

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
November 17, 2010, San Mateo, CA**

The meeting was called to order at 4:30 p.m.

The Board recessed to Closed Session at 4:32 p.m.

The Board reconvened to Open Session at 6:07 p.m.

Board Members Present: President Patricia Miljanich, Vice President-Clerk Dave Mandelkern, Trustees Helen Hausman, Richard Holober and Karen Schwarz

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Jim Keller, Skyline College President Victoria Morrow, College of San Mateo President Michael Claire, Cañada College Vice President of Instruction Sarah Perkins, District Academic Senate President Ray Hernandez and Associated Students of Cañada College President Darnell Spellman

Pledge of Allegiance

CLOSED SESSION ACTIONS TAKEN

President Miljanich reported that at the Closed Session just concluded, the Board voted 5-0 to approve the items listed as 1A and 1B on the printed agenda. No decision was made regarding the presidency of Skyline College; the Board will reconvene to closed session after this meeting to continue deliberations.

DISCUSSION OF THE ORDER OF THE AGENDA

President Miljanich said that in order to accommodate guests, it was requested that items 10-11-2C, Discussion of Potential Bond Measure, and 10-11-3C, Report on Funds Held in County Investment Pool, be placed immediately after "Statements from the Public on Non-Agenda Items." There were no objections from the Board.

MINUTES

It was moved by Trustee Holober and seconded by Trustee Hausman to approve the minutes of the study session of October 13, 2010. The motion carried, all members voting "Aye."

It was moved by Trustee Holober and seconded by Trustee Hausman to approve the minutes of the closed session special meeting of October 27, 2010. The motion carried, all members voting "Aye."

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

Chancellor Galatolo said he sent an email to all District employees regarding the allocation and utilization of Measure G funds. The Colleges are developing plans to discuss how best to address their individual needs. They will bring their plans to the Chancellor's Cabinet to assure they meet the criteria of the ballot argument and to determine if there are ways to consolidate overlapping activities. At the December 15 Board meeting, the presidents will present their plans for review and approval by the Board. The Board will also be asked to modify the adopted District budget to reflect the allocations.

President Morrow said she is serving as a mentor for the Puente Program this semester. Today she spent time with student Amber Lincoln, who President Morrow believes has potential to be involved in student government. President Morrow said she is eager to help with a smooth transition after the new Skyline College president is selected.

President Claire said College of San Mateo has had recent visits from the Assistant Secretary of the Department of Housing and Urban Development, a Pulitzer Prize winning author and another well-known author. The Digital Media Program went through the Program Improvement and Viability process and, as a result, a new program has been approved. It has a common core curriculum which has eliminated redundancy and duplication. Many of the courses in the core curriculum are designed to fulfill lower division and transfer requirements. President Claire recognized Vice President of Instruction Susan Estes who very ably guided the process.

Vice President Perkins announced that the Cañada College women's golf team ranked third in NorCal. The women's soccer team has made it into the playoffs and will play the number one team on Saturday. The men's basketball team is

also off to a great start, having just defeated three other teams to win a tournament. The showing of the play “Sylvia” has concluded and Cañada is looking forward to presenting “The 25th Annual Putnam County Spelling Bee” in partnership with Notre Dame de Namur’s theatre program. Vice President Perkins acknowledged Mr. Spellman as the first Associated Students president to represent students at Board meetings and said he is doing a wonderful job at Cañada College.

Executive Vice Chancellor Keller said the Legislative Analyst’s Office noted that a \$25 billion budget shortfall is expected over the next 18 months. He noted the continuing impact of the triple flip and said the District is borrowing money in the form of Tax and Revenue Anticipation Notes.

President Hernandez said concerns were raised at the last District Academic Senate meeting regarding allocation of funds from Measure G. He had a positive discussion with Chancellor Galatolo regarding this issue and he appreciated Chancellor Galatolo’s Districtwide email. Faculty leadership from the three Colleges attended the fall 2010 Plenary Session of the State Academic Senate. The spring Plenary will be held in April in San Mateo County and President Hernandez invited Board members and Chancellor Galatolo to attend. Two College of San Mateo faculty members have been chosen to teach in the Teach Abroad Program. Beth Harrison will teach in London in fall 2011 and Diana Bennett will teach in Florence in spring 2012.

Professor Hernandez said SB 1440 was passed by the legislature in September and is on a fast track to be implemented for fall 2011. The State Academic Senate has taken the initiative to coordinate community college response and has approximately 14 disciplines now working collaboratively across the State on a model transfer curriculum. Five disciplines have come to agreement and the draft model curriculum has been posted for vetting. After December 1, feedback will be incorporated and the model curriculum will be shared with colleges for review and adoption, with the goal of having all 112 community colleges adopting the same curriculum. Vice President Mandelkern asked if the UCs and CSUs will approve the same model curriculum. Professor Hernandez said it is his understanding that the curriculum approved at the community college level must be accepted by the CSUs and UCs and that CSU and UC faculty are working on the curriculum in collaboration with the community colleges. Chancellor Galatolo said he believes most of the guaranteed transfers are connected with CSUs rather than UCs; Professor Hernandez said this is correct. President Miljanich asked if the new transfer degrees will override existing agreements with CSU campuses. Professor Hernandez said the new transfer degrees will not have any effect on current agreements. Vice Chancellor Jing Luan said AB 2302, authored by Assembly Member Fong, is a complementary bill to SB 1440. It requires the UC and CSU Systems to provide efficient and clear transfer pathways for community colleges.

President Spellman provided the names of Associated Students of Cañada College (ASCC) 2010-11 Executive Board and senators. He also named students who participate on College and District committees. There are 19 active student clubs and organizations, which is an increase over last year. ASCC students attended national and statewide conferences and joined College of San Mateo for a fall leadership retreat. Events sponsored by ASCC and student clubs include Welcome Week; fundraising for San Bruno Disaster Relief, Ritmo Latino, welcome party for the new Coordinator of Student Activities, a vigil for victims of suicide, Halloween Week, Spectrum Alliance move night, and Spirit Thursday. Goals for the 2010-11 academic year are to improve ASCC communication, to have more than one candidate for the student trustee position, to have a smooth transition into their new facility and to have a well-planned and eventful spring semester.

BOARD SERIES PRESENTATION – INNOVATIONS IN TEACHING, LEARNING AND SUPPORT SERVICES: GROWING THE WORKFORCE THROUGH FASHION – CAÑADA COLLEGE (10-11-1C)

Vice Chancellor Luan spoke of the escalating popularity and productivity of the Fashion Program and asked Vice President Perkins to introduce the presentation. Vice President Perkins said Workforce Development is a central mission of community colleges, allowing them to make direct connections with their communities to support economic development and growth and to help students and community members gain employment. She said there are three programs within the Design & Technology Creative Arts Center (DTCAC) at Cañada College; tonight’s presentation will focus on the Fashion Department, for which Cañada has received regional, state and national recognition. Vice President Perkins introduced Ronda Chaney, Fashion Design Program Coordinator. Professor Chaney said that both load and FTES have increased in the Fashion Department and that retention and success rates are high. Student demographics are different than the College as a whole, with fewer students identifying themselves as Hispanic and a large number (46%) answering “unknown.” Fifty-two percent of students are post-secondary degree. Concurrent enrollment is increasing slowly.

An annual Fashion Event is held each fall and includes a keynote speaker and open house; a fashion show is often included. This event brings in thousands of dollars which is used for student scholarships and to help purchase equipment and supplies. There is an annual Fashion Show in spring; all garments in the show are created by students.

Professor Chaney listed the names of Fashion Department students and the jobs they have secured in the fashion field. Job titles include pattern maker, designer, entrepreneur-store owner, manufacturer's rep, textile artist, merchandiser and instructor. Three students – Alicia Avarack, Michelle Yee and Grant Spencer – reported on their backgrounds, experiences in the program, employment gained as a result of the program, and future plans.

Professor Chaney said she and her colleagues are always looking for new ways to market the program; it is very active on Facebook and there are Fashion Department and Artistry in Fashion websites. Professor Chaney thanked Dean Linda Hayes for her support for this program and for Career/Technical Education across the District.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mario Mihelcic, Admissions and Records Assistant and Veteran Certifying Official at College of San Mateo, showed photographs of the flag raising ceremony held at College of San Mateo on Veterans Day. The flag, which was flown over a military base in Iraq, was donated by Captain Justin Erickson of Foster City whose mother is a Business instructor at College of San Mateo. Mr. Mihelcic said a recent analysis of official death certificates on file at the State Department of Public Health showed that more than 1,000 discharged California veterans under the age of 35 died between 2005 and 2008; this is three times higher than the average number of California service members killed in Iraq and Afghanistan during the same period. The numbers were similar when looking at the Bay Area. Suicide represented approximately one in five deaths of young veterans and many other deaths resulted from risky behaviors which psychologists say are common symptoms of post-traumatic stress disorder (PTSD). College of San Mateo has been awarded a grant through the Zellerbach Family Foundation to work with students who have PTSD and traumatic brain injury. College of San Mateo is currently certifying approximately 200 veterans, an increase of 70% since the post-9/11 GI Bill went into effect two years ago. College of San Mateo plans to open a veterans' center in the fall of 2011. Mr. Mihelcic said he is honored to work with veterans and to work in a District which supports programs for veterans. Trustee Hausman thanked Mr. Mihelcic for his presentation. Trustee Schwarz said she attended the flag raising ceremony and it was a reminder that people should do something to honor veterans on the Veterans Day holiday.

DISCUSSION OF POTENTIAL BOND MEASURE (10-11-2C)

Chancellor Galatolo said that at the September 1, 2010 Board meeting, Vice Chancellor José Nuñez and his team briefed the Board on unmet facilities needs and how they are exacerbated by the State not passing anticipated bonds and the Lehman Brothers bankruptcy. Chancellor Galatolo requested that the Board begin a conversation about a general obligation bond to address the unmet needs and to consider authorizing staff to survey the community to see if there is support for a general obligation bond measure.

Trustee Holoher said it would be helpful for the Board to get a better sense of the dimension of the facilities needs. Chancellor Galatolo said the District lost approximately \$55 million in guaranteed funds because the State did not pass a bond measure during one cycle and another several million dollars when a second bond measure was not passed. In addition, the District lost approximately \$25 million due to the County Treasurer's investment in Lehman Brothers securities. Chancellor Galatolo said the District produced a facilities master plan in 2001 and revised it in 2006, and it is now time to look at the plan again. Possible projects included in the September 1 briefing include the renovation of Building 1 at Skyline College and a new science building at Cañada College, along with other improvements that were planned as part of State-funded projects but for which funding did not materialize. The State also has not provided instructional equipment or maintenance funds for many years. Chancellor Galatolo said he would recommend establishment of a fund from the proceeds of a general obligation bond that would allow the District to procure and replace instructional equipment well into the future. Chancellor Galatolo said he would recommend taking advantage of historically low interest rates and selecting a taxable bond which would provide the freedom and flexibility to use the proceeds from such a fund over an extended period of time, as well as the interest earned on the proceeds, to continue to address capital equipment needs. Chancellor Galatolo said the sizing of the bond would depend on the feedback from a survey of voters, and would probably be in the range of \$300-\$500 million. He said this would be a way for the community to support the District in its ability to complete the building of the campuses for 21st century teaching and learning and to insure that instructors have equipment which allows them to provide first-rate education.

Vice President Mandelkern asked if low-priced equipment, e.g. replacement of computers and printers for labs, would be considered capital equipment and if this type of equipment could be purchased with money in a sinking fund.

Chancellor Galatolo said much of the proceeds would be used for this type of equipment. Vice President Mandelkern asked what size the sinking fund would be based on anticipated annual purchases of equipment and factoring in the yield that would be earned on the money vs. the time over which it would be spread. Chancellor Galatolo said the size of the sinking fund is a function of how many years the outflow of resources would be available to pay for capital equipment expenditures and also some perceived amount of future value calculation. He would recommend a 10 to 15 year period and estimated the need to be \$8-10 million per year, resulting in an estimate of \$80-120 million in the instructional equipment and maintenance fund.

President Miljanich said the Board is grateful for community support for past bonds and for Measure G. She asked if it would be correct to inform the public that funds from a new bond measure would allow the District to serve more students or to serve students better. Chancellor Galatolo said there are constant changes occurring in new technology and devices and the Colleges cannot be effective institutions using outdated technology. He said that if new funding is not secured for capital equipment, at some time in the future he would have to ask the Board to allow the redirection of general fund money for equipment, which would be taken from funds used for direct classroom instruction. Executive Vice Chancellor Keller said the District needs local dollars to take the place of State funding which is drying up. Chancellor Galatolo said that *The Daily Journal* reporter Heather Murtaugh, in her newspaper article, did a good job of explaining how the State has walked away from its obligations. He said he is grateful to be in a community that has supported the District in the past and the District would again make a commitment to the public to spend bond proceeds efficiently and effectively.

Trustee Holober said the District suffered a \$25 million loss because the County Investment Pool was overinvested in Lehman Brothers and did not move the money out. Because of that loss, two classroom buildings will not be built. Trustee Holober said he believes taxpayers should be provided assurance that the money will not be invested in the County Pool until such time that they alter their investment guidelines. The community should be told how the District plans to invest the money in ways that do not allow for a repeat of the Lehman Brothers fiasco. Chancellor Galatolo referred to a chart provided to the Board showing a six year annual average rate of return, which indicates a steep degradation in 2008 and 2009. Chancellor Galatolo said he, Executive Vice Chancellor Keller and John Sheldon, managing director of Morgan Stanley, met with former Treasurer Lee Buffington regarding this issue and told him they wanted to pull the District's funds out of the County Pool; they were told they were not allowed to do so. Within three months of this meeting, the Lehman Brothers bankruptcy occurred and the District lost \$25 million. Many of the policies that led to the problem still exist and, therefore, the District is still exposed. Chancellor Galatolo said the District must seriously consider where and how to place the proceeds if a bond is issued.

Trustee Holober said the District has suffered 20% cuts in State support over the last two budgets and, as a result, has had to cut approximately \$25 million from the general fund. Voters have been supportive and understanding by passing Measure G, which will provide approximately \$6 million per year toward filling the gap. Trustee Holober said that if a sinking fund would allow the District to direct dollars to the classroom which would otherwise have to be used for equipment replacement, it would be a reasonable request to put before the voters. He said voters in San Mateo County have shown that they support education; in the November election, they supported education bond measures at the same time that there was a Statewide tide against government spending.

Vice President Mandelkern said the one of the programs which was scaled back during budget cuts was the Coastside campus, due partly to the cost of lease payments on the facility. He asked if one use of bond proceeds would be to enhance the District's presence on the Coastside. Executive Vice Chancellor Keller said that he, Director of General Services Jan Roecks and Arne Croce, former City Manager of San Mateo, have been investigating if there is interest on the part of Coastside agencies in sharing operations and facilities. In the past three to four weeks, they have engaged in conversations with the City Library, County Library System, County Planning Department, Health Department, Agriculture Department, the high school, senior center, local business people and the Chamber of Commerce to explore their interest in sharing responsibilities. They have found that all agencies are struggling with trying to provide services by themselves and are very interested in the possibility of a collective effort if the District is able to contribute funds along with the other agencies. There is a possibility of engaging all three Colleges in Coastside programs. Executive Vice Chancellor Keller said a preliminary report on the possibilities will be presented to the College Presidents and Chancellor in December, followed by a report to the Board.

Trustee Schwarz said her concern is whether the public will understand the need for a bond measure, given that they were recently asked to support Measure G. She said she would support a survey to gauge the public's views on the importance of furnishing buildings rather than issues such as budget cuts, tuition increases and difficulty getting into

classes at four-year universities. She said that while the community is supportive of education, people in the County are still struggling economically and it is important to see if they share the concern about finishing construction and keeping up with technology.

Trustee Hausman said that if a survey is done, it would be important to address the factor that voters were recently asked to support Measure G. Chancellor Galatolo said the reason for discussing the possibility of a bond measure at this time is that the passage of County Measure U provides for a mail-only election which could be moved up to March or April. Therefore, if a survey is to be conducted, it should be done soon. He said it is clear that there is a \$25 billion problem in the State and he is very concerned that, with cities and counties having secured protection of their funds, education is the last public agency that is exposed to reductions.

President Miljanich said it became clear during the last election cycle that some of the voters did not remember the Lehman Brothers bankruptcy. She said it would be important to update the public on the impact of that occurrence and to educate them about the impact on community colleges of cuts at the UC's and CSU's and the possibility that, for the first time, students in the County might have no access to higher education.

Vice President Mandelkern said he believes it is foolish and shortsighted to be cutting back on educational opportunities at the State level at the same time as trying to grow and drive the economy into recovery. Students are feeling the brunt of the cuts as they see their educational opportunities diminish. Vice President Mandelkern said he is grateful to voters for passing the past bond measures and Measure G. He said he is sensitive to the fact that the County is still in the midst of difficult times, with unemployment at 10% or higher in certain areas. However, the community is supportive of the educational services provided by the District and it is important to see what their wishes are regarding a new bond measure. It is incumbent upon the District to lay out the options, point out what would happen with and without a bond measure, and ask the public to weigh in. The District's job is not to tell the public what the right budget should be, but to make the best use of resources that the public is willing to provide.

Trustee Schwarz said that before the first bond was passed, the facilities had not been updated in a very long time. Now the public has seen many improvements and the results of a survey must show convincingly that the public is interested in further improvements to facilities and technology. Vice President Mandelkern said the public does not always understand the distinction between the use of proceeds from a general obligation bond and a parcel tax. He also said voters are seeing a long list of charges for school measures on their tax bills and there might be voter fatigue.

Trustee Holober said a decision about conducting a survey must be made very soon because of circumstances that affect the timing of an election; there will be a very limited time (perhaps one to two weeks) once the County sets the date for a special election for the decision to be made about whether to put a bond measure on the ballot. He said that, ultimately, only voters have taxing authority; all the District can do is submit a proposal it believes meets community needs and ask a supermajority of voters to say whether or not they will support it. Trustee Holober said it should be emphasized that the District has gone beyond providing quality education by adopting green building goals, which include renovating and rehabilitating existing facilities; providing local economic stimulus to the community; and hiring local community members. He said he would like to try again to provide opportunities to at-risk youth who could gain an entry point into a trade that would provide a middle class existence and allow them to live and succeed in the County.

Vice President Mandelkern agreed that the green building efforts have been superlative. He said that if there are opportunities to make capital investments that reduce operating costs, more dollars are freed up to go into instructional programs. Vice President Mandelkern said he has received feedback from local building trades groups that the District has provided a significant source of employment in the County and he believes this should be emphasized. He said he is open-minded on this measure and would like to hear what the public has to say.

President Miljanich said the Board seems to be in agreement with directing Chancellor Galatolo and staff to proceed with a survey; the Board agreed unanimously. Trustee Holober suggested that a subcommittee of the Board work with Chancellor Galatolo and staff in terms of the design and selection of a polling firm. Trustee Holober and Vice President Mandelkern agreed to serve on the subcommittee.

REPORT ON FUNDS HELD IN COUNTY INVESTMENT POOL (10-11-3C)

Vice President Mandelkern said that the outcome of the election for County Treasurer is still undetermined. Therefore, he will recuse himself if the discussion on this topic proceeds. Alternatively, the discussion could be tabled to a future meeting. The Board agreed unanimously to table discussion of this item.

NEW BUSINESS**APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (10-11-1A)**

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the actions in Board Report No. 10-11-1A. The motion carried, all members voting "Aye."

Other Recommendations**APPROVAL OF COMMUNITY SERVICES CLASSES, SPRING/SUMMER 2011 – CAÑADA COLLEGE, COLLEGE OF SAN MATEO AND SKYLINE COLLEGE (10-11-1B)**

It was moved by Trustee Hausman seconded by Trustee Schwarz to approve the classes as detailed in the report. Vice President Mandelkern said one of the Board goals was to see if some courses that were cut due to budget cuts could be offered as Community Education courses; he asked if there has been progress on this goal. President Claire said College of San Mateo has been successful in converting a number of lifelong learning courses to Community Education and he thanked Jan Roecks, Director of General Services, and Lily Lau, Director of Community Education, for their help. Ms. Lau named several other courses that have been converted to Community Education classes. After this discussion, the motion carried, all members voting "Aye."

ADOPTION OF RESOLUTION NO. 10-17 AUTHORIZING THE USE OF PROCEEDS OF THE DISTRICT'S GENERAL OBLIGATION BONDS TO PREPAY ITS OBLIGATIONS UNDER A LEASE AGREEMENT RELATING TO CAÑADA VISTA (10-11-100B)

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve Resolution No. 10-17. The motion carried, all members voting "Aye."

APPROVAL OF SUB-AWARD TO SAN FRANCISCO STATE UNIVERSITY AS PART OF THE CIPAIR GRANT FROM NASA TO CAÑADA COLLEGE (10-11-101B)

It was moved by Trustee Schwarz and seconded by Trustee Holober to approve the sub-award as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF REVISION TO DISTRICT CONFLICT OF INTEREST CODE (10-11-102B)

It was moved by Trustee Hausman and seconded by Trustee Holober to approve the revision as detailed in the report. The motion carried, all members voting "Aye."

CONTRACT AWARD FOR COLLEGE OF SAN MATEO NORTH GATEWAY PHASE I: LOAD CENTER #8 AND SITE WALL PROJECT (10-11-103B)

It was moved by Trustee Hausman and seconded by Trustee Schwarz to approve the contract award as detailed in the report. Trustee Holober noted that the recommendation does not award the contract to the lowest bidder and asked for additional information. Rick Bennett, Executive Director of Construction Planning, said the District has an owner-controlled insurance program which has set safety standards. The first two bidders were nonresponsive because, while they were prequalified and met the safety standards, the subcontractors did not meet the required standards. After this discussion, the motion carried, all members voting "Aye."

APPROVAL OF SERVICE AGREEMENT WITH PERFECT SKY, INC. (10-11-104B)

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the service agreement as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF SERVICE AGREEMENT WITH THE COUNTY OF SAN MATEO ON BEHALF OF THE SAN MATEO COUNTY WORKFORCE INVESTMENT BOARD (10-11-105B)

It was moved by Trustee Schwarz and seconded by Vice President Mandelkern to approve the service agreement as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF SERVICE AGREEMENT WITH CONTRA COSTA COLLEGE OF THE CONTRA COSTA COMMUNITY COLLEGE DISTRICT (10-11-106B)

It was moved by Trustee Holober and seconded by Trustee Schwarz to approve the service agreement as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF SERVICE AGREEMENT WITH THE CAREER LADDERS PROJECT/FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGES (10-11-107B)

It was moved by Vice President Mandelkern and seconded by Trustee Holober to approve the service agreement as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF SERVICE AGREEMENT WITH LONG BEACH CITY COLLEGE (10-11-108B)

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the service agreement as detailed in the report. The motion carried, all members voting "Aye."

APPROVAL OF REVISION TO DISTRICT RULES AND REGULATIONS: POLICIES 1.70, BOARD ACTION ON LEGISLATIVE ISSUES/POLITICAL ACTIVITY; 2.07, POLICY DEVELOPMENT; 3.00, APPLICABILITY OF CHAPTER III POLICIES; 3.05, DESIGNATION OF FACULTY; 3.15, EMPLOYMENT REQUIREMENTS; 3.20, EVALUATION OF FACULTY; 3.25, WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT; 3.40, FACULTY SUBSTITUTES; 3.80, SUMMER SESSION FACULTY EMPLOYMENT; 3.90, POST-RETIREMENT CONTRACT; 4.00, APPLICABILITY OF CHAPTER IV POLICIES; 4.05, THE CLASSIFIED SERVICE; 4.15, EMPLOYMENT REQUIREMENTS; 4.20, SUPERVISION OF CLASSIFIED EMPLOYEES; 4.22, CLASSIFIED STAFF DEVELOPMENT PROGRAM; 4.25, EMPLOYEES NOT MEMBERS OF THE CLASSIFIED SERVICE; 4.30, PAY PERIOD FOR CLASSIFIED STAFF; 4.40, CONTINUATION OF EMPLOYMENT; 4.45, DISMISSALS AND DISCIPLINARY ACTION; 5.01, DEFINITION OF NON-REPRESENTED EMPLOYEES; 5.04, NON-REPRESENTED EMPLOYEES: STAFF DEVELOPMENT PROGRAMS; 5.12, MANAGERS: RESPONSIBILITIES; 5.50, CLASSIFIED PROFESSIONAL/SUPERVISORY EMPLOYEES: EMPLOYMENT AND TRANSFER; 5.60, CONFIDENTIAL EMPLOYEES: EMPLOYMENT AND TRANSFER; 7.73, STUDENT GRIEVANCES AND APPEALS; 8.28, HAZARDOUS MATERIALS (10-11-109B)

It was moved by Trustee Hausman and seconded by Trustee Schwarz to approve the revisions as detailed in the report. Regarding policy 1.70, Trustee Holober clarified that when the Board takes a position on a local or statewide ballot measure, it is informing the public of its position but is not advising the public to favor or oppose the measure.

Trustee Holober noted that in 3.05, the original sentence, "Reemployment and classification of faculty shall be in accordance with State law" was changed; "State law" was struck and replaced by "the collective bargaining agreement with the American Federation of Teachers (AFT), Local 1493." He said he would be concerned about the change unless there is an overarching statement somewhere in Rules and Regulations that everything contained therein will be in conformance with state and federal law. Vice Chancellor Joel said this is a good suggestion and he will investigate how to incorporate the statement in Rules and Regulations. Chancellor Galatolo said it would likely be placed in Chapter 1, at the beginning of Rules and Regulations. He suggested that the Board approve the policy with the understanding that staff will inform the Board about where the clarification is placed.

Noting that Policies 3.15, 4.15 and 4.25 all refer to a loyalty oath, Vice President Mandelkern asked if this is still required by California law. Vice Chancellor Joel said it is required.

Vice President Mandelkern said that a large portion of Policy 7.73 is struck and asked if the grievance and appeals process is captured somewhere else in Rules and Regulations. Vice Chancellor Joel said District staff are trying to separate procedures from policy and that this policy had lengthy procedures which did not belong in the policy. Skyline College Interim Vice President of Student Services Joe Madrigal said the procedure is included in class schedules and the student handbook. Vice President Mandelkern said that if the language is included in the policy, the Board has a chance to review and approve it and insure that the procedures are uniform across the Colleges. Since the Board does not approve procedures, it will be giving up oversight over the procedures which are currently included in the policy. Trustee Holober noted that the existing policy includes the right of students to appeal to the Board. Vice President Mandelkern added that the right to appeal to the Board is now vested in the policy by action of the Board; however, if the revisions are accepted and the language guaranteeing this right is moved to procedures, those procedures could be changed at the College level without the Board's knowledge or approval. Chancellor Galatolo said it is highly unlikely

that any procedure would not include the right to appeal to the Chancellor and the Board. President Claire said that in some cases, Title 5 dictates what must be included in the appeals process. President Morrow suggested that Title 5 language regarding student rights be checked. She also said it is her understanding that there is a strong commitment among the three Vice Presidents of Student Services that procedures be consistent among the Colleges and that the removal of procedures from policy was not intended to change the appeals structure. Trustee Holober said he is not comfortable with removing language guaranteeing the right of students to appeal to the Board. Trustee Schwarz added that if students' rights are not spelled out specifically, they could be subject to different interpretations under future boards, chancellors and presidents. Vice President Mandelkern said that he agrees with separating procedures from policy but believes that, in this case, the policy could be expanded to state that Title 5 regulations will be followed and that the right of students to appeal to the Chancellor and Board of Trustees will be retained. He said he also would be more comfortable if it was stated that the procedure will be the same at each of the Colleges. President Miljanich suggested that approval of the revisions in this policy be removed from the recommendation and the Board agreed unanimously. Chancellor Galatolo said staff will check the language in Title 5 and will bring revisions back which address Board concerns. After this discussion, the motion to approve the revisions, with the exclusion of Policy 7.73, carried, all members voting "Aye."

APPROVAL OF INCREASE FOR PARKING FINES (10-11-110B)

It was moved by Trustee Schwarz and seconded by Trustee Hausman to approve the increase as detailed in the report. The motion carried, all members voting "Aye."

INFORMATION REPORTS

UPDATE ON FUTURIS PUBLIC ENTITY TRUST FOR OTHER POST RETIREMENT BENEFITS (10-11-4C)

The Board accepted the report with no questions or comments.

STATEMENTS FROM BOARD MEMBERS

Trustee Hausman attended a fundraiser for the Cañada Theatre Arts Department and enjoyed hearing students talk about what the program has meant to them. She also attended the Chancellor's Circle Donor Thank You event and said the room at Cañada Vista was beautifully set up and decorated. Trustee Hausman went to Baltimore for a meeting of the Holocaust and War Victim Tracing Committee of the Red Cross. The Committee works with Holocaust survivors who are searching for family members. This year marks the 20th year of the Committee's work and a major event was held and was attended by Red Cross contingents from around the world. In its 20 years in existence, the tracing project has touched 43,000 lives.

Vice President Mandelkern thanked his colleagues for their kind post-election comments. The gap has narrowed to 1,107 votes and a manual recount of one percent of the precincts will take place tomorrow morning.

Trustee Schwarz thanked the College Presidents for submitting their executive reports in advance so that they could be included in the board packet. She commented on the excellent report on Auxiliary Services provided by Tom Bauer at the last meeting. Trustee Schwarz attended the Chancellor's Circle Donor Thank You event, where she enjoyed the reading by author Bruce Henderson; the wonderful performance of "Sylvia" at Cañada College; the Cañada College Honors Transfer Program induction ceremony; and the flag raising ceremony at College of San Mateo on Veterans Day. She also attended a meeting of the County Committee on School District Organization, at which five new members were elected: Gregory Dannis and Carolyn Livengood from Supervisorial District 1, Virginia Bamford and Rudie Tretten from Supervisorial District 3, and Jacqueline Wallace-Green from Supervisorial District 4. Trustee Schwarz expressed concern about termites at Skyline College, as reported in President Morrow's executive report. Linda da Silva, Executive Director of Construction Planning, will follow up and report back on this issue.

COMMUNICATIONS

None

RECONVENE TO CLOSED SESSION

The Board reconvened to closed session at 9:07 p.m. to continue consideration of the item listed as 1C on the printed agenda.

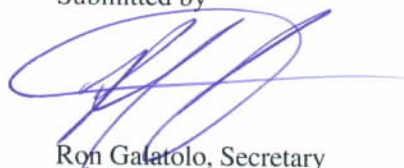
CLOSED SESSION ACTIONS TAKEN

President Miljanich reported that at the closed session just concluded, the Board did not reach a decision on the selection of a President of Skyline College. The Board will hold a special closed session meeting on Saturday, November 20 at 10:00 a.m. to continue consideration of this item.

ADJOURNMENT

It was moved by Trustee Hausman and seconded by Trustee Holober to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 11:12 p.m.

Submitted by

A handwritten signature in blue ink, appearing to be "Ron Galatolo", written in a cursive style.

Ron Galatolo, Secretary

Approved and entered into the proceedings of the December 15, 2010 meeting.

A handwritten signature in black ink, appearing to be "Dave Mandelkern", written in a cursive style.

Dave Mandelkern, Vice President-Clerk