



Saturday, July 15, 2023
BOARD RETREAT OF THE BOARD OF TRUSTEES

SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT

Closed Session 9:00 a.m.; Open Session 10:00 a.m.
In person at Seal Cove Inn - 221 Cypress Avenue, Moss Beach, CA 94038

Members of the Public may participate in person only.

NOTICE ABOUT PUBLIC PARTICIPATION AT BOARD MEETINGS

OBSERVING THE MEETING

Members of the public who wish to observe the meeting in-person or remotely by accessing the link or calling the following telephone number above at the beginning of the meeting.

For individuals who attend the meeting in person: San Mateo County's current COVID Community Level is LOW, and face masks are strongly recommended but not required while indoors any SMCCCD facility. As the San Mateo County community level changes, information will be provided to students, employees, and visitors.

PROVIDING PUBLIC COMMENT DURING THE MEETING ON NON-AGENDA ITEMS

To make a comment regarding a non-agenda item, members of the public:

- (1) If in person, may seek recognition at the speaker's lectern when called upon by the Board President, or**
- (2) Members of the public making comment are reminded of the 3-minute time limit for comment. Reasonable time limits may be placed on public comment during an open meeting so that meetings can be concluded within a reasonable time.**

PROVIDING PUBLIC COMMENT DURING THE MEETING ON AGENDA ITEMS

To make a comment regarding an item on the agenda, members of the public:

- (1) If in person, may seek recognition at the speaker's lectern when called upon by the Board President, or**
- (2) Members of the public making comment are reminded of the 3-minute time limit for comment. Reasonable time limits may be placed on public comment during an open meeting so that meetings can be concluded within a reasonable time.**

ACCOMMODATIONS

Persons with disabilities who require an accommodation or service should contact the Chancellor's Office at (650) 358-6877 at least 24 hours prior to the Board meeting.

1. CLOSED SESSION - 9:00 a.m.

Subject	1.1 Call to Order / Roll Call
Meeting	Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES
Category	1. CLOSED SESSION - 9:00 a.m.
Type	Procedural

2. CLOSED SESSION ITEMS FOR DISCUSSION

Subject **2.1 Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivisions (d)(2), (4) and (h) of Section § 54956.9 - Number of Potential Cases: 1**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 2. CLOSED SESSION ITEMS FOR DISCUSSION

Type

Subject **2.2 Public Employee Performance Evaluation: Review of Goals - Chancellor; Evaluation - Chancellor**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 2. CLOSED SESSION ITEMS FOR DISCUSSION

Type Discussion

3. PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY

Subject **3.1 Comments by Community Members**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 3. PUBLIC COMMENTS ON CLOSED SESSION ITEMS ONLY

Type Information

4. CLOSED SESSION

Subject **4.1 Recess to Closed Session**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 4. CLOSED SESSION

Type Procedural

5. OPEN SESSION - 10:00 a.m.

Subject **5.1 Call to Order / Roll Call / Pledge of Allegiance**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 5. OPEN SESSION - 10:00 a.m.

Type Procedural

Subject **5.2 Announcement of Any Reportable Action Taken In Closed Session**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 5. OPEN SESSION - 10:00 a.m.

Type Procedural

Subject **5.3 Discussion of the Order of the Agenda**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 5. OPEN SESSION - 10:00 a.m.

Type Discussion

6. APPROVAL OF MINUTES

Subject **6.1 Approval of Minutes from April 26, 2023 Regular Meeting (5 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 6. APPROVAL OF MINUTES

Type Action

Recommended It is recommended that the Board of Trustees approve the presented minutes.
Action

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Candice E. Bell, Executive Assistant to the Board

APPROVAL OF MINUTES FROM APRIL 26, 2023 REGULAR MEETING

Minutes are to specifically reflect reportable Actions taken by the Board of Trustees during the times at which they meet. Minutes do not have to reflect verbatim statements or comments by any Member of the Board, Faculty, Staff, and/or Community Member(s). We encourage all to visit the San Mateo County Community College District's website to view the recorded Board Meetings in order to review and/or hear detailed statements or comments.

RECOMMENDATION

It is recommended that the Board of Trustees approve the presented minutes.

File Attachments
[2023-04-26 Minutes.pdf \(246 KB\)](#)

Subject **6.2 Approval of Minutes from May 10, 2023 Study Session (5 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 6. APPROVAL OF MINUTES

Type Action

Recommended It is recommended that the Board of Trustees approve the presented minutes.
Action

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Candice E. Bell, Executive Assistant to the Board

APPROVAL OF MINUTES FROM MAY 10, 2023 STUDY SESSION

Minutes are to specifically reflect reportable Actions taken by the Board of Trustees during the times at which they meet. Minutes do not have to reflect verbatim statements or comments by any Member of the Board, Faculty, Staff, and/or Community Member(s). We encourage all to visit the San Mateo County Community College District's website to view the recorded Board Meetings in order to review and/or hear detailed statements or comments.

RECOMMENDATION

It is recommended that the Board of Trustees approve the presented minutes.

File Attachments
[2023-05-10 Study Session Minutes.pdf \(134 KB\)](#)

Subject **6.3 Approval of Minutes from May 24, 2023 Regular Meeting (5 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 6. APPROVAL OF MINUTES

Type Action

Recommended Action It is recommended that the Board of Trustees approve the presented minutes.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Candice E. Bell, Executive Assistant to the Board

APPROVAL OF MINUTES FROM MAY 24, 2023 REGULAR MEETING

Minutes are to specifically reflect reportable Actions taken by the Board of Trustees during the times at which they meet. Minutes do not have to reflect verbatim statements or comments by any Member of the Board, Faculty, Staff, and/or Community Member(s). We encourage all to visit the San Mateo County Community College District's website to view the recorded Board Meetings in order to review and/or hear detailed statements or comments.

RECOMMENDATION

It is recommended that the Board of Trustees approve the presented minutes.

File Attachments
[2023-05-24 Minutes REVISED.pdf \(256 KB\)](#)

7. NEW BUSINESS

Subject **7.1 Approval of Personnel Items (5 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 7. NEW BUSINESS

Type Action

Recommended Action It is recommended that the Board of Trustees approve the attached Personnel Report.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

PREPARED BY: Julie Johnson, Chief Human Resources Officer
David Feune, Director, Human Resources

APPROVAL OF PERSONNEL ITEMS

Staff presents in the attached report for the Board's consideration recommendations for approval of 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.

File Attachments

[Approval of Personnel Items 07-15-23.pdf \(117 KB\)](#)

Subject 7.2 Review and Adoption of Revised Board Policy 1.02 - Organization of the Board (10 Mins.)

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 7. NEW BUSINESS

Type Action, Discussion

Recommended Action As part of its review, revision, and updating of Board policies, the District has added clarifying language to Board policy 1.02 - Organization of the Board. The revised language is pertinent to the California Government Code (Section 1099) regarding holding incompatible offices. It is recommended that the Board adopt the new language as provided in the attached draft.

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Chancellor

PREPARED BY: Dr. Aaron McVean, Vice Chancellor of Educational Services and Planning

REVIEW AND ADOPTION OF REVISED BOARD POLICY 1.02 - ORGANIZATION OF THE BOARD

[California Government Code 1099](#) addresses the holding of "incompatible offices" by elected officials, including those elected to a governing board of a community college district. Per the code:

"(a) A public officer, including, but not limited to, an appointed or elected member of a governmental board, commission, committee, or other body, shall not simultaneously hold two public offices that are incompatible. Offices are incompatible when any of the following circumstances are present, unless simultaneous holding of the particular offices is compelled or expressly authorized by law:

- (1) Either of the offices may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over the other office or body.
- (2) Based on the powers and jurisdiction of the offices, there is a possibility of a significant clash of duties or loyalties between the offices.

(3) Public policy considerations make it improper for one person to hold both offices.

(b) When two public offices are incompatible, a public officer shall be deemed to have forfeited the first office upon acceding to the second. This provision is enforceable pursuant to [Section 803 of the Code of Civil Procedure](#).

(c) This section does not apply to a position of employment, including a civil service position.

(d) This section shall not apply to a governmental body that has only advisory powers.

(e) For purposes of paragraph (1) of subdivision (a), a member of a multimember body holds an office that may audit, overrule, remove members of, dismiss employees of, or exercise supervisory powers over another office when the body has any of these powers over the other office or over a multimember body that includes that other office.

(f) This section codifies the common law rule prohibiting an individual from holding incompatible public offices."

RECOMMENDATION

As part of its review, revision, and updating of Board policies, the District has added clarifying language to Board policy 1.02 - Organization of the Board. The revised language is pertinent to the California Government Code (Section 1099) regarding holding incompatible offices. It is recommended that the Board adopt the new language as provided in the attached draft.

File Attachments

[SMCCCD_BP_1.02-edited.pdf \(156 KB\)](#)

8. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Subject **8.1 Comments by Community Members**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 8. PUBLIC COMMENTS ON NON-AGENDA ITEMS

Type Information

9. RETREAT/DISCUSSION ITEMS

Subject **9.1 Board Policy Updates and Proposed Adoption of the CCLC Board Policy Numbering System (45 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 9. RETREAT/DISCUSSION ITEMS

Type Discussion

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Chancellor

PREPARED BY: Dr. Aaron McVean, Vice Chancellor of Educational Services and Planning

BOARD POLICY UPDATES AND PROPOSED ADOPTION OF THE CCLC BOARD POLICY NUMBERING SYSTEM

Beginning in the 2021-22 academic year the District initiated a project to review and recommend updates to all SMCCCD Board Policies and related administrative procedures. The overall goals of this project are to: 1) ensure that all SMCCCD Board Policies and related administrative procedures are current; 2) that board policies and administrative procedures are easily accessible; and 3) that a system is implemented to assure systematic and regular updates.

The Community College League of California (CCLC) provides a policy and procedure subscription service, in partnership with Liebert Cassidy Whitmore (LCW). Every California Community College district subscribes to this service including the SMCCCD. Subscribers have access to over 400 policy and procedure templates. In addition, subscribers receive biannual updates to policies and administrative procedures that reflect recent revisions to federal and state statutes and regulations, as well as accreditation standards. The CCLC provides a service to review and assess board policies for individual districts and the SMCCCD secured the services of CCLC for this work. As of June 2023 all SMCCCD Board Policies and related administrative procedures have been reviewed and include a draft of recommended revisions. This phase of the project is now complete.

Recommendations

The next step in the project is to begin the process of board policy review and approval so that all board policies reflect the latest updates from the CCLC. To accomplish this task the following recommendations are made:

- Fully adopt the standard board policy numbering system maintained by the CCLC.

Current Board Policy requires that the District adopt the CCLC numbering system. This has been accomplished by cross-referencing the CCLC numbering system to the legacy SMCCCD numbering system on each board policy. It is now time to drop the legacy numbering system altogether. Fully adopting the CCLC numbering system will simplify ongoing maintenance. A crosswalk of existing SMCCCD Board Policies to the CCLC standard numbering system is included in the Board Packet.

- Prioritize Chapters 1 and 2 for Board review and adoption

Chapters 1 and 2 of the SMCCCD Board Policies are under the direct purview of the Board Trustees because these policies establish how the Board itself will operate. Refreshing these policies is timely given the many changes in the composition of the Board, as well as the change in district executive leadership. Draft board policies for Chapters 1 and 2 with supporting documentation are included in the Board Packet. In addition, new board policies are proposed where recommended by the CCLC. All Chapter 1 and Chapter 2 Board Policies have been reviewed and reflect the latest updates through June 2023. It is recommended that the Board create an ad hoc committee to review Chapters 1 and 2 and return to the full board with recommendations for changes and/or adoption by the regular board meeting in October, 2023.

- Prioritize other chapters for Board review and adoption

The SMCCCD has just under 230 board policies that will need to be reviewed. With the exception of Chapter 7 (Human Resources) many of these policies are reasonably current and the updates, if any, are minor. Chapter 7 policies will require more in-depth work. The Chancellor will work with the administrative team and the District Participatory Governance Council (DPGC) to prioritize Chapter 7 next, and schedule further policy updates during the coming academic year.

Subject **9.2 Review of Board of Trustees Handbook (60 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 9. RETREAT/DISCUSSION ITEMS

Type Discussion

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

REVIEW OF BOARD OF TRUSTEES HANDBOOK

In academic year 2021-2022, the Board Operations subcommittee met and set a goal of having a board operations manual. Before you is the first read of the Board of Trustees Handbook which creates a foundation and guide for the new trustee orientation process and meets the Board of Trustees' commitment to ongoing professional development. This handbook intends to bring together policies and required implementation into one easily accessible format. In addition, it will become a guide for onboarding newly appointed Board presidents.

RECOMMENDATIONS

The next step is to spend the next thirty (30) days reviewing the first draft and provide feedback to the Chancellor no later than August 16, 2023, for a second read at the regular board meeting in August, 2023 with a plan for final adoption in September, 2023.

Subject **9.3 Review of Requirements for Board Self-Evaluation and Goal Setting (90 Mins.)**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 9. RETREAT/DISCUSSION ITEMS

Type Discussion

TO: Members of the Board of Trustees

FROM: Melissa Moreno, J.D., Interim Chancellor

REVIEW OF REQUIREMENTS FOR BOARD SELF-EVALUATION AND GOAL SETTING

The Board of Trustees is required to conduct an annual self-evaluation in accordance with the requirements of the Accrediting Commission of Community and Junior Colleges (ACCJC) and in accordance with best practices as promulgated by the Community College League of California (CCLC). The self-evaluation assists the Board of Trustees to work as a whole in determining what they have been doing well, and where there is room for improvement and/or development. The self-evaluation also provides insight to its annual goal setting. Both the self-evaluation and the goal setting are normally conducted in tandem. The self-evaluation incorporates board effectiveness and a measure of self reflection.

RECOMMENDATIONS

The Board will review and discuss last year's instrument and evaluation results and this year's potential evaluation instrument. The Board will further discuss how to move forward with the self-evaluation and goal setting process, and calendar a subsequent retreat in the near term to meet the Board's annual requirement.

10. STATEMENTS FROM BOARD MEMBERS

11. RECONVENE CLOSED SESSION (if necessary)

Subject **11.1 Reconvened to Closed Session**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 11. RECONVENE CLOSED SESSION (if necessary)

Type Procedural

12. RECONVENE TO OPEN SESSION (if necessary)

Subject **12.1 Reconvene to Open Session**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 12. RECONVENE TO OPEN SESSION (if necessary)

Type

TO:

FROM:

PREPARED BY:

Subject **12.2 Announcement of Reportable Action Taken In Closed Session**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 12. RECONVENE TO OPEN SESSION (if necessary)

Type Procedural

13. ADJOURNMENT

Subject **13.1 Adjourn**

Meeting Jul 15, 2023 - BOARD RETREAT OF THE BOARD OF TRUSTEES

Category 13. ADJOURNMENT

Type Procedural