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CHABOT
LAS POSITAS
COMMUNITY COLLEGE DISTRICT

CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES REGULAR MEETING

MINUTES
January 15, 2013

PLACE

Chabot-Las Positas Community College District, 5020 Franklin Drive, Pleasanton, California.

CALL TO ORDER

The regular meeting was called to order at 5:03 p.m. by Board President Cedillo. Recording Secretary Beverly Bailey called the roll. Trustees Mertes and Mitzman were absent and excused at the time of roll.

PUBLIC COMMENTS

There were no Public Comments offered at this time.

ADJOURN TO CLOSED SESSION

The Board immediately adjourned to a Closed Session, which ended at 6:25 p.m.

OPEN SESSION

The Board readjourned in Open Session at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. Trustees Mertes and Mitzman were absent and excused at the time of roll; Student Trustees Adhikari and Pinto were absent at the time of roll.

ATTENDANCE

Members Present:

Trustee Arnulfo Cedillo
Trustee Isobel F. Dvorsky
Trustee Donald L. "Dobie" Gelles
Trustee Hal G. Gin
Trustee Carlo Vecchiarelli
Student Trustee Kris Adhikari (arrived at 6:45 p.m.)
Student Trustee Nicole Pinto (arrived at 6:35 p.m.)

Members Absent:	Trustee Barbara F. Mertes (Excused) Trustee Marshall Mitzman (Excused)
Recording Secretary:	Ms. Beverly Bailey
Managers Present:	Dr. Judy E. Walters, Interim Chancellor Dr. Susan Sperling, President, Chabot College Dr. Kevin Walthers, President, Las Positas College Mr. Ken Agustin Ms. Julia Dozier Mr. Jeffrey Drouin Mr. Wyman Fong Mr. Doug Horner Dr. Ted Kaye Mr. Jeffrey Kingston Mr. Matthew Kritscher, Chabot College Ms. Victoria Lamica Mr. Lorenzo Legaspi Ms. Jeannine Methe Dr. Janice Noble Ms. Diana Rodriguez Mr. Rajinder Samra Mr. Gerald Shimada Ms. Tram Vo Kumamoto Mr. Dale Wagoner Ms. Connie Willis Ms. Barbara Yesnosky
Others Present:	Dr. Carolyn Arnold, Chabot College Ms. Cherry Bogue, President, Associated Students of Las Positas College Ms. Begona Cirera, Chabot College Faculty Ms. Karina Contreras, Chabot College Student Mr. Michael D'Aloisio, Chabot College Counselor Ms. Safina Dito, PG&E Mr. Charlie Gilchrest Mr. William Hanson, Chabot College Ms. LaVaughn Hart, Chabot-Las Positas Faculty Association Ms. Kayley Huff, Chabot College Ms. Kathy Kelley, President, Chabot College Academic Senate Ms. Robyn Mosley, Chabot College

Mr. Jose Luis Nava, Chabot College Student
Mr. Indy Nelson, Chabot College Student
Ms. Jan Novak, Chabot College
Mr. Ricardo Pinto Fillio, Chabot College Student
Mr. Pedro Ruiz deCastilla, District Classified Senate
Ms. Vanessa Sadsad, Chabot College Student
Mr. Miguel Sanchez, Chabot College Student
Ms. Andrea Schumer, PG&E
Ms. Patricia Shannon, Chabot College
Mr. Todd Steffan, Las Positas College Classified Senate
Ms. Connie Telles, Chabot College
Ms. Rachel Ugale, District Services
Mr. Kip Waldo, Chabot College
Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate

PLEDGE TO FLAG

Trustee Gin led the pledge to the flag.

REPORT OF ACTION TAKEN IN CLOSED SESSION

President Cedillo reported that in Closed Session the Board took unanimous action on a Resolution Regarding an Appeal of Administrative Determination as follows:

"WHEREAS, the District investigated a complaint of discrimination made by a district employee against another district employee and determined the complaint to be founded in part; and

"WHEREAS, the District informed the Complainant of its findings and proposed resolution in its Administrative Determination; and

"WHEREAS, Complainant was also advised of and exercised her right to appeal the District's Administrative Determination to the Board of Trustees pursuant to Title 5, Section 59338, of the California Code of Regulations; and

"WHEREAS, the Board agendized this matter for closed session within forty-five days of the appeal, and in closed session reviewed and deliberated upon the appeal documents; and

"NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Chabot Las Positas Community College District hereby affirms the Administrative Determination of the District."

Regularly passed and adopted by the Board of Trustees of the Chabot-Las Positas Community College District in Pleasanton, California, this 15th of January, 2013 by the following roll call vote: AYES: Cedillo, Dvorsky, Gelles, Gin, Vecchiarelli. NOES: None. ABSTENTIONS: None. ABSENT: Mertes, Mitzman.

APPOINTMENT OF BOARD SECRETARY

Board President Cedillo appointed Trustee Gelles to serve as Secretary of the Board in Trustee Mitzman's absence.

PUBLIC COMMENTS

Ms. Kathy Kelley spoke to the Board on the issue of class cancellations in Spring 2013 at Chabot College. She reported that the process started with the issue of resource allocation at a time when resources were looking increasingly scarce and at risk of not being available at all. She reported the College had two major pressures confronting it: The Student Success Task Force and similar pushes from outside the College asking the College to do more for its students, and to be accountable in how and how much the College was able to do. This was combined with the issue of having fewer resources; and with the limited funding, classes needed to be cut. At the same time, the College was confronted with a large demand for classes, and statistics showed that a large number of students were "swirling" – a term to describe students taking any class, whether it met their own needs to progress through programs or not. She reported that the Program Review and Budget Committee (PRBC) became the venue for vetting, discussing and solving problems and coming up with creative ways of addressing College-wide issues. She reported that prior to the election, certain courses were identified as ones to be cut should Proposition 30 not pass. With the passage of Proposition 30 all the specified courses were offered. However, the College was then faced with the fact that some of those classes were not filling in a timely manner. She reported that low-enrolled classes were cancelled so as to offer courses with large waiting lists and high demand and required for completions. She expressed that since the College's single Strategic Goal (also defined by PRBC) was to work to increase the number of students achieving their academic goals, the choices made, although difficult, did meet the criteria of allowing more students to enroll in General Education and Basic Skills courses that were in high demand, and which would allow more students to attend and more students to complete their programs.

Ms. Kayley Huff, Chabot College Student and member of Students for Social Justice (SSJ), reported that SSJ promoted to the community Proposition 30 and other election issues. She expressed concern that three of the classes were cut before the other classes and without warning to the instructors. She noted that one of those, Anthropology 7, had a higher enrollment than some courses that were cut the week after.

Mr. Jose Luis Nava, Chabot College Student, expressed concern for transparency and the need for a process for cutting classes. He noted that he too worked hard on promoting and educating the community on the November Ballot measures and the understanding that if Proposition 30 passed, classes would not be cut.

Ms. Begona Cirera, Chabot College Faculty, expressed appreciation to Dr. Sperling for her transparency; however, she expressed the need for more transparency regarding the method for class cancellations. She expressed that low-enrolled classes, especially those that were "red-lined", should have been given more time for students to enroll. Further, she congratulated Mr. Dale Wagoner and Mr. Jeffrey Drouin on their new appointments.

Mr. Miguel Sanchez, Chabot College Student, expressed that his personal experience of changing his major prevented him from enrolling in classes that would have fulfilled his major requirements, illustrating the need for additional course offerings.

Ms. Karina Contreras, Chabot College Student and member of SSJ, stressed the amount of work and effort she and other students put into promoting the passage of Proposition 30; and the understanding that classes would not be cancelled if Proposition 30 passed. She questioned the possibility of adding one of the cancelled classes, which she needs in order to graduate, as a late-start class.

Ms. Robyn Mosley, Chabot College Student, expressed that she also worked hard to promote Proposition 30 and Measure I. She expressed the frustration that students were told that classes would not be cancelled if Proposition 30 passed, and used this as a major selling point for promoting these ballot initiatives.

Mr. Michael D'Aloisio, Chabot College Counselor, expressed that the Counseling Department is doing everything possible to assist students with questions about their educational plans. He noted that one reason students are picking up classes arbitrarily ("swirling") is due to the fact that they can't get in to see a counselor. He expressed appreciation that the new administration at Chabot College is trying to have more transparency and more trust. However, he expressed concern regarding the process used to cut three low-enrolled classes – Anthropology 7, Economics 2, and Anthropology 5. He noted that the classes were cancelled on December 12, just two days after regular registration for new and returning students occurred. In addition, these classes were "red-lined" in the schedule. He noted that the instructors should have been contacted prior to cutting the classes and given the opportunity to promote the classes. He expressed the need for an established process and criteria for cutting classes, perhaps putting guidelines in the faculty contract.

Mr. Kip Waldo, Chabot College Faculty, expressed that the Board is deeply implicated in the promises made to the community regarding the Ballot Measures. He stressed that the

Colleges – Faculty, Staff and Students – promoted to the community that the "red-lined" courses in the schedule would not be cut if Proposition 30 passed. He also expressed the concern that the Colleges not just offer a "vanilla" curriculum - Basic Skills Core courses, noting that this does not challenge students in the way they should be challenged.

Ms. Jan Novak, Chabot College Faculty and Chair of the PRBC, reported that it is their hope to present to the Board the new Chabot College Strategic Plan in the next month or two. She explained that last Fall the College developed a process to determine which classes would be cut if Proposition 30 did not pass. She reported that the discussions were College-wide and very clear criteria were established for the decision process. She reported that on December 12, which was four weeks into registration, Dr. Sperling proposed to the PRBC that some elective low-enrolled classes that did not seem to meet the criteria that the College had been working under to determine our priorities. She reported that the PRBC supported that decision. She also reported that working with the College Enrollment Management Committee (CEMC), when additional FTES was presented from the District, the same criteria was used to add new classes to the schedule. She reported that realizing that students are "swirling", and not able to get the really critical classes, i.e. English 1A, that has to be the priority. She noted that perhaps the criteria needs to be re-emphasized; however, it has not changed very much over the course of the semester. She reported that this is all driven by the Strategic Plan. She reported that in most cases, the CEMC and PRBC make joint recommendations to the administration; and she applauds the administration for acting on those recommendations.

Ms. Patricia Shannon, Chabot College Faculty, Chair of Basic Skills Committee, and Administrator of Title III Grant, reported that in Fall 2011 she coordinated meetings to gather College-wide responses to the Student Success Task Force recommendations. She noted that perhaps the most provocative question asked during those meetings, was "if we had to implement beginning remediation for all incoming new students within the first year, what specifically would be the impact?" She reported that no one could answer that question. She reported that the College had never looked at a comparison of what the demand, back-log, enrollment patterns looked like. She reported that she began working on generating the answer. She presented her preliminary findings to the Vice President of Academic Services who asked her to work with Dr. Carolyn Arnold in Institutional Research to confirm the pattern that she was seeing and to get extremely accurate information and look at additional impacts of the Student Success Task Force recommendations around matriculation, enrollment patterns and course scheduling. She reported that the results were shared in meeting after meeting across campus in Spring 2012. Additional questions were asked and data researched, which began a revolutionary shift in the conversation at Chabot College. She reported that that conversation has led to difficult and challenging decisions. She expressed that the decision to have a College-wide conversation about the cuts using a whole new set of criteria was a radical decision. She reported that the College has asked for the opportunity to present to the Board in a 30-40

minute presentation the data and the analysis, as well as the shift in campus culture and perspective that is occurring on campus. She stressed that "student needs and how we are funded do not necessarily agree." She expressed that the question of how many sections, and what kind of courses and in what combination, is complex.

Dr. Carolyn Arnold, Chabot College Office of Institutional Research and member of PRBC, explained the concept of "bottlenecks", which is being used in the plan of offering courses; which they look forward to presenting to the Board. She explained that "bottlenecks" are courses that students need in order to transfer or get a degree, which do not have enough seats to accommodate the students who need and want to take them. In other words, the supply of the courses that students need is exceeded by the demand. She provided a handout with a breakdown of those groups of courses. She reported that the recently developed "waitlist" now allows the College to count the number of students waiting to get into a course. She reported that the courses that had the highest "bottlenecks" was used to analyze which courses might have to be cut if Proposition 30 failed, and which courses to add if we need to add.

Mr. Indy Nelson, Chabot College Student, stressed the number of students at Chabot College and across the State of California that are "waitlisting" classes. As a student, he attested to the frustration this causes. He expressed appreciation and applauded the Chabot Faculty, Staff and Administration for creating a strategy for providing the most seats possible to students. He noted that the classes that were cut were electives and were low-enrolled. The cutting of these classes allowed adding approximately 250 additional seats in Core Classes (English and Mathematics), which are needed to graduate or transfer.

Student Trustee Nicole Pinto expressed to the Board a concern regarding agenda item 5.3 [Approval for Establishing Non-Resident (Out-of-State and International) Tuition Rates for 2013-2014]. She noted that these rates are currently higher than other surrounding community colleges.

Board President Cedillo expressed appreciation to those speaking tonight, noting that the Board "has heard you and hopefully has listened to you." He also noted that the Administration is here and has heard you.

CONSENT CALENDAR

Trustee Cedillo requested that agenda item 5.3 [Approval for Establishing Non-Resident (Out-of-State and International) Tuition Rates for 2013-2014] be pulled from the consent calendar due to the concern expressed in Public Comments.

Motion No. 1

Trustee Gin made a motion, seconded by Trustee Dvorsky, to approve the consent calendar with the exception of agenda item 5.3.

Motion carried unanimously, 5-0.

The following items were approved on the consent calendar:

General Functions
1.8 Approval of Minutes of December 4, 2012 Organizational and Regular Meeting

Personnel
3.1 Classified Personnel
3.2 Management Personnel

Educational Services
4.1 Acceptance of Gifts, Las Positas College
4.2 Approval of Curriculum Changes, Las Positas College
4.3 Acceptance of Grant - Science/Math Teacher Pathways, Las Positas College
4.4 Approval to Travel Abroad – International Forensics Association World Tournament to Antwerp, Belgium, Las Positas College
4.5 Approval of Collaboration Agreement – Casey Family Programs for the Foster and Kinship Care Education Program, Las Positas College
4.6 Approval of Amendment to the Memorandum of Understanding (MOU) – Berkeley Youth Alternative Employment Plus (EPII) with Alameda County Workforce Investment Board (ACWIB), Chabot College
4.7 Approval of Memorandum of Understanding (MOU) and Acceptance of Grant Award – U.S. Department of Labor Trade Adjustment Assistance Community College and Career Training (TAACCCT) with Contra Costa Community College District, Chabot College

Business Services
5.1 Approval of Commercial Warrant Registers
5.2 Approval of Payroll Warrant Registers
5.4 Approval of Amendment – Child Development State Preschool Contract, Contract No. CSPP-2008, Chabot College

Facilities Planning and Development
6.1 Approval of Contract Modification to the Existing Division of State Architect (DSA) Inspection Services Agreement with CIS, Inc. for Building 1800, Chabot College (Measure B Bond Funds)

6.2 Approval of Contract Modification to the Existing Design Services Contract with Gates + Associates for the Re-Design Services for the Campus Boulevard Phase I Project, Las Positas College (Measure B Bond Funds)

PRESENTATION: 2011-12 FINANCIAL AUDIT REPORT

Mr. Steve Pitman, Matson and Isom, gave a brief presentation on the 2011-12 Audit Reports of the District's Financial Statements, General Obligation Bonds Fund Financial Statements, and Proposition 39 and Measure B General Obligation Bonds Performance Audit. He reported that prior to tonight's Regular Board Meeting, at 4:00 p.m., he reviewed the Audit Reports in detail with the Board Audit Subcommittee.

Mr. Pitman reported that it is their responsibility to express opinions on the financial statements of the District. In their opinion, all of the financial statements of the District are unqualified opinions, which is the highest level of attestation. He reported that the three reports present fairly, in all material respects, the financial position of the business-type activities of the District, as of June 30, 2012 and 2011 and the changes in financial position and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Mr. Pitman reported that the Performance Audit for the Measure B General Obligation Bonds Fund resulted in no findings of non-compliance. He reported that the District has properly accounted for the expenditures of proceeds from the sale of the Bonds and that such expenditures were made for bond projects authorized by the voters through Measure B. Further, it was noted that proceeds from the sale of the Bonds that were expended by the District for general operating expenditures.

Mr. Pitman reported that in addition, three other reports were conducted: one is a report in accordance of Government Auditing Standards which discusses any internal control weaknesses, and there were no findings in that report. Also, a "Single Audit" was performed in relation to federal funding for compliance with those program requirements. Four major programs were audited; with three of the programs there were no findings; however, for one of the programs there was a finding (12-1). For the Single Audit, a qualified opinion was given; an "except for" the one compliance issued as noted, the District complied with all material respects as it related to federal funding. The final report issued is "State Compliance" report in accordance with the contracted District Audit Manual issued by the State Chancellor's Office which identifies certain program areas to be tested for compliance. He explained that the Chancellor's Office uses the external auditor as a way to follow up on multiple programs at the Districts by rotating different programs, i.e. DSPS, EOPS, FTES calculations, etc. He reported that in conducting their testing, they found 10 areas of non-compliance, most of which relate to documentational

matters. He reported that there were four findings in the area of "To Be Arranged" (TBA) courses.

Mr. Pittman reported that the District Management Team has responded to all of the findings and have commented on plans for addressing those findings. He reported that next year, the auditors will look at the findings and provide a follow-up on the current status.

Mr. Legaspi explained that this is a presentation to the Board and there is no formal action necessary.

PRESENTATION: PG&E ENERGY AWARDS

Mr. Jeff Kingston introduced representatives of PG&E and recognized PG&E's Energy Efficiency Program "Savings by Design." He reported that we submit our designs to PG&E, which they review and make recommendations for more efficiency. If we accept and implement their recommendations, they incentivize us with cash rewards. He reported that these funds will continue to be put into an account that will be used for future investment on energy efficiency, noting that the return on these investments are a reduction in operating costs allowing more resources to go towards the mission of education.

Ms. Andrea Schumer, Ms. Safina Dito, PG&E, presented a check in the amount of $76,777.48 to the District. Ms. Schumer reported that the awards are from three projects at Las Positas College: Science and Technology Center Construction, Central Plant, and Building 1800 HVAC Upgrades. She reported that these projects amounted to energy savings over 213,000 kilowatt hours and 3700 therms, which basically equates to powering 18 homes for a year or taking 12 cars off the road for a year. She reported that there are two upcoming projects at Chabot College: Lighting and HVAC Upgrades, Buildings 1300 and 3100, estimated incentive of $40,000; and Central Plant Retrofit, estimated incentive of $90,000.

Ms. Dito reported that the funds provided to community colleges are made available through on-going participation in the program, which is very important. She thanked Mr. Kingston and his team for their efforts and continued partnership. She reported that $11.5 million has been given back to community colleges through this program.

Mr. Kingston recognized Mr. Doug Horner for his efforts and hard work.

PRESENTATION: UPDATE ON GOVERNOR'S BUDGET PROPOSAL FOR 2013-14 AND DISTRICT REVENUE ALLOCATION MODEL

Mr. Legaspi presented a PowerPoint Presentation of a summary of the Governor's January Budget Proposal for Fiscal Year 2013-14, which was released on January 10, 2013 and how it relates to the Chabot-Las Positas Community College District.

Mr. Legaspi highlighted the Governor's Proposal:

- No changes to current fee levels;
- An increase of $196.9 million (or 3.6% increase) to base apportionments, to be allocated between workload restoration and a Cost of Living Adjustment (COLA) as determined by the Board of Governors;
- A deferral buy down of $179 million, lowering the cross-year deferrals from $801 million to $622 million;
- Creation of a $450 million energy efficiency fund for schools and community colleges using Proposition 39 and the California Clean Energy Jobs Act. For 2013-14, $49.5 million of these funds would go directly to community colleges to expand career-technical education training and on-the-job work experience training;
- Increase in funding of $133.2 million to offset lower than anticipated property taxes from the elimination of redevelopment agencies;
- Provide $16.9 million to enhance on-line education efforts including: the creation of a "virtual campus" to increase statewide access to 250 new courses; creation of a common centralized delivery and support infrastructure for all courses; and expansion of options for students to earn college credit through credit by exam;
- Increase Cal Grant Program funding by $161.1 million to accommodate increase participation;
- A decrease in California Work Opportunity and Responsibility to Kids (CAL WORKS) childcare funding by $6.6 million;
- A $300 million increase in Proposition 98 funding to shift the responsibility for Adult Education from K-12 to California Community Colleges;
- A $15.7 million shift in funding to move the Apprenticeship Program from K-12 to California Community Colleges;
- No changes to the Mandated Cost Block Grant enacted in the 2012-13 fiscal year, with $33.33 million in 2013-14;
- Additional policy changes that can have a significant impact on students and funding:
    - Apportionment funding based on course completion instead of the current census date enrollment, phased in over five years; intended to be cost neutral; shift funding for student support efforts such as the Student Success and Support Program;
    - A 90-unit cap for students. Students who exceed this cap would be required to pay the full cost of instruction;

- Require students seeking a BOG fee waiver to fill out a Free Application for Federal Student Aid (FAFSA) and include both parent and student income to determine eligibility.

Mr. Legaspi reported that the Governor's Budget marks the beginning of the Budget process. This overview is designed to assist the District in developing its 2013-14 Tentative Budget by June 30 and Adoption Budget by September 15.

Mr. Legaspi also reported that Budget discussions in Sacramento will be very different this year, as a result of electoral reforms. He reported that Democrats won big in November, and for the first time in more than 100 years, will hold a 2/3 majority in both Houses. Democrats will now be able to pass legislative measures, including Constitutional amendments, tax fee increases, and state-wide bonds. In addition, Democrats will have enough votes to override any veto by the Governor.

Further, Mr. Legaspi reported that the District Budget Study Group (DBSG) has been working hard to craft a new Revenue Allocation Model for the District. DBSG will meet next on January 25, 2013.

Trustee Vecchiarelli questioned the technical vocational funds increase for energy, to which Mr. Legaspi responded specific details have not been provided as yet.

Trustee Vecchiarelli also noted the shift of adult education and apprenticeship from Adult Schools to Community Colleges, expressing that this is a great opportunity, especially for the Carpentry Apprenticeship Program.

Trustee Vecchiarelli also raised the question of BOG fees, to which Mr. Legaspi reported that the State pays the BOG fee waivers but a proposed requirement would be to complete the Federal form to determine eligibility.

Dr. Sperling expressed that if the Governor places a 90-unit cap for students, we can see how all the more pressing our consideration of issues around how we organize our class offerings is for our students.

PRESENTATION: BOARD POLICIES AND PROCEDURES

Ms. Jane Wright, Special Consultant, Policy and Procedure Service, Community College League of California (CCLC), presented a PowerPoint Presentation and overview of the League's Policy and Procedure Service and the process that will be used to update the District's Board Policies and Administrative Procedures.

Ms. Wright reported that Board Policies define the general goals and acceptable practices for the operations of the District (addresses "what the issue is) and are best expressed in broad, clearly written, and succinct statements. She reported that Board Policies implement federal and state laws/regulations and accreditation standards.

Ms. Wright reported that Administrative Procedures implement board policy, laws and regulations (addresses "how" the goals of the District are achieved). She reported that Administrative Procedures include details of policy implementation, responsibility, accountability and standards of practice. She noted that these procedures are not intended to require Board action (information items).

Ms. Wright reported that the League's Policy and Procedure Subscriber Service templates will serve as the basis for policies and administrative procedures, with current District language being incorporated as applicable. She reported that the League has available 381 policy and procedures templates that are legally required, legally advised, or suggested as good practice; and have been drafted/vetted by the legal firm of Liebert Cassidy Whitmore. Ms. Wright noted that all draft policies/procedures will include Compliance Definitions, which are as follows:

- Accreditation – Policies/Procedures with direct Accreditation Standard references;
- Legally Required – The District must enact policies/procedures based on state or federal law or regulation;
- Legally Advised – Policies/procedures that are essential to protect the District from potential liability;
- Suggested – Suggested by CCLC and its legal counsel as standards of good practice.

Ms. Wright reviewed the process parameters. She reported that the District's numbering system will be aligned with the League's numbering system. She reported that a Chapter at a time will be updated. She also reported that a timeline will be established, publicized and followed. She also reported that roles and responsibilities will be assigned in the various parts of the review, i.e. lead contacts, Chancellor's Council, etc.

In closing, Ms. Wright noted the importance of implementing a regular on-going review and tracking process, perhaps tying it with the Accreditation Review cycle every five to six years, as well as twice a year legal updates from the League's Policy and Procedure Service each Fall and Spring.

Dr. Walters reported that District Staff will be working with the constituent groups in terms of presenting materials to Classified Staff, Administrative Staff, Students and Faculty. She reported that in terms of 10+1, we will work directly with the Faculty for input. She reported that all draft policies will be brought to the Board for a first and second reading.

Trustee Gin questioned the approximate timeline for the project. Ms. Wright reported that there is an ambitious timeline of one year for completion.

TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS

Student Trustee Pinto presented a written report to the Board. She highlighted Student concerns as follows:

- The Cheerleaders want to be part of the Athletics Department and would like to have a coach.
- Additional funding is needed for The Tutor Center for additional tutors in certain areas.

Student Trustee Pinto highlighted past events as follows:

- ASCC Retreat – Bylaws and Constitution Revisions, including a name change to Student Senate for Chabot College (SSCC);
- ASCC De-stress Week.

Student Trustee Pinto highlighted future events as follows:

- ASCC Resolution to support the Student Veterans on campus, and will create a Veterans Affairs Committee to hear and provide a direct communication with the ASCC and the Student Veterans;
- Club Rush scheduled for February 5;
- ASCC Global Affairs event in Spring 2013.

Student Trustee Adhikari reported that ASLPC hosted a successful "Prep to Pass" last semester. He also reported that ASLPC Officers will attend a Retreat in preparation for the new semester. He noted that he anticipates and looks forward to a productive semester.

Trustee Gin wished all a Happy New Year and reported that he looks forward to a new semester.

Trustee Gelles echoed Trustee Gin's comments.

Trustee Dvorsky reported that on January 10, the Livermore Independent had an article on the community outreach efforts of Las Positas College. In addition, there was an editorial on the same topic. She was pleased to see the positive articles.

Trustee Vecchiarelli recognized Mr. Charlie Gilchrest from the Measure I Committee and raised the question of an update of the election results – "what went right, what went wrong." Mr. Gilchrest reported that the Measure exceeded 66% passing in the Hayward/Chabot College area; however, the support in the Las Positas College area was

the lowest it has been. He reported that legislation has been introduced to reduce the percentage requirement on parcel taxes for education. The Board will be provided a more detailed "debrief" as it becomes available.

Trustee Vecchiarelli reported that he continues to get feedback on the Chabot College Webmaster and hopes that somehow it can be resolved. Trustee Vecchiarelli also noted that the present District Office will soon be empty and would like to see the District move right away on leasing, renting or selling the building. He expressed that the lease income could be put into the General Fund at approximately $30,000-$50,000 per month, which equates to approximately 10 classes. He noted that the District owns "free and clear" the new District Office facility, with the bottom two floors generating revenue. He recognized the efforts of Mr. Legaspi for investing the Measure B Bond interest monies. He also expressed concern for the recent shootings on school campuses. He expressed that he hopes that we have a strong policy prohibiting guns on campus; and a policy for what happens if there is an active shooter on campus.

Trustee Cedillo reported that he would like to receive a report on enrollment numbers in the District.

LAS POSITAS COLLEGE FOUNDATION

Dr. Kaye submitted a written report to the Board. He reported that since we last met, the Foundation has raised approximately $60,000; of which $20,000 is from the Year-end Appeal (unrestricted), $10,000 for twenty $500 Veterans Scholarships, and $30,000 from Osher Grants. He also highlighted that December Grants appears to be down $10,489, due to the fact that the Foundation Board has made a strategic decision to taper down on the Ad Hoc Grants and focus more on the hard academic efforts such as underwriting additional restoration of classes (Foundation 55 Program). He recognized Mr. Tom Daggett, who will be leaving the Foundation Board after approximately eight or night years. Further, he reported that featured in the Las Positas College Foundation Newsletter, under "Giving and Getting" is a recipient of the Barbara Fracisco Mertes Perpetual Scholarship – Ms. Sarah Kellner.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES

Ms. Kathy Kelley, President, Chabot College Academic Senate, drew attention to a handout highlighting a free Community Public Lecture Series beginning on January 29 presented by Chabot College Faculty.

Ms. Sarah Thompson, President, Las Positas College Academic Senate, was unable to attend this meeting.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES

Mr. Todd Steffan, Co-President, Las Positas College Classified Senate, expressed appreciation to Dr. Walters for hosting a meeting with other (Chabot and District) Classified Senate Presidents. As a result of the meeting, a Collaborative District Classified Flex Day will be planned at Las Positas College (tentative date February 28). He also reported that Las Positas Classified Senate will send two representatives to a Summer Leadership Institute. Further, he expressed appreciation to Dr. Kaye, Las Positas College Foundation, and Valley Veterans Foundation for the 20 Veterans Scholarships.

Ms. Yvonne Wu-Craig, President, Chabot College Classified Senate, also expressed appreciation to Dr. Walters for the meeting of Classified Senate Presidents. She also expressed appreciation to Dr. Walters for attending the December 2012 meeting of the Chabot College Classified Senate, answering questions about the potential impact of Proposition 30 on the Chabot College Budget. She also reported that Dr. Sperling held a Brown Bag Discussion with similar discussions about the Chabot College Budget and about upcoming Spring plans for possible reorganization. She expressed appreciation to Dr. Sperling for her transparency. She also commended Ms. Jan Novak for her leadership and collaboration with Program Review and Budget Committee (PRBC), College Enrollment Management Committee (CEMC), and Administration.

Mr. Pedro Ruiz deCastilla, District Classified Senate, also expressed appreciation to Dr. Walters for the recent meeting of Classified Senate Presidents, and looks forward to a District-wide Classified Staff Flex Day.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES ASSOCIATED STUDENTS

Associated Students of Chabot College had no representation at the meeting.

Ms. Cherry Bogue, President, Associated Students of Las Positas College, reported that all the textbooks are ready for the Textbook Loaner Program, which is sponsored by the Foundation. She reported that on Tuesday, January 22 books will be distributed to students. She reported that there are more students in the Program than were in the last semester.

PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES

Dr. Susan Sperling, President, Chabot College, submitted a written report to the Board. She expressed appreciation to the Students who came to tonight's Board Meeting to voice their concerns; as well as the Faculty Leadership of PRBC, Senate and Institutional Research Office, who explained some of the difficult context of the decision to cancel nine

under-enrolled classes. She also echoed the comments made by Ms. Yvonne Wu-Craig regarding the extraordinary work of Ms. Jan Novak and others on the PRBC. She reported that it is the College's hope to soon have a thorough Board Presentation of the comprehensive and coherent review the College is taking regarding how to organize itself and its curriculum to meet Students' needs. She commended the Student Government, as well as other Associated Student Clubs (Students for Social Justice, and Law and Democracy Club) for an extraordinarily active and positive year in terms of civic engagement. She especially recognized them on their advocacy for Proposition 30 and other ballot measures. She recognized the Faculty Advisors as well, Dr. Sarah Parker and Mr. William Hanson. She recognized in attendance Mr. William Hanson, one of the "guiding lights" of the Law and Democracy Program. She reported that a new class has received the attention of part of the Street Law Organization, a non-profit which began in 1972 that develops community and classroom programs that teach about law, democracy and human rights worldwide. She reported that the College has obtained a grant that will be funding that particular class. She reported that the MOU for the grant will soon be coming to the Board for approval. She reported that the College will be hosting a Martin Luther King Day celebration on Saturday, January 19, along with the City of Hayward. She commended Ms. Kathy Kelley for organizing the Public Lecture Series, which highlights the expertise of Faculty, and brings the community to the campus.

Dr. Sperling introduced new appointments: Ms. Connie Willis, Vice President of Administrative Services; and Mr. Jeffrey Drouin, Interim Dean, Health, Physical Education and Athletics, who had to leave prior to the introduction.

Dr. Kevin Walthers, President, Las Positas College, submitted a written report to the Board. He reported that the Annual College Night is scheduled for February 6, and is anticipated to draw more than 600 students and parents to the campus. He also highlighted former Las Positas Alum and recent UCLA graduate Mr. Amir Sedghi, who was published in a very prestigious journal. Dr. Walthers recognized the work of the College's Biology and Sciences Programs. He reported that the positive articles referred to by Trustee Dvorsky tonight have been reprinted in the Las Positas Connection.

INTERIM CHANCELLOR

Dr. Judy Walters, Interim Chancellor, wished all a Happy New Year, noting that she is happy to be with the District. She noted that all the good works of this past year will continue into the New Year.

APPROVAL FOR ESTABLISHING NON-RESIDENT (OUT-OF-STATE AND INTERNATIONAL) TUITION RATES FOR 2013-2014 (Agenda Item 5.3)

Trustee Cedillo noted that this agenda item was pulled from the consent calendar due to the concern expressed in Public Comments.

Trustee Vecchiarelli questioned the decision to choose Option 7 as the basis for establishing the Non-resident Tuition Rates.

Mr. Legaspi reported that it is required that Districts establish on an annual basis the Non-resident Tuition Rates, which allows the District to increase these fees based on the increase of costs of providing education (based on the Consumer Price Index of 3.3 %). He reported that the District used Option 7, which is "no more than average tuition of 12 states with cost-of-living comparable to California", because it gives the most flexibility as well as it allows for capturing some of the costs associated with capital improvements. He noted that the District has approximately $400 million in capital improvements. He noted that the District proposes to include $17 per unit for capital improvements.

Trustee Vecchiarelli noted that there appears to be a large variance between the proposed fees and fees at other Districts, and questioned using the Options of charging based on contiguous districts or the statewide average cost. He stressed the importance of staying competitive.

Mr. Legaspi reported that there are a couple of reasons our fees are higher, one reason being that other Districts do not have the capital improvements that they can assess. He reported that the District is approximately +10% or -10% from other Districts in our surrounding area. He also reported that other Districts are waiting for us to set our fee and will then set their fee. He suggested not waiting for them to set their fee.

Motion No. 2

Trustee Dvorsky made a motion, seconded by Trustee Vecchiarelli, to approve the proposed non-resident tuition rate of $243.00 per semester unit for the 2013-2014 academic year for non-resident students, international students, and non-immigrant aliens attending on F-1 or other visa types.

Motion carried unanimously, 5-0.

ADOPTION OF RESOLUTION NO. 10-1213 – AUTHORIZING THE ISSUANCE OF CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT 2013 GENERAL OBLIGATION REFUNDING BONDS (Agenda Item 5.5)

Motion No. 3

Trustee Gin made a motion, seconded by Trustee Dvorsky, to adopt Resolution No. 10-1213 – Authorizing the Issuance of Chabot-Las Positas Community College District 2013 General Obligation Refunding Bonds.

Motion carried by the following roll call vote:

AYES:	Cedillo, Dvorsky, Gelles, Gin, Vecchiarelli
NOES:	None
ASTENTIONS:	None
ABSENT:	Mertes, Mitzman

ADOPTION OF RESOLUTION NO. 11-1213 – AUTHORIZATION FOR TEMPORARY CASH BORROWING FROM THE ALAMEDA COUNTY TREASURER (Agenda Item 5.6)

Dr. Walters reported that this is a cash flow issue, which covers the District to meet its obligations, including payroll obligations.

Trustee Gelles questioned the rate of interest on these monies. Mr. Legaspi reported that with our deferrals and apportionment over the last few years we have been able to borrow within, and we had healthy reserves in the other funds as well as the General Fund. But we have spent down those reserves. He reported that this will be a very difficult year for the District in terms of cash flow. He reported that this program with the County Treasurer's Office is the cheapest money available at this time (approximately .5%). He reported that it must be paid back by April. He reported that he anticipates borrowing from outside financial agencies and will take that to the Board at that time.

Motion No. 4

Trustee Dvorsky made a motion, seconded by Trustee Gin, to adopt Resolution No. 11-1213 - Authorization for Temporary Cash Borrowing from the Alameda County Treasurer needed to pay obligations for current operating requirements lawfully incurred in the fiscal year 2012-13.

Motion carried by the following roll call vote:

AYES:	Cedillo, Dvorsky, Gelles, Gin, Vecchiarelli
NOES:	None
ASTENTIONS:	None
ABSENT:	Mertes, Mitzman

INFORMATIONAL PERSONNEL REPORTS (Agenda Item 8.1)

The Board accepted the Informational Personnel Reports without discussion.

FIRST READING: NEW BOARD POLICY 1100 – NAME OF DISTRICT (Agenda Item 8.2)

The Board accepted the First Reading of Board Policy 1100 without discussion. The Policy will be brought back to the Board for approval at its February Regular Meeting.

FIRST READING: REVISED BOARD POLICY 4033 – SUBJECT: HEALTH REIMBURSEMENT ACCOUNT FOR EMPLOYEES HIRED ON OR AFTER JANUARY 1, 2013 (Agenda Item 8.3)

The Board accepted the First Reading of Board Policy 4033 without discussion. The Policy will be brought back to the Board for approval at its February Regular Meeting.

ACCEPTANCE OF AMENDED CONSTITUTION, ASSOCIATED STUDENTS OF CHABOT COLLEGE (Agenda Item 8.4)

The Board accepted the Amended Constitution, Associated Students of Chabot College without discussion.

ACCEPTANCE OF QUARTERLY FINANCIAL STATUS REPORT (311Q) FOR THE PERIOD ENDING SEPTEMBER 30, 2012 (Agenda Item 8.5)

The Board accepted the Quarterly Financial Status Report (311Q) for the Period ending September 30, 2012 without discussion.

APPROVAL OF REVISED CALENDAR OF BOARD MEETINGS – 2013 (Agenda Item 9.1)

Board President Cedillo noted that it is proposed that the February 2013 Retreat will be held February 22. In addition, it is proposed that the June Regular Board Meeting be held June 25 in lieu of June 18.

Motion No. 5

Trustee Gelles made a motion, seconded by Trustee Gin, to approve the Revised Calendar of Board Meetings as proposed and as follows:

DATE	OPEN Session	TOPIC	LOCATION
January 15	6:30 pm	Regular Meeting	District
February 19	6:30 pm	Regular Meeting	CC
February 22	9:30 am	Board RETREAT	District
March 5	6:30 pm	Study Meeting	CC
March 19	6:30 pm	Regular Meeting	District
April 2	6:30 pm	Study Meeting	LPC
April 16	6:30 pm	Regular Meeting	District
May 7	5:30 pm	Study Meeting- Student & Staff Recognitions	District
May 21	6:30 pm	Regular Meeting	District
June 25	6:30 pm	Regular Meeting- Approval of Tentative Budget	District
July 16	6:30 pm	Regular Meeting	District
August 20	6:30 pm	Regular Meeting- Publication of Budget	District
September 3	6:30 pm	Study Meeting	District
September 17	6:30 pm	Regular Meeting- Public Hearing & Adoption of Budget	LPC
October 1	6:30 pm	Study Meeting	District
October 15	6:30 pm	Regular Meeting	CC
November 19	6:30 pm	Regular Meeting	District
December 10	6:30 pm	Regular/Organizational Meeting & Financing Corp Organizational Mtg.	District

Motion carried unanimously, 5-0.

ADJOURNMENT

Motion No. 6

Trustee Gelles made a motion, seconded by Trustee Gin, to adjourn the Regular Meeting at 8:42 p.m.

Motion carried unanimously, 5-0.

NEXT MEETING

The next meeting of the Board of Trustees is scheduled for February 19, 2013.

Minutes prepared by:

Beverly Bailey
Recording Secretary

Secretary, Board of Trustees
Chabot-Las Positas Community College District