



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

Tuesday, October 12, 2021

3:00 – 4:30 p.m.

ConferZoom

Meeting Minutes

Present: Ron Gerhard, Dyrell Foster, Miguel Colon, Dave Fouquet, Heather Hernandez, Kyle Johnson, Theresa Pedrosa, Nathaniel Rice, Susan Sperling, Sarah Thompson, Rachel Ugale, Chasity Whiteside

Guests: Mona Abdoun, Theresa Fleischer-Rowland, Wyman Fong, Bruce Griffin, Josue Hernandez, Craig Kutil, Owen Letcher, Jonah Nicholas, Carmen Maria Ortiz, Kelsey Paiz, Kirti Reddy, David Rodriguez, Aubree Ross, Estella Sanchez, Shawn Taylor

Chancellor Ron Gerhard called the meeting to order at 3:02 p.m.

- I. Review and Approval of Agenda  
The agenda was approved as presented. **(Pedrosa/Colon) All in favor.**
- II. Review and Approval of the September 14, 2021 Meeting Minutes  
There was a motion to approve the September 14, 2021 minutes. **(Pedrosa/Johnson) Ross on behalf of O'Neil-Opipari and Taylor abstained.**
- III. College Resolutions
  - a. LGBTQ+ Resolution  
MColon discussed the resolution that was presented to the board of trustees at their August meeting. He was contacted by a student regarding a concern on the way Canvas is set up which reflects birth names. This was brought back to the Senate, and it was found that this issue affected the broader LGBTQ+ community. A joint committee was then formed with LPC, and three resolutions were created, directed towards faculty, the campus, and the district. The resolution being reviewed today is the one directed towards the district. The authors of these resolutions, from Chabot, were Mona Abdoun, Kelsey Paiz, and Sadie Ashraf. MAbdoun stated that Chabot collaborated with a team at LPC, which included Craig Kutil and Ashley Young, to draft the resolution as well as another resolution for each of the colleges and one for faculty. MAbdoun, SASHraf, and

KPaiz read the [Chabot College Faculty Senate and Las Positas College Academic Senate Joint Resolution on LGBTQ+ Inclusivity Recommendations to the Board of Trustees](#).

MColon asked that an administrative procedure be drafted as to provide instruction to the campuses on how best to implement this resolution. RGerhard thanked the team for putting effort into this topic. Last spring, Council discussed looking at potential administrative procedures to support this subject. This should be moved forward by bringing a draft of an AP to the November Council meeting. There was agreement in the quality of the work and the moving forward of an administrative procedure.

SSperling stated that much work has been done at the college through the gay straight alliance for years, celebrating LGBTQ+ rights on raising the Gay Pride flag on important occasions. It would be nice to see their work honored by including them from the Chabot campus.

SThompson stated the college level resolutions were brought to College Council. For the faculty level ones, we are voting on inclusive language and name change instructions to be added on all syllabi. KJohnson and some members of the Academic Senate are working currently on a professional development program starting off on Flex Day. KJohnson will have a panel of students to jumpstart that in terms of giving us a sense of the environment we have created to date and where our weaknesses are in terms of moving forward. The subcommittee has met quite a few times and has year long goals and hopes of meeting all the recommendations that came out of the resolution for the faculty.

RGerhard thanked the group for bringing it forward to Chancellor's Council.

#### IV. IPBM Evaluation and Review (5 min)

RGerhard stated that at our last meeting, we had a conversation regarding the retreat that we had in September on the IPBM evaluation. There is a 19-page summary included in your packet of the summary of findings. The first few pages are the findings, and everyone is encouraged to read through this document. There are several recommendations to better our shared governance structure. Key insights are included from the breakout groups and the recommendations that seem to bubble to the surface. The general themes of the recommendations are improving the structure, making clear delineation of roles and responsibilities, having opportunities for orientations for new members, and holding a retreat at the beginning of the academic year to really focus alignment of the committees work with that of the colleges' education master plans, strategic plans, and board priorities.

RGerhard mentioned that there seems to be a natural flow from college level committees to IPBM committees, with the exception of the ESS committee. That is a valid and keen observation and has created some confusion regarding role and purpose of the ESS committee. Currently, and with the additional work that VC

Fleischer Rowland has taken on, we will suspend the meetings of ESS and the efforts of TFleischerRowland can be better used to support the colleges presidents and the task force and constructing the AP on the vaccine mandate.

HHernandez asked if the ESS meetings are being suspended for this semester? RGerhard stated that they are suspended indefinitely. HHernandez likes the idea of ESS focusing on equity and inclusion efforts. Another recommendation in the chat was an official acronym list.

CKutil stated that there is hope that the discussion would be around the need of a committee instead of starting with a committee and figuring out what they can do. RGerhard agreed and there was a point shown in the document that there seems to be a disconnect in terms of what ESS does. CKutil stated that in six years, ESS has made zero recommendations.

- a. Chancellor's Council's Charge  
This agenda item was not discussed.

V. COVID Update (5 min)

OLetcher gave a quick update of the new masking standards and requirements of the county. Alameda County, along with the other Bay Area Counties, are adopting a community tier level where unmasking inside would be allowed in the county. The metrics for that are that the county be in the moderate or yellow tier under the CDC guidelines for at least 3 weeks and there is a low hospitalization rate, as defined by the County Health Officer, and that exact number has not come out yet. The third item is that 80% of the total population in the county is fully vaccinated OR eight weeks after the vaccination is approved for 5–11-year-olds. Right now, Alameda County is in the orange tier. We need to first move into the moderate tier, then have 80% of the population in Alameda County be vaccinated. RGerhard made it clear that it does not change our masking requirements for now or until the district comes out with an update to our planning.

DFouquet brought up the topic of people that apply for an exemption and that exemption is granted, the possible accommodation would be that those folks may still be allowed to attend classes or work on campus, but they would need to wear a mask. A question for those folks is where they get fitted for a N-95 mask. Is that provided locally? How long can they wear that mask and will they need multiple versions of that mask to get through the semester. OLetcher stated that for the current semester, a fit test schedule for N-95 masks is being finalized. The first mask fit test is going to take place on campus on October 22<sup>nd</sup>, for anyone who has an accommodation approved before that date. As far as how long that mask is good for, it depends on the activity that individual wearing the mask is doing and how well they are taking care of it. There is a plan to provide the first mask and we are currently working on a plan for providing additional masks beyond that.

DFouquet asked if there is going to be a second date, since the date to apply is October 25<sup>th</sup>, it seems like we would want another date in early December. OLetcher stated yes.

MColon asked if it must be a physical mask or can they wear a shield. If faculty must wear an N-95 mask, they may need speakers, since it really muffles voices. OLetcher stated that under the current CDC guidelines and the current Alameda County restrictions, there is no acceptance of shields or other face coverings. Now, this is just for accommodations. N-95 masks are not required if you are not requesting an accommodation from the vaccination.

RGerhard stated we have moved forward on the implementation efforts on the vaccination mandates and many of you have volunteered to serve on the college advisory workgroups. As it is understood, those meetings are scheduled or nearing to be put on the calendar.

**VI. Board Policies/Administrative Procedures (standing item) (5 min)**

**a. Auditing Task Force Update**

RGerhard stated this is being carried forward so we do not lose this because we have an AP pending. SThompson stated that there was disagreement on the task force, and it was left with the colleges to discuss the following questions. If there were an audit option, how would they use it? What would be the parameters that would be easiest for Admissions and Records to manage? Can anyone audit? There is a list of people that are interested in working on this, but the group is not pulled together yet. There may be a request to change the language of the board policies so the most flexibility would be possible.

RGerhard stated that we tabled the AP on student fees solely because of this item. So that we do not table it in perpetuity, can we move that forward? When there is work from the task force that comes forward, we can revise the AP again, if and when a recommendation comes forward. It is not on today's agenda, we will move forward with that administrative procedure on student fees at our November meeting with an understanding that when there is a recommendation to modify the language for student auditing, we'll bring that AP back for revision.

The AP is on the agenda, but not under a first or second reading, so we will bring it forward in November.

**b. Collegial Consultation Board Policy/Procedure Update**

One of the goals for Chancellor's Council is to revise the board policy and administrative procedure 1300. It currently doesn't reflect our IPBM structure or some of the values that we have in terms of the role and voices of our classified senates, classified professional and student senates. The approach suggested is that we take up this body of work or effort and bring recommendations to the board for the BP and AP. We are not starting with a blank sheet, but utilizing the work already done by Melissa Korber and Noell Adams before COVID hit.

Talking with the presidents, this really aligns with some of the conversations taking place at the college level regarding recognizing the value of voices of classified professionals as well as students. HHernandez mentioned that she is happy to hear this and recognized the work that President Sperling has done to support Classified Senate at the Chabot campus. SSperling stated that it is always a long road when you're engaging in an institutional culture change. It is gratifying to see the district level support in this kind of movement forward.

**c. First Reading**

RGerhard stated these board policies and administrative procedures are up for review.

1. AP 3435 Discrimination and Harassment Complaint Procedures  
WFong mentioned that Title IX complaint components were removed out of this policy and moved into its own policy. Complaints are no longer filed with the Chancellors office and it's solely on the district now so that has been a change.
2. BP 5050 Student Success & Support Program
3. AP 5050 Student Success & Support Program
4. BP 5052 Open Enrollment
5. AP 5052 Open Enrollment
6. BP 5220 Shower Facilities for Homeless Students
7. AP 5220 Shower Facilities for Homeless Students
8. BP 5510 Off Campus Student Organizations
9. AP 5510 Off Campus Student Organizations
10. AP 5610 Voter Registrations
11. BP 5700 Athletics
12. AP 5700 Athletics

TFleischer Rowland stated that there may be only one more group coming forward next month of Chapter 5 policies and procedures. There are three on this list that should be noted.

BP and AP 5050, note that language is not keeping up with our more contemporary requirements around the Student Achievement and Equity Program. As your constituency groups are discussing this, Title V is still in place and not been rescinded so districts are required to meet the letter of that regulation and comply.

BP 5220 is for shower facilities for homeless students. There is a note left for the council to consider. The AP talks about students eligible would be enrolled in a minimum of .5 units of coursework. It does not include language that is inclusive of noncredit coursework.

These are kept as much intact as possible. Decisions are not made from the ESSS Office. The changes are reflective of what is legally required and are vetted with the experts at the campuses.

BP and AP 5700 discuss intercollegiate athletics. One of the questions came up about reference to men and women. We are screening for binary language and using inclusive non-binary language. There was a discussion on gender nonconforming students and there are policies to accommodate gender nonconforming students. In this BP and AP, we follow the CA Community College Athletic Association Constitution and their regulations. We are complying and that is where it is covered. It is advisory to us that we do not need to put specifics in our BPs and APs. Participation in athletics is determined by gender on a birth certificate, so when transgender students have transitioned, they are issued a new birth certificate in the state of California.

MColon commented on BP and AP 5220 and questioned the verbiage that states "a shower for use by homeless." This language segregates our students. Oletcher addressed that each campus has a limited number of showering facilities on campus currently. This is really about location and time coordinated with campus athletics and finding the open time. RGerhard stated that the Chancellor's designee in this case is the College President. This is referring to not conflicting with an academic program or other schedules taking place on the campus. SSperling stated that our M&O folks at the college have been sensitive to these issues and providing access to students. DFoster asked if want to broaden the language to state, "use by students, including any student who identifies as being homeless." It really is about access.

RGerhard stated there is no action on this item.

**d. Second Reading**

1. BP 2410 Board Policy and Administrative Procedure
2. AP 2410 Board Policy and Administrative Procedure

MColon mentioned that some of the Senate members asked about changing from to 10 years. There were no other suggestions, but they wanted to question why this was changing. RGerhard mentioned the three years in facilitating the Council, 80% of the time was taken on looking at BPs and APs. It has taken time and spotlight off other things that are more time sensitive and pressing. Changing it from 6 to 10 still meets accreditation standards and requirements.

3. BP 3310 Records Retention and Destruction
4. AP 3310 Records Retention
5. BP 5016 Transfer of Units from Other Colleges
6. AP 5017 Response to Inquiry of Immigration Status
7. BP 5140 Disabled Student Programs and Services

8. AP 5140 Disabled Student Programs and Services
9. BP 5200 Student Health Services
10. AP 5200 Student Health Services
11. BP 5300 Student Equity
12. AP 5300 Student Equity
13. AP 5410 Associated Student Elections
14. AP 5430 Co-curricular Activities
15. BP 5530 Student Rights and Grievances
16. AP 5530 Student Rights and Grievances

TFleischerRowland reminded the Council that we subscribe to a statewide service to address new legislation and make sure we are in compliance. We do bring policies and procedures out of cycle to review as needed.

There was a motion to move the second readings forward to the board.  
**(Pedroza/Johnson) All in favor.**

#### **VII. CLPCCD Injury and Illness Prevention Program**

HHernandez mentioned that this came up in Classified Senate regarding some concerns that the plan may be a bit outdated. It was last drafted in 2007 and may not be in compliance with OSHA. There is standard training that all employees are supposed to receive, i.e., fire and protection prevention, ergonomics, emergency plans, hazard communication, and the injury and illness plan itself. It was found that many employees did not know this plan existed. As a result of the questioning, OLetcher reached out and came to a recent campus health and safety meeting and shared an updated draft of the plan. OLetcher stated that the updated plan is being worked on. The draft was dated March 11, 2020 and then the pandemic hit a couple of days later. A new emergency planning website will be rolled out. The trainings will be conducted via video for faculty, staff, and administrators. The original goal was to have it done was spring of 2020, but a final draft may be available this semester.

MColon asked if this will include our emergency management agreements. OLetcher stated that IIPPs do not include the emergency agreements with our neighboring agencies. There are districtwide agreements with the American Red Cross for emergency shelter locations at both campuses. Then, independently at each college, and the district office, there are agreements with local police forces to augment campus safety. Those will be posted on our webpage as soon as we can get it live.

#### **VIII. Board Policy / Administrative Procedure 5030 Fees**

KJohnson requested this to be brought forward because this document started going through revisions last year and was in second reading. Student government executive board cannot receive a stipend. The worry at Las Positas is that there has always been low participation and a stipend would encourage people to join. RGerhard stated that we are going to bring this back for a first and second reading. TFleischerRowland stated that there were documented notes on what held up the BP and AP and will work with KCostello on that to move it forward.

**IX. Future Agenda Items**

MColon stated that the Faculty Senate, Classified Senate, and just recently the Student Senate created a joint resolution to address full and transparent communication of COVID-19 cases. Finally, the Student Senate passed theirs this past week. The ask is that a simple public dashboard be created to track COVID-19 related cases. The Student Senate had additional asks, that we can address if it makes it to the agenda. RGerhard stated that this will be added to the November agenda. DFouquet stated that the FA supports that request in getting the information out to our community. There are a couple other districts around that have done that already.

DFouquet stated that earlier this semester, we were working on an AP for recording of web-based classes. Is there something we should be doing on that? RGerhard agreed that we do need an administrative procedure on use of recordings for classroom lectures. That group with the senate leads and the FA leadership needs to continue that conversation.

**X. The meeting adjourned at 4:38 p.m. (Pedroza/Colon)**