



Chabot-Las Positas Community College District

Chancellor’s Council

Tuesday, September 12, 2023

3:00 p.m. to 4:30 p.m.

District Office, Conference Room 1

Attendees:

<input checked="" type="checkbox"/> Ron Gerhard	<input checked="" type="checkbox"/> Dyrell Foster	<input checked="" type="checkbox"/> Aubrie Ross
<input checked="" type="checkbox"/> Mona Abdoun	<input checked="" type="checkbox"/> Dave Fouquet	<input checked="" type="checkbox"/> Rachel Ugale
<input checked="" type="checkbox"/> Joanne Bishop-Wilbur	<input checked="" type="checkbox"/> Joel Gagnon	<input checked="" type="checkbox"/> Ashley Young
<input checked="" type="checkbox"/> Jamal Cooks	<input type="checkbox"/> Theresa Pedrosa	
<input checked="" type="checkbox"/> Virginia Criswell	<input checked="" type="checkbox"/> Brody Price	

Guests: Theresa Fleischer Rowland, Owen Letcher

MINUTES

Chancellor Ron Gerhard called the meeting to order at 3:02 p.m.

1. Introductions

RGerhard gave a quick review of BoardDocs, where all meeting materials will be available moving forward. If anyone serves on other IPBM committees, those agendas will also be found on BoardDocs.

1.1. Chancellor’s Council Members 2023-2024

RGerhard went through the membership list. Joanne Bishop-Wilbur will be added as the Classified Senate district representative.

2. Review and Approval of the September 12, 2023 Agenda

The agenda was approved as presented. **(Young/Ross). All in favor.**

3. Review and Approval of the Minutes from the May 9, 2023 Meeting

The minutes from the May 9, 2023 meeting were approved as presented. * **(Ross/Gagnon) Abdoun, Bishop, Criswell, Price, Young abstained.**

**Note: Due to the number of abstentions, minutes were not approved by a quorum.*

4. Information and Discussion

4.1. Council Meeting Dates 2023-2024

Council’s meeting dates for 2023-2024 were shown as an information item. These dates were approved by council’s predecessors. It was asked to review if there are any new-found conflicts and issues. If there should be any conflicts that we should be aware of, let us know and we can agendize them.

4.2. IPBM Committees’ Survey Results

An electronic survey was sent out to all IPBM committee members for the 2022-23 academic year. The committees included the Technology Coordinating Committee,

Facilities Committee, and the Planning and Budget Committee. The results were similar to last years' conversation, where the areas for improvement included the lack of reporting out to the colleges and/or constituent groups. Much of the feedback is generally positive of how our districtwide governance committees function to serve the needs of the colleges and students. For one committee there was a feeling that not all of the discussions were given throughout the district. This is probably a valid point. How do we expand that knowledge throughout the district?

Ashley Young asked if a year end report should be given from every committee. RGerhard stated that, at the beginning of the year, it would be fruitful for the committees to have an end year goal. It would be good to come up with a summary of what has been done.

4.3. Review of IPBM Structure and Council's Charge

RGerhard stated that there has never really been an orientation for new Chancellor's Council members. Because there are so many new folks on council this year, the charge of council was reviewed. Council recently revised policies and procedures on participation in district and college governance.

[BP 2510 Participation in District and College Governance](#) was last updated in November 2022. The first paragraph states for faculty: *"The Board shall consult collegially upon the advice and judgement of each Academic Senate independently on college matters and the two senates jointly on district matters. District matters should be of sufficient importance that the policies of one college result in a significant impact on the ability of the other college to carry out its own policies."* The Academic Senate Presidents should talk about the subject matter together before bringing it forward.

All of you have a seat at the dais at the board meeting. Our board and district values that. Not every district does this and it is a benefit to us and our district.

RGerhard continued to read, *"'Rely primarily' means that the recommendations of the Academic/Faculty Senate will be forwarded to the Board through the Chancellor will normally be accepted by the Board. If a recommendation is not approved, the Board or its designee shall promptly communicate its reason in writing to the respective senate. In instances where a recommendation is not accepted, the Board's decision must be based on a clear and substantive rationale, which puts the explanation for the decision in an accurate, appropriate, and relevant context."*

If the board has a concern, there is a requirement for the board to engage with the Senates to figure out what the issue is. *"The board "relies primarily" on the Academic Senate in the following academic and professional matters:*

- a) Curriculum, including establishing prerequisites and placing courses in disciplines;*
- b) Degree and certificate requirements;*
- c) Grading policies;*

- d) *Faculty roles and involvement in accreditation processes including self-study and annual reports.*”

“The Board elects to reach mutual agreement with the Academic Senates in these academic and professional matters:

- a) *Educational program development;*
- b) *Standards or policies regarding student preparation and success;*
- c) *District and college governance structures as related to faculty roles;*
- d) *Policies for faculty professional development activities;*
- e) *Process for program review;*
- f) *Process for institutional planning and budget development;*
- g) *Process for the development and design of the district and colleges facilities master plans”*

Council is the venue for this consultation, so that we can all come together as leadership. The plus one is in facilities. Dave Fouquet asked if plus one is different for each district and it is. RGerhard stated that for those that have served on Chancellor's Council, you may have heard a lot of discussion on everything but these items. Right now, we are covering the items that are needed statutorily. Last year, there was an issue at Chabot in the policy of harassment. It is not in the ten plus one, but it is important to the district and everyone has a piece in the conversation.

RGerhard goes on to state the following regarding Classified Professionals:

“Classified professionals, defined as all employees in classified positions exclusive of those who are designated as management, shall be provided the opportunity to participate effectively in district and college governance, and the opportunity to express their opinions at both the campus and district level with these opinions being given every reasonable consideration.

Classified professionals shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures that have or will have a significant effect on classified professionals, and in those processes for jointly developing recommendations for action by the Board, that have or will have a significant effect on classified professionals. The Board recognizes the Classified Senates of the colleges and district office as the bodies that represent classified professionals on all non-collective bargaining matters that have or will have a significant effect on classified professionals.”

[AP 2510 Participation in District and College Governance](#) mentions Chancellor's Council specifically.

“The Chancellor's Council coordinates and supervises the district governance system. As the final districtwide policy recommending body, Chancellor's Council solicits, involves, and utilizes the opinions of faculty, classified professionals, students, and administrators, and provides an opportunity for constituent groups to inform and advise each other on policy matters. It shall ensure that districtwide participatory governance committees do

not misconceive their purpose or overlap their function, and that any policy recommendation emanating from one group but affecting other groups be reviewed by appropriate committees and constituent groups before reaching final approval and being submitted to the Board.

The composition of the Chancellor's Council shall be as follows: Chancellor, College Presidents, Academic/Faculty Senate Presidents, Classified Senate Presidents, Student Senate Presidents, President of the faculty exclusive representative, and President of the classified exclusive representative, and one representative from the Administrative Association. Changes to this composition must be jointly agreed upon by the Chancellor and the Academic, Classified, and Student Senates."

If PBC is wanting to change the budget allocation model again, they could do that, but it would go through Chancellor's Council before going to the Chancellor. DFouquet asked if the last change to the BAM came through council and it did in the spring. Aubrie Ross asked if council is able to reject what is being proposed and the answer is yes. Theresa Fleischer Rowland mentioned that there is much discussion on BPs and APs for the first and second readings.

A relatively new portion of the administrative procedure includes the following:

"The district recognizes the Classified Senates of the colleges and district office as the bodies that represent classified professionals on all non-collective bargaining matters that have or will have a significant effect on classified professionals. The district shall ensure that the Classified Senates are provided the opportunity to actively and effectively participate in the formulation and development of policies and procedures related to the following matters:

- a. Standards, policies, and procedures regarding student support and success, as related to classified professional roles;*
- b. College and district governance structures, as related to classified professional roles;*
- c. Standards, policies, and procedures regarding implementation and integration of technology systems, as related to classified professional roles;*
- d. Professional development policies and activities;*
- e. Processes for program review, as related to classified professional roles;*
- f. Processes for institutional planning and budget development;*
- g. Classified professional roles and involvement in accreditation processes;*
- h. Classified professional roles and involvement in program planning, development, and staffing;*
- i. Classified professional roles and involvement in facilities planning and development;*
- j. Any other district or college policy, procedure, or related matters that have or will have a significant effect on classified professionals.*

Except for unforeseeable, emergency situations, the district shall not take any action on these matters until the Classified Senate has been provided the appropriate opportunity

to participate in the formulation and development of these matters through appropriate structures or procedures. Even in such unforeseeable, emergency situations, the Board and the district will make every effort to communicate with the leaders of the Classified Senate before such action is taken.

The district is committed to ensuring all classified professionals have the ability to engage in our participatory governance processes and structures. Except for matters relating to collective bargaining, our Classified Senates represent classified professionals and contribute to towards the achievement of the mission, values, and culture of our campuses and district.”

One thing that is different for Classified Senate for our district is release time.

“To effectively support our Classified Senates’ ability to represent and engage in participatory governance, each college classified senate president is allocated up to 16 hours per week for activities related to:

- *Classified Senate (meetings, events, and activities)*
- *Governing/Governance/President/Chancellor’s Council*
- *Meetings with college and district leadership (president/chancellor)*
- *College Council*
- *Board of Trustee meetings*
- *Shared governance committee meetings (district and college)*
- *College/Town meetings*
- *4CS events and activities”*

Virginia Criswell asked if release time also includes the district. RGerhard stated that this conversation has been started and it will include the district, but there is some work to be done to get to the same 16 hours as the colleges.

Student Senates are also included in the procedure.

“The district recognizes the Student Senates of the colleges as the bodies that represent students on matters having a significant effect on students. The district shall ensure that the Student Senates are provided the opportunity to actively and effectively participate in the formulation and development of policies and procedures related to the following matters:

- *Grading policies;*
- *Codes of student conduct;*
- *Academic disciplinary policies;*
- *Curriculum development;*
- *Courses or programs which should be initiated or discontinued;*
- *Processes for institutional planning and budget development;*
- *Standards and policies regarding student preparation and success;*
- *Student services planning and development;*
- *Student fees within the authority of the district to adopt; and*

- *Any other district and college policy, procedure, or related matter that the district governing board determines will have a significant effect on students.*

Except for unforeseeable, emergency situations, the Board shall not take any action on these matters until the Student Senate have been provided the appropriate opportunity to participate in the formulation and development of these matters through appropriate structures or procedures. Even in such unforeseeable, emergency situations, the Board and the district will make every effort to communicate with the leaders of the Student Senate(s) before such action is taken.”

5. Board Policies and Administrative Procedures

RGerhard discussed with council that the policies and procedures that are up for review are within [Chapter 6: Business and Fiscal Affairs](#). These policies and procedures include how we operate fiscally. Council reviews policies and procedures because it is an accreditation requirement. Back in 2014, it was a recommendation by the commission that we bring our policies current. Our cycle is 10 years, which means we need to review once every 10 years. Each one of the board policies and administrative procedures goes through all of the Senates for feedback.

5.1. [BP 2715 Code of Ethics/Standards of Practice](#)

RGerhard stated that BP 2715 Code of Ethics/Standards of Practice ([track changes shown here](#)) is an example of where the board has revised a policy. This policy has been the subject of much discussion for the last year due to the Senates taking a vote of no confidence against a board member, which triggered a board level discussion about the conduct warranted the board as a whole, i.e., a censure vote. Board members cannot kick each other off the board, but a vote of censure is the highest way the board as a whole can label the actions of a board member inappropriate.

This was a significant event and because of this, the board provided stronger language in this policy based on the ad hoc committee. The board made those changes in the summer and it is now being brought back to council for transparency.

If there is a commenter at the board meeting that states a lack of confidence in multiple board members, the board has three options. The board can do nothing. They can have an ad hoc committee, if there are enough board members that are not included in the complaint. If not, an independent third party would need to review the complaint, often a legal firm. The third option is to submit the complaints to the State Chancellor's Office.

Council is encouraged to take this policy back to their constituents for review. If there are substantial revisions needed, it would be brought back to council for a second reading and then through the board.

5.2. First Reading of Board Policies

A first reading means that the policies and/or procedures should be taken back to your Senate meetings for review. If there are substantive changes, they will be discussed with

Council. When there is a dozen or more policies and procedures to review, we may not go through each and every one of the recommendations.

Any feedback should be sent to the Chancellor's Office. That feedback will then be reviewed and brought to Chancellor's Council for a second reading. After the second reading, a motion will be asked of council to bring forward to the board. Procedures only go to the board once as an information item. The board only approves policies. If the board has any issues with a policy or procedure, it is usually addressed one on one prior to the board meeting.

The following policies and procedures, in item 5.3, are up for a first reading from council. It is asked that these be brought to the Senates for review.

- 5.2.1. [BP 2330 Quorum and Voting](#)
- 5.2.2. [BP 2340 Agendas](#)
- 5.2.3. [BP 2350 Speakers](#)
- 5.2.4. [BP 2355 Decorum](#)
- 5.2.5. [BP 2365 Recording](#)
- 5.2.6. [BP 3300 Public Records](#)

DFouquet asked if procedures are included in the 10-year cycle and they are included. It was mentioned that many policies have an accompanying procedure, so they almost always move forward at the same time.

5.3. First Reading of Administrative Procedures

- 5.3.1. [AP 2340 Agendas](#)
- 5.3.2. [AP 2365 Recording](#)

5.4. Second Reading of Board Policies

5.4.1. [BP 7130 Compensation](#)

BP 7130 has already gone through a first reading. The change to this policy is that our senior level administrators did not have a salary schedule. Now that they do, we have made some additions to the policy to reflect.

There was a motion to recommend moving board policy 7130 forward to the board. **(Foster/Young). All in favor.**

5.5. Second Reading of Administrative Procedures

5.5.1. [AP 6625 Art Exhibits and Displays in Public Places](#)

It was mentioned that AP 6625 has been to Chancellor's Council and there was some healthy debate. The revisions are a result of the many discussions.

There was a motion to recommend moving administrative procedure 6625 forward to the board. **(Cooks/Abdoun). All in favor.**

DFouquet asked the status of the Nike fund. RGerhard stated that there is some money. One college has spent the funds and there is a small residual at the other college. The allocations that went to the colleges did not include the entirety of the fund.

6. College Resolutions/Report Outs

RGerhard discussed that this space is used for reporting out from the Senates. It is recognized that constituencies are discussing significant matters. This gives an opportunity for the Senates to give a heads up on any resolutions that will be moving forward to the board.

Council quickly gave formal introductions around the room.

DFouquet stated that he is hearing from faculty that are working in the afternoons that there are not many amenities on campus when the cafeteria closes. There is growing discontent with the vending machines because some of the machines are empty. It has been hard for staff and faculty, as well as for students. As we are trying to restore our enrollment base, it would behoove us to have goods available for our students. I am sure this needs to be looked into at the local level, but we want to do everything we can to make our campuses attractive to our students.

RGerhard stated that every community college in the state is trying to get back to pre-pandemic levels. Business models are changing, such as Barnes and Noble. We are expecting the same thing to happen with Las Positas. There will be a point in time that we need to have the conversation because this is relevant to the food service industry as well. Is there a possibility that the creation of the food pantries has affected food sales? Dyrell Foster mentioned that it is a catch 22. Food service is expensive but we want to make sure we have food on campus. This is the first hearing of vending machines being empty.

RGerhard stated that the contracts with food services also include a commission that supports student scholarships. DFoster mentioned that it funds much of the co-curricular programs. RGerhard stated that the impacts spread farther than we may know.

7. Future Agenda Items

Future agenda items should be sent to RGerhard and KCostello.

8. Adjourn

The meeting adjourned at 4:35 p.m.

Next meeting is October 10, 2023.