



Chabot-Las Positas Community College District

Chancellor's Council

Tuesday, April 13, 2021

3:00 p.m. – 4:30 p.m.

ConferZoom

Meeting Minutes

Present: Ron Gerhard, Noell Adams, Miguel Colon, Dyrell Foster, David Fouquet, Theresa Pedrosa, David Rodriguez, Susan Sperling, Sarah Thompson, Rachel Ugale, Chasity Whiteside, Yvonne Wu Craig

Guests: Owen Letcher, Jonah Nicholas, Kirti Reddy

Chancellor Ron Gerhard called the meeting to order at 3:05 p.m.

I. Review and Approval of the Agenda

The agenda was approved as presented. **(Thompson/Colon)**

NAdams had a question about adding AP 5013 on the agenda. This was one of the three that had a question regarding residency. The other ones are not added and there was no revision. RGerhard mentioned that it is on here, so it does not get lost.

II. Review and Approval of the March 9, 2021 Meeting Minutes

There was a motion to approve the March 9, 2021 meeting minutes, with the minor corrections sent to KCostello by NAdams. **(Thompson/Pedrosa)**

III. Board Policies/Administrative Procedures (standing item)

a. First Reading

RGerhard quickly discussed the process of going through the first readings. There were no questions regarding the first readings.

- 1. BP 5130 Financial Aid**
- 2. AP 5130 Financial Aid**
- 3. AP 5203 Lactation Accommodation**
- 4. BP 5400 Associated Students**
- 5. AP 5400 Associated Students**
- 6. BP 5410 Associated Students Elections**
- 7. BP 5420 Associated Students Finance**

8. **AP 5420 Associated Students Finance**
 9. **BP 5430 Co-curricular Activities**
- b. Second Reading**
1. **BP 5012 International Students**
 2. **AP 5012 International Students**

MColon had a question regarding the fees. We have some of the highest rates among the Bay 10. It was asked if there is some logic behind this. JNicholas discussed that there are 7 or 8 methodologies that constrain how community colleges can charge out of state tuition. The Chancellor's Office calculates, based upon data it receives, a statewide average, a year over year price inflator, and most districts are within the standard range for fees. We do not charge more than our competitors. A lot of districts charge a capital outlay fee on top of the tuition for international students.
 3. **AP 5013 Students in the Military**

This administrative procedure will be tabled due to the residency question.
 4. **BP 5040 Student Records, Directory Info, Privacy**

DRodriguez mentioned that on the third paragraph, after the word "them," "and" should be added.
 5. **AP 5040 Student Records, Directory Info, Privacy**

DRodriguez stated that on page 2, where it says, "the district shall not create a list of student names linked with immigration status," I just wanted to clarify whether that was about external lists. RGerhard state that is his understanding.

On page 3, on the last bullet point, "the following information shall be released to the federal military for the purposes of federal military recruitment," I don't know if we have to include places of birth. I didn't see consistency on prior military experience. I do not know about the most recent previous educational institutions enrolled by the students. I saw it referenced the Solomon act to receive funds and that is why we must report some of this. I was wondering if we could limit that list as much as possible for student privacy. RGerhard stated that this would have to go back to our Financial Aid Offices and our VP of Student Services. The citations listed under the AP that include the Patriot Act and some of the other legal citations or references require the disclosure and release of the information for federal military purposes and they tie into funding. The questions regarding places of birth and levels of education, the answer is unknown at this moment.

Another concern is on page 4, under the 3rd paragraph, the last sentence, it seems unclear of what was meant, "so this restriction does not apply to information regarding the immigration or citizenship status of an individual." It seems like the other ones are allowing for release of information, so it is not really a restriction. Those two items that say district campus safety department should not inquire into

an individual's immigration status. Maybe tying that more closely with that paragraph would help clarify.

RGerhard asked DRodriguez to send his comments. DRodriguez asked to table this one.

6. AP 5045 Student Records, Challenging Content & Access Log

7. BP 5055 Enrollment Priorities

8. AP 5055 Enrollment Priorities

DRodriguez gave comments on page 4, after the table, the paragraph seems to not make sense. The title on page two says *Summary of Key Enrollment Limit Topics*. Then it jumps into, "This 100-unit limit does not include units for non-degree..." The AP does not specify the 100-unit limit anywhere. That paragraph needs to be clarified. NAdams agreed that the placement of the 100-unit limit mention is not helpful. RGerhard mentioned that 2/3 of the way down through page 2, it states, "Registration priority specified above shall be lost at the first registration opportunity after a student... has earned one hundred (100) or more degree-applicable semester or quarter equivalent units at the District." NAdams asked to move, "This 100-unit limit does not include units for non-degree applicable English as a Second Language or basic skills courses as defined by the Chief Student Services Officer," back onto page 2, so in a sub-bullet so it is all in one place. DRodriguez also asked about the last sentence in the same paragraph, "Students enrolled in high unit majors or programs as designated by the Chief Student Services Officer," but it does not say what so are they exempt from the 100-unit limit. NAdams mentioned that they make an exception for them, after showing their remaining courses, so they can be exempted and return to priority registration. RGerhard asked is it the same high unit majors and programs at each college and it is imagined that they could be different at each college. NAdams stated that they are different at each college.

RGerhard mentioned that this verbiage has existed prior to this cycle review, so the only changes from the existing board approved version are the ones that have red. The two paragraphs on page 4, after the table, should be moved up to page 2, before the section, *Summary of Key Enrollment Limit Topics*.

DRodriguez also suggested on page 5 to remove the pronouns and instead say "designee," and to delete "his/her" before sole discretion.

DFouquet asked about the background on this 100-unit limit, to what extent does that come from the vision for success type of thinking. How do we support that kind of a student? NAdams stated that it has been in place since SSSP. RGerhard stated that in 2007/2008 there was statewide concern on unit accumulation. The state came in and did several reforms, but among them, basically put a limit on the amount of funding districts could receive for students over a certain amount. DFouquet asked if we should consider if there is a district policy or if there should

be a policy to try to make sure that we do support the students that need a little extra time and a little extra course accumulation. Criticism for the Vision for Success, we are failing a student if we do not get them out the door in two years. MColon stated that this is where having a robust non-credit program can really be helpful.

9. AP 6625 Art, Exhibits and Displays in Public Places (New)

SThompson stated that there were some concerns regarding why the board of trustees needed to approve the displays. There is also a concern because there is no price point necessary. We deal with the issues of academic freedom with curriculum by not having the board approve it, but by sending it to the board as an information item. OLetcher stated that the board must approve all contracts, whether it is via delegated authority to a certain dollar threshold or whether that is a board approved motion via consent action. There has been issues with public artwork installed at other institutions, where the board has raised an issue when they attended a meeting after the mural had been painted. That was unknown to the board in advance. Other districts have a similar policy where the board must approve the artwork either conceptually or in final design form in advance. This procedure fills a gap where we had no written down process for public artwork.

RGerhard stated that the board is required to approve facility master plans and construction projects and documents like that as well. There are two lenses in which the board does play a role. The first is in terms of the commissioning and contracting. The other piece is that the board has the ultimate authority over the facilities and facility planning.

RGerhard read over some comments from LPC include. SThompson stated that we have a practice of purchasing student art to be part of our permanent displays. OLetcher mentioned that he would not be opposed to adding a dollar threshold. RGerhard stated that we will go back and put some parameters and framing of what this is intended for and what it is not. There was some concern over the board of trustees' role in the process and determining art on campus. It would help to know exactly what they are looking for in their decisions. OLetcher stated that the Board is approving the concept and the cost associated with permanent art installation. RGerhard stated the intent of this is not for the board to approve art exhibits or art shows. OLetcher stated that this specifically excludes gallery spaces on campus. There was also a suggestion that money could be set aside for each capital project on campus to enhance building spaces. OLetcher stated that bond counsel mentioned that artwork is not considered an allowable bond expense, although an instructional display is allowed. Questions about the how the advisory board would be established on campuses and is the body advisory to the president or another shared governance body. RGerhard stated that right now each college has their task force or committee. The intent of this AP is not to change the structures at the college level. Its intent is to reinforce what is happening at the college and to provide a formal process to move it forward for final acceptance by the board of trustees.

SSperling mentioned that it is an important distinction when a group of students, faculty, classified professionals, approve putting up of representations within a structure versus representations that are community facing on the outside.

The last comment received was that we should be able to vet something through board approval process before we have all the details nailed down for a commission. It could include a broad scope of work estimated cost. RGerhard stated that this goes back to the discussion regarding concept.

AP 6625 will be tabled given the feedback.

YCraig had a chance to check with the Chabot public art committee. They had the same issues that LPC has brought forward. Would the edits go back to Council? Since there are two campus committees, maybe they work on it and help clarify the language with OLetcher.

RGerhard stated that AP 5013, AP 6625, BP and AP 5040 were tabled. It was moved to approve BP and AP 5012, AP 5045, BP and AP 5055, with changes to AP 5055. **(DFoster/MColon) All in favor.**

c. Discussion / Further Review

1. *AP 3435 Discrimination and Harassment Complaint Procedures*
2. *BP 5035 Withholding of Student Records*
3. *AP 5035 Withholding of Student Records*

NAdams has some comments and will send to RGerhard and KCostello.

d. IPBM Evaluation

RGerhard mentioned that a time is being worked on to get the committee together.

A doodle poll will be sent out for the shared governance BP and AP as well.

e. Future Agenda Items

RGerhard mentioned a press release that the Governor had put out last week related to K-12 and institutions of higher education and what the expectation of returning to face-to-face instruction next fall. There are many of us that are somewhat alarmed by public comments like this. There was a statewide CEO meeting, where districts responded to a survey and with two exceptions, everyone is pursuing or moving forward in their fall planning as a transition back to normal. If the Governor or the State Chancellor is going to want to mandate that districts move in that direction, they will have to rescind all of the emergency orders or executive orders. For us, we may have certain protections because of our status of hold harmless. There are districts that are on the SCFF that, if those executive orders were to go away, would have a financial consequence if they chose not to move to a predominantly face-to-face

schedule. Until something more credible and specific comes out, we are continuing the same pathway that our leadership has been guiding us through at the college and district level as we begin to register students for fall beginning May 17.

SThompson stated that the difference between community colleges and universities is that universities can contain their student populations better than we can. Community colleges are sort of set up to be a super spreader. It is the nature of our form of instruction. If we experience an outbreak, we cannot just lock down a dorm. It was asked if the Chancellor's Office has said anything about a statewide vaccine mandate. RGerhard stated that there is no mandated. There is differing views in terms of legal ability to mandate based upon the fact that vaccines are emergency approval. There is only one district that indicated that they are going to mandate the vaccine, but they have dormitories. SThompson asked if a mandate must come from the state, since we are technically one system. OLetcher stated that Alameda County does not know how to deal with a community college. We do not have dorms, off campus housing, and are not on a regular schedule.

MColon asked the questions about teaching in person. Will faculty have to wear masks or use a plexiglass at the podium. OLetcher shared a return-to-work protocols. We have optimized HVAC systems. It is encouraged to open doors and windows, where possible, but we have to remember wildfire smoke and temperature swings in the classroom. There is new Alameda County guidance for office workspaces. We are going to do everything we can to support 6-foot distancing. We are supporting the instructor having eight to nine feet at the front of the classroom and then the balance of the room be filled by 50% of its former occupancy. Faculty will have to wear a mask. If there are symptoms or exposures, there is a process for case management and reporting. Throughout the campus, there will be hand sanitizing stations. There will be a table in each classroom with facemasks, gloves, hand sanitizer, disinfecting solutions and paper towels. Throughout the day, the custodial crew will be wiping high touch surfaces down in restrooms, entries, and other areas. There may be assigned seating for the class, depending on the student spacing available. We are targeting 50% capacity. DFouquet asked about the 50% room capacity, even with the June 15th opening of the state. OLetcher mentioned that what we know right now, is the CDC guidelines for institutes of higher education and the CAL OSHA guidelines align with 50% capacity. TPedrosa mentioned wanting to come back to the classroom knowing she is protected and asked about mandating vaccines. OLetcher mentioned that we do not have legislative authority to mandate a vaccination for a student. We are awaiting additional guidelines from the state. SThompson asked if we should be looking at this at a more local level and asking the county what they want the criteria to be for the seven community colleges within the county.

RGerhard mentioned that the Governor signed \$6.6 billion for the safe reopening of K-12s. \$2 billion of that was for the actual support of returning to in person instruction. There are certainly more questions than there are answers now.

MColon mentioned that having a normal conversation with someone wearing a mask is a challenge but trying to project in a classroom with a mask is a worry.

DFouquet mentioned that there is a concern of stolen catalytic converters stolen on campus. Is there a district level solution to this kind of problem? One of the issues around this is that one of the security cameras were nonfunctional. It should be on everyone's radar. OLetcher mentioned that a replacement system for all cameras is being worked on. Now that campus safety is aware this has happened multiple times, they could be in that area of campus more often.

f. Next Meeting: May 11, 2021

The meeting was adjourned at 4:45 p.m.