.

**Public comment:** None.

## 5. FULL Board Agenda Item 5: Update from the Dental Board of California (DBC).

Dr. Steven Chan, President of the DBC thanked EO Lum and members of the Board for the opportunity to provide an update. The DBC's Interim Executive Officer, Christy Bell was also present.

Dr. Chan reported on the following:

- The DBC held its most recent meetings on November 6-7, 2025, in Sacramento. The next DBC meeting will be held in February 2026, in Sacramento.
- The DBC’s current Strategic Plan expires at the end of the year. On November 5, 2025, the DBC held a strategic planning meeting to work on the new plan.
- The DBC has named Bryce Docherty as its Executive Officer, effective November 24, 2025.
- Dr. Chan announced that the DBC has three new Board members that have been appointed this year and have two remaining vacancies on the DBC.
- The DBC is beginning the regulatory process for the infection control regulations that have been approved by both the DBC and DHBC.
- Dr. Chan stated that he looks forward to the continued partnership with the DHBC, especially as the DBC continues to update its dental assisting regulations.

**Board Member comment:** EO Lum expressed his gratitude and appreciation to Dr. Chan and EO Christy Bell for their welcoming disposition and the continued collaborative efforts between the DHBC and DBC.

**Public comment:** None.

**6. FULL Board Agenda Item 6: Discussion and Possible Action to Approve the July 19, 2025, Full Board Meeting Minutes.**

**Motion:** Member Matthews moved to approve the July 19, 2025, Full Board Meeting Minutes.

**Second:** Member Long.

**Board Member discussion:** None.

**Public comment:** None.

**Vote: Motion to approve the July 19, 2025, Full Board Meeting Minutes. Passed 6:0:3.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		

Name	Aye	Nay	Abstain/Absent
Sonia “Pat” Hansen	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach			Abstain.

**7. FULL Board Agenda Item 9: Executive Officer’s Report. (Informational Only).**

EO Anthony Lum reported on the following:

**a. Personnel:**

EO Lum reported that the DHBC continues to have four (4) vacant positions, as one position was recently filled and another staff left for promotion at another program. He stated that there are currently two other positions in various stages of the hiring process, of which one is under review for reconfiguration of duties to address DHBC needs. EO Lum emphasized that for a smaller program like the DHBC it is important to be very selective in who is hired to maintain the cohesiveness of the team and takes time to do this through the hiring process.

**b. Budget:**

EO Lum stated that the latest Budget Report documents were in the Full Board meeting materials on pages 60 through 65. The Expenditure Projection Report on page 62 shows anticipated expenses through the end of the year. EO Lum states that it will be adjusted throughout the year depending on the expenses incurred including the refilling of staff positions. EO Lum stated that the final numbers from the last fiscal year are now included since those numbers were not available at the July meeting.

The Board’s Revenue Report is on pages 63 to 64 and shows the amount of revenue the Board has received this year. He stated that the report shows early results, but later reports will be more accurate to use in projections for the anticipated amount of revenue expected to be received for the remainder of the year.

The Fund Condition Report, which is our “savings account” by fiscal year, on page 65 shows the amount of dollars available in the fund to indicate the fiscal health of the Board and the duration in months the Board could operate without any further revenue. He reported the fund continues to be good standing. He stated that there will be gradual decrease in subsequent years as vacancies are filled although he states that this should not have a significant impact on the report to require additional revenue to be considered.

c. Administration – EO Activities and Updates:

EO Lum stated that since his last report, the following were some of his activities:

- He participated in the Department of Consumer Affairs’ September 2025 Leadership and DCA Director’s Quarterly Meetings where current issues affecting programs were discussed.
- He conducted a townhall meeting in September to obtain RDHAP licensee input to the proposed revisions to California Code of Regulation (CCR), Title 16, sections 1116 and 1116.5. He reported it was a highly productive meeting as staff and stakeholders were able to explain their positions regarding the regulatory amendments.
- He reported that he maintains good relations with the DBC and participated in their August and November Board meetings with President Pacheco. EO Lum thanked the DBC staff for any assistance they provided while he was away from the office on vacation. He indicated that he appreciates the continued collaboration between the two Boards.
- He stated he received email announcing DCA Director, Kimberly Kirchmeyer is retiring at the end of this year after a 35+ year career under DCA. EO Lum stated that she has been a stable supporter of all DCA programs and a wealth of knowledge and experience. He expressed well wishes for her as she enters retirement.
- He stated that he is considering starting a second team of Educational Program site visitors to accommodate the increased workload (e.g. regular site visits, follow up site visits, and review of reports received).
- He wanted to inform and remind the Board that he believes the DHBC has a great staff. He stated that the Board is small, but mighty and it takes a lot of work to prepare for the Board meetings and complete all the daily program operations concurrently. He stated he appreciates their hard work and all their efforts to complete the Board’s mission of consumer protection.

**Board Member comment:** None.

**Public comment:** None.

**8. FULL Board Agenda Item 8: Discussion and Possible Action on DHBC Election of Board Officers and Update on 2026 Meeting Dates.**

The members agreed to vote for a slate of three (3) Board Officers in a single vote.

Member Long nominated the current slate of officers: Joanne Pacheco as President, Sonia “Pat” Hansen as Vice President, and Naleni “Lolly” Tribble-Agarwal as Secretary, to be the Board Officers for 2026.

**Motion:** Member Long recommended for the Board to approve the following Board Officers for 2026: Joanne Pacheco as President, Sonia “Pat” Hansen as Vice President, and Naleni “Lolly” Tribble-Agarwal as Secretary.

**Second:** Member Elginer.

**Board Member discussion:** Member Elginer stated that she is fully supportive of the current slate of officers and their current nomination for 2026; however, she noted that there is no public member represented in the executive board members and would like for a plan to ensure public members participate in executive officer positions in the future.

President Pacheco thanked the Board for electing her as President and finds it to be a privilege to serve colleagues and the DHBC.

**Public comment:** None.

**Vote: Motion for the Board to approve the following Board Officers for 2026: Joanne Pacheco as President, Sonia “Pat” Hansen as Vice President, and Naleni “Lolly” Tribble-Agarwal as Secretary. Passed 6:0:3.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		
Sonia “Pat” Hansen	X		
Sherman King	X		
Michael Long	X		
Justin Matthews			Abstain.

Name	Aye	Nay	Abstain/Absent
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach	X		

The members engaged in a thorough discussion regarding the scheduling dates for the November 2026 Meeting Dates. Factors considered included alignment with the DBC meeting dates, whether the DHBC may have a one- or two-day Board meeting(s), personal and professional scheduling conflicts, the California Dental Hygienists' Association's (CDHA's) annual conference, and the DHBC's Sunset Review timeline. The Board decided to wait for an upcoming Board meeting to better determine the November 2026 Board meeting date. As a placeholder, the Board has considered November 7, 2026, if it is a one-day meeting, or November 15-16, 2026, if it is a two-day meeting.

**9. FULL Board Agenda Item 9: Discussion and Possible Action on Updating the Board Member Procedural Manual.**

**Motion:** President Pacheco recommended for the Board to create an “Ad Hoc Committee” of two Board members to address the update and revision of the Board Member Procedural Manual and bring back the draft of the manual at a future meeting for Board consideration.

**Second:** Member Matthews.

**Board Member discussion:** Member Elginer commented she fully supports the Board Member Procedural Manual being reviewed and updated. She later stated four (4) items for the Ad Hoc Committee to consider when drafting their revisions:

1. Regarding the mention of submitting a resignation letter to the Governor on page one (1) of the DHBC Member Guidelines and Procedure Manual (or page 72 in the Full Board Meeting materials), Member Elginer states that the resignation letters be sent to the appointing body.
2. Consider adding in a legislation teleconference meeting into the standard meeting dates (on page 9 of the manual or page 80 in the Full Board Meeting materials).
3. In the “Training & Certification” section of the manual, consider adding language that allows for changes to the list of mandated trainings assigned by DCA, so that the manual does not need to be revised each time a new training is added.
4. Consider adding a line item in the manual for members to disclose that they are a member of the Board when receiving dental hygienist services. This consideration was discussed in length by the members and the EO on whether members should be required to this type of disclosure during their teeth cleaning appointments.

The motion was amended to insert the names of the two members who volunteered to be placed on the “Ad Hoc Committee” and was accepted by the motion-maker.

**Amended Motion:** President Pacheco recommended for the Board to create an “Ad Hoc Committee” of two Board members consisting of Member Long and Member Quach to address the update and revision of the Board Member Procedural Manual and bring back the draft of the manual at a future meeting for Board consideration.

**Public comment:** None.

Later in the meeting, Member Elginer asked to revisit Agenda Item 9: Discussion and Possible Action on Updating the Board Member Procedural Manual, to add a consideration for the manual revisions. She stated that similar to there being an “Explanations of Enforcement Term” she would like to request the addition of an explanation of legislative and regulatory terms, including positions on bills (e.g. watch, support, support if amended, oppose, and oppose unless amended).

**Vote: Motion for the Board to create an “Ad Hoc Committee” of two Board members consisting of Member Long and Member Quach to address the update and revision of the Board Member Procedural Manual. Passed 7:0:2.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		
Sonia “Pat” Hansen	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach	X		

**10. FULL Board Agenda Item 10: Discussion and Possible Action on Legislative and Regulatory Committee Report and Recommendation(s).**

Legislative and Regulatory Committee Chair, Michael Long, stated that because there were action items that required individual recommendations, each item would be reported separately, but on the informational only items, a summary was provided at the end of the Legislative and Regulatory Committee report.

Chair Long reported that the Legislative and Regulatory Committee established a quorum and asked for public comment for items not on the agenda. There were not any public comments.

**FULL Board Agenda Item 10: LEG REG Agenda Item (4): Discussion and Possible Action on Amendments to California Code of Regulations (CCR), Title 16, Sections 1116: Mobile Dental Hygiene Clinics; Issuance of Approval and 1116.5: Registered Dental Hygienist in Alternative Practice; Physical Facility Registration.**

Chair Long reported Dr. Petty informed the Legislation and Regulatory Committee that the Board was advised of some confusion regarding the requirements for registration of physical facilities as a stand-alone practice versus registration of physical facilities to maintain portable equipment for registered dental hygienists in alternative practice (RDHAPs). Additionally, while preparing the package for submission for Department review and public comment, Board staff became aware of a conflicting definition in the regulatory text and the underlying statute. Due to the public comments received, and in the interest of transparency, the Board held a Townhall Meeting on September 12, 2025. The goal of this meeting was to obtain stakeholder input so Board staff may put forth regulations that are easily understood and implemented as regulations provide specific direction for Board staff to implement the provision of broad-based laws the Legislature approved.

He stated Board staff revised the proposed language for clarity and is included under “Legislation and Regulatory Committee Agenda Item 4” on pages 13 through 43 in the Legislation and Regulatory Committee meeting materials packet. Additionally, the Legislation and Regulatory Committee further amended the proposed language and forms and provided the amendments to the Full Board.

**Motion:** Member King moved for the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5.

**Second:** Member Matthews.

**Board Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Full Board to approve the proposed Legislation and Regulatory Committee-amended language and forms for 16 CCR sections 1116 and 1116.5, and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review. If the Board does not receive any comments providing objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the Board in proposing or adopting the action, the Board authorizes the Executive Officer to take all steps necessary to initiate the rulemaking process, make any technical or non-substantive changes to the package, and set the matter for hearing, if requested. If after the 45-day public comment period, no adverse comments are received, and no public hearing is requested, the Board authorizes the Executive Officer to take all steps necessary to complete the rulemaking process, and adopt the proposed regulations as described in the text notice for 16 CCR sections 1116 and 1116.5. Passed 7:0:2.**

<b>Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain/Absent</b>
<b>Lolly Agarwal</b>			Absent.
<b>Julie Elginer</b>	X		
<b>Sonia “Pat” Hansen</b>	X		
<b>Sherman King</b>	X		
<b>Michael Long</b>	X		
<b>Justin Matthews</b>	X		
<b>Joanne Pacheco</b>	X		
<b>Sridevi Ponnala</b>			Absent.
<b>Nicolas Kiet Quach</b>	X		

**FULL Board Agenda Item 10: LEG REG Agenda Item (6): Discussion and Possible Action on Proposed Amendments to the Business and Professions Code:**

- a) Add Business and Professions Code (BPC) section 1915.1 – Dental Hygiene Students Participating in Sponsored Health Events: Access to Care.
- b) Amend BPC section 1926.3 – RDHAPs to Report Working Locations for Board Statistics.

- c) Amend BPC section 1941 – Accrediting Agencies for Dental Hygiene Educational Programs.
- d) Add BPC section 1961.5 – Post Board Enforcement Actions on Website and Executive Officer Citation Removal.

Legislative and Regulatory Committee Chair Long stated EO Lum reported that at the November 15-16, 2024, Full Board meeting, the members engaged in a robust discussion regarding amending BPC sections 1915.1, 1926.3, 1941, and 1961.5. The Full Board approved the final draft of proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and directed staff to seek sponsored legislation for 2025. He stated that unfortunately, Board staff was unable to obtain an author for 2025 and requested for the Legislation and Regulatory Committee to review the amended statutory language and re-affirm the changes are warranted. Additionally, he requested that If the Legislation and Regulatory Committee re-affirms the changes are warranted, for the Legislation and Regulatory Committee recommend to the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, and 1961.5, and direct staff to seek sponsored legislation for 2026.

The proposed language is included under “Legislation and Regulatory Committee Agenda Item 6” on pages 49 through 56 in the Legislation and Regulatory Committee meeting materials packet.

**Motion:** Member Elginer moved for the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, 1961.5, and 1950.1 and direct staff to seek sponsored legislation for 2026.

**Second:** Member Quach.

**Board Member discussion:** None.

**Public comment:** EO Lum clarified that BPC section 1950.1 was added to the motion to separate out the Executive Officer’s ability to remove a citation.

**Vote: Motion for the Full Board to re-affirm and approve the final draft of the proposed statutory language amendments for BPC sections 1915.1, 1926.3, 1941, 1961.5, and 1950.1 and direct staff to seek sponsored legislation for 2026. Passed 7:0:2.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		
Sonia “Pat” Hansen	X		

Name	Aye	Nay	Abstain/Absent
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach	X		

**FULL Board Agenda Item 10: LEG REG Agenda Item (3): Update and Regulatory Townhall Meeting Minutes for CCR section 1116 & 116.5. (Informational Only)., LEG REG Agenda Item (5): Regulatory Update: Status of Dental Hygiene Board of California Regulatory Packages. (Informational Only)., LEG REG Agenda Item (7): Legislative Update: Discussion of 2025 Bills of Interest and Legislative Calendar. (Informational Only)., LEG REG Agenda Item (8): Discussion and Possible Action on the July 19, 2025, Legislative and Regulatory Committee Meeting Minutes, LEG REG Agenda Item (9): Future Agenda Items. (Informational Only).**

Chair Long reported that the Legislation and Regulatory Committee was advised of the “informational only” items including LEG REG Committee Agenda Item 3 “Update and Regulatory Townhall Meeting Minutes for CCR section 1116 & 1116.5,” LEG REG Committee Agenda Item 5 “Status of Dental Hygiene Board of California Regulatory Packages,” LEG REG Committee Agenda Item 7 “Legislative Update: Discussion of 2025 Bills of Interest and Legislative Calendar.”

Legislative and Regulatory Committee Chair Long reported that the Committee approved LEG REG Committee Agenda Item 8 “Discussion and Possible Action on the July 19, 2025, Legislation and Regulatory Committee Meeting Minutes.” The Chair stated that there were no future agenda items suggested for LEG REG Committee Agenda Item 9 “Future Agenda Items.”

**Board Member discussion:** None.

**Public comment:** None.

**Motion:** Member Elginer moved for the Board to accept the Legislative and Regulatory Committee’s full report.

**Second:** Member Long.

**Board Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Board to accept the Legislative and Regulatory Committee’s full report. Passed 7:0:2.**

<b>Name</b>	<b>Aye</b>	<b>Nay</b>	<b>Abstain/Absent</b>
<b>Lolly Agarwal</b>			Absent.
<b>Julie Elginer</b>	X		
<b>Sonia “Pat” Hansen</b>	X		
<b>Sherman King</b>	X		
<b>Michael Long</b>	X		
<b>Justin Matthews</b>	X		
<b>Joanne Pacheco</b>	X		
<b>Sridevi Ponnala</b>			Absent.
<b>Nicolas Kiet Quach</b>	X		

**11. FULL Board Agenda Item 11: Discussion and Possible Action on Education Committee Report and Recommendation(s).**

Education Committee Chair Joanne Pacheco stated that because there were action items that required individual recommendations, she reported each item separately, but on the informational only items, a summary was provided at the end of her report.

Chair Pacheco reported a quorum was established and asked for public comment for items not on the agenda. She stated there were no public comments.

**FULL Board Agenda Item 11: EDU Agenda Item (4): Discussion and Possible Action on Board Acceptance of the Revised Accreditation Nomenclature Pursuant to the United States Department of Education.**

Education Committee Chair Pacheco report that on February 20, 2020, the United States Department of Education (USDE) sent a letter to State Leaders notifying that as the USDE holds all accrediting agencies to the same standards, the distinctions between regional and national accrediting agencies are unfounded, that the USDE will no longer use the terms "regional" or "national" to refer to an accrediting agency, and that the USDE will distinguish only between “institutional” and “programmatic” accrediting agencies.

She stated at the Board’s November 15, 2024, Education Committee meeting, the members engaged in a robust discussion regarding amending BPC section 1941 to align with USDE accreditation agency terminology. The Education Committee approved the proposed draft statutory language for BPC section 1941 and recommended to the Full Board to consider, complete, and approve the final draft of the proposed statutory language amendment for BPC section 1941. The Full Board approved the final draft of proposed statutory language amendment for BPC section 1941 and directed staff to seek sponsored legislation for 2025; however, staff was unable to obtain legislation in 2025. The proposed language is included under “Education Committee Agenda Item 4” on page 12 in the Education Committee meeting materials packet.

**Motion:** Member Long moved for the Full Board to re-affirm and approve the final draft of the proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2026.

**Second:** Member King.

**Board Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Full Board to re-affirm and approve the final draft of the proposed statutory language amendment for BPC section 1941, and direct staff to seek sponsored legislation for 2026. Passed 7:0:2.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		
Sonia “Pat” Hansen	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach	X		

**FULL Board Agenda Item 11: EDU Agenda Item (3): Discussion and Possible Action on the Report from the Dental Hygiene Educational Program Penalty Rubric Taskforce, EDU Agenda Item (5): Dental Hygiene Educational Program Site Visit**

**Update and Schedule. (Informational Only), EDU Agenda Item (6): Discussion and Possible Action on the July 19, 2025, Education Committee Meeting Minutes, and EDU Agenda Item (7): Future Agenda Items.**

Education Committee Chair Pacheco reported that since the Dental Hygiene Educational Program Penalty Rubric Taskforce conducted their first meeting on June 4, 2025, the Taskforce has met seven (7) times and categorized the violations utilizing the factors as outlined in 16 CCR section 1104.3 which include:

- Nature and severity of the violation;
- Length of time that has passed since the date of the violation;
- Consequences of the violation, including the potential to harm, or actual patient harm;
- History of previous violations of similar nature;
- Evidence that the violation was willful;
- Gravity of the violation; and
- The extent to which the cited DHEP has remediated the deficiencies.

Along with categorizing the aforementioned factors, the Taskforce discussed the frequency of violations discovered at DHEPs along with discussions on timeframes and penalties DHEPs shall be given to remediate violations and deficiencies providing structure to a potentially perceived subjective determination.

The next Taskforce meeting is scheduled for November 21, 2025, and continued meetings will occur until a draft rubric is ready for the Education Committee's review.

Education Committee Chair Pacheco reported that for the Dental Hygiene Educational Program Site Visit Update and Schedule, Dr. Petty reported on the current compliance status of Pasadena City College, Taft College, Concorde Career College-San Diego, Cerritos College, Concorde Career College – Garden Grove, Concorde Career College-San Bernardino, and West Coast University, and Diablo Valley College. She also provided an update on the current Dental Hygiene Educational Program Site Visit Schedule.

Lastly, the Committee approved **EDU Committee Agenda Item 6** "Discussion and Possible Action on the July 19, 2025, Education Committee Meeting Minutes," and for **EDU Committee Agenda Item 7** "Future Agenda Items" the following were suggested: host a town hall meeting for program directors and educations to discuss educational standards and to develop a taskforce to discuss educational program requirements.

**Board Member discussion:** None.

**Public comment:** Tonette Steeb, Program Director of Diablo Valley College, commented she would like to be considered for a role on the taskforce.

**Motion:** Vice President Hansen moved for the Full Board to accept the Education Committee's full report.

**Second:** Member King.

**Board Member discussion:** None.

**Public comment:** None.

**Vote: Motion for the Board to for the Full Board to accept the Education Committee’s full report. Passed 7:0:2.**

Name	Aye	Nay	Abstain/Absent
Lolly Agarwal			Absent.
Julie Elginer	X		
Sonia “Pat” Hansen	X		
Sherman King	X		
Michael Long	X		
Justin Matthews	X		
Joanne Pacheco	X		
Sridevi Ponnala			Absent.
Nicolas Kiet Quach	X		

**12. FULL Board Agenda Item 12: Enforcement Update: Statistical Report.** (Informational Only).

EO Lum stated that the information for the Enforcement statistics consisting of complaint cases, investigation cases, citation and fines issued, and current number of probation cases for the quarter can be found on pages 96 to 97. The statistics are current through the month of September 2025.

**Board Member comment:** Member Elginer asked if the current Board staff vacancies are impacting the Enforcement unit. In response, EO Lum stated that the existing staff in the Enforcement unit are cross training to cover the absence of certain enforcement duties, such as probation monitoring and citation and fine. He stated that the DHBC would arrange with the DBC to utilize their Special Investigators to investigate any egregious cases. EO Lum stated that the Special Investigator position is ready for advertisement and will take time to review individuals who qualify for the role.

**Public comment:** None.

### **13. FULL Board Agenda Item 13: Licensing, Continuing Education Audits, and Examination Update: Statistical Report. (Informational Only).**

On behalf of Licensing Manager Traci Napper, EO Lum presented the licensing statistics on pages 99 through 109. EO Lum reported on the number of applications and renewals issued for RDHs, RDHAPs, Fictitious Name Permits, and Military Temporary Licenses, as well as the breakdown of total licensee population through September 2025. He reported on the passage rates for the DHBC Law and Ethics exams for RDHs and RDHAPs and provided updates on the current failure and pass rates of the Continuing Education (CE) audits.

**Board Member comment:** Member Long commented that he found the new CE information posted on the DHBC website to be informative and shared that it is linked on the California Dental Hygienists' Association's website as well. He hopes that this will help hygienists in reviewing and tracking their CE units.

Member Long asked for clarification on what would keep an audit in the pending status. EO Lum stated that is typically when the licensee's address of record is not up to date. EO Lum stated licensees with a pending audit will have a hold placed on their next license renewal until they complete the steps of the audit.

**Public comment:** Tooka Zokaie, on behalf of the California Dental Association (CDA), stated the DBC received a request at their November 7, 2025, DBC meeting to review the distribution of licenses with new California Department of Health Care Access and Information (HCAI) data regarding workforce. Ms. Zokaie stated CDA is requesting the Board to consider a review of licensee growth and distribution to better understand the data and how it affects care access among the dental-related licensee populations.

In response to the comment, EO Lum stated Board staff is in agreement with the request by CDA to collect more data. He stated a potential concern that the data could be skewed as the HCAI survey is voluntary and allows for partial completeness.

### **14. FULL Board Agenda Item 14: Future Agenda Items.**

1. Member Elginer recommended adding a teleconference meeting in May 2026 to discuss bills in legislation.
2. Member Elginer recommended the Board consider reviving the Enforcement and Licensing and Education committees if needed.

3. Member Elginer recommended Board's Officers (President, Vice-President, and Secretary) to participate on ad hoc committees and taskforce meetings when possible.
4. Member Matthews recommended the Board members to advocate for an increase in compensation (e.g. higher per diem rate or more per diem days) given the increase in proposed stipulated settlements and disciplinary orders received by the members and the increase in time to review new material.

**15. FULL Board Agenda Item 15: Closed Session.**

As announced earlier in the meeting, there was no closed session for this meeting.

**16. FULL Board Agenda Item 16: Adjournment.**

President Pacheco adjourned the Full Board meeting at **3:02 p.m.**

DRAFT

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March 18, 2026

Dr. Jenn Capps  
Superintendent/President  
Cabrillo College  
6500 Soquel Drive  
Aptos, CA 95003

Dear Dr. Capps,

The Dental Hygiene Board of California (DHBC) conducted a site visit of the Cabrillo College Dental Hygiene Educational Program (Cabrillo) on February 12, 2026. This site visit was generated due to a complaint. Evidence of program compliance with the **minimum** Dental Hygiene Educational Program (DHEP) standards set by the [Business and Professions Code \(BPC\)](#), [California Code of Regulations \(CCR\)](#), and [Commission on Dental Accreditation \(CODA\)](#) was **deficient**. On March 5, 2026, Cabrillo provided responses to the violations discovered by the DHBC.

The results of the review are as follows:

**I. Violation 1: Inadequate Clinic Supervision (Faculty to Student Ratios).**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(b\)\(4\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), and [CODA Standards 2-5 and 3-5](#).]

A. Complaint:

- a. Clinic is repeatedly understaffed by faculty, resulting in faculty to student ratios to often being out of compliance with DHBC educational regulations and CODA Standards.
  1. Program director is often not available to substitute to remedy the faculty to student ratio and many part-time faculty unwilling to substitute for absent faculty due to substitute pay being approximately half of their normal pay scale.
- b. Students advised that they may enter the clinic without faculty supervision, despite policy that clinic entry requires instructor supervision to ensure proper safety and infection control as the complaint states: "Shift in policy is not only concerning from a safety perspective but also violates established protocols that have ensured the well-being of both students and patients."

## B. Site Visit:

### 1. DHBC Site Visit Team Observation:

- a. Team arrived at Cabrillo at 9:00 a.m., finding only three (3) faculty members for 20 students in the clinic, resulting in a ratio of one (1) faculty member to seven (7) students. Clinic was out of compliance until a part-time faculty member arrived at 10:30 a.m. (as observed by Team), and the Program director was “offsite” at a meeting and did not arrive to the clinic until 9:40 a.m. due to the Team requesting her presence.

### 2. Cabrillo Faculty Interviews:

- a. No substitute could be found to remedy the faculty to student ratio to be the required one (1) faculty member to five (5) students and that the program director was notified at 8:00 a.m. of the absent faculty member.

3. **Effect:** Student progression and preparation to become a dental hygienist is hindered without the necessary and required faculty support.

## C. Cabrillo Response on March 5, 2026, and DHBC Review:

### 1. Point 1:

- a. Cabrillo states (emphasis added):

1. “The site visit observation of a 1:7 ratio occurred only on one day when an unexpected faculty absence occurred, and **no substitute coverage was secured despite early notification**. The College made every attempt to hire a substitute instructor, but none were available. This reflects a general shortage of staff, not a disregard for supervision standards. We disagree with the complainant’s statement that the “clinic is repeatedly understaffed by faculty, resulting in faculty-to-student ratios often being out of compliance.” **The program director called all available faculty for coverage.**”

- b. DHBC Review:

1. As “no substitute coverage was secured” the program director should have immediately stepped in to provide clinic coverage instead of attending an “offsite meeting” as maintaining required clinical faculty to student ratios is the responsibility of the program director.
2. Regarding the disagreement that the “clinic is repeatedly understaffed by faculty, resulting in faculty-to-student ratios often being out of compliance.” the DHBC received complaints prior to the site visit stating that the faculty-to-student ratios have been out of compliance in the past. Therefore, to have faculty-to-student ratios out of compliance on a day the DHBC site visit team was present lends credence to the complaint.

## 2. Point 2:

### a. Cabrillo states:

1. “Dr. Ray agreed and was on-site by 10 am, bringing the ratio back into compliance. The ratio was out of compliance for 75 minutes on this particular day of the visit by DHBC staff.”

### b. DHBC Review:

1. The Team observed Dr. Ray arriving and coming into the part-time office to put away her personal items at 10:30 a.m. Additionally, according to the DH 183 syllabus (the clinical course the students were currently in), students are to be in clinic at 7:45 a.m., thereby the **faculty-to-student ratio was out of compliance a minimum of 2.75 hours (or 165 minutes), over double Cabrillo contends** in their letter. During this time, students lacked adequate supervision to oversee the provision of patient care.

## 3. Point 3:

### a. Cabrillo states:

- “Actions planned by Cabrillo to assure sufficient ratios include the following:
- Immediate restructuring of clinic supervision scheduling
  - Development of an emergency substitute faculty coverage protocol and/or pool
  - An open recruitment is currently posted on Cabrillo's HR website. Interviews are scheduled throughout the month of March. The Program Director will prioritize on-site clinic presence during all clinical sessions
  - Documentation of daily faculty-to-student ratios will be maintained and submitted as evidence of ongoing compliance.”

### b. DHBC Review:

1. In “Attachment 1” Cabrillo provided three types of faculty rotation schedules, one type undated (pages 2 and 5) and two types dated “Sp 2025” (pages 6 and 8), but did not provide future scheduling.
2. Cabrillo states: “Development of an emergency substitute faculty coverage protocol and/or pool” but the protocol wasn’t provided.
3. On page 33 of the “Attachments” the “Job Bulletin” states (emphasis added) “Cabrillo College is accepting applications in order to fill temporary, part-time faculty assignment(s) and to establish an eligibility pool for positions that **may become available in Fall Semester 2026**”

D. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide documentation regarding faculty support and faculty to student ratios pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(b\)\(4\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), and [CODA Standards 2-5 and 3-5](#) by **April 17, 2026**.

a. Documentation shall include, but not limited to:

1. Current faculty rotation schedules.
2. Emergency substitute faculty coverage protocol.
3. Daily faculty-to-student ratio documentation through April 10, 2026.
4. Current status of faculty eligibility pool.

**II. Violation 2: Inadequate Student Clinical Hours.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(c\)](#), [16 CCR Section 1105.2\(d\)](#), and [CODA Standards 2-6, 2-10, and 2-11](#).]

A. Complaint:

1. Complaint states students are not held accountable if they do not have a patient for the clinic session ("empty chair"), and that on average only 10 out of 20 students have clinic patients during a clinic session.

B. Site Visit:

1. DHBC Site Visit Team Review:

a. According to student records for "DH 181 Clinical Dental Hygiene II" (DH 181), the following "empty chair" data are as follows:

<b>"Empty Chairs"</b>	<b>Number of Students</b>	<b>Deficient Clinic Hours per Student (4 Hours per Clinic Session)</b>
11	1	44
9	1	36
8	3	32
7	4	28
6	4	24
5	2	20
4	4	16
3	1	12

b. DH 181 Course Syllabus:

1. "Empty Chair" policy allows for two (2) "empty chairs." Once a student has three (3) "empty chairs" the student must make an appointment with the clinic coordinator, and the remediation process will be initiated.
2. **Result: Twenty out of twenty** students **did not** have the required number of clinical hours to progress to the successive clinical course ["DH 183 Clinical Dental Hygiene III" (DH 183)]. Cabrillo students are in violation of Cabrillo's "Empty Chair" policy, missing anywhere from 12 to 44 hours of required Cabrillo clinic hours to establish competency in patient care.

2. Cabrillo Faculty Interviews:

- a. Dean Heidi Weber would not allow faculty to enforce the Cabrillo policy allowing only two (2) "empty chairs" for DH 181, nor allow the faculty to employ the Cabrillo remediation policy to hold students accountable for excessive "empty chairs."
  - b. Dean Heidi Weber would not allow faculty to make appropriate grade adjustments or fail students in DH 181 due to inadequate clinic hours and directed the faculty to pass all students onto the successive clinical course (DH 183).
3. **Effect:** Cabrillo students are not completing required Cabrillo clinical hours and therefore **do not** meet Cabrillo's clinical hour requirements to establish competency in patient care and meet established Cabrillo graduation requirements.

C. **Cabrillo Response on March 5, 2026, and DHBC Review:**

1. **Point 1:**

a. Cabrillo states (emphasis added):

1. **"The District** has taken steps to solve the problem of empty chairs and **does not advance or graduate students who fail to meet the clinical hour requirements of the program."**

b. DHBC Review:

1. This statement is in **direct contradiction** to the documents provided during the site visit.
  - i. In "DH 181" Cabrillo requires 20.75 hours per week for 15 weeks equaling 311.25 hours to be completed by students in the semester (Source "DH 181" Fall 2025 Syllabus).
  - i. "Canvas" grade sheets provided by Cabrillo on February 12, 2026, documented the following:

“Empty Chairs”	Number of Students	Deficient Clinic Hours per Student (Approximately 4 Hours per Clinic Session)
11	1	44
9	1	36
8	3	32
7	4	28
6	4	24
5	2	20
4	4	16
3	1	12

- ii. Therefore, as all twenty (20) students failed to complete all clinical hours established by Cabrillo as the minimum number of hours required by Cabrillo to establish competency in “DH 181” to advance to the next semester’s course “DH 183,” the DHBC disputes Cabrillo’s claim that (emphasis added) **“The District** has taken steps to solve the problem of empty chairs and **does not advance or graduate students who fail to meet the clinical hour requirements of the program.”**

**2. Point 2:**

a. Cabrillo states:

1. “The DHBC Specialist fails to provide the name of a single student who was advanced from DH 181 to DH 183 without meeting the clinical hours requirement.”

b. DHBC Review:

1. The DHBC does not release names as this would be a violation of CODA and the DHBC’s policy regarding a student’s right to privacy. Additionally, as all twenty students in the class advanced from “DH 181” to DH 183,” Cabrillo can determine the names of the students utilizing “DH 181” course records.

**3. Point 3:**

a. Cabrillo states:

1. “In addition, the District has made serious good faith efforts to fill the empty chairs. Both Dean Weber and the Director have dedicated significant time and effort to supporting the success of the dental hygiene program. Together, they developed and implemented social media marketing campaigns, created new promotional materials, and mailed more than 700 postcards to community members advertising low-cost dental cleanings. These initiatives were undertaken in response to concerns about “empty chairs” in the clinic, with the goal of increasing patient volume and ensuring students have adequate opportunities to complete required competencies.”

b. DHBC Review:

1. The DHBC appreciates the District's efforts and wishes Cabrillo a successful outcome.

4. **Point 4:**

a. Cabrillo states:

1. "The existing empty chair policy is punitive in nature, as students lose points when their assigned chair is unfilled. In alignment with our commitment to fostering a supportive and engaging learning environment, the Dean and Director determined that students should not be penalized for circumstances beyond their control. The Dean encouraged faculty to revisit and revise the empty chair policy to better reflect our shared values of supporting students throughout their educational journey.

Through these coordinated marketing and outreach efforts, the intent was to increase patient participation, reduce empty chairs, and provide students with the clinical experiences necessary to achieve program competencies without punitive consequences."

b. DHBC Review:

1. First, although Cabrillo feels the existing "Empty Chair Policy" is punitive, it is necessary to ensure students meet the clinical hours established by Cabrillo as the minimum number of hours required by Cabrillo to establish competency. As the DHBC is a California consumer protection agency licensing graduates of the Cabrillo DHEP, it is imperative students are competent prior to graduation by completing all required clinical hours.
2. Second, please see page 43 of Cabrillo's "response attachments" (an email regarding "Empty Chairs" sent on October 3, 2025) which states (emphasis added):
  - i. "I want to emphasize that this is not about grades, it's about the time and experience we are losing when patients are not in our chairs. **Every missed session** makes it harder to catch up, **and the opportunity to build essential clinical and patient care skills is lost.**

Please remember: **our ability to meet requirements directly affects both our progression to the next semester and, ultimately, our eligibility for licensure. Having patients consistently in our chairs is the only way to ensure we gain the experience and skills needed to succeed.**"

3. Third, on page 34 of the "DH 181 Course Syllabus Fall 2025" provides the "EMPTY CHAIR Remediation" policy which states:

- i. “\*\*\*\*In the event when a student has empty chairs three (3) chair times, he/she must make an appointment with the clinic coordinator, and the remediation process will be initiated. See the Cabrillo College Student Handbook SECTION 5: ACADEMIC STANDARDS: GRADING CRITERIA AND PROTOCOL, Substandard Grade Identification. Please see DH Student Handbook: Section 3 Academic Standards”
  - **The remediation process** (Situation Identification and Remediation Plan or SIRP) **as required above was never initiated for any of the twenty (20) students having three (3) or more “Empty Chairs” and all twenty (20) students were allowed, without completing the missing clinical hours to establish competency, to progress to the to the next semester’s course (“DH 183”).**
4. Fourth, by Dean Heidi Weber preventing faculty from holding students accountable to the “empty chair” policy, **this practice is in direct contradiction to Article 4.3 regarding “Professional Autonomy”** of the [“Contract Between Cabrillo College Community College District and the Cabrillo College Federation of Teachers AFT Local 4400 July 1, 2025 Through June 30, 2028”](#) which states (emphasis added):

“Professional Autonomy

**Faculty members have the principal right and responsibility to determine the methods of instruction, the planning and presentation of course materials, and the fair and equitable methods of assessment in their assignment in accordance with the approved curriculum, course outline, educational mission of the District, District policies, requirements of accreditation bodies, and state and federal laws and regulations.”**

B. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide a plan to ensure Cabrillo students will attain adequate clinical hours *prior to* graduation pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(c\)](#), [16 CCR Section 1105.2\(d\)](#), and [CODA Standards 2-6, 2-10, and 2-11](#) **by April 17, 2026.**

a. Plan shall include, but not limited to, how students will make up **all missing required clinical hours** from “DH 181” and “DH 183” prior to graduation from Cabrillo.

### III. Violation 3: Student Competency.

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(c\)](#), [16 CCR Section 1105\(d\)](#), [16 CCR Section 1105.2\(b\)](#), [16 CCR Section 1105.2\(e\)](#), [16 CCR Section 1105.2\(f\)](#), and [CODA Standards 2-6, 2-12, 2-13, and 2-14.](#)]

A. Complaint:

1. Students are progressing to successive clinical courses without completing required course competencies and requirements and that Dean Heidi Weber has told faculty that they cannot fail the students.

B. Site Visit:

1. DHBC Site Visit Team Review:

- a. According to student records for DH 181, Cabrillo clinical competency and requirement completion data are as follows:

Student	Number of <i>Deficient</i> Competencies and Requirements for DH 181
5	4
7	6
9	2
11	3
12	1
15	1
20	1

- b. **Result:** Seven (7) out of twenty students **should not** have progressed to the successive clinical course (DH 183) due to deficient completion of competencies and requirements.

2. Cabrillo Faculty Interviews:

- a. Dean Heidi Weber would not allow faculty to make appropriate grade adjustments or fail students in DH 181 due to missing competencies or requirements and directed the faculty to pass all students onto the successive clinical course (DH 183).

3. **Effect:** Cabrillo students are not completing the required number of clinical competencies and requirements and therefore **do not** meet Cabrillo's requirements to establish competency in patient care and meet established Cabrillo graduation requirements.

C. **Cabrillo Response on March 5, 2026, and DHBC Review:**

1. **Point 1:**

- a. Cabrillo states:

1. "The DHBC Specialist found that students do not achieve all Cabrillo required competencies prior to graduation."

b. DHBC Response:

1. Cabrillo misstates the DHBC's determination. The DHBC stated (emphasis added): "**Cabrillo students *are not completing the required number of clinical competencies and requirements* and therefore *do not meet Cabrillo's requirements to establish competency in patient care and meet established Cabrillo graduation requirements.***"

2. **Point 2:**

a. Cabrillo states (emphasis added):

1. "Cabrillo ensures each student completes all Cabrillo required competencies prior to graduation.
  - Competency tracking matrices are recalibrated
  - Individual student remediation plans have been developed
  - The district recently assigned associate faculty member Pam Farley to provide 38 hours of tutoring support to students with a focus on X-Ray protocols.
  - The district recently assigned associate faculty member Leanne Albers to provide 38 hours of tutoring support to students with a focus on clinical skills and competencies.
  - Faculty calibration meetings have been scheduled throughout the semester to ensure consistent grading and competency enforcement
  - Documentation of competencies is audited weekly
  - Academic standards and competency requirements continue to be enforced in alignment with CODA standards.
  - **All Dental Hygiene courses are coded with a computer-enforced prerequisite. A student cannot enroll in a future course if they have not passed the current course.**
  - **All seven students cited in the complaint received "Incomplete" grades that were submitted by the instructor of record, April Hoops, not the Dean.**
  - Pursuant to Article 4.3 of the collective bargaining agreement with the faculty association, the District acknowledges that faculty members have the principal right and responsibility to determine: The fair and equitable methods of assessment in their assignment."

b. DHBC Response:

1. Regarding the statement "All Dental Hygiene courses are coded with a computer-enforced prerequisite. A student cannot enroll in a future course if they have not passed the current course."
  - i. ***This is in direct contradiction*** to an email provided on page 45 of Cabrillo's "response attachments" which states (emphasis added):

"This letter is to ***confirm that your grade has been changed to a letter grade, which will allow you to enroll in DH 183.***

Please note that while the grading format has been adjusted, the completion requirements remain the same as previously stated.

**This approach is intended to support your success and ensure you are able to complete all program requirements by the time of graduation.** To help you stay on track, we will check in with you on a weekly basis to monitor progress and confirm that all dates and requirements are being met. **All overdue 181 requirements must be completed by February 26, 2026.**"

- ii. By changing the grade from "Incomplete" to a "letter grade" prior to remediating the deficient requirements **is in direct violation of Cabrillo's own grading policy.**
    - See the Cabrillo College Catalog "Units and Grading" section (<https://cabrillo.elumenapp.com/catalog/2025-2026/units-and-grading#mainContent>) which states (emphasis added): **"A final grade shall be assigned when the work stipulated has been completed and evaluated or when the deadline for completing the work has passed."**
  2. Regarding the statement "All seven students cited in the complaint received "Incomplete" grades that were submitted by the instructor of record, April Hoops, not the Dean." While this is true, site visit interviews confirmed Dean Heidi Weber directed the instructor of record to adopt this practice and file incompletes for this student.
    - i. **This practice is in direct contradiction** to the "DH 181 Course Syllabus Fall 2025" under "CRITERIA FOR PASSING THE CLINICAL COMPONENT OF THIS COURSE" on page 10 which states "A Credit in this course is based on successful completion of ALL clinical course requirements" as well as **in contradiction to Article 4.3 regarding "Professional Autonomy"** of the ["Contract Between Cabrillo College Community College District and the Cabrillo College Federation of Teachers AFT Local 4400 July 1, 2025 Through June 30, 2028."](#)
3. **Point 3:**
- a. Cabrillo states (emphasis added):
    1. "We disagree with the complainants'/Specialist's allegations "that Dean Heidi Weber would not allow Cabrillo faculty to make appropriate grade adjustments or fail students in DH 181 due to missing competencies or requirements and directed the Cabrillo faculty to pass all students onto the successive clinical course (DH 183)." We do not agree with this characterization of events. **Dean Weber's actions were in support of District policies on grades and incomplete contracts.**

b. DHBC Review:

- i. Again, site visit interviews confirmed Dean Weber directed the instructor of record to file incompletes for students missing requirements for “DH 181.” **This practice is in direct contradiction** to the “DH 181 Course Syllabus Fall 2025” under “CRITERIA FOR PASSING THE CLINICAL COMPONENT OF THIS COURSE” on page 10 which states “A Credit in this course is based on successful completion of ALL clinical course requirements” as well as **in contradiction to Article 4.3 regarding “Professional Autonomy”** of the [“Contract Between Cabrillo College Community College District and the Cabrillo College Federation of Teachers AFT Local 4400 July 1, 2025 Through June 30, 2028.”](#)
2. Additionally, by changing the grade from “Incomplete” to a “letter grade” prior to remediating the deficient requirements, and allowing the students to progress to the “DH 183” course **is in direct violation of Cabrillo’s own grading policy.**
  - i. See the Cabrillo College Catalog “Units and Grading” section (<https://cabrillo.elumenapp.com/catalog/2025-2026/units-and-grading#mainContent>) which states (emphasis added): **“A final grade shall be assigned when the work stipulated has been completed and evaluated or when the deadline for completing the work has passed.”**

4. **Point 4:**

a. Cabrillo states:

1. “The following allegations are also false:  
The complaint states that students are progressing to successive clinical courses without completing the required course competencies and requirements. The facts are the following:
  - Seven students were given incomplete grades and subsequently entered into a contract with the instructor of record to complete the required competencies.
  - All seven students worked with the instructor to complete the skills and competencies.
  - When those competencies were met, the incomplete grades were changed to passing grades. This is an appropriate and valid District policy.”

b. DHBC Response:

1. As to the statements (emphasis added):
  - i. “Seven students were given incomplete grades and subsequently entered into a contract with the instructor of record to complete the required competencies.”

- The DHBC was not provided the “contracts” by Cabrillo to review. Only a singular, sample email on page 45 of Cabrillo’s “response attachments” was provided to the DHBC.
- ii. “All seven students worked with the instructor to complete the skills and competencies.”
- No documentation confirming completion of the outstanding requirements by the February 26, 2026, “due date” was provided to the DHBC.
- iii. **“When those competencies were met, the incomplete grades were changed to passing grades.** This is an appropriate and valid District policy.”

- **This is in direct contradiction** to an email provided on page 45 of Cabrillo’s “response attachments” which states (emphasis added):

“This letter is to **confirm that your grade has been changed to a letter grade, which will allow you to enroll in DH 183.**

Please note that while the grading format has been adjusted, the completion requirements remain the same as previously stated.

**This approach is intended to support your success and ensure you are able to complete all program requirements by the time of graduation.**

To help you stay on track, we will check in with you on a weekly basis to monitor progress and confirm that all dates and requirements are being met. **All overdue 181 requirements must be completed by February 26, 2026.**”

- ◆ By changing the grade from “Incomplete” to a “letter grade” prior to remediating the deficient requirements is **in direct violation of Cabrillo’s own grading policy.**
- ◇ See the Cabrillo College Catalog “Units and Grading” section (<https://cabrillo.elumenapp.com/catalog/2025-2026/units-and-grading#mainContent>) which states (emphasis added): **“A final grade shall be assigned when the work stipulated has been completed and evaluated or when the deadline for completing the work has passed.”**

## 5. Point 5:

a. Cabrillo states:

1. “The complaint states that Dean Heidi Weber has told faculty that they cannot fail the students. This is also false. During a flex week department

meeting with Dental Hygiene faculty, Dean Weber spoke about changing the punitive nature of the DH learning environment and encouraged faculty to increase engagement and support so that all students are successful. This is the statement made by Dean Weber: “Our goal is to graduate all 20 students who enroll in our program.” We see it as our duty to assist students in being successful in our program.”

b. DHBC Review:

1. The complaint received stated “changes to the grading scale were made this year, ostensibly to raise student grades and avoid failures, which the Dean has stated were out of alignment with college policies.”
  - i. First, site visit interviews confirmed Dean Heidi Weber directed the faculty they could not fail students. **This practice is in direct contradiction to Article 4.3 regarding “Professional Autonomy”** of the [“Contract Between Cabrillo College Community College District and the Cabrillo College Federation of Teachers AFT Local 4400 July 1, 2025 Through June 30, 2028.”](#)
  - ii. Second, while the DHBC appreciates Cabrillo’s dedication to their goal to “graduate all 20 students who enroll in our program.” and “We see it as our duty to assist students in being successful in our program.”, the DHBC **requires the DHEP to hold all students accountable to all requirements set by California laws, regulations, and CODA Standards.** If the students don’t meet those requirements, then they shall not be deemed competent, may not progress in the program or graduate, and will not be eligible for California licensure as a registered dental hygienist.

6. **Point 6:**

a. Cabrillo states:

1. “During the academic year in question, students who did not complete all clinical anesthesia competencies by the end of the semester were issued an “Incomplete” (I) grade in accordance with Cabrillo College’s institutional grading policy. Under this policy, students are permitted additional time to complete outstanding course requirements within an established timeframe.”

b. DHBC Review:

1. First, according to “DH181” grading records provided by Cabrillo on February 12, 2026, requirements missing included: one (1) “Pedo X-ray,” one (1) “Nomad,” two (2) “Class 1-3” patients, one (1) “Class 5-6” patient, two (2) “Adolescent” patient, one (1) “IOC,” two (2) “Offsite Rotations,” two (2) “PC,” one (1) “PRA,” one (1) “Topical,” one (1) “Ultrasonic,” one (1) “Right AMSA,” one (1) “Left GP,” two (2) “Right Mental,” three (3) “Left Mental,” four (4) “Right Incisive,” two (2) “Left Incisive,” and one (1) “Left SP/infiltration.”

Additionally, one (1) student failed their “Journal Reflection” (67.27%) and one (1) student failed their “Final Exam” (69.41%), with both those students being given a “B” for the course.

2. Second, while the College’s institutional grading policy allows for an incomplete, the “DH 181 Course Syllabus Fall 2025” under “CRITERIA FOR PASSING THE CLINICAL COMPONENT OF THIS COURSE” on page 10 states: “A Credit in this course is based on successful completion of ALL clinical course requirements”
3. Additionally, by changing the grade from “Incomplete” to a “letter grade” prior to remediating the deficient requirements and allowing the students to progress to the “DH 183” course **is in direct violation of Cabrillo’s own grading policy.**
  - i. Please refer to an email provided on page 45 of Cabrillo’s “response attachments” which states (emphasis added):

“This letter is to **confirm that your grade has been changed to a letter grade, which will allow you to enroll in DH 183.**”

Please note that while the grading format has been adjusted, the completion requirements remain the same as previously stated.

**This approach is intended to support your success and ensure you are able to complete all program requirements by the time of graduation.** To help you stay on track, we will check in with you on a weekly basis to monitor progress and confirm that all dates and requirements are being met. **All overdue 181 requirements must be completed by February 26, 2026.**”

- See the Cabrillo College Catalog “Units and Grading” section (<https://cabrillo.elumenapp.com/catalog/2025-2026/units-and-grading#mainContent>) which states: “**A final grade shall be assigned when the work stipulated has been completed and evaluated or when the deadline for completing the work has passed.**”

## 7. Point 7:

- a. Cabrillo states (emphasis added):
  1. “**Students were allowed to progress to the subsequent semester under conditional status** with the understanding that:
    1. All didactic components of the Local Anesthesia course had been successfully completed.
    2. The only outstanding requirement was a specific clinical competency assessment.

3. Completion of all required anesthesia competencies was mandated no later than the end of the Spring semester.
4. No student would be eligible for program completion or recommendation for licensure without successful completion of all required competencies.

This decision was made to ensure students were not academically delayed due to scheduling or clinical availability limitations while still maintaining full competency requirements prior to graduation."

b. DHBC Review:

1. First, Cabrillo states "The only outstanding requirement was a specific clinical competency assessment." This statement is incorrect. See "Point 6-b" for all missing requirements.
2. Second, while the College's institutional grading policy allows for an incomplete, the "DH 181 Course Syllabus Fall 2025" under "CRITERIA FOR PASSING THE CLINICAL COMPONENT OF THIS COURSE" on page 10 states: "A Credit in this course is based on successful completion of ALL clinical course requirements."
3. Again, by changing the grade from "Incomplete" to a "letter grade" prior to remediating the deficient requirements and allowing the students to progress to the "DH 183" course, is in **direct violation of Cabrillo's own grading policy**.
  - i. See the Cabrillo College Catalog "Units and Grading" section (<https://cabrillo.elumenapp.com/catalog/2025-2026/units-and-grading#mainContent>) which states: "**A final grade shall be assigned when the work stipulated has been completed and evaluated or when the deadline for completing the work has passed.**"

8. Point 8:

a. Cabrillo stated:

1. "Upon review during your visit, we recognize that while the college's general Incomplete policy was applied, the Dental Hygiene Program did not have explicit written language in the Student Handbook outlining program-specific conditional progression related to Local Anesthesia clinical competency."

b. DHBC Review:

1. First, the course is "DH 181 Clinical Dental Hygiene II" and not solely related to "Local Anesthesia clinical competency."
2. Second, as the course is "DH 181" the "DH 181 Course Syllabus Fall 2025" under "CRITERIA FOR PASSING THE CLINICAL COMPONENT OF THIS COURSE"

on page 10 shall apply: “A Credit in this course is based on successful completion of ALL clinical course requirements.”

9. **Point 9:**

a. Cabrillo states:

1. “As part of our continuous quality improvement process, the program is now formalizing clear written policy language to explicitly address:
  - Conditional progression with an Incomplete
  - Required timelines for competency completion
  - Consequences of non-completion
  - Documentation procedures

This language will be incorporated into the Student Handbook and course syllabi moving forward to ensure transparency, consistency, and full regulatory clarity.”

b. DHBC Review:

1. The DHBC appreciates the efforts of Cabrillo to provide clarity to policy language.

10. **Point 10:**

a. Cabrillo states:

1. “At no time were competency requirements waived, nor were students recommended for graduation or licensure without successful completion of all mandated Local Anesthesia requirements.”

b. DHBC Response:

1. First, as in “Point 1” above, Cabrillo misstates the DHBC’s determination. The DHBC stated (emphasis added): “Cabrillo students are not completing the required number of clinical competencies and requirements and **therefore do not meet Cabrillo’s requirements to establish competency in patient care and meet established Cabrillo graduation requirements.**”
2. Second, as documented above in points 6, 7 and 8, the missing requirements were not solely “Local Anesthesia Requirements.” See point 6-b” for all missing requirements.

D. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide a plan to ensure Cabrillo students will complete all Cabrillo requirements and competencies prior to graduation pursuant

to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(c\)](#), [16 CCR Section 1105\(d\)](#), [16 CCR Section 1105.2\(b\)](#), [16 CCR Section 1105.2\(e\)](#), [16 CCR Section 1105.2\(f\)](#), and [CODA Standards 2-6, 2-12, 2-13, and 2-14](#) by **April 17, 2026**.

- a. Plan shall include, but not limited to, how the “Class of 2026” students will make up all missing requirements from “DH 181” and “DH 183” prior to graduation from Cabrillo.
- b. Cabrillo to provide an updated “Cabrillo College Dental Hygiene Program Student Policy Handbook” for the 2026-2027 academic year **by August 3, 2026**.

#### **IV. Violation 4: Program Director Assignment and Authority.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(j\)](#), [16 CCR Section 1105.1\(a\)](#), and [CODA Standards 3-2 and 3-4](#).]

##### A. Complaint:

1. Complaint states the program director resides in Southern California and states the program director is not consistently on campus and lacks availability to students and faculty.

##### B. Site Visit:

###### 1. DHBC Site Visit Team Observation:

- a. Team arrived at Cabrillo at 9:00 a.m. and program director was “offsite” at a meeting and did not arrive to the clinic until 9:40 a.m. due to team requesting her presence.
- b. Program director assignment does not comprise the primary responsibility for the operation, supervision, evaluation and revision of the program and her assignment is comprised of 17.45 units, with eight (8) units dedicated to program director responsibilities and 9.45 units are dedicated to teaching responsibilities.

###### 2. Cabrillo Faculty Interviews:

- a. Program director is unavailable on a regular basis and states that when there are concerns in clinic, program director does not provide “hands-on” support.
- b. Program director has made significant changes to clinic hours, dress code, and other procedures which are in direct violation of Cabrillo’s established clinic manual and does not provide assistance in managing clinic operational challenges.
- c. Reported concerns that Dean Heidi Weber is overstepping her authority and preventing the program director from having the required authority and responsibility necessary to operate the DHEP.

3. **Effect:** Program director assignment fails to provide the necessary and required support to the students and faculty of the Cabrillo DHEP, thereby allowing deficient oversight of the program.

### C. **Cabrillo Response on March 5, 2026, and DHBC Review:**

#### 1. **Point 1:**

##### a. Cabrillo stated:

1. "The Complaint alleges, and the Specialist found that the Director of our program resides in Southern California, is not consistently on campus, and is not available to students. Enclosed are the following documents that demonstrate that these allegations are incorrect.

See attached Program Director's updated assignment, providing for the primary responsibility of the position is the operation, supervision, evaluation, and revision of the program. Also attached is her weekly schedule and job description."

##### b. DHBC Response:

1. First, during site visit interviews, faculty reported the program director is unavailable on a regular basis and states that when there are concerns in clinic, program director does not provide "hands-on" support.
2. Second, the "Weekly Assignment Schedule" on page 58 of the "response attachments" states (in part):
  - "Program Director spends 75% of a 36 hour work week on these duties:"
  - "Continuing Education and Expanded Duties coordination of dates, guest speaker/presenter/instructors/DDS: 1 hour-1/2 hour."
  - "Teach Lab, Lecture and Clinic courses"
  - "Prepare clinical lesson plans and skills assessments"
  - "Prepare grades at the end of the semester"

The above assignment duties are not program director responsibilities; they are faculty and continuing education coordination responsibilities. Therefore, her assignment is not "75% program director administration."

#### 2. **Point 2:**

##### a. Cabrillo stated:

1. "This documentation was previously submitted to the DHBC on August 27, 2025, as a requirement for a "change in directorship." (See Attachment 4) These documents were approved back in August, 2025, and nothing has changed on our end. The District is perplexed by this violation. If the DHBC

Specialist was unable to find the previously provided documentation, she could simply have asked for documentation rather than alleging a violation.”

The Director, Faye Khoury, holds a full-time assignment where her primary responsibility is for the operation, supervision, evaluation, and revision of the program. Pursuant to CCFT Article 11.1.2.1, a faculty member’s load may range from 29 to 30 units per academic year.

The Director’s current assignment includes both administrative and teaching responsibilities, with a majority of her assignment being in the Director role as determined by institutional workload allocation (17.45 units total for Spring 2026 semester).

1. Her weekly on-site presence has been increased and prioritized during clinic hours.
2. A revised Program Director schedule is attached.
3. She is actively working with the administration to ensure the Program Director role maintains primary operational oversight as required by DHBC and CODA.

She remains fully committed to hands-on leadership, faculty support, and student supervision.”

b. DHBC Review:

- i. The DHBC acknowledges receiving documentation on August 27, 2025, including the program director’s “Weekly Assignment Schedule” and her Fall 2025 assignment schedule. However, her Spring 2026 assignment schedule was not included, and this schedule is the assignment schedule which is not in compliance.
- ii. As in point one, many of her assignment duties are not “program director responsibilities;” they are faculty and continuing education coordination responsibilities. Therefore, her assignment is not “75% program director administration.”
- iii. During site visit interviews, Ms. Khoury confirmed her Spring 2026 assignment is comprised of 17.45 units, including eight (8) units dedicated to program director responsibilities and 9.45 units are dedicated to teaching responsibilities. Therefore, the program director assignment fails to provide the requirements for a program director pursuant to [16 CCR section 1105.1\(a\)](#) which requires the director whose primary responsibility is for the operation, supervision, evaluation and revision of the program.
- iv. Furthermore, during interviews and in documents provided on the February 12, 2026, site visit, Dean Weber has a significant presence in the Cabrillo DHEP and often supersedes the authority of the program director. Please refer to the following Cabrillo documents:

- “Dental Hygiene Flex Meeting Agenda, Spring 2026”
- “Dental Hygiene Flex Meeting Minutes, Spring 2026”

D. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide evidence of a program director assignment pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(j\)](#), [16 CCR Section 1105.1\(a\)](#), and [CODA Standards 3-2 and 3-4](#) by **April 17, 2026**.
  - a. Evidence shall include, but not limited to:
    1. Program director updated assignment providing for the primary responsibility of the position is for operation, supervision, evaluation and revision of the program.
    2. Updated program director weekly schedule.
    3. Updated program director job description.

**V. Violation 5: Faculty Support.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), [16 CCR Section 1105.3\(a\)\(2\)\(D\)](#), and [CODA Standard 2-5](#).]

A. Site Visit:

1. DHEP Site Visit Team Observation:

- a. Only one (1) full-time faculty member (program director) is assigned to the Cabrillo DHEP and unclear as to when the other two (2) full-time faculty members left as Cabrillo failed to notify the DHBC as to their departure pursuant to [16 CCR section 1105.3\(a\)\(2\)\(D\)](#). This results in a reduction of 66% of full-time faculty support.

2. Cabrillo Faculty Interviews:

- a. The current program director reported that when she was hired there were no other full-time DHEP faculty members employed by Cabrillo and that Dean Heidi Weber informed her that this is due to a “budget issue.”
3. **Effect:** Student progression and preparation to become a dental hygienist is hindered without the necessary and required faculty support.

B. Previous Cabrillo Program Faculty Support Concerns:

1. Cabrillo DHEP is assigned three (3) full-time faculty members by Cabrillo College.

- a. Per the June 14, 2024, DHBC “Cabrillo Compliance Determination 1” report, on May 31, 2024, Cabrillo stated:

- i. "Human Resources launched a recruitment for a one-year full-time temporary faculty position in Dental Hygiene. A hiring committee was established and included a diverse group of faculty and staff along with the Dental Hygiene Program Director. The recruitment closed on April 19, 2024. The interviews were held on May 15th. Qualified candidates were interviewed and asked to complete a presentation and teaching demonstration. A qualified candidate has accepted a conditional offer of full-time faculty employment for the academic year 2024-25. The selected candidate will begin service to the college on August 1st, 2024. This will represent a third full time faculty position for the program."
- b. Cabrillo was cited by the DHBC in both 2019 and 2024 for the same concern.

**C. Cabrillo Response on March 5, 2026, and DHBC Review:**

**1. Point 1:**

a. Cabrillo states:

1. "The DHBC Specialist demands the following:

- 1. Cabrillo to provide immediate, temporary full-time staffing by March 13, 2026.
- 2. Cabrillo to provide permanent full-time staffing by August 3, 2026.
- 3. Cabrillo to provide future communication regarding all changes to the DHEP pursuant to 16 CCR section 1105.3.

In support of her demands, she cites an April 18, 2024, Site Visit Report and a December 6, 2019, Site Visit Report."

b. DHBC Review:

- 1. During the site visit, the team observed significant staffing challenges. The program director was offsite and had to be called into the facility. The part time faculty clinical lead was asked to come to campus to meet with the DHBC site visit team and complied with the request on her own personal time, as part time faculty do not have the same responsibilities or workload as full-time faculty. The clinic was out of compliance regarding the faculty to student ratio. Therefore, the DHBC determined the current staffing is insufficient and requires temporary and permanent remediation.

**2. Point 2:**

1. Cabrillo states (emphasis added):

- i. "The loss of three full-time faculty members within the past year is due to one retirement and two resignations, with one of those resignations being

the program director. The program director vacancy was filled in January of 2025 with a temporary faculty member. In August of 2025, a full-time permanent director, Faye Khoury, was hired. The landscape of our program has changed significantly since 2019. It is unwise to compare our program needs of today to what they were in 2019.

The current number of staff members is sufficient to support our new CODA, and DHBC-approved enrollment pattern of 20 students every other year. This new enrollment pattern of only one cohort of students every two years was in response to DHBC's demand that Cabrillo use only General Fund dollars to support the program. **The District strongly believes that 1 full-time faculty director and 13 associate faculty members are sufficient and in line with the DHBC's definition of adequate staff support.** (16 CCR Section 1105(k):

The number and distribution of faculty and staff shall be sufficient to meet the educational program's stated mission and goals."

## 2. DHBC Review:

- i. First, during the site visit, the team observed significant staffing challenges. As in point one, the program director was offsite and had to be called into the facility. The part time faculty clinical lead was asked to come to campus to meet with the team on her own personal time, and the clinic was out of compliance regarding the faculty to student ratio. Therefore, the DHBC determined the current staffing is insufficient and requires temporary and permanent remediation.

Additionally, during interviews on February 12, 2026, and observed at the site visit, part time faculty are repeatedly not available to cover for other part time faculty who are absent.

- ii. Second, with regard to the statement "The District strongly believes that 1 full-time faculty director and 13 associate 5 faculty members are sufficient and in line with the DHBC's definition of adequate staff support." the DHBC determined that with a fully operational clinic, 20 students, patients, and clinical faculty, requiring an additional full-time faculty position is reasonable and supported.
- iii. Third, on October 31, 2024, Cabrillo submitted a "Request for a Change in Enrollment Pattern" report to CODA stating the following:
  - "Over the past four years of operating with a single cohort, we have consistently employed an average of two to three full-time faculty and 20 part-time faculty, which mirrors our current staffing (Exhibits E and F)."

- ◆ ***At no time did Cabrillo report to the DHBC or CODA a reduction in faculty was to occur with this change request.***

- ◇ Refer to Cabrillo's "Request for a Change in Enrollment Pattern" report to CODA attachment.

3. **Point 3:**

a. Cabrillo states:

1. "DHBC Specialist's demand that Cabrillo provide immediate, temporary full-time staffing by March 13, 2026, is not in line with Title 5 Education Codes and labor laws that have strict recruitment requirements. A typical full-time open recruitment is on average 4 weeks in duration, and another 4 to 8 weeks for onboarding tasks that include but are not limited to fingerprinting, I-9 documentation, proof of minimum qualifications, and so on."

b. DHBC Review:

1. First, Title 5 is in the CCRs and not in the California Education Code (EDC).
2. Second, in reviewing Title 5 of the CCRs and the EDC, the DHBC was unable to find the "strict recruitment requirements."
3. Third, the DHBC is unsure as to why Cabrillo is not considering providing an addendum to a current faculty member's contract (who is already vetted) to come into temporary compliance, as contract addendums may be sought in "emergency" situations.

D. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide evidence and demonstration of faculty support pursuant of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), and [CODA Standard 2-5](#).

a. Cabrillo to provide immediate, temporary full-time staffing by **April 17, 2026**.

b. Cabrillo to provide permanent full-time staffing by **August 3, 2026**.

3. Cabrillo to provide future communication regarding all changes to the DHEP pursuant to [16 CCR section 1105.3](#).

**VI. Violation 6: Staff Support.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), and [CODA Standards 2-5, 3-10, and 3-11](#).]

A. Complaint:

1. Students advised that they can enter the clinic without faculty supervision, despite policy that clinic entry requires instructor supervision to ensure proper safety and infection control as the complaint states: "Shift in policy is not only concerning from a safety perspective but also violates established protocols that have ensured the well-being of both students and patients."

B. Site Visit:

a. DHBC Site Visit Team Observation:

1. Unsupervised students overseeing sterilization and infection control processes and sterilization assistant did not arrive at the clinic until 10:00 a.m., two hours after clinic began.

b. Cabrillo Faculty Interviews:

1. Program director reported the sterilization assistant has a "compressed" schedule and not always present when clinic is in session as this change was necessitated by "budget" issues.

c. **Effect:** Lack of program support necessitates faculty to redirect time from student support to sterilization duties.

C. **Cabrillo Response on March 5, 2026, and DHBC Review:**

1. **Point 1:**

a. Cabrillo states:

1. "Cabrillo employs one classified staff member to serve as an instructional technician. The work year for that position is for 10 months with 32 hours per week. With 20 students enrolled in the program at one time, the staffing needs are sufficient to meet the standards. During the week that the site visit took place, a holiday was scheduled for Friday, Feb. 13th, for Lincoln's Birthday. Due to the holiday, all classified staff who work less than 12 months per year are entitled to a compressed work week. This results in fewer hours worked each day for the holiday week. The complaint implies that the instructional technician works a compressed schedule all the time, which was due to budget cuts. This is incorrect. Had the DHBC investigator inquired about this, she would have learned that the compressed work schedule was due to a holiday and in line with our agreements with our labor partners. The weekly work schedule of the instructional technician is in line with proper supervision of the sterilization room."

b. DHBC Review:

1. During the site visit, Team observed students unsupervised in the sterilization room. In the complaint and during interviews on the February 12, 2026, site visit, it was unclear if the instructional technician was responsible for overseeing students in sterilization.
2. It was unclear at the time of the site visit that the instructional assistant was responsible for sterilization monitoring.

D. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide evidence of qualified and sufficient staff support pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [16 CCR Section 1105\(k\)](#), and [CODA Standards 2-5, 3-10 and 3-11](#).
  - a. Evidence shall include, but not limited to instructional technician's work schedule and duty statement.

**VII. Violation 7: Student Resources.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [CODA Standards 2-5, and 4-1](#), and [5 CCR Section 59400](#)]

A. Site Visit:

1. DHBC Site Visit Team Observation:

- a. Students required to provide their own personal protective equipment (e.g., gloves, masks, etc.) and clinic patient tracking forms.

2. Cabrillo Faculty Interviews:

- a. Cabrillo faculty confirmed students are required to pay for personal protective equipment and clinic patient tracking forms and that these costs are passed onto the students due to budgetary restrictions.

3. **Effect:** Poses a significant cost incurrence to students and prohibited by law.

B. **Cabrillo Response on March 5, 2026, and DHBC Review:**

1. **Point 1:**

- a. Cabrillo states:

1. "The DHBC Specialist found that students are required to provide their own personal protective equipment and clinical tracking forms, which she construes as a violation.

Response: She cites no relevant authority to support her belief that the District must provide personal protective equipment and clinical tracking forms to students. The only authority she refers to that even comes close to supporting her allegation is Education Code section 49011 subdivision (b)(1), which applies to K-12 educational institutions and is inapplicable to community colleges and our dental hygiene program."

b. DHBC Review:

1. The DHBC specialist acknowledges and apologizes for the citation error. The correct code section is [5 CCR section 59400](#) which states (emphasis added):
  - (a) The governing board of a district may, consistent with the provisions of this subchapter, require students to provide instructional materials required for a credit or noncredit course, provided that such materials are of continuing value to a student outside of the classroom setting, and provided that such materials are not solely or exclusively available from the district.**
  - (b) Required instructional materials shall not include materials used or designed primarily for administrative purposes, class management, course management or supervision.**
  - (c) Where instructional materials are available to a student temporarily through a license or access fee, the student shall be provided options at the time of purchase to maintain full access to the instructional materials for varying periods of time ranging from the length of the class up to at least two years. The terms of the license or access fee shall be provided to the student in a clear and understandable manner prior to purchase.
  - (d) Except as specifically authorized or required in the Education Code, the governing board of a community college district shall not require a student to pay a fee for any instructional materials required for a credit or noncredit course.**
  - (e) The Chancellor's Office shall adopt guidelines for districts implementing this subchapter.

C. Determination:

1. **Not in compliance.**
2. Cabrillo is in violation of and shall provide student resources pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1105\(i\)](#), [CODA Standards 2-5, and 4-1](#), and [5 CCR Section 59400](#) by **April 17, 2026**.

**VIII. Violation 8: Renewal of DHBC Concerns Regarding Stable Financial Resources.**

[Deficient of [BPC Section 1941\(a\)](#), [16 CCR Section 1104\(b\)\(5\)](#), and [CODA Standard 1-3.](#)]

**A. Major Concern:**

1. The DHBC has cited Cabrillo for lack of a stable funding source to maintain the DHEP in both 2019 and 2024 and despite the repeated assurances by Cabrillo that funding to the DHEP that the College has the strength and stability to fully maintain the DHEP, the DHBC has again discovered budgetary concerns that are affecting the DHEP. Please refer to above violations 5, 6, and 7 as to areas where “budgetary concerns” are cited.
2. Despite repeated assurances the program director and faculty would not be required to staff the “Expanded Duties Courses” (i.e., Soft Tissue Curettage, Local Anesthesia, and Nitrous Oxide-Oxygen Analgesia courses) to “fundraise” and provide the sole funding source (“Fund 16”) to the DHEP, yet this practice continues.
3. **Effect:** Cabrillo program director and faculty required to “fundraise” to support the program which causes undue stress and requires program director and faculty to work non-contracted, personal time to ensure the program is funded to remain functioning. Fundraising to maintain the program is not a normal program director and faculty function. Forced participation in such events should be avoided since the program should be fully funded by the college.

**B. Cabrillo Response on March 5, 2026, and DHBC Review:**

**1. Point 1:**

a. Cabrillo states:

1. “The District disputes these allegations of violations. The District has sufficiently addressed this alleged violation.

Cabrillo faculty are NOT required to “fundraise” to support the program. The program director and/or faculty may elect to work during expanded duties activities and get paid for their time. This is evidenced by timecards submitted to payroll. The expanded duties program is hosted and implemented by an independent contractor. This alleged violation is a repeat of the violation cited in the 2024 visit that has been cleared. Nothing has changed on our part since being cleared previously of this violation.”

b. DHBC Review:

1. During site visit interviews, faculty confirmed being required to staff the “Expanded Duties Course” to supplement the support of the Cabrillo DHEP.

Additionally, as the faculty are paid for their services, they are still required to provide those services on their days off.

2. On page 58 of the “attachment responses,” Cabrillo is still counting “Continuing Education and Expanded Duties coordination of dates, guest speaker/presenter/instructors/DDS: 1 hour-1/2 hour” as part of the program director’s “75% Weekly Assignment Schedule”, thus taking away time from direct program director duties.

## 2. Point 2:

a. Cabrillo states (emphasis added):

1. “Funding is mainly derived from general fund revenues associated with the California Community Colleges Student Centered Funding Formula (SCFF) – the formula that establishes state support for all Dental Hygiene programs operating at a California Community College. Because all DH programs have strict safety standards and 1:5 faculty to student ratios for clinical settings, all DH programs operating at California’s community colleges technically run at a deficit mode under the SCFF Funding Formula.

Our District makes up the gap in funding by braiding funding sources together in a manner similar to other dental hygiene programs that are offered in community colleges. **Revenue fund sources can include** 1) Instructional Lottery dollars to pay for education materials and supplies; 2) Perkins/VTEA funds to pay for career technical education equipment, conferences, professional services, and recruitment materials; 3) California Strong Workforce Program dollars; 4) Cabrillo College Foundation grants to pay for specialized equipment or staffing associated with a specialized project; 5) continuing education or “expanded duties” classes mentioned above; 6) clinic fees for DH services; and 7) General fund transfers to cover any operational deficits that need to be covered at the end of a fiscal year.

The college regularly covers career education program deficits in this manner by using SCFF fund revenues from other college programs where class sizes are large enough to generate programmatic surpluses that are then used to cover programmatic deficits in career programs (such as Nursing and Dental Hygiene).

The college provides more than adequate financial support to run a high-quality DH program that is in line with that of other community colleges in California. In addition, the financial landscape of the college has not changed since the DHBC’s previous findings and violations. Since then, we have been cleared of all financial violations. Demanding more evidence of this cleared violation from 2024 is an overreach of authority by the Specialist.”

b. DHBC Review:

1. First, through complaints, documentation, and site visit interviews, the DHBC again finds budgetary discrepancies requiring re-citation of budgetary shortfall concerns. Please refer to above violations 5, 6, and 7 as to areas where “budgetary concerns” are cited.
2. Second, on October 31, 2024, Cabrillo submitted a “Request for a Change in Enrollment Pattern” to CODA to 1) decrease the cohort size from 22 students to 20 students; and 2) admit the cohort of 20 students every year to every other year. Cabrillo cited the following:
  - i. “The requested adjustment is based on the assessment of the program’s resources, as well as a strategic response to decreasing financial resources for the College.”
  - ii. “The proposed change in the enrollment pattern is intended to align the program’s operating size with current financial resources. It is our hope that the Cabrillo College Dental Hygiene program will be able to reinstate a second cohort in the future when it becomes financially viable.”
3. Third, with the CODA “Request for a Change in Enrollment Pattern” Cabrillo formally requested, and was granted, approval of the change from the DHBC at the Full Board meeting on March 22, 2025, pursuant to the requirements of [16 CCR section 1105.3\(b\)\(3\)](#), again citing status of current financial resources.
  - i. Refer to Cabrillo’s “Request for a Change in Enrollment Pattern” report to CODA attachment.
4. Fourth, while Cabrillo provided a budgetary narrative including stating “Revenue fund sources can include...,” Cabrillo did not provide the requested Cabrillo DHEP budget to include a narrative as to the description of the source for the support.

C. Determination:

1. **Not in compliance.**

2. Cabrillo is in violation of and shall provide evidence of stable financial resources for the DHEP to ensure continuity of the program pursuant to [BPC Section 1941\(a\)](#), [16 CCR Section 1104 \(b\)\(5\)](#), and [CODA Standard 1-3](#) by **April 3, 2026**.
  - a. Evidence shall include, but not limited to, Cabrillo DHEP budget to include a narrative as to the description of the source for the support.

Cabrillo shall provide evidence of compliance to the above violations **by the aforementioned dates**.

Pursuant to [16 CCR section 1104\(b\)\(5\)](#), continuation of approval of all educational programs shall be contingent upon compliance with the requirements described in Title 16, Division 11, Article 3 of the CCR. As Cabrillo is operating outside the structured parameters of California law and [CODA Standards](#) with these violations, Cabrillo is therefore putting students, faculty, and the public at risk. **Please note:** [16 CCR section 1104\(e\)](#) states: "A material misrepresentation of fact by a new educational program or an approved educational program in any information required to be submitted to the Dental Hygiene Board is grounds for denial of approval or revocation of the program's approval."

The priority of the DHBC is consumer protection. To ensure consumer protection and the public's right to receive quality dental hygiene care, the DHBC has a responsibility to ensure that all DHEPs within the state meet the same educational requirements in preparing their graduates for the profession. Please remember that California law and the [CODA Standards](#) are the required **minimum** levels California DHEPs shall operate at to continue approval and may exceed those levels, as several programs do at their discretion. If you have any questions regarding this report, please feel free to contact me at [adina.petty@dca.ca.gov](mailto:adina.petty@dca.ca.gov).

Sincerely,

*Adina C. Pineschi-Petty DDS*

Education, Legislative, and Regulatory Specialist  
Dental Hygiene Board of California

cc: Anthony Lum, Executive Officer, Dental Hygiene Board of California  
Joanne Pacheco, RDH, MAOB, President, Dental Hygiene Board of California  
Faten Khoury, RDH, RDHAP, MA, Dental Hygiene Program Director, Cabrillo College

Attachments.