



Chabot-Las Positas Community College District

Chancellor's Council

Tuesday, October 15, 2019

3:00 – 4:30 p.m.

Chabot College, Room 405

Meeting Minutes

Present: Ron Gerhard, Noell Adams, Roanna Bennie, Miguel Colon, Dave Fouquet, Matt Kritscher, Ed.D., David Rodriguez, Sarah Thompson, Rachel Ugale, Yvonne Wu-Craig

Guests: Theresa Fleischer Rowland, Ed.D., Bruce Griffin, Owen Letcher, Guisselle Nunez, Doug Roberts

Interim Chancellor Ronald Gerhard called the meeting to order at 3:04 p.m. A quorum was present at 3:10 p.m. The October meeting was originally scheduled for Tuesday, October 8th, but it was postponed due to a SCFF Meeting.

1. Review and Approval of the September 10, 2019 Meeting Minutes

The minutes were approved with no revisions. **(Colon/Thompson) All in favor.**

2. Board Policies/Administrative Procedures (standing item)

a. BP and AP Revised Schedule

This item was not discussed.

b. First reading

i. BP 2350 Speakers

ii. BP 2355 Decorum

iii. BP 2360 Minutes

iv. AP 2360 Minutes

v. BP 2365 Recording

Tabled for future discussion.

vi. AP 2365 Recording

Tabled for future discussion.

The board policies and administrative procedures presented for a first reading are shown in the same manner as they are currently shown on the district's website.

Some feedback has been received on Board Policy 2365. The words that appears to be missing in the first sentence are indicated in bold: "**Any audio or video**

*recording of any open or **public Board of Trustees Meeting made by or** at the direction of the Board shall be subject to...*” Following our process on this, Council will have a first reading of these BPs and APs and they would then be brought back to each constituency group. Feedback and/or corrections should be sent to Ms. Kelly Costello so that they can be taken through the recommendation process.

c. Second Reading

A second reading of the board policies took place. No comments or feedback had previously been received, except for BP 2310.

- i. BP 2220 Committees of the Board
- ii. BP 2305 Annual Organizational Meeting
- iii. BP 2310 Regular Meetings of the Board

There was discussion that getting to Dublin by 6:30 p.m. for a board meeting is difficult and if there were more meetings at the college, more people from the community would participate. It was mentioned that there are inexpensive options for livestreaming and recording of the meetings and the financial burden could be minimal. Interim President Roanna Bennie mentioned that the board policy went through discussions with the Las Positas administrative team, College Council and the senates as well. In general, there were no objections to recording, only that should the recording not work, it should interfere with the meeting continuing. College Council also desired to pull out all of the details from the board policy and create an administrative procedure. It was mentioned that the creation of a new board room at the district office may not be needed if many of the meetings are not going to be held there. Chabot students have difficulty coming all the way out to Dublin to attend a meeting, instead of being able to stay on campus. Ms. Sarah Thompson mentioned that these details should not be added to a board policy, but added to an administrative procedure instead, so that we do not violate our own policy. From the Las Positas College Academic Senate, there was no significant feeling one way or the other in terms of the location of the meetings, but the spirit behind the suggestion is understood. Mr. Gerhard added that he is having discussions with the board chair about the feedback to elicit the board as a whole to get their support. The process time for this particular BP will lengthen as a result. Taking BP 2310 off the table, it was asked if there is any other feedback.

- iv. BP 2315 Closed Sessions
- v. BP 2320 Special and Emergency Meetings
- vi. AP 2320 Special and Emergency Meetings
- vii. BP 2330 Quorum and Voting
- viii. BP 2340 Agendas
- ix. AP 2340 Agendas

- x. BP 2345 Public Participation at Board Meetings
- xi. AP 2345 Public Participation at Board Meetings
- xii. AP 6750 Parking – Revision to Electric Vehicle Charging Zone
 Mr. Miguel Colon discussed that the Facilities & Infrastructure Technology (FIT) Committee reviewed AP 6750. Chabot is advocating an environmentally friendly campus and it was suggested to turn off the charging stations at 9 p.m. and turn them back on at 7 a.m. VC Owen Letcher mentioned that at Las Positas College, there are campus safety and custodial staff during the evening hours that do need to charge their vehicles. The recommended change to the AP states that the colleges “may” charge. It allows for establishing a fee, but does not require the establishment of the fee. The rate structure can be tiered. Ms. Noell Adams asked if this would enable establishment of a fee for the user themselves, not a blanket student fee. VC Letcher stated that a fee would be for the person parking in the space and using the service. All but two charging stations require an app to release the cord from the charging unit. A few items noted for change include:
 - The administrative procedure should be labeled as an AP, not BP.
 - On page 4, paragraph 2, “Parking” should not be capitalized.
 - On page 5, paragraph 5, “By” should be lowercase in “Parking By Permit Only.”
 - On page 5, paragraph 8, “roadways or” should be stricken from, “No person shall operate a motor vehicle on campus roadways or parking lots...”
 - On page 5, paragraph 9, “Using” should be lowercase from “...into campus parking areas except by Using roadways...”
 - It was mentioned that it states, “No person shall sleep in or remain overnight in any vehicle parked on a college campus.” There is a bill that may be approved in the future that would contradict this statement. Should it pass, this item will be reviewed again.

Pulling BP 2310 from the list, there was a motion to recommend the rest of the second reading board policies and administrative procedures to the Board of Trustees. **(Bennie/Thompson) All in favor.**

3. Educational Master Plan and District Strategic Plan Update

VC Theresa Fleischer Rowland distributed a two-sided document which is an excerpt out of the public proposal. The work is underway, but there are a few process questions to discuss. The item that has not been resolved are shown with arrows. The selection committee needs representation. Last time, there were 5 proposals to review. A rubric is needed, which is similar to a hiring committee. There needs to be some agreement on meeting and interview dates. The colleges will take ownership of their creation of the

master plans, but consultants will be needed for the district's strategic plan. Ms. Craig mentioned that Ms. Samantha Kessler would like to be involved for the selection committee. Originally, the December board was being targeted for approval, but now the plan is to bring it to the January board meeting. Appointments are needed from the academic senates, administrators with the recommendation of the Presidents, and the classified senates.

Mr. Dave Fouquet mentioned that the facilities master plan was recently completed and it if it is on a six-year cycle. Does it make sense to do the educational master plan and then three years later do another facilities master plan? VC Owen Letcher mentioned that it is traditional that the educational master plan leads prior to the facilities master plan. Mr. Gerhard mentioned that when there are new things that come out of the EMP that are not considered in the FMP, an appendix to the FMP can be made to bring it current so they are both aligned. Mr. Fouquet asked about having a Faculty Association appointment. This could be looked at and revisited.

Currently, the Chabot Technology Committee is working on a technology master plan. All three plans are converging. CTO Bruce Griffin mentioned the timelines for the technology plans include early spring for the districtwide plan and the colleges will be done over the course of the next year.

VC Fleischer Rowland will follow up with the Interim Chancellor and the Faculty Association whether a 9th member will join the 8-member selection committee.

4. Brown Act/Robert's Rules of Order

There has been an ongoing conversation regarding the Brown Act and Robert's Rules of Order training. First, there needs to be an agreement on what bodies/committees are required to follow the Brown Act. Legal communication regarding this subject was distributed. Once there is an understanding of what committees should follow, we could move on to training. The document states that the Brown Act applies to what it terms "legislative bodies." The Brown Act defines legislative bodies in one of three ways:

1. The governing body of a local agency or any other local body created by state or federal statute.
2. A "commission, committee, board, or other body of a local agency" that meets certain criteria.
3. Certain boards, commissions, committees, or other multimember bodies that govern a private corporation, limited liability company, or other entity, where they are created by an elected legislative body.

In general interpretation, the two committees that most everyone agrees with are the Board of Trustees and the academic senates. Ms. Bennie stated that she believes since the state created the connection to adult education, MAC does follow Brown Act. Ms. Yvonne Wu Craig states that the Chabot Foundation states explicitly that it is subject to the Brown Act, which is stated in the master agreement. It was questioned if committees created by the legislative body include PBC, etc. Committees created by administrators are not legislative bodies and are not subject to the Brown Act. Ms. Noell Adams

mentioned that the student senate exists within Title 5 and should be included. It was suggested that the classified senate should be included as well, which deals with all issues outside of collective bargaining. Ms. Craig asked if this means that all of the shared governance committees would fall into this requirement. Nothing prohibits a committee from following the Brown Act, but it does not mean it is a requirement. Mr. Gerhard questioned that classified senate falls into this category. Mr. David Rodriguez stated that LPC's Classified Senate is trying to move into that direction, but their bandwidth and ability is limited. Mr. Miguel Colon suggested not taking on the burden of being held by the Brown Act if a committee is not required to. All of the committees in the faculty contract need to be checked. Ms. Adams will send rationale to Mr. Gerhard regarding classified senate. This is still an ongoing discussion.

5. Student Centered Funding Formula White Paper

Mr. Gerhard discussed the advocacy paper, which is complete. This will be used for distributing and encouraging folks to have conversations. Relatedly, a group from across the district went to Delta College and participated in the governor's oversight committee meeting to carry out major points within it, which hopefully swayed recommendations at their committee meeting. Mr. Colon mentioned that there was an academic senate area B meeting that included academic senate presidents and vice presidents. There were many people that did not know much about the SCFF implications. The limited awareness is surprising and disconcerting. Ms. Sarah Thompson mentioned that the subcommittee did not take any action at all. From our vantage point, no action is better than bad action. It is critical to get those numbers out there, but the public comment portion format has changed to limit our impact in the meetings. There was discussion that if neither of the subcommittees address the subject, it will go to the main subcommittee. It is clear that they do not want to make a decision. Mr. Griffin stated that it is important for the senates to reach out to other college senates. Given the administrative changes at various colleges, executives come in and may have no real grasp of what the issues are and some are simply sheltered by basic aid.

Mr. Gerhard stated that on Friday of last week, he participated in a SCFF Fiscal Advisory Workgroup meeting. The subject came up and two of the members are also on subcommittee 2. Two competing alternatives being discussed include adding Perkins and indexing for cost of living. One item that came up is that every college has to report a student expense budget, based on student aid commission expenses. Colleges have some latitude to amend those. Each district's regional averages come from within those regions. Based upon regional economics, the cost of living for our students is much higher than some of the regions around us. Our participation rate is only 31% compared to the statewide average of 44%. Students are earning more than what would allow them to get financial aid. The question raised by the Vice Chancellor of Finance is why don't the colleges financial aid offices increase the student expense budgets. This has federal implications as well. Future SCFF meetings will be held on October 31 and November 7. Ms. Thompson mentioned that the statements that have been repeated again and again is

that even by including or adding Perkins, it is not taking away the reality that these students still have to hold multiple jobs. VP Matt Kritscher thanked everyone who worked on this. It was mentioned that Mr. Rajinder Samra was trying to get a student voice to attend these meetings as it would be a powerful voice to bring to the table. The documents will be posted on the website. Mr. Gerhard sent the documents to the area CEOs to get support, as well as the members of the subcommittee. They should also be sent to the CBO listserv, Academic Senates and Classified Senates.

6. Future Agenda Items

Ms. Sarah Thompson mentioned that the board policies regarding curriculum seem to have been forgotten. The policy was forwarded from Mr. Craig Kutil and sent to Chabot for review in late spring. Mr. Gerhard has asked VC Fleischer Rowland to vet and should be taken through Chabot's senate. VC Fleischer Rowland will bring forward to SLT. The other item is proactive awarding. There are one or two words that need to be inserted and it should be added to a future agenda.

The meeting adjourned at 4:44 p.m.

Next Meeting: *Tuesday, November 12, 2018*