



# OFFICIAL COPY

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

**MINUTES**  
**January 19, 2016**

### **PLACE**

Chabot-Las Positas Community College District, 7600 Dublin Blvd., 3<sup>rd</sup> Floor, Dublin, California.

### **CALL TO ORDER**

The regular meeting was called to order at 5:00 p.m. by Trustee Mr. Vecchiarelli. Recording Secretary Beverly Bailey called the roll. All Trustees were present at the time of roll.

### **PUBLIC COMMENTS**

There were no Public Comments offered at this time.

### **ADJOURN TO CLOSED SESSION**

The Board adjourned to a Closed Session at 5:01 p.m., which ended at 6:25 p.m.

### **OPEN SESSION**

The Board readjoined in Open Session at 6:30 p.m. Recording Secretary Beverly Bailey called the roll. Student Trustee Ms. Taylor was absent at the time of roll.

### **ATTENDANCE**

Members Present:

- Trustee Dr. Arnulfo Cedillo
- Trustee Mrs. Isobel F. Dvorsky
- Trustee Mr. Donald L. "Dobie" Gelles
- Trustee Dr. Hal G. Gin
- Trustee Mr. William L. "Will" Macedo
- Trustee Dr. Marshall Mitzman
- Trustee Mr. Carlo Vecchiarelli
- Student Trustee Ms. Nancy Kang

Members Absent: Student Trustee Ms. Quincy Taylor

Recording Secretary: Ms. Beverly Bailey

Managers Present: Dr. Jannett N. Jackson, Chancellor  
Dr. Matt Kritscher, For President, Chabot College  
Dr. Barry Russell, President, Las Positas College  
Mr. Ken Agustin  
Ms. Roanna Bennie  
Mr. David Betts  
Ms. Julia Dozier  
Mr. Wyman Fong  
Mr. Doug Horner  
Ms. Victoria Lamica  
Mr. Lorenzo Legaspi  
Ms. Jeannine Methe  
Ms. Barbara Morrissey  
Ms. Guisselle Nunez  
Dr. Stacy Thompson  
Dr. Carla Walter  
Ms. Barbara Yesnosky

Others Present: Ms. Noell Adams, President, Chabot College Classified Senate  
Mr. Lawrence Aguiar, Las Positas College Faculty Emeritus  
Ms. Laurie Dockter, President, Chabot College Faculty Senate  
Ms. LaVaughn Hart, Chabot-Las Positas Faculty Association  
Mr. Kerry Karter, Las Positas College  
Ms. Melissa Korber, President, Las Positas College Faculty Senate  
Mr. Sean Praether, Las Positas College  
Mr. Geoffrey Smythe, Las Positas College Faculty Emeritus  
Ms. Rachel Ugale, District Classified Senate

**PLEDGE TO FLAG**

Dr. Barry Russell led the pledge to the flag.

**PUBLIC COMMENTS**

Mr. Lawrence Aguiar and Mr. Kerry Karter reported their continued concerns regarding the Las Positas College Kinesiology Department's operations, i.e. lack of transparency and shared governance, unprofessionalism, favoritism, retaliation, and abuse of power.

Mr. Aguiar also expressed concern that he and others have not been able to review the soccer budget for the past seven years as he has asked. Mr. Aguiar and Mr. Karter reported that the proper channels have been taken to meet with grievance officers, Faculty Senate, and administration but their concerns continue. Mr. Aguiar expressed appreciation to President Russell and Chancellor Jackson for listening to the concerns but expressed that their investigation into the issues did not go deep enough. Mr. Aguiar and Mr. Karter asked the Board to investigate the issues further.

Mr. Geoffrey Smythe, Las Positas College Faculty Emeritus, expressed his support for colleagues in the sensitive issues occurring in the Kinesiology/Athletic Department at Las Positas College. Mr. Smythe recognized the Counseling Department for their support and advice while he was still employed at Las Positas College. He reported that he would not have retired last year if these conditions did not exist.

## **CONSENT CALENDAR**

### Motion No. 1

Trustee Dr. Mitzman made a motion, seconded by Trustee Dr. Gin, to approve the Consent Calendar as submitted.

Motion carried unanimously, 7-0.

The following items were approved on the consent calendar:

#### General Functions

- 1.8 Approval of Minutes of December 8, 2015 Organizational and Regular Meeting

#### Personnel

- 3.1 Classified Personnel
- 3.2 Faculty Personnel
- 3.3 Management Personnel

#### Educational Services

- 4.1 Acceptance of Gifts – Chabot College
- 4.2 Approval of Curriculum Changes, Chabot College
- 4.3 Approval of Curriculum Changes, Las Positas College
- 4.4 Approval of Correction to 2016-17 Academic Calendar
- 4.5 Acceptance of the American Association of Community Colleges (AACC) Rural Community College Funding Development Initiative Grant, Las Positas College

- 4.6 Approval of Agreement Renewal – Child Development Training Consortium 2015-2016 Instructional Agreement No. 15-16-2620 with Yosemite Community College District, Las Positas College
- 4.7 Approval of Agreement Renewal – Paramedics Plus of Alameda County for Emergency Medical Technician Students (EMT), Chabot College
- 4.8 Approval of Internship Program Agreement – City of Hayward and Chabot College

#### Business Services

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval For Establishing Non-Resident (Out-of-State and International) Tuition Rates for 2016-2017
- 5.4 Approval of Professional Services Contract for General Obligation Bond Managing Consultant and Polling Services

#### Facilities Planning and Development

- 6.1 Approval of Contract Modification to the Existing Design Contract with Steinberg Architects for Design Services Building 100, Library Project at Chabot College (Measure B Bond Funds)
- 6.2 Approval of Contract Modification to the Existing Division of State Architect (DSA) Inspection Services Agreement with Nor Cal Inspection for DSA Inspection Services for Building 100, Library Project at Chabot College (Measure B Bond Funds)
- 6.3 Approval of Contract for Division of State Architect (DSA) Inspector of Record (IOR) with ABC Inspections, Inc. for DSA Inspection Services for Building 700 Remodel, Las Positas College (Measure B Bond Funds)
- 6.4 Approval of Award of a Piggyback Contract for Furniture and Equipment for Chabot College, Building 100 – Library, First Floor using the CollegeBuys Purchasing Program (Measure B Bond Funds)

#### **PRESENTATION: GOVERNOR’S JANUARY BUDGET PROPOSAL – FISCAL YEAR 2016-17**

Chancellor Jackson reported that Vice Chancellor Legaspi will provide a Summary of the Governor’s January Budget Proposal for Fiscal Year 2016-17. She reported that negotiations between the various statewide committees will now take place and the Governor will present a May Revision to his budget. She reported that a Budget Workshop will be presented in Sacramento tomorrow, which Mr. Legaspi and other District and College staff will attend. Any further information obtained will be shared with the Board.

Vice Chancellor Legaspi reported that on January 7, 2016, Governor Jerry Brown presented his January Budget Proposal for the 2016-17 State Budget. He reported that the outlook for K-14 education is positive, although not to the same degree seen in the 2015-16 fiscal year. Vice Chancellor Legaspi provided a Summary of the Governor's January Budget Proposal and highlighted items in the Budget as they relate to Community Colleges and the District.

- Proposition 98 Minimum Guarantee: Minimum guarantee for Proposition 98 is estimated to grow to \$71.6 billion, up from \$68.4 billion in the 2015-16 budget (District: 10.9%);
- Access: \$114.7 million for increased access. Increase of roughly 22%, [District: 2% sufficient to expand access by close to 50,000 students (headcount)];
- Cost of Living Adjustment (COLA): \$29.3 million for a COLA of 0.47%; District discretion;
- Full-Time Faculty Hiring: No augmentation. Received \$62.3 million in 2015-16; District received \$900,000 or 8 full-time faculty in 2015-16;
- Base Allocation Funding: No augmentation. Received \$266.7 million in 2015-16;
- Cal Grant: \$39 million continued for the Full-Time Student Success Grant, which provides supplemental financial assistance to Cal Grant B recipients taking 12 units or more;
- Proposition 39: \$45.2 million is provided for energy efficiency projects and workforce development consistent with the intent of Proposition 39;
- Apprenticeship: \$1.8 million is provided for the purpose of providing parity to apprenticeship rates relating to various general purpose funding augmentations received by colleges in 2015-16 (e.g., general operating expense funds, funds for full-time faculty hiring);
- Workforce: \$200 million added to the Economic Workforce Development (EWD) item to improve and expand efforts for workforce, consistent with recommendations made by the Task Force on Workforce, Job Creation and Strong Economy;
- CTE Pathways (SB 1070): \$48 million is funded for this program on an ongoing basis. The Governor's intent is to repeal the sunset date for this program to make it permanent;
- Basic Skills: \$30 million increase to the existing Basic Skills categorical to incentivize and support colleges that successfully implement research-based practices that transition students from basic skills to college-level programs;
- Maintenance and Instructional Equipment: \$289 million for Schedule Maintenance, Instructional Equipment and Specified Water Conservation Projects. No local match required and no District discretion; (District: \$2 million for Maintenance, and \$2 million for Instructional Equipment);
- Prior Year Mandated Cost Claims: \$76 million in one-time funding on a per FTES basis to retire outstanding mandate claims;

- Data Security: \$3 million added to the TTIP program for enhancing data security;
- Institutional Effectiveness: \$10 million added to the Institutional Effectiveness program, in part, to augment support of technical assistance to the colleges;
- Innovation Awards: \$25 million proposed for grants related to innovative practices. Proposed on a one-time basis, although the funding comes from ongoing resources;
- Zero Textbook Cost Degree: \$5 million to incentivize programs that have no costs to students for the use of textbooks. Proposed on a one-time basis, although the funding comes from ongoing resources;
- Student Fees: No fee increases are proposed at this time.

Vice Chancellor Legaspi reported that he would keep the Board informed on developments with the 2016-17 Budget. He reported that the May Revision is based on updated revenues, mostly from April tax collections.

#### **PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES**

Ms. Melissa Korber, President, Las Positas College Faculty Senate, reported that the Faculty Senate nominated, and the State Academic Senate successfully recognized, the learning community between Early Childhood Development and the Math Program for a Statewide Academic Senate Exemplary Program Award. The award will be presented in Sacramento on January 20, 2016; and a celebration will be planned for the College. She reported that students in this program succeed at a very high rate. She also reported that the Academic Senate sponsored a Scholarship Challenge, which has been awarded to Behavioral Sciences and Athletics. In addition, she reported that the College will hire about 20 Faculty positions, and the Senate has been working to appoint faculty to those selection committees. Further, she reported that the Senate has met with Dr. Russell to work on the upcoming Flex Day Program.

Ms. Laurie Dockter, President, Chabot College Faculty Senate, reported that Chabot College had submitted an Institutional Effectiveness Partnership Initiative (IEPI) Grant for training to improve the linkage between strategic planning and budget allocation at the college level. She reported that she, Dr. Sperling and Dr. Walter had a planning discussion with the group that will be coming to work with the College on this issue. She reported that the Senate has been working on a proposal for Shared Governance, noting that this “expert” assistance and training is coming at a most opportune time. She also reported that the State is promoting “college affordability”, which has made her realize that the current college admission processes is not easy for students. Further, she reported that the College has been working with students to be better prepared prior to coming to class, i.e. what will be important to know for a test, how to study, etc.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES AND DISTRICT CLASSIFIED SENATES**

Las Positas College Classified Senate had no representation at this meeting.

Ms. Noell Adams, President, Chabot College Classified Senate, had no report.

Ms. Rachel Ugale, District Classified Senate, reported that Co-President Mr. Pedro Ruiz DeCastilla will attend the Association of California Community College Administrators (ACCCA) Budget Workshop in Sacramento tomorrow, representing the Classified Senate as well as Co-Chair of the District Budget Committee. She again expressed appreciation to the Chancellor and District Administration for hosting the Holiday Gathering for District Staff, noting that it was a wonderful event and morale booster, which will hopefully be carried into 2016.

**PRESIDENT OF STUDENT SENATE OF CHABOT AND PRESIDENT OF ASSOCIATED STUDENTS OF LAS POSITAS COLLEGES**

Student Senate of Chabot College had no representation at this meeting.

Associated Students of Las Positas College had no representation at this meeting.

**GOOD OF THE ORDER**

Ms. LaVaughn Hart reported that she is representing the Faculty Association in Dr. Lofft's absence.

**INFORMATIONAL PERSONNEL REPORT (Agenda Item 8.1)**

The Board accepted the Informational Personnel Report without discussion.

**PRESIDENTS OF CHABOT AND LAS POSITAS COLLEGES**

Dr. Matt Kritscher, in President Sperling's absence, reported that Dean Ms. ValJean Dale and Vice President Dr. Stacy Thompson met with Ms. Danesha Simon, the student who spoke at the last Board Meeting regarding her admission to the Nursing Program, and provided her with her options. They recommended that Ms. Simon request Academic Renewal at Laney College and reapply for admission into the LVN/RN Program after she meets with the Program's requirements. They also spoke with Ms. Simon regarding making the program more accessible to African-American students. Dr. Kritscher explained to the Board the Merit Ranking System, which Chabot College adopted for the Nursing Program admission. Dr. Kritscher shared with the Board the ethnic breakdown in the Nursing Program of 280 students between 2009 and 2013 (Fall Cohorts): African-

American 3%; Asian 21%; Filipino 14%; Latino 19%; White 36%; and Unknown 7%. Dr. Kritscher shared a video slideshow of some of Chabot College's 2015 student and college accomplishments. He reported that the video is currently on the College's Homepage Banner. He recognized the work of the Webmaster, Mr. Wing Kam, and others involved with the making of the video.

Trustee Mr. Vecchiarelli reported that he would like the ethnic breakdown of the students in the Dental Hygiene Program as well.

Dr. Barry Russell, President of Las Positas College, provided a written report to the Board "Las Positas Connection." He reported that in the December 2015 edition of Community College Week, Las Positas College is listed 27<sup>th</sup> in the 50 fastest growing 2 year colleges with enrollment headcount between 5,000-10,000 in the nation. He also highlighted the upcoming benefit event featuring special guest Opera Singer Frederica von Stade on Saturday, February 6 hosted by the Las Positas College Foundation. He also reported on the third Math Jam held last week, with over 240 students attending. He reported that the College is now capable of tracking the academic success of these students over their lifetimes. He also noted the importance of getting students to the completion process faster. Further, he congratulated the Early Childhood Development and Mathematics Programs for the Exemplary Program Award. He noted that the program was developed with the assistance of the state First 5 Program. He reported that the award will be recognized at an upcoming Town Hall Meeting. Further, he highlighted the upcoming Flex Day on February 16 beginning at 9:00 a.m., which is also the day of the next Board Meeting also held at Las Positas College.

In response to the Board's request for an investigation into the recent allegations with Soccer and the Soccer Hiring Process, Dr. Russell reported that unethical and unprofessional behavior on campus has always been taken seriously. He reported that these specific concerns have been investigated thoroughly by him. He reported that he met with Ms. Nan Ho, the Grievance Officer on campus, and he found nothing in the process that was unprofessional or unethical. He reported that he continues to work regularly with the Faculty Association to bring closure to any of the other issues that have been brought to the Board.

### **CHANCELLOR REPORT**

Chancellor Jackson reported that she will attend the awarding of the Statewide Academic Senate Exemplary Program Award to the Las Positas College Early Childhood Development and Mathematics Programs at the Board of Governors Meeting in Sacramento. She expressed appreciation to Ms. Melissa Korber, Ms. Laurie Dockter and Ms. Linda Wilson for their quick response in securing individuals to sit on the Selection Committee for the Vice Chancellor of Educational Services and Student Success. She also



reported that she will be participating on an upcoming ACCJC Commission Accreditation Visiting Team for Los Angeles Community College District. She also reported that Mr. Doug Horner will also be on the Team. She reported that she, President Sperling and President Russell recently attended and spoke at the ACCJC Commission meeting where the District's Accrediting Teams' Reports were reviewed. She reported that a decision will be given later this month and she believes it will be positive. She expressed appreciation to President Sperling and Vice President Kritscher for the video slideshow this evening, and noted that she is pleased with the Hesperian Project which was featured in the slideshow. She also recognized Mr. Doug Horner and Mr. Jeffrey Kingston for their work on Building 100, which is beautiful.

### **TRUSTEE REPORTS AND/OR OFFICIAL COMMUNICATIONS**

Student Trustee Ms. Nancy Kang reported that this was the first week of classes and noted that the parking lots were full, and Counseling and Registration were very busy. She reported that the recent Math Jam was very successful. She reported that most of the students in the math level that she tutored advanced to the next level and were very appreciative. She also reported that the Student Government recently held a Winter Retreat and planned activities for the coming year.

Trustee Dr. Cedillo welcomed everyone back for Spring 2016 and expressed that he looks forward to a great semester.

Trustee Dr. Gin wished all a Happy New Year, and noted that Chinese New Year is February 8, the year of the Monkey. He also recognized Mr. Doug Horner and the Hesperian Project, noting the beautiful banners.

Trustee Dr. Mitzman reported that he attended the Dr. Martin Luther King Day Celebration last evening. He reported that Chabot College has been the host for this event for many years, and it was once again an outstanding event. He reported that the guest speaker was the daughter of Reverend Ralph Abernathy. He also recognized the performances of the Mt. Eden Choir and Orchestra and the Tennyson String Orchestra. He expressed that he would like to see the Chabot College and/or Las Positas College Music Department participate next year. He also reported that the 2015 NAACP Martin Luther King Award was presented to Chabot's own Ms. Kari McAllister for her dedication to the community.

Trustee Ms. Dvorsky wished all a Happy New Year and noted that she personally looks forward to the coming weeks with her two new twin baby great granddaughters coming to visit from New York for Valentine's Day. She reported that she has been involved with a San Leandro women's political action committee, which encourages and supports women to become involved in holding public office.

Trustee Mr. Gelles also recognized Chabot College's Hesperian Project. He expressed appreciation to Vice Chancellor Legaspi for this evening's Budget Presentation. He also recognized the Las Positas College Community Education booklet, complimenting the selection of classes. He also recognized the beautiful work done on the Annual Report, noting that he has shared the report with many. He also recognized the Las Positas College banners in Stoneridge Mall. In response to his question regarding the availability of enrollment numbers, Chancellor Jackson reported that Census is collected the third week of the Semester. He reported that he would be asking for the International Student numbers for the February Board Meeting as well as the Early Childhood Development Center numbers. He expressed that he would like to receive written information prior to the meetings where it will be presented.

Trustee Mr. Macedo also expressed that it is helpful to receive information and materials in advance of the meetings. Also, he noted the excellent article in the November 2015 Faculty Association Newsletter Faculty Focus "What Will I do with My Big Raise?"

Trustee Mr. Vecchiarelli reported that Trustee Dr. Mitzman and Chancellor Jackson have been selected to work at the national level on Association of Community College Trustees (ACCT) Committees; Dr. Mitzman on the Finance and Audit Committee and Chancellor Jackson on the Advisory Committee of Presidents as the Western Regional appointee.

## **ADJOURNMENT**

Trustee Mr. Vecchiarelli asked that tonight's meeting be adjourned in recognition of the recent passing on January 9 of Mr. Gene Wellman, Chabot College's first Director of Athletics from 1968 to 1994. Trustee Vecchiarelli noted that the Chabot College Baseball Field is named after Mr. Wellman.

### Motion No. 2

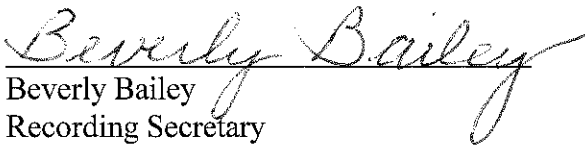
Trustee Mrs. Dvorsky made a motion, seconded by Trustee Dr. Gin, to adjourn the meeting at 7:32 p.m. in recognition of the passing of Mr. Gene Wellman.

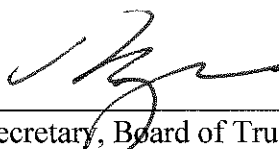
Motion carried unanimously, 7-0.

## **NEXT MEETING**

The next Meeting of the Board is scheduled for February 16, 2016 at Las Positas College.

Minutes prepared by:

  
Beverly Bailey  
Recording Secretary

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