



Chabot-Las Positas Community College District

Chancellor's Council

Tuesday, April 14, 2020

3:00 – 4:30 p.m.

District Office, Green Room

Conference Call

Meeting Minutes

Present: Ron Gerhard, Noell Adams, Dyrell Foster, Miguel Colon, Dave Fouquet, David Rodriguez, Susan Sperling, Sarah Thompson, Rachel Ugale, Chasity Whiteside, Yvonne Wu Craig

Guests: Theresa Fleischer Rowland, Bruce Griffin, Owen Letcher, Guisselle Nunez, Doug Roberts, Matt Kritscher, Rajinder Samra, Stacy Thompson

Interim Chancellor RGerhard called the meeting to order at 3:02 p.m.

1. Review and Approval of the February 11, 2020 and March 11, 2020 minutes

The February 11, 2020 minutes were approved as presented. **(Adams/Ugale) Fouquet and Whiteside abstained.**

The March 11, 2020 minutes were approved with the deletion of Theresa Fleischer Rowland's name from the present section. **(Colon/Sperling) Wu Craig Abstained.**

2. Board Policies/Administrative Procedures (standing item)

a. First Reading

- i. BP 3050 Institutional Code of Ethics**
- ii. AP 3050 Institutional Code of Ethics**
- iii. BP 3100 Organizational Structure**
- iv. BP 4010 Academic Calendar**

- v. **AP 4010 Academic Calendar**
- vi. **BP 4020 Program, Curriculum and Course Development**
- vii. **AP 4020 Program and Curriculum Development**
- viii. **AP 4022 Course Approval**

No feedback given on the first reading board policies and administrative procedures.

b. Second Reading

i. BP 2735 Board Member Travel

DRodriguez stated at the February meeting, there was conversation about whether we need to limit the student trustees' amount. We were either considering increasing it or removing the limit. RGerhard recommended striking the sentence, "~~If granted approval, in order to maximize funds, expenditures would be limited to \$1,500 per year per Student Trustee, provided funds are available within the approved Board Conference Allowance.~~"

ii. BP 2740 Board Education

iii. AP 2740 Board Education

iv. BP 2745 Board Self-Evaluation

v. BP 2750 Board Member Absence from the State

There was a motion to recommend these BPs and one AP with the modification to BP 2735. **(Rodriguez/Sperling). All in favor.**

c. Further Review

i. BP 2725 Board Member Compensation

SThompson added a comment of adding \$100 to the student trustee compensation. RGerhard suggested holding off on any changes at this time. There is some proposed legislation to change the student trustees' rights. If the legislation is approved, the policy would have to change not only compensation, but also the voting rights and authority.

The motion to be approved was only for block 2b, not including the further review board policies and administrative procedures.

ii. AP 4021 Hours and Credits

TFleischerRowland discussed that AP 4021 language is incorporated into AP 4020, which is in the first reading. We are in the cycle review of chapter 4. We're going through each of the BPs and APs in Chapter 4 and cross referencing with CCLC's subscription service. The number 4021 would be freed up to use for CCLC's allocation for "Program Revitalization/Discontinuance." The new BP and AP 4021 will be reviewed at a future meeting. MColon is not happy with the change that allows the Chancellor to circumvent the academic senate and go directly to the curriculum committee. BP 4020 is the one being referred to and is included on the agenda as a first reading. It was questioned why consulting academic senate was stricken from the BP. TFleischerRowland mentioned that part of what comes to you is the inclusion of the recommendations from the League. Occasionally, they are legally required. MColon had reached out to TFleischerRowland regarding the change and Ms. Roanna Bennie responded, but the question as to why consulting with academic senate was struck was not answered. MColon has not shown this to academic senate because it just came up, but they will not be excited about this either. The strike out discussed was looked for within the document. RGerhard agreed with MColon that it does sound odd because the curriculum committee is a committee of the academic senate. Was there any discussion on this BP and AP at ESS? TFleischerRowland mentioned that there was some discussion, but no edits were made at ESS. It was noted that it would go for a first and second reading at Chancellor's Council. RGerhard asked if this was part of the group of policies that came from Mr. Craig Kutil. SThompson stated that it may not be BP 4020. RGerhard remembers that the AP that CKutil had forwarded suggested striking reference to a district curriculum committee. MColon found the BP in question and it was BP 4100. RGerhard complimented TFleischerRowland on the flow chart presented.

3. Review recommendation on policy and procedure for Wildfire Smoke and Air Quality

OLetcher presented the recommendations of the task force on air quality that followed the student resolution from LPC that was presented to the Board. Out of that task force have come 10 recommendations to the Chancellor:

- 1. Fully implement and comply with the CAL/OSHA emergency rule including N95 respirator distribution for outdoor workers, reduction to exposure, and fit testing and distribution of required information when the AQI exceeds 500.*
- 2. Utilize the EPA AirNow "Current Conditions AQI" as the official AQI data source for decision-making and operational actions.*
- 3. Adopt the AQI-Based Decision-Making Matrix as the standard for wildfire smoke event and recommendations policy.*
- 4. Assess current stock of N95 respirators and particle masks and ensure sufficient quantities to meet CAL/OSHA Section 5141.1 and any additional planned location-based response actions (only make N95's available with proper use instruction).*

5. *Maintenance and Operations staff to develop campus specific pre-event building HVAC system inspection and maintenance.*
6. *Develop or update policies and procedures related to academic accommodations if the delivery of instruction is interrupted due to academic class cancelations due to wildfire smoke.*
7. *Identify on campus facilities that could serve as temporary "cleaner air spaces/centers" during a wildfire smoke event.*
8. *Consider developing pre-scripted messages for each college community that summarize expected actions, AQI-based decision thresholds, exposure reduction measures, limitations and associated risks, resource links, etc.*
9. *Investigate, purchase and install outdoor air quality monitor sensors for PM2.5 at each College to improve real-time local PM2.5 data to better assess is local air quality conditions are deteriorating or improving. Link systems to websites for display and tie to HAVC controls if available technology exists.*
10. *District Vendor or M&O should maintain at least one portable PM monitor to be used for general indoor air quality (IAQ) investigations and for guidance during wildfire smoke events.*

This would stay at the local policy and procedure level and it would not be an administrative procedure or a board policy. It was asked how this came to be? OLetcher stated that after the 2018 smoke event, Student Trustee Garrett Culbertson presented to the board a resolution asking the district to establish a wildfire smoke policy or procedure. That was passed by the board to the Interim Chancellor and then to OLetcher. Representatives from both colleges included athletics, student services, academics and maintenance and operations. Different alternates and practices were studied. The UC office of the President came out with their system wide recommendations. Their matrix was chosen for adoption, which has different recommendations for every level of air quality. The recommendations are specific to whether someone works outside, has an athletic event or outdoor recreation, or if it is an Early Childhood lab school. One of the recommendations was to add anticipated communication, training, or a document related to how to test fit your own mask. Fifteen recommendations were combined into ten total recommendations. This was brought to the campus facilities committees, the campus health and safety committees, the district facilities committee, senior leadership team, and now to Chancellor's Council.

RGerhard added that it is on the agenda to review the recommended policy. Chancellor's Council is being asked to support this recommendation from the task force. There was a motion to recommend this policy and procedure on wildfire smoke and air quality.
(Colon/Rodriguez)

DRodriguez commended the students for bringing this up and commended OLetcher on opening the conversation with the task force. The process addressed a lot of the original

concerns. RGerhard mentioned this will be sent to former student trustee Culbertson, since he was the originator.

NAdams added that one thing that was noticed on the participant list, it shows Bill Hall was included under the District Office but is an appointee from Chabot. What does it mean to maintain a PM monitor? OLetcher discussed that this would have to be calibrated and serviceability of the unit, which may need a bit of budget. NAdams asked what the cleaner air spaces/centers would be used for. OLetcher answered with if we had a building that we knew had multiple layers of filtration on the air handling system, and that the air would be recirculated in that building, we could limit the outside air that would come in. If someone had an exposure or risk, we could relocate them to that facility. In a broader sense, if we were to shelter indoors or emergency sheltering were activated, we would already have a list of buildings where we knew the air quality is better. We could strategy those buildings so they could be better used. DFouquet asked about the PM monitors. How are those utilized? OLetcher said there are two recommendations related to that. The first one is that we have at least one installed on both campuses. The discussion of the group was that we should have one at the theater and one at athletics on both campuses. The portable one would be used where there was bad air quality, but it would be best to have two portable monitors.

RGerhard stated seeing no abstentions or no votes, the motion carries. **All in favor.**

4. Draft Procedure 411 SCFF Data Management Control Environment (RGerhard)

RGerhard discussed the draft procedure. It is being shared because it is a marker of what we have been talking about related to the funding formula and really where the state is going. Through participating in the fiscal advisory committee, there has been monthly conversations on the student-centered funding formula. That body is the recommending body to State Chancellor Oakley on recommendations on how the funding formula should be implemented. This group is not the Governor's Oversight Committee, which recommends to the Governor and the Department of Finance and legislature. This document came out of due to discussion on how the state would pull the data to use as inputs into the funding formula. We knew ahead of the State that they would have trouble with this because not all districts report data in the same manner, leading to inconsistencies that were found later when they were running their SCFF metrics. Once they found that they had flaws in the data, they contracted with the state organization, Fiscal Crisis Management Assistance Team, to go in and choose at random to observe data collection validation and reporting practices. They have finished that work and have made recommendations to the state Chancellor's Office. This document came out of that work, which is geared towards making recommendations to the state chancellor's office on how they can better ensure data validity and integrity within the MIS reporting structure. It is being shared with Council because everyone will be impacted. This is just phase 1. This FAQ is a multi-year approach that the State Chancellor's Office is taking

towards better aligning reporting practices among all 72 districts. DFouquet asked if this data includes the number of financial aid utilizations, successes, associate degrees and certificates. RGerhard mentioned that this document does not include that, but that is the direction they will be going. The document states, “desk procedures as documented and operating manuals and ongoing monitoring are widely considered best practices for internal controls.” With that being said, this year is the first year that our external auditors are coming in and being asked to review the control environment. What that means in audit terms is whether there are written documented procedures on how data owners have procedures in place to ensure that data is being accurately entered into banner, how it is being reviewed on a periodic basis, and how the districts are submitting through the MIS portal to the Chancellor’s Office. DFouquet mentioned that one issue coming up will be the first-generation college students because that is dependent on college self-reporting to make the unduplicated headcount. It won’t be as simple as counting the number of financial aid utilizations. It is up to the colleges to figure it out. It must be consistent statewide. DRodriguez mentioned that he had a conversation with the deputy chancellor complaining about the funding formula. One of the comments made was that the college needs resources in order to be able to improve the quality of the data. We can improve quality on data, but there is a cost associated with it and it requires that data owners are engaged and that we have processes in place to clean up data and documentation so that we can be on the same page. What data are we going to look at and how do we make that sustainable. There are a lot of components to this conversation. Rajinder Samra has been reviewing the data for the Promise Grant and the Pell grants by district and I’m wondering if the auditing is affecting some of the numbers. The colleges are significantly down in terms of the Promise Grants. MColon asked what this means for us and how could we be impacted. RGerhard stated that all our departments that enter data into Banner need to be familiar with what our external auditors are going to come in and ask. RGerhard went through some of the suggested audit procedures. If we do not have responses to the auditor’s questions, the auditors can identify an audit finding. Not that this has a monetary consequence, but it is something that we will have to address and respond to. What does it mean for us? We must be asking ourselves these questions within our offices and divisions so that we are prepared when the auditors come that we have an answer to them, and we have met the state’s compliance requirements. The State is going to insert more and more power on how we collect data institutionally. This is just an information item and it is encouraged to share with your constituencies as appropriate.

5. IPBM Structure (RGerhard)

RGerhard presented the committee charges for the IPBM committees. When we started off in Chancellor’s Council, we were trying to develop an IPBM committee structure so we could best act and adjust to the SCFF. The Funding Formula Committee was developed, and the charge looks like and overlaps with ESS. Dr. Cota was the Interim Chancellor at the time and conversations were had about whether ESS was functional and if that was the appropriate committee to discuss the SCFF success metrics. VC Krista

Johns had a strong position/belief that ESS needed to focus on Guided Pathways and the implementation of AB705 and other state mandates. The FFC was created as a result. It is the time to discuss if it is appropriate to merge the ESS and the FFC. If you look at the charges, they are in many instances duplicative. As many of our colleagues point out, the meetings are comprised of many of the same individuals.

MColon thought about it merging with PBC because there is duplication in the charges. It has been discussed that ESS would look at some of the SCFF proposals, but handling the financial piece is the challenge of ESS. CWhiteside asked if there will be a review of the district's IPBM as a whole. RGerhard believes that should take place. Getting together the IPBM committee members for a retreat was suggested. Charges and committee goals need to be reviewed. Others also suggested that the IPBM committees are reviewed. TFleischerRowland added that examining ways the district can adjust to the new funding formula seems key to the FFC charge. If consolidating, this cannot be lost. The adjustments are both about educational quality, learning, teaching environment, and fiscal analysis and agrees to suggest review of IPBM.

RGerhard stated that it will be brought to the next meeting to receive more feedback. NAdams is concerned about moving all the responsibility to ESS. It is preferred to review the whole IPBM meeting. When there is a permanent Chancellor in place, there should be movement forward with the board policy and administrative procedure on shared governance. That workgroup could also tackle that review. DFouquet added that Chancellor Jackson had brought the model that existed in her previous district. It is important to preserve the function of DEMC.

6. Coronavirus Update (RGerhard)

RGerhard discussed that weekly, or more, communications have been going out. There has been some passionate discussion regarding EWs, or what we're calling XWs. We know that the state has given districts the ability to grant EWs to students for very specific purposes, defined in Title V. Normally, districts are allowed to assign extraordinary withdrawals if a student were to fill out a form and provide some minimal level of supporting evidence. In the memorandum, the business officers have been having conversations pushing for this. Chancellor Oakley is exercising his authority, granted to him by the board of governors to take extraordinary actions considering the Coronavirus pandemic, by adding reasons to issue EWs. In hindsight, this document is written with vagueness and provides little clarity. The State Chancellor's Office has given directions on the expectation of being able to give the EWs for Coronavirus, the student would go through the normal process to request. Unlike before, there would be no expectation to provide documentation or evidence. Where this document falls short in clarifying is the state is under the impression that the student is going through the normal process to request but waiving the requirement to provide documents. This document has created a lot of confusion statewide. There will be a clarifying memo later this week and there will

be a webinar on May 7th to walk through the document. The first issue is the ambiguity that is contained in the document. The second issue is how we are asking our students to request for an EW.

MColon restated the first sentence, "Students may withdraw and should not be required to complete additional paperwork or petitions to withdraw or receive a refund." The students have been given instructions, but it is difficult to submit. It is not an easy process. There was an email exchange with VP Stacy Thompson and the Vice Chancellor of Educational Services and Support, Marty Alvarado, trying to gain clarity on this over a week ago. MAlvarado says given the guidance provided on March 20, students should not be required to complete paperwork or petition for a withdraw. And colleges should not record a W for students that withdraw due to the current state of emergency. Colleges may only award an EW, so it would seem in alignment to update previously issued Ws to ensure that students are not penalized. MColon mentioned that the greatest concern is placing hurdles in front of the students. RGerhard understands and they tried to get out something that provides flexibility but did not necessarily focus on verbiage. I would focus on the words "additional paperwork" because there is a form that students fill out. There have been conversations to revise the refund forms. The guidance from the State Chancellor's Office is that the process should not be unduly burdensome, so it should be as simple as possible meaning everything should be on one form. If a student isn't the one initiating a request, the person could be requesting the EW that may not be related to COVID-19. That is the reason why they are still asking the students to initiate the request and it be done in the same manner that we have had in place. MColon mentioned that we have given it a XW code so that it is recognized that it is different than what we have done before. Extraordinary withdrawal is a different animal. SThompson gave information on a webinar on Thursday with Marty Alvarado, etc. that will go over exactly this subject. DFouquet mentioned that the issue that is crucial is a regular W deadline has just passed. Students may have dropped with a W because they do not know anything different. You may also get instructor initiated Ws. It is a huge question if those would get updated as EWs. MColon restated that Marty Alvarado said those previously issued Ws to ensure that the students are not penalized. SSperling wondered if there was a slippage in mutual understanding. It could be meant that the student is eligible to revisit the conversation of EWs. RGerhard mentioned that in conversations with the Chancellor's Office, their intention was not to blanket as we're talking about issuing XWs (our language) wholly across the board. The issue would identify COVID-19 as their XW. An example was used if a student texted their teacher that they could no longer continue due to COVID-19, would that meet the state guidelines for an EW. The answer was yes, if it could be captured that it was student initiated. This guidance method was not interpreted to authorize XWs in a blanket fashion. Time is of the essence on this. There would be some form of communication that faculty could use for students that are currently enrolled in their classes. BGriffin stated that Stacey Followil was stepping some through the process of using a form on Classweb that would allow students to log in and

make the selection instead of using a PDF. Hoping to get the go ahead to publish it soon after A&R reviews. MColon reminded everyone that the student would have already put in their Ws and so have faculty before this goes into production. RGerhard stated that two communications need to go out. One by the end of this week how students can pursue an XW in Classweb. We have over 800 districtwide Ws and those students needs to be contacted to ask them why they were unable to continue. We can then go back and change to an XW if the student states they dropped due to COVID-19. XWs will not be an exception to audit compliance. If they were issued without the documentation, that could trigger an audit finding. We need to communicate with the student as soon as possible.

7. Update on the Educational Master Plans and District Strategic Plan (TFRowland)

This item was tabled.

8. Future Agenda Items

Future items should be sent to KCostello.

The meeting adjourned at 5:10 p.m.

Next Meeting: *Tuesday, May 12, 2020*