

Trustee Ms. Genevieve Randolph
Trustee Mr. Carlo Vecchiarelli
Student Trustee Ms. Juliet Garcia Gutierrez
Student Trustee Mr. Chris Romero

Members Absent: Trustee Mr. Donald L. “Dobie” Gelles (Excused)

Recording Secretary: Ms. Debra Nascimento

Managers Present: Dr. Jannett Jackson, Chancellor
Dr. Susan Sperling, President, Chabot College
Ms. Roanna Bennie, Interim President, Las Positas College
Dr. Matthew Kritscher
Dr. Stacy Thompson
Ms. Jeannine Methe
Ms. Guisselle Nunez
Ms. Krista Johns
Mr. Wyman Fong
Mr. Doug Horner
Mr. Lorenzo Legaspi
Mr. William Garcia
Dr. Don Miller
Ms. Barbara Yesnosky
Ms. Julia Dozier
Ms. Jennifer Druley
Mr. David Betts

Others Present: Ms. Laurie Dockter, President, Chabot College Faculty Senate
Ms. Noell Adams, President, Chabot College Classified Senate
Dr. Tina Inzerilla, Las Positas College, Faculty Classified Representative
Ms. Melissa Korber President, Las Positas College Faculty Association
Dr. Charlotte Lofft, President, Chabot-Las Positas Faculty Association
Ms. Rachel Ugale, District Services, District Classified Senate
Ms. Tatianna Hernandez, Las Positas College Student Senate
Mr. Zaheer Ebtikar, President, Chabot College Student Senate
Ms. Laura Alarcon, Chabot College
Mr. Bob Buell, Chabot College

Ms. Joan Cortez, Chabot College
Mr. Adolph Oliver, Chabot College
Mr. Gregory Correa, Chabot College
Ms. Carolyn Arnold, Chabot College
Ms. Kay Fisher, Chabot College
Ms. Dayana Puga, Chabot College
Mr. Edgar Puga, Chabot College
Mr. Sonny Alvarado, Chabot College
Mr. Andrew Pierson, Chabot College
Ms. Kirstie Burgess, Las Positas College
Mr. Jason Rossilli, Las Positas College
Ms. Leslie Zamora, Las Positas College
Mr. Lorenzo Caballero, Las Positas College
Mr. Uphie Ngwa, Las Positas College
Mr. Amir Law, Las Positas College
Ms. Halie Gewy, Las Positas College
Ms. Paula Schoenecker, Las Positas College
Mr. Scott Miner, Las Positas College
Mr. Andrew Lozano, Las Positas College
Mr. Treasure Domingo, Las Positas College
Mr. Derrick Montelango, Las Positas College
Ms. Emily Schmidt, Las Positas College
Mr. Simi Pajetta, Las Positas College
Ms. Lylah Schmedel, Las Positas College
Ms. Angela Vasquez, Las Positas College
Ms. Maritza Ventura, Las Positas College
Ms. Delfino Dector, Las Positas College
Ms. Janet Lovenzo, Las Positas College
Mr. Mark Tarte, Las Positas College
Ms. Michelle Gonzales, Las Positas College
Ms. Goretti Cervera, Las Positas College
Ms. Ashley Young, Las Positas College
Ms. Zainab Dogar, Las Positas College
Ms. Morgan Brizee, Las Positas College
Mr. Rajinder Samra, Las Positas College
Ms. Vanessa Villanueva, Las Positas College
Mr. Sonny Alvarado, Las Positas College
Mr. Juan Cortez, Las Positas College
Mr. Lorenzo Caballero, Las Positas College
Ms. Taufa Stefano, Las Positas College
Ms. Mia Sete, Las Positas College
Ms. Angela Vasquez, Las Positas College
Ms. Michelle Zapata, Las Positas College
Ms. Aisha Wahab, Las Positas College

Ms. Galilela Rios, Las Positas College
Ms. Vanesa Pineda, Las Positas College
Ms. Kelsey Bentley, Las Positas College
Ms. Maria Ramos, Las Positas College
Ms. Sarah Whalen, Las Positas College
Mr. David Newman
Ms. Aisha Wahab
Ms. Maria Garcia
Rev. Arlene Newring

PLEDGE TO FLAG

Trustee Randolph led the pledge to the flag.

REPORT OUT: ACTION TAKEN IN CLOSED SESSION

President Gin announced our next Board Meeting, December 5th will be held at Chabot College.

1.6 PUBLIC COMMENTS

President Gin stated Agenda Item 8.2 will be moved forward therefore individuals that wish to speak on this item can do so early on.

Motion No. 2

Trustee Vecchiarelli made a motion, seconded by Trustee Mitzman, to move Agenda Item 8.2 forward.

Motion carried unanimously, 6-0 with Trustee Gelles absent.

President Gin mentioned five names will be called upon at a time and asked to line up so everyone can get a chance to speak. He requested each speaker refrain from personal critiquing of staff members. He stated if anyone would like to record the meeting they may do so in accordance with the Brown Act and our Open Meeting Law, recordings may not disrupt proceeding by noise, lightening or obstruction of the views of others. No closed caption was requested.

Mr. Mark Tarte, thanked Las Positas Security for what they have done and continue to do and the Board for realizing the importance of safety and having law enforcement present at meetings, he wishes LPC has law enforcement presence permanently. He stated he has been

running the Administration of Justice Program for 16 years and has concerns about the Budget Allocation Model (BAM) and the funds being distributed fairly as they get so little after the allocation. He commented about the FON, number of full time faculty, based upon full time FTES at both colleges, there is a process to follow and each college should respect that, talking specifically about the Nursing and Dental Hygiene Programs.

Mr. Adolph Oliver, stated he has been employed with Chabot for 40 years and wanted to address the Board one last time as he doesn't doubt anyone's roots go deeper than his that are in the room tonight other than Trustee Dvorsky and Trustee Vecchiarelli. He stated he was one of the last instructors hired by Reed Buffington in 1976. He shared his tender experiences at Chabot, working with Lori O'Connor, Larry Toy, Charles Matthew and Charlotte Lofft. He stated he hopes the District hires Administrators that pull everyone together not tear us apart. He stated not to take his retirement too literally as he plans on remaining as an instructor working on teaching Remedial Math, which include, self-paced mastery which are completely individualized for each student. This supports both Math 65 and Math 55 which are STEM Classes. They plan to include in the future, Pre-Algebra, Statistics and Engineering 10. Lastly, he thanked Chabot Vice President Matt Kritscher for his support with STEM.

Ms. Laura Alarcon, stated she is here once more supporting at the Tri Senate Sanctuary Resolution initiative that was presented back on May 16, 2017. She stated that at the October 24th Board Meeting we all witnessed the passing of an empty resolution that supported Assembly Bill 54 also known as the "California Values Act". This resolution will take affect the first day of 2018 regardless of the Board of Trustees support. She stated the language in Chabot's Faculty Senates Sanctuary Resolution was informed by similar resolutions passed by Santa Rosa Faculty Senate and Governing Boards of Contra Costa Community College District. She stated Chabot's Dreamers Club organized a talk and Q&A session regarding Sanctuary with Lawyer Melissa Kenny from the National Immigration Law Center. Ms. Alarcon shared a Flyer and Adverstiments regarding the workshop. She also expressed the Senate Leaders did their due diligence before presenting the Sanctuary Resolution. She stated as a faculty member that works closely with immigrants she is concerned about the lack of interest, time lapse and leadership that is being shown regarding this matter by the Chancellor and Board of Trustees. Lastly, she stated she will be sending Chancellor Jackson and the Board of Trustees a letter of support from Working Professionals in Public Health.

Ms. Morgan Brizee, stated she is the Editor in Chief for the Las Positas Campus Magazine "Naked". She solicited for more funding and donations for the publication that will be coming out the first of the year. A copy of the magazine with donation forms were distributed to the Board members.

Mr. Gregory Correa, indicated he came tonight for members of social justice. He stated he would like to see our Presidents run our colleges instead of what we have at the District office. He stated he is a victim of corruption, in which he has sued the college 4 times. He stated he is here tonight for Greg Rees, Jeff Nelson, Andre Delacruz, Linda Wilson and Kurt Douglas. He expressed concerns about allegations towards one of his Union Brothers, which was falsely

accused. Lastly, he expressed concerns centered on the Hiring Committees and the current job opening for an Emergency Manager. He provided President Gin with a name of the individual he believes will be selected for the position.

Ms. Carolyn Arnold, stated she has complete faith in the Board and knows their intentions are to support the success of our students therefore she is confident the Vote of No Confidence will be heard and hopefully supported. She expressed in 25 years she has seen the best leaders support the vision, mission and goals for the two different colleges and have worked hard to facilitate their success, she referenced Dr. Susan Cota and Dr. Barbara Mertes, they both lead the colleges through a period of congeniality. She expressed concerns regarding SERP, why was such a decision made to get rid of all the experienced instructors at once and why didn't the colleges get to weigh in on this. Lastly, she stated the Board has a very tough job governing two colleges and hopes they do the right thing.

President Gin stated that concludes the Non Sanctuary Resolution Public Comments. The remaining Public Comment Cards will be addressing the Sanctuary Resolution. He stated he will call 5 speakers at a time, each speaker will be asked to come up to the podium to speak.

Student #1 Ms. Kristine Burgess, stated she was here to support the passing of Sanctuary Campus. She believes everyone should feel safe no matter how they are identified to include race, religion or sexual orientation. She commented some people think of their campus as a home, and she feels everyone should feel safe at their home. Lastly, LPC is a community college and it should feel like a community.

Student #2 Ms. Vanessa Villanueva, stated she is supporting Chabot and Las Positas becoming a Sanctuary Safe Campus for all religions, races and sexual orientations.

Faculty # 3 Mr. Kay Fisher, stated she is a daughter of an immigrant parent and is here to continue her advocacy for the Sanctuary Resolution. She thanked the Board members for placing this Resolution on the Agenda and the Resolution LPC has put forward. She commented she understands the Resolution is listed under a Discussion Item only however she is hopeful it is pushed forward for voting and made an Action Item at next month's meeting. She addressed a few points regarding the "California Values Act" and Chabot's Sanctuary Resolution that SB 54 does not address. Lastly, she encouraged the next Board meeting be held at Chabot College.

President Gin again announced the next Board meeting December 5, 2017 will be held at Chabot College. President Gin called the next 5 speakers.

Faculty #4 Mr. Justino Panella, stated after the last Board of Trustees meeting there were two statements that he heard which left him surprised and bewildered. He stated there are more than 800 ways which the police can collaborate with ICE. He suggested everyone should look up what Sanctuary means, both in medieval times and in the 80s. He stated our colleges have the power to create forms of justice for our students. Lastly, he stated he loves Chabot College, the Board of Trustees, the Students, Vice Presidents and, President because he believes in it and if

this is not passed as a Sanctuary Campus after everyone has put so much effort into it, he will be disheartened.

Student #5 Mr. Sonny Alvarado, stated he feels very relieved the Board declared the next meeting will be at Chabot. He expressed gratitude that the student body will get an opportunity to speak and the Board of Trustees is accurately representing the entire student body by being able to listen to Chabot's voices. He stated with the last Board of Trustees meeting venue being changed less than 10 days before which is clearly in violation of the Board's own Policy, Chabot's students felt like they were denied the platform to express their opinions.

Student #6 Mr. Juan Cortez, stated he is here in solidarity with the students and faculty of Chabot to make the campus Sanctuary. He echoed he too is relieved the upcoming Board meeting will be at Chabot, he stated he felt it was deliberately sabotaged by making it difficult to reach the District office during peak traffic. He expressed concerns about the possibility of defunding, which he counseled with Don Miller whom is a Financial Expert at UC San Francisco and confirmed we cannot be defunded as it goes against the right of freedom of speech.

Student #7 Mr. Lorenzo Caballero, stated on behalf of the Student Senate his solidarity with Las Positas College. He stated there was a comment made by Chancellor Jackson at the last Board meeting the reason why the Sanctuary Resolution was not on the agenda was due to lack of response from Las Positas. This wasn't a reason why the item was postponed on the agenda, as soon as LPC was made aware they reacted quickly. He stated we are in one District and can't be divided. He concluded with suggesting more Board meetings be held at Chabot and respects the Board for changing the December meeting to Chabot, himself and fellow peers appreciate being a part of the democratic process.

Student #8 Ms. Taufafa Stefano, thanked everyone for giving her the opportunity to speak tonight, just to be here tonight and speak is a blessing. She stated she is here to represent and we need to speak about values because that is what is in the name [sanctuary]. She questioned, what are our values, do we value people expanding their horizon when it comes to academic success, do we value people that are voiceless, are we allowing people time to come to these meetings, are they feeling safe to even come to these meetings. She quoted author Arundhati Roy "There's no such thing as the voiceless, there are only the deliberately silent or the preferably unheard" Lastly, she stated she feels obligated to come and represent those that are voiceless and unheard.

President Gin called the next 5 speakers.

Student #9 Mr. Efraino, stated he came to America when he was 18 years old and came to Las Positas College to study ESL classes. He asked the Board to pass the Sanctuary Campus Resolution at LPC. He stated he pays for all his class, he doesn't ask for any financial aid and international students shouldn't feel threatened they're going to be arrested when they come to school.

Faculty #10 Ms. Michelle Gonzales, urged the Board to adopt Sanctuary Status, and shouldn't be concerned with the fact we might lose funding. She stated she has a personal connection to this issue as she married an undocumented individual. She also insisted the Board follow the Budget Allocation Model (BAM) and resist making any recommendations until the review is concluded. Lastly, she asked that each college respect the process and it shouldn't be about who "shouts the loudest".

Faculty #11 Ms. Tina Inzerilla, commended Diane Brady, Roanna Bennie and the rest of the Executive Team of Las Positas College for being financially responsible and ensuring LPC balances their budget every year. She urged the Board to continue to hold Chabot accountable for the \$2.5M they owe the District. She touched on the District Planning and Budget Committee is currently reviewing the BAM and requested the committee conclude this process and the Chancellor wait for the committee's decision and recommendations for both colleges before the Board moves forward. Lastly, she stated in regards to the Sanctuary Status for the Colleges and the District she appreciates it if the Board considers both resolutions before any decisions and she too supports Sanctuary Status.

Faculty #12 Ms. Ashley Young, stated she was one that helped develop Las Positas Sanctuary Resolution and wanted to comment how it was put together. Many groups stepped up and made comments, they started with Chabot's Resolution as they thought it was important to have consistency, they made revisions to fit LPCs needs, they focused on all groups, including transgender students. She stated there Resolution put fourth doesn't state anything that they don't want it to say. Lastly, she urged the Board to act quickly.

Student #13 Ms. Mia Sete, stated she is in support of making Chabot a Sanctuary Campus. She mentioned she is an immigrant of this country and several individuals that attend Chabot that come from different islands are building up their community and educating each other about these different cultures; however, it's difficult when students don't feel safe and our campus isn't a Sanctuary campus. To end, she quoted Nelson Mandela "May your choices reflect your hopes, not your fears".

President Gin called the next 5 speakers.

Student #14 Ms. Angela Vasquez, stated everyone's happy place could be Disneyland to their own home, she considers Las Positas her "Happy Place". She stated she is currently a proud DACA student that not only works hard at school, but is also involved in several things to have a voice for those that are ashamed to tell everyone where they came from. She asked the Board to take the chance and make LPC a Sanctuary Campus.

Student #15 Ms. Maritza Ventura, stated school is a place where everyone should feel safe and protected regardless of what they look like, believe in, religion, race, or what we are identified as. She stated, we all have dreams and deserve the same opportunity that's why she asks the Board of Trustee to take action, be the leaders that we trust and make LPC a Sanctuary Campus.

Faculty #16 Ms. Michelle Zapata, stated along with her colleague Rafael Villa they developed the Undocuall Task Force which started meeting in the Fall Semester. She gave an overview of what the Task force mission is. She stated she attended 2 conferences recently where now she feels optimistic for our students with the work ahead because we are so far behind. Lastly, on behalf of the Undocuall Task Force at LPC she urges the Board to act on the Resolution and act with the hundreds of colleges across the nation who have already declared their campuses Sanctuary, she expects our leadership to stand up to hate and commit to our undocumented students to ensure they will be safe on campus.

Community Representative # 17 Rev. Arlene Newring, stated she is a Pastor at Eden Unified Church of Christ in Hayward. She mentioned she serves in a tradition that is pro immigrant. She is here tonight to speak and support the Sanctuary Resolution and stated we are among the very brightest and best we have in our community and we need to be doing everything we can to affirm and encourage them in their education, personal, family life and thank them for their community service. She personally has seen many people affected by the presidential actions regarding DACA and gave a heartfelt example of a student's plea. Lastly, she encouraged the Board to pass the Resolution which costs so little but means so much to our students.

Faculty #18 Ms. Aisha Wahab, stated she is here to request the support of the Board to approve the joint Resolution as it stands, this resolution is a testament of Faculty, Classified and Student Senate coming together to stand up to injustice for our fellow students. She commented, with great respect to President Gin and Trustees she hopes the resolution is accepted without prejudice and voted with courage. Lastly, she stated she trusts the Board believes in Pro American Values, American Spirit and the American Dream, and votes yes to approve this Resolution.

Student #19 Ms. Treasure Domingo, stated she supports the Sanctuary Resolution. She stated her mother and father are immigrants and have been deported, that is why she supports the Sanctuary Resolution. She emphasized students don't want to come to school worrying about deportation, discrimination and segregation.

Student #20 Ms. Zainab Dogar, gave a few recent examples of hate incidents at schools where no actions were taken. She stated clearly we are living in a hateful time. As a proud Las Positas student these are not things supported and encouraged the Board to support the Resolution.

Student #21 Ms. Laylah Schmedel, stated we need to ensure all faculty and students are treated with the same respect and protection no matter age, sexual orientation, ethnicity and race. The Sanctuary Resolution ensures equal treatment and protection. By not passing this we are stating it is ok for students to feel unsafe and uncomfortable because who they are. Lastly, she stated let's make a positive impact on our future and create our legacy of unity and support one another officially.

Student #22 Uphie Ngwa, stated with growing tensions in today's climate we can see that hate is prevailing, racism is becoming more obvious and segregation is happening. She stated any

school that prides themselves will take action. She concluded by stating she is Uphie Ngwa whom supports the Sanctuary Resolution and we need to let our students know no matter what race, ethnicity, gender, sexual orientation or religion they shall feel safe on campus.

Student #23 Lesly Avendano, stated her name is her country, family, friends, history and Chabot College, she will forever represent what has shaped her. This is the 3rd time she has come to speak in front of the Board patiently waiting and having the perseverance with the hope and will continue to come to these meeting until the dream of making Chabot is declared a Sanctuary Campus. She stated something needs to be done for the students since they're the ones that keep the colleges active as they are the change and they know the change is now. She concluded with stating she loves the City of Hayward and Chabot College and if you love something you will protect it and you will never silence their voices.

President Gin asked if there were any other Public Comment Cards to please be passed forward.

Trustee Mitzman, commented everyone did such a wonderful job in expressing their feelings and speaking their mind.

Student Trustee Juliet Garcia Gutierrez, thanked everyone for coming tonight with their Public Comments. She also thanked all the Leadership at Las Positas for being onboard with the Sanctuary Resolution. She expressed being grateful Chabot and Las Positas are coming together. She thanked specific individuals that spoke in support of the Sanctuary Resolution and the Board for moving the next meeting to Chabot College.

1.7 APPROVE CONSENT ITEMS (CC)

Consent Calendar items are designated by "cc" and are expected to be routine and noncontroversial. They will be acted upon by the Board of Trustees on a single motion without discussion. Any member of the Board or Public may request that an item be removed from this section for later discussion.

No exceptions to the consent calendar items were made.

President Gin read the following: Summary of Government Code 54953© (3) which requires that, before taking final action, the Board must orally report a summary of the recommendation regarding the salaries, salary schedules, or compensation paid in the following summary regarding such items appearing on the consent agenda. Item 3.2 (Management Personnel), pertains to final action by the Board regarding the approval for the following contracts of employment:

- Stephany C. Marchena-Chavez at Range 13, Step 1

All Contracts of Employment mentioned above are entitled to the same fringe benefit package as other managers per Board policy and procedures.

Motion No. 2

Trustee Vecchiarelli made a motion, seconded by Trustee Maduli, to approve the Consent Calendar.

Motion carried unanimously, 6-0, with Trustee Gelles absent.

The following items were approved on the Consent Calendar:

- 1.8 Approval of Minutes October 24, 2017 Regular Meeting

2.0 REPORTS

- 2.1 Presidents of Faculty Senates-
Chabot College and Las Positas College
- 2.2 Presidents of Classified Senates-
Chabot College, Las Positas College and District
- 2.3 Presidents of Student Governments-
Student Senate of Chabot College
Associated Students of Las Positas College

3.0 PERSONNEL

- 3.1 Classified Board
- 3.2 Management
- 3.3 SERP

4.0 EDUCATIONAL SERVICES

- 4.1 Acceptance of Grant Agreement No. 17-034-006 - California Community Colleges Chancellor's Office (CCCCO), Mathematics, Engineering, Science Achievement (MESA) Grant Award, Chabot-Las Positas Community College District, Chabot College
- 4.2 Approval of 2019-2020 Academic Calendar
- 4.3 Approval of Curriculum Changes, Las Positas College for Spring and Fall 2018
- 4.4 Approval of Amendment to the Career Pathway Trust Partnership Agreement with the Alameda County Office of Education (ACOE) and Chabot-Las Positas Community College District, Chabot Area Counselor Collaborative (CACC) for the Career Ladders Project
- 4.5 Approval of Amendments to the Sub-award Agreements in Support of Chabot-Las Positas Community College District (CLPCCD), Chabot College, California Community Colleges Chancellor's Office (CCCCO) Industry-Driven Regional Collaborative (IDRC) Grant: Acute Labor

Needs, Industry-Recognized Credentials and 21st Century Skills Grant

5.0 BUSINESS SERVICES

- 5.1 Approval of Commercial Warrant Registers
- 5.2 Approval of Payroll Warrant Registers
- 5.3 Approval of Award of Bid No. 18-06, New Modular Office Complex Project, Chabot College

6.0 FACILITIES PLANNING AND DEVELOPMENT

- 6.1 Approval to Issue On-Call Professional Services Agreement with William Fredrick King for Measure B Construction Management Support Services, New Academic Classroom Building 100, Las Positas College

7.0 ECONOMIC DEVELOPMENT/CONTRACT EDUCATION

- (cc) 7.1 Acceptance of Grant Agreement No. 17-057-001 – California Community College Chancellor’s Office (CCCCO), Guided Pathways Grant Award, District-Economic Development

8.0 INFORMATION AND DISCUSSION ITEMS (No Action)

- 8.1 Informational Personnel Reports
- 8.2 Resolution from the Senates of Chabot College and draft Resolution from Las Positas College on being declared sanctuary campuses

9.0 OTHER ACTION

10.0 REPORTS—SENIOR LEADERSHIP AND TRUSTEES

- 10.1 Presidents of Chabot College and Las Positas College
- 10.2 Chancellor
- 10.3 Recognitions
- 10.4 Trustee Reports and/or Official Communications

11.0 ADJOURNMENT

12.0 CLOSED SESSION—(Government Code Section 54954.5)

- 12.1 Personnel
- 12.2 Collective Bargaining
- 12.3 Possible Litigation

1.9 PUBLIC HEARING

CHABOT COLLEGE 2012 FACILITIES MASTER PLAN MITIGATED NEGATIVE DECLARATION/ INTIAL STUDY

Board President Gin opened the Public Hearing at 8:15PM with declaration that the Chabot College 2012 Facilities Master Plan Mitigated negative declaration/initial study, is now open.

The Chancellor thanked President Gin and called upon Vice Chancellor of Facilities/Bond Program and Operations, Mr. Doug Horner.

1.10 PRESENTATION**CHABOT COLLEGE 2012 FACILITIES MASTER PLAN MITIGATED NEGATIVE DECLARATION/INITIAL STUDY**

Vice Chancellor Horner, thanked the Chancellor and reported the following: CEQA is the California Environment Quality Act. CEQA is a law that we, as a District, must comply with. The law makes sure that our projects do not place an undue impact on our environment.

Back on September 22, 2017 the District filed Notice of Intent to Adopt a Mitigated Negative Declaration for the Chabot College 2012 Facilities Master Plan. Our Mitigated Negative Declaration and study were circulated to our neighboring agencies and filed with the State and County. We also filed notice that we would hold a public hearing at this meeting. Our public hearing, as required by law, has just been conducted.

During the 30-day review period the District received one comment letter from the California Department of Transportation and we have responded appropriately.

Tonight we ask that the BOT pass the resolution and certify that the MND was prepared and circulated in accordance with CEQA. The resolution also contains two exhibits. Exhibit 1 is the CEQA Finding of Facts and Exhibit 2 is the proposed Mitigation Monitoring and Reporting Program.

If there are further questions we have our consultant, Ms. Patricia Jeffery from Placemakers, here tonight.

Board President Gin asked for Public Comments.
No comments were made.

1.11 ADOPTION

RESOLUTION NO. 07-1718 CERTIFYING THE MITIGATED NEGATIVE DECLARATION WAS PREPARED PURSUANT TO AND IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENT ACT (CEQA) FOR THE CHABOT COLLEGE 2012 FACILITIES MASTER PLAN (Agenda Item 1.11)

Motion No.3

Trustee Dvorsky made a motion, seconded by Trustee Mitzman to adopt Resolution 07-1718 certifying the mitigated negative declaration was prepared pursuant to and in accordance with the California Environment Act (CEQA) for the Chabot College 2012 Facilities Master Plan.

Motion carried by the following roll call vote:

AYES: Dvorsky, Gin, Maduli, Mitzman, Randolph, Vecchiarelli
NOES: NONE
ABSENT: Gelles (Excused)
ABSTENTIONS: NONE

1.12 PUBLIC HEARING**CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT AND CHABOT-LAS POSITAS FACULTY ASSOCIATION REOPENER PROPOSALS FOR 2018 COLLECTIVE BARGAINING AGREEMENT**

Board President Gin opened the Public Hearing at 8:18PM with declaration that Chabot-Las Positas Community College District and Chabot-Las Positas Faculty Association Reopener Proposals for 2018 Collective Bargaining Agreement.

2.0 REPORTS, FACULTY, CLASSIFIED AND STUDENT SENATES**2.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES FACULTY SENATES**

Chabot College Faculty Senate President, Ms. Laurie Docker reported on the following items:

The Chabot College Academic/Faculty Senate finds and declares that, rather than behaving like an organization that supports the Colleges who are in the front line of serving students, the Chancellor and her senior leadership has consistently acted without regard to the needs of Chabot College to the point of being an obstructionist. They:

1. Exercise control or micromanage without regard to the careful work and deliberation the College community has put into its governing process, thus impinging on the College's autonomy;
2. Ignore the College's stated needs in its enrollment management, program review documents, facilities requests, and user group feedback;

3. Foster distrust by refusing college participation in the evaluation of District processes, delaying meaningful evaluation of District processes, making unilateral decisions, lacking due diligence in fact-checking the statements it makes to the public, and not responding in a timely manner to college needs.

Instances of the above grievances can be found below. Their accumulation has strained the relationship between the District and College beyond repair. The unsupportive management style is beyond the redress of particular issues. It is under such regrettable circumstances that the Chabot College Academic/Faculty Senate takes and affirms this vote of no confidence in the Chancellor. The Senate also urges the Board of Trustees to consider the seriousness and scope of the grievances below, and to listen to the input of the college, before considering any member of the current leadership for appointment as Chancellor on an interim or permanent basis.

1.

- a. The College has followed its own procedure to identify faculty prioritization and emergency hiring. However, the District rejects the College's recommendations without satisfactory explanation. The District even claimed LPC's lack of similar process as grounds for its rejection of our request, totally counter to each college's autonomy.
- b. The College has done lots of work on Strong Work Force, yet the District did not respect the work that was already in progress and insisted on imposing their process.
- c. The District interferes/micromanages with hiring in almost all situations, even positions that are fully grant funded. To the extent that College decision does not impact the District's budget, there is no reason to question, delay, hamper, or interfere with any hiring recommendation the College President makes.
- d. The District has alternately ignored, controlled, or obstructed the work of the college Institutional Research Offices, by using misleading data at District meetings not provided by the IR offices, micro-managing Board presentations by IR, and blocking the purchase of database query software that the college Institutional Research Offices planned to pay for to upgrade their capacity for responding to data requests.

2.

- a. In the name of cost saving, the District removed user specifications of projects. However, when projects run below cost, the District refused to add back those removed user specifications.
- b. Because of the District's micromanagement of the College's class schedule, the Deans were forbidden to add class that would be filled and productive even when it is offset by cancelled classes.

- c. The District manipulated the FON to a low value to justify forcing the Colleges not to hire, ignoring the fact that FON is a minimum requirement, not an upper limit to stay away from. The District placed restraint on College hiring despite the fact that salary is no longer taken off the top in the allocation model in order to allow the colleges more local control, including hiring. Further, the District fails to project the imminent increase in FON that would occur for Fall 2018. With the FON mandate increasing so soon and with the identified needs of college staffing, getting a start on faculty hire meets immediate demand as well as spreading out the hiring work over longer period of time to ameliorate and amortize workload. Yet the District offers no pressing advantage to deny hiring that outweighs these benefits.
- d. Faculty obligation number (FON) adjustment for NURS/DHYG: The District has repeatedly refused to adjust the FON allocation between the two colleges, to account for Nursing's and Dental Hygiene's mandated 12 full-time faculty off the top. This refusal forces students in other disciplines across Chabot to make do with reduced access--and sometimes no access--to full-time faculty as compared with the other campus. In some key areas, this has a tangible, negative, impact on student success.
- 3.
- a. The District does not welcome input from the Colleges, and in fact seeks to ignore college input at multiple junctures. They deny college representation at meetings and refuse to evaluate programs and operations, most notably the Budget Allocation Model BAM. Where plans are being undertaken with significant impact for the colleges, college interests are not represented, through a flat refusal to allow colleges to participate. For example, college representation was turned away from IEPI meetings, where a district Institutional Research office, with specific implications for the local IR offices, was discussed.
- b. Chancellor Jackson has a habit of being highly and frustratingly dilatory in her decision making, which stifles the best efforts of those who are trying to improve conditions at the colleges. Moreover, under the chancellor's leadership, the District has established a disturbing habit of making unilateral decisions regarding the allocation of resources to the sites, which further lowers conditions and morale at the colleges. Most noteworthy:
- i. Denial of Recommendations. The chancellor routinely denies the well-considered recommendations of the Planning and Budget Committee (PBC)— and by doing so, violates the established premise that the Budget Allocation Model (BAM) is the mechanism by which State General Apportionment dollars are allocated to the four sites (Chabot, LPC, the District Office, and M&O.) Specifically, she has refused recommendations that significant portions of (a)

- Base Increase dollars, (b) Unfunded Mandate dollars, and (c) “Rolled back” FTES dollars flow through the BAM to the sites.
- ii. Micromanagement instead of Autonomy. When the BAM was implemented in 2013, one of the fundamental principles established was that the four sites would then enjoy some “enhanced” autonomy in determining how to use the dollars allocated to them. The withholding of significant funding as described above — combined with a stifling level of micromanagement from the District Office — has effectively vacated the promise of autonomy. Instead, the colleges have experienced a profound sense of contempt and distrust from the District. (Note: In the chancellor’s prolonged absences, the actions of Vice Chancellor Krista Johns have served to enhance the feelings of contempt and distrust.)
 - iii. Review of BAM Not Forthcoming. Another important facet of the 2013 BAM is that it was expected to be reviewed and adjusted periodically, and minimally every three years. Despite that the matter has come up several times at PBC, the review as always been perfunctory, or otherwise structured so that important changes are diverted. Thus there has been no redress to the percentage allocation to the District Office that was indemnified at the height of the Recession— when the colleges had cut their budgets far more deeply than the District Office had. As funding was restored in the ensuing years, a significant portion of dollars that should have come back to the colleges was therefore retained by the District. The chancellor has shown zero interest in correcting this imbalance.
 - iv. Unrealistic Classroom Productivity Expectations, Part I. When the BAM was implemented in 2013, FTEF was “allocated” to the campuses at a main group assumption of 530 WSCH/FTEF. (Such high productivity is fairly automatic during a recession, when demand far exceeds supply.) Post-recession, the colleges have returned to standard productivity within the main group classes, which is 480-490 WSCH/FTEF. However, under Chancellor Jackson’s leadership, the District has essentially refused to respond to changing economic conditions in a timely manner. This has severely strained the college budgets, because the BAM was never adjusted to ensure that the colleges are able fund the additional class sections required to meet enrollment targets, without encroaching on other programs. [See item (iii), above.] It is worth noting that the additional cost, at marginal FTEF rates, is over \$2.7M annually, district-wide.

- v. Unrealistic Classroom Productivity Expectations, Part II. Between 2013 and 2016, Chancellor Jackson established a habit of refusing or outright ignoring the urgent and well-considered recommendations of the District Enrollment Management Committee (DEMC). During this period she: (i) denied recommendations to add FTEF to the class schedules until it was too late to add classes productively; (ii) failed to respond to the DEMC recommendation in time to plan class schedules for the following year; and (iii) promulgated FTES targets and FTEF allocations so low that it would have forced the colleges to downsize by 10% at a time when they should have been restoring our FTES base to pre- Recession levels. These actions required some level of defiance to avoid unnecessary harm to the institution — in one instance, the colleges had no choice but to proceed with planning for the following year, using unofficial targets.
 - vi. Unrealistic Classroom Productivity Expectations, Part III. Since the arrival of Vice Chancellor Krista Johns, decision making has been less dilatory, at least, however the District remains highly recalcitrant with regard to setting realistic productivity targets. During the summer of 2017, when enrollments were tracking below target for Fall Semester, the colleges were not allowed to add classes in excess of their FTEF allocations until it was too late to add classes productively. DEMC was able to secure funding for some additional FTEF to add classes, but the District has signaled their intent to micromanage the productive use of said FTEF — despite their role in circumventing its productive use earlier (!) — which lends the impression that servicing our students is a lesser goal than improving the financial bottom line for District managers.
- c. The District made the decision to offer SERP without consulting College Presidents nor the President of the Faculty Association in any way. No effort was made to discuss whether it was appropriate or desirable, or to consider the impacts on college operation and staffing. Staffing directly affects education program development and process for institutional planning, which by Board Policy 2015 requires consultation with the Academic Senate to "reach mutual agreement." Yet, the District made no substantive effort to reach out to the Senate Presidents before placing the SERP on the Board agenda. The grievance here is not about the terms of the SERP but about the decision of whether or not SERP should be offered in the first place without consultation. From the College's perspective, it seems entirely about eliminating our most senior and often extremely knowledgeable employees in the interest of reducing costs without consultation as to the wisdom of doing so. The College might have made a solid argument that we have barely recovered from the last two SERPs and a layoff. No data was gathered to assess the number

of faculty or classified professionals in various “tiers” of experience or seniority and whether a SERP would have a healthy or detrimental effect.

d. The District continues to limit our FTEF in course offering, impacting our ability to meet target. Then it turns around to suggest that Chabot may need to “right-size.” Such a ploy is akin to a systematic government defunding of public education, after which public schools are then blamed for not performing. Offering last-minute FTEF to open more classes very close to the beginning of the semester or after it has started does not atone for the damage that has been done. Rather, it sets the college up for failure, as THAT timing almost ensures that classes will not fill, thus not meeting the WSCH-FTEF ratio; then the District uses the failure it creates as misleading evidence that we don’t need additional FTEF.

e. District purchasing office claimed that special equipment orders were not placed with sufficient time for materials to be received to qualify for the current PO payment (end of June requirement in 2017). Many payment accounts were not rolled over and requestors were told to reapply in subsequent program reviews. Multiple departments reported similar experiences. These orders were placed months ahead of the end of June due date for orders received. Rather than being a dependable support to the College’s needs, the District has become a liability as individual requestors must track District’s progress to ensure that special equipment request are fulfilled in a timely manner or else risk losing those items.

f. The District was not diligent in fact-checking its claim about the ownership of the Hayward Executive Airport, which it used as a concern in its delay to partner with the City of Hayward for a fire training facility.

g. Even though Fire Technology had worked for 16 months in preparation for the partnership with Hayward on the fire training facility and we are now approaching a deadline, the Chancellor submitted to the Board only an intention to explore the partnership, which is a very weak statement and undermines Chabot’s planning. It’s only under the Board’s intervention that we are now authorized to pursue an MOU with Hayward. The Board should not have to be doing the Chancellor’s job.

h. Chancellor Jackson and Vice Chancellor Johns have prevented the possibility of any discussion to be had around the joint-senate Sanctuary Resolution proposed by Chabot College, refusing to put the item on the agenda although this was first presented to the Board back in May 2017.

Las Positas College Faculty Senate President, Ms. Melissa Korber reported on the following items:

In October and November 2017, the LPC Academic Senate has been discussing the following:

1. Response to Chabot College Academic Senate's Vote of No Confidence.
2. The Senate is seeking input from faculty on this issue. Division meetings will take place November 15th. She acknowledged the work and courage that went into putting this together. She asked the Board to refrain from any decisions until this matter is resolved.
3. Resolution Endorsing the Online Education Initiative's Course Design Rubric
The Senate will vote on this resolution at the November 29 meeting.
4. Noncredit Classes and the Status of Negotiations
The Faculty Association provided an update on the status of negotiations and the inability to reach agreement on faculty pay at the November 8 meeting.
5. Campus Safety/Door Locks
The Las Positas College Academic Senate recommends immediate action to make sure that all rooms on campus have door locks that can be activated in emergency situations. She stated she knows this is being looked into.
6. UndocuAlly Update
The UndocuAlly Task Force is focusing on training allies, producing an ally list, getting the website up and running, and making resources available to students. UndocuAlly also wants to create a resource center for students. Commended the group on their work.
7. Academic Senate Fall Fundraising Challenge
The Academic Senate raises money for student scholarships and to support senate-sponsored events.
8. Senate Approvals
She stated how in awe she is with the students in their delivery of Sanctuary and what they are presenting, we need to listen to them. She also thanked the Board for changing the Board meeting to Chabot as it's important the student's voices are heard. As educators we are helping in developing that voice from what I heard tonight are some really well developed voices and I feel better about the future of this country after hearing them speak. Lastly, she emphasized Chabot- Las Positas and Chabot Las Positas District should be Sanctuary.

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

Las Positas College Classified Senate Ambassador, Cindy Robinson reported on the following:

Las Positas College Classified Senate statement on the Chabot College Academic/Faculty Senate Vote of No Confidence and Las Positas College Academic Senate Resolution of Concern.

The Las Positas College Classified Senate Governing Council has read and discussed the statements by Chabot College Academic/Faculty Senate on the Vote of No Confidence and the Las Positas College Academic Senate Resolution of Concern circulating through District email. We are aware that silence can be misconstrued as consent. This is why we felt compelled to make the following statements.

By majority vote (one abstention), we have decided not to address the concerns of the Vote of No Confidence as they appear to be Chabot-centric and we do not wish to comment on conditions of which we have no first-hand knowledge.

The Las Positas College Academic Senate Resolution of Concern is still under discussion and therefore we feel it would not be appropriate for us to comment at this time.

The Las Positas College Classified Senate does not have any areas of concern over the leadership of the District at this time. If we have concerns over the District leadership, we will originate our own statements or resolutions outlining our position as needed.

Chabot College Classified Senate President, Ms. Noell Adams reported on the following:

She stated at their November 6th meeting, Classified Senate met with the Security Master Plan Consultant, Catalyst. They reviewed the project goals and objectives for Chabot's Security Master Plan, and they discussed issues/needs that are of particular concern to classified professionals. They are looking forward to reviewing the draft plan in the coming months.

The Classified Prioritization Committee is holding its first meeting of the academic year tomorrow, November 15th. During the meeting, they will be reviewing: (a) budget development timeline and process and all the factors that impact whether new classified professional positions will be recruited and filled in a given year, and (b) Chabot's classified professional staffing level trends over the past five years. They will also be discussing the impact of the SERP on their classified professional staffing levels and the college's replacement plans.

Lastly, she reported the next Classified Senate meeting is scheduled for this coming Friday, November 17th. Agenda items will include, among others, a discussion on the state-wide Guided Pathways Award Program, Chabot Academic/Faculty Senate's Vote of No Confidence, and Board Policy 2310 Regular Meetings of the Board.

District Classified Senate, Ms. Rachel Ugale reported on the following items:

Nothing to report at this time.

Las Positas College Student Senate President, Ms. Tatiana Hernandez reported on the following items:

She stated there campus empowers the underrepresented and underserved with respect to race, ethnicity, national origin, immigration status, religion, sexual orientation, gender identity, ability, and all forms of marginalization;”. This is a statement used in LPC’s resolution.

She expressed when she came to Las Positas she wasn’t excited. She knew she wasn’t going to get the same college experience as her friends who were going to four years like making lifelong friends. She would come to LPC to get her education and leave. She had no friends so she joined a few clubs and she still didn’t make any friends, instead she made a family.

Senators from student government make jokes about how they are always on campus and how “we basically live here”. She stated she spends so much time on campus and has come to know and love the school and she basically considers it home, how she defines home is a safe haven where you can be yourself and feel comfortable; a place where they can come and have a sense of security and she wants everyone to feel the way she does. She stated they have established that this is symbolic but it means a lot to the students to know that this district has their back and that despite our political climate that they have a place to go and feel welcomed. Lastly, she stated she was at Chabot yesterday and one of their members of student government made a remark about leadership. “Leaders are those who serve to and for the people”, and that is why we are all here, to best serve the students and make this district the best it can be, this resolution is a step in the right direction. She proudly stands with the students of both Chabot and Las Positas and hopes the Board decides to stand with them too.

Chabot College Student Senate President, Mr. Zaheer Ebtikar reported on the following items:

Regarding the Budget he requested the following, an update on current budget allocation model (BAM). He asked if Chabot College’s deficit can be fixed by using district reserve money. He asked for an itemized breakdown on district generated money. Also where in the current BAM is the expenditure of revenues such as Chase Bank Rental. He requested a realistic timeline of the Bond Measure and where the bond money is allocated and what projects are currently on the docket and how soon they’ll be completed.

He, thanked the Board for moving the meeting back to Chabot College. He stated that this should've been the case in the first place and to make sure that the experience and the sentiments expressed in the last meeting are forever remembered by the community.

Regarding the hiring on campus he stated the following, assessing the wants and needs of Chabot College Students and determining which classes are the most wanted so we can have adequate sections for those courses. Adding more faculty in the STEM Department in various sections (especially in higher level courses). Adding more counseling positions on campus at Chabot College because of the sheer volume of students wanting to meet with their counselors.

On Sanctuary he expressed wanting the resolution at the next Board meeting at Chabot College.

Lastly, he stated that with LPC's joint resolution we stand together and they support the passing of the resolution and they do not believe it to be fair for the district to blame LPC.

GOOD OF THE ORDER

Charlotte Lofft, Faculty Association President mentioned the following:

This is the first time back since she broke her leg in April and is glad to be back. She stated she became Faculty Association President in 1998 and in the 34 years of being a part of the Faculty Association she felt there was never a doubt that the District leadership would do the right thing in respect to social justice. She stated, she wasn't sure why we're having this discussion tonight, and the students coming forward, this should've been decided in the affirmative with no problem. She also pointed out that it seems completely reasonable that the Budget Allocation Model (BAM) should reflect the group decisions, decisions as a whole which comes from the top down model. She stated she was part of the efforts when the current BAM was decided and voted against it approximately 7-8 years ago it was a group effort even though she didn't like the result, at least it was a group effort. She strongly favors that approach. Lastly, she suggested rotating the Board meetings, its egalitarian which gives credibility to everyone.

10.0 REPORTS-SENIOR LEADERSHIP AND TRUSTEES

10.1 PRESIDENT OF CHABOT AND LAS POSITAS COLLEGES

Dr. Susan Sperling, President Chabot College reported on the following:

Expressed her admiration towards the students, employees and community members who have exercised that most fundamental democratic right to petition their elected representatives. She stated she appreciated the expressions of solidarity to employees and students across the campuses. She gave a "shout out" to Reverend Darlene and thanked her for her presence and support.

She shared October 28th was their Homecoming and Game, hosting Modesto Junior College. They had Carnival Rides, Food, Beer and Wine Garden. She acknowledged seeing a Vice Chancellor at a Food Booth supporting activities. She regretfully reported Chabot did not win but had very worthy advisory there.

She congratulated Vice President Matt Kritscher for receiving the Educator Excellence Award. He has been selected to receive this award from the African American Regional Education Alliances at their 9th Annual Professional Summit February 2, 2018.

Lastly, because a question arose at the last Board meeting about Local Revenue across the District, she has included a brief discussion of local revenue on rentals at Chabot and how they're being used.

Ms. Roanna Bennie (Interim President), Las Positas College reported on the following items:

Thanked Student Leaders who have researched, thought carefully and proceeded with wisdom in everything they are facing, as well as other leaders.

She congratulated everyone that will be taking the SERP and retiring.

She reviewed and highlighted the upcoming List of Events and Newsletter. She expressed gratitude to the faculty that continue supporting Athletics, Theatre and Talk Hawks.

CHANCELLOR REPORT

Thanked everyone that spoke tonight, she stated it takes courage to do that whether you agree with what's being presented or have a dissent vote. She emphasized the comments have not went on deaf ears and never has.

She happily announced that at the Measure A and B oversight committee last month there was an unqualified audit on Measure B Funds. She stated there were some questions at the last Board meeting centered on this and information will be provided at the next meeting.

Lastly, she thanked the Board for approving the SERP in which 59 individuals have met the criteria to move forward. The criteria was 55 or older with minimally 10 years of service. She stated individual information has been sequestered until tomorrow at 4pm at which time it will be released to the campuses and to the Board.

TRUSTEE REPORT AND/OR OFFICIAL COMMUNICATIONS

Trustee Maduli, thanked the students from both colleges that spoke tonight, he too has children that go to college and the concerns have not fell on deaf ears. He stated as a Veteran he was able to attend the Las Positas College Veterans Day Event which the Chancellor was

there and afterwards he visited the Foundation. He mentioned he started a scholarship program for Veterans in honor of his father who fought in 2 Wars. He hopes in the coming weeks he can spend some time at Chabot College.

President Gin thanked Trustee Maduli for sharing such a touching story.

Trustee Mitzman, thanked Las Positas for hosting such a wonderful Veterans Day Event which he attended. He spoke about the DECA Conference that was held recently held in New York. Thanked all the courageous speakers for their heartfelt thoughts and looks forward to seeing everyone at Chabot College next month.

Trustee Vecchiarelli, stated tonight was a great meeting and he agrees with Sanctuary College however, it can't be just a name a procedure needs to be developed so if something happens we can ensure the safety of our students. He concluded with sharing a personal experience regarding the I.N.S.

Trustee Dvorsky, agreed with Trustee Vecchiarelli in keeping our students safe. She stated she has concerns about the Academic Senate and the Chancellors relationship and encouraged that should there be any problems they be brought to the Board as they will get it resolved.

Trustee Randolph, thanked Las Positas for hosting the meeting and thanked all the student speakers for sharing their stories.

Las Positas Student Trustee Chris Romero, stated as a Student Trustee he sits in a weird area doing his best work representing LPC and the Board. He stated there are 2 big misconceptions regarding Sanctuary Status, who it's affecting and the power of the symbolic gesture. He stated we need the symbolic gesture at both Chabot and Las Positas College. He stated he is proud of campus faculty and students for working extremely hard on a topic that is so important to so many and especially thanked the Board for getting the Resolution on the Agenda.

Chabot Student Trustee Juliet Garcia Gutierrez, echoed her thanks to everyone who spoke tonight and worked so hard on the Sanctuary Resolution. She shared Chabot's Student Senates excitement as they will be attending Fall General Assembly in Sacramento this weekend. She concluded with wishing everyone a Happy Thanksgiving.

President Gin, concluded the meeting with stating it's been 2 long meetings, and stated he wants to ensure everyone the Board is listening and are respecting everyone's comments. He stressed it hurts him personally when people think the Board does not care. He stated the December 5th Board meeting has purposely been moved so all voices can be heard.

Chancellor Jackson, commented that President Gin's son (Kevin) this past weekend got married and congratulated him.

President Gin thanked everyone for their well wishes.

ADJOURNMENT

Motion No.4

Trustee Vecchiarelli made a motion, seconded by Trustee Mitzman to adjourn the meeting at 10:47 p.m.

Motion carried unanimously, 6-0, with Trustees Gelles absent.

NEXT MEETING

The next Meeting of the Board is a Regular Meeting scheduled for December 5, 2017 at Chabot College.

Minutes prepared by:

Debra Nascimento
Recording Secretary

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