

**Minutes of the Annual Retreat of the Board of Trustees
San Mateo County Community College District
February 6, 2021 – San Mateo, CA**

This was conducted remotely via Zoom. A video recording of the meeting can be accessed at: <https://smccd.edu/boardoftrustees/meetings.php>.

The meeting was called to order at 9:00 a.m.

Board Members Present: President Thomas A. Nuris, Vice President Richard Holober, Trustee Maurice Goodman, Trustee Lisa Petrides, Trustee John Pimentel

Others Present: Chancellor Michael Claire, Chief Financial Officer Bernata Slater, Skyline College President Melissa Moreno, College of San Mateo Interim President Kim Lopez, Cañada College President Jamillah Moore

DISCUSSION OF THE ORDER OF THE AGENDA

[Video Part 1 \(Time Stamp: 1:24\)](#)

The Board agreed to reorder the retreat topics to improve the flow of the discussion.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

[\(Time Stamp: 3:38\)](#)

There were no statements from the public.

RETREAT – INFORMATIONAL AND DISCUSSION ITEMS

Discussion of Interest in Defining and Achieving Environmental Justice

[\(Time Stamp: 4:25\)](#)

Summary of Discussion: Chancellor Claire introduced Joe Fullerton, SMCCCD Energy and Sustainability Manager. Trustee Petrides asked Mr. Fullerton to provide an overview of SMCCCD’s sustainability efforts. Mr. Fullerton stated that you cannot have a discussion about equity and social justice without discussing the climate crisis. Mr. Fullerton shared that he is working with the State Chancellors Office on the Community College response to the climate crisis and that the SMCCCD is considered among the leaders in sustainability efforts regarding community colleges. Trustee Goodman asked if any environmental technologies have been accelerated due to COVID. Mr. Fullerton responded that his department has used this time to accelerate work on various district projects that were already underway. Mr. Fullerton also stated that COVID will require improved building ventilation, which will require more energy. Vice Chancellor Nunez stated that the SMCCCD is starting the process of developing a *Sustainability Strategic Plan*.

Trustee Petrides asked if faculty involved with sustainability efforts have the ability to share curriculum. Vice Chancellor McVean mentioned that the Colleges have a Climate Fellows program and that sustainability is part of the Guided Pathways programs. President Nuris asked about the level of collaboration among the three colleges regarding sustainability curriculum. Trustee Petrides asked if sustainability is a graduation requirement and also if there is a link between sustainability and the social justice efforts of the colleges. Mr. Fullerton stated that each college has an interdisciplinary sustainability committee. Chancellor Claire stated that curriculum considerations are important policy issues and that there is an opportunity to engage the Academic Senate on these matters. Chancellor Claire suggested that staff provide a summary of academic programs across the district that support sustainability efforts. Trustee Goodman asked if there was sufficient funding to enact a *Sustainability Strategic Plan*.

President Nuris summarized the discussion and asked for further follow-up on the following:

- Academic Senate engagement
- Action items that have been accelerated as a result of COVID
- Curriculum sharing and open licensing opportunities
- Continuous review of sustainability practices other educational entities
- Policy support needed from the Board

President Nuris asked staff to come back to the Board with a follow-up report at future date.

Discussion of Best Practices in Human Resources that Achieve Diversity, Equity, Inclusion and Fairness

(Time Stamp: 46:31)

Summary of Discussion: Chancellor Claire introduced Cheng Yu Hou, SMCCCD’s Chief Human Resources Officer. Mr. Hou shared his vision for Human Resources which is based upon innovation, collaboration, and accountability. Mr. Hou stated that he has three major priorities: ensure equity and a sense of belonging, build the groundwork to enhance stakeholder engagement, and ensure accountability through analytics. Mr. Hou outlined several projects that will be launched over the next year to meet these priorities.

Trustee Petrides asked Mr. Hou to share what is on his immediate “to do” list. Mr. Hou stated that he is still in a listening mode and that he continues to meet with many stakeholder groups.

Trustee Goodman asked Mr. Hou about how he might work to deconstruct practices in support of the District’s anti-racism efforts. Mr. Hou shared employee demographic data trends concerning applicant pools and employee demographics and stated that understanding the data is the first step. Mr. Hou stated that the District needs to be more intentional in its recruiting efforts to close gaps. Also, the district should collect data that is more refined and that provides information about intersectionality.

Vice President Holober encouraged Mr. Hou to improve the progressive discipline process, particularly the training of managers to ensure consistency. Vice President Holober also requested improving the process for job reclassifications, including benchmarking, as well as the processes for filling positions on an interim basis, and formalizing procedures to ensure that the Board has approved personnel actions.

President Nuris shared that the Board is prepared to support Mr. Hou’s work and encouraged him to report back to the Board on progress. President Moreno stated that Skyline has enjoyed a diverse pool of candidates for recent positions and that she believes that the College and District’ public anti-racism stance has contributed to a greater diversity of applicants.

Discussion of Board Governance Practices to Ensure Transparency, Accountability and Collaboration

(Time Stamp: 1:13:35)

Summary of Discussion: Vice President Holober started the discussion by making the following points:

The Board acts as the stewards for the SMCCCD and the Board reports to the people of San Mateo County. Serving as an elected trustee is like walking a tightrope. On the one hand the Board wants to work in a supportive and collaborative way with the chancellor and the senior administration. On the other hand, the Board needs to maintain sufficient independence.

Vice President Holober shared two specific proposals:

- 1) That the Board engage independent entities to conduct performance audits on various District operations and Trustee Holober shared some examples that would lend itself to performance audit: District contracting practices, District travel practices, District structure, and a review of the international educational program
- 2) That the Board establish an internal auditor position. Potential duties could include working with the Board to identify outside entities to conduct performance audits, a comprehensive review of district policies, a review of whistle blowing procedures, and compliance with rules and regulations. Vice President Holober would prefer that the internal auditor report to the Board.

Trustee Pimentel agreed with Trustee Holober's observation. He asked that the Board consider action on these items at the next available Board meeting. Trustee Petrides also supported Trustee Holober's observation. She also asked to hear from administrators.

Chancellor Claire acknowledged the responsibility that the Board has to the public. He shared his goal of improving the relationship and communication between the Board and senior administration as his highest priority, and that it is important to restore trust. Chancellor Claire also reminded Board members that while there are always opportunities to improve, the educational foundation and fiscal foundation of the District are built on two independent activities: a peer-reviewed accreditation evaluation and an independent financial audit, conducted in accordance with generally accepted auditing standards. With respect to accreditation there are 127 individual standards and there were only two recommendations across the three college for the 2019 accreditation visit. With respect to the financial audit, internal controls for major transaction processing systems were reviewed in detail and were tested by the independent auditor. The auditor found no internal control weaknesses.

President Moreno stated that it is important for the Board trust what we do and she is in support of any action that will help to build trust.

President Nuris questioned the current need for an internal auditor. He stated that the critical elements to move forward are a unified Board that provides clear direction and mutual understanding that the Board is responsible for major policy decisions. President Nuris stated that he believes that the district has a chancellor that understands this and that this understanding trickles down to the administration as a whole. He also stated that the Board must work with the chancellor to set a culture for the District, including honesty and transparency. He stated that the Board must set the example and that we cannot create culture by decree. He also stated that we must move in measured steps.

Trustee Petrides stated that this is not about cleaning house—instead, like all democratic institutions, there must be a structure for continuous improvement. The role of the Board is about setting those conditions for continuous improvement.

Trustee Goodman stated that what rings true to him was something that was stated earlier: innovation, collaboration, and accountability. Trustee Goodman emphasized that the Board has one employee and there has to be trust and opportunities and conditions that foster trust. Trustee Goodman stated that it is important to understand roles. That the Board, does not “do” but rather creates goals in collaboration with administration, listens, supports, and scrutinizes. Also, the Board serves as a fiduciary. Furthermore, Board members retain independent thinking and free speech. At the same time Board must act as a whole and that individual Board members cannot direct staff.

Trustee Goodman again emphasized that the Board has one employee and that the chancellor is accountable to the Board to ensure that administrators are doing their jobs, and that individual administrators are not undermining the goals of the Board. Trustee Goodman stated that the Board should not create a long-term position to do the job of the Board and that a Board best practice is to have one employee that is accountable to the Board. Trustee Goodman stated that the Board can use outside independent experts similar to how the Board uses legal counsel. Trustee Goodman stated that we need to retain the lessons learned from the past, but it is time to move on and do a reset.

Vice President Holober stated that a proper governance structure is one that is ruled by law and not by individual personalities. Vice President Holober stated that the Board needs to create a set of rules and regulations that outlive individuals and future Boards. Vice President Holober stated that he feels that there is trust but that the Board should also verify. Vice President Holober stated that there are 20 California community colleges with an independent audit function and that this is not an unusual position for community colleges. Vice President Holober stated that the Board needs to bridge the gap of an annual evaluation of the chancellor to find a balance where the Board is not micromanaging, but at the same time is actively reviewing operations. Vice President Holober requested that the creation of an internal auditor be placed on a future agenda for action.

Trustee Goodman asked that when looking at other districts, the Board must ask: does the internal auditor report directly to the Board or to the chancellor? He again emphasized the responsibility of the Board and the necessity of the Board being held accountable. Trustee Goodman stated that he would not support an action on the establishment of an internal auditor without further discussion and an “apples to apples” comparison with other districts.

Vice President Holober stated that he expects administration to seek out and implement best practices. However, that’s also the responsibility of the Board. Vice President Holober feels that the Board’s leadership role would be enhanced with independent information.

Trustee Pimentel stated that he starts from a position of trust and that he supports the current executive team. Trustee Pimentel shared his own experience as a former consultant and stated that improvement is an iterative process. Trustee Pimentel stressed that this is not about questioning the current executive team but about working together to improve. He is open to using whatever structure is necessary to get to the best decisions possible and that the path forward is to make create a function that is additive but not destructive to the culture of the organization.

President Nuris requested that the Board perform a needs assessment first. President Nuris stated that the Board should identify areas to review first before taking the step of bringing on an internal auditor or engaging external performance audits.

Trustee Pimentel responded to President Nuris and referred to a memo that he sent to the Board that identified areas to review. He also referred to the items that Vice President Holober surfaced earlier in the conversation. Trustee Pimentel stated that reviewing items is the first step and that this could be the topic of the next Board meeting.

Vice President Holober restated his firm commitment to establishing an internal audit function. He suggested a subcommittee of the Board to work with staff to prepare a draft job description. He also reaffirmed the need for performance audits.

Trustee Goodman reaffirmed his position that he wants a limited scope and not to assign someone

else to do the Board's job. Trustee Goodman wants to make sure that the administration has the support it needs. He also stated his concern of establishing another administrative position that takes away dollars from students.

Chancellor Claire stated that there is no disagreement as to where we all want to be at the end; the real question is how do we get there? Chancellor Claire stated that regardless of the specific direction, he recommends the establishment of a Board audit subcommittee. He also stated that Staff is preparing a "6 month look ahead" of Board agenda items which will help identify staff recommendations that require more Board scrutiny, well in advance of an item being brought forward for action. Finally, he stated that there is an opportunity to form a Board subcommittee to work with staff on areas of Board concern. He cited the current SMAC RFP process as an example.

Trustee Pimentel asked for perspective from the college presidents on the discussion. Interim President Lopez stated that she has never worked for a district that hired an internal auditor that directly reported to the Board. Interim President Lopez supports the idea of working with external resources to find best practices. She sees this as her job. President Moreno came in as president on a foundation of transparency. Trustee Moreno feels that SMCCCD outperforms most other districts. She feels that the District Office has strong talent. President Moreno stated she is concerned about accreditation standards regarding an internal audit direct report to the Board. President Moore echoed the statements of other her colleagues. President Moore shared her experience at Compton and the impact of losing trust when an internal auditor reported directly to the Board. She urged that we be clear on the lines of reporting and responsibility.

Vice President Holober requested that the Board form a subcommittee with staff to examine the job duties of an internal auditor. President Nuris stated that we should do a needs assessment first before taking action on an internal auditor. He agreed that the Board should form a subcommittee. Trustee Pimentel volunteered to serve on a subcommittee as long as the ultimate action is additive and not destructive. Vice President Holober also agreed to serve on the subcommittee. Trustee Pimentel suggested that the Board prepare a needs assessment first and bring the needs assessment to a future Board meeting. President Nuris asked the chancellor to prepare a work with the Board subcommittee to prepare a needs assessment report for Board review. Trustee Goodman emphasized the need for trust and for administration to feel comfortable in being candid with the Board.

Break

[*\(Time Stamp: 2:52:00\)*](#)

Discussion of Use of Data as it Pertains to Student Achievement and Discuss Transformative Curriculum to Meet Community Needs

[*\(Time Stamp: 3:23:54\)*](#)

Summary of Discussion: Chancellor Claire stated that after conferring with staff he felt that the discussion on the use of data and discussion of transformative curriculum could be addressed as related issues. Trustee Petrides started the discussion and acknowledged that there are good practices in place but asked two questions: 1) what are the policy issues on how can the board support continuous improvement and capturing data not just for compliance? and 2) data transparency—particularly for students. In other words, students may not know how the institution uses data and how the use of that data impacts them.

Vice Chancellor McVean stated that staff has worked with the Board through its *Strategic Plan* to identify metrics, particularly concerning the District's completion agenda. He also referred to the District Scorecard that goes beyond compliance reporting that is mandated by the state.

Trustee Petrides asked President Moreno to discuss the work at Skyline to make data more accessible for faculty. Skyline has created a number of public dashboards to increase accessibility. Trustee Petrides asked what does the future hold post-pandemic? What data will we collect and how will we collect it? Interim President Lopez stated that a post-Covid institution will look different and in statewide surveys students are responding that they support a hybrid environment.

President Nuris asked about the use of data to ease the student transfer process. Vice Chancellor McVean discussed the use of the Sales Force CRM to capture higher fidelity data including where students are experiencing barriers to forward motion.

Chancellor Claire stated that his vision is to get beyond the basics—that traditional community college research does not tell us anything that we do not already know. Chancellor Claire is interested in using big data techniques and predictive analytics as long as they are used ethically.

Vice President Holober stated his preference is to disaggregate data for domestic and international students. He also stated that he would prefer an unduplicated headcount of degree awards when we report to the public or advertise student accomplishments.

President Nuris asked to shift the conversation to a discussion on transformative curriculum. Trustee Petrides stated her interest in the discussion of the role of Online Educational Resources (OER) on curriculum and in reducing student costs. Trustee Petrides summarized changes in OER policy and financing at the Federal level including rules concerning open licensing. She stated that many states, including California, have created OER initiatives. Trustee Petrides stated that students are often the biggest advocates for OER. Trustee Petrides shared the current status of OER, which includes an increase in open pedagogy and practices that are now competitive with publisher models. Trustee Petrides expressed her interest in having a future Board discussion regarding a Board policy statement on OER.

Vice Chancellor McVean stated that OER could have a major impact as we transition to a post-Covid institution. He stated that costs of textbooks are a major cost in implementing the Promise Scholars Program. Vice Chancellor McVean stated that he is in full support of accelerating adopting an OER model. Trustee Holober stated his support and is interested in getting a participatory governance process started that could lead to a Board policy statement on OER. Chancellor Claire stated that he will reach out to the Academic Senate on this matter.

Discussion of Investing Resources to Allow for Reduced Student Costs for Attending SMCCCD Colleges (“Free SMCCCD”)
[\(Time Stamp: 4:12:57\)](#)

Summary of Discussion: Trustee Pimentel started the discussion of this topic. He stated that the most fundamental thing that we can do to impact equity is to make our colleges more accessible by reducing or eliminating college fees. Trustee Pimentel stated that prior to 1985 community college was free. Trustee Pimentel stated that he would like to discuss four items: (1) The goals of offering free tuition; (2) Facts concerning free tuition; (3) The trade-offs in terms of how we allocate resources; and (4) Implementation.

In terms of facts, the District has a \$208M budget with capital improvement and other resources, we get about \$500M per year. Trustee Pimentel stated that he feels we are making a large investment to serve relatively few graduates. Trustee Pimentel also stated that he and Trustee Goodman have reached out to San Mateo County to discuss ways in which the District can partner with the County and the private sector. Trustee Pimentel asked for feedback from fellow board members and college representatives on the overall concept. Trustee Pimentel also stated that a

post-Covid hybrid model should be part of the discussion.

Trustee Goodman stated his support of the concept. Trustee Goodman stated that he sees this effort as a continuation of the Big Lift. He stated that many program elements are already under development including continued expansion of OER, early access to college thought dual enrollment, and legislative action to minimize costs for students. Trustee Goodman is interested in exploring a “Big Launch” program with outreach to eighth graders. Trustee Goodman stated that both the District and the County have a responsibility to respond to this important need for residents.

Trustee Petrides was in full agreement with the comments made. Trustee Petrides mentioned the national college promise initiative and support that they might provide. She also stated that there are ways to build regional partnerships without overrunning existing efforts in the community. Trustee Petrides is interested in establishing goals and identifying who we need to talk to.

Vice President Holober stated his support of the program. He also asked that any potential agreement with the County be brought back for full Board approval. Vice President Holober stated that we need to make sure that resident students who are most in need receive the resources.

President Nuris stated his support to partner with the County of San Mateo. He also stated that we need to build strong relationships with our feeder districts.

Trustee Pimentel stated that we need to get the people to think that a K-14 is a baseline expectation. Trustee Pimentel mentioned that he has initiated an informal conversation with Sequoia regarding automatic enrollment. Vice President Holober stated that he supports this activity and would like to put this item on a future Board agenda as an item for follow-up.

Chancellor Claire stated his full support of the Board conversation. He stated that the Promise Scholars Program is implemented at all three colleges and he recognized Vice Chancellor McVean for his leadership in this area. Chancellor Claire reiterated the importance of a strong connection with the K-12 system. Chancellor Claire stated that the majority of students transfer to the three local CSUs and to UC Davis. On that note he is interested in working with the Board to establish a comprehensive San Mateo County Promise Program with strong connections to both the K-12 system and to SMCCCD students’ top transfer destinations.

Vice President Holober asked staff about efforts over the summer to bridge students from high school to college.

Vice Chancellor Bailey stated the need for greater flexibility regarding the expenditure of local unrestricted general funds. Vice Chancellor Bailey asked for, and the Board granted, permission to continue to pursue legislative issues that would provide for greater flexibility on use of funds. Trustee Goodman also encouraged the District to pursue fee waiver opportunities through legislative action. Vice Chancellor Bailey agreed that would be included in the language.

The college presidents are in full support of expanding programs that increase student access and student completion.

Trustee Pimentel acknowledged the financial resources required as well as the impact on the 50% law. He recognized that there will be tradeoffs that will need to be made.

CFO Slater expressed her support of the program. She mentioned external support, which is somewhat limited, including a special state allocation, income from the housing program, and income from SMAC.

STATEMENTS FROM TRUSTEES

President Nuris: Expressed his appreciation for the day.

Vice President Holober: Shared an email from an adjunct faculty member.

Trustee Goodman: Stated that this was a good start to moving forward.

Trustee Petrides: Stated appreciation for the day’s conversation.

Trustee Pimentel: Thanked the Board and the staff for a productive retreat.

Student Trustee Shonette: Stated appreciation for the retreat and reminded the Board about the importance of supporting international students from Myanmar.

ANNOUNCEMENT OF CLOSED SESSION ITEMS FOR DISCUSSION

President Nuris announced that during closed session, the Board will take up items as listed on the printed agenda, including: (1) Hold a Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code, § 54956.9, subd. (d)(2): Two cases; and (2) Consider Employee Discipline, Dismissal, Release

STATEMENTS FROM THE PUBLIC ON CLOSED SESSION ITEMS ONLY

[\(Time Stamp: 5:22:06\)](#)

None.

RECESS TO CLOSED SESSION

[\(Time Stamp: 5:22:20\)](#)

The Board recessed to closed session at 2:15 p.m.

RECONVENE TO OPEN SESSION

[Board Retreat - Video Part 2 \(Time Stamp: 00:20\)](#)

Vice President Holober announced that pursuant to California Government Code Section 54957.1 the following reportable action was taken in closed session this afternoon with all trustees present: Pursuant California Government Code Section 54957 (a)(5), the Board by a unanimous approval, voted to rescind and otherwise terminate its relationship with the Chancellor-Emeritus. There were no other actions taken.

ADJOURNMENT

[\(Time Stamp: 1:38\)](#)

The meeting adjourned by consent at 7:43 pm

Submitted by

Michael Claire, Secretary