



**Chabot-Las Positas Community College District
Chancellor's Council**

Tuesday, November 10, 2020

3:00 p.m. – 4:30 p.m.

ConferZoom

Meeting Minutes

Present: Ron Gerhard, Noell Adams, Miguel Colon, Dave Fouquet, Dyrell Foster, David Rodriguez, Sarah Thompson, Rachel Ugale, Chasity Whiteside, Julia Dozier,

Guests: Jennifer Aries, Joanne Bishop, Theresa Fleischer Rowland, Bruce Griffin, Heather Hernandez, Craig Kutil, Owen Letcher, Karen Metcalf, Jonah Nicholas, Kirti Reddy, Susan Sperling, Debbie Trigg

Chief Technology Officer Bruce Griffin called the meeting to order at 3:03 p.m.

I. Review and Approval of the Agenda

SThompson asked to add agenda item, “request for a subcommittee to explore the audit option.” The agenda was approved with the addition. **(Dozier/Thompson)**

II. Review and Approval of the October 13, 2020 Meeting Minutes

The October 13, 2020 meeting minutes are approved as presented. **(Colon/Thompson)**
Adams abstained.

III. Board Policies/Administrative Procedures (standing item)

a. First Reading

DBetts went over the chapter 3 board policies and administrative procedures being presented for a first reading. The district received several updates and additions from the CCLC policy and procedure services. These directly impact how we address sexual harassment under Title IX. These changes are taking place as a result of a long process initiated by the Department of Education under Betsy DeVos and now, they have been put into law. These are a manifestation of the district essentially coming into compliance. There are 8 different policies and procedures that are impacted by this. Only 7 are moving forward because one has changes that came about very recently so instead of bringing it forward now and again, it will be brought forward when all changes can be made. Some are already existing.

1. **BP 3430 Prohibition of Harassment**
Already existing, just updated.
 2. **AP 3430 Prohibition of Harassment**
Already exists, just updated.
 3. **BP 3433 Prohibition of Sexual Harassment Under Title IX**
Entirely new policy.
 4. **AP 3433 Prohibition of Sexual Harassment Under Title IX**
Entirely new procedure.
 5. **AP 3434 Responding to Harassment Based on Sex Under Title IX**
Entirely new procedure. AP 3435 is impacted, but not in this group. A lot of what was covered around sexual harassment, discrimination complaint procedures, investigations, and so forth has been moved into AP 3434 and AP 3435 will shrink substantially.
CKutil asked if we normally want to include contact information in the AP, especially since it will change. DBetts mentioned that we do. There is a more up to date version with the correct information for Las Positas College. The contact person is now VP Anette Raichbart. We confirmed with the attorneys who are responsible for working with CCLC to create the template and they said you need to put the actual names and building numbers in the procedure.
 6. **BP 3540 Sexual and Other Assaults on Campus**
Already exists, just updated.
 7. **AP 3540 Sexual and Other Assaults on Campus**
Already exists, just update.
- WFong asked if there will be changes under the Biden administration. DBetts mentioned that they will, but these changes were updates from the Trump administration and four years later they are coming into law. It will take some time to have more changes. JDozier asked if we have a choice if this is law. SThompson stated that they are not all law. BGriffin mentioned that even though some are legally required, we have a process that ties to several things, such as accreditation and our own policy on policy review. They are all coming through the same process, whether we must do them or whether they are optional.
8. **BP 4300 Field Trips and Excursions**
 9. **AP 4300 Field Trips and Excursions**
 10. **BP 4400 Community Education Programs**
 11. **AP 4400 Community Education Programs**
 12. **AP 4500 Student News Media**

13. AP 4610 Instructional Service Agreements

TFleischerRowland went over Chapter 4 first readings and the first of chapter 5. All of 2021 will be spent on covering chapter 5 policies and procedures. In total, we will have covered 127 board policies and procedures. ESSS office has been coordinating the league updates to chapters 4 and 5. These are presented for discussion or whatever is needed.

14. BP 5030 Student Fees

15. AP 5030 Student Fees

TFleischerRowland mentioned the BP and AP 5030 are moving forward as a priority. We have talked about things such as student representation fee, which has changed, but the have not actually updated these fees for quite a few years. This is mainly TFleischerRowland's work with VP Garcia, VP Kritscher, and some team members, in accordance with the law and compliance.

JDozier mentioned that under enrollment fees, ed code 76350 prohibits community colleges from imposing resident or nonresident charges fees for apprenticeship courses, pursuant to labor code section 3074. That may be included in what is considered what is already exempt. It is not known if we need to include those regulation labor code references. BGriffin asked if the language came from the league. TFleischerRowland will take a second look at it and asked JDozier to send information. JDozier will send the handbook on student fees that was created by the Chancellor's Office. TFleischerRowland mentioned that is one of the primary sources consulted. JDozier just wanted to make sure that there was an acknowledgement that course fee will be waived. BGriffin mentioned that it will be brought back for a second reading and asked TFleischerRowland and JDozier to work together to bring it back.

TFleischerRowland commented that in the BP 5030, there is a reference to auditing. The current statement stands true that the district does not allow for auditing. I know that this discussion has come to council several times, we will want to keep our eye on that if we are changing our auditing policy, we will have to go back to this board policy.

DRodriguez asked about the BP and AP 4400, particularly what is the significance of changing the wording from Community Education to Community Service. TFleischerRowland stated that the recommendation came from Frances DeNisco at LPC. Title 5 has changed, and we no longer call it community education.

SThompson asked if we have to have the auditing of courses in this particular BP. If we decide to move ahead with an auditing option, we will not have to move this board policy through the process again. TFleischerRowland stated that this is a recommended section. SThompson stated that we have been moving forward with policies having more broad parameters. What is the rational behind having this BP be so detailed? TFleischerRowland said that is a good question and it was worked on

with the VPs of Student Services. I think we were trying not to break with tradition, so a lot of what we bring back to council is accuracy and updates as advised by CCLC, not a lot of content reorganization. This is similar to what CKutil suggested at last council to consolidate procedures. I am in favor of those moves, but it depends on what the wish and tolerance of the council is and ultimately the Chancellor. BGriffin stated that the question is whether we could charge a fee if its not approved by the board. TFleischerRowland thinks one of the reasons that it is on for first reading, is because the colleges are anxious to have an updated board policy and administrative procedure tat reflect what we are doing so that we have documents to point to. We can certainly rework the policy. SThompson stated that we are not good about coming back to a board policy when we change things. TFleischerRowland stated that it is very onerous to clean things up every six years. RGerhard stated that there is a student fee handbook that does require us to list all the fees that are authorized. This is one of those that is required. SThompson stated that we should update it year to year if we are changing the fees. RGerhard stated another example of this is our purchasing threshold for formal bidding that under public contract code and ed code changes every year. Unfortunately, the way our procedure is written, we must come back to revise those.

RGerhard stated that we are trying to take out more operation that we have in the policies to make them more general. Unfortunately, because of the state rule and the state student fee handbook, parking, the assessment and establishment of fees, is still one of the areas where the board has to have that level of specificity. JNicholas mentioned that it is specific in the student fee handbook to specifically call out those fees. SThompson said we have been behaving differently than what the board policy states. The issues take place when we make changes before modifying the board policy. RGerhard stated that the pervious board policy was deficient and did not contain the level of specificity that the education code required. The previous language states that each student shall be charged a fee for enrolling in credit courses. The fee will be based on a total number of units, etc. There are very few instances where a board would have to create those areas for exemption. Looking at the changed language, it is seen as statutorily required, but it was not in our previous version. We want to have our board policy be broad to be flexible, but this is one of the very few instances where that level of detail is required by Ed code.

DRodriguez has a question on the third page where it talks about auditing of courses. This one seems different than the others. This section doesn't talk about fees, but it seems out of place. RGerhard mentioned that this is tied to a conversation that the Academic Senates have asked for us to reconsider auditing. Ultimately, when it comes back to chancellor's council, this language and these fees will change to say that the student who audit classes are required to pay fees. Once this comes back, and Chancellor's Council supports it, we will then allow auditing and fees will be included in this AP. SThompson asked if we can phrase it so that the additional step is not necessary. Education Code section 76370 allows the colleges to collect fees for auditing. This is just about fees and the state allows us to collect fees for auditing. JNicholas is looking at the update and it says that if there are course auditing fees,

then the language is legally required. You cannot charge more than \$15 per unit, per semester. The added language reads, *“Persons auditing a course shall be charged a fee of [not more than \$15.00] per unit per semester. The fee amount shall be adjusted proportionally based upon the term length. Students enrolled in classes to receive credit for 10 or more semester credit units shall not be charged this fee to audit three or fewer units per semester.”*

These are first readings, BP 5030 will be adjusted, sent out and then added to the agenda for a subsequent meeting.

RGerhard welcomed VC Jonah Nicholas to the meeting.

b. Second Reading

1. BP 4225 Course Repetition

2. AP 4225 Course Repetition

CKutil went over the administrative procedure. Where it says, “when a student repeats a course,” we originally had the DF, FW, and it was suggested to get rid of the NP and NC, to alleviate some standard work, in my mind, that should contain all five and it was suggested to move it to read better. MColon had questions about the FW and no one at the senate meeting knew what it was. SThompson stated that it is for tracking purposes to show those students that abandoned the class. It affects the GPA in the same way. The outreach for that student would be different than someone who failed the class. It was asked how other districts use it. MColon stated for it to have any value, you would have to figure out how to get faculty to use it. CKutil mentioned that it is not currently an option to use in the system. On the transcript, it would show up as an F. NAdams mentioned that transfer institutions would know what it means when they see an NF. For veterans, any time a veteran student that is receiving the GI benefit, you have to see the records for that term. Any time that student receives an F, the teachers have to be reached out to in order to figure out why they received the F. DRodriguez wanted to clarify that in the past minutes, it was stated that it was offered and it was not offered. RGerhard stated that it sounds like there is a desire to keep it to evaluate it to perhaps use it moving forward. DFouquet mentioned that he does have students that disappear during the semester and then comes back and tries to finish the class. Under those circumstances, does the person get funded? NAdams mentioned that it is up to the faculty on what they decide to report.

CKutil mentioned that there shouldn't be an issue to leave it in, but if it is taken out, it cannot be used.

3. AP 4227 Repeatable Courses

4. AP 4228 Course Repetition – Significant Lapse of Time

5. AP 4229 Course Repetition – Variable Units

6. **BP 4230 Grading & Academic Record Symbols**
7. **AP 4230 Grading & Academic Record Symbols**

8. **BP 4231 Grade Changes**
9. **AP 4231 Grade Changes**

10. **BP 4232 Pass/No Pass**
11. **AP 4232 Pass/No Pass**

12. **AP 4235 Credit for Prior Learning**

13. **AP 4236 Advanced Placement Credit**

14. **BP 4240 Academic Renewal**
15. **AP 4240 Academic Renewal**

RGerhard mentioned that there were some recommendations for 4240 from both VP of Student Services. Where it states, “Students may petition for academic renewal only once,” it is suggested to delete, “For students to be eligible for academic renewal a period of at least two years must have lapsed since completion of the coursework to be disregarded.”

DTrigg gave her support. There were two things that academic renewal is a mechanism for students to earn grade forgiveness without repeating courses, which are no longer reflective of their current performance or may no longer be relevant to their educational and career goals or permit change from poor progress to good progress. It can occur within a short time for a number of reasons. The best way to demonstrate academic progress needed for academic renewal is to show success in coursework. Successfully completing courses has an inherent built in time period so an added or extended time period is unnecessary and prevents barriers to student progress.

16. **BP 4250 Probation, Dismissal, & Readmission**
17. **AP 4250 Probation, Dismissal, & Readmission**

Another suggestion is to modify the mention of waiting five years for re-admission. The modification would read, “The first time a student is dismissed, the student may apply for readmission after one semester (summer session, not included) or non-attendance. In the case of a second dismissal, the student may apply for readmission after 1 year of non-attendance. Summer session does not count as a semester in determining academic status.”

JDozier mentioned that there is a slight revision. Summer session is not included.

18. **BP 4260 Prerequisites and Co-Requisites**
19. **AP 4260 Prerequisites and Co-Requisites**

20. BP 6750 Parking

MColon asked a question regarding refunds about parking. Maybe we should address the issue for anything we may do in the future. It also may be helpful to clarify who can use the EV chargers. From a practical standpoint, we can define it as faculty and student who are able to use it. RGerhard mentioned that the administrative procedure on parking has already gone through vetting and discussion. It was also stated that there is not an AP on refunds. Given that it is brought up at council, it may be best to look up AP refund language. MColon asked that under the electric vehicle charging section, can we limit it to people with parking passes. RGerhard mentioned that during the weekends, maybe there was a desire to open it up to public for some revenue. Oletcher discussed that there was discussion in the facility meeting, and it was decided that there is a need to charge. Six of the units are funded by the Bay Area Air Quality Management District and the agreement is that it is free until the agreement expires or we pay them back the grant money. JNicholas mentioned that in the AP for parking, it does list that we will give refunds within the first two weeks of a semester.

RGerhard stated that we will pull it off the table for second reading to allow for revisions.

RGerhard mentioned we are pulling BP 6750, and making revisions that were just discussed to 4240 and 4250. There was a motion for recommending the remaining second reading BPs and APs, with AP 4225 replaces APs 4227, 4228, and 4229. **(JDozier/MColon) DFouquet abstained.**

IV. District-wide Planning (TFleischerRowland)

There was a DGCC meeting last Thursday. Strategic directions for the district wide strategic plan was worked on. Those were driven by some great presentations from the colleges around the educational master plans. The Districtwide strategic plan is literally a third document plan, but the idea of the plan is not that the district has its own direction, but it blends with what is coming from the colleges and articulates strategic directions over the next five years on what unites us. That work was thoughtfully done. What is being presented to you is a timeline that has been evolving. For the planning that will emerge as the plan will be doing some writing that is primarily going to be done out of my own office, working with the consultants. The first draft of the districtwide strategic plan's target date is December 7th. The next target to have a semi-final plan is January 18th. The target date for the final plan is February 5th. TFleischerRowland's work is to support the Chancellor in getting this to the board for approval.

DRodriguez asked for clarification on the DSP, what would the draft be based off of? What input? TFleischerRowland mentioned that there are conversations being had with the EMP Task Force regarding strategic directions. There was an outline shared with the DGCC for comment.

V. Audit Option

SThompson mentioned that the LPC Academic Senate has put forward a request that we do an exploratory subcommittee in terms of audit options. RGerhard mentioned that this is timely because we were talking about auditing fees. MColon stated that it is a great idea. We would want to be able to offer this to students, but we also need to understand the impact. It needs to be looked at. SThompson stated there are other districts that have figured this out already. There are many issues, and we will not be the first ones to have had them. It is advised to look at what other colleges are doing. RGerhard asked if this is being brought up to have council support. SThompson mentioned that there is a want to have faculty support, but there is a revenue component of this and student services component, so this touches on many areas. RGerhard asked if there are any concerns of creating this exploratory committee. It was suggested to discuss with the VPs of Student Services on who would be good to include on this committee.

VI. Future Agenda Items

MColon asked what role Council play in the direction of the budget will. There have been some questions from the campus regarding who will be driving the process. SThompson stated that she thought of Chancellor's Council that does not go out to the constituencies but more as an advisory to the Chancellor. MColon stated that the council does feed information to the senates.

NAdams mentioned a request of the council leaders, classified professionals should be involved in the college discussions around the budget, as well as the decisions. It's not just that we have a unique perspective and expertise to share but there is also the fact that the California Education Code requires the Community Colleges to ensure that faculty, students and staff have the right to participate effectively in district governance. Title 5 goes even further and says that staff should be provided opportunities to jointly develop recommendations on matters that have a significant effect on them. The request is for the leaders to be very thoughtful when it comes to our messaging around the role of classified professionals in this budget work and in the decision-making process. It is also requested that leaders of this council consistently communicate that classified professionals are involved in the decision-making process and the budget work because they are exercising their right to do so.

RGerhard mentioned that PBC's discussion was to review the charge and update it. PBC is the home of budget discussion, analysis, and recommendation. It is different than Chancellor's Council. There is a risk in bringing those conversations here in terms of blurring the lines in terms of the council's charge. SSperling mentioned her support of NAdams request. It is so critical that the role of our shared governance bodies be upheld and not supplanted. There has been a similar discussion at President's Council at Chabot.

DRodriguez added to the comments made more broadly. It is good for us to come together as an institution to solve these big challenges. There is good will and a good ability to work together, but there is at times structural challenges at times. To have some additional barriers is upsetting. If we are going into challenging situations, there is an opportunity to do things differently to bring everyone together to support our students.

What is it that we can do to improve? The classified senate folks have a lot of passion and are volunteering their time, sometimes lunch time. The values that motivate me is to improve our communication and trust in our ability to work together for our students and community. SThompson asked if this is referring to classified senate participation or the departmental/divisional level. DRodriguez mentioned that the college classified senates are in different places. The solution for each may be different. Inclusion in some conversations, such as districtwide meetings, are important. Moving BP 1300 forward is part of showing a commitment to inclusion of classified professionals and governance.

NAdams mentioned that there are still instances when classified professionals must make the argument to be involved in matters that are going to have a significant impact on classified professionals. Classified professionals should not have to do this.

MColon mentioned that each of our institutions are a three-legged stool and if there is a weak link, you have a broken stool. Maybe the fourth leg needs to be the district to enforce the other legs. The hope is that we go through his and we come out on the other side of this stronger. SThompson asked if this is amplifying the classified senate voice or participation. Do we need to look at how do we amplify the right voices for direction? DRodriguez mentioned that classified should be at the table. There was a board policy on this that has not moved forward and NAdams has done a lot of work on that. Generally, having support, although I have a lot of support, there is room for improvement. SSperling supports what both classified senate presidents have mentioned. The IEPI work at Chabot regarding governance structure led to clear recognition although it is not perfection. RGerhard mentioned that it was BP 1300 on shared governance. That was put on hold in April of 2019 and were going to get back to it with Administrators Association. There are a number of other ones that are on hold. BP and AP 4100 are also important to bring forward. We are trying to get through and revisit, but we are noticing that there are others that need some work to get through. That in no way should diminish or take away from the critical importance of classified professionals.

- Update on Pending BPs/APs

VII. Next Meeting: December 8, 2020

Meeting adjourned at 5:06 p.m.