

AGENDA
SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT
SPECIAL STUDY SESSION OF THE BOARD OF TRUSTEES
Wednesday, September 23, 2020

Closed Session at 5:00 p.m.; Open Meeting at 6:00 p.m.

This meeting will be held telephonically via Zoom.

Members of the public should **NOT** come to District Office to participate.

Join this Zoom Meeting – <https://smccd.zoom.us/j/95152141765>

Dial-In: 1-669-900-9128 – Webinar ID: 951 5214 1765

NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS

Observing the Meeting

Members of the public who wish to observe the meeting may do so by accessing the link or calling the following telephone number above at the beginning of the meeting.

Providing Public Comment During the Meeting on NON-AGENDA Items

To make a comment regarding a non-agenda item, members of the public, once in the Zoom meeting (via above link), can utilize the “raise hand” function on the bottom right corner of the screen. This will allow for the Board President to recognize members for comment and will allow staff to activate audio access to individual participants. Members of the public who “raise their hand” will be called upon in the order they appear. Members of the public making comment are reminded of the 3-minute time limit for comment.

For members of the public who do not have access to a computer or smart device, time will be allotted at the end of public comments for members of the public to comment using a phone.

Providing Public Comment During the Meeting on AGENDA Items

To make a comment regarding an item on the published agenda, members of the public, once in the Zoom meeting (via above link), can utilize the “raise hand” function on the bottom right corner of the screen. This will allow for the Board President to recognize members for comment and will allow staff to activate audio access to individual participants. Members of the public who “raise their hand” will be called upon in the order they appear.

For members of the public who do not have access to a computer or smart device, time will be allotted at the end of public comments on the agenda item for members of the public to comment using a phone.

Accommodations

Persons with disabilities who require an accommodation or service should contact the contact the Executive Assistant to the Board at (650) 358-6753 at least 24 hours prior to the Board meeting.

5:00 p.m. Call to Order

CLOSED SESSION ITEMS FOR DISCUSSION

1. Conference with Labor Negotiators
Agency Designated Representative: Mitchell Bailey and Laura Schulkind
Employee Organizations: CSEA and AFT
2. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to Gov. Code, § 54956.9, subd. (d)(2): Three cases
3. Consideration of Action in Connection with a Student pursuant to Ed. Code § 72122
4. Ratification of May and June 2020 Confidential District Warrants

PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY

RECESS TO CLOSED SESSION

RECONVENE TO OPEN SESSION

6:00 p.m. Call to Order / Roll Call / Pledge of Allegiance

DISCUSSION OF THE ORDER OF THE AGENDA

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

NEW BUSINESS

20-9-3A Approval of Personnel Items: Changes in Assignment, Compensation, Placement, Leaves, Staff Allocations and Classification of Academic and Classified Personnel

Other Recommendations

20-9-103B Ratification of Chancellor's Recommendation to Hold All Classes, Services and Operations, with Limited Exceptions, Online or Remotely for Spring 2021 Semester

STUDY SESSION

20-9-5C Discussion of Implementation of Title IX Rule and New Regulations

INFORMATION REPORTS

20-9-6C Discussion of Interest in Endorsing Proposition 15

COMMUNICATIONS

STATEMENTS FROM BOARD MEMBERS

RECONVENE TO CLOSED SESSION (if necessary)

RECONVENE TO OPEN SESSION (if necessary)

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION (if necessary)

ADJOURNMENT

BOARD REPORT NO. 20-9-3A

TO: Members of the Board of Trustees

FROM: Michael Claire, Chancellor

PREPARED BY: David Feune, Director, Human Resources, (650) 358-6775

APPROVAL OF PERSONNEL ITEMS

New employment; changes in assignment, compensation, and placement; leaves of absence; changes in staff allocation and classification of academic and classified personnel; retirements, phase-in retirements, and resignations; equivalence of minimum qualifications for academic positions; and short-term temporary classified positions.

A. ADMINISTRATIVE APPOINTMENT, REAPPOINTMENT, ASSIGNMENT AND REASSIGNMENT
 (NP = New position, * = New Employee)

Cañada College

Wissem Bennani Interim Dean of Enrollment Services Enrollment Services
 & Support Programs

Reassigned from College International Student Program Manager (Grade 189E of the Academic-Classified Exempt Supervisory Salary Schedule 35; Salary Range: \$105,696 - \$133,884) into this interim administrator assignment (Grade AD of the Management Salary Schedule 20; Salary Range: \$162,108 - \$205,980), effective October 5, 2020.

B. PUBLIC EMPLOYMENT

1. New Hires (NP = New Position, * = New Employee)

College of San Mateo

Warren Shelby* Retention Specialist Enrollment Services
 (Promise Scholars Program)

New full-time, 12-month classified employment (Grade 24 of the Classified Salary Schedule 60; Salary Range: \$58,536 - \$74,844), effective September 24, 2020, replacing Priscilla Menjivar who was reassigned.

2. Re-Employment

None

C. REASSIGNMENT THROUGH THE HIRING PROCESS

District Office

Scott Mansfield

Senior Accounting Coordinator

Administrative Services

Reassigned from Accounting Technician (Grade 24A of the Classified Salary Schedule 60; Salary Range: \$59,124 - \$75,600) into this classified assignment at Grade 31A of the same salary schedule; Salary Range: \$70,044 - \$89,496, effective October 5, 2020, replacing Rebecca Chan who retired.

D. TRANSFER/ADMINISTRATIVE REASSIGNMENT

None

E. CHANGES IN STAFF ALLOCATION**College of San Mateo**

1. Recommend a change in staff allocation to add one temporary full-time, 12-month Instructional Technologist at Grade 190S of the Classified Professional-Supervisory Salary Schedule 40; salary range: \$84,840 - \$108,648, in Academic Support and Learning Technologies, effective September 24, 2020 through June 30, 2021.

District Office

2. Recommend creation of a new classification titled, "Director of Basic Needs" at Grade 192E of the Academic-Classified Exempt Supervisory Salary Schedule 35 (salary range; \$122,688 - \$155,388), effective September 24, 2020. In addition, recommend a change in staff allocation to add one full-time, 12-month Director of Basic Needs position in Auxiliary Services, effective September 24, 2020.

F. PHASE-IN RETIREMENT

None

G. LEAVE OF ABSENCE

None

H. PUBLIC EMPLOYEE RETIREMENT AND RESIGNATION**1. Retirement**

None

2. Post-Retirement

None

3. Resignation**Cañada College****Matais Pouncil**Interim Dean of Enrollment Services
& Support Program

Enrollment Services

Resignation effective October 4, 2020.

I. ESTABLISHMENT OF EQUIVALENCY TO MINIMUM QUALIFICATIONS

None

J. PROFESSIONAL EXPERT/CONTRACT POSITIONS

None

K. SHORT-TERM, NON-CONTINUING POSITIONS

<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 College	Business Division/ Fashion Design	2	08/19/2020	06/30/2021	<p>Fashion Design Program Assistant: <i>Previously Requested Position</i> Job duties consist of recruitment in Fashion Design and Merchandising Department at the high schools in San Mateo County, perform clerical duties, include email to students, creation of documents, and marketing materials. Greet new and continuing clients, assist in classroom, repair of sewing machines, etc. This grant does not allow the department to supplant a permanent part-time nor full-time employee of the District. These positions require highly technical skills and training in all aspects of fashion design and merchandising.</p>

BOARD REPORT NO. 20-9-103B

TO: Members of the Board of Trustees
FROM: Michael Claire, Chancellor
PREPARED BY: Dr. Aaron McVean, Vice Chancellor for Educational Services and Planning

RATIFICATION OF CHANCELLOR’S RECOMMENDATION TO HOLD ALL CLASSES, SERVICES AND OPERATIONS, WITH LIMITED EXCEPTIONS, ONLINE OR REMOTELY FOR SPRING 2021 SEMESTER

Since mid-March, the District has been operating in an almost exclusively remote and online/distance modality, transitioning academic and business operations to these modalities in response to the COVID-19 pandemic and attending emergency declaration by the Governor. At its June 10, 2020 meeting, the Board ratified the Chancellor’s recommendation to hold all classes, services, and operations, online or remotely for the Fall 2020 semester. In the intervening months, the District has worked to address the needs of students, staff, and faculty working in this modality in order to continue to fulfill its mission of providing higher education and supporting student access, success, and equity.

The operating environment with regard to the COVID-19 pandemic has not drastically changed since that time. San Mateo County finds itself in the most restrictive tier (Widespread; Purple) as established under the California Department of Public Health’s (CDPH) “Blueprint for a Safer Economy.” Although the county may enter less restrictive tiers over the course of the Fall 2020 and Spring 2021 semesters, this does not substantially change the State’s guidance for Institutions of Higher Education.

The District Administration is in agreement with the District Academic Senate in its recommendation to continue the Spring 2021 semester in the same operating modalities that exist in the Fall 2020 semester. By making this determination now, students, faculty, and staff can better plan and prepare. Additionally, the District can continue to provide more and better services, support, and operations in this operating environment.

As with the Fall 2020 semester, there will be limited exceptions for in-person instruction, focused on essential infrastructure areas of Healthcare, Emergency Services, and Transportation for the Spring 2021 semester. This includes science labs that are essential for transfer in these fields, as well as other career education lab sections that are required to fulfill external licensing agency requirements. In line with the overarching guidance from the CDPH, whatever can be delivered remotely and online will continue to be delivered in that modality until a vaccine is widely available and adopted.

The District will continue to provide remote support services, basic needs support, technology support, and other supports that are necessary in a remote and online operating environment. Additionally, the District and its Colleges continue to add to the type of services that are available, from drive up food distributions at two of the campuses, to parking lot Wifi access. The District continues to explore additional supports that can be delivered within the allowances based on the tier the County may be in throughout the academic year.

As part of this item, the Board will receive a presentation outlining the efforts that have been taken by the District and its three Colleges to engage and support students in this remote and online operating environment. Staff will also be available to answer questions.

RECOMMENDATION

It is recommended that the Board of Trustees ratify the Chancellor's recommendation to hold all classes, services and operations, with limited exceptions, online or remotely for the Spring 2021 semester.

BOARD REPORT NO. 20-9-5C

TO: Members of the Board of Trustees

FROM: Michael Claire, Chancellor

PREPARED BY: Mwanaisha A. Sims, Director of Policy, Training and Compliance, Human Resources

DISCUSSION OF IMPLEMENTATION OF TITLE IX RULE AND NEW REGULATIONS

On July 22, 2020, an Informational Board Report was presented to the Board of Trustees (Board Report No. 20-7-4C) regarding the release of the U.S. Department of Education's final regulations governing campus sexual assault under Title IX, the law prohibiting sex discrimination at federally funded institutions.

As part of the implementation process, on August 10, 2020, the District's Title IX Team, Administrators, Deans, Student Disciplinary Officers and Athletic personnel were trained on the implementation of the new regulations. In compliance with the new regulations, the training is posted on the SMCCCD Title IX Website. The District is currently working on finalizing the "interim" Title IX policies and procedures to post to the Title IX website.

This study session will provide the Board with a greater review of this topic and will focus on the recent Title IX regulations issued on May 6, 2020 and the implementations for August 14, 2020. In particular, the study session will include:

1. Scope and Definition of New Title IX Regulations
2. Roles of New Title IX Team
3. Intake Process for Reports of Sexual Harassment
4. Title IX Grievance Process
5. Retaliation
6. Practical Application
7. Resources for Implementation/Compliance

District staff will be joined by outside counsel who have been consulting on this issue to make the presentation and facilitate the discussion with the Board.

BOARD REPORT NO. 20-9-6C

TO: Members of the Board of Trustees
FROM: Michael Claire, Chancellor
PREPARED BY: Mitchell Bailey, Vice Chancellor/Chief of Staff, 574-6510

DISCUSSION OF INTEREST IN ENDORSING PROPOSITION 15

Among the measures on the November 2020 ballot will be Proposition 15, which “increases funding sources for public schools, community colleges, and local government services by changing tax assessment of commercial and industrial property.” Members of the Board of Trustees have expressed an interest in discussing an endorsement of Proposition 15. This agenda item provides for that discussion.

Attached as background for this issue is the official summary and analysis as published by the California Secretary of State’s office. Further, below are links to:

- Text of proposed law: <https://vig.cdn.sos.ca.gov/2020/general/pdf/topl-prop15.pdf>
- Arguments in favor of and against Proposition 15:
<https://voterguide.sos.ca.gov/propositions/15/arguments-rebuttals.htm>

PROPOSITION **15** **INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT.**

OFFICIAL TITLE AND SUMMARY

PREPARED BY THE ATTORNEY GENERAL

15

The text of this measure can be found on the Secretary of State's website at voterguide.sos.ca.gov.

- Increases funding sources for K–12 public schools, community colleges, and local governments by requiring commercial and industrial real property be taxed based on current market value, instead of purchase price.
- Exempts from taxation changes: residential properties; agricultural land; and owners of commercial and industrial properties with combined value of \$3 million or less.
- Any additional education funding will supplement existing school funding guarantees.
- Exempts small businesses from personal property tax; for other businesses, provides \$500,000 exemption.

SUMMARY OF LEGISLATIVE ANALYST'S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:

- Increased property taxes on commercial properties worth more than \$3 million providing \$6.5 billion to \$11.5 billion in new funding to local governments and schools.

ANALYSIS BY THE LEGISLATIVE ANALYST

BACKGROUND

Local Governments Tax Property. California cities, counties, schools, and special districts (such as a fire protection district) collect property taxes from property owners based on the value of their property. Property taxes raise around \$65 billion each year for these local governments. Overall, about 60 percent of property taxes go to cities, counties, and special districts. The other 40 percent goes to schools and community colleges. These shares are different in different counties.

Property Includes Land, Buildings, Machinery, and Equipment. Property taxes apply to many kinds of property. Land and buildings are taxed. Businesses also pay property taxes on most other things they own. This includes equipment, machinery, computers, and furniture. We call these things “business equipment.”

How Is a Property Tax Bill Calculated? Each property owner's annual property tax bill is equal to the taxable value of their property multiplied by their property tax rate. The typical property owner's property tax rate is 1.1 percent.

Taxable Value of Land and Buildings Is Based on Original Purchase Price. In the year a piece of

land or a building is purchased, its taxable value typically is its purchase price. Each year after that, the property's taxable value is adjusted for inflation by up to 2 percent. When a property is sold again, its taxable value is reset to its new purchase price. The taxable value of most land and buildings is less than what they could be sold for. This is because the price most properties could be sold for grows faster than 2 percent per year.

Taxable Value of Business Equipment Is Based on How Much It Could Be Sold for. Unlike land and buildings, business equipment is taxed based on how much it could be sold for today.

Counties Manage the Property Tax. County assessors determine the taxable value of property. County tax collectors bill property owners. County auditors distribute tax revenue to local governments. Statewide, counties spend about \$800 million each year on these activities.

PROPOSAL

Tax Commercial and Industrial Land and Buildings Based on How Much They Could Be Sold for. The measure requires commercial and industrial (after this referred to simply as “commercial”)

INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT.

PROPOSITION

15**ANALYSIS BY THE LEGISLATIVE ANALYST**

CONTINUED

15

land and buildings to be taxed based on how much they could be sold for instead of their original purchase price. This change is put in place over time starting in 2022. The change does not start before 2025 for properties used by California businesses that meet certain rules and have 50 or fewer employees. Housing and agricultural land continues to be taxed based on its original purchase price.

Some Lower Value Properties Not Included.

This change does not apply if the owner has \$3 million or less worth of commercial land and buildings in California (adjusted for inflation every two years). These properties continue to be taxed based on original purchase price.

Reduce Taxes on Business Equipment. The measure reduces the taxable value of each business's equipment by \$500,000 starting in 2024. Businesses with less than \$500,000 of equipment pay no taxes on those items. All property taxes on business equipment are eliminated for California businesses that meet certain rules and have 50 or fewer employees.

FISCAL EFFECTS***Increased Taxes on Commercial Land and Buildings.***

Most owners of commercial land and buildings worth more than \$3 million would pay higher property taxes. Only some of these property owners would start to pay higher taxes in 2022. By 2025, most of these property owners would pay higher taxes. Beginning in 2025, total property taxes from commercial land and buildings probably would be \$8 billion to \$12.5 billion higher in most years. The value of commercial property can change a lot from year to year. This means the amount of increased property taxes also could change a lot from year to year.

Decreased Taxes on Business Equipment. Property taxes on business equipment probably would be several hundred million dollars lower each year.

Money Set Aside to Pay Costs of the Measure.

The measure sets aside money for various

costs created by the measure. This includes giving **several hundred million dollars per year** to counties to pay for their costs of carrying out the measure. The measure would increase the amount of work county assessors do and could require changes in how they do their work. Counties could have costs from the measure before new money is available to cover these costs. The state would loan money to counties to cover these initial costs until new property tax revenue is available.

New Funding for Local Governments and Schools.

Overall, \$6.5 billion to \$11.5 billion per year in new property taxes would go to local governments. 60 percent would go to cities, counties, and special districts. Each city, county, or special district's share of the money depends on several things including the amount of new taxes paid by commercial properties in that community. Not all governments would be guaranteed new money. Some in rural areas may end up losing money because of lower taxes on business equipment. The other 40 percent would increase funding for schools and community colleges. Each school or community college's share of the money is mostly based on how many students they have.

Visit <http://cal-access.sos.ca.gov/campaign/measures/> for a list of committees primarily formed to support or oppose this measure.

Visit <http://www.fppc.ca.gov/transparency/top-contributors.html> to access the committee's top 10 contributors.

If you desire a copy of the full text of this state measure, please call the Secretary of State at (800) 345-VOTE (8683) or you can email vigfeedback@sos.ca.gov and a copy will be mailed at no cost to you.