

**SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES MEETING AGENDA
November 12, 2008, 1:30 p.m.
District Office Board Room
3401 CSM Drive, San Mateo, CA 94402**

NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board welcomes public discussion.

**The public's comments on agenda items will be taken at the time the item is discussed by the Board.*

**To comment on items not on the agenda, a member of the public may address the Board under "Statements from the Public on Non-Agenda Items"; at this time, there can be discussion on any matter related to the Colleges or the District, except for personnel items. No more than 20 minutes will be allocated for this section of the agenda. No Board response will be made nor is Board action permitted on matters presented under this agenda topic.*

**If a member of the public wishes to present a proposal to be included on a future Board agenda, arrangements need to be made through the Chancellor's Office at least seven days in advance of the meeting. These matters will be heard under the agenda item "Presentations to the Board by Persons or Delegations." A member of the public may also write to the Board regarding District business; letters can be addressed to 3401 CSM Drive, San Mateo CA 94402.*

**Persons with disabilities who require auxiliary aids or services will be provided such aids with a three-day notice. For further information, contact the Executive Assistant to the Board at (650) 358-6753.*

**Regular Board meetings are taped; tapes are kept for one month.*

** Government Code §54957.5 states that public records which relate to any item on the open session agenda for a regular board meeting should be made available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the Board. The Board has designated the Chancellor's Office at 3401 CSM Drive for the purpose of making those public records available for inspection. Members of the public should call 650-358-6753 to arrange a time for such inspection.*

1:30 p.m. ROLL CALL

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

MINUTES

08-11-1 [Minutes of the Regular Meeting of the Board of October 29, 2008](#)

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

NEW BUSINESS

08-11-1A [Approval of Personnel Actions: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel](#)

- 08-11-2A [Ratification of 2008-2009 Contract Re-Openers as Modifications to the Contract Between the District and the American Federation of Teachers \(AFT\), Local 1493](#)
- 08-11-3A [Adoption of Resolution No. 08-13, Increasing the Employer's Contribution Under the Public Employees' Medical and Hospital Care Act](#)
- 08-11-1B [Approval of Community Services Classes, Spring/Summer 2009 – Cañada College, College of San Mateo, and Skyline College](#)
- 08-11-100B [Approval of Subcontract with San Francisco State University](#)
- 08-11-101B [Revision of Rules and Regulations Section 2.09, District Shared Governance Process](#)

INFORMATON REPORTS

- 08-11-1C [Report on Apprenticeship Programs](#)

STATEMENTS FROM BOARD MEMBERS

COMMUNICATIONS

RECESS TO CLOSED SESSION

1. Closed Session Personnel Items
 - A. Public Employment
 1. **Employment:** **Cañada College** – Laboratory Technician, Science & Technology;
College of San Mateo – Financial Aid Technician, Admissions and Records (2);
District Office – Web Programmer Analyst, Information Technology Services (ITS)
2. Conference with Labor Negotiator
Agency Negotiator: Harry Joel
Employee Organizations: AFT, AFSCME, CSEA

CLOSED SESSION ACTIONS TAKEN

ADJOURNMENT

**Minutes of the Regular Meeting of the Board of Trustees
San Mateo County Community College District
October 29, 2008
San Mateo, CA**

The meeting was called to order at 6:09 p.m.

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

Others Present: Chancellor Ron Galatolo, Executive Vice Chancellor Jim Keller, Skyline College President Victoria Morrow, College of San Mateo President Michael Claire, Cañada College President Tom Mohr, and District Academic Senate President Patty Dilko

Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

None

MINUTES

It was moved by Vice President Schwarz and seconded by Trustee Hausman to approve the minutes of the Study Session of October 15, 2008. The motion carried, all members voting "Aye."

PRESENTATIONS TO THE BOARD BY PERSONS OR DELEGATIONS

None

STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES

Executive Reports were presented by Chancellor Galatolo, Skyline College President Morrow, College of San Mateo President Claire, Cañada College President Mohr, Executive Vice Chancellor Keller, District Academic Senate President Dilko, and Skyline College Associated Students Vice President Brittany Piccolotti. Copies of the Presidents' Executive Reports were available for distribution at the meeting and are attached to the official minutes of record.

Chancellor Galatolo distributed a copy of the *California Real Estate Law Newsletter*, which the District is now producing, with the proceeds going into the Home Savings Incentive Plan.

President Morrow highlighted sections of her written report, including awards presented to Skyline students at the Society for the Advancement of Native Americans and Chicanos in Science Convention and at the Journalism Association of Community Colleges Northern California Conference. President Morrow announced that District Chief Financial Officer Kathy Blackwood will be at Skyline on October 30 to speak about the State and District budgets. President Morrow noted upcoming events at Skyline, including the Student Art Show, the Holiday Job Fair, and Concurrent Enrollment Night.

President Claire commended faculty, staff and students for their cooperation during construction at College of San Mateo. He thanked Louise Piper and the children at the Mary Meta Lazarus Child Development Center for their murals that are displayed on the fence around Building 5N's construction zone. President Claire distributed the *San Mateo County Loves Its Women 2009 Calendar* to the Board, which features CSM faculty member Jane Williams and highlights messages about the importance of mammograms. President Claire said the follow up visit by the Accreditation Commission will take place on Monday, November 3. He also noted awards won by CSM students, including the editor of *The San Matean* and Cosmetology students.

President Mohr highlighted sections of his written report, including the \$1.5 million grant which Cañada received from the U.S. Department of Education to help with science education. President Mohr said Cañada hosted a debate on Proposition 8 which was organized by Librarian David Patterson. "Frankie Meets Jimmy," a benefit concert for student scholarships, will be held November 8. President Mohr distributed a flier on Cañada's new Honors Transfer Program which will begin in spring 2009 with four new courses. The program was organized by Professor Patty Dilko in conjunction with others. Chancellor Galatolo commended Professor Dilko for her leadership, and President Mohr added that Chancellor Galatolo was part of the initiative as well.

Executive Vice Chancellor Keller said the District is dealing with prospective impacts of the Lehman Brothers bankruptcy, the State budget shortfall, and the budget for fiscal year 2009-10. EVC Keller said the long-term effects of the Lehman Brothers bankruptcy and the subsequent loss of \$155 million from the County Pool are not yet known, but the County Treasurer has completely written off the loss, leaving the District with a loss of \$25 million.

Because of the huge shortfall in the State budget that was passed recently, the District is anticipating mid-year adjustments. The State is deferring apportionment payments as a way to help balance the budget; in response, educational systems are considering mid-year Tax and Revenue Anticipation Notes (TRANs). To issue a TRAN, the District can use the League's method or follow its own experience using Piper Jaffray as the underwriter. Sometime after the first of next year, the Board will receive information and a resolution to issue a TRAN and it might be necessary to issue another TRAN before summer.

EVC Keller explained how to determine the impact to the District of the State budget shortfall, depending on how the news is reported. The District's impact is one-tenth of one percent of the total State budget shortfall and two-tenths of one percent of the education portion of the shortfall. The District accounts for approximately 16% of the funds in the County Pool, of which approximately 3% is general fund related.

EVC Keller said CFO Blackwood is holding meetings at the Colleges, which will have to implement any adjustments that must be made.

Chancellor Galatolo said he received an email from the State Chancellor saying the budget shortfall is anticipated to be \$8-10 billion, which translates to a \$2-5 billion hit to Proposition 98 money, \$200-500 million to the community college system, and \$4-10 million to the District. Chancellor Galatolo said he is confident that working together as a team, the District will come through this crisis.

District Academic Senate President Patty Dilko acknowledged the four professors who will teach the courses for the Honors Transfer Program, as shown on the flier, and also thanked Chancellor Galatolo for his support. President Dilko said Professor Martin Partlan has been elected Vice President of the Academic Senate. The Senate has developed a proposal for a pilot to study the effect of plus-minus grading which will be brought to the Board. A taskforce on a compressed calendar will meet for the first time tomorrow and the process will be presented to the Board. The taskforce for the Educational Summit has met and is excited about creating and enhancing conversations with high school faculty. In response to the recommendation from the Accreditation Commission that District Rules and Regulations be reviewed, the Faculty Senates at the Colleges are working on Chapter 6. Revisions to the first half of the chapter will be presented to the Board this semester and the other half will be presented next semester. The section on intellectual property will require careful review because things have changed dramatically with online education, digital publications, etc.

Brittany Piccolotti, Vice President of Associated Students Skyline College (ASSC), distributed a list of past and upcoming events; a copy is attached to the official minutes of record. Ms. Piccolotti also highlighted other items on the report; she said the Skyline Organization and Club Council (SOCC) has added three new clubs, and ASSC and SOCC have donated funds to support various events and programs. All executive positions on ASSC are filled and five senator positions are open. Students attended the meeting of the State Senate for California Community Colleges in San Jose. Student representatives continue to be involved in the shared governance process at the College and District levels.

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None

NEW BUSINESS**APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (08-10-2A)**

It was moved by Trustee Mandelkern and seconded by Vice President Schwarz to approve the actions in Board Report No. 08-10-2A. The motion carried, all members voting "Aye."

APPROVAL OF CONSENT AGENDA

The Consent Agenda consists of the following Board Reports:

- 08-10-1CA Ratification of First Quarter District Warrants, 2008-2009
- 08-10-2CA Approval of Child Development Services with the City of Pacifica
- 08-10-3CA Denial of Claim against the District by Callum McCulloch

It was moved by Trustee Hausman and seconded by Trustee Miljanich to approve the items on the Consent Agenda. The motion carried, all members voting "Aye."

Other Recommendations**ADOPTION OF DISTRICT ACADEMIC CALENDAR FOR 2009-2010 (08-10-1B)**

It was moved by Vice President Schwarz and seconded by Trustee Miljanich to approve adoption of the calendar as presented. Vice President Schwarz noted that last year, there was concern on the part of students regarding the date of commencement. Student Trustee Medrano Rosales said all issues were resolved on the proposed calendar for 2009-2010. After this discussion, the motion carried, all members voting "Aye."

AUTHORIZATION FOR EXECUTIVE VICE CHANCELLOR TO EXECUTE OR RENEW CONTRACT WITH AN ENGERY SERVICE PROVIDER FOR PURCHASE OF NON-CORE GAS (08-10-101B)

It was moved by Vice President Schwarz and seconded by Trustee Hausman to authorize execution or renewal of a contract as outlined in the report. The motion carried, all members voting "Aye."

ACCEPTANCE OF EXTERNAL FUNDS (08-10-102B)

It was moved by Trustee Mandelkern and seconded by Trustee Hausman to approve the acceptance of funds as outlined in the report. The motion carried, all members voting "Aye."

APPROVAL OF AGREEMENT WITH COUNTY OF SAN MATEO FOR LEGAL SERVICES (08-10-103B)

It was moved by Trustee Hausman and seconded by Vice President Schwarz to approve the agreement as outlined in the report. President Holober said he would vote no for the reasons he expressed at the June 11, 2008 meeting. Noting that a firm mentioned in the board report charges \$160 per hour for an associate and \$270-\$290 per hour for experienced attorneys, Trustee Mandelkern asked what the blended rate of that firm would be compared with the blended rate of \$188 per hour charged by the County. EVC Keller said the District believes the rate would be higher than \$188. Trustee Miljanich said it is not unusual for attorneys to charge \$300-\$400 per hour. President Holober said some firms have a public sector rate which is lower than the rate for private corporate clients; he believes the rates quoted in the board report are public sector rates. After this discussion, the motion to approve the agreement carried, with one "No" vote and the remainder of the Board voting "Aye."

INFORMATION REPORTS

REVIEW OF SMCCCD STRATEGIC PLAN 2008-2013 (DRAFT) (08-10-3C)

Vice Chancellor Jing Luan acknowledged the work of the District Strategic Planning Taskforce, which he co-chairs with District Academic Senate President Dilko. President Dilko said the draft has been shared at every level in the District; many suggestions were received and have been assimilated into the document. The Taskforce will review the plan again during November, assimilating further feedback from the Colleges. The final District Strategic Plan will be brought to the Board for approval in December 2008.

STATEMENTS FROM BOARD MEMBERS

Student Trustee Medrano Rosales attended the Student General Assembly in October and found the sessions very educational. A new Student Trustee Association for California Community Colleges was established. Student Trustee Medrano Rosales will be hosting the Student Art Show Reception at Skyline on November 19 and invited all to attend.

Vice President Schwarz attended the San Mateo County School Boards Association meeting where the presentation focused on algebra in the middle schools. She said there was interest expressed by several Board members about working together to make sure students are ready for college. Vice President Schwarz also said she was told by a person at the meeting that school districts pay sales tax but city councils do not and she would like to know if this is true; staff will investigate the question. Regarding the County financial situation, Vice President Schwarz said the County Treasurer will be summoned before the County Board of Supervisors at their November 4 meeting. President Holoher and Trustee Mandelkern said they would try to attend. President Holoher said he received an email from Supervisor Mark Church that there will be a Finance and Operations Committee meeting the same day and the County's Investment Policy will be on the agenda. President Holoher said it might make sense for the Board to state its position publicly that it supports investigation into what transpired regarding the County Pool. Trustee Miljanich said any such statement should be carefully crafted. Chancellor Galatolo said the District is working with counsel on this matter. Vice President Schwarz asked that the Board receive emails sent to all District employees regarding the budget.

Trustee Mandelkern said he appreciated receiving a response regarding internet streaming of Board meetings. He said that because of the budget uncertainty, he recommends that the discussion be tabled and revisited in the future. Trustee Mandelkern attended the Shelter Network's annual breakfast on October 23. The featured speaker was Oscar Juarez, a police officer cadet at College of San Mateo. Mr. Juarez suffered the death of his father and acts as the head of household, caring for his siblings and attending school while his mother works. The family used the Shelter Network during a period when they were homeless. Also at the breakfast, Trustee Mandelkern discussed the Regional Public Safety Center with the Burlingame chief of police.

Trustee Hausman attended a meeting in Washington, D.C. of a committee of the American Red Cross. She spoke about the Holocaust and War Victims Tracing Center, which traces Holocaust survivors and other victims of genocide. On November 18, the Red Cross will award a prize to an Israeli and a Palestinian who have worked together to help troubled people in the world.

President Holoher attended a Housing Leadership Council luncheon at which the District received a prestigious annual award. He recognized Barbara Christensen for her work which has enabled the District to assist in solving the housing problem in the County. President Holoher attended a special meeting of the San Mateo County School Boards Association which was called to address the Lehman Brothers loss. President Holoher said the Association is active on this issue and the Board will continue to work with other districts.

Vice President Schwarz asked the Board to suggest alternate dates or times for the November Board meeting, in order to accommodate attendance at the Chamber of Commerce Hall of Fame Induction honoring Cañada College. After discussion, the Board agreed to move the meeting to 1:30 p.m. on Wednesday, November 12.

COMMUNICATIONS

None

RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 7:30 p.m.

The Board reconvened to Open Session at 9:25 p.m.

CLOSED SESSION ACTIONS TAKEN

President Holober reported that, at the Closed Session just concluded, the Board considered the personnel items listed on the printed agenda and voted 5-0 to approve the actions in Board Report No. 1-A and 1-B. The Board also held a conference with Agency Labor Negotiator Harry Joel and with legal counsel regarding one case of potential litigation.

ADJOURNMENT

It was moved by Trustee Miljanich and seconded by Trustee Mandelkern to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 9:26 p.m.

The next meeting of the Board will be a Regular Meeting on November 12, 2008 at 1:30 p.m. in the District Board Room.

Submitted by

Ron Galatolo
Secretary

Approved and entered into the proceedings of the November 12, 2008 meeting.

Karen Schwarz
Vice President-Clerk

BOARD REPORT 08-11-1A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Harry W. Joel, Vice Chancellor, Human Resources and Employee Relations
(650) 358-6767

APPROVAL OF PERSONNEL ITEMS

Changes in assignment, compensation, placement, leaves, staff allocations and classification of academic and classified personnel:

A. REASSIGNMENT

College of San Mateo

John Vehikite Program Services Coordinator Counseling Services

Promoted through the hiring process from a Financial Aid Technician position into this full-time 12-month position, effective November 15, 2008, replacing Lorena Del Mundo who resigned.

B. CHANGES IN STAFF ALLOCATION

College of San Mateo

Recommend a change in staff allocation to increase one full-time Program Services Coordinator position (4C0278) in the Counseling Services (EOPS) Division from 10 months to 12 months. The position is at Grade 22 of the Classified Salary Schedule 60. The change will address the need for staffing during the summer months.

C. SHORT-TERM, NON-CONTINUING POSITIONS

The following is a list of requested classified short-term, non-continuing services that require Board approval prior to the employment of temporary individuals to perform these services, pursuant to Assembly Bill 500 and its revisions to Education Code 88003:

| <i>Location</i> | <i>Division/Department</i> | <i>No. of Pos.</i> | <i>Start and End Date</i> | | <i>Services to be performed</i> |
|-----------------|--|--------------------|---------------------------|-----------|--|
| Cañada | University Center & Academic Support Services/Upward Bound Program | 1 | 11/13/2008 | 6/30/2009 | Instructional Aide I: Provides individual and group academic support in English and History for disadvantaged high school students. |

BOARD REPORT NO. 08-11-2A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor

PREPARED BY: Harry W. Joel, Vice Chancellor, Human Resources & Employee Relations, 358- 6767

**RATIFICATION OF 2008-2009 CONTRACT RE-OPENERS AS
MODIFICATIONS TO THE CONTRACT BETWEEN THE DISTRICT AND
THE AMERICAN FEDERATION OF TEACHERS (AFT), LOCAL 1493**

Negotiations were recently concluded with AFT, and a Tentative Agreement was ratified by its membership on October 1-2, 2008. The Tentative Agreement for contract re-openers for non-economic items related to the 2006-2009 collective bargaining agreement is now submitted to the Board of Trustees for approval of the following Articles and Memorandums of Understanding:

1. Memorandum of Understanding on Distance Education
2. Article 17: Grievance Procedure
3. Article 19: Part-Time Employment

RECOMMENDATION

Staff recommends that the Board of Trustees ratify the Agreement between the District and the American Federation of Teachers (AFT), Local 1493.

MEMORANDUM OF UNDERSTANDING
BETWEEN AMERICAN FEDERATION OF TEACHERS, LOCAL 1493 AND
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT

September 12, 2008

DISTANCE EDUCATION

Expanding student access, program need and faculty desire and preparation to teach a distance education course shall be the primary determining factors when the College decides to offer a course through distance education. There will be no reduction in force of faculty as a result of the College's participation in distance education. The parties agree that the use of such technology shall not be used to reduce, eliminate or consolidate faculty positions within the District.

Definition

Distance Education means instruction in which the instructor and student are separated by distance and interact through the assistance of communication technology. A distance education course/section or session is defined as the use of technology utilized 51 percent or more of the time to deliver instruction during the course term and where the student and instructor are separated by distance. The delivery of instruction in the distance education modality can use the Internet, email, video and class lecture to deliver instruction (hybrid course). However, if the use of the combined mediated technology is 50 percent or less, or the student and instructor are not separated by distance, the course/section/session is considered a classroom-based traditional course/section/session. (State Chancellor's Office Regulations and Guidelines on Distance Education Section 55205)

Policy

The Colleges shall ensure that the distance education courses and programs comply with the Standards of Accreditation, Title 5 Standards of Curriculum and Instruction, and course outlines approved by the college curriculum committee. The referencing of the particular requirement listed in this policy does not imply that they are the only requirements of the principles that apply to distance education. This policy applies to degree and certificate programs and their courses.

Distance Education Advisory Committee (DEAC)

The Distance Education Advisory Committee is comprised of representatives appointed by AFT, the District Academic Senate, and District Administration. The AFT will appoint three (3) members (one from each College). The Committee will make recommendations regarding issues concerning or related to information technology and technological change in the District/College. The Committee shall consider issues of technological change and in that context the future of distance education. Where there may be an impact on the terms and conditions of employment of members of the bargaining unit, such matters shall be referred to the AFT and District negotiating team for negotiation and resolution.

The DEAC shall consider and make recommendations on issues including the following:

- A. Policies and procedures relating to distance education in the District.
- B. District-wide distance education goals, long range planning policies and enrollment trends.
- C. How support services and training opportunities for faculty can be developed and enhanced.
- D. How communications respecting such matters as changes in available technology, support services and training opportunities can be improved.
- E. Policies respecting security and surveillance of electronic work activities such as e-mail and Internet access usage.

Faculty Training and Compensation

The District and AFT agree that a faculty member interested in receiving District designated training in how to develop an on-line distance education course will receive training if it has been determined by the appropriate administrator that the training is appropriate, applicable and necessary. Upon completion of the training the faculty member will receive a stipend in the amount of \$1,500 for the equivalent of a twenty-five (25) hour training. A faculty member developing a new distance education course, or significantly restructuring an existing distance education course, shall receive, with prior approval of the appropriate administrator, funding to support educational development in the use of new technology not to exceed \$1,500. The funding shall be paid upon offering of the new or restructured course.

Copyright

1. Ownership by faculty members. The copyrights to works created by faculty members will be owned by them, even if those works are created in connection with courses they teach or other duties they perform as faculty members, while they are employed by the District and in connection with their employment, unless the work is created under the circumstances described in paragraph 2.a. below.
2. Ownership by District. The District will own the copyright to works under the following circumstances:
 - a. Circumstances relating to substantial support by the District. The District will own the copyright to any work created with substantial support from the District. As used in this Article, "substantial support" means financial support over and above the cost of the faculty member's normal compensation, office space, office computer, local telephone use, minimal office supplies and copy services. Substantial support would include extra compensation or the provision of reassigned time to create a work, the cost of providing secretarial, technical, legal or creative services specifically for the creation of work, as well as the cost or value of the use of expensive District equipment or facilities (such as professional film or recording studios).
 - b. Circumstances relating to the nature of the work. The District will also own the copyright to any work, such as a course outline, administrative policy, or information brochure that is formally reviewed by the District and becomes part of its curriculum, policies, or administrative or promotional literature.

Permitted uses

1. Use of work when copyright is owned by the faculty member.

a. Uses by faculty member.

The District acknowledges that faculty members may use works whose copyrights they own in any and all ways they may wish, including for example, authorizing the for-profit publication of such works in return for royalties paid solely to faculty members, subject only to the District's non-exclusive license to use those works (set forth in paragraph E.1.b below) without any further authorization from the District.

b. Uses by District and College.

The District shall have, after obtaining the written consent of the faculty member who owns the work's copyright, a non-exclusive license to use the works whose copyrights are owned by faculty members in the following ways : (1) to reproduce such works (for example, by photocopying them, by duplicating computer disks on which they have been saved, or by installing them on computer networks); (2) to distribute such works (for example to students in classes); (3) to perform such works (for example, in classroom teaching, by webcasting, or by broadcasting); (4) to display such works (for example over the web); and (5) to create derivative works (for example companion materials or updated versions).

The District and its Colleges may do these things themselves, but neither the District nor its colleges may authorize others to do them, unless the District first obtains the written consent of the faculty member who owns the work's copyright.

2. Use of work when copyright is owned by District.

a. Uses by District. Faculty members acknowledge that the District may use works whose copyrights the District owns in any and all ways it may wish, including, for example authorizing the for-profit publication of such works in return for royalties paid solely to the District, subject only to the non-exclusive license of the faculty member who created the work to use it (in the manner set forth in paragraph E.2.b below), without any further authorization from the faculty members who created those works.

b. Uses by faculty member. Faculty members shall have a non-exclusive license to use works they created, whose copyrights are owned by the District, in the following ways: (1) to reproduce such works (for example, by photocopying them, by duplicating computer disks on which they have been saved, or by installing them on computer networks); (2) to distribute such works (for example, to students in classes); (3) to perform such works (for example, in classroom teaching, by webcasting, or by broadcasting); (4) to display such works (for example, over the web); and (5) to create derivative works (for example, companion materials or updated versions). Faculty members may do these things themselves, but may not authorize them to be done by others, unless they first obtain the written consent of the District.

Compensation

Full time faculty teaching on-line courses will be compensated in accordance with the regular full time faculty salary schedule. Part-time faculty who teach Distance Education courses shall be paid at the appropriate Lecture Rate or Laboratory Rate.

Assignment

1. Assignment to teach a distance education course shall be based on program need, the faculty member's request, and the skills and abilities of the faculty member to teach via distance education. No faculty member shall be required to teach a distance education class.
2. Where feasible, a faculty member who has developed a distance education course will be given priority to teach the distance education section of the course in accordance with paragraph 1 above.
3. If a faculty member is assigned to teach a course that is cross-listed in both distance learning and face-to-face format, the faculty member will be compensated for teaching the two classes, i.e. cross listed classes taught in distance and face to face formats will be compensated for teaching two classes and will not be counted as just one class, unless it is mutually agreed upon by the faculty member and responsible administrator to count it as one class.

Office Hours

Faculty members teaching a course or courses in an online format during a given semester have the option to schedule "virtual" office hours during that semester that would count toward their total office hour obligation. The proportion of a faculty member's total hours that are scheduled as "virtual" office hours may be equal to the proportion of that faculty member's total units taught that are online courses. A "virtual" office hour in this context means an hour in which the faculty member is available for synchronous conferences or message exchange with students online. Such "virtual" office hours must be scheduled and noted in the faculty online syllabus and door card.

Faculty Evaluation

Evaluation of instruction in a Distance Education course shall be in accordance with instructional evaluation provisions agreed to by the AFT, Academic Senate and administration. These provisions shall be developed through the joint Trust Committee made up of equal AFT, Academic Senate and administration representatives.

ARTICLE 17: GRIEVANCE PROCEDURE

17.1 **DEFINITIONS:** The following definitions shall apply to the grievance procedure:

17.1.1 A “grievance” is defined as an alleged violation of a specific article or section of this Agreement that personally and adversely affects the grievant.

17.1.2 A “working day” is any day of service in the calendar year.

17.1.3 A “grievant” may be an employee, group of employees, or the Union. The Union may file grievances over alleged violations of the contract.

17.1.4 A “party in interest” is a person or persons making a claim of grievance or any person who might be required to take action or against whom action might be taken in order to resolve the grievance.

17.1.5 A “complaint” is an allegation that there has been a misinterpretation, misapplication, inequitable application, or violation of any policy of the District to the extent that the individual believes to have been adversely affected. Complaint issues relating to District Rules and Regulations or District Policy are not subject to grievance and are heard through standard administrative channels.

17.2 **PURPOSE:** The purpose of this grievance procedure is to provide for the processing of a claim of grievance, and to secure, at the lowest possible level, solutions to problems that arise under this Agreement.

17.2.1 This grievance procedure is intended to supplement but not supplant normal and usual procedures for solving personnel problems. Problems involving matters other than alleged violations of a specific article or section of this Agreement are to be resolved through standard administrative channels.

17.3 **LEVEL I:** A grievance will first be discussed orally with the grievant’s immediate supervisor with the objective of resolving the matter informally. In the event the grievant is not satisfied with the attempted or suggested resolution by informal means, the grievant may submit a formal grievance in writing to the College President with a copy to the immediate supervisor. The date of receipt by the College President of the written grievance will be considered the “filing date.”

17.3.1 No grievance shall be recognized unless it shall have been presented at Level I within **thirty (30)** working days after the grievant knew or, with reasonable diligence, should have known of the act or condition and its aggrieving nature that forms the basis of the grievance, and if not so presented, the grievance will be considered as waived.

17.3.2 A written statement at Level I shall include:

1. a description of the specific grounds for the grievance, including names, dates and places necessary for a complete understanding of the grievance;
2. a listing of the specific article or section of this Agreement alleged to have been violated; and
3. a listing of specific actions requested of the District that will remedy the grievance.

17.3.3 If a formal grievance has been filed, the grievant may: (a) discuss the grievance personally, or (b) request that a representative accompany him/her. In all cases, a Level I

meeting will be scheduled within seven (7) working days of the filing date, unless a later date is mutually agreed to.

17.3.4 The College President shall, within ten (10) working days following the meeting to discuss the grievance, render his/her decision and the reasons therefore, in writing, to the grievant. A copy of the decision at this level shall be sent to the Assistant Chancellor for Human Relations and the Union.

17.4 **LEVEL II:** If the grievant is not satisfied with the disposition of the grievance at Level I, the grievant may file for a Level II hearing within ten (10) days of the receipt of the Level I decision, or within fifteen (15) days of the close of the hearing at Level I if no Level I decision has been rendered, whichever is sooner. Grievants not complying with the above time constraints for filing at Level II will be deemed to have waived their rights to a Level II hearing. A grievant filing for a Level II hearing will forward the written grievance to the Office of the Chancellor. The written statement at Level II shall include the following:

1. all of the information required for the Level I grievance statement;
2. a list of the reasons why the College President's proposed resolution of the grievance is unacceptable;
3. a listing of specific actions requested of the District which will remedy the grievance; and
4. a request for a conference with the Chancellor or designee if desired.

17.4.1 ~~The Chancellor/designee grievant and/or Union~~ **grievant Chancellor/designee** may request a conference with the ~~grievant~~ **Chancellor/designee**. If either the grievant **and/or the Chancellor/designee** ~~Union~~ requests a conference at Level II, the request shall be granted. **When a hearing has been requested at a Level II meeting, it will be scheduled within ten (10) working days of the appeal date, unless a later date is mutually agreed upon.** The grievant, ~~any party in interest, and the Chancellor/designee~~ may request the presence of a **Union** representative or representatives at any conference.

17.4.2 The Chancellor/designee shall render a written decision to the grievant within ten (10) working days after the conference at Level II if one has been requested, or within (10) working days after receipt of the grievance if no conference is held. Information copies of the decision shall be sent by the Chancellor/designee to the grievant's immediate supervisor, the College President, the Union, and to any representative designated by the grievant.

17.5 **LEVEL III:** If the grievant is not satisfied with the disposition of the grievance at Level II, the grievant may request, through the Union, that the grievance be arbitrated. Such written request shall be filed in the office of the Assistant Chancellor for Human Relations within ten (10) working days after receipt of the written decision at Level II. The Union shall retain the right to determine which grievances may proceed to arbitration.

17.5.1 A Certified Shorthand Reporter shall be employed to record verbatim the entire arbitration hearing if requested by either the Union or the District. In any case in which a shorthand reporter is involved, the parties shall share equally the cost of such reporter including per diem, mileage, and other out-of-pocket expenses. If the arbitrator requests a shorthand reporter, the parties shall likewise share equally the cost of such reporter. The cost of transcripts shall be borne by the party ordering such transcripts. All other expenses shall be borne by the party causing them to be incurred.

- 17.5.2** When arbitration has been requested, the parties shall contact the California State Conciliation Service for a list of arbitrators. The Union and the Assistant Chancellor for Human Relations, or his/her designee, shall alternately strike names from such list until only one (1) name remains. This person shall be designated as the arbitrator, and shall proceed to hear the grievance.
- 17.5.3** The function of the arbitrator shall be:
- a) To hold a hearing concerning the grievance, and
 - b) To render an advisory award within thirty (30) days after the close of the hearing.
- 17.5.4** Once the arbitrator has been selected, hearings shall commence and be held at the convenience of the arbitrator. However, hearings shall be confined to working days.
- 17.5.5** **Unless mutually agreed to by both parties,** neither the District nor the Union shall be permitted to assert any grounds or evidence before the arbitrator that was not previously disclosed to the other party. The arbitrator shall consider only those issues that have been properly carried through prior steps as required by the provisions of this grievance procedure.
- 17.5.6** The arbitrator shall not render any award that conflicts with or alters this Agreement or **violates State and/or Federal external law.** It is understood, however, that the arbitrator shall interpret the Agreement in accordance with acceptable rules of contract construction.
- 17.5.7** The arbitrator is empowered to include in any award such financial reimbursements or other remedies as judged to be proper and fix the effective date of any such award or finding.
- 17.5.8** Each party shall bear the full costs for its representation in the arbitration. The arbitrator's fees and charges shall be divided equally between the Union and the District.
- 17.6** **LEVEL IV:** Either the grievant or the responding party may appeal the advisory award of the arbitrator to the Board of Trustees within ten (10) working days after the receipt of such advisory award.
- 17.6.1** The Board of Trustees shall render its decision within twenty (20) working days after receipt of the appeal at this level, or twenty (20) working days after receipt of the transcript of the arbitration hearing, whichever comes later. The decision of the Board of Trustees shall be final and binding on all parties, except that no rights of the grievant to further legal action shall be abrogated.
- 17.7** **GENERAL PROVISIONS:** The following general provisions shall apply:
- 17.7.1** A decision rendered at any level shall be considered final unless an appeal is registered within the time limits specified.
- 17.7.2** Time allowances set forth at each level may be extended by mutual consent of the grievant and the responding party and extensions will be made based upon vacation schedules if so requested by either the Union or the District.
- 17.7.3** Should the hearing of any grievance require that an employee be released from his/her regular assignment, he/she shall be released without loss of pay or benefits.

- 17.7.4** No reprisals of any kind shall be taken by or against any participant in the grievance procedure by reason of such participation.
- 17.7.5** All documents, communications, and records dealing with the processing of a grievance shall be filed separately from the personnel files of the participants.
- 17.7.6** All parties to the grievance shall make available to other parties involved all pertinent information not privileged under the law in its possession or control that is relevant to the issues raised by the grievance.
- 17.7.7** Any grievance that arose prior to the effective date of this Agreement shall not be processed according to these procedures.

ARTICLE 19: PART-TIME EMPLOYMENT

19.1 SENIORITY LISTS: Each Division or similar unit that employs part-time employees will establish a seniority list based on the first part-time employment at the specific college.

19.1.1 Regular faculty who are assigned an overload will be included in the divisional-based part-time seniority list.

19.1.2 *Seniority lists shall be updated with new names and start dates that are added to the lists. Copies of the list shall be made available to all part time faculty who make such a request. In addition a copy of the seniority lists shall be forwarded to Human Resources at the beginning of each academic year.*

19.1.3 If a break in service exceeds three semesters, then the person's name is to be removed from the seniority list. *It will not constitute a break in service if a part time faculty member is not given an assignment after requesting it for a period of four semesters. After four semesters the person will be removed from the seniority list.*

19.2 ASSIGNMENT AND RETENTION: Among the factors considered in determining retention and assignment are seniority, as described in 19.1, relative experience/qualifications and program need.

19.2.1 Factors included when giving due consideration to relative experience/qualifications include, but are not limited to:

- General teaching experience including other institutions, not just within the District;
- Related professional experience other than teaching;
- Skills and experience in specialized areas;
- Level of education/academic preparation; and
- Previous performance record (satisfactory or better) and adherence to District Rules and Regulations.

19.2.2 Program need includes, but is not limited to:

- Employee qualifications to carry out the assignment;
- Expertise and/or demonstrated practical experience in the specific requirements of the assignment;
- Employee ability to use and expose students to current information, technology and skills required in the assignment;
- Employee availability at needed time;
- Maintenance of an inclusive academic staff.

19.2.3 It is the responsibility of the part-time faculty member to provide information to management to be considered when determining retention and assignment.

19.2.4 When feasible, each College Division will make reasonable efforts to provide part-time faculty with the same or similar faculty load as an assignment of at least the same or similar faculty load as in the previous term if the part-time faculty member has received two (2) consecutive satisfactory evaluations or has been given an assignment for ~~seven (7)~~ **six (6)** semesters with no negative evaluations.

- 19.2.5** If a reduction in assignment is required, the *appropriate administrator will discuss the reasons for the reduction with the part-time faculty member*. If requested by the affected part-time faculty member, the appropriate administrator will provide written confirmation of such reduction including the *specific* reason(s) for the reduction to the part-time faculty member.
- 19.2.6** If, during any semester, there are more part-time faculty members than there are available assignments, and if all of the criteria for determining assignments that are defined in 19.2.1 and 19.2.2 above have been met to the satisfaction of the appropriate *administrator dean*, then the remaining available assignments shall be offered to those part-time faculty members who are most senior according to the Seniority Lists as described in 19.1, with the most senior part-timers being offered at least the same faculty load as in the previous term before a part-time faculty member with less seniority is offered an assignment.
- 19.2.7** Part-time faculty members will have the opportunity to communicate in writing with the ~~Dean~~ *appropriate administrator* regarding desired changes or modifications to their assignment prior to schedule development for each instructional period. *Where feasible, part time faculty members will be notified of their proposed assignments at least ten (10) working days prior to the beginning of that assignment.*
- 19.2.8** A part-time teaching faculty member whose assignment is reduced (e.g. class canceled due to financial exigency or low enrollment) within three weeks (fifteen working days) prior to the beginning of that assignment may not claim seniority as a reason to be reassigned in place of a less senior part-time faculty member provided that the less senior part-time faculty member had already been given an assignment prior to the three week period. However, seniority remains a factor to be considered whenever new *or* un-staffed assignments become available. A part-time teacher whose assignment is reduced under this section will not lose his/her seniority or accumulated sick leave.
- 19.3** **BUYING INTO KAISER HEALTH PLAN:** Part-time faculty who meet the basic eligibility requirements, and who are not otherwise already covered by the District's health benefit plan, shall have the right to buy into the District's Kaiser Foundation Health Plan.
- 19.4** **BUMPING BY FULL-TIME EMPLOYEE:** Bumping of a part-time instructor by a full-time instructor shall have no effect on seniority or accumulated sick leave.
- 19.5** **EVALUATIONS CAN BE SUBMITTED FOR FULL-TIME OPENING:** Results of evaluations of part-time faculty may be submitted as part of an application for a full-time position.

BOARD REPORT NO. 08-11-3A

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Harry W. Joel, Vice Chancellor, Human Resources and Employee Relations,
358-6767

ADOPTION OF RESOLUTION NO. 08-13, INCREASING THE EMPLOYER’S CONTRIBUTION UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT

Background

The CalPERS Health Plan System requires contracting employers to pay a monthly contribution toward the medical premiums of all PERS and STRS retirees. Separate from any additional retiree fringe benefits that may be carried by local districts (San Mateo CCD has negotiated a tiered system of retiree fringe benefits that includes medical coverage at no cost for certain qualifying District retirees, and other tiers of reduced option medical benefits for other employees, pursuant to their date of hire), the monthly contribution was established by CalPERS in order to provide retirees with continuation of group medical insurance coverage at a reduced monthly premium cost.

The District has a total of 695 retirees and surviving spouses who are covered by the District medical plans. Since the CalPERS Employer Contribution is already included in the monthly amount paid for retirees who qualified for District-paid medical coverage, the District’s fiscal impact will be the increase in Employer Contributions paid toward medical coverage for those persons who did not qualify for District retiree benefits, but who are still provided medical coverage as part of the District group by the CalPERS Health Plan System. These individuals are PERS or STRS retirees and their medical premiums are partially or fully charged to the District through the Employer Contribution. Currently, there are 50 individuals in this group with the yearly cost of \$254,448.00.00 to the District. With the new rates, the yearly cost to the District will be approximately \$277,912.00, an increase of 9% for the calendar year 2009.

The monthly Employer Contribution, billed to all contracting agencies for each PERS and STRS retiree regardless of their eligibility for additional local district retiree benefits, is increased every January 1st until the Employer Contribution equals the active employee monthly medical premium “cap.”

Effective January 1, 2008, AB 2544 changes the method by which this contribution is calculated. The new calculation is the number of years of CalPERS participation, multiplied by 5%, multiplied by the 2008 employer contribution for active employees’ health coverage from our resolution. The 2009 contribution is limited to an increase of \$100 over the 2008 contribution.

| Bargaining Unit | Current District Employer Contribution | 2009 Active Employee Cap | AB 2544 Calculation | New District Employer Contribution |
|--|---|---------------------------------|----------------------------|---|
| CSEA | \$509.40 | \$604.00 | \$94.60 | \$604.00 |
| AFSCME | \$509.40 | \$604.00 | \$94.60 | \$604.00 |
| All Administrators and Other Non-Represented Employees | \$509.40 | \$604.00 | \$94.60 | \$604.00 |
| AFT | \$509.40 | \$604.00 | \$94.60 | \$604.00 |

Contracting agencies are required to adjust the Employer Contribution by Board resolution. The new Employer Contribution will be activated by CalPERS effective January 1, 2009, pursuant to receipt of this resolution and CalPERS implementation procedures.

RECOMMENDATION

It is recommended that the Board adopt Resolution No. 08-13 to increase the District Employer Contribution for PERS and STRS retiree medical benefits, pursuant to agency agreement.

RESOLUTION NO. 08-13

**BY THE GOVERNING BOARD OF THE
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT
STATE OF CALIFORNIA**

**RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE
PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT**

WHEREAS, (1) Government Code Section 22892(a) provides that a contracting agency under the Public Employees' Medical and Hospital Care Act shall fix the amount of the employer's contribution at an amount not less than the amount required under Section 22892(b) of the Act, and

WHEREAS, (2) Government Code Section 22892(c) provides that a contracting agency may fix the amount of the employer's contribution for employees and the employer's contribution for annuitants at different amounts provided that the monthly contribution for annuitants shall be annually increased by an amount not less than 5 percent of the monthly contribution for employees, until such time as the amounts are equal; and

WHEREAS, (3) The San Mateo County Community College District, hereinafter referred to as a School Employer is a contracting agency under the Act now, therefore be it

RESOLVED, (a) That the employer's contribution for each employee shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members in a health benefits plan up to a maximum of:

| Code | Bargaining Unit | 2009 Active Employee Cap |
|-------------|---|-------------------------------------|
| 03 | CSEA | \$604.00 |
| 03 | AFSCME | \$604.00 |
| 03 | All Administrators and Other Non-Represented Employees | \$604.00 |
| 01 | AFT | \$604.00 |

RESOLVED, (b) That the employer's contribution for each annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of his/her family members in a health benefits plan up to a maximum of:

| Code | Bargaining Unit | New Employer Contribution |
|-------------|---|--------------------------------------|
| 03 | CSEA | \$604.00 |
| 03 | AFSCME | \$604.00 |
| 03 | All Administrators and Other Non-Represented Employees | \$604.00 |
| 01 | AFT | \$604.00 |

Plus administrative fees and Contingency Fund assessments.

BOARD REPORT NO. 08-11-3A

REGULARLY PASSED AND ADOPTED by the Board of Trustees of the San Mateo County Community College District this 12th day of November 2008.

Ayes:

Noes:

Abstentions:

Attest: _____
Karen Schwarz, Vice President-Clerk
Board of Trustees

BOARD REPORT NO. 08-11-1B

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Lily C. Lau, Director
Community Education, 574-6179

**APPROVAL OF COMMUNITY SERVICES CLASSES, SPRING/SUMMER 2009
CAÑADA COLLEGE, COLLEGE OF SAN MATEO, AND SKYLINE COLLEGE**

Listed below are the planned self-supporting Community Services offerings at Cañada College, College of San Mateo and Skyline College for spring/summer 2009. Classes in the Community Services program are identified and delivered based on community interest, instructor expertise and schedules, and available college facilities. The Community Services schedule is grouped by Community Services classes on campus and off-site, Emeritus Institute, and on-line offerings.

New Programs

Cañada College

Passport to Retirement: “How-to” Guide for Financial Success

College of San Mateo

All About Patents
Beading and Designing Your Very Own Necklace
Demystifying the College Admissions Process
Eco-friendly Pests and Weeds Management Secrets
Effective Marketing with “Snap, Crackle and Pop”
Enhancing Teen Beauty: Make-up and Hairstyling
Excel – Create and Format Spreadsheets
Excel – Data Analysis and Data Manipulation
Fantastic Cheese and Wine Pairings of the World
Interior Redesign and Staging
Jewelry Making Techniques
Landscape Oil Painting
Leadership in Energy and Environmental Design
Mass Produce and Make Money from Your Inventions
Notary Public Workshop and Exam
Pampering Body Cream and Hand Lotion
Passport to Retirement: “How-to” Guide for Financial Success
Peninsula Parks & Trails (Lecture) (two sessions)
Protecting Your Patents
Protect Your Net Worth From Stock Market Declines
Sensational Spanish Cuisine

Sizzling Zumba
Spring is in the Air: Fresh Floral Design
Start a Wedding Planning Business
Tai Chi for Everyone

Skyline College

None

Coastside, Half Moon Bay

Digital Photography: Capture the Moment!

Off Campus

Introduction to Food and Wine Pairing of the World (Redwood City)
Maybeck Country (Berkeley)
Mill Valley (Marin County)
Play Golf the Right (Fun) Way (Crystal Springs, Burlingame) (three sessions)
Sigmund Stern Grove (San Francisco)

Continuing Programs

Cañada College

Basic Dog Grooming
So You Want to be a Copyeditor or Proofreader

College of San Mateo

An Evening with Leonardo da Vinci
Astronomy - Constellations of the Spring
Basic Motorcycle Rider Course through Northern California Motorcycle Training
Become a Voiceover Artist
Beginning Blues Harmonica
Beginning Fencing (two sessions)
Belly Dance Fundamentals (two sessions)
Book Club
Breaking the Cycle of Stress: Skills for Health and Peak Performance
Building Your Financial Portfolio on \$25 A Month
Chocolate Truffles - Hands On
Conversational Italian II - The Language and Culture of Italy
Couple's Shiatsu Massage
Dog Obedience Training
Driver's Education (two sessions)
Earn Extra Income as a Mystery Shopper
Fat Burning Weight Loss
Fencing Club (two sessions)
Financial Strategies For Successful Retirement
Flyfishing for Beginners
Fun Cardio Aerobics and Strength (two sessions)

BOARD REPORT NO. 08-11-1B

Fun Part-Time Jobs

Getting More from Your Digital Camera
Getting Started in Digital Photography
Getting to Know Your DSLR Camera
Graceful Hawaiian Hula
Guitar - Level I
Healthy Harmonica
Hot Salsa Dancing for Beginners
How to Play Piano By Ear
Importing as a Small Business
Instant Piano for Hopelessly Busy People
Intermediate Hot Salsa Dancing
Italian for Travelers - The Language and Culture of Italy
Landscape Design and Gardening
Let's Make Sushi (two sessions)
Magic Flutes, Flute Choir
Make a Living Buying and Selling on eBay
Oui! Conversation in the French-Speaking World
Personal Fitness Trainer Certification
Positive Posture
SAT Prep (two sessions)
Secrets of a Super Memory
Spanish I
Spanish II
Sports Nutrition Consultant Certification
Test-Taking Secrets
The One-Minute Drawing Class
Ultimate Foot and Hand Massage
Ultimate Neck & Shoulder Massage
Writing and Publishing Your 1st Book
Food Handling Test Preparation- ServSafe Food Safety Class & Test (two sessions)

Skyline College

Financial Strategies For Successful Retirement

Coastside, Half Moon Bay

Become a Voiceover Artist
How to Start a Small Business
Pet First Aid/CPR
Travel Sketching and Painting in Watercolor
What Were You Born To Do?

Off Campus

Beginning Glass Fusing (South Linden Station, South San Francisco) (two sessions)
Peninsula Parks & Trails (Field Trips) (two sessions)
St. John's Cemetery (San Mateo)
You Can Decorate Your Cake and Eat it too! (Kathy's Kreative Cakes, San Mateo) (two sessions)

Emeritus

New Programs

Peninsula High Society During the Gilded Age-Ain't we got elegance! (Burlingame Recreation Center)
Peninsula High Society During the Gilded Age-Ain't we got elegance! (San Mateo Senior Center)
Peninsula High Society in the Twentieth Century-enclaves of privilege (Burlingame Recreation Center)

Continuing Programs

Art of Listening to Music (Peninsula Volunteers Little House, two sessions)
Jazz From the Hill (The Peninsula Regent, two sessions)
The American Revolution, 1763-1789 - Establishing Independence and Making it Work (San Mateo Senior Center)

Online Classes

New Classes

Become an Optical Assistant
Business Law for the Small Business Owner
Intermediate Java Programming
Intermediate Microsoft Excel 2007
Introduction to Illustrator CS3
Introduction to Microsoft Office Accounting Professional 2008
Introduction to Peachtree Accounting 2009
Introduction to QuickBooks 2008
Learn How to Use Microsoft Office Accounting Professional 2008
Photoshop Elements 6.0 for the Digital Photographer I
Photoshop Elements 6.0 for the Digital Photographer II
Response to Intervention: Reading Strategies That Work
Singapore Math Strategies: Model Drawing for Grades 1-6
Start Your Own Arts and Crafts Business
Teaching Students With Autism: Strategies for Success
Teaching Writing: Grades 4-6

Continuing Classes

A to Z Grant Writing
Accounting Fundamentals
Achieving Success with Difficult People
Achieving Top Search Engine Positions
Administrative Assistant Applications & Fundamentals
Advanced Grant Proposal Writing
ASP.NET
Assisting Aging Parents
Become a Veterinary Assistant I, II, III
Becoming a Grant Writing Consultant
Beginner's Guide to Getting Published
Beginning Conversational French
Beginning Writer's Workshop

Building Teams That Work
Building Wealth
Business and Marketing Writing
C#, C++, or Perl Programming
Computer Skills for the Workplace
Creating a Successful Business Plan
Creating Web Graphics w/ Photoshop CS3
Creating Web Pages
Creating Your Own Nonprofit
Crystal Reports 10
CSS and XHTML
Database Development
Debt Elimination Techniques That Work
Design Projects for Adobe Illustrator CS2
Designing Effective Websites
Discover Digital Photography
Drawing for the Absolute Beginner
Dreamweaver
Dreamweaver CS3
Effective Business Writing
Effective Communication
Effective Selling
Enhancing Language Development in Childhood
Enjoying European Art Online
Fiction & Romance Writing
Flash 8
Forensic Science for Writers
Fundamentals of Supervision and Management
Fundamentals of Technical Writing
GED Preparation
Genealogy Basics
Get Assertive!
Get Grants!
Get Paid to Travel
Goodbye to Shy
Grammar & Writing for ESL
Grammar Refresher
GRE, GMAT, LSAT Preparation
Guiding Kids on the Internet
Handling Medical Emergencies
HIPAA Compliance
Individual Excellence
Instant Italian
Introduction to Business Analysis
Introduction to Journaling
Introduction to Microsoft Access 2007
Introduction to Microsoft PowerPoint 2007
Introduction to Microsoft Project 2007
Introduction to Microsoft Publisher 2007
Introduction to Microsoft Visio 2007
Introduction to Natural Health and Healing

BOARD REPORT NO. 08-11-1B

Introduction to Nonprofit Management
Introduction to Outlook 2007
Introduction to Python 2.5 Programming
Introduction to the Internet
Java
Keyboarding
Keys to Effective Communication
Learn to Buy and Sell on eBay
Legal Nurse Consulting
Linux
Luscious, Low-Fat, Lightning-Quick Meals
Making Movies with Windows XP
Managing Customer Service
Marketing Your Business on the Internet
Marketing Your Nonprofit
Mastery of Business Applications & Fundamentals
Medical Terminology-A Word Association Approach
Merrill Ream Speed Reading
Microsoft Access 2003
Microsoft Excel 2003
Microsoft Excel 2007
Microsoft Excel in the Classroom
Microsoft FrontPage 2003
Microsoft PowerPoint 2003
Microsoft PowerPoint in the Classroom
Microsoft Project 2003
Microsoft Publisher 2003
Microsoft Visio 2003
Microsoft Word 2003
Microsoft Word 2007
Microsoft Word in the Classroom
Music Made Easy
Outlook 2003
PC Security
PC Troubleshooting
Performing Payroll in QuickBooks 2007
Personal Finance
Photographing People with your Digital Camera
Photoshop CS2
Photoshop CS3
Photoshop Elements 5.0
Photoshop Elements 6.0 for the Digital Photographer
PHP and MySQL
Pleasures of Poetry
Professional Sales Skills & Sales Management
Project Management
Publish it Yourself...
Python 2.5 Programming
QuickBooks 2007
Real Estate Investing and Real Estate Law
Research Methods for Writers

Resume Writing Workshop
SAT/ACT Preparation
Secrets of Better Photography
Skills for Making Great Decisions
Solving Classroom Discipline Problems
Speed Spanish I, II, III
SQL
Start and Operate Your Own Home-Based Business
Start Your Own Consulting Practice
Stocks, Bonds, and Investing: Oh, My!
Successful Construction Business Management
Supply Chain Management Fundamentals
Survival Kit for New Teachers
The Analysis and Valuation of Stocks
The Craft of Magazine Writing
The Creative Classroom
The Keys to Effective Editing (US)
Travel Photography for the Digital Photographer
Travel Writing
Twelve Steps to a Successful Job Search
Understanding Adolescents
Understanding the Human Resources Function
Using the Internet in the Classroom
Visual Basic 2005
Where Does All My Money Go?
Windows Vista
Windows XP
Write Like a Pro
Write Your Life Story
Writeriffic 1 & 2: Creativity for Training Writers
Writing Effective Grant Proposals
Writing for Children

RECOMMENDATION

It is recommended that the Board approve the list of Community Services classes to be offered for spring/summer 2009 at Cañada College, College of San Mateo, Skyline College and Coastside as well as off-campus locations.

BOARD REPORT NO. 08-11-100B

To: Members of the Board of Trustees
 From: Ron Galatolo, Chancellor- Superintendent
 Prepared by: Janet Stringer and Amelito Enriquez, Cañada College 306-3322

APPROVAL OF SUBCONTRACT WITH SAN FRANCISCO STATE UNIVERSITY

In October 2008, Cañada College was awarded a three-year grant in the amount of \$900,000 by the US Department of Education through the Minority Science and Engineering Improvement Program (MSEIP). Cañada’s program, entitled “Student On-Ramp Leading to Engineering and Sciences” (SOLES), aims to maximize the likelihood of success among underrepresented and educationally disadvantaged students interested in pursuing careers in STEM fields through a combination of programs and services proven to increase recruitment, retention and success.

One of SOLES program’s main strategies is the *Summer Engineering Institute* – a collaborative project with San Francisco State University’s MESA Engineering Program. The Summer Engineering Institute is a two-week residential summer camp at SFSU, which will provide real-world context to the study of engineering through practical, meaningful, applied and hands-on problem-solving and design-oriented projects. It will feature regular classroom instruction, group and individual study on the nature of engineering education, informal meetings, social events, and company tours. It will offer participating engineering students the opportunity to gain insight into the engineering academic program by participating in engineering projects with engineering professionals and upper-division SFSU engineering students.

To successfully plan and implement the Summer Engineering Institute, San Francisco State University will be a subcontractor of the San Mateo Community College District for the entire three-year period of the SOLES project. The three year contract is for the amounts as follows:

| Project Budget Year | Maximum Amount |
|---------------------|-------------------|
| Year 1 | \$ 85,674 |
| Year 2 | \$ 86,340 |
| Year 3 | \$ 87,018 |
| Total | \$ 259,032 |

The term of this agreement beyond the first year is contingent upon the availability of funds to the District from the US Department of Education.

RECOMMENDATION

It is recommended that the Board of Trustees approve the subcontract between the District and San Francisco State University in the amount of \$259,032 over the three-year period from November 2008 to September 2011, contingent upon the availability of funds to the District from the US Department of Education.

BOARD REPORT NO. 08-11-101B

TO: Members of the Board of Trustees

FROM: Ron Galatolo, Chancellor-Superintendent

PREPARED BY: Barbara Christensen, Director of Community/Government Relations,
574-6510

**REVISION OF RULES AND REGULATIONS SECTION 2.09,
DISTRICT SHARED GOVERNANCE PROCESS**

Attached is the proposed revision of Rules and Regulations Section 2.09, District Shared Governance Process. The current policy is also attached for comparison.

In April 2008, the District Shared Governance Council agreed to review Section 2.09, which governs the functions of the Council. A taskforce was appointed by the Council. The members of the taskforce are Barbara Christensen (Ex-officio), Patty Dilko (Council co-chair), Ulysses Guadamuz (classified), Teeka James (faculty), Harry Joel (Ex-officio), Jing Luan (Council co-chair), and Richael Young (student). The taskforce addressed the specific issues listed below:

1. The role of the District Shared Governance Council (existing Section 5)
2. The process of reaching consensus (existing Section 4)
3. Areas in need of modifications in wording

The taskforce met several times between May and September and has kept the Council informed of its progress. The revisions have been reviewed by the District Shared Governance Council members and the constituents they represent. At its November 3 meeting, the Council adopted the revisions via the existing consensus building process.

RECOMMENDATION

It is recommended that the Board of Trustees approve the proposed changes to Rules and Regulations Section 2.09, District Shared Governance Process, as shown in the attached.

2.09 District Shared Governance Process

1. In order to provide an opportunity for students, staff, and faculty to participate effectively in District governance, the Board of Trustees of the San Mateo County Community College District hereby establishes a District Shared Governance Council (DSGC).
2. Governance is defined as those institutional structures and processes for decision-making and communications that engage students, staff, faculty, and administrators relative to the mission and values of the District.
3. The Board of Trustees is committed to a shared governance system which ensures faculty, staff and students the right to participate effectively in district and college governance and the opportunity to express their opinions at the campus and District levels and to ensure that these opinions are given every reasonable consideration.
4. The purpose of the District Shared Governance Council is to advise the Board of Trustees, through its designee, the Chancellor, on the following matters:
 - a. Procedures for faculty, staff, and management hiring and equal employment opportunities;
 - b. Periodic review of the District Shared Governance Council policy;
 - c. Planning for Districtwide professional development activities;
 - d. Oversight of the District Budget and Planning Subcommittee;
 - e. Changes to or the addition of locally determined student fees;
 - f. Educational and facilities master planning processes; and
 - g. Board policies that directly affect faculty, staff and students of the District, as determined by the District administrator responsible for Rules and Regulations, in conjunction with the DSGC co-chairs. All other Board policies will be brought to the DSGC as information items.

In addition to these items, any Council member may, after consultation with the DSGC co-chairs, place informational or advisory items on the agenda.

5. The DSGC makes decisions democratically by polling appointed members to determine if general agreement has been reached, based upon the following levels of responses:
 - a. I support the recommendation completely.
 - b. I support the recommendation with reservations.
 - c. I cannot support the recommendation.

A recommendation will be forwarded to the Chancellor when 60% of members present are at any one level. Any member of DSGC can submit a brief rationale for his or her vote which will accompany the recommendation to the Chancellor and the Board of Trustees.

6. The District Shared Governance Council membership is twenty (20) representatives with (5) representatives from Faculty, Administration, Classified, and Student constituencies, and specifically includes:
 - a. Faculty (5): the District Academic Senate President, the three Academic Senate Presidents of each College, and the AFT President.
 - b. Administration (5): one Manager appointed by the President of each College, one appointment from the District Office chosen by the Chancellor, and one non-represented member. The non-represented member is appointed by the Chancellor and represents non-union associated employees and can be either classified or administrative.
 - c. Classified (5): the CSEA President, the AFSCME President and three additional classified representatives appointed by CSEA.
 - d. Students (5): the three Associated Students Presidents or designees from each College, the Student Trustee, and one at-large member.
 - e. Council Chair: The Council will be served by co-chairs, namely, the District Academic Senate President and the District administrator appointed by the Chancellor in (b.) above.
7. Term of Appointments: Membership appointments for students are for one semester and may be continued from semester to semester. Membership appointments for all other constituent groups are for one year and may be continued.

8. A quorum for a meeting is as follows:
 - a. Eleven members in attendance, and
 - b. At least one representative from each site (District Office and the three Colleges), and
 - c. At least one representative from each constituency (faculty, administration, classified staff, and students).

9. The Board recognizes the Academic Senate as the official body representing faculty in shared governance (Title 5, 53200) and the “the right of Academic Senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.” In academic and professional matters, the Board will rely primarily on faculty expertise through the established Academic Senate processes. The Academic Senate is expected to provide an opportunity for students and staff to participate effectively in the formulation and development of policies and procedures that have or will have a significant effect upon them. (See Rules and Regulations 2.06 for the delineation of authority agreement between the Board and the Academic Senates.) “Academic and professional matters “ include the following:
 - a. curriculum, including establishing prerequisites and placing courses within disciplines;
 - b. degree and certificate requirements;
 - c. grading policies;
 - d. educational program development;
 - e. standards or policies regarding student preparation and success;
 - f. district and college governance structures, as related to faculty roles;
 - g. faculty roles and involvement in accreditation processes, including self-study and annual reports;
 - h. policies for faculty professional development activities;
 - i. processes for program review;
 - j. processes for institutional planning and budget development; and
 - k. other academic and professional matters as are mutually agreed upon between the Governing Board and the Academic Senate. (Title 5 §53200.c)

10. The Board recognizes the Associated Students organizations as the official bodies representing students and considers students to be full participants in shared governance on all items pertaining to their interests. District and College policies and procedures that have or will have a “significant effect on students” include the following [Title 5, §51023.7,4 (b)]:
 - a. grading policies;
 - b. codes of student conduct;
 - c. academic disciplinary policies;
 - d. curriculum development;
 - e. courses or programs which should be initiated or discontinued;
 - f. processes for institutional planning and budget development;
 - g. standards and policies regarding student preparation and success;
 - h. student services planning and development;
 - i. student fees within the authority of the district to adopt; and
 - j. any other District and College policy, procedure, or related matter that the District Governing Board determines will have a significant effect on students.

11. The Board recognizes CSEA as the official body representing classified staff and considers classified staff to be full participants in shared governance on all items pertaining to their interests (Education Code §70901.2). The selection of classified representatives to serve on District and/or College committees, task forces, or other governance groups shall be made by CSEA with the expectation that all classified staff will be considered in the process of selecting representatives (Title 5 §51023.5).

12. A copy of the complete and updated text of the District shared governance policy shall be maintained in the Office of the Chancellor.

2.09 District Shared Governance Process

1. In order to provide an opportunity for students, staff, and faculty to participate effectively in District governance, the Board of Trustees of the San Mateo County Community College District hereby establishes a District Shared Governance Council (DSGC).
2. Governance is defined as those institutional structures and processes for decision-making and communications that engage students, staff, faculty, and administrators relative to the mission and values of the District.
3. The Board of Trustees is committed to a shared governance system which ensures “faculty, staff and students the right to participate effectively in district and college governance and the opportunity to express their opinions at the [district] level and to ensure that these opinions are given every reasonable consideration, and the right of academic senates to assume primary responsibility for making recommendations in areas of curriculum and academic standards” (Education Code Section 70901).
4. The District Shared Governance Council operates in a climate of collegiality and trust, making its recommendations on a consensus-building basis. Consensus building involves polling of appointed members to determine if consensus has been reached based upon the following levels of responses:
 - a. I can say an unqualified yes to the recommendation.
 - b. I find the recommendation perfectly acceptable.
 - c. I can live with the recommendation; however, I am not enthusiastic about it.
 - d. I do not fully agree and need to register my view; however, I do not choose to block the recommendation overtly or covertly. I am willing to support the recommendation.
 - e. I cannot support the recommendation.

Consensus is reached if no members are at level e as noted above. If a member has strong reservations regarding a recommendation, a minority viewpoint will be included in the report that accompanies the recommendation to the Chancellor and the Board of Trustees.

5. The purpose of the District Shared Governance Council is to advise the Board of Trustees, through its designee, the Chancellor, on the following matters:
 - a. Faculty, staff, and management hiring and equal employment opportunities;
 - b. District governance structure related to separate roles of faculty, staff, students, and management;
 - c. Appropriate roles and involvement in accreditation;
 - d. Processes for staff development activities;
 - e. Processes for program development, program review, program modification, and program discontinuance;
 - f. Budget development;
 - g. Ethical standards;
 - h. Student fees; and
 - i. Educational and facilities master planning.

The Chancellor will forward consensus recommendations to the Board of Trustees. If the Chancellor does not agree with the recommendation of the Council, the Chancellor will provide a written explanation to the Council. The Chancellor will include a statement to the Board of Trustees that the recommendation presented to them differs from the consensus of the District Shared Governance Council.

6. The Board recognizes “the right of Academic Senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards” (Education Code §70901). In academic and professional matters the Board will rely primarily on faculty expertise through the established Senate processes. The Academic Senate is expected to provide an opportunity for students and staff to participate effectively in the formulation and development of policies and procedures that have or will have a significant effect upon them. (See Rules and Regulations 2.06 for the delineation of authority agreement between the Board and the Academic Senates.)

7. The District recognizes the Associated Students organizations as the official bodies representing students and considers students to be full participants in shared governance on all items pertaining to their interests.
8. District and college policies and procedures that have or will have a “significant effect on students” includes the following (Title 5, §51023.7):
 - a. grading policies;
 - b. codes of student conduct;
 - c. academic disciplinary policies;
 - d. curriculum development;
 - e. courses or programs which should be initiated or discontinued;
 - f. processes for institutional planning and budget development;
 - g. standards and policies regarding student preparation and success;
 - h. student services planning and development;
 - i. student fees within the authority of the district to adopt; and
 - j. any other district and college policy, procedure, or related matter that the district governing board determines will have a significant effect on students.
9. The District recognizes CSEA as the official body representing classified staff and considers classified staff to be full participants in shared governance on all items pertaining to their interests (Education Code §70901.2). The selection of classified representatives to serve on District and/or College committees, task forces, or other governance groups shall be made by CSEA with the expectation that all classified staff will be considered in the process of selecting representatives (Title 5 §50123.5).
10. The District recognizes the Academic Senate as the official body representing faculty in shared governance (Title 5 §53200).
11. The District Shared Governance Council membership is twenty (20) representatives with (5) representatives from Faculty, Administration, Classified, and Student constituencies, and specifically includes:
 - a. Faculty (5): the District Academic Senate President, the three Academic Senate Presidents of each college, and the AFT president.
 - b. Administration (5): one Manager appointed by the President of each college, one appointment from the District office chosen by the Chancellor, and one non-represented member. The non-represented member is appointed by the Chancellor and represents non-union associated employees and can be either classified or administrative.
 - c. Classified (5): the CSEA President, the AFSCME president and three additional classified representatives appointed by CSEA.
 - d. Students (5): the three Associated Students Presidents or designees from each college, the Student Trustee, and one at-large member.
 - e. Term of Appointments. Membership appointments for students are for one semester and may be continued from semester to semester. Membership appointments for all other constituent groups are for one year and may be continued.
 - f. Council Chair. The Council will be served by co-chairs, namely, the District Academic Senate President and the District administrator.
12. A quorum for a meeting is as follows:
 - a. Eleven members in attendance, and
 - b. At least one representative from each site (District office and the three colleges), and
 - c. At least one representative from each constituency (faculty, administration, classified staff, and students).
13. A copy of the complete and updated text of the District shared governance policy shall be maintained in the Office of the Chancellor-Superintendent.

REPORT ON APPRENTICESHIP PROGRAMS

There is no printed report for this agenda item.