Governing Board

2011 Meeting Minutes

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January 11  May 24
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January 25-Highlights  June 28-Special Meeting
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December 13
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, January 11, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Richard Tanaka

Board Members Excused:
Mr. Randy Okamura

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Tanaka/Fuentes) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54957 (c))

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:15 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Richard Tanaka
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
Mr. Randy Okamura

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Tanaka/Cruz) to approve the agenda as amended: Changes were made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lind reported that an employee has been granted an unpaid leave to expire February 28, 2011, due to a continued ongoing medical situation. The employee has exhausted all available leaves.

President Lind also reported that the Board accepted the Salary Reduction Proposal advanced by the M/S/C.
6. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

   There were no public comments.

7. **APPROVAL OF THE DECEMBER 3, DECEMBER 14, AND DECEMBER 22, 2010 MINUTES**

   M/S/C (Fuentes/Lam) to approve the above listed minutes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S/C (Lease/Young) to removed Consent Agenda items F-2 and F-4, Category 1, from the agenda for separate discussion and vote.

2. **MANAGEMENT PERSONNEL**

   This item was removed from the Consent Agenda for discussion and separate vote.

   Chancellor Cepeda announced her recommendation to appoint Dr. Marilyn Brock as the new Interim President for Evergreen Valley College. She reported that Dr. Brock has completed five interim assignments since her retirement in 2004. Most recently, she served as Interim President at Coastline Community College in Fountain Valley, CA. Chancellor Cepeda also thanked Dr. Kuni Hay for stepping in the role of Acting President during the period of transition. Her support and contributions have been invaluable.

   M/S/C (Fuentes/Cruz) to approve the Management Personnel actions.

4. **CLASSIFIED PERSONNEL**

   Category 1 of this item was removed from the Consent Agenda for discussion and separate vote.

   The Board heard a public comment from Mr. Joe Barraza, who questioned the appropriateness of hiring a senior network technician at the Workforce Institute when other district network technicians support more labs than the network technician at the Workforce Institute would be required to do.

   Vice Chancellor Garcia stated that it’s the right of the administrator to assess the needs of their department and determine what level to hire at based on the available position descriptions. After reviewing the existing classifications, the administrator determined the need for the skill set represented by the senior network position. Executive Director Carol Coen explained that, although other network technicians have responsibility for more labs, the Workforce Institute network technician would be in charge of labs with greater complexity. This person would be required to direct the work of other network technicians at a much higher
level.

M/S/C (Tanaka/Dhillon) to approve Consent Agenda item F-4, Category 1. Trustees Fuentes and Lease voted no.

ADOPTION OF THE CONSENT AGENDA

M/S/C (Lease/Tanaka) to approve the remainder of the Consent Agenda.

3. FACULTY PERSONNEL-ADJUNCT/OVERLOAD - SJCC

The Board approved the Faculty adjunct/overload SJCC personnel items as submitted.

4. CLASSIFIED PERSONNEL

This item was removed from the Consent Agenda for discussion and separate vote.

5. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

This item was removed from the Consent Agenda for discussion and separate vote.

6. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds through December 15, 2010.

7. RATIFICATION OF CONTRACTS & PURCHASE ORDERS

The Board ratified the attached contracts and purchase orders for the period November 10, 2010—December 9, 2010.

8. PIGGYBACK OFFICE DEPOT CONTRACT

The Board authorized the District to piggyback on a contract with Office Depot.

9. AWARD OF CONSTRUCTION CONTRACT – HAZARDOUS MATERIALS ABATEMENT – FINE ARTS BUILDING – SJCC

The Board approved and awarded the construction contract to Eco Bay Services, Inc., in an amount not to exceed $99,660.00.

10. CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE

The Board approved the curriculum recommendations for new courses and certificate program submitted by Evergreen Valley College.
G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Lam discussed the activities at San José City College, including the preparations for the upcoming March in March event.

b. Chancellor

Chancellor Cepeda wished Trustees Lind and Lease a happy birthday and wished everyone a happy new year. She announced that Dr. Brock’s start date as Interim President at Evergreen Valley College is January 18; and, hopefully, the permanent president would be hired before July 2011, well in advance of the academic year.

Chancellor Cepeda announced that she and Dr. Treadway would be attending the Accreditation Committee meeting on January 12 in San Francisco to discuss their findings at SJCC and EVC and will report those to the Board at the next meeting. She stated that Trustee Lease would be joining her at the upcoming CCLC Annual Legislative Conference in Sacramento, and they would be participating in legislative visits. Trustee Lease will also attend the Effective Trustee Workshop where he will learn more about his role as a trustee.

Chancellor Cepeda announced there would be a celebration on the successful passage of Measure G on Friday, February 11, at Casa Vicky. She thanked the Board for fully sponsoring this important event.

At the January 25 Board Meeting, there will be agenda items to discuss the Board self-evaluation process and the District’s strategic plan. In March or April, the District’s annual report will be made public. Chancellor Cepeda also announced that she and WI Executive Director Carol Coen is scheduled to meet with the Department of Labor about a pilot program for solar energy that would result in a certificate program at our colleges.

c. Presidents

Acting President Hay stated that Intercession included 21 sections, which focused on GE and transfer courses.

Interim President Treadway discussed the work currently underway to address the Accreditation team findings. He also stated he would be working to assist the new president, Dr. Barbara Kavalier, who will commence her new duties on January 24. He is also assisting SJCC in writing an HIS grant that would assist students in science and math. Because Dr. Kavalier will assume her duties on January 24, this meeting is his last as Interim President.

President Lind thanked Interim President Treadway for his service in working
with our district.

d. Constituency Group Representatives

Ms. Jan Tomisaka announced the newly elected CSEA Chapter #363 Executive Officers as follows:
Jan Tomisaka – President
Gene Heck – 1st Vice President/Steward
David Lo – 2nd Vice President
Rosemary Lazetera – Secretary
Marjorie Rico – Secretary
Joe Lugo, Jr. – Treasurer/Steward
Pete Engdahl – Chief Job Steward
Beverly Lynch – Past President/Steward

H. ACTION AGENDA

1. MEASURE G – 2004 PROJECT BUDGET REVISION

Vice Chancellor Hawk stated the Measure G 2004 budget had already been improved by the Board, and the requested budget changes would allow for the demolition of the facility that has asbestos.

M/S/C (Young/Tanaka) to approve the revisions in the Measure G – 2004 project budget and recommendations for realignment.

2. RESOLUTION TO DEVELOP A MEMORANDUM OF UNDERSTANDING WITH THE MILPITAS UNIFIED SCHOOL DISTRICT

Chancellor Cepeda that the $185 million cost to establish the Milpitas Joint-Use Education Center had already been approved by the voters in the Measure G 2004. Approval of the resolution would authorize staff to develop a Memorandum of Understanding with the Milpitas Unified School District.

M/S/C (Dhillon/Fuentes) to authorize staff to develop a Memorandum of Understanding (MOU) between the San Jose Evergreen Community College District and the Milpitas Unified School District for the establishment of the Milpitas Joint-Use Education Center.

3. ADOPTION OF RESOLUTION NO. 011111-2 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES

The Board heard public comments from three students expressing their concern that approving the resolution may impact a Vietnamese-speaking counselor at Evergreen Valley College.

Chancellor Cepeda explained the purpose of approving the resolution to eliminate positions and layoff Classified employees. She stated that approval of the resolution
would grant the district the necessary time to begin the process of negotiations. Hopefully, when the process is completed, there would be no need to lay off employees. Vice Chancellor Garcia explained the action was related to the CalWorks program, which will not be funded. Trustee Fuentes expressed her concern about laying off employees that have language skills the colleges require. Trustee Lease expressed concern about utilizing student volunteers to perform the work of Classified employees. Trustee Dhillon stated the issue of creating special language requirement positions that wouldn’t be impacted by bumping rights was discussed and requested by the Board at a prior meeting. Vice Chancellor Garcia answered that, although she understood the concern, it may not be possible to do so. The position is still a Staff Assistant II position and is subject to the bumping rights allowed in the CSEA contract. Trustee Tanaka expressed concern that the Board may be getting into the micromanagement area, and this is something it shouldn’t do.

M/S/C (Tanaka/Fuentes) to adopt Resolution No. 011111-2 – Eliminate Positions and Layoff Classified Employees and to resolve the language requirements that may be impacted during the layoff process. Trustee Lease voted no.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda stated the Governor’s budget report indicated the state of California has a $28 billion shortfall facing us; $1.4 billion for higher education—$500 million for UC and CSU and $400 million for community colleges.

Vice Chancellor Hawk stated the news is much worse than anticipated. Although there are no mid-year cuts, we are facing major reductions. Growth has not been targeted, but next year there will be a $400 million reduction. Because the drop-off rate for courses required for graduation and transfer is impacted, EVC has 7% drop-off and SJCC 10% drop-off, there will be a large decline in our ability to be funded at our current level. This cut impacts 350,000 students, and will greatly affect how we do business in our district. There is a proposal for a $10 per unit increase beginning in Fall 2011. There are no further funding cuts to student categorical programs at this time. As a district we are facing funding deficits on top of the already $1.5 million we are short to balance our budget. We have significant critical work to do in this district in a very short period of time, and the Board will be asked to make some difficult decisions.

Trustee Cruz expressed her concern about the impact to low-income and AB540 students because of this difficult budget situation. We need to look for areas where we can get revenue so we can move forward on these necessary programs.

2. LEGISLATIVE UPDATE

Chancellor Cepeda announced she would have a report after attending the CCLC Legislative Conference in Sacramento in two weeks.
3. **2010 ACCOUNTABILITY REPORTING FOR COMMUNITY COLLEGES (ARCC): BEYOND COMPLIANCE, TAKING A DEEPER LOOK**

Chancellor Cepeda and Interim Executive Director Bespalov gave a presentation about the Accountability Reporting for Community Colleges (ARCC) report. The ARCC report is mandated by law, and the final report is submitted to legislators. However, at the college level, the goal of the ARCC report is to help stir conversations on student outcomes and help create a culture of evidence. The hope is that good data would ensure better policy decisions that promote student success. The good news is that both colleges have seen substantial increases in completion rates for development courses. As a district, we scored higher than average on most of our measures. For example, as a result of the yearly increases in the percentage of students who obtain 30 credits, both colleges are performing above their peers.

Because we are located in the Silicon Valley, we need to be great, not good. While the U.S. leads developed nations in the percent of its population ages 55 to 64 with an associate degree or higher, its ranking falls to tenth for the 25 to 34 age group. Ours is the only nation where older adults are more educated than younger adults. And while our nation is struggling, the issue of declining education is even more pronounced in California. Aside from losing our global competitiveness, several prominent studies are projecting a major shortage of college-educated workers over the next 10-15 years, as the demand for a college educated workforce outpaces supply. As a result of these projections, President Obama has called upon Community Colleges to increase degree and certificate completions by 5 million by 2020. Our colleges have taken on this call to action, and the Board of Trustees has passed a resolution in support of meeting this 2020 goal.

Around 20% of transfer students in UC and about 35% of transfer students in CSU don’t complete their Bachelor’s degree. And most transfer students don’t earn an Associate’s degree before they enroll in a four-year college. One innovative idea to consider is reverse articulation agreements, i.e. an arrangement with four-year colleges to automatically send transcripts of the student’s work at the four-year school back to the community college so that these units can be used to earn an Associate’s degree. Colleges that have started reverse articulation agreements, such as San Jacinta College, have seen great results.

The greatest reason why students who drop out and don’t return is because they need to work. Over 56% of students said that balancing work and school is their major reason for not going back. Therefore, we need to make sure anyone who has earned credits needed for a certificate is awarded that certificate. Many students have probably completed certificate requirements without even knowing it.

Another challenge for us and most other community colleges is developmental education. According to the 2009 Basic Skills Accountability Report survey, only 16% of those tested in mathematics were deemed ready for transfer level math, and only 28% were ready for transfer level English. Our district is currently piloting innovative programs like Early Alert and Learning Communities, which have seen success in other districts.

Academic Senate President Frazier thanked Chancellor Cepeda and Executive Director Bespalov for a very positive message. Trustee Fuentes also commended
them for such a great report that was both exciting and interesting. Trustee Cruz also stated her appreciation for the fantastic presentation.

5. FUTURE AGENDA ITEMS

- Fund development strategies, especially for low-income and AB540 students
- Strategy to determine appropriate level of reserve fund balance

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 8:50 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, January 25, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Tanaka/Fuentes) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:10 p.m.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
Ms. Mayra Cruz

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Dhillon/Fuentes) to approve the agenda as amended: Items H-2 and I-5 were moved to become part of Item E-6.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

The Board discussed the current budget forecast for this District and the specific directives to staff pertaining to negotiations.

Our goal is to respond to the serious financial conditions of this District and to protect it from fiscal insolvency. The Board directs staff to identify and negotiate specific reductions in force, salary, benefits and workload as key strategies, in addition to other cost savings and revenue generation approaches, to achieve the appropriate budget savings needed for fiscal year 2011-12 in order to meet the aggressive state timelines.
4. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The Board heard public comments from Jim Kelly, Labor Studies Coordinator, SJCC about upcoming events and Camella Martian, Americorps Coordinator, SJCC about the Calworks program.

5. **APPROVAL OF THE JANUARY 11, 2011 MINUTES**

M/S/C (Tanaka/Lease) to approve the above listed minutes.

6. **FACILITIES AND CAPITAL BONDS STUDY SESSION**

The study session included topics such as: a Measure G-2004 update, including the CBOC annual report; update on the VPA building at EVC; Milpitas, and program progress. There was also a presentation on the lessons learned on Measure G-2004, and how these lessons would be used toward improving the progress of Measure G-2010. Vice Chancellor Hawk provided the framework for success of Measure G-2010, the process of developing a draft project list, and the next steps that will be undertaken as the district moves forward on Measure G-2010.

Item I-5 – Measure G-2004 Citizens Bond Oversight Committee 2009-2010 Annual Report – Mr. Nicholas Dinh, Chairperson of the CBOC, gave an overview of the CBOC members and activities during 2009-2010, including meetings with neighborhood associations on issues that impacted their community. He stated that with this report, many of the members of the CBOC are ending their second and final term. Mr. Dinh reported that, in agreement with the district’s independent auditors, the district had expended Measure G-2004 bond proceeds in accordance with the purposes set forth in the Measure G ballot language and in full compliance with the provisions of Proposition 39.

Vice Chancellor Hawk gave an update on the Visual and Performing Arts building at EVC and stated the air quality test indicated the building fell within the required standings. She stated that training was performed to ensure there is compliance with the safety regulations. Vice Chancellor Hawk also reviewed the status of the Milpitas Education Center. She stated the Board recently approved a resolution which would allow the district to enter into an MOU with Milpitas Unified School District. She discussed several options for the education center; such as, temporary housing at Milpitas High School, a small permanent facility at Milpitas High School that serves the needs of high school students and some limited programs for members of the community, or a $10 million facility at Milpitas High School that has the potential to meet the future needs of an approved education center.

Mr. Robert Dias, Director of Facilities and Maintenance, gave an overview of the projects completed through Measure I, such as the track and field stadium, parking garage, Library and Learning Resource Center, Technology Center and Student Services Center at San José City College. Measure G 2004--2010 projects at San José City College included the Science Complex, Applied Sciences, home to the Construction College, and the Cosmetology/Reprographics remodel. The Multi-
Disciplinary Classroom and Visual & Performing Arts Center is due for completion in 2013 and the Physical Education replacement project is in the planning phase. At Evergreen Valley College, Measure I 1998-2004 projects included the Gullo Student Center 1, which has primarily funded by grants from the Gullo family, the Biology/Nursing addition in the Sequoia building, multiple projects at the Gullo Student Center 1, the Montgomery Hill Observatory, the Library and Educational Tech Center. Measure G 2004--2010 projects at Evergreen Valley College included the Student Services renovation, the Center for the Arts building, the modernization of the Cedro/P.E. facility and the site and parking improvements, including the college lake and surrounding landscaping. The Utility Infrastructure upgrades and improvements were also included in Measure G, and totaled around $4.3 million. Mr. Dias gave an overview of the funds expended on both Measures I & G, as well as the state funds secured and awards received.

Vice Chancellor Hawk gave an overview of the lessons learned on Measures I and G-2004. She reviewed a plan for improving communication as the district develops projects for Measure G-2010. Student Trustee Young expressed concern that student participation is considered optional. She stated it was imperative that students at SJCC be included in the planning and discussion of proposed projects. Trustee Tanaka stated he would like to see the complete list of projects, not just the buildings that would be built.

Ms. Deborah Shepley, HMC Architects, provided an overview of the 2025 Facilities Master Plans for both San José City College and Evergreen Valley College. The plans were developed as a result of the Educational Master Plans, which was approved by the Board in July 1010. Trustee Okamura inquired about the aquatic center at SJCC because he was under the impression there would not be one. Vice Chancellor Hawk answered that the aquatic center is included in the educational master plan. Trustee Lease asked about the traffic problems getting into and out of San José City College. He expressed concern about how problematic the traffic is around Leland Avenue and asked that safety issues be addressed in the college’s plan. Trustee Balbir requested the Board receive the proposed list of projects for Measure G—2010 as soon as that list becomes available for review. President Lind stated that although Evergreen Valley College’s facilities plan provides increased vehicle access, he asked about utilizing the excess land, particularly in terms of revenue generation. Vice Chancellor Hawk answered that the next step would be to review the needs of the DO and the status of the Policy Academy to determine how much land the district has available to do something with.

M/S/C (Dhillon/Tanaka) to adopt the 2025 Facilities Master Plans for San Jose City College and Evergreen Valley College.

Vice Chancellor Hawk gave an overview of the process for development of a draft list of projects for Measure G-2010. She stated the district would work with a consultant to help develop the initial project list, which would later be approved by the District Council and Board of Trustees.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Dhillon/Fuentes) to approve the Consent Agenda as amended: Item F-3 was removed from the agenda for separate discussion and vote.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management personnel actions as submitted.

3. FACULTY PERSONNEL ACTIONS - REGULAR

This item was removed from the agenda for discussion and separate vote.

4. FACULTY PERSONNEL-ADJUNCT/OVERLOAD - EVC

The Board approved the Faculty adjunct/overload EVC personnel items as submitted.

5. FACULTY PERSONNEL-ADJUNCT/OVERLOAD - SJCC

The Board approved the Faculty adjunct/overload SJCC personnel items as submitted.

6. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified personnel actions as submitted.

7. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hoursly, Student Work & Volunteer personnel actions as submitted.

F. 3. FACULTY PERSONNEL ACTIONS - REGULAR

Trustee Lease inquired about the faculty step advancement proposed in section one. He stated he did not see the rationale for faculty getting a raise during a time when the district is facing severe budget difficulties and CSEA staff members are being laid off. Vice Chancellor Garcia answered that this step advancement was allowed because the faculty fulfilled what was required by the contract for the increase in pay.

M/S/C (Tanaka/Dhillon) to approve the Faculty personnel actions as submitted. Trustee Lease voted no.

Ms. Barbara Hanfling, Executive Director, Faculty Association, expressed her concerns about using ID numbers instead of names on the Consent agenda. She
stated it is the position of the union and many other district employees that, for the sake of transparency, names be used on board agendas. Chancellor Cepeda stated the change to use ID numbers instead of names was in response to a request made by the CSEA. Vice Chancellor Garcia stated she checked with legal counsel and was informed that names were required when an employee was hired or terminated, but not required for other personnel actions. President Lind asked the Chancellor to work with the constituency groups to find an agreeable resolution to their concerns.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Lam gave an update on student activities at EVC.

Trustee Lease provided an overview of his attendance at the CCLC New Trustee workshop and Legislative conference.

b. Chancellor

Chancellor Cepeda introduced the new college president at San José City College, Dr. Barbara Kavalier, and the interim college president at Evergreen Valley College, Dr. Marilyn Brock.

c. Presidents

Interim President Brock announced that enrollment was going well and classes are full.

President Kavalier stated that since it was only her second day as president of San José City College, she didn’t have anything to report. She thanked the Board and Chancellor for showing confidence in her by allowing her to lead an amazing college such as SJCC.

d. Constituency Group Representatives

Academic Senate President Henry Gee welcomed both new presidents and stated he is looking forward to working with both of them.

CSEA President Jan Tomisaka announced that she would be meeting with unit members to discuss the current budget crisis in the district and what steps, if any, CSEA would take to become part of the solution. It is difficult, however, to become part of the solution when CSEA members are being laid off in the district.

MSCC President Lauren McKee thanked the Chancellor and Board for recognizing the importance of the MSCC. She was happy to report that the MSCC group took the first step in salary reductions to support the district’s need to reduce expenses as a result of the current budget crisis.
H. ACTION AGENDA

1. APPOINTMENT OF SUBCOMMITTEE AND ESTABLISHMENT OF TIMELINE FOR 2011 BOARD SELF EVALUATION

Chancellor Cepeda stated there had been a break in conforming to Board Policy 2745, which requires the Board to do an annual self evaluation. The last evaluation was conducted in 2008, and it’s important for the Board to do another one soon. Also, since five of the six recommendations handed out from the Accrediting Committee reports involved Board governance, it is important for the Board to complete their self evaluation as soon as possible. Therefore, Chancellor Cepeda requested the Board appoint a subcommittee to work with her to develop the self-evaluation process. The Board can then approve the process at its March 8 Board meeting and conduct the self evaluation at the March 22 Board meeting.

M/S/C (Tanaka/Fuentes) to appoint Trustees Mayra Cruz, Randy Okamura and Jeffrey Lease to a Board subcommittee that will work with the Chancellor to develop a Board self-evaluation process by the March 8 Board meeting.

2. ADOPTION OF 2025 FACILITIES MASTER PLANS FOR SAN JOSE CITY COLLEGE AND EVERGREEN VALLEY COLLEGE

This item was moved to be included in Item E-6.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda gave an overview of the budget discussions from her recent attendance at the League’s legislative conference. She and Trustee Lease were informed of the next steps the state plans to pursue to increase revenues, and the move to extend the temporary tax increases on the June ballot doesn’t look as if it will get support from the voters. The $10/unit increase will also negatively impact our district’s students. Therefore, the budget news in Sacramento was very grim.

Vice Chancellor Hawk stated she would give a detailed budget update at the next Board meeting during her 2nd quarter budget report. The bottom line is the California Community Colleges system will have a $400 million reduction. The best case scenario for our district is a $3.4 million ongoing reduction, which is in addition to the structural balance that is already moving forward. The district is not within meeting its 5% reserve level for next year nor would it get close for the next 2-3 years. These are some of the issues being discussed by the District Budget Committee.

2. LEGISLATIVE UPDATE

Trustee Lease discussed the legislative visits that he attended with Chancellor
Cepeda. He stated the Chancellor was wonderfully articulate in her support of community colleges and the needs of our district. Trustee Lease gave an overview of their visits to Senators Elaine Alquist, Leland Yee, Sam Blakeslee, Joe Simitian, and Assemblypersons Nora Campos, Jim Beall, Paul Fong and Marty Block. Trustee Lease stated they communicated the importance of California voters being allowed to increase revenues by extending the temporary taxes and also be given the opportunity to approve parcel taxes.

Chancellor Cepeda expressed her concern about the proposed change to the census date, which would negatively impact what the district would receive from the state.

3. **SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION ANNUAL REPORT**

Chancellor Cepeda introduced Heather Saito, Interim Director of the Foundation. Chancellor Cepeda and Director Saito presented an overview of history of the Foundation, and the new goals established for 2011. At the February 24 Foundation Board Meeting the bylaws will be changed. The Foundation is taking steps to become a fundraising body with a top priority of enhancing and creating new services and scholarship programs for SJECCD students. Student Trustee Young, who is also a member of the Foundation Board, stated that the Foundation is moving toward a student focus instead of merely being a fiscal agent. Trustee Okamura stated the Foundation Board must work towards being independent of the Governing Board. It must become a stand-alone institution even though that goal may not be realized right away.

President Lind thanked Chancellor Cepeda and Director Saito for their excellent report. He stated this was the best Foundation report he has seen since he has been a member of the Governing Board.

4. **SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION INDEPENDENT ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2009/2010**

The Board received information on the 2009-2010 annual foundation report and the Foundation audit report ending June 30, 2010, from Vavrinek, Trine, Day & Company, LLP.


This item was moved to be included in Item E-6.

6. **FUTURE AGENDA ITEMS**

- Board Budget Study Session – Saturday, February 12, 9:00 a.m. to 2:00 p.m.
J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 9:16 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Board Highlights January 25, 2011

Volume 2, Issue 6

Trustees
President Ron Lind
Vice President Maria Fuentes
Mayra Cruz
Balbir Dhillon
Jeffrey Lease
Randy Okamura
Richard Tanaka

Creating Opportunity, Equity, Social Justice

The Board of Trustees approved the appointment of a sub-committee and establishment of timeline for 2011 Board Self-Evaluation. The sub-committee will be made up of Trustees: Lease, Cruz and Okamura.

The Board of Trustees approved the adoption of 2025 Facilities Master Plans for San Jose City College and Evergreen Valley College.

Closed Session Action Items
Highlights prepared by Monica Gomez

EVC AS:
Linda Lam reported on some upcoming activities planned for students.
Trustee Lease: Reported that he attended the League's Legislative Conference and the Trustee Workshop. Both Trustee Lease and Chancellor Cepeda met one on one with legislators.

Chancellor: Chancellor Cepeda welcomed the two new presidents to SJECCD, EVC's Interim President is Dr. Marilyn Brock and SJCC's President is Dr. Barbara Kavalier.

EVC: Interim President Marilyn Brock reported that enrollment is going well and classes are full. She is looking forward to a good semester.

SJCC: President Kavalier reported it's Day #2 for her and she is very appreciative of Dr. Cepeda and the board to allow her to serve such an amazing institution.

M/S/C: MSC President Lauren McKee thanked the Chancellor and board for recognizing the value of M/S/C. She also reported that M/S/C has taken the initiative as the first group to take a salary reduction.

Academic Senate: EVC's President Henry Gee welcomed the new Interim President and said he is looking forward to the semester and in working with the district.

Faculty Association: Frank Espinoza stepped in for David Yancey and formally welcomed the new presidents.

CSEA: CSEA President Jan Tomisaka welcomed the new presidents and reminded everyone that CSEA is not the cause of the budget shortfall. She will be meeting with CSEA membership soon to determine the best approach.

Board Action Items
Meeting Called to Order: 6:11 pm
Meeting Adjourned: 9:16 pm

The Board of Trustees discussed the current budget forecast for SJECCD and the specific directives to staff pertaining to negotiations.

The goal of the board is to respond to the serious financial conditions of this district and to protect it from fiscal insolvency. The Board directs staff to identify and negotiate specific reductions in force, salary, benefits and workload as key strategies, in addition to other cost savings and revenue generation approaches, to achieve the appropriate budget savings needed for fiscal year 2011-2012 in order to meet aggressive state timelines.

Oral Communications
Information Agenda
Public Comment on items not on agenda

The Board heard public comments from Jim Kelly, SJCC Labor Studies, who made announcements about some upcoming activities related to Black History Month and Women's History Month.

The Board heard comments from Cam Martin, SJCC Win/Cal Works program who encouraged the board and the community to "say yes" on Feb. 14 and use this day as an opportunity to not say "no."

Facilities and Capital Bonds Study Session

The Board received a presentation from Nicholas Dinh-Chair, Citizens Bond Oversight Committee, Vice Chancellor Hawk, and Vice President Hay on the progress of Measure G-2004.

Included in this report is the delivery of the 2009-2010 Measure G-2004 Annual Report from the Citizens Bond Oversight Committee (CBOC) as well as the final draft of the 2025 Facilities Master Plans for Evergreen Valley College and San Jose City College.

Chancellor Cepeda and Vice Chancellor Hawk provided a budget update.

Trustee Lease provided a legislative update and distributed the talking points he and Chancellor Cepeda took to Sacramento during their one on ones with legislators.

Interim Foundation Director Heather Saito provided the Board with a presentation on the District's Foundation Annual Report. The report highlighted the Foundation's fiscal and programmatic activities. It also included the revised priorities and directions for the Foundation.

Future Agenda Items
Budget Study Session – 2/12 9am - 2pm
Minutes of the
Governing Board Meeting
February 8, 2011

A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, February 8, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Dhillon) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:17 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Excused:
Ms. Autumn Young

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Tanaka/Fuentes) to approve the agenda as submitted.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Board heard public comments from 11 students, many former and current EVC students, who gave their support of the OASSIS Program, Outreach, Advocacy and Services for Spanish-speaking students. The students discussed the benefits they’ve received from the program and asked the Board to consider institutionalizing it.

President Lind thanked the students for their excellent articulation of their opinions and for keeping their speaking within the Board policy time limit guidelines.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Okamura/Dhillon) to approve the Consent Agenda as submitted.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management personnel actions as submitted.

3. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified personnel actions as submitted.

5. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

6. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved a resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

7. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified contracts and purchase orders for the period of December 10, 2010 through January 9, 2011.

8. FACULTY REASSIGNED TIME – EVERGREEN VALLEY COLLEGE

The Board approved Evergreen Valley College’s faculty reassigned time for spring semester 2011.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Lam reported on upcoming student activities at EVC, including a planned student study session.

Trustee Lease reported on Senator Joe Simitian’s District Educators Meeting
in Palo Alto in which the Senator gave his insights about the status of the state budget.

Trustee Cruz discussed her presentation at the Shasta Hanchett Neighborhood Association on January 22. She shared a resource table with SJCC and provided information at the neighborhood summit.

Trustee Fuentes met with Supervisor Dave Cortese to discuss opportunities for land development in Evergreen. Supervisor Cortese was supportive of ideas to consider retail as a revenue source over the existing SJECCD land.

b. Chancellor

Chancellor Cepeda reported on the busy media week related to the accreditation news. She emphasized the colleges are still fully accredited. Another story that hit the media was related to an audit on public records requests. Chancellor Cepeda reported that a meeting would be held for district office employees on February 10 to provide an update on the accreditation. She also held a meeting with MSCC to discuss the budget development process. Two campus townhall meetings are scheduled for February 22 and 23 to discuss the budget. The Board is also planning a special budget study session on Saturday, February 12.

c. Presidents

Interim President Marilyn Brock reported that 80% of EVC’s classes are 80% full. She also reported that the letter received by the Accrediting Commission indicated that Evergreen Valley College has been placed on warning. Some of the recommendations were carried over from the 2004 Accreditation review; and although many of the improvements had been made, the college did not provide the evidence. She has an action plan and will meet with members of the college to operationalize the response to the Commission. The recommendations will be divided up and committees will be set up to complete the work and response that is necessary to satisfy the Commission. The 2010 recommendations need to be completed by October 2012.

President Barbara Kavalier reported that SJCC has had a successful first week of classes. She thanked the Student Life Director and the Associated Students for coordinating a week of activities for new and returning students. She enjoyed serving food to students. However, the negative news is that San José City College has been placed on probation by the Accrediting Commission. There is a list of 12 recommendations in areas related to program review, SLOs, financial planning, and Board leadership. She met with the College Council and an oversight task force has been put in place to respond to every recommendation made by the Commission. The goal is to ensure SJCC is in compliance by October 15, 2011, so that the college can be taken off probation.
Constituency Group Representatives

CSEA President Jan Tomisaka reported that CSEA is aware of the accreditation reports and will work with the leadership at both campuses to make the necessary improvements. CSEA will soon be offering a training session for its new officers, including the 11 stewards.

SJCC Academic Senate President Chris Frazier reported that the Senate anticipated some of the accreditation issues. The group is working with President Kavalier to respond to the recommendations of the Commission. He also stated the faculty is targeting 2012 for the SLOs that would include a new program review template.

EVC Academic Senate President Henry Gee expressed his disappointment with the accreditation report, and he’s planning to work on making the necessary improvements at the college.

MSCC President Lauren McKee reported that the MSCC is working with the district to be proactive and provide solutions to the current budget shortfalls facing our district.

H. ACTION AGENDA

1. **MEASURE G-2004/MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE APPOINTMENTS**

   Chancellor Cepeda discussed the selection process used to fill the vacant positions on the Citizen’s Bond Oversight Committee. She stated the importance of having more than one representative from each category to ensure the committee has the necessary participation and quorums for meetings. Although the district is pleased with the candidates the district is recommending the Board appoint, the committee still needs to find a small business and student support organization representative.

   M/S/C (Okamura/Tanaka) to approve the appointments of the Citizens’ Bond Oversight Committee members as listed in this board item (Joseph Becker, Daniel Kojiro, Spencer Horowitz, Carol Lizak, Ann Mancuso Engdahl, Jimmy Nguyen, Raymond Porras and Linda Lam) for a term of two years commencing February 9, 2011.

2. **RESOLUTION IN SUPPORT OF CALIFORNIA COMMUNITY COLLEGES BUDGET PRIORITIES AND PRINCIPLES**

   Chancellor Cepeda reported that on January 22-23, 2011, the board members of both the California Community College Trustees (CCCT) and the Chief Executive Officers of the California Community Colleges (CEOCC) developed an advocacy plan to impact the Governor’s Proposed Budget for the 2011-2012 fiscal year. In particular, a proposed resolution was drafted urging local boards to consider adoption of this resolution, which includes key priorities and principles that should be
considered by the Governor in making final determinations regarding reductions to the community college budget. Chancellor Cepeda stated the resolution she is asking the Board to approve is the same resolution approved by the CCCT and CEOCC.

Mr. David Yancey stated that if the Board approves the resolution, they are, in essence, voting to increase tuition.

M/S/C (Dhillon/Cruz) to approve Resolution No. 020811-2 and join with other governing boards systemwide in support of the California College Budget Priorities Principles for the 2011-2012 fiscal year.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda deferred giving a budget update because Vice Chancellor Hawk would address the budget scenario during her quarterly budget report.

2. LEGISLATIVE UPDATE

Chancellor Cepeda provided an update on Assembly bills affecting community colleges. She discussed how proposed changes in AB91, AB130 and AB131 could affect the CA Dream Act and students’ eligibility for BOG waivers.

3. FUTURE AGENDA ITEMS

- Update on the Board Self-Evaluation Subcommittee Report at the March 8, 2011, meeting.
- Accreditation updates, including a status report of the colleges response to concerns outlined by the Accrediting Commission.


Vice Chancellor Hawk reported there was a major change since the 1st quarter report was presented to the Board. The District received one-time revenue of the property tax backfill, mandated costs and growth, and consolidated expenditures are down slightly. However, the reduction strategies have not been fully implemented. The reductions in class sections and student efficiencies have been implemented, but the salary reductions have only been implemented with the MSC group. Salary reductions for the Faculty Association and CSEA are pending through negotiations. As of this date, and this is the best-case scenario, we know there will be a $400 million decrease to community colleges based on census date revisions, tuition will be increased by $10/unit, no additional cuts to categorical programs and flexibility extends for two years, and there will be no mid-year budget cuts in 2010-11. For SJECCD this translates to approximately $3.5 million reduction to our base funding (workload reduction) or a 750 FTES reduction to our funded cap. Vice Chancellor Hawk presented the revenue funding sources for 2010-11 and 2011-12. She also
reviewed assumed expenditures for FY2010-11 through FY2013-14 and discussed how that would affect the ending fund balance through those fiscal years. She recommended the Board consider having a 7% reserve and ending fund balance to ensure the district’s fiscal solvency and stability. She proposed four immediate strategies the district could employ to achieve the 7% reserve: reduction in force, workload reduction, salary reductions and benefit restructuring. Resource development and bond project energy cost savings are two long-term strategies the district could pursue to increase revenue. Vice Chancellor Hawk stated she would provide a more detailed strategy at the upcoming Board Budget Study Session, which is scheduled for Saturday, February 12, 2011. She also stated she would review the OPEB related funds at the Study Session. Vice Chancellor Hawk also reviewed corrections to the campus Bookstores profit and loss report. The campus Bookstores continue to be a challenging environment for the district; and, although they have enough equity to keep going for a few years, we will need to monitor their status.

Trustee Okamura requested that administration spend some time with the Board doing contingency planning where each of the four budget reduction strategies are reviewed to determine what percentage would be required from each of them to maintain the $5 million fund balance. As for resource development strategies, the district needs to determine if they be implemented quickly; and what happens if they don’t happen. These conversations need to happen so that the Board has a clear understanding of what they are actually approving. He asked that administration choreograph the district’s budget shifts. What kind of wiggle room does the district have? Trustee Okamura requested these items be addressed at Saturday’s Board Budget Study Session.

Ms. Barbara Hanfling expressed her concern that, based on the presentation and discussion, it seems the district is moving toward maintaining a 7% reserve; and this would be a change in the district’s history of reserve fund balance.

5. PRESENTATION OF THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT REOPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2011-2012

The district presented the contract reopener proposal for 2011-2012 and announced that a public hearing would be conducted at the March 8, 2011, Governing Board Meeting.

6. PRESENTATION OF THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT REOPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2011-2012

The district presented the contract reopener proposal for 2011-2012 and announced that a public hearing would be conducted at the March 8, 2011, Governing Board Meeting.
Minutes of February 8, 2011 Governing Board Meeting

J. CONTINUATION OF CLOSED SESSION

Yes.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Board Highlights

Highlights prepared by Monica Gomez

M/S/C: Academic Senate:ing CSEA: SJCC: EVC: Chancellor: Trustee Fuentes

- Raymond Porras
- Jimmy Nguyen
- Ann Mancuso Engdahl
- Carol Lizak
- Spencer Horowitz
- Daniel Kojiro

included a list of bills of interest.

Chancellor Cepeda provided a legislative update and

Study Session on 2/12.

the discussion will take place at the Board Budget

provided a budget update and reported that most of

Chancellor Cepeda and Vice Chancellor Hawk pro-

program.

encouraged the board to consider institutionalizing the

Benefits of the OASSIS Program,

former and current EVC students, who talked about the

The Board heard public comments from 11 students, many

Future Agenda Items

Public Comment on items

Board Highlights

Committee Appointments:

Oral Communications

Information Agenda

Board Action Items

not on agenda

Evaluation

Budget Priorities and Principles

in Support of California Community Colleges

The Board of Trustees approved the Resolution

Committee Appointments:

2004/Measure G

The Board of Trustees approved the Measure G

Public Comment on items

Meeting Called to Order:

Volume 2, Issue 7

Meeting Adjourned:

FEBRUARY
Minutes of the Special Governing Board Meeting
February 12, 2011

A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Saturday, February 12, 2011, at 9:00 a.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Ms. Linda Lam
Ms. Autumn Young

PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

ADOPTION OF AGENDA

M/S/C (Okamura/Cruz) to approve the agenda as submitted.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Board heard public comments from students and community members in support of the EOPS program, urging the Board to not allow cuts to the program.

C. ACTION AGENDA

1. BUDGET STUDY SESSION: ADOPTION OF PRINCIPLES AND ASSUMPTIONS

Chancellor Cepeda explained that the purpose of the Study Session was to provide
the Board with the necessary background and justification to approve a 7% reserve fund balance and the principles that would guide the budget reduction strategies of the district administration.

M/S/C (Okamura/Tanaka) to approve the principles and assumptions that will guide the 2011-12 Budget Development Process.

D. INFORMATION AGENDA

1. SJECCD BOARD OF TRUSTEES BUDGET STUDY SESSION

Chancellor Cepeda distributed a document entitled, Leadership Benchmarking for Trustees, by William G. McGinnis, which outlines the fiscal responsibilities for California Community College Trustees. The document was designed as a tool to assist Trustees in leading their college districts without micromanaging. The Board is charged with establishing the “What” that needs to be accomplished and should not decide on the “How” something is to be accomplished. The document also provided financial benchmark descriptions as information the Board could use in making financial decisions. Chancellor Cepeda also distributed a copy of the Shared Recommendations and Concerns that was sent to the colleges by the Accrediting Commission for Community and Junior Colleges. She noted several concerns beginning with Board and CEO roles and responsibilities. The Accrediting Commission recommended that the Board act timely and decisively on current fiscal data trends; that they should engage with the Chancellor in order to establish a climate of trust and respect that would allow the Chancellor to fully exercise the authority of the position; that they should complete a thorough self evaluation as stated in their board policy; and that the Board should systematically review and revise the Board policy manual to ensure that policies are up to date. Chancellor Cepeda stated that one of the goals of the study session was to provide the Board with information to assist them in making the financial decisions necessary for the district to function during the current state fiscal crisis. Finally, Chancellor Cepeda stated the study session would be presented using a student-centered framework to guide its budget decisions. In other words, that decisions would be based on what best meets students’ needs and supports student success and that our students and their needs are the driving force for our behaviors.

Vice Chancellor Hawk reviewed the FY2010-11 reduction strategy status, in which the reductions in class sections and student efficiencies have been implemented, but the salary reductions have been partially implemented with the MSC group. For 2011-12 a $400 million decrease to community colleges based on census date revisions, tuition will be increased by $10/unit, no additional cuts to categorical programs and flexibility extends for two years, and there will be no mid-year budget cuts in 2010-11. For SJECCD this translates to approximately $3.5 million reduction to our base funding (workload reduction) or a 750 FTES reduction to our funded cap. Vice Chancellor Hawk presented the revenue funding sources for 2010-11 and 2011-12 and the assumed expenditures for FY2010-11 through FY2013-14. In reviewing the reserve and ending fund balance, she stated that the State defined prudent minimum reserve is 5%, which is also the minimum reserve required for our OPEB covenants on bond sale and letter of credit. However, the cash flow represented by a 5% reserve funds is equivalent to one month of our district’s
In reviewing 13 other Bay Area districts, the only districts apart from SJECCD that have a fund reserve level around 5% is Peralta and San Mateo. All the other districts exceed 6% reserve fund balance, even though their Board policies only require a 5% reserve. Therefore, the Chancellor is recommending the Board approve a 7% minimum reserve for the district. Vice Chancellor Hawk reviewed the reductions necessary for 2011-12, 2012-13 and 2013-14 to maintain a 7% reserve. She reviewed the four strategies: Reduction in force, workload reduction, salary reduction and benefit restructuring. Vice Chancellor Hawk distributed a document detailing the dollar impact of positions that have been targeted for RIF and those positions that need to be added at the District Office, Evergreen Valley College and San José City College. In total, 35.5 positions have been identified for RIF; and, along with workload reduction, would amount to a district-wide reduction of approximately $4.5 million. These same targets could be achieved with a district-wide salary reduction of 3.5% (equivalent to $3.4 million) and a $1.0 million reduction in benefits. Vice Chancellor Hawk stated it was important for the reductions to be permanent reductions so that the district would not have to continually revisit the time-consuming review of expense reductions.

Vice Chancellor Hawk also reviewed the district’s OPEB reserve requirements and the Sound Fiscal Management checklist provided by the California Community Colleges league. In most instances, as the district now stands, we would have to answer “No” to the questions concerning adequate fund balance and cash flow requirements.

Trustee Okamura requested a graphic that would illustrate the total cost of the OPEB. Trustee Fuentes asked for an analysis of how the 7% reserve level would be impacted by the expected drop in enrollment due to the increase in tuition fees. Interim President Brock stated that historically there has been a 10% drop in enrollment whenever there has been an increase in fees. However, it’s hard to estimate what will happen during this current fiscal crisis. Trustee Lease asked about the nature of the reserve fund, if it was restricted or unrestricted. Vice Chancellor Hawk answered that by definition a reserve fund is considered restricted. Trustee Tanaka stated the Board would like to keep the reserve as low as possible so that the district can continue to provide service to our students. If a 7% reserve is required for fiscal responsibility, the district may be able to get closer to that goal by next year. President Lind stated the district once had a large reserve, but the need to backfill categorical programs reduced that reserve. In the ten years since he has been a Board member, the reserve balance always ends up higher than initially anticipated. Vice Chancellor Hawk cautioned that although the numbers may shift, the trends are certain. Trustee Dhillon reminded everyone that the district needs to remain focused on keeping the students as the highest priority. Trustee Cruz expressed concern about the impact that consolidating programs would have on student success. How does the student services efficiencies play out from the students’ entry point to exit point? President Kavalier answered that student services is an area we should be reviewing anyway. We need to do a better job teaching students how to do their own advising. We need to look at ways to streamline the process. There are a lot of opportunities for the colleges to become more efficient. Trustee Okamura requested that in reviewing the faculty positions, the colleges consider who are students are, what type of courses they need and who would be available to teach those courses. He also expressed concern about making the salary reductions permanent. Instead, he would like the district’s faculty and staff to
be made whole as soon as possible.

Ms. Barbara Hanfling, FA Executive Director, reported that the reason the Faculty Association was unable to participate in the salary reduction proposal in 2010-11 is because that contract was closed. However, the district is now in negotiations with the FA for the next contract and salary is a topic targeted for discussion. She stated the faculty would most likely reject any proposal by the district that would make the salary reductions permanent. She also requested that adjunct faculty be listed in any document related to RIFs, especially since the workload reduction strategy greatly impacts them.

Mr. Henry Gee, EVC Academic Senate President, distributed a document outlining faculty positions for both colleges. He asked that both colleges be treated in the same manner and that EVC should not be penalized because they are more efficient.

Chancellor Cepeda stated that the positions targeted for RIF would be put on the March 8, 2011, Governing Board Meeting agenda. In addition, she noted that all affected employees would be informed personally before the March 8 agenda item was made public. This process would allow those employees to learn first hand about the possibility of layoff and subsequent bumping rights where appropriate, a process that would be concluded by June 30, 2011.

E. ADJOURNMENT

The meeting adjourned at 2:10 p.m.

____________________
Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, March 8, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Ron Lind  
Mr. Richard Tanaka

Board Members Excused:
Mr. Randy Okamura

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Fuentes/Lease) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Government Code Section 54957 (b))

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Kim Garcia  
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:08 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura – (Joined meeting at 8:35 p.m.)
Mr. Richard Tanaka
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Tanaka/Cruz) to approve the agenda as amended:

Item H-4 was removed from the agenda.
Item E-6 – the words “and the Faculty Association, AFT 6157” were removed from the first paragraph.
Item E-7 – the words “and the California School Employees Association, Chapter 363” were removed from the first paragraph.
Changes were made to the Consent Agenda.
Item H-8, Resolution No. 030811-2 – the following corrections were made:
   Under Target dollar amount for each unit RIF-the number 4 was left out of the SJCC figure
   Under EVC change to 1 supervisor position
   Under Section #1 – changed Program Assistant 8LIBX0202C from 1.0 to .50
   Under vacant positions changed Accounting Technician 8BUSX0206C from 1.0 to .73
Under section #2—employees subject to layoff—delete Employee ID# 248831, Instructional Support Assistant, Subject Lead-SJCC

3. **ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

President Lind reported the Board approved to amend the Chancellor's contract as follows: the deadline for the district’s annual report has been extended to April 30, 2011, and the Chancellor’s evaluation has been extended to May 10, 2011.

4. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The Board heard public comments from a member from the community about a new program called 2020 Our Future, Our Education and also heard comments from an SJCC student about campus issues.

5. **APPROVAL OF THE JANUARY 25, FEBRUARY 8, AND FEBRUARY 12, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Dhillon/Lease) to approve the above listed meeting minutes.

6. **PUBLIC HEARING ON THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT OPENER PROPOSAL WITH THE FACULTY ASSOCIATION, AFT 6157 FOR 2011-2012**

There were no public comments.

M/S/C (Tanaka/Dhillon) to close the hearing and adopt the opener proposals with the Faculty Association.

7. **PUBLIC HEARING ON THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT’S CONTRACT OPENER PROPOSAL WITH THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363 FOR 2011-2012**

There were no public comments.

M/S/C (Tanaka/Cruz) to close the hearing and adopt the opener proposals with the California School Employees Association.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Dhillon/Fuentes) to approve the Consent Agenda as amended:

Consent Agenda item F-2 was removed from the agenda for discussion and separate vote.

The following corrections were made to the Consent Agenda:
F-7 – Ayesha Rahim was deleted from the employment list, and Weekly hours for Lisa Kalenda was changed from 40 to varies.
F-8 – Resolution 030811-1 – District Budget Transfer and Revisions – Correction to the resolution under “Adjustments of Existing Resources Fund 10” – the section should reference EVC not SJCC.

2. MANAGEMENT PERSONNEL ACTIONS

This item was removed from the agenda for discussion and separate vote.

3. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

4. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC

The Board approved the Faculty Personnel-Adjunct/Overload-EVC items as submitted.

5. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SAN JOSE CITY COLLEGE

The Board approved the Faculty Personnel-Adjunct/Overload-San Jose City College as submitted.

6. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified personnel actions as submitted.

7. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

8. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved a resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

9. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified contracts and purchase orders for the period of January 10, 2011 through February 9, 2011.

10. ACCEPTANCE OF GRANT FUNDS – NATIONAL SCIENCE FOUNDATION

The Board accepted grant funds from the National Science Foundation in the amount of $205,867.
11. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

   The Board approved the curriculum recommendations for new courses submitted by San Jose City College.

12. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

   The Board approved the curriculum recommendation for a new certificate program submitted by Evergreen Valley College.

F. 2. **MANAGEMENT PERSONNEL ACTIONS**

   Trustee Dhillon asked why the Director of EOP&S position was being eliminated. Vice Chancellor Garcia answered that at the January 25 board meeting, the Board approved the lateral transfer of the employee occupying this position to the Director of Student Support Services Programs position. The Director of EOP&S position does not oversee the DSPS program, and the district can realize cost savings by eliminating it.

   Trustee Dhillon asked why the Executive Director of Facilities position was being eliminated; and, if the reason was cost reduction, would it be possible to support the position through bond funds. Chancellor Cepeda answered that the proposal being brought before the Board for approval was about eliminating the Facilities office. Vice Chancellor Garcia explained that the District Office was asked to review ways to cut costs and was given a specific target amount for reduction. After an extensive review, it was determined that eliminating the Facilities office would achieve the DO’s cost reduction goal in a way that would be least harmful to district operations. Vice Chancellor Hawk reminded the Board that this action was reviewed at the facilities study session during the discussion about best practices for providing bond measure support in the future. The district is looking for different delivery models, and outsourcing the bond’s project management is one way to ensure the work is being done professionally while at the same time in a cost-saving manner.

   Trustee Dhillon inquired about the process for placing the non-renewal of contracts and position eliminations on the board agenda. Chancellor Cepeda reviewed and explained the meaning of the six different personnel actions outlined in item F-2 Management Personnel Actions.

   M/S/C (Tanaka/Fuentes) to approve the Management Personnel Actions as submitted. Trustee Dhillon voted no.

G. **ORAL COMMUNICATIONS**

   a. **Board of Trustees**

      Student Trustee Lam discussed the excitement and involvement of EVC students in the upcoming March in March event.
Trustee Lease thanked Executive Director Carol Coen for giving him a tour of the Workforce Institute and stated his belief that we have one of the best workforce institutes in the state. He also discussed his attendance at the Bay Area Trustees meeting, along with Chancellor Cepeda and President Lind, and the shared discussions about budget struggles impacting California community colleges.

Trustee Cruz discussed her recent talk with students from various community colleges about the impact of the budget on AB540 students.

President Lind stated that since almost everyone in the audience is a public employee, it’s obvious that public employees are under attack—nowhere more so than in the state of Wisconsin. He stated he was happy to speak at a public rally in support of public employees. It’s important that all of us, who share concerns for the status and welfare of public employees, do all we can to support the cause.

b. Chancellor

Chancellor Cepeda stated that at the last Board meeting it was requested the Chancellor and Presidents provide brief updates on actions undertaken in response to the Accreditation recommendations. The District Office has focused on the “six shared recommendations”: research and evaluation, financial resources and fiscal solvency, Board/Chancellor relations, Board Governance – Self Evaluation, Board Governance – Ethics policy and update of Board policies, and District/College mapping functions. In response to these recommendations, she conducted a session for district staff on February 9 to review the six shared recommendation and the meaning of the accreditation findings. The Executive Team has identified lead staff persons who would be responsible to advance each of the recommendations. Meetings are being scheduled with each of the colleges to coordinate responses to shared recommendations. The Chancellor met with the Board Self Evaluation Committee, which resulted in the action item at tonight’s board meeting. The public summary report is planned for the May 10 board meeting.

Chancellor Cepeda reported her participation, along with her granddaughter, in the San Jose Tet Parade on February 20. She also conducted two campus forums on the budget: EVC on February 22 and SJCC on February 23. Chancellor Cepeda discussed her participation as a co-chair at the College Board Annual Conference on Student Success on February 25-26. She also participated in HerStory Forum at EVC on March 1, was a guest lecturer for EVC English 101 Class on Immigrant Experience on March 2, and attended the Bay 10 Trustee Meeting with Trustees Lind and Lease on March 3.

c. Presidents

Interim President Brock provided an update of the accreditation activities at Evergreen Valley College. The college committees are beginning the planning process. EVC is also interfacing with the District Office to complete the shared recommendations, and Kuni Hay, Vice President of Academic
Affairs, is taking the lead in this work. She also discussed the success of the English 1B program for perspective transfer students, which is taught by both San Jose State University and EVC faculty. Thirty-six students enrolled and 36 students completed and passed the course. Interim President Brock stated the $10/unit fee increase will be implemented in the Fall, and it remains to be seen what impact this will have on enrollment.

President Kavalier announced that 250 students and ten faculty and staff members from SJCC are registered to participate in the March 14 March in March advocacy event at the State Capitol in Sacramento. She also gave an update on accreditation activities at SJCC. A FAQ (frequently asked questions) one-page document has been posted on the college website and hard copies were distributed to students. An email was sent to all students regarding the accreditation status, and she also provided an update to the Associated Students group. So far, three meetings have been held of the Accreditation Taskforce, and each member is charged with responding to one of the six college-specific recommendations. Action plans have been developed for every recommendation and sub-committees formed to begin preparing the response. Liaisons have also been identified, who would be working with District Office personnel to collect data and prepare responses to the six shared recommendations.

d. Constituency Group Representatives

Associated Students President Ray Porras gave an update on the preparations for the March 14 March in March event in Sacramento. He stated the students were also going to pass out information on voter registration at the event. He also discussed the students’ plans to participate in the Hands Across California event scheduled for April 17.

MSCC President Lauren McKee discussed the group’s desire to work together with the other district constituency groups to find solutions to the budget crisis. She expressed her sensitivity towards what the other groups are going through, especially with the layoff resolution being proposed.

Academic Senate presidents Henry Gee and Chris Frazier provided accreditation updates for their colleges.

FA President David Yancey stated that he was very impressed by President Lind’s speech at the recent rally supporting public workers. There is now a nationwide fight for public employees’ lives, and this is a very important cause for all of us to engage in.

Ms. Jan Tomisaka, President, CSEA, read the following statement:

Chancellor Cepeda, members of the board,

Resolution 030811-2 – We are asking the board to reject this resolution. The district has incorporated a reduction in hours without negotiating the decision with CSEA. Reduction of hours has to be negotiated prior to the board taking action. If the Board adopts a resolution – reducing
hours CSEA will be compelled to file an Unfair labor Practice Charge. We raised this in negotiations and to no avail we bring this to you now.

Once again I sit here saying we did not cause this problem but once again we are asked to be part of the solution. We are losing 20 positions that are staffed and 10 vacant positions. This is just the beginning Just because they are vacant positions does not mean there is no work attached to them. We keep asking, “where is the work going?” We have been asking the district from the start – who’s going to do the work of those that are laid off, and we are told that we have to do more with less. We know that work is already being divided up among those that are left including faculty and students. The District Office seems to be filling and creating new positions within the district, because they can’t seem to do more with less!!!!

During the process of losing classified jobs, we kept hearing from the District and Admin of: Transparency, Equity and Social Justice —of which were mirages in our eyes. Things started to change yet again at the District -- we had a new Chancellor, new Board Members and all were hoping for a good change. The district finally came to the table to talk about the A la Carte menu, only there were no choices to this menu. We were being told that we had to take a percentage cut to our salaries and if we didn’t, the district was going to take it regardless and there was a deadline to this demand. It wasn’t until after the deadline that we met with the district and we polled our members for the districts latest assault.

We are faced again with RIFs tonight with no end in sight. Were the RIF’s thought through as to the consequences of the loss of some positions or were they directed at individuals? We have tried to work with the district with the hope that classified positions could be saved but there are no guarantees. What incentive do we have to help be the solution to a huge problem? More losses of jobs is not the incentive that classified employees want to hear when we are trying to bargain in good faith. Help us to understand how laying us off is the solution to the districts problems while approving management’s contracts….what do we tell students who come to be helped and people are no longer there? If Governor Brown’s tax extensions are not approved there will be no classified left in this district for them to manage.

H. ACTION AGENDA

1. MEASURE G – 2004 BUDGET REVISION

Chancellor Cepeda explained that a budget revision of $2,454,275 is proposed from the Modernization of Existing Facilities Project to the Utilities Infrastructure Project at Evergreen Valley College to support critical infrastructure work required to maintain heating and cooling capacity on the campus. Included in the project is the replacement of piping to the Cedro and Gullo buildings, Central Plant equipment
upgrades and Utility Tunnel seismic and safety upgrades.

M/S/C (Dhillon/Fuentes) to approve the revisions in the Measure G – 2004 budget revisions and recommendations for realignment.

2. ADDITIONAL SERVICES AUTHORIZATION – FITNESS CENTER - EVC

Chancellor Cepeda stated the purpose of this action item is to request the Board approve additional consulting services so that the Fitness Center project at EVC can be upgraded for compliance with LEED silver rating and other changes in the original project scope.

M/S/C (Cruz/Lease) to approve the amount in the additional service authorization, as a change in the contract with Steinberg Architects, for the Fitness Center project at Evergreen Valley College.

3. AGREEMENT FOR ENGINEERING SERVICES – UTILITIES INFRASTRUCTURE IMPROVEMENTS – CRITICAL NEEDS PROJECT – EVC

Chancellor Cepeda stated the purpose of this action item is to request the Board approve a professional services agreement with Salas O’Brien to support critical improvements needed to the existing utilities infrastructure at the EVC campus.

M/S/C (Tanaka/Fuentes) to approve a Professional Services Agreement with Salas O’Brien Engineers, Inc., in the amount of not to exceed $207,150.00, to provide professional engineering services for the Utilities Infrastructure Improvements-Critical Needs project at Evergreen Valley College.

4. ASSOCIATED STUDENTS REQUEST APPROVAL FOR A BUDGET INCREASE OF $60,000

This item was removed from the agenda.

5. MEASURE G-2004 AND MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE APPOINTMENTS

Chancellor Cepeda discussed her recommendation for the Board to approve two additional appointments to the Citizens’ Bond Oversight Committee membership, Mr. Bob Nunez and Mr. Douglas McNea; one is a small business representative; the other, a taxpayer association representative.

M/S/C (Lease/Tanaka) to approve the appointments of the Citizens’ Bond Oversight Committee members as listed in this board item for a term of up to two years commencing March 9, 2011.

6. MEASURE G-2004 AND MEASURE G-2010 CITIZENS’ BOND OVERSIGHT COMMITTEE CHAIRPERSON APPOINTMENT

Chancellor Cepeda recommended the Board appoint Ms. Kathy Kyne as chairperson of the new committee. Ms. Kyne is a senior citizens’ organization
representative and is still in her first term on the committee. She is also the only remaining member of the Measure G-2004 Citizen’s Bond Oversight Committee.

M/S/C (Young/Lam) to approve the appointment of the Citizens’ Bond Oversight Committee Chairperson as listed in this board item for a term of one year commencing March 9, 2011.

7. **BOARD OF TRUSTEES STIPEND**

Chancellor Cepeda stated the Board had already agreed in Closed Session to join in the salary reduction proposal some members of the district are currently participating in. However, to do so, the Board would need to formally approve the reduction to their monthly stipends.

M/S/C (Dhillon/Lease) to approve a reduction in the current Board stipend equivalent to the .0075 percent salary reduction requested of district employees for FY2010-2011.

8. **ADOPTION OF RESOLUTION #030811-2 – REDUCTION OF CLASSIFIED SERVICES – ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

The Board heard twelve public comments from faculty, staff and students requesting the Board not approve the layoff resolution. Most of the comments were in support of the DSP program, which would be negatively impacted if the two DSP positions were eliminated.

President Lind thanked the audience and speakers for their good behavior. He stated that no one likes what the Board is being asked to do. The ultimate goal is that no one would need to be laid off—that the district administration and employee groups would work as a team to prevent the layoffs from having to occur.

Chancellor Cepeda and Interim President Brock expressed their appreciation for the students who came to express their support of the DSP program. President Brock told the students she cared about each and every one of them; however, the state reduction of Cal Works funding has impacted the EOPS and DSP programs. Also, the programs can no longer rely on any funding from the District’s general fund because of the difficult budget situation it is facing. The good news is that the state now allows the district to share resources between programs. The plan is that EOPS and CARE will be working with the DSPS and CalWorks programs.

Trustee Dhillon thanked all the speakers who came in support of the DSP program. He shared that his son is a DSPS student at SJCC and he understands the need to assist disabled students in getting their education. Therefore, he would abstain from participating in the vote because of his personal conflict. Trustee Cruz stated that Assemblymember Beall needs our continued involvement and support in his advocacy for support of students with disabilities. She expressed concern that the skill sets needed to offer counsel and support in one program may not work for a different program. She asked administration to consider this when restructuring the programs. She stated she is saddened we keep cutting programs that support people with disabilities. Trustee Fuentes stated she agreed with the concerns and
comments made about maintaining the DSPS services; and, the more she thinks about how she will vote for the resolution, the more it becomes clear she could not support it. Also, by not supporting the layoff resolution, which is really the second option available for cutting costs, it would cause the three constituency groups, the MSCC, Faculty Association and CSEA, to find a way to achieve the necessary cost reductions without having to eliminate critical positions in the district.

Chancellor Cepeda reminded the Board that the district is at a point in time where it is in jeopardy, and these are the difficult decisions the Board is required to make as a governing board. We don’t know where we’ll end up, but the Board has charged the Chancellor to start the process necessary to bring the district to fiscal solvency. It’s been a painful process, but what is presented to the Board this evening is the result of that work.

Trustee Lease expressed how troubled he was with the decision the Board is being asked to make. However, the district and Board must act in a timely manner; and we must all share in this painful decision. Because if the Trustees do not make the right decision, the colleges are at risk of losing their accreditation; and, in the end, the students lose. Therefore, he would be supporting the resolution with a heavy heart.

Trustee Okamura stated tonight’s vote was not something he relished, but he left another work obligation to attend the meeting because of his commitment to the district. At the February 12 Board Study Session, the Board engaged in long, hard discussions on the information that was presented, which included the layoff proposal. At the time, the Board was informed that in order for the district to move forward, they must agree to the plan of action that was presented at the meeting. He stressed, however, that if miraculous funds became available, the district would begin the process of restoration. The hope is that the district could achieve some salary and benefits reductions so that the jobs can remain.

M/S/C (Tanaka/Okamura) to adopt Resolution No. 030811-2 Reduction of Classified Services – Eliminate Positions and Layoff Classified Employees.

The roll call vote is as follows:
Trustee Dhillon - Abstained
Trustee Okamura - Aye
Trustee Tanaka – Aye
Trustee Lind – Aye
Trustee Fuentes – Nay
Trustee Cruz – Nay
Trustee Lease – Aye

Advisory Votes:
Student Trustee Lam – Nay
Student Trustee Young - Aye

9. **ADOPTION OF RESOLUTION NO. #030811-3 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda explained the layoff resolution affected one employee at the Workforce Institute because funding for the grant ended. The employee knew at the
time of recruitment that this position would be eliminated once the grant was completed.

M/S/C (Okamura/Cruz) to adopt Resolution No. 030811-3 – Eliminate Positions and Layoff Classified Employees.

10. PROPOSED METHODOLOGY AND PROCESS FOR BOARD SELF EVALUATION

Chancellor Cepeda asked members of the Board Self Evaluation Committee, Trustees Cruz, Lease and Okamura, to report on the action the committee is recommended the Board approve.

Trustee Cruz reported that at the January 25 meeting, the Board approved a subcommittee to work with the Chancellor and develop a process for the Board to perform its self evaluation. The committee met on February 24 and reviewed the prior self evaluation conducted in May 2008, discussed the areas of focus they would like to address in the evaluation, and reviewed a self evaluation survey document provided by the Community College League of California. Trustee Lease reported the committee’s decision to recommend that outside reviewers be included in the self-evaluation process, even though it was not necessary to do so. Trustee Okamura discussed the topics included in the self-evaluation survey and what information would be obtained once the evaluations completed the survey. He stated this information would be announced in Board Open Session, and members of the audience would be welcome to comment on the evaluation. In reviewing the outside reviewers list, President Lind asked that the city managers be removed because he didn’t see the relevance of their input for this particular evaluation.

Student Trustee Young asked if it was relevant for student trustees to participate in the self evaluation. Chancellor Cepeda answered that the responsibilities of student trustees are different from those of governing board members; therefore, the self-evaluation survey being considered is not designed to evaluate the role of the student trustees. However, she would research to see if there was an appropriate evaluation form for them to use.

M/S/C (Fuentes/Cruz) to approve the Committee’s proposed self evaluation process.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Vice Chancellor Hawk reported there are mixed signals about the sales tax extension being placed on the June ballot; but even if it was placed on the ballot, it doesn’t look good for passing. Therefore, it’s our responsibility to start looking at worst case scenarios. The LAO provided information about reductions to the funding of basic skills programs, as well as physical education and recreational courses.
2. **LEGISLATIVE UPDATE**

Chancellor Cepeda gave a brief update about proposed legislation to eliminate support for AB540 students and also provided background on AB130 Achieving the Dream act.

3. **FUTURE AGENDA ITEMS**

- Explanation of Faculty Overload Assignments documented on Board Agendas
- SB 1440 – Where are we regarding implementation of this piece of legislation?

J. **CONTINUATION OF CLOSED SESSION**

No.

K. **RECONVENE OPEN SESSION**

**ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

There were no reportable actions.

L. **ADJOURNMENT**

The meeting adjourned at 10:29 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Board Highlights March 8, 2011

Missouri Highlights

Documents

She also asked that CSEA be a part of the solution.

CSEA:

involved with setting up timelines for accreditation review.

Hay. Chris Frazier (SJCC) reported that Academic Senate has been

morale up among its employees, as there are a lot of issues and

M/S/C sending 12 reps to the conference. Students are also planning to

ship Program. AS also funded College Campus Tours and will be

ute voter registration information. A chili

the significance of the march. The students are planning to distrib-

SJCC AS

address the 6 shared recommendations.

for administrative oversight, and liaisons have been developed to

mendations. A program review committee has been established

facts. An FAQ has been developed and sent to students. On 3/17,

ing the campus, including staff and students on the accreditation

SJCC:

Caminata is well underway with a $1100. budget.

begun for prospective transfer students. The class is taught by

17 will complete with bachelor's degrees. English 1B class has

finished by the end of the semester. EVC's Nursing Program con-

Critical

Accreditation Committee for its work to address the recommenda-

EVC:

lecturer at an Enlace English 1A class.

forum celebrating Women's History Month and she was a guest

San Francisco. Chancellor Cepeda also participated in a HERstory

budget and Co

and Festival. She conducted 2 campus forums to discuss the

month, the Chancellor also participated in San Jose's Tet Parade

She attended the Board

Chancellor:

Wisconsin.

Trustee Lind:

A legislative update.

vided a budget update.

The Board heard public comments from a member from

The Board of Trustees approved the Resolution

Closed Session Action Items

The Board of Trustees approved the Resolution

The Board of Trustees approved the Resolution

The Board of Trustees approved the Resolution

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Future Agenda Items

Information Agenda

Oral Communications
Minutes of the Governing Board Meeting
March 22, 2011

A. CALL MEETING TO ORDER

Vice President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, March 22, 2011, at 5:00 p.m., in the Technology Center, T-415, San Jose City College, 600 S. Bascom Avenue, San Jose, CA  95128.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind
Mr. Richard Tanaka

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Lease) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:10 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Minutes of March 22, 2011 Governing Board Meeting

Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:11 p.m.

Board Members Present:
Ms. Mayra Cruz
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
Mr. Balbir Dhillon
Mr. Ron Lind
Mr. Richard Tanaka

1. PLEDGE OF ALLEGIANCE

Vice President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Okamura/Cruz) to approve the agenda as amended: Items I-3 and I-4 were moved to take place before the approval of the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Board heard public comments from Mr. Phil Campey and Ms. Robin Salak in support of the DSP at Evergreen Valley College. They also heard a report from Mr. Chuck Stevens, Commissioner of Election, Associated Students, SJCC, regarding the Hands Across California event.
5. **APPROVAL OF THE MARCH 8, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Cruz/Young) to approve the above listed meeting minutes.

I. **3. SAN JOSE CITY COLLEGE PRESENTATION**

San José City College President Barbara Kavalier welcomed the Board to the college and expressed her pleasure at showcasing four of the college’s many amazing programs. The Board heard presentations from instructors, administrators, and students from the following programs:

Cosmetology: Sandra Honesto (Instructor) and students Rita Sanchez-Chopitea and Kimberly Wilson

Dental Assisting: Laura Sanchez (Instructor) and students Krystal Hauck, Mika Patel and Crystal Hawk

Associated Students: Jennifer Neil (Director) and AS President Raymond Porras, AS Director of Activities Mike Casas and AS Vice President Jeff Berta

EOPS: Fabio Gonzalez (Coordinator), Elena Ledesma (Counselor) and students Rebecca Ruiz and Lionelie Solia

Vice President Fuentes thanked everyone for their presentations and stated how impressed she was with our students and staff. Trustee Okamura stressed the importance of using the programs that were presented as benchmarks for other programs in the district. If the district ever receives more funding, we want to float all these boats. We need to mainstream these best practices for everyone in the district. Trustee Cruz expressed the importance for the district to remember the impact these programs have in the lives of students, and this will reflect back to the community. Student Trustee Young expressed how proud she was to be a part of such an amazing college since 1987 when she first became a student at the college. She stated how much she owed SJCC for preparing her to attend San Jose State University in the fall. Chancellor Cepeda thanked President Kavalier, the staff and students for an outstanding presentation.

I. **4. RETIREMENT BOARD OF AUTHORITY ANNUAL REPORT AND OPEB BOND FINANCING UPDATE**

Ms. Ann Feng-Gagne, Executive Director, Dolinka Group gave an overview of the timeline of events of the OPEB beginning in June 30, 2007 validation date for the actuarial report referenced for the OPEB bond transaction through July 1, 2043, when the last debt service payment will be made. The OPEB Bonds were issued on May 14, 2009, in the amount of $46,775,000; and the assumed rate of return for the OPEB trust is 7.88% annually. Ms. Feng-Gagne reviewed the primary terms and major covenants of the bond structure. She also reviewed potential alternatives to the current OPEB Bond structure, including the implications of converting to a natural fixed rate bond structure. She discussed the relief the district received in its general fund and the next steps, such as, monitoring market trends, recommending changes to OPEB Bond, preparing documents for appropriate post-conversion
bond structure and seeking Board approval for proposed structure.

Trustee Okamura asked what the Board needed to do if the reserve is at 4% instead of 5% and the district finds itself in default of the bond agreement. Ms. Feng-Gagne answered that the 5% reserve level is only in place during the first three years of the bond agreement. Vice Chancellor Hawk stated that U.S. Bank requires the district to submit a quarterly fund balance statement to ensure the district is in compliance with the reserve level. Trustee Okamura expressed concern that if the May revise finds the district with a number going the wrong way, the Board needs to be prepared for what their total exposure would be. The state is currently experiencing a cash flow problem. At some point the Board needs to review the total picture. Trustee Fuentes thanked Ms. Feng-Gagne for her report and asked when the Board would next receive an update since it’s important for the Board to keep informed on the matter. Chancellor Cepeda stated she would work with Vice Chancellor Hawk to schedule the Debt Service Report to the Board.

Cary Allison, Morgan Stanley Smith Barney, and Scott Rankin, Benefit Trust provided an update of the district’s Futuris short-term trust. The good news is that the investment gain since its inception has been approximately $16 million. Vice Chancellor Hawk stated that the district is far ahead of our projected rate of return. At the end of the trust period, it would have multiplied by three times. The challenge is, however, that those funds would not be available for any other use in the district. And all good things must come to an end. Beginning next year, we do have a responsibility for paying the debt service for those bonds. We have the ability to fund those from set aside funds until 2013, and the debt service would be $2.3 million.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Okamura/Cruz) to approve the Consent Agenda as amended: A wording change was made to Item F-6 that added the eliminated position date of June 30, 2011, for the Business Services Supervisor.

2. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

3. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC

The Board approved the Faculty Personnel-Adjunct/Overload-EVC items as submitted.

4. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SAN JOSE CITY COLLEGE

The Board approved the Faculty Personnel-Adjunct/Overload-San Jose City College as submitted.
5. **FACULTY REASSIGNED TIME – SAN JOSE CITY COLLEGE**

   The Board approved San Jose City College’s Faculty Reassigned Time for Spring semester 2011.

6. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified personnel actions as submitted.

7. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.


   The Board approved the District and Classified School Employees, Chapter 363 tentative agreements.

9. **MOU BETWEEN SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT AND CLASSIFIED SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363**

   The Board approved an MOU between San Jose-Evergreen Community College District and Classified School Employees Association.

10. **MEMO OF UNDERSTANDING BETWEEN PUENTE PROJECT AND SAN JOSE CITY COLLEGE**

    The Board approved the Memorandum of Understanding between the State Puente Project and San Jose City College.

11. **MOU – SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT, EAST SIDE UNION HIGH SCHOOL DISTRICT, FRANKLIN-MCKINLEY SCHOOL DISTRICT**

    The Board approved the Memorandum of Understanding (MOU) between the San Jose-Evergreen Community College District, East Side Union High School District and Franklin-McKinley School District to establish the College Connection Academy.

G. **ORAL COMMUNICATIONS**

   a. **Board of Trustees**

      Student Trustee Lam reported on the March 14 March in March event in Sacramento and how impressed she was with the enthusiasm of the
students.

Student Trustee Young discussed her practice of meeting with SJCC Associated Students after every board meeting to review what happened at the meeting. The students at SJCC have expressed concern about what’s taking place at EVC’s DSPS program.

Trustee Cruz reported on her participation, along with Chief Assistant to the Chancellor, Rosalie Ledesma, in an advisory committee with the Hispanic Foundation of Silicon Valley. She reviewed the findings of the Silicon Valley Latino Report Card and showed a video. She stated the next step would be to begin thinking about what the district needs to do as far as engaging the Latino student population.

Trustee Lease recognized the CSEA ratification of contract that was approved by the Board with the Consent Agenda. This shows great leadership on the part of the CSEA and acknowledges the sacrifices they have made over the past two years. Trustee Lease also wished his wife Gabby a happy birthday. He also announced he would be conducting a community outreach event in Willow Glen on April 20.

b. **Chancellor**

Chancellor Cepeda provided an accreditation update. She announced that separate task forces have been established for each of the six recommendations, and a leader has been assigned to each group. Each task force will design a timeline for completion of the work that is entirely aligned with the timelines for both colleges. She also reported that on March 18, the Research and Planning Group for California Community Colleges presented our district with the Excellence in Planning Award in response to the submittal of our ARCC 2010 presentation. Kudos to Oleg Bespalov and the staff at EVC and SJCC that worked with him to identify innovative programs that address student success and, in particular, efforts to put in place accelerated curriculum reducing time to degree and increasing degree and certificate completion. March in March was a magnificent event that received media coverage. The executive team participated in an all-day retreat hosted at the National Hispanic University. Chancellor Cepeda thanked her Chief Assistant for coordinating the retreat.

On a sad note, Chancellor Cepeda reported on the passing of Mr. Douglas McNea, who was recently appointed to serve as a Taxpayer Association member of our Citizens Bond Oversight Committee. Mr. McNea was a dedicated public servant, who was a five-time Republican candidate for state and congressional seats in the South Bay. He was a nuclear power consultant and Navy veteran who served in Vietnam.

Vice President Fuentes announced the Board meeting would be dedicated to Mr. McNea, and a moment of silence would be held in his honor at the end of the meeting.
c. Presidents

SJCC President Kavalier provided an accreditation update and stated the accreditation teams are focused and making great progress. She also discussed the Puente program and the upcoming strategic planning retreat that will be held the following week.

EVC Interim President Brock announced the EVC Nursing Program received an $80K capitation grant. She also reported on the accreditation teams who are working to address the issues. EVC is also preparing for a visit from Congresswoman Zoe Lofgren on Thursday, March 24.

d. Constituency Group Representatives

SJCC Academic Senate President Frazier stated the senate is making their faculty recommendations to the president. He also discussed the challenging work of addressing the accreditation concerns.

EVC Academic Senate President Gee stated that EVC is happy to move forward with faculty hiring.

FA President Yancey expressed how impressed he was with the 15-20K students that participated in the March in March event. It was cold and raining but was a magnificent sight to see. He also reported on the CFT Convention where hundreds of resolutions were passed, especially resolutions in support of freedom of expression and diversity in the leadership. Ms. Barbara Hanfling announced that Mr. Yancey has been elected to become Vice President of the California Federation of Teachers.

CSEA President Tomisaka expressed her concern that CSEA has once again expressed a RIF and still ratified their TA'd articles and the MOU regarding the furlough days. This action shows that CSEA is part of the solution and not part of the problem. Yet, the CSEA is being asked to shoulder a larger share of the burden through higher RIF and still making the same salary cuts as the other district representative groups. On a positive note, SJECCD Chapter 363 has been selected as one of ten throughout the state of California to participate in the ACE (Appreciating Classified Employees) program held during Classified School Employee Week, which is May 15-21.

H. ACTION AGENDA

1. CALIFORNIA COMMUNITY COLLEGE TRUSTEES BOARD ELECTION

M/S/C (Fuentes/Cruz) to nominate eight candidates to serve on the CCCT Board.
2. **NATIONAL WOMEN’S HISTORY MONTH RESOLUTION**

M/S/C (Okamura/Young) to approve a resolution in support of National Women's History Month.

Trustee Okamura expressed his desire that the Board keeps approving these resolutions, including supporting the activities and events on the campuses.

I. **INFORMATION AGENDA**

1. **BUDGET UPDATE**

Vice Chancellor Hawk expressed her concern that things are moving slowly in Sacramento to get the tax extension on the June ballot. We may be looking at a minimum funding of Prop 98 or even a total suspension of Prop 98. This would amount to $2 billion below the original budget forecast. If this happens, our district could be looking at an $11 million problem next year and $16 million over the next three years. The District Budget Committee will be reviewing the various budget scenarios and working on a tentative budget. Trustee Cruz asked how the bond measure would be impacted if the budget situation became worse than anticipated. Vice Chancellor Hawk answered that the colleges would need to revisit their educational master plans and their growth assumptions. If the scenario gets worse, the colleges would need to update their master plans.

2. **LEGISLATIVE UPDATE**

Chancellor Cepeda provided an update on SB 1440.

3. **SAN JOSE CITY COLLEGE PRESENTATION**

This item was moved to precede the approval of the Consent Agenda.

4. **RETIREMENT BOARD OF AUTHORITY ANNUAL REPORT AND OPEB BOND FINANCING UPDATE**

This item was moved to precede the approval of the Consent Agenda.

5. **PRESENTATION OF THE FACULTY ASSOCIATION, AFT 6157 CONTRACT REOPENER PROPOSAL WITH THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2011-2012**

Vice Chancellor Garcia stated this was the first presentation of the Faculty Association proposal, and it will be put on next month’s agenda as a public hearing.
Minutes of March 22, 2011 Governing Board Meeting

6. **FUTURE AGENDA ITEMS**

   None

J. **CONTINUATION OF CLOSED SESSION**

   No.

K. **RECONVENE OPEN SESSION**

   **ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

   There were no reportable actions.

L. **ADJOURNMENT**

   A moment of silence was held in honor of Mr. Douglas McNea.

   The meeting adjourned at 9:27 p.m.

_____________________
Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, April 12, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Tanaka) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: FA

CONFFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:05 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Dhillon/Tanaka) to approve the agenda as amended:

Items I-3, H-4 and H-8 were moved to after E-7.
Changes were made to the Consent Agenda.

3. 6:15 PUBLIC HEARING – A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT MAKING FINDINGS RELATED TO ENERGY CONSERVATION SERVICES, AUTHORIZING SOLAR EQUIPMENT PURCHASE AND INSTALLATION AGREEMENT, AND AUTHORIZING FILING OF CEQA NOTICE OF EXCEPTION RELATING TO PROJECT

M/S/C (Fuentes/Okamura) to close the public hearing. There were no public comments.
4. **PUBLIC HEARING ON THE FACULTY ASSOCIATION, AFT 6157 CONTRACT OPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2011-2012**

M/S/C (Young/Tanaka) to close the public hearing. There were no public comments.

5. **ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

There were no reportable actions.

6. **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

The Board heard eleven public comments about the DSP positions that were included in the layoff resolution at the last board meeting as well as a comment from a SJCC Times staff writer.

President Lind informed the public speakers that, because the DSP program was not a part of the current agenda, the Board was unable to respond to their comments.

7. **APPROVAL OF THE MARCH 22, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Young/Lam) to approve the above listed meeting minutes.

H. 4. **MEMORANDUM OF UNDERSTANDING WITH MILPITAS UNIFIED SCHOOL DISTRICT**

Ms. Michelle Dimas, Assistant Superintendent, Milpitas Unified School District, gave an overview of the contents of the MOU and stated MUSD Board would approve the same resolution at its next meeting. The MOU states that Milpitas Unified School District would provide the classrooms and the San José-Evergreen Community College District would provide the infrastructure. The ultimate goal is to move toward a more comprehensive project; but during these tough financial times, the two districts are committed to get moving with the program, however small the start may be.

Chancellor Cepeda commended Vice President Kuni Hay and her team at EVC for their hard work and commitment to the joint program.

M/S/C (Fuentes/Okamura) to approve the Memorandum of Understanding with Milpitas Unified School District (MUSD) to implement the University Studies Pilot Program located at Milpitas High School and establish goals toward establishing and building an Evergreen Valley College Joint-Use Center at Milpitas High School.
I. 3. PRESENTATION ON SILICON VALLEY LATINO REPORT CARD

Mr. Ron Gonzales, President & CEO, Hispanic Foundation of Silicon Valley, reviewed the priorities of the Foundation: educational excellence, healthy aging, Latino leadership development, and convening and engaging the Hispanic community. He also presented the findings of the Silicon Valley Latino Report Card for 2011, which is the first ever portrait of Latinos in the Silicon Valley. The overall grade for Education is C. Latino children have entered kindergarten increasingly ready to learn, but not at the level needed for success by the third grade. Nearly one quarter of Latino high school students drop out of school, and this number is climbing, and just one quarter of Latino high school students have completed the courses needed for transfer to UC/CSU. Latinos have not been able to attain the level of education needed to be competitive in the job market. Mr. Gonzales provided the other grades in the report: Health-B, Financial Stability-D, Housing-D and Environmental Stability-C. Mr. Gonzales encouraged the Board to join with the HFSV and share its vision for improving the educational outcomes in the 2nd report. In particular, the HFSV needs the district’s help in developing strategies to improve the grades of Latino students in the community.

Trustee Okamura thanked Mr. Gonzales for the comprehensive work done by the Foundation. The concerns raised by the report have been issues for a long time; but now that an official report has been provided, perhaps we may begin to see some progress. Trustee Cruz expressed support as the Foundation moves towards the next step. Trustee Fuentes stated her desire that our district would become part of the solution, especially through its excellent staff and campuses. Student Trustee Young asked the district community to focus on college readiness. President Lind inquired about the drop in Algebra scores, and why that decline was so deep compared with the rest of the state. Mr. Gonzales answered that he had no answer to that question, but the Foundation would further review that particular finding. Mr. Gonzales thanked the district for its work on behalf of Latino students and welcomed its participation in the next phase of the Foundation’s work.

H. 8. ADOPTION OF RESOLUTION NO. 041211-4 – ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES

The Board heard six public comments in opposition of elimination of the Child Development Center at San José City College.

Chancellor Cepeda provided an overview of the assessment and actions regarding the Childhood Development Centers since the June 9, 2009, Board Meeting. At that meeting, a plan was proposed to close the CDC at Evergreen Valley College, and that plan has already been implemented. The second part of the plan was to keep a viable center at San José City College. However, during the 2009-10 academic year, another review was conducted; and the findings determined that the district has insufficient funds to cover all the costs associated with the CDC; the age and condition of the Center would require significant maintenance with no funding to cover the costs; the CDC is not ADA compliant; and during the Fall, 2010 semester the district received a citation indicating that the Center could become a risk to the health, safety or personal rights of children in care if not corrected. Because of these findings, President Kavalier recommends closing the facility. Chancellor Cepeda stated that the layoff resolution the Board is being
asked to approve is due to the closure of the CDC.

Trustee Dhillon asked if bond funds can be used to correct the conditions of the facility. President Kavalier answered that the Measure G-2004 bond included the CDC, and the college is still in the process or prioritizing the Measure G-2010 projects. President Lind inquired about the cost associated with bringing the facility into compliance with safety regulations. President Kavalier answered it would take approximately $100,000, which would include ridding the Center of termites. President Lind asked what the college was currently doing to mitigate the safety concerns. President Kavalier answered that we are fortunate no one has become ill or injured at the Center. Trustee Fuentes asked for information about the children currently being served at the CDC. President Kavalier answered there are currently around 60 students, and she provided a demographic breakdown of those being served at the CDC. Trustee Cruz expressed her disappointment at the possible closure of the CDC, especially because the Board approved a plan that, obviously, wasn’t put in place. She asked for the college’s strategy for closing the CDC and reopening it in the future. President Kavalier answered that the hope is the college would be able to bring the CDC back as a self-sustaining program. This has already been communicated to the parents; and although the college has received some state funds, more is needed to make the CDC self-sustaining. Trustee Okamura requested the district be more proactive so that we won’t continue receiving citations. He also asked if it was possible to downsize the program until possible construction of a new CDC. Trustee Young reminded the Board that the CDC is part of an academic program associated with Early Childhood Education, and everyone needs to refer to it as such. Trustee Fuentes stated that although she appreciates the fact that administration wants to move forward, this program has had a focused process for a long time. One Center was closed due to lack of funds. However, a plan was put in place, which was also approved by the Board, to keep a viable CDC to support a viable education program. Trustee Okamura expressed his agreement with Trustee Fuentes and his concern that the plan, which was originally laid out, was not executed. The plan the Board originally approved provided break-even within two years. What happens if the program needs three years instead? Obviously, the district could use Measure G funds; but whatever funds are used, the Board has made a commitment to have a Child Development Center, a commitment he would like the district to keep. President Lind expressed his concerns about the decline of the Center and the safety concerns that represents. Were we creating a self-fulfilling prophecy by letting the building decline so that we could eliminate the Center? Is there some way we can do something on an interim basis that would allow the program to continue? Trustee Lease recommended that administration partner with Ebay or other institutions who may assist the district with some creative solutions.

M/S/C (Fuentes/Okamura) to continue discussing this item at the May 10 board meeting; and, in the meantime, administration will provide a good review of options for a Child Development Center, including relocating the Center, use of Measure G funds to support the building of a new CDC, and addressing the safety concerns of the current facility.
Minutes of April 12, 2011 Governing Board Meeting

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Tanaka/Lease) to approve the Consent Agenda as amended:

F-2 Management Personnel Actions – Status Change – Martin, Leandra – Acting Vice President of Academic Affairs, end of contract date was changed to 6/30/11.

F-5 Hourly, Student Work & Volunteer Personnel Actions, Sabit, Farhad, Controller, Fiscal Services, end of contract date was changed to 6/30/11; Professional Expert Rahim, Ayesha, contract hours was changed from 40 to Varies.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified personnel actions as submitted.

5. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

6. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified contracts and purchase orders for the period of February 10, 2011 through March 9, 2011.

7. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

8. ACCEPT GRANT FUNDS – EVERGREEN VALLEY COLLEGE

The Board accepted grant funds in the amount of $80,000 awarded to Evergreen Valley College’s Nursing Program.
9. **DESTRUCTION OF RECORDS - BOOKSTORE**

   The Board approved the destruction of records listed per Section 7080.203 of the Retention and Destruction of Records under Board policies.

10. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

    The Board approved the curriculum recommendations for new courses submitted by San Jose City College.

11. **SJCC ASSOCIATED STUDENTS GOVERNMENT REQUEST TO HAVE ITS PROJECTED 2010-2011 BUDGET AMENDED WITH $60K FROM THE A.S. FOUNDATION ACCOUNTS**

    The Board approved the SJCC Associated Students Government’s request to amend its projected 2010-2011 budget by $60,000 from the AS Foundation account (current balance of $72,000.)

G. **ORAL COMMUNICATIONS**

   a. **Board of Trustees**

      Trustee Lease reported on his attendance at Congresswoman Lofgren’s presentation at EVC and the American Leadership Forum. He expressed his concerns about the state budget and how the district will need to engage in prioritizing resources and programs.

      Trustee Cruz expressed how pleased she was to see the many students, faculty and staff in attendance at Congresswoman Lofgren’s event at EVC. She also attended Senator Alquist’s budget forum, and it was helpful to be provided the big picture. She also plans to attend the May 12 EVC event in which Assemblymember Nora Campus will provide her analysis of the budget situation.

      Trustee Dhillon reported that the Foundation is fired up now, and all the members are excited about getting to work procuring more funds for the district.

   b. **Chancellor**

      Chancellor Cepeda reported the Board would receive in April and May the district’s annual report, communication plan, and strategic directions report. She also discussed the schedules for her performance review and the Board self-evaluation. She also encouraged everyone to attend the Hands Across California event the Associated Students have organized at San José City College on Sunday, April 17.
c. Presidents

President Brock gave an overview of PDD and the college's work on SLO's and strategic planning. There was a tremendous amount of energy in the planning part of EVC. The Day of the Green, in which the college welcomes 400 high school students, will be held on April 30. The ATD work is now transitioning to a student success agenda.

President Kavalier congratulated the SJCC journalism students who won six awards at the 56th JACC State Convention, including the General Excellence award, and first-place awards in Broadcast News Writing and Essay Writing. The Times staffers also earned third place in News Tweeting and received honorable mention for News Photo and Front Page Layout. She also thanked the SJCC Associated Students for their hard work in promoting Hands Across California. The focus of PDD was accreditation.

d. Constituency Group Representatives

CSEA President Tomisaka reported on the CSEA Legislative Conference in Sacramento, in which she and Danny Hawkins took a furlough day to lobby legislators on behalf of all. One of the things we asked was that we the people should be allowed to vote on the tax extension and be allowed to make this decision and not be held up by the legislative body.

SJCC Academic President Frazier stated he was encouraged by the accreditation work being done, especially regarding mapping. The 2012 deadline is more realistic now that progress is being made.

EVC Academic President Gee was impressed by how enthusiastic everyone was at PDD. Montgomery Hall was filled with 250 persons until 3:30 p.m. working on strategic planning. President Gee also commended Interim President Brock for her leadership role on the policies and procedures accreditation committee.

MSCC President McKee expressed appreciation for Classified staff and expressed sorrow about the layoffs currently impacting the group.

H. ACTION AGENDA

1. BP 6304 TRAVEL

Chancellor Cepeda reviewed the process used and the various review stages of the draft travel policy and asked the Board to approve it in its current form. Trustee Cruz stated that although she appreciated the amount of work that has gone into reviewing this policy, she was concerned that it took almost two years to get us there.

M/S/C (Dhillon/Cruz) to approve Travel Policy BP 6304.
2. **AWARD TO INDEPENDENT AUDIT SERVICES CONTRACT**

Trustee Tanaka reported that he and Trustee Dhillon met as members of the Board audit committee, and they both support the award of this contract.

M/S/C (Dhillon/Cruz) to approve and award the contract for independent audit services to Perry-Smith, LLP in an amount not to exceed $77,850 for FY2010-11, $77,850 for FY2011-12, and $81,000 for FY2012-13.

3. **FY 2011-2012 ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTE (TRAN)**

Vice Chancellor Hawk discussed the importance of having the ability to borrow funds to meet operational expenses until we receive funds from the County of Santa Clara.

M/S/C (Okamura/Fuentes) to approve a resolution authorizing the borrowing of funds for Fiscal Year 2011-2012 in an amount not to exceed $20,000,000 through the issuance and sale of a Tax and Revenue Anticipation Note (TRAN) by participating in the Community College League of California Tax and Revenue Anticipation Notes Program.

4. **MEMORANDUM OF UNDERSTANDING WITH MILPITAS UNIFIED SCHOOL DISTRICT**

This item was moved to follow item E-7.

5. **RESOLUTION OF THE BOARD OF TRUSTEES OF THE SAN JOSE/EVERGREEN COMMUNITY COLLEGE DISTRICT MAKING FINDINGS RELATED TO ENERGY CONSERVATION SERVICES, AUTHORIZING SOLAR EQUIPMENT PURCHASE AND INSTALLATION AGREEMENT, AND AUTHORIZING FILING OF CEQA NOTICE OF EXCEMPTION RELATING TO PHOTOVOLTAIC PROJECT**

Vice Chancellor Hawk gave an overview of the solar energy project, which will be located at EVC and would generate approximately $8 million in energy savings. The majority of those dollars would be realized in the first five years. Vice Chancellor Hawk stated she did anticipate some minor revisions to the contract in the future. The performance criteria is not yet in place. In addition to the contract, the Board is also being asked to adopt the principles which enable it to be exempt from CEQA. Trustee Tanaka stated he didn’t want the solar panels put in a location that may have a negative impact on the neighbors. Trustee Cruz agreed that as the district considers projects such as this one, it is important to talk with the neighboring communities. We’re in a community, and we should include input from other members of the community. Trustee Okamura stated the location of the panels may subject them to vandalism.

M/S/C (Okamura/Cruz) to approve the findings related to energy conservation
services, authorizing Solar Equipment Master Purchase and Installation Agreement with SunPower Corporation, and authorizing filing of CEQA Notice of Exemption relating to photovoltaic project.

6. PROGRAM MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES FOR MEASURE G-2010

Vice Chancellor Hawk reviewed the process the selection committee used in choosing a consultant for the Measure G-2010 bond. There were six proposals submitted, and three firms were interviewed. The selection committee unanimously selected Gilbane Building Company based on their experience with community college bond programs, the proposed cost structure, the location of their staff and their supporting office in San Jose, and the quality of their presentation and proposal.

Trustee Tanaka stated he could not approve the contract as it was written. He requested that at the next meeting, information would be provided to ensure the correct amount was included in the contract because it was unclear to him what the number actually means. Vice Chancellor Hawk answered that the district did not ask for a cost proposal from the submitted proposals. The proposals that were submitted used different models, and they were constrained because they didn’t have the benefit of knowing what the project list included. The Gilbane contract is primarily for the first year, and this is a “not to exceed” contract that is necessary so that the work can be done in a reasonable amount of time. Trustee Okamura stated that, based on his experience in project management, this contract lacked specifics. He wants to see some form of a cost contract. This district is very disappointed in how we managed our bond money during the previous bonds. He expressed concern that the Board is being asked to approve a rate in which the scope of the work is not really laid out. President Lind asked if the district would be selling the bonds to fund this contract. Vice Chancellor Hawk answered that the bond consultants support the colleges in determining the bond sale schedule based on the project lists the colleges approve. Therefore, this initial investment in the program management is important for this initial work to get underway. President Lind stated he didn’t understand from this contract what the deliverables would be. Trustee Okamura stated that, although he agreed the district does need to move forward, he was uncomfortable approving an agreement through 2018; and he was at the point where he needs to see things detailed on a piece of paper before he would support them. Trustee Tanaka agreed with Trustee Okamura and stated he would not approve something when it’s unclear what the Board is actually being asked to approve. Therefore, he would not support the contract as it is currently written.

M/S (Fuentes/Cruz) to approve the agreement with Gilbane Building Company as the Measure G-2010 Program and Construction Management Firm. Three Trustees voted yes, two voted no, and two abstained. Motion failed.

7. ENVIRONMENTAL IMPACT AND CEQA CONSULTING SERVICES FOR MEASURE G-2010

Vice Chancellor Hawk reviewed the selection process used to choose a consultant for the environmental impact reports for Measure G-2010. Two firms responded, and
the selection committee unanimously chose Impact Sciences, Inc.

M/S/C (Fuentes/Cruz) to approve the agreement with Impact Sciences, Inc. to develop the colleges Environmental Impact Reports for Measure G-2010.

8. **ADOPTION OF RESOLUTION NO. 041211-4 – ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

This item was moved to after E-7.

9. **ADOPTION OF RESOLUTION NO. 041211-5 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda reported that funding for the WIA funding for the 2011-2012 is uncertain and may face serious reduction. For this reason, it’s important to give employees the required 45-day notice in case the funding is not available to retain their positions.

M/S/C (Dhillon/Tanaka) to adopt Resolution No. 041211-5 – Eliminate Positions and Layoff Classified Employees.

10. **ADOPTION OF RESOLUTION NO. 041211-6 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda stated the Tech Prep allocation would be reduced and; therefore, it is necessary to layoff one Classified employee.

M/S/C (Cruz/Tanaka) to adopt Resolution No. 041211-6 – Eliminate Positions and Layoff Classified Employees.

I. **INFORMATION AGENDA**

1. **BUDGET UPDATE**

Chancellor Cepeda discussed her participation, along with a team of nine other prominent community college leaders, in the April 5 Higher Education Advocacy Day in Sacramento. Their strong message to legislators was about the impact of an all cuts budget scenario, which would mean 400,000 fewer students in California Community Colleges. However, it became clear that an all budget cuts scenario seemed to be taking hold even with some democrats; and this would mean an additional $500 million cut on top of the $400 million already in place for community colleges. The legislators asked for help in educating the public because recent polls indicate that Californians are not willing to consider tax extensions or new taxes. In the meantime, the May revise budget will provide us with the next best picture of what we are to expect.

Vice Chancellor Hawk discussed the impact a possible suspension of Prop 98 and declining property taxes would have on the district. At this point, the district needs to develop some contingency plans.
2. LEGISLATIVE UPDATE

Chancellor Cepeda reported that Assemblyman Furutani is considering introducing legislation that would make major reforms to community colleges. Among other provisions, the bill would establish a priority enrollment system in statute, give fee authority to the Board of Governors, and set a unit limit for state subsidized coursework. This week, Assembly Higher Education will hear a full agenda of items, including AB 515 (Brownley) which would authorize community college districts to offer fee-based extension courses for credit. The bill has been much debated and was recently amended to specify that the fee-based courses could not supplant state-subsidized courses and to require that the 50% law and 75-25 as well as collective bargaining apply to courses. Two bills were also recently amended that would create a process for community college districts to elect trustees by district area instead of at large.

3. PRESENTATION ON SILICON VALLEY LATINO REPORT CARD

This item was moved to after Item E-7.

4. EVC AND SJCC TITLE V REPORTS

Mr. Richard Regua, Instructor, Language Arts, at Evergreen Valley College, and Cambios Project Director, provided an overview of Title V objectives, the Cambios 1st year objectives and the innovation and expansion of the Enlace program.

Mr. Robert Gutierrez, Interim Director, Metas Project at San José City College, provided an overview of the Metas project, including the grant components, learning communities, counseling services and Summer Bridge program.

5. PRESENTATION OF THE CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, CHAPTER #363 CONTRACT OPENER PROPOSAL WITH THE SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2011-2012

Vice Chancellor Garcia reported that this item is the sunshine proposal of the CSEA contract, and that the public hearing would be held at the May 10 Board meeting.

6. FUTURE AGENDA ITEMS

- Redistricting

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION
There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 11:00 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
May 10, 2011

A. CALL MEETING TO ORDER

Vice President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, May 10, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Tanaka) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957 (b))

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA

CONFERENCE WITH LABOR NEGOTIATORS
Minutes of May 10, 2011 Governing Board Meeting

(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:20 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Ms. Autumn Young

Board Members Excused:
Mr. Ron Lind

1. PLEDGE OF ALLEGIANCE

Vice President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Young/Okamura) to approve the agenda as amended:

Items I-4 and H-12 were moved to follow Section G, Oral Communications. A change was made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

The Board will continue to work on the Chancellor’s evaluation for the next two board meetings and will be completed by June 7, 2011.

4. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Board heard a public comment regarding the layoff of a Vietnamese staff member.
Minutes of May 10, 2011 Governing Board Meeting

5. **GOVERNING BOARD ORGANIZATION**

   M/S/C (Cruz/Lease) to allow all privileges defined in BP 2105 to Student Trustees, with the exception of the privilege to attend closed sessions.

6. **APPROVAL OF THE APRIL 12, 2011, GOVERNING BOARD MEETING MINUTES**

   M/S/C (Okamura/Dhillon) to approve the above listed meeting minutes.

7. **6:15 PUBLIC HEARING ON THE CALIFORNIA SCHOOL EMPLOYEE ASSOCIATION, CHAPTER 363 CONTRACT OPENER PROPOSAL WITH SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOR 2011-2012**

   There were no public comments during the hearing.

   M/S/C (Tanaka/Cruz) to close the hearing.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S/C (Cruz/Lind) to adopt the Consent Agenda as amended:

   Item F-5 Classified Personnel Actions, Section 2b Status Change Reclassified – a correction was made to the position number for the Sr. Division Admin Asst.

2. **MANAGEMENT PERSONNEL ACTIONS**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

   The Board approved the Faculty Personnel Actions as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SAN JOSE CITY COLLEGE**

   The Board approved the Faculty Personnel-Adjunct/Overload-San Jose City College as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified personnel actions as submitted.

6. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

   The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.
7. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

8. **RATIFICATION OF CONTRACTS & PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of March 10, 2011 through April 9, 2011.

9. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendations for new courses submitted by Evergreen Valley College.

10. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the curriculum recommendations for new courses and a new program submitted by San José City College.

11. **MOU – COUNTY OF SANTA CLARA SOCIAL SERVICES AGENCY AND EVERGREEN VALLEY COLLEGE**

The Board approved the MOU between the County of Santa Clara, Social Services Agency and Evergreen Valley College.

12. **FINANCIAL AID INACTIVE REPLACEMENT CARD FEE**

The Board implemented an Inactive Replacement Card fee.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

AJCC Student Trustee Young announced it was her last meeting as student trustee. She thanked everyone for their support and expressed how honored she has been to serve the district in many roles. The good news is that she will continue her work in the district Foundation.

EVC Student Trustee Lam thanked Vice Chancellor Hawk and Vice President Hay for meeting with the Associated Students and answering their questions. It was an important event for students. She also announced the happy news that she has been re-elected to serve as EVC Student Trustee for the next year.

Trustee Lease reported that KinderCaminata was a wonderful event, and he was very moved by seeing the children on the EVC campus. At some point
these children will attend college, and their memory of this event will encourage them to do so. He also discussed his recent presentation at a neighborhood association that was well received and in which a lot of questions were asked and answered. He announced his father was recently honored for his 60 years of teaching. Trustee Lease reported on his attendance at the CCLC Annual Trustees meeting where he met with the accreditation team and also learned a lot about SLOs and other areas that will assist him as a Trustee. He is also looking forward to tomorrow’s CSEA job shadowing event.

Trustee Cruz reported on her attendance at the CCLC Annual Trustees meeting where she attended a variety of workshops on the Brown Act update, ethics training and Board role for the college foundations. She highlighted the presentation by David Miller, who discussed the importance of embracing the student success agenda. As a district, we have been involved with student success through such activities as CLASS, Achieving the Dream and the equity scorecard. Other areas we need to review are academic acceleration, contextualized learning, feedback and connection to learning for students. Trustee Cruz also reported on her recent visit to the EVC campus, where she visited such programs as ASPIRE, OASSIS, Nursing and Allied Health, Enlace and AFFIRM. She thanked Interim President Brock, Vice President Kuni Hay and Mr. Keith Aytch for allowing her to learn more about EVC programs.

Trustee Dhillon reported on the last Foundation Board meeting. The Foundation is moving in a new direction and is focusing on fundraising. He also reported on his attendance at the CCLC Annual Trustees Conference. He attended a session on health care costs, and there were discussions about how districts can join together in order to take advantage of larger discounts. However, it was evident that the health care system needs a major overhaul.

b. Chancellor

Chancellor Cepeda reported on her participation with critical community partners and other key events. She was a panelist in the Silicon Valley Education Foundation’s Education Summit Program “Save our Schools” that included Cathy Boettcher, Co-chair of the Local Education Planning Council, Muhammed Chaudry, President of the Silicon Valley Education Foundation, Dan Moser, Superintendent of the East Side Union High School District, and Chuck Weis – Superintendent of Schools for Santa Clara County Office of Education. Chancellor Cepeda attended the Trustee Annual Conference in Monterey with Trustees Lease, Cruz and Dhillon, which focused on budget, accreditation and communications strategies in difficult times. Chancellor Cepeda also participated with SilVHER (Silicon Valley Higher Education Roundtable) and helped to draft a “white paper” in preparation for a regional summit on the impact of the fiscal crisis in education throughout the Silicon Valley. This effort will be conducted in collaboration with business and industry partners.

Chancellor Cepeda reported on Kinder Caminata, which was a magnificent
event that raised everyone’s spirits; but most important of all made college going a real goal and not just an imaginary option for hundred of kindergartners in our region.

Mayor Chuck Reed invited the Chancellor to meet with him and his staff, including Deputy City Manager Noberto Duenas, Sr. Policy Advisor Jeff Jansen, WIA Director Jeff Ruster and Ernest Azevedo Executive Analyst. The purpose of the meeting was to provide an overall perspective on the direction of the SJECCD, Trustee Priorities, fiscal challenges and the exploration of ongoing partnerships with the city, including such programs as the SJ Promise, Summer Academies, the Mayor’s Green initiatives and workforce development concerns. The meeting resulting in an agreement to maintain ongoing communication and to schedule specific follow up meetings with campus constituents to address common concerns.

Chancellor Cepeda reported that Monica Gomez has been successful in finding a position as a PIO with a new firm in the Silicon Valley. Her last day was yesterday, and the Chancellor could not convince her to come to the board meeting this evening. In any case, the KinderCaminata video was one of her last projects, and she is most proud of that work. We wish her the best in her new position and appreciate the work she supported for our district since her hire in 2008.

Finally, the Chancellor gave special thanks to a group of colleagues who have worked very hard to support her in providing a number of key deliverables to the board as part of her evaluation including: Annual Report, Strategic Directions Document, Communication Strategic Plan, and Board Self Evaluation. And while all of her executive team provided input and guidance Carol Coen, Rosalie Ledesma, Oleg Bespalov, Monica Gomez, and Jeff Fasbinder actually worked with her on the final production of these materials.

c. Presidents

SJCC President Kavalier reported that at the April 28 Scholarship Ceremony, 36 scholarships for 55 awards (several scholarships with multiple awards), 37 recipients and $62,355 were awarded. SJCC also received special recognition at the April 29th Judicial Council of California because of our successful educational partnership in developing a multi-optional Judicial Administration Program for incumbent court employees as well as a well-paying workforce initiative for new students seeking employment with the courts. She also reported on the April 25th All-Campus Facility Forum, April 27 Labor Studies and Reel Works Film Series presentation of the Pat Tilman Story, where his mother Mary Tilman was a special guest. A Classified Recognition luncheon was held on April 28, and on May 5 SJCC held the annual newly tenured faculty reception.

EVC Interim President Brock announced that an EVC student, Mr. Francisco Tello has been selected as a recipient of UCSC’s 2011 Karl S. Pister Leadership Opportunity Program Award. Vice President Irma Archuleta will also be recognized as an Educator of the Year by the Association of Mexican
American Educators, on Friday, May 20. Vice President Kuni Hay received the YWCA Silicon Valley Woman Executive of the Year award, and EVC was the only community college who received an award. Ms. Ingrid Rottman was also named an outstanding educator in collaborative services from the California Council for Adult Education. The Day of the Green was very successful, and 289 students attended, as well as 100 parents/family members. Special thanks goes to the 27 faculty, 29 classified, 11 administrators, and 20 student ambassadors, interns, tutors and student leaders, who worked hard to make the event successful.

d. Constituency Group Representatives

CSEA President Jan Tomisaka stated that once again this month CSEA is facing more RIF’s and that is difficult for morale. Members are not sure if they come to work will they get the dreaded call from Human Resources. We continue to ask “WHO WILL DO THE WORK?” Not to lessen the impact of more unit members losing their jobs but our Administrators are participating in the CSEA’s statewide ACE Program (Appreciating Classified Employees) tomorrow. Chancellor Cepeda, Vice Chancellors Garcia and Hawk, President Kavalier, Interim President Brock and the Vice Presidents of both campuses and Deans will be shadowing classified staff during the morning and a luncheon/program will be from 11:00 – 1:00 for the participants. It is nice to see so many willing participants wanting to learn more about what the classified staff contributes to the smooth operations of this district. Ms. Tomisaka also thanked Trustees Dhillon, Fuentes and Lease for participating. Trustees Lind and Okamura were unable to participate with their busy schedules and are still planning on shadowing a classified employee in the next few weeks. We are looking forward to their participation so they can see how much of a difference our unit members make. Next month at the Board meeting we will make a presentation regarding this very special day.

SJCC Academic President Chris Frazier stated the college is working very hard on hiring. He also provided an accreditation update, and thanked President Kavalier for the amazing work she has accomplished in the four months she has been college president.

EVC Academic President Henry Gee provided an update on EVC Facilities Master Plan for the college and the policies that are being reviewed at the college. He is working to accelerate the three policies requested by the Accrediting Commission, i.e. BP 2715 Code of Ethics/Standards of Practice, BP 2435.1 Evaluation of the President of Evergreen Valley College and the President of San Jose City College, and BP 5140 Disabled Students Programs and Services. At some point the revised policies will be presented to the Board for a first reading.

MSCC President Lauren McKee reported the group is reviewing its policies, which are very old; and will be meeting with Vice Chancellor Garcia to assist with the review process. She also announced that 89% of the MSCC are paying monthly dues, and the events at EVC and SJCC to honor Classified Staff have been supported through those funds. MSCC wants to recognize the valuable work Classified staff perform in support of the district. Ms. McKee
recognized Dean Lynette Apen, who is leaving, and will be greatly missed.

I. 4. SJCC CHILD DEVELOPMENT CENTER

President Kavalier and members of her research team that was charged with forming an action plan provided a presentation on the Child Development Center. The presentation included information on the budget and funds needed to close the gap to keep the Center open; the condition of the facilities and status of Measure G 2004 funds; options for relocating to a different facility; possible rentals/alternate site; opportunities for partnerships and college priorities. The CDC is currently serving 59 parents with 62 children: 1 faculty member, 1 classified employee, 2 SJCC students, 1 EVC student, 2 non-students (subsidized) 40 SJCC students enrolled in 9 or more units, 10 SJCC students currently enrolled in less than 9 units and 2 students who have dropped all their classes. In 2010-2011 with total revenue at $448,253 and total expenditures at $658,963, the Center’s projected deficit is an estimated $210,710. For 2011-2012 the estimated deficit is $282,676.

President Kavalier reviewed three options for the CDC: 1) the CDC stays on the campus, 2) the CDC stays open and moves to Parkway, and 3) the CDC stays open and on campus using leased portables. A fourth option is to close the CDC and work with external partners to design a self-supporting Center.

President Kavalier reviewed the potential costs associated with all three options for keeping the Center open. Her recommendation, as well as the recommendation of her research team and SJCC Academic Senate, is to close the CDC.

Student Trustee Young expressed her concern that 64 students depend on the CDC as a lab, and the cost should be treated as such. Other programs have associated lab costs, and the district is doing a disservice to the community by not properly training people for jobs in child care. Trustee Cruz stated that single parents and low-income parents who are also students need the program in order to graduate. By closing the CDC we are failing to provide the quality educational experience our students need. Also, the budget concerns of the here and now may not impact the future, and the presentation provided did not provide information on the plan for the CDC moving forward. Trustee Okamura stated that although he did understand the problems associated with the costs of keeping the Center open, he was concerned that the plans the Board approved two years ago were not followed through.

H. 12 ADOPTION OF RESOLUTION NO. 051011-2 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES

The Board heard 12 public comments in opposition of closing the Child Development Center at San José City College. Speakers included Janet Cheng, Director of Health Services, SJCC; Elena Cruz, Child Development Specialist; Kim Vu, Child Development Aide; Marcia Chavez, Supervisor, Child Development Specialist; Students/parents Bianca Broussard, Hershel Sabater, Monique Delgadillo, Christiana Gardner, Luzita Cady, Diane Walter and former student Sabrina Womach. Mr. Joseph King, SJCC Librarian, also discussed the impact of layoffs at the library; and, even though he supports
the decision to close the CDC, he expressed his support for the CDC staff.

Trustee Fuentes stated that the Board is back to the decision of whether or not the Child Development Center is a part of our institution. There is also the fact that many children benefit and need this program. The district’s recommendation to close the Center doesn’t make sense. Early Childhood Education is an important field of study and deserves an important lab facility. She stated she will vote against the district’s recommendation because they could do better. Although there are costs associated with this program, there are costs associated to a lot of other things the district is engaged in. Trustee Fuentes expressed concern by the lack of leadership in working hard to save the program. The Board agreed to close one Center and keep the other one open, and now they are being asked to break that promise. It’s also very embarrassing to be the only district in our area without a lab school. We should be wiser in understanding how essential this field of study is for our community. Trustee Lease stated that although we could use bond funds to build a new Center or make improvements to the current Center, the issue is whether or not the district can fund the ongoing expense of keeping it open. But we have a serious accreditation problem at SJCC and the state has limited resources. It is with a heavy heart that he supports the district’s recommendation to close the Center. Trustee Dhillon expressed his concerns about the safety of the facility for students, faculty and especially the children and also the costs associated with making the facility ADA compliant.

M/S/C (Dhillon/Lease) to adopt Resolution No. 051011-2 – Eliminate Positions and Layoff Classified Employees. Trustees Fuentes and Cruz voted no.

H. ACTION AGENDA

1. SCHEDULE OF GOVERNING BOARD MEETING DATES AND CORRESPONDING DEADLINES FOR 2011-2012

M/S/C (Tanaka/Cruz) to approve the Schedule of Governing Board Meeting Dates and Corresponding Deadlines for 2011-12.

2. CHANGE ORDER #1 – MULTIDISCIPLINARY + ARTS PROJECT - SJCC

Vice Chancellor Hawk gave an overview of the conditions that require additional funding, such as, the City Fire Marshall’s request to add two fire hydrants and the relocation of unforeseen underground site facilities that conflict with the footprint of the new building, additional electrical work required and the reconfiguration of the existing irrigation system. Trustee Okamura asked if the condition with the underground site utilities was known beforehand. Vice Chancellor Hawk answered that every building surrounding this building was renovated or new, and the electrical lines do not start and finish under this building. And although moving forward we can’t be sure there will be no unforeseen conditions, it’s these types of issues the district is trying to correct by hiring a project management team to assist in the planning of Measure G-2010.
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M/S/C (Okamura/Tanaka) to approve Change Order #1 in the amount of not to exceed $218,898.00 to Blach Construction Company for the Multi-Disciplinary + Arts project at San Jose City College.

3. CHANGE ORDER #1 – FINE ARTS HAZMAT ABATEMENT - SJCC

Vice Chancellor Hawk stated the purpose of this change order was to safely remove and dispose of all hazardous materials found under the Fine Arts Building at SJCC.

M/S/C (Dhillon/Lease) to approve Change Order #1 in the amount of $19,450.00 to Eco Bay Services, Inc. for the Fine Arts HAZMAT Abatement project at San Jose City College.

4. ADDITIONAL SERVICES AUTHORIZATION – EVC MODERNIZATION

Vice Chancellor Hawk reviewed the additional services required to modernize and acquire LEED Silver standard the Acacia/Cedro and P.E. modernization project at EVC. Trustee Okamura made note that this funds could have been used to keep the Child Development Center open.

M/S/C (Tanaka/Dhillon) to approve the additional services authorization in the amount of not to exceed $203,938.00 to WLC Architects, Inc. for the Acacia/Cedro/P.E. modernization project at EVC.

5. AGREEMENT – INSPECTOR OF RECORD – MULTI-DISCIPLINARY + ARTS PROJECT - SJCC

Vice Chancellor Hawk reported that several inspectors were asked to submit proposals. The cost for this service was similar from all proposals submitted, but Ram Kirpalani was the inspector that was recommended by the management team. Trustee Tanaka asked if interviews were held before the choice was made. Vice Chancellor Hawk answered that the management team at SJCC interviewed three of the bidders before they made their recommendation. Trustee Dhillon stated that in the past when there were multiple bidders, information on each of the proposals was included in their board meeting packets.

M/S/C (Young/Okamura) to approve the agreement with Ram Kirpalani, Inspector of Record, in the amount of not to exceed $205,800.00 to provide full-time professional inspection services for the Multi-Disciplinary + Arts Project at San José City College.

6. AGREEMENT – MATERIAL TESTING & INSPECTION SERVICES – MULTI-DISCIPLINARY + ARTS PROJECT - SJCC

Vice Chancellor Hawk explained that approval of this professional services agreement would meet the need for comprehensive material and testing services for the Multi-Disciplinary & Arts Project at San José City College. This service is needed in order to comply with the requirements of Title 24 and all structural provisions of the Field Act.

M/S/C (Cruz/Fuentes) to approve a Professional Services Agreement with Smith
Emery San Francisco in the amount of not to exceed $115,423.50 to provide comprehensive material testing and inspection services for the Multi-Disciplinary Arts Project at San Jose City College.

7. AGREEMENT FOR SOILS ENGINEERING TESTING AND INSPECTION SERVICES – MULTI-DISCIPLINARY + ARTS PROJECT - SJCC

Vice Chancellor Hawk stated that approval of this service agreement would provide special soils and geotechnical engineering services required for the Multi-Disciplinary & Arts Project at San José City College.

M/S/C (Dhillon/Cruz) to approve a Professional Services Agreement with Consolidated Engineering Labs in the amount of not to exceed $25,990.00 to provide comprehensive Geotechnical Engineering Services for the Multi-Disciplinary + Arts project at San Jose City College.

8. PROGRAM MANAGEMENT/CONSTRUCTION MANAGEMENT SERVICES FOR MEASURE G-2010

Trustee Okamura thanked Vice Chancellor Hawk for the additional information she provided to answer the Board’s questions from the last meeting. He asked if there was a way to document the different phases and the related costs as each phase is completed. As we are early into the new bond projects, it would be helpful to assess the status of the work and hold our contractors accountable. Vice Chancellor Hawk answered that there are several reviews in any project we undertake so that we can reinvest any savings we receive from one project into another project that may need more funds. Trustee Dhillon inquired about why the contract contained two functions, contract management and construction management. Vice Chancellor Hawk answered that those two coordinated functions provides the best services at the campus level. Trustee Tanaka asked how the $2.2 million contract would be funded. Vice Chancellor Hawk answered that the Board approved over $2 million in change orders this evening. We anticipate seeing real savings as a result of their expertise, including a much better control options with our vendors. Trustee Cruz inquired about any known litigation that the Gilbane Building Company may be involved in, and Vice Chancellor Hawk answered there is no known litigation involving its local company. Trustee Fuentes asked, in the interest of transparency, if Gilbane was involved in any discrimination litigation. Vice Chancellor Hawk answered that nothing showed up in the review of the company.

M/S/C (Okamura/Tanaka) to approve the agreement with Gilbane Building Company as the Measure G-2010 Program and Construction Management Firm. Trustees Fuentes and Dhillon voted no.

9. DELEGATE AUTHORITY TO MODIFY SUNPOWER CONTRACT AND EXECUTE ADDENDA

Vice Chancellor Hawk requested the Board approve giving her authority to move forward with the SunPower contract and bring it to the Board for subsequent ratification.
M/S/C (Cruz/Dhillon) to delegate authority to the Vice-Chancellor Administrative Services to modify the terms and conditions of the SunPower contract approved by the Board of Trustees on April 12, 2011 and execute addenda for additional Operations and Maintenance and Power Output Guaranty.

10. **RESOLUTION IN SUPPORT OF CLASSIFIED SCHOOL EMPLOYEE APPRECIATION MONTH RESOLUTION NO. 051011-5**

Chancellor Cepeda stated that the third full week in May is designated at Classified School Employee Week. The resolution before the Board recognized the important contributions made by classified employees of the San José-Evergreen Community College District and extends the celebration to the full month of May 2011.

M/S/C (Fuentes/Dhillon) to approve Resolution No. 051011-5 Classified School Employee Appreciation Month.

11. **ADOPTION OF RESOLUTION NO. 051011-4 IN SUPPORT OF AB 1130 (SKINNER) INCOME TAXES: TAX RATES**

Chancellor Cepeda reported this resolution was supported by our district’s Faculty Association and other members of our constituency groups. Assemblyman Skinner’s bill is calling for the taxing of the richest 1% in our state to help off-set the terrible budget crisis we are facing.

M/S/C (Tanaka/Cruz) to adopt Resolution No. 051011-4 in support of AB 1130 (Skinner) Income taxes: tax rates.

12. **ADOPTION OF RESOLUTION NO. 051011-2 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

This item was moved to follow I-4, which was moved to follow Section G, Oral Communications.

13. **ADOPTION OF RESOLUTION NO. 051011-3 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda reported that due to state budget reductions, the County of Santa Clara is unable to fund the Keys to Success program at its current level, and the funding has been reduced to $204,000 for FY2011-12. Therefore, the district is recommending the layoff of two Classified positions.

M/S/C (Dhillon/Cruz) to adopt Resolution No. 051011-3 – Eliminate Positions and Layoff Classified Employees.

I. **INFORMATION AGENDA**

1. **BUDGET UPDATE**

   Chancellor Cepeda stated the last two CEO conference calls regarding the state
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budget had been canceled as everyone is awaiting the results of the Governor’s May revise budget.

2. **LEGISLATIVE UPDATE**

This item was not discussed.


Because of time restraints, Vice Chancellor Hawk was not able to provide a full budget presentation. Instead, she made a significantly abbreviated report. It was proposed that the report be brought back on May 24, including any new “May revise” information.

4. **SJCC CHILD DEVELOPMENT CENTER**

This item was moved to follow Section G, Oral Communications.

5. **BOARD SELF EVALUATION: SUB-COMMITTEE REPORT, FINDINGS AND NEXT STEPS**

Trustee Okamura gave a brief overview of the Board evaluation process and provided a breakdown of the groups who participated in the survey and at what level. Trustee Cruz stated the results of the Board evaluation survey would be used as a baseline that would determine areas of Board focus and improvement. Trustee Lease gave a brief presentation summarizing the findings of the Board self-evaluation summary. He thanked Mr. Oleg Bespalov for his hours of work putting the presentation together. Trustee Lease reported that the Board rated themselves slightly higher than the outside reviewers; but in most cases, the ratings were comparable. He stated the evaluation survey addressed those areas of concern indicated in the accreditation review. Based on these results, the Board plans to develop a workplan that will include board development opportunities to help them improve their performance in those crucial areas. It is expected that the first draft of this workplan will come to the board on May 24.

6. **FUTURE AGENDA ITEMS**

- AB 515 resolution
- Redistricting

J. **CONTINUATION OF CLOSED SESSION**

No.

K. **RECONVENE OPEN SESSION**

**ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

There were no reportable actions.
L. ADJOURNMENT

The meeting adjourned at 11:20 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
Minutes of the
Governing Board Meeting
May 24, 2011

A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, May 24, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Cruz/Tanaka) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: Evergreen Valley College President

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957 (b))

CONFERENCE WITH LABOR NEGOTIATORS
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:11 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Tanaka/Dhillon) to approve the agenda as amended:

A change was made to the Consent Agenda.

3. RETIREES RECEPTION

The Board held a reception in honor of the district's 2010-11 retirees.

Dr. Marilyn Brock, Interim President of Evergreen Valley College, gave an overview of the tenure and accomplishments of retirees Joy Chase, Gloria Fleming, Maria Elena Gressel, Lynn Gulkin, Harry Lichtbach, Elvis Raby, Tri Tran and Mary Wong-Kauzlarich.
Dr. Barbara Kavalier, President of San José City College, also provided information on the tenure and accomplishments of retirees Sabri Bebawi, Teresco Cabuag, Rufino Ibarra, Eleanor Kendrick, Lucy Poindexter and Virginia Scales.

4. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lind announced the appointment of Dr. Henry Yong as President of Evergreen Valley College. He was hired as administrator, M-35, Step 4, at the salary of $188,221, effective July 1, 2011. President Lind thanked Chancellor Cepeda, the district’s search committee and the sub-committee of the Board that worked hard throughout the search process.

5. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The Board heard a public comment from Mr. Jaime Alvarado, Executive Director of Somos Mayfair, in support of AB540 and other immigrant students. They also heard public comments from Vickie Carvalho, Marcia Chavez, Linda Cochran, Autumn Young, Reyes Monette, and Linda Conrad urging them to reverse their action to close the Child Development Center at San José City College.

6. APPROVAL OF THE MAY 10, 2011, GOVERNING BOARD MEETING MINUTES

M/S/C (Okamura/Cruz) to approve the above listed meeting minutes.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Tanaka/Lease) to adopt the Consent Agenda as amended:

Item F-3 – A correction was made to the title on page 2 of the attachment to read as follows: EVC Fulltime Overload Instructional Summer 2011.

Item F-8 was removed from the Consent Agenda for discussion and separate vote.

2. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions as submitted.

3. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC

The Board approved the Faculty Personnel-Adjunct/Overload-EVC as submitted.

4. FACULTY PERSONNEL-ADJUNCT/OVERLOAD-SAN JOSE CITY COLLEGE

The Board approved the Faculty Personnel-Adjunct/Overload-San Jose City College as submitted.
5. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified personnel actions as submitted.

6. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

7. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the curriculum recommendations for new courses and a new program submitted by San José City College.

8. **INFORMATION TECHNOLOGY PROFESSIONAL SERVICES AGREEMENT – FERRILLI INFORMATION GROUP**

This item was removed from the Consent Agenda for discussion and separate vote.

9. **MEMORANDUM OF UNDERSTANDING BETWEEN SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT AND CLASSIFIED SCHOOL EMPLOYEES ASSOCIATION, CHAPTER 363**

The Board approved the Memorandum of Understanding between San Jose-Evergreen Community College District and Classified School Employees Association.

F. 8. **INFORMATION TECHNOLOGY PROFESSIONAL SERVICE AGREEMENT – FERRILLI INFORMATION GROUP**

Trustee Lease stated that although he was confident the constituency groups have talked this over, he has heard from the MSC and CSEA groups that they have concerns about this position remaining a contractor position with a large amount of dollars associated with the contract. He asked for an explanation of how long this ITSS position would remain a contractor position and if there were plans to hire a permanent employee in the future. Vice Chancellor Hawk answered that it was her understanding that the former Chancellor and Vice Chancellor believed that outsourcing this IT position would best move the district forward. There are many districts that choose this method of staffing so it would not have been an unusual direction. However, the district’s contract with Ferrilli Information Group, which the Board approved in 2009, is about to expire; and this contract is being brought to the Board so that the district may continue the work of reviewing the IT department to determine what position needs to be filled and how to classify that position. Once that work is done, it will be brought back to the Board for approval. Trustee Lease expressed concern about a contractor being a manager in charge of Classified personnel. Vice Chancellor Hawk answered that the contractor would not be a manager but would only provide management services. She also stated this contract reflects a 10% reduction over the last one, thus enabling the district to save some money.
Trustee Okamura stated that two years ago, the Board reviewed the district's Technology Plan. He requested the district bring back this plan, especially since it included a streamlining of the IT function. He stated he would like to review this plan again sometime during the current year.

Chancellor Cepeda stated the district fully understands the concerns raised by the constituents and that the goal would be to establish permanent staffing. The district is now in the process of determining exactly what is needed. The Chancellor's executive team is working on the restructuring and reorganization of the district based on the personnel that would be left after the last layoff proposal is implemented. Determining what ITSS would look like in the future is a part of a larger undertaking that will be reviewed with the Board in July.

Trustee Cruz requested a list of the deliverables that have already been produced from the current FIG contract.

M/S/C (Dhillon/Cruz) to approve the extension agreement with Ferrilli Information Group to provide Network Management services at $16,650 per month for a period of 12 months, effective July 1, 2011.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Trustee Dhillon attended the district’s award ceremony, and stated how impressed he was with the staff—many of whom have been with the district for 15, 20, and even 35 years.

Trustee Okamura discussed his attendance at the Silicon Valley Leadership Group. He stated it’s frustrating that things are stuck in Sacramento at a time when something dramatic and bold needs to be done. The senate needs to come together and develop its own plan.

Trustee Fuentes made a request related to the closure of the SJCC Child Development Center. She thanked everyone present at the meeting that spoke about their concerns regarding the closure of the center. She stated she would like to bring back the motion to close the CDC that the Board approved at the June 9, 2009, and asked for a full report on why the Board’s decisions were not followed through. Trustee Fuentes expressed concern about the unacceptable conditions in the Early Childhood Education program; and, in particular, the CDC, that has been continuing for some time. She requested a report on what has been going on, how the parents of the children have been treated, how they were or weren’t informed of the closure, the role of the ECE program in our colleges, and what this closure means as an educational program for our students and community. She also asked for a report on what options are available to have this funded through Measure G.

President Lind reminded Trustee Fuentes that the Board already approved the resolution that would close the CDC, and that decision cannot be
reversed by a Board member who voted against that action. Trustee Fuentes answered that her request was for information purposes.

Trustee Cruz expressed her support for the information requested by Trustee Fuentes and stated it would be helpful for the board to be given a clear picture of what has transpired with the CDC since 2009. Trustee Cruz also reported on her attendance at the AB540 student fundraising event and expressed how important it was to support those activities which would enable students who need financial support to attend our colleges. She also discussed the recent community information meeting and was especially delighted by the interest and questions asked by community members. We want to be sure to include the community and partner with them to promote higher education. Trustee Cruz also reminded the Chancellor that at the May 10 meeting she requested an agenda item on AB 515 and wanted to be sure it was included at the next board meeting.

Trustee Lease congratulated the CSEA for being chosen to participate in the ACE job shadowing event. He had the privilege of shadowing the district’s only electrician, Mr. Arnold Juntado, and was very impressed with the wonderful job he’s doing and the special knowledge he has. It was fun to see firsthand the tunnels at EVC. Trustee Lease also reported on his participation as a member of the Board subcommittee that interviewed the final EVC president candidates. He also made special mention of the CSEA resolution the Board approved as part of the Consent Agenda. It’s very commendable the CSEA moved to protect the benefits of its members.

President Lind thanked the Board subcommittee, especially Vice President Fuentes, for doing a lot of work on key issues, such as the EVC President search, Board self evaluation and the Chancellor’s evaluation. Although he has been traveling, many Board members stepped up and worked hard on these key issues affecting the district.

b. Chancellor

Chancellor Cepeda deferred her report to Agenda Item I-2 State of the District.

c. Presidents

SJCC President Barbara Kavalier reported on the activities that have occurred since the last board meeting regarding the Child Development Center. ECE faculty have developed an action plan for identifying alternative sites. They have met with several potential external partners in the community to explore subcontracting our site license, providing alternative sites for the lab, and having external partners take over the center, which would include a complete remodeling. In addition, they have been working with the Workforce Institute to develop a plan for moving ahead with a self-supporting center. There is a possibility this may happen in the Fall semester. President Kavalier also reported on the progress made on the accreditation report. It is expected the draft report will be ready by May 13. Special commendation to professors Celia Cruz-Johnson and Leslie Rice as they will
be presenting at the Annual Conference on the State of Higher Education in Washington, D.C.

EVC Interim President Marilyn Brock reported on the tragic death of a student on the campus library on Saturday. We are truly saddened by the loss of a promising student in our campus community.

On a happier note, there is a lot of excitement about the upcoming graduation. EVC has 460 graduates, and 421 students have already picked up their caps and gowns. The campus is making room for approximately 1400 attendees at the graduation ceremony. This is what it’s all about, and we applaud the success of our students.

d. Constituency Group Representatives

CSEA President Jan Tomisaka reported on the May 11 ACE workshop. She thanked Chancellor Cepeda and Board members for their support and participation and presented them with a plaque commemorating the event.

FA President David Yancey stated he was shocked, saddened, and embarrassed when he saw that EVC posted their endorsement of AB 515. He asked the board to correct this action by having EVC retract their support, especially in view of the fact that the Board has not taken any public action to support the bill. Every major union in the state is against this bill. This bill originated in Santa Monica where students have the money to pay, but our students do not.

FA Executive Director Barbara Hanfling reported on the progress with the new contract and stated that some agreement was made on salary savings. The vote will be counted on Friday, and a report will be provided at the next board meeting.

SJCC Academic Senate President Chris Frazier read a statement that was approved by the senate to be presented to the Board. The statement reads as follows:

The faculty at San José City College have been working collaboratively with administration, classified, and students to meet the recommendations of the accreditation report that directly relate to our campus. However, we, the members of the Academic Senate, are extremely concerned and worried about the board’s pace of action related to the shared recommendations, especially the recommendations that state: 1) the board stay focused on its core purpose: making policy, and 2) the board specifically support Chancellor Cepeda in her role as chief executive officer of our district and President Kavalier, President of San José City College.

EVC Academic Senate President Henry Gee discussed his attendance at the special programs graduation ceremony for EOPS, DSPS, Calworks and AFFIRM students. It was a very moving event.
MSCC President Lauren McKee discussed the group’s support of CSEA employees and how vital they are to the district. The MSCC is also reviewing the salary and benefits reduction plan the district is proposing.

H. ACTION AGENDA

There were no action items.

I. INFORMATION AGENDA

1. BOARD SELF EVALUATION WORK PLAN

Trustee Cruz discussed the comprehensive assessment the Board undertook for their self evaluation and that now a good process is in place for conducting further evaluations. The Board subcommittee reviewed the findings and will present a work plan to the full Board based on those findings.

Trustee Lease discussed the findings and reviewed the areas where the Board and internal constituents were in agreement and where there were discrepancies. It is now possible to develop an action plan that would include study sessions to gain insight into our best practices and to also develop a work plan for the whole Board to approve and implement.

Trustee Okamura stated that the Board evaluation process is an assessment, not a performance review. This evaluation process will create robust discussions. Even among Board members, there are differences in how issues are perceived; and developing a work plan will not result in the end of these differences.

2. STATE OF THE DISTRICT

Chancellor Cepeda began by thanking all of the members of her Executive Team for supporting the work associated with all of the initiatives undertaken during the year. She provided an overview of the accomplishments and challenges the district faced in the 2010-11 Academic Year. Some of the challenges included the passage of a bond measure during the fiscal crisis in California, negative media scrutiny, lack of confidence in our governing and administrative processes, ongoing leadership turnover, sustained community criticism, unsettling accreditation sanctions; and, the most difficult of all for any organization, the layoff process of its own staff. But we met the challenges. The Measure G 2010 bond passed, and the management and construction process was approved by the Board at the May 10, 2010, meeting. Together we have worked hard to fill critical vacancies by selecting a president at SJCC, Dr. Barbara Kavalier, and completing the search for the president at Evergreen Valley College, Dr. Henry Yong, with the able support and steady hand of an experienced and able Interim President, Dr. Marilyn Brock. We are now in the process of filling the VPI vacancy at SJCC and the VPA positions at both colleges.

Chancellor Cepeda stated that in response to the Board’s performance objective for
her to “Strengthen and Implement Accountability and Compliance Structures including, but not limited to, the recommendations resulting from the three independent reports (Meyers Nave Phases I and II and FCMAT,) some tightening of the fiscal review processes was made. These included changes to credit card usage, such as: nothing is paid without appropriate receipts, requests without proper documentation are not honored and become the responsibility of the staff member to reimburse the district; reduced the number of staff authorized to use credit cards to all but essential staff and managers; issued a restrictive cell phone use policy in that staff is now responsible for their own cell phone contracts and reimbursement is limited; travel is scrutinized regarding justification; Board Travel policy was adopted on April 12, 2100; elimination of comingling of funds between the District and Foundation; and the systematic evaluation of managers, supervisors and the Chancellor is all but complete in advance of consideration for contract renewals.

The second significant response was also built into the Chancellor’s performance objective to the “Identification and implementation of strategies to address the structural budget gap, including resource development.” Significant work has been done in this area beginning with the Board Budget Study session on February 12, 2011, where principles and assumptions were adopted. The implementation of six budget reduction strategies included: 1) reduction in force – any reduction in force will be fair and equitable and will be based on the percentage of full-time personnel at the District (19%), EVC (41%) and SJCC (40%). 2) salary reductions – to be negotiated with respective labor representatives; 3) benefit restructuring – also would be negotiated with respective labor representatives; 4) workload reductions – to be developed by the college presidents in consultation with their participatory governance groups identifying the most efficient ways to address FTES reductions; 5) cost savings – this effort would engage all constituents in the identification of cost savings at the District Office, Workforce Institute, San José City College and Evergreen Valley College. The Board also adopted a prudent reserve of 7%.

The sanctions placed on our District last January by the Accreditation Commission were harsher than expected. Placement of SJCC on “probation” and EVC on “warning” seriously impacted the climate throughout our district. And while each of the colleges were asked to respond to specific findings, the issuance of six shared recommendations aimed at the District and Board of Trustees has provided the district with a great challenge—to prepare of response by October 2011. Together we stepped up to the process so that today we have the first draft of a response completed by the colleges and the near completion of a response by the District Office Accreditation Task Force that is due for completion no later than June 30.

Chancellor Cepeda discussed the other deliverables the Board requested as part of her performance review process. These include a district strategic plan, a communications plan, and an annual report. The Strategic Directions report has now been completed, and Chancellor Cepeda thanked Rosalie Ledesma for leading this effort. In addition, she noted that a special Board Study Session will be held in July 2011 in which the Board will receive a revised organizational structure that accommodates for the severe reduction in force while maintaining core areas of service in accordance with the mission of the district. The Strategic Communication Plan will serve to diminish the impact of the recent elimination of the Public Information Officer position by enabling the district to undertake targeted actions to increase the effective use of existing communication vehicles. It is clear that the
responsibility for effective and efficient communication rests on a broader set of players and not just one person. The district annual report has not been completed in a long time, and this new document is a milestone achievement. Chancellor Cepeda thanked former PIO Monica Gomez, Executive Director of Workforce Institute Carol Coen, and the district’s graphic designer, Jeff Fasbinder, for their hard work in producing an excellent document.

Chancellor Cepeda reviewed other achievements, such as the ARCC report, American Graduation Initiative, Completion Initiative, and the Chronicle of Higher Education award. She stated the district has much to do in ensuring we uphold our value of “access” when there are forces at the federal, state and local level who are no longer satisfied with just access, but completion as well. We need to reconnect to our core values and traditions, return our district to a place that supports and practices civility and fair play, and redefine advocacy and remember that it begins at home. We need to develop new partnerships and collaborative with our K-12 and four-year colleges and universities in the Silicon Valley. She quoted the words of Walter Bumphus, “We work in a movement that draws power from seemingly ordinary students who are extraordinary heroes.”

Trustee Tanaka stated that, in all his years as a Trustee, this was the first time he heard a state of the district report. He appreciated the overview of where the district is at and what it plans to do in the future. Trustee Cruz thanked Chancellor Cepeda for the wonderful presentation and requested she present this at both colleges. Chancellor Cepeda agreed that was an excellent idea, and she would be sure to present it at the next college forums the presidents put together.

3. **BUDGET UPDATE**

The budget update will be provided during Vice Chancellor Hawk’s FY2010/2011 third quarter report.

4. **LEGISLATIVE UPDATE**

Chancellor Cepeda provided a report on the following bills:

AB 85 (Mendoza) – was placed on Assembly Appropriations suspense file. We are hearing approximately an additional $100 per lock net cost. Significant costs to community colleges in the million dollar range—could be amended to pull out community colleges because there is funding for the purposes of K-12 upgrades.

AB 795 (Block) – Smoke free campus legislation. It passed out of Assembly Appropriations and will go to the Assembly floor. Amendments cap the fine at $100, but will that be sufficient to recover costs of anti-smoking enforcement?

AB 844 (Lara) – Passed Assembly floor. We are meeting with the Assemblyman to see if this is an appropriate vehicle to include a change to the residency requirement for serving as a community college trustee.

AB 515 (Brownley) – Has not been heard on the floor yet. We anticipate it will be heard on Thursday, although it could be heard next Tuesday. Most controversial bill impacting community colleges in a long time. Chancellor Scott asked if there was a
way to get more financial aid to students taking the courses at consultation council. Some suggested amendments that have been thrown out include: Summer school only; Summer school and intersession; Add BOG waiver once the cost of the class has been covered; Authorizing community colleges to use part of the cost of the course to offer additional financial aid. The bill likely has support to get out of the Assembly, but there will be some discussions on amendments.

President Lind requested that AB 515 be provided as an Action Item at the next board meeting.


Vice Chancellor Hawk provided an overview of the 3rd quarter budget report. She reviewed the 2nd quarter report, which reflected the best case scenario and reported that the 3rd quarter report reflects a “mid case scenario,” i.e. 7% BOT approved reserve; Assumes CCC receive 11% of Prop 98 minimum funding level which is $2 billion below the Governor’s Jan. 10 budget; Tuition fee increase of $10 per semester credit unit (from $26 to $36) and 10% assumed enrollment decline; 10% workload reduction; and no additional cuts to categorical programs and flexibility extends two years.

The 2011-12 May revise: Keeps “best case” reduction of $290 million intact, tuition fee increase of $10 per semester credit unit (from $26 to $36), 10% assumed enrollment decline, and 4.9% workload reduction; Prop. 98 funding increases by about $3 billion and used to buy down deferrals of $350 million for community colleges; Depends on taxes to be extended by legislature with voter ratification down the road; and no additional cuts to categorical programs and flexibility extends two years.

Vice Chancellor Hawk provided an overview of the salary and benefits costs of the district and discussed the impact of the district picking up the benefits costs now paid through OPEB in 2012-2013. We are near where we want to be next year, but we still have a long way to go before we are where we need to be in the 2nd and 3rd year. The salary reductions and Sunpower contract will provide some savings down the line but not enough for us to achieve our goal of maintaining a 7% reserve fund.

The Board will receive the tentative budget at the June 14 meeting.

6. **FUTURE AGENDA ITEMS**

Trustee Lease requested that at a future board meeting, the Board receive a comprehensive presentation on current contracts in the district. The presentation should include information, such as the number contractors employed in the district, the purpose of each contract, if the contract is necessary for the district to operate, and if it is possible to get a 10% reduction in the cost of the contract, as we did with the FIG contract.
Minutes of May 24, 2011 Governing Board Meeting

J. CONTINUATION OF CLOSED SESSION

No.

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 9:06 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, June 14, 2011, at 4:30 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Dhillon/Fuentes) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 4:30 p.m. to consider the following items:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957 (b))

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District's Negotiator(s): Kim Garcia
Employee Organization: CSEA
CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Kim Garcia  
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS  
(Government Code Section 54957.6)  
District's Negotiator(s): Kim Garcia  
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:01 p.m.

Board Members Present:
Ms. Mayra Cruz  
Mr. Balbir Dhillon  
Ms. Maria Fuentes  
Dr. Jeffrey Lease  
Mr. Ron Lind  
Mr. Randy Okamura  
Mr. Richard Tanaka  
Ms. Linda Lam

Board Members Excused:  
None

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Dhillon/Tanaka) to approve the agenda as amended:

Agenda Item E-3 Oath of Office for Student Trustees to be removed from the agenda because newly elected Student Trustee Raymond Porras had a family emergency and could not attend the meeting.

Agenda Item I-3 Update on Multi-disciplinary & Arts Project-SJCC was moved to after the approval of the Consent Agenda.

Agenda Item I-4 Strategic Communication Plan Proposal was moved after the approval of the Consent Agenda and Item I-3.

Changes were made to the Consent Agenda.
3. **OATH OF OFFICE FOR STUDENT TRUSTEES**

This item was removed from the agenda.

4. **ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

President Lind reported that the Chancellor and her executive cabinet, which includes the vice chancellors and college presidents, have agreed to a salary reduction of 1.5% for FY2011-12.

President Lind also reported that the Board has completed its evaluation of the Chancellor and expressed strong support for her vision and the direction she is taking the district, particularly in view of all the challenges she has inherited. The next step is for the Board to work with the Chancellor on the goals and objectives for the coming year and that work will commence in subsequent meetings.

5. **BOARD RECOGNITION OF EVC INTERIM PRESIDENT BROCK AND VICE PRESIDENT KUNI HAY**

The Board thanked EVC Interim President Brock and Vice President Kuni Hay for their exemplary service to the district and presented them with commemorative plaques. Interim President Brock stated it has been her pleasure to be here and work with the Chancellor, executive staff, college administrators, staff and students at EVC. Although there are many challenges ahead, in the next two years or so the district will look back at this time and see the growth and progress that has been made. Vice President Hay thanked everyone for the support she has received and everything that was accomplished together. She stated she would continue to be hard at work until her last day at EVC.

6. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

The Board heard public comments from Associated Students at San José City College: Jeffrey Berta, SJCC AS Vice President, Mike Casas, SJCC AS Director of Activities, Maryam Rahim, Representative from Muslim Student Association, Yazmin Madriz, Mecha at SJCC, and students Maria Guerra, Maryam Labib, Chuck Stevens, Luiz Marquez, Jr. These students complained about the laborious process and excessive forms required of students who are trying to plan fundraising events and activities on the campus. They expressed frustration, not only with the many obstacles put in their way, but also with the lack of assistance they've received from college administration when trying to communicate these problems.

The Board also heard a comment from SJCC Faculty Steve Mansfield, who inquired about the funds still available in Measure G-2004 and why these funds weren't being spent before the Board and district administration approve the expenditures for Measure G-2010.

President Lind thanked the speakers for their excellent behavior and articulation of their concerns and stated the Board could not respond since these items were not on the agenda. He asked, however, that Chancellor Cepeda work with SJCC President, look into this matter and work with the Associated Students to resolve
the issues. Trustee Fuentes requested the Board receive a report on Student Support Services at the colleges.

7. **APPROVAL OF THE MAY 24, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Tanaka/Cruz) to approve the above listed meeting minutes.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Okamura/Fuentes) to adopt the Consent Agenda as amended:

Item F-4 – Make the following correction: Business Services Coordinator – Change range/level to 100 $4321/mo - $5273/mo, Annual Salary $51,856-$63,275.

Item F5 - Hourly, Student Work and Personnel Actions
- Attachment Page 1, Item 1d (Professional Experts) Accreditation Editor, Kalenda, Lisa – change weekly hours from “40/week” to “varies”
- Same page Item 1e (Athletic Support Services) – remove Gaspar, Eric and Hatfield, Charlie from the item until additional information is garnered. It is expected that this item will be brought back at the June 28 meeting.

2. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**

The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

The Board approved the Faculty Personnel Actions - Regular as submitted.

4. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified personnel actions as submitted.

5. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

6. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of April 10, 2011 through May 9, 2011.
7. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

   The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, and authoring the appropriation of the receipt of unanticipated revenues in certain programs.

8. **SAN JOSE CITY COLLEGE ASSOCIATED STUDENTS 2011/2012 BUDGET**

   The Board approved the San Jose City College Associated Students budget for 2011/2012.

9. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

   The Board approved a new course submitted by San Jose City College.

10. **AWARD OF FOOD AND VENDING SERVICES CONTRACT**

    The Board approved and awarded the contract for food and vending services to Fresh and Natural for a period of three (3) years, subject to satisfactory performance, with two optional one-year extensions.

11. **AWARD OF POURING RIGHTS CONTRACT**

    The Board approved and awarded the contract for pouring rights to the Pepsi Beverages Company for a period of five (5) years.

12. **AWARD OF CONSTRUCTION CONTRACT – INFRASTRUCTURE UPGRADES – EVC**

    The Board approved and awarded the construction contract to Thermal Mechanical, Inc. in the amount of not to exceed $1,684,985.00 being the lowest, responsive bidder for the Infrastructure Upgrades project at Evergreen Valley College.

13. **AWARD OF CONSTRUCTION CONTRACT – TUNNEL WATERPROOFING UPGRADES – EVC**

    The Board approved and awarded the construction contract to Enterprise Roofing Services, Inc. in an amount of not to exceed $75,390.00 being the lowest, responsive bidder for the Tunnel Waterproofing Upgrades project at Evergreen Valley College.

14. **FINAL SUNPOWER AGREEMENT AND ADDENDA**

    The Board ratified the language and cost revisions to the SunPower contract approved by the Board of Trustees on April 12, 2011 and the addenda for additional Operations and Maintenance and Power Output Guaranty.
15. **WORKFORCE INSTITUTE – WIA JOB READINESS WORKSHOPS SUBCONTRACTOR AGREEMENTS**

The Board approved the subcontractors’ increase in funding for WIA Job Readiness Workshops.

16. **WORKFORCE INSTITUTE – GREEN INNOVATION CHALLENGE GRANT SUBCONTRACTOR AGREEMENTS**

The Board approved the subcontract agreements for the California Economic Development Department Green Innovation Challenge Grant Award.

17. **RESOLUTION REGARDING THE SANTA CLARA COUNTY BOARD OF SUPERVISORS TO ESTABLISH TAX RATE FOR MEASURE G-2010 BONDS**

The Board approved Resolution No. 061411-3 requesting that the Santa Clara County Board of Supervisors establish the tax rate of $9.60 per $100,000 of assessed valuation for the Measure G-2010 bonds and to levy said tax on all taxable properties within the District.

18. **SAN JOSE-EVERGREEN COMMUNITY COLLEGE DISTRICT FOUNDATION MASTER AGREEMENT EXTENSION**

The Board approved an extension to the Master Agreement with the Foundation through June 30, 2013.

19. **RATIFICATION OF THE SAN JOSE-EVERGREEN FACULTY ASSOCIATION, AFT 6157 PARTIAL TENTATIVE AGREEMENT**

The Board approved the District and Faculty Association, AFT 6157 partial tentative agreement.

3. **UPDATE ON MULTI-DISCIPLINARY & ARTS PROJECT - SJCC**

Mr. Ken Schroeder, Project Executive, Blach Construction and Mr. Thang Do, Principal, AEDIS Architecture and Planning, provided an overview of the Multidisciplinary Classroom and Arts Buildings project at San José City College. They reviewed the status of the project to date; stating that the project costs are within the $26.7 million guaranteed price; and it is proceeding ahead of schedule because the project had an early start of May 14, 2011, instead of the July 2011 date. It is anticipated the project will be completed in August 2012.

Trustee Okamura asked if they were guaranteeing the project would total $27 million without any changes and also asked if there was a project manager associated with the project. Vice Chancellor Hawk answered that the approved design is not anticipating any changes and that the district doesn’t have a project manager attached to Measure G-2004. Trustee Okamura requested that if there are any changes to the project, the Board be notified of the changes before it is brought to them for approval. Vice Chancellor Hawk answered that all projects have a wide variety of costs and sometimes change orders. She asked the Board to give her
direction on the threshold that they would like to see in advance. President Lind requested that Change Orders, i.e. what amount does the Board need to be informed of before it takes action, be put on the agenda at the next regular board meeting.

4. **STRATEGIC COMMUNICATION PLAN PROPOSAL**

Ms. Celina Shands Gradijan, President and CEO of Full Capacity Marketing, Inc., presented a strategic communications plan for the district. She stated the plan entails determining the right message, the right target audience, and the right communication medium. In her preparation for developing the plan, Ms. Gradijan conducted interviews with the Chancellor’s executive team and Board of Trustees. As a result of their input, she incorporated into the plan an analysis of the target audience, desired outcomes, key messages, proactive communication medium, responsible party and the metrics. It was clear that the district website needs to be substantially revised. Trustee Okamura thanked Ms. Gradijan for her presentation but stated that he would like to see a specific plan. In actuality, the district needs a plan and a clear cost analysis for implementing the plan. The Board also needs to be out there communicating its message. We are not getting through to the public that's outside the boardroom. Also, he stated he was not informed beforehand that he would be participating in the survey and was not able to fully communicate his desires and expectations. Chancellor Cepeda answered that there was a complete plan attached to the presentation and she would forward it to the Board. The plan would be used to develop the actual product. Trustee Fuentes stated the plan should include message points about the colleges that would target the diverse groups in our community. The message should be related to education and centered around our students. Trustee Cruz recommended that special focus be given to the work we are doing at the colleges related to student success. Trustee Lease thanked Chancellor Cepeda for her work in putting together this plan and noted there were clear Board responsibilities included in the plan that require Board participation. Trustee Okamura stated that this is the third communication plan that has been brought before the Board, and the district hasn’t implemented one plan yet. The infrastructure is not there yet. Individuals have to come to the Board to express their concerns, and they should have someone to go to instead of the Board. Trustee Tanaka expressed concern about spending money implementing the plan when the district doesn’t have the funding to do so. Trustee Fuentes stated the importance of remembering who we are and what we are trying to communicate. Chancellor Cepeda stated the financial investment is relatively small, and the greatest challenge would be the cultural shift that would be required to implement the plan.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

EVC Student Trustee Lam thanked Vice President Kuni Hay for her support and commitment to students. She also expressed appreciation for Interim President Brock’s work at the college.

Trustee Lease stated his excitement at attending the commencement
ceremonies at both colleges. Although he has attending many such ceremonies, it was the first time he sat at a platform and faced the students. To see their faces when they received their diplomas was very special. He also reported on his attendance at the NCORE Conference where he co-presented the ARCC report with the Chancellor and fellow Trustees Cruz and Okamura. He thanked Mr. Oleg Bespalov for his hard work on the presentation.

Trustee Cruz expressed her appreciation for the excellent work done by Vice President Hay and Interim President Brock. They will be missed. She also thanked the Associated Students for bringing their concerns before the Board. We need to go beyond instruction in implementing our study success agenda. Trustee Cruz also reported that participating in the NCORE was a great experience, and she thanked Mr. Oleg Bespalov for his work on the presentation. The graduation ceremonies were beautiful this year. She also had the opportunity to address a group of parents at the Somos Mayfaire regarding the needs of AB 540 students.

Trustee Dhillon recommended the district hold a community event to introduce the new Chancellor and college presidents, now that the new leadership will be in place once EVC President Henry Yong begins his tenure with the district.

President Lind reported on the good feelings that were evident during both commencement ceremonies. He also attended the Nursing Pinning Ceremony at EVC, and that was a very special event.

b. Chancellor

Chancellor Cepeda reported that much has happened since the May 24 board meeting. The two commencements; May 26 at Evergreen Valley College and May 27 at San José City College, were flawless in their execution and resulted in the award of 966 degrees and certificates at SJCC and 587 at EVC, making it the largest graduating class in the history of the college. Each college distinguished itself by shaping the ceremonies differently according to their respective campus tradition. Both, however, had one thing in common, a spirit of pride, collaboration and the participation of students and their families in a life changing event. On May 26, she also attended SJCC’s Raza Commencement Event that was held at the Mexican Heritage Plaza and organized by Professors Jesus Covarrubias and Fabio Gonzales. Trustees Cruz, Dhillon and Fuentes also joined the celebration.

On May 31, Chancellor Cepeda keynoted the start of the Latino/Latinas in Higher Education Leadership Forum, which was one of the preconference events for NCORE, which was holding its 24\textsuperscript{th} Annual Conference. The following day Trustees Cruz, Lease and Okamura joined the Chancellor at NCORE and presented on the “Completion Agenda.” She thanked Mr. Oleg Bespalov for his assistance in finalizing the presentation, which is now posted on the district’s website. On June 9, Chancellor Cepeda attended her first meeting as a member of the board of the Silicon Valley Leadership Group. This group includes top business, governmental, community leaders and
now, SJECCD. On Friday, June 10, our district hosted Juan Sepulveda, Executive Director and Jose Rico, Deputy Director of the White House Initiative on Educational Excellence for Hispanics. This was an invitational event held at the Technology Center at the behest of the White House. Two critical reports were discussed, “Winning the Future: President Obama’s Agenda and the Hispanic Community,” and “Improving Education for the Latino Community.” The central thesis of both these documents is to clearly denote that the future of Latinos, the largest and youngest growing demographic in the nation juxtaposed with the lowest levels of educational attainment and economic opportunity, represent both a challenge and an opportunity. Chancellor Cepeda thanked Mr. Sam Ho for organizing the logistics of this very important meeting.

Chancellor Cepeda also reported the three key deliverables that were distributed at the meeting: the Strategic Communication Plan, SJECCD Annual Report and the Economic Contribution of the San José-Evergreen Community College District. She thanked the executive team, and Executive Director Carol Coen, in particular, for their support in producing these reports.

c. Presidents

President Brock reported on the success of the commencement ceremony at EVC and also expressed her thanks for the support she received from faculty, staff and students during her time as Interim President.

President Kavalier thanked the Board and Chancellor for their participation in the SJCC commencement ceremony. She especially thanked Student Life Director Jennifer Neil for the great job she did in organizing the event. She also reported that SJCC is hosting 13 classes for the Jose Valdes Summer Math Institute. This program prepares students for success in Algebra by having students in grades 5-8 attend classes for 7 hours a day, four days a week for seven weeks during the summer. This program is held on college campuses to encourage students to see college as a choice. SJCC is also offering an introductory Algebra class as part of the San Jose Promise Initiative. She offered special thanks to Wells Fargo because their financial support was critical in allowing us to continue this program. The Metas Summer Bridge program, a four-week boot-camp style summer bridge program will provide introductory algebra class with in class tutors and individualized instruction in developmental reading and writing skills based on student assessments. President Kavalier also introduced Ms. Keiko Kumura as the new Dean of Language Arts at San José City College.

d. Constituency Group Representatives

MSCC President Lauren McKee thanked Carol Coen for serving as vice president and stated a new VP will be appointed soon. She congratulated Henry Gee on his new position as VP Administrative Services for Evergreen Valley College and commended VP Kuni Hay for the excellent work she did for the college, especially with accreditation. She also thanked Interim President Brock for the stability and calmness she brought to the college during a transitional time.
EVC Academic Senate President Henry Gee thanked Interim President Brock for her excellent service to the college and thanked VP Kuni Hay for her innovative and collaborative style. They will both be missed. He thanked everyone for their support for his time in the Senate and stated he looks forward to his new assignment at the VP of Administrative Service. At the next Board Meeting, Eric Narveson will serve as the new Academic Senate President.

SJCC Academic Senate President Chris Frazier thanked Mr. Gee for being so informative and supporting him in his role and always being there to help him.

FA representative Frank Espinoza thanked VP Kuni Hay for the hard work she has done at the college and for the district. FA Executive Director announced the faculty voted 93% to take a 1% salary reduction for 2011-12 as part of the tentative agreement. The vote shows that faculty understands the difficulty circumstances facing California, as well as its support of the district. We are still at the table on other issues, including health benefits.

H. ACTION AGENDA

1. **ESTABLISHMENT OF FISCAL YEAR 2011-12 APPROPRIATION LIMIT (GANN)**

   Vice Chancellor Hawk stated this action is routine since Government Code Section 7908(c) requires that each community college district report its appropriation limit to the Chancellor of the Community Colleges at least annually.

   M/S/C (Dhillon/Cruz) to approve Resolution No. 061411-02 for the Fiscal Year 2011-2012 Appropriation Limit (GANN).

2. **2011/2012 TENTATIVE BUDGET**

   Vice Chancellor Hawk provided a status of the state budget. The Governor’s May revise keeps the general fund reduction at -$400 million and reflects increases of $100 million due to $36/unit, $350 million through deferrals, plus increases through additional property tax revenue and proposed suspension to certain state mandated programs. As a result of these changes, the district’s tentative budget reflects a “mid case” scenario, especially due to the fact that the state will be unable to extend the tax extensions. This mid case scenario assumes the implementation of the 7% Board approved reserve level; community colleges would receive 11% of Prop 98 minimum funding level, the $10 tuition fee increase would reduce enrollment by 10%, a 6.85% workload reduction and no additional cuts to categorical programs.

   Of particular concern to our district is that wages and benefits account for 87% of our budget and only 4% is discretionary. We are $2.5 million away from becoming a basic aid district. Our ability to sell the Measure G-2010 bonds will be greatly
impacted by our financial position. The 1% faculty salary reduction represents about $400,000-$500,000 cost savings. Some long term strategies to increase revenue include increasing fees for non-resident and international students, developing business partnerships and grants and pursuing land development and public/private partnerships.

Trustee Cruz inquired about our funding for student enrollment. Vice Chancellor Hawk answered that the district is funded for 13,977 FTE for next year. However, we are authorizing sections up to 15, 100 FTEs so we are exceeding funding.

M/S/C (Fuentes/Okamura) to approve the Tentative Budget for Fiscal Year 2011-2012.

3. **AB 515 (BROWNLEY) CREDIT BEARING EXTENSION COURSES**

Chancellor Cepeda stated that if AB 515 passed, it would authorize community college districts to offer fee-based extension courses for credit. She recommended the Board take an official vote not to support AB 515 because districts already have the ability to offer “fee based” continuing education courses that would address some of the capacity concerns associated with budget related course reductions. However, California is 39th in the nation in funding public education. The major concern with the passage of the bill is that it would represent the first step in officially disinvesting in state supported instruction in community colleges. Chancellor Cepeda asked if the Board would like her to write a letter of opposition to the bill on behalf of the Board. President Lind authorized her to do so.

M/S/C (Tanaka/Cruz) to approve Resolution No. 061411-5 in opposition of AB 515 (Brownley) Credit Bearing Extension Courses.

4. **MEASURE G-2010 INITIAL MASTER PROJECT LIST, PROJECT BUDGETS AND CONTINGENCY**

Vice Chancellor Hawk stated the initial Measure G-2010 master project list the Board is based on the 2025 facility master plans the Board approved in February. She provided a brief overview of the projects and the budget allocations associated with them. Trustee Dhillon stated that although this list was a start, he would prefer seeing a more detailed project list. He also noted that the Child Development Center was included in the project list. Chancellor Cepeda answered that the CDC was listed on the project list because it was included in the ballot language the voters approved. Trustee Okamura stated he would like to see the facilities listed and a column that discloses the funding. The proposed list does not include the required baseline and doesn’t allow for the Board to see the projects as they are matched to the facility master plans. He also inquired about the location of the baseball field at SJCC, and asked about the status, especially since the Board made a promise to find a location for the team. Trustee Tanaka requested a priority list for the projects. Vice Chancellor Hawk answered that the purpose of this preliminary project list was to allow Gilbane to begin its work at the colleges. Once this work begins, it will become clear as to the scope and need associated with these projects. SJCC Academic Senate President Frazier commented that the college has not begun its prioritization of the various projects that were on this list that is being presented to the Board. Trustee Cruz stated she is looking forward to hearing more about the
prioritization of the projects and requested that if there were any funds available, the Child Development Center should be considered for receiving those funds. Trustee Fuentes asked the college presidents if this list was approved by the colleges. EVC Interim President Brock answered that the list was reviewed and approved by the College Council. It is understood that this initial list will be changed once the projects come to bid. SJCC President Kavalier answered that the Facilities Committee had reviewed the list, and there was a college forum that also reviewed it. The college will only be receiving $60 million, and it was recommended by the college council to not approve the list because there was not enough time for serious dialogue. Trustee Fuentes also requested the Child Development Center be added to the list of projects at San José City College.

The Board heard a public comment from Steve Mansfield, SJCC faculty member, who stated there was still $49 million available in Measure G-2004. He stated these funds should be spent before money is allocated for Measure G-2010 projects.

M/S/C (Lind/Okamura) to establish the Measure G-2010 initial Master Project List, program allocations and project budgets. Trustees Fuentes and Cruz opposed the action.

5. ADOPTION OF RESOLUTION NO. 061411-4 CLASSIFIED POSITIONS REINSTATEMENT AND RESCINDING OF LAYOFF, CREATION OF NEW CLASSIFICATION AND ESTABLISHMENT OF 3 POSITIONS

Chancellor Cepeda reported the Workforce Institute received confirmation from Work2Future that funding will be allocated for the 2011-12 program year. The allocation allows for classified positions to be reinstated and selected layoffs to be rescinded.

M/S/C (Dhillon/Tanaka) to adopt Resolution No. 061411-4 Classified Positions Reinstatement and Rescinding of Layoff, Creation of New Classification and Establishment of 3 Positions.

I. INFORMATION AGENDA

1. BUDGET UPDATE

No report given as this item was covered in item H-2.

2. LEGISLATIVE UPDATE

Chancellor Cepeda reported that May 27 was the last day for the Assembly and Senate Appropriations Committees to hear and report bills to their respective Floors. In spite of the budget crisis currently facing California, the Committee passed the following bills: AB 515 (Brownley) Community College Extension Courses was granted reconsideration and later passed by a 42-16 vote. The bill will next be heard in the Senate Education Committee. AB 130 (Cedillo) passed out of Senate Education and will go to the Senate Appropriations Committee. AB844 by Assemblyman Lara, was also amended and would authorize AB 540 students to serve as community college trustees. In addition, the U.S. Supreme Court of the
United States refused to hear the case Martinez vs. Regents of the University of California which challenged the legality of California’s AB 540, which grants resident tuition to students who have attended three or more years of high school in California and have graduated or earned their high school equivalency.

3. UPDATE ON MULTI-DISCIPLINARY & ARTS PROJECT – SJCC

This item was moved to follow the approval of the Consent Agenda.

4. STRATEGIC COMMUNICATION PLAN PROPOSAL

This item was moved to follow Item F-3 after the approval of the Consent Agenda.

5. FUTURE AGENDA ITEMS

None

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 9:50 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Special Meeting of the Governing Board of the San José-Evergreen Community College District to order on Tuesday, June 28, 2011, at 6:06 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Mr. Raymond Porras

Board Members Excused:
Ms. Mayra Cruz
Ms. Maria Fuentes

2. INFORMATION ON PUBLIC COMMENTS AND DISABILITY ACCESS

Information on public comments and disability access was provided in the meeting agenda.

3. PLEDGE OF ALLEGIANCE

President Lind led members of the audience in the Pledge of Allegiance.

4. ADOPTION OF THE AGENDA

M/S/C (Tanaka/Okamura) to approve the agenda as submitted.

5. OATH OF OFFICE FOR STUDENT TRUSTEES

President Lind administered the Oath of Office to newly elected San José City College Student Trustee, Mr. Raymond Porras.
6. **BOARD RECOGNITION OF EXECUTIVE DIRECTOR OF FACILITIES ROBERT DIAS AND EVC DEAN, NURSING AND APPLIED SCIENCE LYNETTE APEN**

   The Board recognized the lengthy and excellent service to the district of Executive Director Dias and Dean Lynette Apen. They presented them with commemorative plaques and wished them well in their future endeavors.

7. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

   The Board heard public comments from Mr. Daniel McElroy, Instructor, SJCC, and Ms. Janet Chang, Health Service Director, SJCC, requesting that all search committee members sign a Conflict of Interest statement to ensure that the best people are hired based on their qualifications and not because they are friends of search committee members or other administrators of the district.

C. **INFORMATION AGENDA**

1. **BOARD DEVELOPMENT: TRUSTEE STUDY SESSION ON ACCJC’S SHARED RECOMMENDATIONS ON GOVERNANCE**

   Dr. Barbara Beno, President, Accrediting Commission for Community and Junior Colleges and Mr. William McGinnis, Trustee, Butte-Glenn Community College District, conducted a training session by providing their expert advice in responding to the Shared Recommendations regarding governance resulting from the Accreditation Site Visit to both San José City College and Evergreen Valley College on October 18-20, 2010. Their presentation was divided into three parts: Accreditations purposes, process and standards, Roles and responsibilities for Trustees, and Advice for Board excellence and examples.

   **Accreditation Purposes, Processes and Standards**

   The accreditation process is designed to help institutions focus on helping students learn and building institutional capacity for educational excellence. Dr. Beno explained that the district has one college on probation and the other on warning because of recurring issues. She provided an overview of the accreditation standards and review process. President Lind asked if the standards get reviewed periodically because the standards being used were adopted in 2002. Dr. Beno answered that the standards are reviewed every two years, and the Commission will begin another review soon. Dr. Beno stated that the challenge Board members face is regulatory compliance and high performance. The Board needs to focus on setting the standards of excellence and measuring the performance. The Board focuses on the “what” not the “how.” They focus on data, not stories and feelings. Accreditation has become much more data driven.

   **Roles and Responsibilities of Trustees**

   Mr. McGinnis reviewed the role of Trustees in providing stewardship for educational quality and financial health of the institution. It's important for the Board to review the multi-year trends for district revenues, expenditures, reserves and unfunded liabilities. Due to state budget deficits, there will be no state or FCMAT help on the
horizon. Therefore, it’s important for Trustees to continually review the financial health of the district. He discussed the need for Trustees to rid themselves of budgetary “sacred cows” so that the institution can become great, instead of merely being good. One way to achieve this would be for the Board to create a strong conflict of interest policy to ensure that all interests are disclosed and that they don’t interfere with the impartiality of governing board members. As an example of focusing on the “what” and not the “how,” the Board should determine what reports they will receive that would ensure them the district will comply with the 2012 target completion date for the SLO process as required by the ACCJC. The Board needs to know that it’s being done, but determining the process and review is the work of the faculty. President Lind asked how the Trustees would know what they need to know. Mr. McGinnis answered that the responsibility to get the required information to the Trustees is the work of the Chancellor. The Board is responsible to ensure there is a process in place, the process is being followed and that there is accountability. The Board is looking at the process, and the faculty and administration are implementing it. Mr. McGinnis commended the Board for doing a comprehensive self-evaluation and stated the importance of using the feedback to determine any corrective actions that need to be made. Only the Board can regulate its members. It’s important for Trustees to be mentored and have continuous training. Also, in this budget climate, no community college can do everything for everybody. Trustees are responsible for determining that financial resources are being used to achieve the institution's mission. It’s important for the Board to focus on its own strategic plan, mission and vision statements to determine where to put resources when funding is decreased. The Board must also do a periodic review of its policies to ensure they are linked to the mission, strategic plan, and budget. Mr. McGinnis discussed Board behavior. It’s important for Trustees to build a team—to respect the diversity of opinions while maintaining a single focus. Once a Board decision is made, all Trustees are expected to support the majority decision. It’s unacceptable for a Trustee to use a strategy of continually asking for more information in order to delay or reverse a decision of the whole Board.

Advice for Board excellence and examples

Dr. Beno discussed the importance of the Board working in partnership with the CEO. There must be trust, and public conflict should be avoided. The CEO is expected to be committed to Board decisions, and the Board is expected to hold the CEO accountable. President Lind asked how a Trustee should handle a situation where they know they will vote against a recommendation made by the Chancellor. Dr. Beno answered that the Chancellor should be informed prior to the meeting that a recommendation is not supported by the Board. Trustees can communicate individually with the Chancellor, and as long as the Chancellor does not inform other Trustees, there would be no violation of the Brown Act. Therefore, if the Chancellor knows that a quorum of Trustees do not support her recommendation, she could ask that the item be pulled from the agenda. This is one way to work as a team with the Chancellor and to create a climate of respect.

President Lind thanked Dr. Beno and Trustee McGinnis for their presentation. He stated, however, that he was looking for more specifics, i.e. what the Board needed to do to demonstrate they have addressed the concerns of the Accrediting
Commission. Dr. Beno answered the Board needs to review and update its policies, make corrective actions on findings of its recent self-evaluation and determine target dates when those corrective actions would be made, and make special effort to align their behaviors with the Accreditation standards.

D. ADJOURNMENT

The meeting adjourned at 9:17 p.m.

Dr. Rita M. Cepeda, Secretary
Board of Trustees
Minutes of December 13, 2011 Governing Board Meeting

the Measure G-2010 general obligation bond program. The Board had approved the bond project list and the facilities master plans for San José City College and Evergreen Valley College at the November 29, 2011, board meeting. The first issue of bonds sales from the $268 million bond program will include a Series A (approximately $70 million for facilities and equipment/technology projects for the first five years) and Series B (approximately $20 million for a technology/deferred maintenance endowment.) On January 5, 2012, presentations will be made to bond credit rating agencies. At the January 10, 2012, Board Meeting, the Board will approve Series A & B bond financing.

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 10:31 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, August 9, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Dhillon/Fuentes) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: Chancellor contract renewal

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:11 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Raymond Porras

Board Members Excused:
None

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Cruz/Lease) to approve the agenda as submitted.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lind reported there were no actions resulting from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comment from Ms. Sue Hager, Curriculum Specialist, San José City College, regarding her concerns about the Board of Trustees response to the accreditation concerns addressed by Dr. Barbara Beno and Mr. Bill McGinnis at the June 28, 2011, Board Study Session meeting.
5. **APPROVAL OF THE JUNE 14 AND JUNE 28, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Dhillon/Lease) to approve the above listed meeting minutes.

### F. CONSENT AGENDA

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Tanaka/Dhillon) to approve the Consent Agenda as amended, Item F-14 was removed from the agenda for separate vote because Trustee Fuentes, as a board member of St. Elizabeth’s Day Home, had to abstain from voting on the item due to conflict of interest.

2. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**

The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

The Board approved the Faculty Personnel Actions - Regular as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD EVC**

The Board approved the Faculty Personnel-Adjunct/Overload EVC Actions as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified personnel actions as submitted.

6. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

7. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

The Board ratified the contracts and purchase orders for the period of May 10, 2011 through July 9, 2011.

8. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts, and authoring the appropriation of the receipt of unanticipated revenues in certain programs.
9. **EVERGREEN VALLEY COLLEGE ASSOCIATED STUDENTS 2011/2012 BUDGET**

The Board approved the Evergreen Valley College Associated Students budget for 2011/2012.

10. **AGREEMENT – 2012 STATE CONTROLLER’S OFFICE TAX OFFSET PROGRAM**

The Board approved the contract with the State Chancellor’s Office for the District to participate in the 2012 Chancellor’s Office Tax Offset Program (COTOP.)

11. **ACCEPT AND APPROPRIATE GRANT FUNDS – DISTRICT POLICE DEPARTMENT**

The Board approved and awarded the contract for pouring rights to the Pepsi Beverages Company for a period of five (5) years.

12. **AWARD OF CONSTRUCTION CONTRACT – INFRASTRUCTURE UPGRADES – EVC**

The Board accepted and appropriated grant funds in the amount of $1,500 awarded to the San Jose Evergreen Community College District’s Police Department.

13. **ACCEPTANCE OF GRANT FUNDS – SJCC AMERICAN CHEMICAL SOCIETY**

The Board accepted grant funds from the American Chemical Society for $500 to support the development of an American Chemical Society student chapter.

14. **SUB-CONTRACT FOR CHILD DEVELOPMENT CENTER CALIFORNIA DEPT. OF EDUCATION CHILD CARE CONTRACTS**

This item was removed from the Consent Agenda for separate vote.

15. **WORKFORCE INSTITUTE – WIA WORK2FUTURE WORKSHOP CONTRACT**

The Board approved the 2011-12 WIA Workshop grant.

16. **WORKFORCE INSTITUTE – WIA WORK2FUTURE OLDER YOUTH GRANT**

The Board approved the 2011-2012 WIA Older Youth contract.

17. **WORKFORCE INSTITUTE WIA ADULT PROGRAM CONTRACT**

The Board approved the 2011-2012 WIA Adult Program contract.
18. **WORKFORCE INSTITUTE – CALIFORNIA CONSTRUCTION COLLEGE GRANT/REVISION OF INDEPENDENT CONTRACTOR AGREEMENT**

The Board approved the Independent Contractor Agreement for the California Construction College grant.

19. **SUB-CONTRACT FOR CHILD DEVELOPMENT CENTER CALIFORNIA DEPT. OF EDUCATION CHILD CARE CONTRACTS**

M/S/C (Okamura/Lease) to approve the contract in order to sub-contract the State Department of Education Grants to St. Elizabeth's Day Home. Contractor will receive $226,576 of CDE funding, campus will retain $9,440 for indirect costs.

Trustee Fuentes abstained from the vote due to conflict of interest since she is a board member of the St. Elizabeth’s Day Home.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

Student Trustee Lam reported that activities were starting on the EVC campus in preparation for the new academic year.

Trustee Dhillon thanked President Yong, Vice President Gee and EVC staff for hosting and the Punjabi Mela on July 24. The event was very well attended, and he thanked EVC staff and administrators for their assistance in helping the event to be so successful.

Board President Lind reported that he and other Board members have been very aware of the extensive accreditation work that is being done by the colleges. The Board is also committed to doing its work addressing the shared recommendations of the Accrediting Commission. A committee of the Board has been meeting and working on developing a work plan for the Board to use in addressing the areas of concern that were included in the Accrediting Commission report that put our colleges on probation and warning. The Board will also work to address those concerns reflected in its self-evaluation survey. A special Board meeting will be held on August 23 as the first step in the Board’s approval of a work plan.

b. **Chancellor**

Chancellor Cepeda provided an update of her participation in the White House Hispanic Policy Conference: Why Hispanics are critical to winning the future, which was held on Monday and Tuesday, July 11-12, 2011. Chancellor Cepeda was one of 160 individuals nationwide that was invited to attend. The first day was dedicated to relationship building, gaining a deeper understanding of the Obama administration’s connection to the Hispanic community and connecting with the administration officials on how to improve access and outcomes for our community. The second day provided more
interaction between approximately 60 administration officials and the Hispanic leaders. Three immediate actions include convening a meeting of the regional participants from the Silicon Valley and San Francisco area to determine how to share the information with our local community, volunteering our district to participate and support the replication of a similar summit in our regional, and participating in bi-weekly Latino Leaders White House conference calls on current policy matters being addressed by the Obama administration.

Chancellor Cepeda also provided an update on her assignment as chair of the Committee on Directors and as a member of the executive committee of the American Association of Community Colleges.

c. Presidents

EVC President Yong reported that EVC offered 123 sections in summer session, which just ended on July 28. Enrollment and attendance were high, and the projected Summer FTES is 580. The latest Fall enrollment data projects 3400 FTES with 880 sections. The Punjabi Mela Festival on July 24 was very well attended. Dignitaries included Assemblymember Paul Fong, San Jose city Councilmember Ash Kalra, District Director Javier Gonzalez, representing Assemblymember Nora Campos, Commissioner Bob Bill from the San Jose Senior Citizens Commission, Joseph Manarang, Special Agent from the FBI and Ben Menor, representing the Filipino American community. President Yong thanked Trustee Dhillon and his organizing committee for an event that was well organized, and everything went smoothly. It was truly a celebration of diversity in our community. President Yong also reported on a technology initiative partnership with Apple and EVC. This would be a pilot program in which a selected number of faculty, staff and student would be issued iPads. The primary goal is to improve instructional delivery of content through multimedia technology. A second objective is to improve productivity and efficiency among professional support staff, and some of whom will participate to explore new applications in workflow, processes, and possible automation of office routines. President Yong also announced other upcoming activities, such as, the Joint Deans Retreat at SJCC on August 15, Native American Pow-Wow on August 26 and 27 at EVC, Emergency Preparedness Training and Drill with consultant Joe Horton on August 29 and 30, and Professional Development Day, which is scheduled on September 1, beginning at 9:00 a.m. in the Theatre.

SJCC President Kavalier reported on a visit she made to DeVry University because of their interest in developing potential partnerships with San José City College. The Cosmetology program held their graduation ceremony on August 5, and 60 students graduated. It was a well-attended event that included family and friends and reflected the excellence of the program. SJCC has completed the draft response to the Accreditation report, and it has been handed over to the editors. President Kavalier also thanked the executive committee and the MSCC group for the welcome reception they had for her and for their generous offers of assistance.
Constituency Group Representatives

MSCC President Lauren McKee introduced Romero Jalomo as the new vice president of the MSCC. She stated the group will soon begin the work of reviewing and updating their policies.

EVC Academic Senate President Eric Narveson introduced himself and reviewed his lengthy career with the district since 1987.

CSEA President Jan Tomisaka expressed her concern about the hiring of students to do the work of Classified employees. She stated her concerns about the Board approving that item on the Consent Agenda, and her plans to continue working with the district to stop this practice, especially in view of so many Classified employees being laid off.

ACTION AGENDA

1. REVISED SJECCD CONFLICT OF INTEREST CODE

M/S/C (Lease/Okamura) to approve the revised Conflict of Interest Code as amended: Category 1 was added to the Vice President, Administrative Services position.

INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda provided a budget update as follows:

Fee Implementation - After a number of meetings with Department of Finance and administration staff as well as with legislative staff, we have been told that clean up language will be introduced that will push the implementation of the trigger 1 fee increase to $46/unit out to summer school. This means that districts will not need to go back and collect the extra $10/unit for winter session and fall if the trigger 1 cuts are pulled. We are now moving to the next step to try to get an inflator so that we do not continue to see the legislature enact, and the Governor approve, dramatically fluctuating fee levels. With an inflator both colleges and students could better plan while the structured fee level would reduce the incentive to shift Proposition 98 funding from community colleges to K-12 schools and backfill the difference with increased fees. We have been in meetings with the administration, the Department of Finance and with staff of the Pro Tem and Speaker to discuss an overall community college fee policy that would include a fee inflator. Discussions have been positive and we feel that we have gotten some movement in support of attaching an inflator to community college fees.

Referendum on Budget Solutions - In addition to the uncertainty surrounding the estimated state revenues that are a part of the recent budget agreement, a number
of the proposed policy solutions could go before voters to possibly be overturned via the referendum process. Those include the “Amazon” tax, the fire protection fee and the redevelopment overhaul. While there was some question as to whether or not the “Amazon” tax could be overturned via referendum, the Attorney General’s Office cleared a referendum that would overturn the requirement that online retailers collect sales tax. The tax on items purchased over the internet was approved as a part of the recent budget deal and is estimated to bring in approximately $200 million. Assuming that about half of that additional revenue would go to Proposition 98, it means approximately $100 million in additional Proposition 98 funding that would be lost if voters were to overturn the new tax policy. Amazon has already committed millions to the campaign that will face opposition from a large group of California-based retailers. The Attorney General’s office also cleared two additional referendums that were included as a part of the budget package. One would overturn the establishment of a fire protection fee and the other would overturn the redevelopment deal that forces redevelopment agencies to shift funds to the state in order to maintain their status as redevelopment agencies. Both measures need just over 500,000 by about the end of September in order to qualify. Should any of these measures reach the required signature level and be successful at the ballot box, the state would be looking at additional budget holes that would need to be filled.

Republicans Question Proposition 98 Funding - Last week, Republicans submitted questions to the Attorney General’s office that questioned the validity of the recent budget agreement. Specifically, Republicans questioned the validity of the level of funding provided to K-12 schools and community colleges under Proposition 98. The budget agreement sends a portion of sales tax revenue directly counties, in order to set a lower Proposition 98 guarantee. By shifting part of the sales tax revenues directly to counties as opposed to going through state coffers first, the administration and Democratic leaders were able to fund Proposition 98 at the January budget proposed level, while making increased assumptions in overall revenues. Republicans are questioning the legality of the move, indicating that setting a lower Proposition 98 guarantee should have required a two-thirds vote. The letter sent to Attorney General Harris requests answers to two questions: 1. Is it legal to divert part of the sales tax revenue in order to reduce the minimum guarantee? 2. If it was unlawful for the legislature to divert part of the sales tax from the Proposition 98 guarantee, was it lawful for the legislature to approve a budget, on a majority vote that funds Proposition 98 lower than it should be? CTA could have sued when the legislature and Governor approved the budget, but they likely agreed to the move when provisions protecting teachers from layoffs were included in the final budget deal. The answers to the questions from Attorney General Harris could not only have implications for the current year budget, but also for future budgets where Democrats will look to craft a majority vote plan.

Redistricting - The Citizen Redistricting Commission tentatively approved the final maps for Assembly, Senate, Congress and Board of Equalization. Final and official approval will come next Monday, August 15th and it remains unclear whether the maps will be challenged in the courts or through referendum at this point. Some Republican leaders have indicated that they will challenge the maps as initial analysis seems to conclude that there would be a greater number of districts that lean Democratic under the newly drawn district lines than under current district configurations. Under the new plan, Democrats would outnumber Republicans by at least five percentage points in 51 Assembly seats and in 26 Senate seats. These
would be considered fairly safe seats for Democrats and would mean that Democrats would have to pick up three swings seats in the Assembly and only one swing seat in the Senate in order to reach the two-thirds majority necessary to move any legislation, including tax increases, out of the house. Early analysis indicates that picking up two-thirds majority in the Senate could be very likely, while it would be very difficult and unlikely that Democrats are able to do so in the Assembly. The consensus, however, is that the new redistricting process favored Democrats over Republicans and the California Republican Party Chairman is considering a referendum on the process. Both the Los Angeles Times and the Sacramento Bee have put together interactive maps where you can view the final draft maps. The Los Angeles Times maps compare current districts and the first round draft maps to the final drafts that will be voted and likely approved on the 15th. The Sacramento Bee has a database where you can type in your address and view the new proposed district.

SJECDD and Redistricting - I am considering the Community College League’s Redistricting Service Proposal. Their approach seems to be the most comprehensive and least costly of the various options I have explored to date. In addition, the League has a ready-built database in place that has been populated by a group called Political Data Inc. In the meantime please be assured that we are on task and on time to get this work done. The November deadline applies to Districts that currently have at-large election system but are trying to transition to a “by-trustee area” election system. Since our District is already in the “by-trustee area” election system, our deadline is March 2012. My understanding is that the $25,000 fee is a flat fee covering all costs associated with the project except any legal counsel fees that may be incurred by our District at the District’s discretion. I will bring an information item to the Board at your next meeting.

The agreement reached on the federal debt ceiling maintains the maximum Pell Grant at $5,550 while also protecting a number of other community college programs, including workforce funds and the Trade Adjustment Assistance (TAA) grants that could be used to train workers who have been laid off due to trade agreements. While it appears that the Pell Grant and workforce training funds are safe for now, the TAA program, once very popular with Republicans, could now be in jeopardy due to a focus on spending. The TAA program is now a part of the debate over a number of trade agreements that the President is seeking to have ratified. Additionally, outside of the Pell Grant program, which would be exempt from cuts under the additional $1.2 trillion that needs to be identified this fall under the debt ceiling deal, many education and workforce training programs could be targeted for cuts as a part of the nondefense discretionary spending target.

2. LEGISLATIVE UPDATE

Chancellor Cepeda provided a legislative update as follows:

STATE - AB 1440 UPDATE - The Bill and Melinda Gates Foundation has donated $1 million to assist with the implementation of last year’s historic transfer bill. The funding will go toward aligning at least 10 transfer degrees between the community colleges and CSU so that districts may conform with the requirements of SB 1440 (Padilla). An implementation task force consisting of a mix of representatives from the community colleges and from CSU continues to meet in order to work out
requirements for the various model curriculums for major category areas.

BILLs SIGNED BY THE GOVERNOR - AB 108 (Committee on the Budget) was signed by the Governor. The bill contains clean up language to implement the community college fee increase in winter session, rather than the fall. AB 130 (Cedillo) was signed by the Governor. The bill is the first of two Dream Act bills that will likely go to the Governor. AB 130 would make AB 540 students eligible for all financial aid programs funded through private donations. AB 943 (Williams) was signed by the Governor. The bill would increase the formal bidding threshold under the Uniform Public Construction Cost Accounting Act (UPCCAA) from $125,000 to $175,000. AB 1029 (Lara) was signed by the Governor. The bill would extend by one year the authority for California Community College districts to approve stand-alone courses without the approval of the CCC Board of Governors, and the date by which the CCC Chancellor's Office must report to the Legislature on CCC districts' use of this authority.

3. ANNUAL REVENUE FROM SURPLUS REPORT

Vice Chancellor Hawk gave special commendation to Mr. Steve Hulse for his hard work in obtaining revenue for the district through the sale of surplus items.

4. LATINA LEADERSHIP NETWORK PRESENTATION

Ms. Josie Gutierrez, president of the Latina Leadership Network at the district, introduced the other members of the LLN. Maria Zendejas, vice president, Rosalie Esque, recording secretary, Blanco Ezquerro, treasurer, and Irene Gutierrez and Christina Marsh, who work in the fundraising and marketing area. She reviewed the LLN's contributions to the district, such as financial aid workshops, garage sales, golf tournament fundraisers held from 2008-2011. Several members have been involved with SOL (Strengthening Our Lives,) a grassroots organization designed to assist with citizenship classes and workshops held on a regular basis at CET. Teatro Vision has also offered fundraising assistance by providing tickets to their plays at half price. The LLN regional program, which includes Cabrillo, Chabot, De Anza, Evergreen Valley, Foothill, Gavilan, Hartnell, Las Positas, Mission, Monterey Peninsula, Ohlone, San Jose City and West Valley colleges, has been awarded the Region of the Year for the fourth time in 2011. The LLN Chapter has awarded over $3000 in scholarships to EVC and SJCC students since 2008. Ms. Gutierrez announced the upcoming Latina Leadership Network 25th Annual Conference, which will be held in Long Beach, CA on March 15-17, 2012.

Chancellor Cepeda stated the Latina Leadership Network was started by the State Chancellor's Office in 1982. There was no comparable program to the LLN, and it was way ahead of its time.
J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 7:17 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, August 23, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Dhillon/Fuentes) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9 (c))

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: CSEA
CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Employee Organization: FA

CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)
District’s Negotiator(s): Kim Garcia
Unrepresented Employees: M/S/C

E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:11 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Excused:
Mr. Raymond Porras

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Fuentes/Cruz) to approve the agenda as amended: Revisions were made to the Consent Agenda items.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lind reported there were no actions resulting from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

The Board heard a public comment from Larry Luttarris, San José City College student.

Trustee Lease announced that Mr. Dan Hawkins was appointed to the Community College Board of Governors for one year to serve as a Classified Employee representative. He stated he has known Mr. Hawkins since 1997 and
complimented him on being a trustworthy, sincere, accountable, articulate individual and for the wealth of information he has obtained over the years. Mr. Hawkins thanked President Lind for his kind words and thanked Chancellor Cepeda, Vice Chancellor Garcia and FA President David Yancey for submitting letters of support of his candidacy.

F. CONSENT AGENDA

1. MANAGEMENT PERSONNEL ACTIONS - REGULAR

The Board approved the Personnel Actions – Regular as amended: Item F-1, Section 1, was removed from the Consent Agenda.

2. FACULTY PERSONNEL ACTIONS - REGULAR

The Board approved the Faculty Personnel Actions - Regular as amended: The position numbers were added and start dates were corrected.

3. HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work & Volunteer Personnel Actions as amended: Item F-3, Section 1-d was removed from the agenda.

4. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified personnel actions as submitted.

G. ACTION AGENDA

1. 2011 Board Self-Evaluation Work Plan

The Board Self Evaluation Committee, which included Trustees Okamura, Cruz and Lease, introduced the discussion of the Board’s need to develop a work plan to address issues that resulted from the Board Self Evaluation Survey. In particular the Board noted that this first session would focus solely on those items that specifically addressed Board actions needed to respond to the “Shared Recommendations” resulting from the 2010 Accreditation report. Trustee Cruz discussed the Board’s need to renew its commitment to the future of the district. Trustee Okamura discussed the Board self-evaluation survey and how it was a 360 review, which included local legislators and other members of the community. Trustee Lease identified two over-arching areas of need: the development of a critical Values, Mission and Vision statement, and a Strategic Plan, which would be developed from the Strategic Directions document.

The Board performed an exercise in which they identified specific process, procedures and/or board development needs designed to address survey findings in the areas of: Board’s Role, Finances, Planning, Chancellor Relations, Policy, Ethics
and Communication Strategies. These seven areas were selected out because of their direct relationship to Accreditation. The notes from that exercise are included at the end of these meeting minutes.

The Board recognized that completion of the remainder in the workplan would require a second “full day” study session. They scheduled another full-day board meeting on Saturday, September 10, from 8:00 a.m. to 12:00 noon in the District Board Room.

Trustee Lease stated the importance of using the September 10 study session to identify short-term, mid-term and long-term goals for the Board based on the specific and ambitious goals they identify. Student success starts with the Board—we give that direction and provide that leadership. Ultimately, the question we need to ask is does the action we take lead to student success.

Trustee Fuentes expressed the importance of the communication the Board receives. There has to be a way for the Board to be given opportunities to hear from everyone involved with the district and to do this in such a way to avoid micromanaging. We need to determine the best way for the Board to receive information.

Trustee Cruz stated the Board needs to develop communication strategies so that they can communicate in ways that will bring about a common voice. The Board needs to be involved with the community, and we are now looking at Board involvement in a different ways.

Chancellor Cepeda thanked the Board committee members and district employees Oleg Bespalov and Rosalie Ledesma for doing an outstanding job to facilitate this meeting. President Lind also thanked the committee and staff for producing a good product for their work. Although there is a lot of work ahead, this is a good start.

H. CONTINUATION OF CLOSED SESSION

No

I. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

J. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

____________________
Rita M. Cepeda, Secretary
Board of Trustees
2011 BOT Self Evaluation Work Plan Exercise

**PLANNING** – The Board sets annual goals

**Board Policies Needed?**
Student Success policy
Finalize Strategic Plan from Strategic Directions
Planning set goals short and long term
If we don’t have, need policy for Planning
Updates and reviews DO Strategic Plan on an annual basis

**Board Processes to be developed/changed?**
Framework for the development of policy
Develop an annual calendar that includes a timeline for the periodic planning process and measurement
Discuss the goals with the Chancellor
Set 1 yr, 3 yr and 5 yr goals
Think strategically on daily basis

**Board Development Needed?**
Study session for framework for action
Engage in courageous conversations
Schedule annual study session
Get clear on priorities for each year

**By When?**
December 2011
By end of this year – December 31

**How We’ll Know Task Achieved?**
Policy has been adopted
Progressing

**PLANNING** – The Board measures accomplishments against goals

**Board Policies Needed?**
Updates and reviews DO Strategic Plan on an annual basis
Board measures its accomplishments against its goals
Yes, need policy on Board’s role re accomplishing goals

**Board Processes to be developed/changed?**
Cycle for monitoring goals
Develop an annual calendar that includes a timeline for the periodic planning process and measurement
Need standing agenda item on Board’s work toward accomplishing goals

**Board Development Needed?**
Schedule an overview for the Board about the current planning process for each college
Board development around Board’s capacity to the role related to accomplishing goals

By When?
Sept. 2011
Evaluate by July 2012

How We’ll Know Task Achieved?
Board can document its accomplishment
Cycle is adopted

**POLICY** – The Board’s policy manual is up to date and comprehensive.

**Board Policies Needed?**
#1 Priority – voice of the Board
Accept Beno recommendations – need policy – yes
Board should schedule a regular rolling review of policies
Bring policies up to date by end 2011
Board policies need to be reviewed annually

**Board Processes to be developed/changed?**
Review 20% of policies each year
Schedule of policies reviewed
Decisions become based on policy and are not reactive
The board actions to policies
Make sure all board have an up-to-date set of policies
Process needs to be accelerated
Measure policies against goals and vision

**Board Development Needed?**
Training on policy development
Session on process
Respond quick
Work study session with complete review by whole board

By When?
AAA Fall 2011
Now – where are we in this process?
Spring 2012
Nov. 15

How We’ll Know Task Achieved?
AAA – All policies have review dates no older than 2 years at any given time
20% of policies reviewed each year
We are slow.

**BOARD’S ROLE** - The Board clearly understands its policy role and differentiates its role from that of the Chancellor and college staff
Minutes of August 23, 2011 Governing Board Meeting

Board Policies Needed?
Set policy – no micromanaging
Policy role of board – need policy

Board Processes to be developed/changed?
Continues education
Scaled down district/trustee handbook based on League handbook
Define roles – organization chart with responsibilities
No

Board Development Needed?
Chancellor is the primary agent of the Board
Identify specific problems with Board member behavior in this organization

By When?
Ongoing forever

How We’ll Know Task Achieved?
Doing good
There will be no problem behavior areas

BOARD’S ROLE – Board members refrain from attempting to manage employee work

Board Policies Needed?
Update policy manual is key – decisions will become based on this

Board Processes to be developed/changed?
Create consequences for board members who act improperly
Board role – audits management review and review processes

Board Development Needed?
Working through others
Rules for engagement

By When?
December 2012 for 2013

How We’ll Know Task Achieved?
Board role success – reviews and implements recommendations – publish annual audit process

BOARD’S ROLE – The Board clearly delegates the administration of the district to the Chancellor

Board Policies Needed?

Board Processes to be developed/changed?
Develop Chancellor checklist
Identify areas that Board is currently asked to deal with that could be handled administratively
Minutes of August 23, 2011 Governing Board Meeting

Board Development Needed?

By When?

How We’ll Know Task Achieved?

CHANCELLOR RELATIONS – The Board maintains a positive working relationship with the Chancellor

Board Policies Needed?
Position relationship with Chancellor Policy – yes
Number of regularly scheduled one on one meetings
Clear directions to Chancellor
Policy for clear & consistent communications – regular, transparent – remember it is a two-way street
Let Chancellor be more effective

Board Processes to be developed/changed?
Board communication with Chancellor
Define the line for communication
Board, as a group, has time to discuss critical/important issues/questions with Chancellor
Board members should work through concerns with Chancellor recommendations prior to the Board meeting, when possible

Board Development Needed?
Asking what we can do to work together to ensure student success
Remember, Chancellor is person whom the Board delegates its authority to manage or administer the district in accordance with the policies
Individual meetings with the Chancellor
Individual Board members should have the opportunity to work with the Chancellor or items of mutual interest

By When?
January 12
ASAP
Ongoing

How We’ll Know Task Achieved?
Relationship is marked by open & honest communication
Progressing
Board and Chancellor are successfully leading the institution

CHANCELLOR RELATIONS – The Board clearly delegates the administration of the district to the Chancellor

Board Policies Needed?
Develop/expand policy on key votes before the Board
Board members should alert Chancellor to issues raised by individuals or groups
Policy needed
Minutes of August 23, 2011 Governing Board Meeting

Board Processes to be developed/changed?
Board members should find opportunities to help the Chancellor network with their community contacts and allies
Board members should direct public/staff to Chancellor’s office
Evaluate and determine if and how board interferes with administration & district

Board Development Needed?
Review all delegations of authority

By When?
Dec. 2011
January 2012

How We’ll Know Task Achieved?
No controversial votes
There is no evidence of Board members interfering with administration or district

FINANCIAL – The Board regularly receives and reviews reports on the financial status of the institution

Board Policies Needed?
Establish first reading policy for critical issues
Foundation funding need more active fundraising
Yes

Board Processes to be developed/changed?
Standards/model & budget cycle
The Board needs to determine how the financial reports will be reviewed – this should be illustrated in reports – as benchmarks

Board Development Needed?
Need more active role
Determine if board members need training on how to read and evaluate reports received

By When?
One year
January 2012

How We’ll Know Task Achieved?
Need improvement
Board will discuss reports received at board meeting and will engage with the Chancellor on setting corrective actions and/or actions to improve financial objectives

FINANCIAL – The Board acts timely and decisively on current fiscal data trends in order to ensure short term and long term financial solvency

Board Policies Needed?
Establish financial benchmark/descriptions
Minutes of August 23, 2011 Governing Board Meeting

Adopt ongoing policy on minimal reserve
Yes

**Board Processes to be developed/changed?**
Continual budget process of reviewing fiscal for two years, not just annual budget

**Board Development Needed?**
Schedule ongoing training from CCLC
Budget session to include benchmarks

**By When?**

**How We'll Know Task Achieved?**
Maintaining minimum set reserve – with the ability to monitor the trendline & make corrections early

**FINANCIAL** – Board policies assure effective fiscal management and internal controls

**Board Policies Needed?**
Yes

**Board Processes to be developed/changed?**
Create a budget approval process and timeline that includes an information-gathering meeting prior to a decision-making meeting
The Board needs a strong & active audit committee that studies audit reports with staff and regularly monitors any problem areas – and reports their activities at board meetings

**Board Development Needed?**
Provide info to Board on best practices from other districts
Provide necessary training on reading and evaluating audit reports, etc.

**By When?**

**How We'll Know Task Achieved?**
Board does not put off tough decisions
The Board will be fully informed on the details of audit reports

**FINANCIAL** – The Board assures that the budget reflects priorities in the district plans

**Board Policies Needed?**

**Board Processes to be developed/changed?**
Adopt financial standards and benchmarks

**Board Development Needed?**
Study session

**By When?**
June 2012
Minutes of August 23, 2011 Governing Board Meeting

How We'll Know Task Achieved?
Publish quarterly scorecard on dashboard

FINANCIAL – The Board maintains an adequate financial reserve

Board Policies Needed?
Proper reserve
Policy regarding acceptable margin of error
Policy regarding 7% reserve variance – what to do, how to report, corrected by when
Financial policies review to include resource allocation model

Board Processes to be developed/changed?
Board will receive comprehensive updates on trends that impact current & future budgets

Board Development Needed?
Training on financial forecasting

By When?
February 2012
How We'll Know TaskAchieved?
Board will give clearer direction on resource management in response to financial forecasts/trends

ETHICS – Board regularly reviews Code of Ethics

Board Policies Needed?
Ethics policy
Adopt a new Code of Ethics
Review and revise Code of Ethics, if necessary

Board Processes to be developed/changed?
Board survey that can be used as alternative to Board chair meeting and sanction
The Board revisits the Code of Ethics with the goal of establishing a standard for their behavior as leader when they expect/require the Chancellor to follow

Board Development Needed?
Workshop on Brown Act/Roberts Rules of Order

When?
ASAP Fall 2011

How We'll Know Task Achieved?
We don't read our names in the San Jose Mercury News
The Board will have a “living” Code of Ethics

ETHICS – Board members uphold and comply with the Code of Ethics
Minutes of August 23, 2011 Governing Board Meeting

**Board Policies Needed?**
Policy how Board chair will meet with members who violate and what sanctions will be applied
Code of Ethics need to be set in Board policy

**Board Processes to be developed/changed?**
Board ensures the provision of “Conflict of Interest” by filing appropriate legal forms
Consequences for members who violate ethics policy
Include in self evaluation

**Board Development Needed?**
Regular ethics refresher

**By When?**

**How We’ll Know Task Achieved?**
Once a vote is cast, it will be accepted by all board members and direction will be implemented

**ETHICS** – Board behavior, and that of its members, exemplifies ethical behavior and conduct that is above reproach

**Board Policies Needed?**
Board members to take ethics training class every two years – new members within six months of taking office

**Board Processes to be developed/changed?**
Board ensures the provision of “Conflict of Interest” by filing appropriate legal forms
Consequences for members who violate ethics policy

**Board Development Needed?**
Group reading – speed of trust
Brown Act training in confidentiality

**By When?**
Within six months
December 2013

**How We’ll Know Task Achieved?**
Identified in speed of trust

**ETHICS** – Board members avoid conflicts of interest and the perception of such conflicts

**Board Policies Needed?**
Board ensures that the Brown Act is religiously followed at all meetings

**Board Processes to be developed/changed?**
Refrain from conflict

**Board Development Needed?**
By When?

How We’ll Know Task Achieved?

COMMUNICATION STRATEGIES
- Develop an elevator speech
- Meet with other elected officials to share our plan
- Develop a tool – set a standard of excellence
- Communicate student success
- Pledge of Commitment
- Set personal standards of excellence (no micromanaging)
- Outreach to high school students
- Formulate ways to communicate with each other and the community
- Tool kit

NEXT STEPS
1. Refine the work plan, set goals (measurable & achievable)
2. Session for all other themes – Saturday, Sept. 10, 8:00 a.m. to 4:00 p.m. in District Board Room
A. CALL MEETING TO ORDER

President Lind called the Special Meeting of the Governing Board of the San José/Evergreen Community College District to order on Saturday, September 10, 2011, at 8:10 a.m. in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

2. INFORMATION ON PUBLIC COMMENTS AND DISABILITY ACCESS

Information was provided on the web agenda regarding public comments and disability access.

3. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

4. ADOPTION OF AGENDA

M/S/C (Cruz/Tanaka) to approve the agenda as submitted.

5. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.
C. ACTION AGENDA

1. 2011 Board Self-Evaluation Work Plan

At its August 23, 2011, board meeting, the Board of Trustees received a report from the Board Self-Evaluation Committee and engaged in an exercise to determine a plan and priorities for addressing the findings of the Board Self Evaluation Survey. In particular, the Board focused on those findings that have direct bearing on the “Six Shared Recommendations” included in the 2010 Accreditation Review that require Board response. At this meeting, the Board reviewed these topics: Planning, Board’s Role, Chancellor Relations, Financial and Ethics.

At the September 10, 2011, meeting the Board conducted an exercise and completed a review of the following topics: Mission and Values, Community Engagement and Advocacy, Knowledge of Programs and Issues, and Institutional Effectiveness. The Board also reviewed Financial and Ethics topics that are not associated with the Accreditation findings. They also reviewed, discussed and determined ten Board Priorities—five associated with Workplan A (Shared Recommendations) and five associated with Workplan B (Not Shared Recommendations Items). The Board Priorities are included in these meeting minutes.

The Board discussed the next steps in the self evaluation process:

- September 13, 2011, Governing Board Meeting - The Committee will provide a report of the activities conducted by the Board at the September 10 special board meeting.
- September 27, 2011, Governing Board Meeting - The staff will provide a report that includes the completed work plan matrix.
- October 11, 2011, Governing Board Meeting - The Board will be provided the names of staff members who would assist in completing their work plan.

The Board also discussed creating a committee to work on the implementation in order to keep the Board focused on the work plan in its various stages of completion.

D. ADJOURNMENT

The meeting adjourned at 1:02 p.m.

______________________
Rita M. Cepeda, Secretary
Board of Trustees
### BOARD PRIORITIES
### SEPTEMBER 10, 2011, GOVERNING BOARD MEETING

**WORKPLAN A** (Shared Recommendations Items)

<table>
<thead>
<tr>
<th>Priority #1</th>
<th>Planning</th>
<th>The Board sets annual goals or priorities in conjunction with the Chancellor and monitors progress toward them. (Recommendation 3)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority #2</td>
<td>Board’s Role</td>
<td>The Board clearly understands its policy role and differentiates its role from those of the Chancellor and college staff. (Recommendation 3)</td>
</tr>
<tr>
<td>Priority #3</td>
<td>Chancellor Relations</td>
<td>The Board maintains a positive working relationship with the Chancellor. (Recommendation 3)</td>
</tr>
<tr>
<td>Priority #4</td>
<td>Planning</td>
<td>The Board measures its accomplishments against board goals. (Recommendation 4)</td>
</tr>
<tr>
<td>Priority #5</td>
<td>Financial</td>
<td>The Board acts timely and decisively on current fiscal data trends in order to ensure short term and long term financial solvency. (Recommendation 2,4)</td>
</tr>
</tbody>
</table>

**WORKPLAN B** (NOT Shared Recommendation Items)

<table>
<thead>
<tr>
<th>Priority #1</th>
<th>Institutional Effectiveness</th>
<th>The Board has established expectations or standards that enable it to monitor the quality and effectiveness of the educational program.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority #2</td>
<td>Planning</td>
<td>The Board assures that district plans are responsive to community needs.</td>
</tr>
<tr>
<td>Priority #3</td>
<td>Board’s Role</td>
<td>The Governing Board has ultimate responsibility for educational quality, legal matters, and financial integrity.</td>
</tr>
<tr>
<td>Priority #4</td>
<td>Mission and Values</td>
<td>Board members are knowledgeable about the culture, history and values of the district.</td>
</tr>
<tr>
<td>Priority #5</td>
<td>Community Engagement and Advocacy</td>
<td>Board members are active in community affairs.</td>
</tr>
</tbody>
</table>
Minutes of the
Governing Board Meeting
September 13, 2011

A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, September 13, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Tanaka/Cruz) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
(Government Code Section 54957 (b))
Title: Employment Contract - Chancellor

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9c)
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:11 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Excused:
Mr. Raymond Porras

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Lease/Cruz) to approve the agenda as amended:

Item H-4 was moved to follow Item E-6.

Changes were made to the Consent Agenda.

A moment of silence in honor of Dr. Jon Kangas, who passed away on September 5, will be held at the end of the meeting.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

President Lind reported that the Board authorized the following:

A step increase of 4% for the Chancellor that is consistent with the step increases afforded to executive administrators within this District (presidents and vice chancellors). The percentage increase from Step A to Step B is 4% for an annual salary of $254,800. The Board also extended the Chancellor’s contract by an additional year from July 14, 2013, to July 14, 2014. The Chancellor shall also provide notice of projected travel on a quarterly basis to the Board President.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.
5. **APPROVAL OF THE AUGUST 9 AND AUGUST 23, 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Fuentes/Okamura) to approve the above listed meeting minutes.

**F. CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

M/S/C (Dhillon/Tanaka) to approve the Consent Agenda as amended:

   Item F-2 Separation/Termination a. Retirement – a correction was made to employee’s location. It is the Workforce Institute, not San José City College.

   Item F-8 Hourly, Student Work and Volunteer Personnel Actions – Volunteer Work a. Counseling Intern – employee should have been listed under Professional Expert, not as a Volunteer.

   Item F-8 was removed from the Consent Agenda for discussion and separate vote.

2. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**

   The Board approved the Management Personnel Actions as submitted.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**

   The Board approved the Faculty Personnel Actions - Regular as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD SJCC**

   The Board approved the Faculty Personnel-Adjunct/Overload SJCC Actions as submitted.

5. **FALL 2011 FACULTY REASSIGNED TIME – EVERGREEN VALLEY COLLEGE**

   The Board approved Evergreen Valley College’s faculty reassigned time for fall semester 2011.

6. **FALL 2011 FACULTY REASSIGNED TIME – SAN JOSE CITY COLLEGE**

   The Board approved San Jose City College’s faculty reassigned time for fall semester 2011.

7. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.
8. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   This item was removed from the Consent Agenda for discussion and separate vote.

9. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**

   The Board ratified the contracts and purchase orders for the period of July 10, 2011 through August 9, 2011.

10. **DESTRUCTION OF RECORDS – FISCAL SERVICES**

    The Board approved the destruction of records as listed per Section 7080.302 of the Retention and Destruction of Records under Board Policies.

11. **ACCEPTANCE OF GRANT FUNDS EVC NURSING EDUCATION PROGRAM**

    The Board accepted grant funds in the amount of $146,687 awarded to Evergreen Valley College’s Nursing program from the State Chancellor’s Office, Nursing Education Program, Enrollment Growth and Retention for Registered Nursing Program.

12. **APPROVAL OF GRANT SUB-AGREEMENT WITH RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT**

    The Board approved the grant sub-agreement between Rancho Santiago Community College District and Evergreen Valley College.

13. **REDISTRICTING OF TRUSTEE AREAS**

    The Board approved a consulting contract with The Thomas Griffin Law Offices in the amount of $17,500.00 to assist in adjusting trustee areas as a result of the 2010 Census.

F. 8. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

   CSEA President Jan Tomisaka stated that although she appreciated the student work study program she had concerns about student workers doing the work which was previously done by CSEA employees who were laid off. Trustee Lease agreed that although he didn’t have a problem with employing student workers, the district has had a lot of layoffs that impacted CSEA employees. We need to ensure that student workers do not do the work of CSEA employees. We may need to find work for them outside the district according to their field of study. The message he has received from CSEA employees is that they don’t have a problem with students working, only with students during their jobs. Vice Chancellor Garcia stated that it is the district’s responsibility to ensure that we are protecting our collective bargaining agreement with CSEA. The district also has a responsibility to provide employment to students, particularly as part of their grant awards. We don’t want students to use their time and resources in looking for employment outside the district. Vice Chancellor Garcia stated she is scheduling regular meetings with CSEA leadership to review the positions in which student employees are hired. Trustee Okamura
stated he supports what the CSEA is doing to protect their employment and what
the administration is planning to do to moving forward, but both sides need to figure
it out so we can move forward from this issue.

M/S/C (Okamura/Lease) to approve the Hourly, Student Work and Volunteer
Personnel Actions.

H. 4. AMENDMENT TO CONSTRUCTION CAREERS AGREEMENT (PROJECT
STABILIZATION AGREEMENT) TO INCLUDE MEASURE G-2010

Mr. Neil Struthers, Executive Officer of the Santa Clara-San Benito Building and
Trades Council, spoke to the Board on the benefits of amending this agreement to
include Measure G-2010. This would ensure the district is using high-quality, local
contractors at the start of the Measure G-2010 projects.

M/S/C (Cruz/Okamura) to authorize Amendment #1 to the existing Construction
Careers Agreement (Project Stabilization Agreement) between the District and the
Santa Clara San Benito Building Trades Council.

G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Lam reported on the success of the book grant in helping
students get the books and other resources they need to attend classes.

Trustee Lease commended the Workforce Institute for their enjoyable year
end event, especially the great videos of dancing employees. It was also
impressive to see the community coming together at the Somos Mayfair
charity luncheon.

Trustee Cruz reported on her attendance in the event honoring new Board of
Governor members Henry Ramos and Dan Hawkins and how much she
enjoyed hearing about their vision. She also attended the Somos Mayfair
event as that is a very important community event.

Trustee Okamura stated he would be attending the One Million New Internet
Users Conference held by the Santa Clara County Office of Education next
week. He will look to make a connection between that group and the Somos
Mayfair group to see what assistance and resources they could provide.

Trustee Dhillon discussed his attendance at the August 25 Foundation Board
meeting, and expressed his concern about decreased donations and how that
is impacting the support the Foundation could provide to students. He
encouraged the administrative staff to think about supporting students by
donating to the Foundation.
b. Chancellor

Chancellor Cepeda introduced Mr. Tony Ruiz, a Bay Area artist who had loaned the district the two great pieces of art currently hanging in the District Board Room. Mr. Ruiz has created and displayed works of art in the Mexican Heritage Plaza in San Jose and recently at the Stanford Blood Center in Palo Alto, CA.

Mr. Ruiz spoke to the Board about his art. He plans to remove and replace his current works of art in the District Board Room in the near future. However, he will loan the district new art pieces to replace the paintings.

Trustee Fuentes thanked Mr. Ruiz for allowing the district to enjoy his beautiful paintings.

Chancellor Cepeda reported that she would be attending the Celebration of Life service for Dr. Jon Kangas. Dr. Kangas served the district for over 30 years. He was first employed at the Dean of Counseling at EVC in 1976. He also served at the Associate Vice Chancellor of Research and Planning and as Interim President of EVC for 2004-05. Chancellor Cepeda stated she knew Jon for many years, and he was a great colleague. Dr. Kangas will be missed by his family and numerous friends.

c. Presidents

EVC President Yong reported that projected FTES for opening day was 3400 with 880 sections. However, the first day of Fall had only 3244 FTES. Based on today’s figures, we’re currently at 3300 FTES. This is 100 FTES or 3% below projection, but the expectation is that EVC would reach its goal by the end of the semester, when the final tally is taken. EVC has awarded 6,846 student financial aid in the form of grant aid, fee waivers and/or scholarships. Of this number, 6,724 filed and were granted the Board of Governors fee waiver. EVC has seven students participating in CalWorks and 60 students participating in the Federal Work Study program. These two programs contribute a total of $217,731 to support student employment at EVC. President Yong also provided updates on activities supporting Latino Heritage Month and other activities such as the 6th Annual American Indian Heritage Celebration Big Time Pow Wow on Saturday, September 17; Transfer Day on Wednesday, September 21; and the Extreme Entrepreneurship Tour on September 22.

SJCC President Kavalier reported that FTES are down about 1.7%; however, with the addition of positive attendance in classes, SJCC will achieve its target of about 3400 FTES. Disabled Student Programs & Services (DSP&S) has experienced a 5% increase in students as compared to last fall. SJCC will host the UCLA Bay Area Bruin Day where students from colleges across our region will be invited to SJCC to learn about UCLA transfer opportunities. The Associated Students will kick off Latino Heritage Month by sponsoring the Aztec Dancers and a guest speaker on Wednesday, September 15. The Accrediting Commission site visit has been scheduled for November 8-9. The team includes Dr. John Morton, Mr. Douglas Roberts and Dr. Sunita Cooke.
On September 2, Dr. Kavalier attended, along with Dr. Martin, a meeting at the State Chancellor's Office in Sacramento regarding a NSF/ATE Grant for Interactive Simulation and Animated Pedagogical Agents (I-SAPA) Based Mathematics Curriculum in Technician Education. This is a special opportunity for our district to be involved in groundbreaking work that, if funded, will receive national attention. Dr. Kavalier reported she will be part of an accreditation evaluation team for Shasta College.

President Kavalier distributed a copy of San José City College’s 2011 Annual Report.

d. Constituency Group Representatives

MSCC President Lauren McKee expressed her excitement about the upcoming training sessions the group will participate in. The MSCC is also in the process of updating its Handbook.

EVC Academic President Eric Narveson reported that the time capsule built in October 25, 1978, is now ready to be dug up, and that should be a fun event for the college.

SJCC Academic President Chris Frazier commended Trustees Cruz and Lease and President Kavalier for becoming accreditation site reviewers for other colleges. The knowledge they will gain through their experiences should greatly benefit our district.

FA Executive Director Barbara Hanfling discussed the major change in the district’s ending fund balance. She commended Chancellor Cepeda and Vice Chancellor Hawk for calling a meeting as soon as the information was known. She wanted to acknowledge the transparency. Before this information was received, however, the faculty had stepped up in their contribution to preserving the reserve fund balance; and they will continue to do so. However, due to this new information, the 1% salary reduction and proposed cuts to medical benefits has been rescinded. There has always been a problem between what things look like at the beginning and what we end up with once the fiscal year ends. The FA did secure a three-year contract that will receive membership vote on September 20-29.

CSEA President Jan Tomisaka stated the CSEA reached a tentative agreement with the district. She will be working with district administration to find release time for members to vote on the agreement.

H. ACTION AGENDA

1. FISCAL YEAR 2011-2012 ADOPTED BUDGET

Vice Chancellor Hawk gave a presentation on the 2011-12 Adopted Budget. The
2011-12 state budget reflects mid-year adjustments. She reviewed two tiers of scenarios: Tier 1 reflects a $30 million apportionment cut, backfilled by an increase in fees by $10/unit to $46/unit. Tier 2 includes the Tier 1 cut and fee increase plus a $72 million additional apportionment cut, which assumes a workload reduction. Vice Chancellor Hawk reviewed the impact to our district. We hope for Tier 1 but will mostly likely see Tier 2. The recent RIF at the district brought our employee costs to about 86% of our operating budget. In 2011-2012 we will have enough from Fund 10 to cover our OPEB related debt service. However, we had a significant amount of unfunded FTES last year. This amount is larger than the workload reduction. We are now backfilling about $700K to the categorical programs to support our students. The Bookstore is losing over $200K per year. We have to begin the dialogue to determine the future of the Bookstore.

Trustee Cruz asked if the budget review over time indicates the district will become a basic aid district in the near future. Vice Chancellor Hawk answered that we are receiving around a 1% increase in property taxes per year and if we continue to get the funding at the level we are receiving, then we will get to the basic aid level. There are a lot of variables, though. Trustee Lease requested an item on the November 8 agenda regarding the district’s bad debt. How does the district’s bad debt impact our colleges, our students and our budget reserve? He requested the historical data and current status of our uncollected debt. How is that figured into our reserve, and how does it affect our operating fund balance? He requested information that would help the Trustees understand the issues we have around collecting fees from students. How are we planning for future bad debt in our district? What are we doing now for our students now and in the future to help them get enough funds? Chancellor Cepeda answered that the administration would report that information to the Board at the November 8 board meeting. The administration has been discussing internally the issues of bad debt and student fees and is still in the process of collecting demographic data from both colleges. Trustee Tanaka expressed concern about creating a budget when tuition fees will be increased from $36 to $46 per unit. Some college districts will have a hard time enrolling students, and this would be reflected in the budget. Chancellor Cepeda answered that students would have a problem with a sudden increase in fees, but we would not have to implement the fee increase until next Fall semester. Vice Chancellor Hawk stated that the budget reflects an anticipated 10% enrollment decline, and we have the ability to adjust the enrollment data with this proposed budget.

M/S/C (Dhillon/Lease) to adopt the FY 2011-2012 budget as presented.

2. **BP 2435.1 EVALUATION OF THE COLLEGE PRESIDENTS**

Chancellor Cepeda stated that one of the Accrediting Commission recommendations was to add a board policy for the evaluation of the college presidents. She reviewed the feedback and voting done by the district’s constituency representatives on the proposed policy.

Trustee Okamura stated that, in the future, he would like to see the associated procedures attached to any policies the Board is being asked to approve. He also requested the Board receive at least two readings of policies before they are submitted for Board approval.
M/S/C (Okamura/Dhillon) to approve BP 2435.1 Evaluation of the President of Evergreen Valley College and the President of San José City College.

3. **BP 5140 DISABLED STUDENTS PROGRAMS AND SERVICES**

Chancellor Cepeda provided an overview of the revised BP 5140 being presented to the Board for approval. These changes would ensure the policy is compliant with federal law. Trustee Cruz expressed concern that the policy did not sound student centered. She requested rewording of the phrase “no student with disabilities is required to participate.” Trustee Fuentes requested adding a phrase regarding assistance and access.

President Lind requested that, since the policy needs more revision, this be sent through the district review process one more time before it is brought to the Board for approval.

4. **AMENDMENT TO CONSTRUCTION CAREERS AGREEMENT (PROJECT STABILIZATION AGREEMENT) TO INCLUDE MEASURE G-2010**

This item was moved to follow the Consent Agenda.

5. **CHANGE ORDER #2 – MULTIDISCIPLINARY & ARTS BUILDING, SJCC**

Vice Chancellor Hawk requested two changes to the scope of the project, which would be offset by project savings and, therefore, would include no additional cost to the project.

M/S/C (Cruz/Okamura) to approve Change Order #2 as a change in contract scope with Blach Construction, Design-Builder for the Multidisciplinary and Arts Building project at San Jose City College.

6. **ADDITIONAL SERVICE AUTHORIZATION #1 – EVERGREEN VALLEY COLLEGE (EVC) UTILITIES INFRASTRUCTURE PROJECT**

Vice Chancellor Hawk reviewed the project change, in the amount of $3,300, for the design, details and construction documents required for the PV Array connection.

M/S/C (Fuentes/Dhillon) to approve ASA #1, as a change in contract scope with Salas O-Brien Engineers, Inc. for the Utilities Infrastructure project at EVC.

I. **INFORMATION AGENDA**

1. **BUDGET UPDATE**

Chancellor Cepeda stated that the budget report was included during the FY 2011-2012 Adopted Budget discussion.
2. **LEGISLATIVE UPDATE**

Chancellor Cepeda provided a legislative update as follows:

Friday, September 9, 2011 was the deadline for final floor action for 2011, the first year of the two-year legislative session. Community Colleges will be affected by a few late bills, including bills to move the fee increase (if triggered) to the summer of 2012. Bills to create a conference committee on comprehensive pension reform, and a bill to expedite the CEQA process may also affect community colleges. The Governor has until October 9, 2011, to sign or veto legislation sent to him. If he does not act on a bill, it becomes law. Some bills passed by the legislature that will be sent for his signature include: AB 131 (Cedillo) California Dream Act; AB 187 (Lara) State Auditor: Local Government Agency; AB 194 (Beall) Public Postsecondary Education Enrollment Priority: Foster Youth; AB620 (Block) Postsecondary Education: Nondiscrimination and other bills that impact community colleges.

Chancellor Cepeda reviewed the highlights of her participation in the September 12 The California White House Jobs Act Conference Call, which was designed to review the major components of the $447 billion American Jobs Act sent to Congress by President Obama. The four buckets of the act are: 1) Look at tax cuts that would help small businesses hire and grow, 2) Put workers back to work—rebuid and modernize America, 3) Pathways back to work for Americans Looking for Jobs (long term unemployed and opportunities they would have to access jobs), and 4) Tax relief for working Americans.

3. **BOARD SELF EVALUATION WORK PLAN**

The Board Self Evaluation Committee, comprised of Trustees Cruz, Lease and Okamura, provided a report of the work done to date regarding the results of the Board’s 360 self evaluation survey and findings of the Accrediting Commission. Trustee Okamura discussed the need for the colleges to be restored to a strong accreditation status and for the district to develop a comprehensive strategic plan. He discussed the activities the Board members worked on during the four-hour Special Board Meeting on Saturday, September 10. Trustee Cruz discussed the work of the committee to develop a work plan that addressed the Accreditation Shared Recommendations. Trustee Lease reviewed the Board’s work in determining five priorities for Accreditation Shared Recommendations and the additional five priorities, which are not related to Accreditation concerns. The committee is now charged with working with administrative staff in summarizing the plan and setting the schedule. The goal is to complete the plan by September 27. Trustee Okamura thanked Oleg Bespalov, Rosalie Ledesma and the Chancellor for their hard work in assisting the committee with its work.

4. **MEASURE G – 2010 OUTREACH PROGRAM**

Vice Chancellor Hawk reviewed a draft plan that Gilbane has produced to assist the district in reaching out to minority and women-owned businesses. The Gilbane Company submitted this plan at no additional cost to the district. The district hopes to use this plan as a means to reach out to minority and women-owned community members to encourage them to submit proposals for our Measure G-2010 projects.
and be competitive so they could be awarded the contracts. The district has a minimum goal of 15% combined utilization of small and disadvantaged contractors and suppliers on all projects.

Trustee Okamura applauded the plan because it included a number and a goal. He added that it would be helpful to use the small business network to help with the certification process.

President Lind called for a moment of silence in memory of Dr. John Kangas.

J. CONTINUATION OF CLOSED SESSION

Yes

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

Vice President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, September 27, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
Mr. Ron Lind

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Dhillon/Tanaka) to approve the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9 (c))
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:12 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Randy Okamura – left the meeting at 7:00 p.m.
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Excused:
Mr. Ron Lind
Mr. Raymond Porras

1. PLEDGE OF ALLEGIANCE

Vice President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

M/S/C (Okamura/Tanaka) to approve the agenda as amended: Revisions were made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

Vice President Fuentes reported there were no actions resulting from the Closed Session meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

(Dhillon/Lease) to adopt the Consent Agenda as amended:

F-2 – Management Personnel Actions – Employment – The name was added (Anttila, Carina) and the effective date was changed to 10/10/11.
2. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**
   The Board approved the Personnel Actions – Regular as amended.

3. **FACULTY PERSONNEL ACTIONS - REGULAR**
   The Board approved the Faculty Personnel Actions as submitted.

4. **FACULTY PERSONNEL-ADJUNCT/OVERLOAD-EVC**
   The Board approved the Faculty Personnel-Adjunct/Overload-EVC as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**
   The Board approved the Classified personnel actions as submitted.

6. **HOURLY, STUDENT WORK & VOLUNTEER PERSONNEL ACTIONS**
   The Board approved the Hourly, Student Work & Volunteer personnel actions as submitted.

G. **ORAL COMMUNICATIONS**
   a. **Board of Trustees**
      Student Trustee Lam reported on the activities SJCC students are engaged in with Second Harvest Food Bank to assist the needs of the community.

      Trustee Lease reported on his attendance at the Willow Glen Neighborhood Association and the important impact they are having in their community. He also spent over 25 hours this weekend reviewing the draft Accreditation reports from both colleges and offered to meet with Presidents Kavalier and Yong to discuss the reports.

   b. **Chancellor**
      Chancellor Cepeda attended the Celebration of Life ceremony for Dr. Jon Kangas on September 14 and had the opportunity to say a few words about her special memories of Dr. Kangas. His son Chris was very touched and has requested a copy of the minutes from our last meeting in which the Board had a moment of silence in Dr. Kangas’s memory.

      The Chancellor also reported on her attendance at the Silicon Valley Leadership Group Board Meeting, in which she is a part of their advisory committee. There is continued support on reinvestment in education. Chancellor Cepeda also announced that she would be participating in Turkey Trot 2011 at 6:30 a.m. on Thanksgiving Day and would like a team of district representatives to join her.
c. Presidents

EVC President Yong reported on events at the college. There was a neighborhood meeting on Photovoltaic Array, Thursday, Sept 15, where residents in the community came and had the opportunity to be informed of our plan to install the Photo-Voltaic Array. Many questions were asked, and there were no objections from those in attendance. The 6th Annual American Indian Heritage Celebration Big Time Pow Wow went very smoothly, and was well attended, with good participation from the community. There were 25 four-year institutions that showed up at this year’s Transfer Day, September 21. Our students turned out in droves to ask questions about transfer requirements and financial aid. Extreme Entrepreneurship Tour, September 22, three top young entrepreneurs, who made their millions before age 30, visited EVC. The event was very well attended, with local high schools participating. At EVC, we believe in Student Success, and the Early Alert system is a great tool for us to keep track of our students who are struggling academically. This semester, we issued a total of 1,118 alerts on 699 students. Counselors and other personnel in Student Services will follow-up with the students to direct them to supportive services, such as tutoring. The EVC Biennial Art Faculty Exhibition will be held in the EVC Art Gallery in the Visual Arts Building from Sept 26 – Oct 18. There will be a reception on Wednesday, October 5, from 12:30 – 1:30 p.m. The exhibition will feature the work of Paddy Moran, James Rohal, Amir Esfahani, and Mark Nobriga.

SJCC President Kavalier reported that San José City College received the San Jose/Silicon Valley Business Journal 2011 Structures Awards for Best Public Civic Project of the year for the college’s Multidisciplinary Arts Complex. President Kavalier, Rudy Nosal and Trustees Ron Lind and Jeffrey Lease were present for the recognition. It was a wonderful acknowledgment of our building’s design and sustainability. President Kavalier introduced new administrators, Nick Akinkuoye, Vice President of Academic Affairs, and Greg Nelson, Vice President of Administrative Services.

d. Constituency Group Representatives

SJCC Associated Student President Mike Casas reported on activities to welcome students to the campus and also the excitement that over $10K was released to students through the book program. AS has also collaborated with other programs on campus in celebration of Latino Heritage Month.

Student Trustee Lam spoke on behalf of AS for EVC and stated that student activities are underway in support of National Hunger Month. She encouraged everyone to visit the Facebook page for Second Harvest Food Bank and make a donation to end hunger in the United States.

MSCC President McKee stated the first meeting with Vice Chancellor Garcia to review MSCC policies went well, and the group is also looking forward to the upcoming leadership training sessions.

SJCC Academic President Frazier discussed the work being done to send the final Accreditation response and the focus on the SLO assessment.
CSEA President Tanaka reported on the vote, 88 yes, 19 no, to accept the CBA the Board is being asked to approve tonight. She also stated that CSEA is the acronym for California School Employees Association.

H. ACTION AGENDA


Chancellor Cepeda stated how delighted she was by the agreement between the CSEA and the district and was very pleased with the hard work of the CSEA and Vice Chancellor Garcia. Vice Chancellor Garcia stated that, although it was a very difficult year, especially for CSEA employees, the CSEA leadership always demonstrated a willingness to discuss their concerns and protect the interest of their members. At the same time, they were sensitive to the issues facing the district. She presented the changes made to Article 3, Union Rights, Article 7, Benefits, Article 21, Retiree Benefits, and Article 25, Substitute/Short Term Employment.

Trustee Okamura applauded the CSEA for their patience during these difficult times. He told Ms. Tomisaka that as the president of CSEA, it is important she feel comfortable in speaking on behalf of her members; and he encouraged her to continue to do so.

M/S/C (Lease/Tanaka) to approve the District and California School Employees Association, Chapter 363, tentative agreements.

2. CHANGE ORDER #1 – EVERGREEN VALLEY COLLEGE (EVC) UTILITIES INFRASTRUCTURE PROJECT

EVC Vice President Administrative Services Gee stated the purpose of this change order would be to allow power from the solar array panels to go down to the college. It is cost effective to add the conduit to the existing infrastructure project for the future connection of the PV Array rather than have a change order to the PV project later.

M/S/C (Dhillon/Lease) to approve Change Order #1, as a change in contract scope with Thermal Mechanical, Inc., for the Utilities Infrastructure project at EVC.

3. CHANGE ORDER #1 AND #2 – EVERGREEN VALLEY COLLEGE PHOTOVOLTAIC PROJECT (SUNPOWER)

EVC Vice President Administrative Services Gee showed a presentation of the photovoltaic system project at EVC. Change orders #1 and #2 reflect a change of scope and would expand the photovoltaic system from a total peak output capacity of 1131.52 kWp to 1,541.1 kWp. The array costs $9 million, and we plan to save about $22 million.
Trustee Tanaka expressed concern about the possibility of another solar panel company going bankrupt and what assurance would we have that the same thing wouldn’t happen with our bond money. Vice President Gee answered that the panels are locally produced and have one of the highest rates on the market. Trustee Tanaka answered that he is more interested in whether or not the contractor would be in business for the next 15 years. Vice President Gee answered that this company is the biggest in the industry and is expected to be around for a long time. Once the system is set up, it will be maintained and will continue to yield as long as the sun shines. Trustee Lease expressed concern that this project is being rushed. He will support the action but asked administration to be careful that we don’t waste any resources we have.

M/S/C (Dhillon/Lease) to approve Change Order #1 and #2 as a change in contract scope with SunPower for the photovoltaic system at Evergreen Valley College.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda reported on two bills of interest that would impact community colleges. The Governor vetoed SBX1 6, which contained provisions to give the legislature greater flexibility on the trigger cuts and pushed out the implementation of the trigger 1 community college fee increase to summer session. Currently on the Governor’s desk is ABX1 32, and this bill would push the implementation of the fee increase out to summer session but does not contain the provisions which would give the legislature greater flexibility on the trigger cuts. Also of interest is President Obama’s job growth package, which includes $5 billion for facilities modernization needs. California community colleges would receive approximately $1.1 billion, which would only be used for upgrades of existing facilities and not the building of new facilities.

2. LEGISLATIVE UPDATE

Chancellor Cepeda provided an update on the work being done by the Board of Governors Student Success Task Force, which is addressing issues on the funding of categorical programs and fees for instructional materials. As a result, the State Chancellor’s Office will create a task force to review policies on instructional materials fees and online resources.

3. IMPLEMENTATION OF REDISTRICTING PROCESS PRESENTATION

The Board heard a public comment from Mr. Paul West, a citizen of the district, who asked a question about redistricting of the trustee areas and stated that an ethnic majority may not necessarily create a voting block within that ethnic group.

Dr. Thomas M. Griffin, from the Thomas M. Griffin Law Offices, gave a presentation on the 2010 Census data and discussed its impact on SJECCD current district
boundaries. The total population of the district is 835,511, 627,191 are over 18 years of age, which is a very high number. Dr. Griffin provided a demographic report of each trustee area. He reviewed the 1 Person 1 Vote Rule and that every trustee area should have the same number of constituents. The Education Code requires that all school districts redraw their trustee areas after the federal census. He stated that a variance of 1% should be the target in redrawing the trustee areas.

Vice Chancellor Fuentes stated that this is the third time this district has gone through the redistricting process. We need to really think about what we are trying to achieve. The goal in reviewing our trustee areas was to ensure that ethnic representation was given in this district so that ethnic communities would have a chance of having a more diverse Board. It is very important to do an analysis of what was done during the last redistricting process, which was very specific in its objectives. The 1% variance may not be our goal. Our goal may be ensuring we have good ethnic distribution. She requested that before we start redoing new maps, we have to do a review of what those changes would look like.

4. **FOLLOW UP ACCREDITATION REPORTS – EVERGREEN VALLEY COLLEGE AND SAN JOSE CITY COLLEGE**

Chancellor Cepeda and Presidents Kavalier and Yong gave a presentation on the draft follow up Accreditation reports. Chancellor Cepeda provided an overview of the six shared recommendations and reviewed the district committees, and lead writers, that worked on addressing each shared recommendation. She gave special thanks to Vice Chancellor Garcia’s for her hard work and research in the Governance response. President Kavalier presented on the six Shared Recommendations, the three Commission Concerns and the six College Recommendations for San José City College. President Yong followed with a presentation on the nine 2004 College Recommendations and eleven 2010 College Recommendations for Evergreen Valley College.

Chancellor Cepeda stated that the final follow up accreditation reports would be placed on the October 11 board agenda for approval so that they could be sent to the Accrediting Commission in time to meet the October 15, 2011, deadline.

Trustee Dhillon expressed his appreciation for the amount of work the Chancellor and staff put into addressing the Commission’s concerns. Trustee Lease stated he appreciated the amount of work that went into the reports, and he asked to meet individually with each college president to provide his feedback. Trustee Tanaka stated he was very impressed with the clarity and the evidence brought forth in support of the work being done to address the accreditation concerns. Vice President Fuentes thanked everyone involved in preparing the response. The energy and commitment of district faculty and staff was evident in the report. If we can accomplish all we set out to do as indicated in the reports, our organization will be successful and so will our students.
J. CONTINUATION OF CLOSED SESSION

   No

K. RECONVENE OPEN SESSION

   ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

   No

L. ADJOURNMENT

   The meeting adjourned at 9:05 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, October 11, 2011, at 5:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA  95135 and the Hyatt Regency Hotel, 300 Reunion Blvd., Dallas, TX  75207.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

M/S/C (Lease/Dhillon) to approve the Closed Session Agenda as submitted. Roll call vote is as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

The Board recessed to Closed Session at 5:00 p.m. to consider the following items:
E. RECONVENE INTO OPEN SESSION

The Public Session was reconvened at 6:00 p.m.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Absent:
Mr. Raymond Porras

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.

2. ADOPTION OF AGENDA

President Lind announced that because Trustee Lease was participating in the meeting from an off-site location, all votes at the meeting would be conducted as a roll call vote.

M/S/C (Tanaka/Dhillon) to approve the agenda as amended: Changes were made to the Consent Agenda. Roll call vote is as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye
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3. **ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION**

   There were no reportable actions.

4. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

   There were no public comments.

5. **APPROVAL OF THE SEPTEMBER 10, SEPTEMBER 13 AND SEPTEMBER 27, 2011, GOVERNING BOARD MEETING MINUTES**

   M/S/C (Fuentes/Lease) to approve the above listed meeting minutes as amended:
   
   Trustee Cruz was present at the September 27, 2011, meeting. Roll call vote is as follows:

   Trustee Dhillon – aye
   Trustee Okamura – aye
   Trustee Tanaka – aye
   Trustee Lind – aye
   Trustee Fuentes – aye
   Trustee Cruz – aye
   Trustee Lease – aye

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   M/S/C (Cruz/Fuentes) to approve the Consent Agenda as amended:

   Item F-6 Hourly, Student Work & Volunteer Personnel Actions, Position Establishment, Short-Term Professional Expert, Licensed Vocational Nurse was pulled from the agenda. Roll call vote is as follows:

   Trustee Dhillon – aye
   Trustee Okamura – aye
   Trustee Tanaka – aye
   Trustee Lind – aye
   Trustee Fuentes – aye
   Trustee Cruz – aye
   Trustee Lease – aye

2. **FACULTY PERSONNEL ACTIONS - REGULAR**

   The Board approved the Faculty Personnel Actions - Regular as submitted.

3. **FACULTY PERSONNEL-ADORJUNCT/OVERLOAD SJCC**

   The Board approved the Faculty Personnel-Adjunct/Overload SJCC Actions as
submitted.

4. **MANAGEMENT PERSONNEL ACTIONS - REGULAR**

The Board approved the Management Personnel Actions as submitted.

5. **CLASSIFIED PERSONNEL ACTIONS**

The Board approved the Classified Personnel Actions as submitted.

6. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work and Volunteer Personnel Actions as amended.

7. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendations for new degree programs submitted by Evergreen Valley College.

8. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**

The Board approved the curriculum recommendations for San Jose City College.

9. **DISTRICT BUDGET TRANSFERS AND REVISIONS**

The Board approved the resolution authorizing the budget transfers and revisions of funds with expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

10. **AWARD OF CONTRACT FOR BID PROPOSAL #0518-11 – CUSTODIAL SUPPLIES**

The Board awarded the contract of Bid Proposal #0518-11 – Custodial Supplies to P&R Paper Supply for towels and toilet tissue, Clean Source for seat covers, and Staples for hand soap.

11. **SJCC TITLE V: HSI AWARD**

The Board approved the acceptance of grant funds in the amount of $575,000 from the U.S. Department of Education awarded under the Strengthening Institutions – Hispanic Serving Institutions Program for San Jose City College.

12. **CHILD DEVELOPMENT CONTRACTS AGREEMENT BETWEEN CALIFORNIA DEPARTMENT OF EDUCATION AND SJECCD**

The Board approved the amendments to the budget contract agreements between SJECCD and California Department of Education for fiscal year 2011 and 2012.
G. ORAL COMMUNICATIONS

a. Board of Trustees

Trustee Cruz reported on her participation, along with Trustees Lease and Okamura, on the Board Self Evaluation Committee and stated a report would be given later in the board meeting. She also discussed the Hispanic Charity Ball and the importance of that event for the community. She stated her review of the Accreditation reports caused her to think about the quality of our education programs. Trustee Cruz asked that the Board receive a report on the progress of the SLO’s. She also asked for a report from both colleges on service learning.

Trustee Lease thanked Joy Pace for arranging for him to participate in the board meeting off site. He thanked Presidents Kavalier and Yong and their staff for meeting with him and receiving his input regarding the accreditation reports. He stated his excitement in attending a special meeting on student success at the ACCT meeting. He reported that the ACCT conference will focus on policy and will be attended by over 84 trustees.

b. Chancellor

Chancellor Cepeda reported on the September 29, 2011, Foundation Board Meeting. The Foundation Board reviewed funding priorities and proposed reorganization structure. Carol Coen, Executive Director of the Workforce Institute, will be lending direct administrative leadership and support to the Foundation. This is part of the plan to establish a more coordinated and cohesive effort for resource development and grant management for our district. On October 3, Alex Torres, President of the Foundation, facilitated meetings with two business and industry representatives to discuss foundation needs and consideration for board membership.

On September 30 Chancellor Cepeda participated as a panelist at the invitation of the East Side Unified High School District in the No Child Left Behind panel discussion, moderated by Sharon Noguchi, Mercury News education writer. The panel discussed the reauthorization of the ESEA and, in particular, the amendments to No Child Left Behind.

Chancellor Cepeda reported she invited CampusWorks, Inc., to conduct an in-depth review of our Information Technology department. CampusWorks staff met with more than 150 individuals in 30 different sessions. They provided the Chancellor’s executive team with an exit interview and will produce a full, written report by October 21, 2011. We expect their findings will serve, not only to inform our future work, but to support informed decision making for this Board as we prepare an expenditure plan for Measure G 2010 IT infrastructure bond funds.

c. Presidents

EVC President Yong reported that Congresswoman Zoe Lofgren will speak at
EVC on October 19, from 9:15—10:30 a.m. in the EVC Theatre. Her topic is the function of Congress, the current job proposal legislation, the status of immigration policy and public education. The 19th Annual Gloria Zufall Scholarship Fun Walk/Jog, organized by Phys Ed Professor Minerva Duke-Caruso is also scheduled for October 19. The Si, Se Puede 2nd Annual Conference for Latino Males, sponsored by the Castellano Family Foundation, National Hispanic University, Association of Mexican American Educators of Silicon Valley, and the San Jose California Student Opportunity & Access Program (CalSOAP) was a great success. Over 200 Latino students from area high school attended, as well teachers, counselors and parents. Professor of Biology, Al Gonzales, was the keynote speaker. The EVC Biennial Art Faculty Exhibition has drawn visitors from the community, and will end on October 18. The EVC Authors’ Guild has invited Andrew Lam, a well-known Vietnamese-American journalist and author to speak on October 12 from 12:30—1:30 p.m. in the EVC Theatre.

SJCC President Kavalier reported that the SJCC Women’s Softball Team was recognized by the National Fastpitch Coaches Association as an All-Academic Team. The team is ranked #1 in California and #29 in the nation. Individual honors for Academic All American went to Janae Grimes, Jasmine Jones, and Vanessa Silva for 3.5 GPA or better. Ten student athletes had a 3.0 GPA or better. On September 29, Dr. Kavalier visited the Center for Employment Training and met with the CEO, Hermelinda Sapien. SJCC is renewing its MOU with the Center and discussing the expansion of our partnership, particularly in the area of green technology and skills training. The September 28 there was an executive staff reception for new faculty. Special thanks to Trustee Lease for stopping by and participating in the ceremony. As part of Latino Heritage Month, SJCC invited Dr. Gennie Luna to be a guest speaker. The title of Dr. Luna’s presentation was: “An exploration of Indigenous Cultural Expression.” The event was sponsored by METAS and the Faculty Development Center. President Kavalier reported that she would be sponsoring ten SJCC SACNAS students to attend the 2011 Society for the Advancement of Chicanos and Native Americans in Science National Conference, which is taking place at the San Jose Convention Center, from October 27 through October 30. This is a life-changing event for our students as they learn about cutting edge advances in science while interacting with educators, researchers and scientists. Thanks to Rosalie Ledesma for her good efforts in helping to coordinate this year’s event. President Kavalier encouraged everyone to attend the Topping-Off ceremony at the new Fine Arts & Multidisciplinary Building on October 19 at 3:00 p.m.

d. Constituency Group Representatives

CSEA President Jan Tomisaka thanked Vice Chancellor Garcia for working with the group on the issue of employing student workers. Although the issue is not quite resolved, we are making some progress.

FA Executive Director Barbara Hanfling reported the ratification vote for the Collective Bargaining three year agreement was 84% yes. The CBA includes some improvements for adjunct faculty that would get them closer to parity regarding assignment of classes and letter of intent to pay them on the same
schedule as full time faculty.

SJCC Academic Senate President Chris Frazier reported that the college is working on hiring and continuing to review the accreditation report so it makes sense at the implementation level.

EVC Academic Senate President Eric Narveson stated he was glad to see that four faculty were granted tenure at the meeting. All four of them are well known at the campus and involved with the community.

MSCC President Lauren McKee reported that the first session of the Genuine Leadership training was informative, and it was good the Chancellor and presidents participated as well. The MSCC policy committee continues to work with Vice Chancellor Garcia on the MSCC Handbook to make it more relevant and user friendly.

H. ACTION AGENDA

1. NATIONAL HISPANIC HERITAGE MONTH

Chancellor Cepeda discussed the importance of National Hispanic Heritage Month and how the colleges have organized many events and activities to support it. She stated that approval of this resolution supports President Barack Obama’s proclamation of September 15, 2011, that September 15 through October 15, 2011, is National Hispanic Heritage Month.

M/S/C (Cruz/Tanaka) to approve a resolution in support of National Hispanic Heritage Month 2011. Roll call vote is as follows:

Trustee Dhillon – aye
Trustee Okamura – aye
Trustee Tanaka – aye
Trustee Lind – aye
Trustee Fuentes – aye
Trustee Cruz – aye
Trustee Lease – aye


Vice Chancellor Garcia reported that the district and Faculty Association AFT 6157 have completed negotiations for 2011-2012 and have ratified the tentative agreements for Articles 1, 9, 17, 18, 31, 32, Appendix A, Calendars, MOA dated 8.23.11 and MOU dated 7.11.11.

M/S/C (Tanaka/Dhillon) to approve the District and Faculty Association, AFT 6157 tentative agreements. Roll call vote is as follows:
3. **ACCREDITATION FOLLOW UP REPORT – EVERGREEN VALLEY COLLEGE**

President Yong thanked Trustees Cruz and Lease for their insight and suggestions in helping EVC with the preparation of the report. Their recommended changes were included in the final report that is being submitted for approval by the Board. President Yong also thanked his faculty and administrators for their hard work in putting together the final report.

M/S/C (Fuentes/Okamura) to approve the submission of Evergreen Valley College’s Follow Up Report to the Accrediting Commission for Community and Junior Colleges. The roll call vote is as follows:

- Trustee Dhillon – aye
- Trustee Okamura – aye
- Trustee Tanaka – aye
- Trustee Lind – aye
- Trustee Fuentes – aye
- Trustee Cruz – aye
- Trustee Lease – aye

4. **ACCREDITATION FOLLOW UP REPORT – SAN JOSE CITY COLLEGE**

President Kavalier thanked the College Planning Council for their input and hard work in getting the report in final form. She stated it was a good feeling when a student offered a motion to approve the report and another student seconded the motion. This report was a collaborative effort throughout the process, and the college greatly benefitted by the work being done.

M/S/C (Cruz/Tanaka) to approve the submission of San Jose City College’s Follow Up Report to the Accrediting Commission for Community and Junior Colleges. The roll call vote is as follows:

- Trustee Dhillon – aye
- Trustee Okamura – aye
- Trustee Tanaka – aye
- Trustee Lind – aye
- Trustee Fuentes – aye
- Trustee Cruz – aye
- Trustee Lease – aye

President Lind thanked the colleges for the effort and hard work exhibited by faculty, staff and students. He stated they should be proud of the work they had done.
Chancellor Cepeda congratulated both presidents for their outstanding leadership.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Chancellor Cepeda reported that the state had $705 million less on September 30 than Governor Jerry Brown and Democrats projected in their budget for the year that began on July 1. The $86 billion spending plan included a series of reductions to be activated if revenue falls below certain levels.

2. LEGISLATIVE UPDATE

Chancellor Cepeda provided highlights of recent legislation signed by Governor Brown. AB 131 (Cedillo) Dream Act, although signed, is facing a question of how to implement the bill. Cal Grant eligibility is determined through the FAFSA, which requires a social security number. CSAC is working on implementation. Our colleges can provide input on how best to implement on the ground. AB 684 (Block) authorizes districts to switch to a trustee area election through the Board of Governor’s approval. This was an urgency measure so the bill takes effect immediately. AB 743 (Block) Common Assessment – the Chancellor’s Office will issue RFP through CCCAssess Task Force. Hoping to get $5-$10 million for implementation of the bill. This is the time to develop ideas for next year. We should be finding authors for legislative ideas in the next couple of months.

3. BOARD SELF EVALUATION WORK PLAN AND IMPLEMENTATION TIMELINE

The Board Self Evaluation Committee, comprised of Trustees Cruz, Lease and Okamura, provided an update on the progress of the self evaluation work plan.

Trustee Okamura discussed the comprehensive 360° evaluation, a precedent setting event for the Trustees. The findings of the survey, along with the Six Shared Recommendations of the Accreditation Commission, resulted in the Board forming a special committee to develop a workplan framework and a board-driven process for the completion of that workplan. The Board scheduled two special sessions to develop the workplan, which resulted in the decision to focus the workplan on those survey findings that respond specifically to the Six Shared Recommendations on board role and function. The Committee developed a matrix for the workplan designed to address the policies, processes, and board development, along with a timeline, for the completion of the tasks identified.

Trustee Cruz reviewed the workplan development process used at the August 23 and September 10 Board Study Sessions. The August 23 meeting focused on what is now defined as Workplan Part A addressing the Six Shared Recommendations: 1) Planning, 2) Policy, 3) Board’s role, 4) Chancellor relations, 5) Financial responsibility, and 6) Ethics. Committee members recommended that the development of a District Strategic Plan and a Mission, Vision and Goal statement were key to implementing the workplan. The Committee also directed staff to consider student success at the center of all work. The second Board Study Session
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held on Saturday, September 10, completed what is referred to as Workplan Part B, which focuses on all other findings not directly linked to accreditation including: 1) Mission and values, 2) Community engagement and advocacy, 3) Knowledge of programs and issues, 4) Institutional effectiveness, 5) Planning, 6) Policy, 7) Board’s role, 8) Financial and 9) Ethics.

Trustee Lease reviewed the outcomes of Workplan A and Workplan B. He also reviewed the five top priorities for each workplan as determined by the Board at the September 10 meeting. (These priorities are included in the September 10, 2011, meeting minutes.) Trustee Lease also reported that the Board Self Evaluation Workplan and Implementation Timeline will be included on the November 8 board meeting as an action item.

4. **WORKFORCE DEMOGRAPHIC REPORT**

Vice Chancellor Garcia thanked Human Resources Director Maricela Disch for preparing the report on Comparison of Student Demographic Profile with Workforce, Applicants and New Hires. She discussed the district’s strategic direction of making data driven decisions that allow our district to provide the best possible experience and equitable outcomes for our students and Strategic Initiative 5, which is to develop and implement organizational analysis and staffing plan. Vice Chancellor Garcia provided an analysis of the SJECCD workforce, changes in the workforce from Fall 2008 to Fall 2011, demographic distribution of the SJECCD workforce and community service area, and SJECCD workforce state wide. She also reviewed the student demographic profile by gender, ethnicity and gender comparison by students, full-time faculty, Classified and Confidential employees and Managers and Supervisors. She also provided demographic profiles on students and applicant pools/students and new hires. An analysis of the data indicates that from 2008 and 2011 the total workforce has declined by 19.5% and that SJECCD demonstrates a successful practice for inclusion and diversifying the workforce when compared to statewide data. Vice Chancellor Garcia recommended the district increase community service area recruitment, develop a structured connection with community organizations, strengthen and focus on adjunct faculty recruitment and hiring, develop standard reporting focusing on recruitment, hiring and student demographics to use as a tool to measure success and review hiring procedures and policies for best practices.

Trustee Okamura stated the issue is what board members need to do, in their role as board members, to improve graduation rates. If there is a way we can tie in the workforce, students, etc. or figure out some kind of data that would point us to become more diverse, that would be helpful. The more diverse a society, the more powerful a society. At some point we need to figure out what that means. The transient nature of our public shifts when the economic times shift. He thanked Vice Chancellor Garcia for the good presentation. Trustee Fuentes also thanked her for the good report and for the progress that has been made. She asked what the district was doing today regarding hiring committees. Is administration looking at the demographics of committee members to ensure they are fair to all applicants? Vice Chancellor Garcia answered that the district has reviewed other community colleges districts and their almost 200 hiring policies and procedures and compared them with what we are currently doing. We are now working to come up with a template policy in the next month and will work that through the shared governance process.
Our goal is to get people engaged so they can understand how important it is to be serving on these hiring committees. Trustee Fuentes inquired as to what efforts are being made to provide training to increase cultural competency. Chancellor Cepeda answered this is a topic of discussion at the leadership training meetings of managers and supervisors. There is now a mandatory component for managers to complete training in cultural competency. Trustee Fuentes asked why the training is not a priority for everyone in the district. Chancellor Cepeda answered that PDD has included such training because that's a great opportunity when the college community is together. SJCC Academic Senate President Frazier answered that it is a requirement of the academic senate, and we should be focusing more on it. FA Executive Director Hanfling commended Vice Chancellor Garcia for the excellent report and analysis and requested that future reports include adjunct faculty, since only 52% of our students are being taught by full-time faculty. Trustee Fuentes stated that although we have made progress in diversifying our workplace, this would be a good time to strengthen and renew our efforts. Cultural competency has everything to do with student success.

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

There were no reportable actions.

L. ADJOURNMENT

The meeting adjourned at 7:39 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, November 8, 2011, at 6:00 p.m., in the District Board Room, 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam

Board Members Excused:
Ms. Mayra Cruz

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session Meeting.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

None

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of Allegiance to the Flag.
2. ADOPTION OF AGENDA

M/S/C (Tanaka/Dhillon) to approve the agenda as amended: Item H-5 was moved to after the approval of the Consent Agenda and a correction was made to the Consent Agenda.

3. ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

No.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

5. APPROVAL OF THE OCTOBER 11, 2011, GOVERNING BOARD MEETING MINUTES

M/S/C (Fuentes/Okamura) to approve the above listed meeting minutes as submitted.

F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Dhillon/Fuentes) to approve the Consent Agenda as amended: A correction was made to Item F-9 Curriculum Recommendations for Evergreen Valley College. The recommended action has been changed to indicate that this is a new course and not a new degree program.

2. MANAGEMENT PERSONNEL ACTIONS - REGULAR

The Board approved the Management Personnel Actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as submitted.

4. FACULTY PERSONNEL-ADJUNCT/OVERLOAD EVC

The Board approved the Faculty Personnel-Adjunct/Overload EVC Actions as submitted.

5. FACULTY PERSONNEL-ADJUNCT/OVERLOAD SJCC

The Board approved the Faculty Personnel-Adjunct/Overload SJCC Actions as submitted.
6. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**
   
The Board approved the Hourly, Student Work and Volunteer Personnel Actions as submitted.

7. **RATIFICATION OF CONTRACTS AND PURCHASE ORDERS**
   
The Board ratified the contracts and purchase orders for the period of August 10, 2011, through October 9, 2011.

8. **DISTRICT BUDGET TRANSFERS AND REVISIONS**
   
The Board approved the resolution authorizing the budget transfers and revisions of funds with expenditure accounts, authorizing the appropriation of the receipt of unanticipated revenues in certain programs, and authorizing the reversal of appropriations in certain programs due to the non-receipt of program revenues.

9. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**
   
The Board approved the curriculum recommendations for a new course submitted by Evergreen Valley College.

10. **CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE**
    
The Board approved the curriculum recommendations for new courses and programs for San Jose City College.

11. **AMENDED GASB 43/45 RETIREMENT BOARD OF AUTHORITY APPOINTMENTS**
    
The Board approved the resolution amending the appointments to the Retirement Board of Authority.

12. **ACCEPTANCE OF GRANT FUNDS – TRIO PROGRAM – STUDENT SUPPORT SERVICES**
    
The Board accepted grant funds in the amount of $273,202 from the U.S. Department of Education, Title IV, Higher Education Opportunity Act.

13. **ACCEPT AND APPROPRIATE GRANT FUNDS – DISTRICT POLICE DEPARTMENT**
    
The Board accepted and appropriated grant funds in the amount of $3,000 awarded to the San Jose-Evergreen Community College District’s Police Department.

14. **WORKFORCE INSTITUTE – RESPONSIVE TRAINING FUND (RTF) GRANT FOR THE IPD KNOWLEDGE CENTER FOR FACILITIES PROFESSIONALS**
    
The Board approved the amendments to RTF Grant Award for the IPD Knowledge
G. ORAL COMMUNICATIONS

a. Board of Trustees

Student Trustee Lam reported on the work being done by students at EVC to contribute to the Second Harvest Food Bank in assisting hungry families in the community.

Trustee Lease stated that he would provide a report on the ACCT conference in Dallas on October 13-15, which he attended along with Trustees Cruz and Dhillon and Chancellor Cepeda.

Trustee Tanaka reported on his attendance, along with Trustee Dhillon, at the U.S. Department of Agriculture roundtable discussion. The DOA is looking for candidates to be involved with math and science and will provide internships and other sponsorships. This is a great opportunity for our district to take advantage of grant money that will become available.

Trustee Dhillon gave a brief report of his attendance at the ACCT conference in Dallas and his meetings on the EVC and SJCC campuses where he was able to hear some of the concerns of the staff and teachers.

b. Chancellor

Chancellor Cepeda acknowledged Accreditation team members John Morton and Don Singer and thanked them for attending the meeting and for their efforts in reviewing the work being done by our colleges and district.

Chancellor Cepeda reported on her attendance at the ACCT Congress in Dallas, and showed a video presentation of the trustees, including Trustee Lease, who participated in the Student Success Pre-Conference Workshop. She also reported on the SACNAS Conference in San Jose on October 28, where both colleges were well represented and our district sponsored participant scholarships. On October 29-November 1, Chancellor Cepeda attended the HACU Board Meeting in San Antonio, Texas, and participated in the start up of extraordinary efforts to strengthen partnerships with business, industry and corporate partners as one of the strategies to address the disinvestment in education both at the state and federal level. The rest of the work focused on continued advocacy to maintain the funding rates for Pell grants. On November 4, by invitation of Trustee Okamura through his AT&T role, Chancellor Cepeda and both college presidents attended the Silicon Valley Leadership Group’s annual luncheon. A major topic of discussion was participation in the Second Harvest Food Bank, and Chancellor Cepeda announced she brought back some donation cans that will be placed around the district office so district members can contribute. Chancellor Cepeda also reported on the activities of the SJECCD Foundation and president Alex Torres’s direction to step up fundraising efforts with meetings and
presentations to local business leaders. On October 19—22, the district participated in an Emergency Preparedness intensive training and desktop exercise that was conducted for the first time. It was a sobering activity in that, hopefully, we would never have to face the emergencies that were simulated.

c. Presidents

EVC President Yong reported on the Accreditation follow-up site visit that was conducted on the campus yesterday and today. The team chair, Don Warkentin, is the president of West Hills College in Lemoore. Team member Dr. Thomas Greene is the Vice President of Academic Affairs and Student Services at Lake Tahoe Community College. Team member Dr. Donald Singer is the Vice President of the Board of Trustees at the San Bernardino Community College District. He is also the president of American Sports University, the nation’s only four-year institution of higher education devoted to sports education. President Yong reported that over 80 9th and 10th graders from the College Connection Academy visited EVC a few weeks ago. During their visit they received pearls of wisdom from EVC student leaders, learned about the importance of a college education and participated in an interactive computer programming class with instructor David Eisenberg. The next day, a second group of 120 7th and 8th graders had an interactive learning experience at the School of Nursing. Students were asked to wash their hands only to discover that germs and bacteria linger after washing. The Society for the Advancement of Chicanos and Native Americans in Science, better known as SACNAS, held its annual national conference in San Jose. Eight students from EVC attended the conference. Dr. Ann Bartuska, Deputy Under Secretary of the USDA visited EVC and had a dialogue with faculty and students in the Science, Technology, Engineering and Math disciplines. She also shared information about grants and internships.

SJCC President Kavalier reported on college events. On October 19th, SJCC hosted its Topping Out Ceremony for the new Fine Arts/Multi-Disciplinary Building. On October 20th, SJCC participated in the Great Shakeout Exercise. President Kavalier also had the privilege of participating in an accreditation site visit at a college in northern California on October 24. On November 4 President Kavalier attended the S4Ca meeting at the Pipe Trade Center and on Nov. 7, she had a follow-up meeting with Neil Struthers to discuss expanding our partnership with the Construction College. SJCC is introducing I.D.E.A. (Innovation, Development & Enrichment of Academics) internal grants to the college community for the 2011-12 academic year. This grant will be awarded annually and is designed to encourage faculty and staff to be innovative thinkers and to explore new ideas that can help move the College forward in meeting its strategic goals. Proposals can cover one of the institution’s goals as outlined in guidelines section of the proposal package online. Microsoft has partnered with SJCC to use our football stadium to host a concert featuring The Black Keys. At this event they will be introducing their newest store to the public.
Constituency Group Representatives

SJCC Associated Students Vice President Mike Casas reported that Student Trustee Raymond Porras has vacated his position. The college is currently undergoing an election process to replace him and should have that student chosen on November 28. Mr. Casas reported on campus events, such as the Native American Heritage events and the preparations underway for the Holiday in the Park event at the Student Center. The AS is also working with the VTA for getting an echopass for transportation to the college.

MSCC President Lauren McKee thanked Peter Fitzsimmons for his hard work during the transition time when the district was without a Vice Chancellor of Administrative Services. She reported that the 2nd Genuine Leadership meeting that was held last Friday was very informative. She also thanked Vice Chancellor Garcia for working with the MSCC committee on the review of its policies.

EVC Academic Senate President Eric Narveson reported on the November 14 observance of Veterans Day that will be held at the college. He also reported on the upcoming St. Andrews Day event and that he, along with other district members, would be wearing a kilt. He stated that he also met Chancellor Scott for the first time at a recent statewide Academic Senate meeting.

SJCC Academic Senate President Chris Frazier distributed to the Board a letter he wrote to Chancellor Jack Scott on behalf of the Academic Senate, in which they unanimously express concerns about the implementation of the Student Success Task Force. He requested this letter be included in the meeting minutes as a public record. He also discussed the senate’s review of changes to the Board’s ethics policies and the creation of a timeline in doing the SLO assessment.

ACTION AGENDA

5. MEMORANDUM OF AGREEMENT BETWEEN GREATER SAN JOSE HISPANIC CHAMBER OF COMMERCE AND SAN JOSE CITY COLLEGE

President Kavalier stated the MOU was being submitted to the Board as a first reading. She introduced Olga Enciso Smith, President, and Angie Cardoza, Board of Director of the San Jose Hispanic Chamber of Commerce. President Smith and Director Cardoza gave a brief report about their initiative and the work they are doing around the world.

Trustee Okamura expressed concern with the MOU because of some issues experienced by the Board when they had previously engaged in international programs. He stated he would like to learn more about this particular effort. The Board needs to be a little more cognizant moving forward. He asked for more information about what our colleges would be required to do. President Kavalier answered that this MOU has nothing to do with international travel. The college
would be providing onsite training. Trustee Fuentes asked if there is a business plan or some other written documentation that the Board could receive. The MOU contains interesting concepts but no concrete information. What plans are in place and what resources would we use? It's important for the Board to know the answers to those questions. President Kavalier answered that the college would be working to provide the training through the Workforce Institute.

1. **BP 5140 DISABLED STUDENTS PROGRAMS AND SERVICES**

Chancellor Cepeda discussed the review process used after the Board recommended changes to the draft at the September 13 Board Meeting. Now that the draft policy has been reviewed by the district’s constituency representatives, it is ready to be submitted to the Board for approval.

M/S/C (Tanaka/Dhillon) to approve BP 5140 Disabled Students Programs and Services.

2. **BOARD SELF EVALUATION WORKPLAN**

Chancellor Cepeda stated that the Board had requested Workplan A & B be presented in a dashboard format so that the Board can see the progress being made on achieving their goals. The self-evaluation conducted by the Board has received notice nationwide, and the ACCT has requested that our Board present this at an upcoming conference. Trustee Okamura requested that when changes are made, the workplan should reflect those changes. The goal is to remove all the red dots. He also requested that the workplan be displayed in some format so that at every Board meeting it can be reviewed.

M/S/C (Okamura/Lease) to approve the proposed workplan, including the projects and deadlines to implement each of the ten priorities.

3. **CHANGE ORDER #2 – EVERGREEN VALLEY COLLEGE UTILITIES INFRASTRUCTURE PROJECT**

Chancellor Cepeda stated the change order request in the amount of $17,141 would be used to provide the necessary upgrades for a safe installation of the planned replacement of an ITSS air conditioning system. Trustee Tanaka asked who is currently reviewing the change order requests. Chancellor Cepeda answered that the projects are reviewed by Fiscal Services and the Citizens Bond Oversight Committee.

M/S/C (Tanaka/Okamura) to approve Change Order #2 as a change in contract scope with Thermal Mechanical Inc. for the Utilities Infrastructure project at Evergreen Valley College.

4. **CHANGE ORDER #9A – ROBERT A. BOTHMAN, INC., FOR THE MULTI-USE ATHLETIC FACILITY PROJECT AT SAN JOSE CITY COLLEGE**

Chancellor Cepeda stated that although the work was approved and completed as
part of Measure G-2004 and the expense was budgeted and paid for, the change order had not been officially approved by the Board. She recommended the Board formally approve Change Order #9A. Trustee Okamura commented that in reviewing the change order list, it seems the work was completed before the Board approved it. He stated he was uncomfortable approving projects that were completed months ago. Chancellor Cepeda answered that this was part of the Lessons Learned from Measure G-2004. That’s why a new process was brought to the Board as we manage the projects in Measure G-2010. The CBOC is in place now and will provide more effective oversight.

M/S/C (Okamura/Fuentes) to approve Change Order #9A in the amount of $92,099 with Robert A. Bothman, Inc., for the Multi-Use Athletic Facility Project at San Jose City College.

5. **MEMORANDUM OF AGREEMENT BETWEEN GREATER SAN JOSE HISPANIC CHAMBER OF COMMERCE AND SAN JOSE CITY COLLEGE**

This item was moved to follow the Consent Agenda.

6. **RESOLUTION IN SUPPORT OF SENATE CONSTITUTIONAL AMENDMENT 5 (SIMITIAN)**

Chancellor Cepeda stated the purpose of SCA-5 is that it would allow school districts, community college districts, and county offices of education to pass a parcel tax with 55 percent majority vote rather than the currently required two-thirds. She recommended the Board approve Resolution No. 110811-3 Senate Constitutional Amendment 5 (Simitian).

M/S/C (Tanaka/Okamura) to approve Resolution No. 110811-3 Senate Constitutional Amendment 5 (Simitian).

I. **INFORMATION AGENDA**

1. **BUDGET UPDATE**

Chancellor Cepeda provided information from the McCallum report. The state of California reported receipts well below budget projections. If the state is to realize the additional $4 billion in revenues assumed in the budget act, the bulk of those receipts will come between December and April. Yesterday, the Assembly Budget Committee released preliminary estimates on the 2012-13 budget. Their conclusion is that the state will likely be facing at $5 to $8 billion shortfall, rather than the $3.1 billion estimated by the administration. While the estimates would seem to indicate another year of cuts on the horizon, much will depend on the Proposition 98 guarantee and the law suit filed by the Association of California School Administrators (ACSA) and a number of local school districts. If the Proposition 98 minimum guarantee increases and Republicans again refuse to vote for a suspension, Democrats will need to either manipulate the guarantee in order to make cuts, or will have to cut deeper into health and human services programs along with UC and CSU. Chancellor Cepeda turned the budget report over to Mr. Peter Fitzsimmons, Director of Fiscal Services, as he will provide the 1st quarter
Minutes of November 8, 2011 Governing Board Meeting

2. **FY2011/2012 FIRST QUARTER BUDGET REPORT ENDING SEPTEMBER 30, 2011**

Director of Fiscal Services, Peter Fitzsimmons, provided a report on the 1st quarter of FY2011/12. The 2011-12 state budget includes $1.7 billion in cuts from higher education, including $650 million from both the UC and CSU and $400 million from community colleges. Major revisions to community colleges include $110 million in increased fee revenue as a result of a fee increase from $26 to $36/unit, no restoration of categorical program reduction from FY2009-10, extension of categorical funding flexibility through FY2014-15, and no COLA or growth. The District’s Adopted Budget reflects a “mid case” scenario, and the impact to SJECCD is a 4.21% workload reduction. Mr. Fitzsimmons reviewed the mid-year adjustments and the Tier 0, Tier 1 and Tier 2 triggers that will be determined by November 15 and implemented by December 15. The State Department of Finance reported in mid October that year-to-date revenues are down $654 million with three more quarters remaining in the fiscal year. He also provided an overview of OPEB related debt service and the increase in medical premium costs. He stated we are anticipating the State revenue analysis report, which will be provided on November 15. District allocation model development also continues, as well as resource development exploration. The 2nd quarter budget report will be provided at the February 8 board meeting.

Trustee Fuentes requested a report on the revenue we could obtain from the shopping center and district space we have available. Chancellor Cepeda answered that right now we are looking for the proper alignment of the type of business that will use the space. We fully recognize that we have a window of time, and our best asset is the development of the property. Chancellor Cepeda stated she hoped to have a recommendation ready for the Board to review at the next meeting. Trustee Fuentes asked about the timeline for when the initial outreach would be completed. Chancellor Cepeda answered that the RFQ would address the immediacy of that concern. It would move rather quickly because we know we have a particular window of opportunity. Mr. Fitzsimmons answered that the people who have responded to the RFQ have been interviewed. We will be bringing a recommendation to the Board for consideration and approval. Trustee Tanaka asked about what the district should be doing regarding parking and student health services funding in 2013. Mr. Fitzsimmons answered that we do have the ability to increase the health services fee from $17 to $18 and that discussion is still being held at the colleges. Last year EVC had to supplement their student health services with $18K. Both programs reduced their expenditures, and we will continue to monitor that. Trustee Fuentes requested a report that would provide ideas on what we can do to generate more revenue. We should also review what other districts are doing in that capacity. Chancellor Cepeda answered that some ideas include streamlining the grant application process for federal and foundation funds, development of our own Foundation, and strong fundraising events at our campuses. These are some of the areas we are reviewing.

3. **2010-2011 ANNUAL FINANCIAL AND BUDGET REPORT (CCFS-311)**

Director of Fiscal Services, Peter Fitzsimmons, stated the 2010-11 Annual Financial
and Budget Report was an annual report required by the State Chancellor’s Office. The information is compiled system-wide. The report is presented to the Board for information only.

4. **LEGISLATIVE UPDATE**

Chancellor Cepeda reported that Congress failed to pass the American Jobs Act proposed by the Obama administration. If Republicans in Congress continue to block it, the payroll tax cut will expire at the end of the year. The Senate Subcommittee on Education Policy Research met in October to hear an update on the draft recommendations of the Student Success Task Force. There will be a number of town halls at which the recommendations will be presented. On October 27, the Governor released his 12-point pension reform plan. The plan would apply to all California retirement systems, including CalSTRS. Some of the proposals would apply to new members, while others would apply to all members.

5. **WORKFORCE INSTITUTE'S 2010-2011 ANNUAL REPORT**

Ms. Carol Coen, Executive Director of the Workforce Institute, and members of her team presented on the 2010-2011 programs and activities of the Workforce Institute. Ms. Coen stated that federal, state and local priorities drives funding dollars. The Obama administration spent billions of dollars on power conservation and sustainable energy projects as part of a $787 billion stimulus package focused on energy efficiency. The California Energy Efficiency Strategic Plan for 2009 to 2020 is the state’s first integrated framework of goals and strategies for saving energy, covering government, utility and private sector actions, and holding energy efficiency to its role as the highest priority resource in meeting California’s energy needs. One of the goals of The City of San Jose Mayor’s Green Vision, launched in October 2007, is to create 25,000 Clean Tech jobs as the World Center of Clean Tech Innovation. In spite of the 9.6% unemployment rate in the San Jose, Sunnyvale, and Santa Clara area, the Workforce Institute has offered training and educational programs in all the growing industries, with a focus on avoiding the industries that are retracting. The following members of the Workforce Institute team gave presentations on the programs in which they are responsible:

Jason Cameron, Project Supervisor - Green Innovation Challenge Program
Ingrid Thompson, Associate Director – Veteran Support, Homeland Security and Health Care
David Mirrione, Project Supervisor – WIA Programs at work2future
Linda Higgins, Project Supervisor – WIA Programs for the Job Seeker Community
Bill Dahl, Corporate Account Supervisor – Business Solutions

Mr. Dahl reviewed some results of the participant satisfaction surveys and stated that the Workforce Institute’s track record in providing top quality training and customer service has resulted in 85% repeat business.

Executive Director Coen reviewed the Workforce Institute budget from 2003 through 2011. For 2010-11, the operating surplus is $439,627 and ending fund balance is $1,057,284. In 2010-11, the WI funded $473,358 SJECCD special projects. The WI cash and other non-program contributions to SJECCD from FY 2004 through FY2011 is $1,892,196.
Trustee Okamura stated he was impressed by how proud the staff was in what they were doing. It might be a good idea to do an assessment, including scope and scale, of the number of jobs the WI has contributed to the economy. The key is the WI is serving those students that would normally not be in the mainstream. The WI is a well-kept secret. Executive Director Coen answered that she does have that information for each project. Trustee Lease stated this was the 2nd time he has heard a report from the WI, and he will discuss those programs when he speaks with people who are disenfranchised. Trustee Lind thanked the WI for their presentation. Unfortunately, our programs don’t get enough publicity for the work that’s being done to assist people in getting jobs. We need to figure out how we can get some credit for what we do. Trustee Fuentes thanked the WI for the excellent work they are doing. The excitement was evident in the way the speakers presented. Trustee Dhillon requested the WI continue to research the many grants being offered by the Department of Education since many of these would be a good fit for the WI. He thanked the staff for the work they do. Chancellor Cepeda answered that we are getting some national attention and will be working on a national and legislative campaign so that the work of our Trustees and colleges will gain recognition.

6. **AMERICAN ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES (ACCT)**

**DRAFT POLICY ACTION AGENDA ON STUDENT SUCCESS**

Trustees Lease gave a presentation on his attendance at the ACCT 42nd Annual Leadership Congress that was held from October 12-15 in Dallas, Texas. Chancellor Cepeda and Trustees Dhillon and Cruz also attended the Congress. Prior to the main conference, Trustee Lease attended a special two-day symposium, entitled Student Success: Generating a Policy Agenda. Eighty-four Trustees throughout the U.S. gathered to discuss student success issues and collaborate with one another. At the Congress meeting, over 1200 community college trustees, presidents and other leaders gathered to discuss issues focusing on student success. Trustee Lease discussed the Student Success Policy Draft that was reviewed at the Congress. Trustee Dhillon stated how impressed he was with the amount of information that was provided. It was good to know that our district is moving in the right direction regarding student success. However, when he attended one caucus and realized our district was not represented by a voting member, he mentioned that and was subsequently elected vice chair.

President Lind thanked Trustee Lease for bringing a comprehensive presentation to the Board.

7. **IMPLEMENTATION OF REDISTRICTING PROCESS**

Chancellor Cepeda reviewed the redistricting guiding principles the Board agreed to during its last redistricting process. She reviewed the timeline for the current redistricting process from September 27, 2011, and its completion by March 13, 2012. She gave a summary of outreach efforts, including regular posting of board agendas, web posting on our SJECCD website, posting on CBOC website, press releases sent to all local major newspapers and community networks via email and scheduled meetings. Dr. Thomas M. Griffin, Consultant, Thomas M. Griffin Law Offices, reviewed three plans as follows: Plan 1 would maximize majority minority
areas (will yield at least 2 Hispanic and 2 Asian majority areas), Plan 2 would make a minor adjustment to current boundaries, focusing solely on balancing the population and Plan 3 would concentrate the majority of Hispanics in one area. Dr. Griffin recommended the implementation of Plan 1 as this would maximize majority-minority trustee areas and fulfill the guiding principles that had been determined by the Board of Trustees.

Trustee Fuentes expressed approval of Plan 1 but requested a map which overlays Plan 1 with our current district boundaries. That would make it easier to show the shifts and changes that will be made. Trustee Okamura stated he is also satisfied with Plan 1, but it would be helpful to have an overlay map showing school districts as well. Trustee Tanaka requested a more detailed map that would show major boundaries with street names. Overall, the Trustees were generally satisfied with Plan 1.

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
November 2, 2011

Chancellor Jack Scott and Members of the Student Success Task Force:

While we respect the time and effort of the Student Success Task Force (SSTF), the members of the Academic Senate at San Jose City College are concerned that implementation of many of the recommendations will limit our ability to further the mission of our college, which is "to effect social justice by providing open and equitable access to quality education and programs that both challenge and prepare individuals for successful careers and active participation in a diverse, global society." We believe that the task force recommendations would restrict access to many of our students in the following ways:

- The task force’s definition of success being completion of a degree, certificate, or transfer ignores students who need re-training, veterans who are returning from serving our country, English language learners, and students from other under-represented groups whose immediate goals are gaining skills that will help them gain employment or improve their employment situations so that they can be more productive citizens. For these students, community college courses are the fastest way to their goals. If these students persist and complete courses that lead them to their goals, how can we say they are not successful? But if community college funding is linked to success metrics based on the task force’s definition of success, the college might have to restrict access to students who do not meet these metrics. (Chap. 8) We believe that restricting access to these students will result in educationally and economically marginalizing an already vulnerable student population.

- The task force recommendation to establish and staff a system office will divert funding away from community colleges, which will, in turn, restrict access by causing further cuts to the college budget. (Chap. 7.1)

- The recommendation to let “state leaders” decide whether to offer basic skills courses at either adult school or community college will restrict access to educationally disadvantaged students as well as English language learners because each type of institution serves a different purpose. Adult schools focus more on life skills and move at a slower pace with less academic rigor than community colleges. Community colleges provide students with a faster-paced and more rigorous course of study. There are currently numbers of students
enrolled in both systems, working toward their goals in a setting that meets their needs. Students who need the slower pace of the adult school will not be able to cope if basic skills and ESL courses are all taught at the community college. Conversely, adult schools are not equipped to prepare adult students for the academic rigor of college. Thus, an either/or approach will limit access to one of these groups of students. (Chap. 5)

- Adding orientation courses, counselors, and tutors to meet the recommendations of the task force without providing additional funding will require reallocation of already limited funds, which will result in restricted access because courses will likely be cut in other areas in order to fund these newly mandated interventions. (Chap. 2)

- We are concerned by the recommendations in Chapter 6 and elsewhere in the report that give the state Chancellor’s Office authority over matters that should remain within the purview of faculty. It is not reasonable for the Chancellor’s Office to make blanket mandates for the entire CCC system when each community has differing needs and different rates of success. Control must be retained by local, shared governance bodies that are well-acquainted with, and thus best able to respond to, the needs of our student populations.

At SJCC, we have already begun providing interventions such as Avanzamos and other programs to increase the persistence and success of our students. Let us, as trained professionals, continue to work hard during these difficult times at the local level to bring academic / career / and personal success to more of our students. We know our students best!

We, as members of the San Jose City College Academic Senate, urge the members of the SSTF and the Chancellor’s Office to give due consideration to these concerns before moving forward.

Sincerely,

Chris Frazier, President
Academic Senate
San Jose City College, San Jose, CA
A. CALL MEETING TO ORDER

Vice President Fuentes called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, November 29, 2011, at 6:00 p.m., in Gullo II at Evergreen Valley College, 3095 Yerba Buena Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
Mr. Ron Lind
Mr. Randy Okamura

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session Meeting.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

None

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE

Vice President Fuentes led the Board and members of the audience in the Pledge of Allegiance to the Flag.
2. **OATH OF OFFICE FOR STUDENT TRUSTEE**

   Mr. Mike Casas, newly elected Student Trustee for San José City College, was administered the Oath of Office by Vice President Fuentes.

3. **ADOPTION OF AGENDA**

   M/S/C (Tanaka/Cruz) to approve the agenda as amended: Items I-1 and I-4 were moved to after I-G Oral Communications and changes were made to the Consent Agenda.

4. **BOARD RECOGNITION OF MS. JEANINE HAWK**

   Vice President Fuentes read a letter of commendation from President Lind on behalf of the Board to express appreciation for Vice Chancellor Hawk’s contributions to the district. She also presented Ms. Hawk an engraved trophy as a token of appreciation for her work on behalf of the district.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

   There were no public comments.

6. **APPROVAL OF THE NOVEMBER 8, 2011, GOVERNING BOARD MEETING MINUTES**

   M/S/C (Cruz/Dhillon) to approve the above listed meeting minutes as submitted.

F. **CONSENT AGENDA**

1. **ADOPTION OF THE CONSENT AGENDA**

   CSEA President Jan Tomisaka requested that certain items be removed from F-4 because the CSEA had concerns that certain student workers were doing the work of Classified employees. She stated the request did not reflect the individuals only the positions they were working in.

   M/S/C (Dhillon/Lease) to approve the Consent Agenda as amended: Item F-4, Section 1a, 2b (Harper, Lavincia and Wilcots, Hodari) Section 1a, 2c (Mendez, Rayanne and Walter, Diane) were removed from Item F-4.

2. **FACULTY PERSONNEL ACTIONS - REGULAR**

   The Board approved the Faculty Personnel Actions as submitted.

3. **CLASSIFIED PERSONNEL ACTIONS**

   The Board approved the Classified Personnel Actions as submitted.
4. **HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS**

The Board approved the Hourly, Student Work and Volunteer Personnel Actions as amended.

5. **CURRICULUM RECOMMENDATIONS FOR EVERGREEN VALLEY COLLEGE**

The Board approved the curriculum recommendations submitted by Evergreen Valley College.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

Trustee Tanaka reported on his attendance at the CCLC conference at the Fairmont Hotel in San Jose on November 18. He was particularly interested in a workshop regarding a study done by the San Antonio Community College District that focused on the achievement of minorities and those students who were having problems in classes. He was impressed by the steps taken in creating various mechanisms to help students achieve.

Trustee Cruz reported on her attendance at the ACCT Annual Congress in Dallas, Texas. The focus on student success resonated with her, but she also was interested in the series of sessions that dealt with policy governance. She was impressed that the presenters discussed the importance of dialogue that focuses on action with the end product being student success. How do we support student success through the policies we implement? We need to review the Chancellor’s Office Student Success Task Force recommendations to determine how to address student success issues in our district.

Trustee Lease reported on his participation in a SJCC event entitled, Public Education: Thinking Outside the Box. It was impressive that over 100 students were present, which indicates the future is in our hands. Trustee Lease also reported on his attendance at the CCLC conference at the Fairmont Hotel in San Jose. He was greatly moved by Jeff Duncan Andrade’s presentation regarding the violence in Oakland, CA. There is no where you can go in Oakland where there has not been a homicide. How do you get students to focus on their education when they are worried about their very survival? We need to be sensitive that, oftentimes, students fail to achieve because they are facing critical and dire circumstances.

EVC Student Trustee Lam reported on the 2nd Annual Turkey Ball and football game at EVC. She also reviewed the student efforts to get donations to the Second Harvest Food Bank and stated that more bins would be placed around the campus so students can easily donate to this worthy effort in eliminating hunger.
SJCC Student Trustee Casas expressed his delight in serving on the Board. He reported on the student appreciation dinner in which over 200 dinners were provided to the students. He is also working with Associated Students to get the VTA echopass implemented, which may be worked out in the next two months. The trees used in the Holiday in the Park event will be donated to needy student families.

b. Chancellor

Chancellor Cepeda reported that, due to time constraints, she would provide a more detailed report on her activities at the December 13 meeting. However, she reported that she was invited to the White House in her capacity as Chancellor of the San Jose/Evergreen Community College District to attend a briefing in the morning and holiday reception in the evening on Friday, December 2, 2011.

c. Presidents

EVC President Yong reported that at EVC, we not only believe in diversity, we celebrate diversity. For the last few years, EVC is fortunate that 2 faculty have taken a leading role in organizing the annual St. Andrew’s Day celebration. As in past years, this year’s celebration was attended by current and retired faculty and staff, and students. In addition, representatives from the Scottish community were present, as was Supervisor David Cortese. Bagpipes and Scottish music complemented the Scottish food and fashion. I want to recognize the 2 faculty members who helped to make this event a success: Eric Narveson and Sterling Warner. The draft Accreditation report of the findings from the Site Team Follow-Up visit was received yesterday evening. The college has an opportunity to review the report. We do not have the ability to dispute the findings, and our opportunity is limited to correcting factual errors. We have to complete our review and submit our corrections by this Friday. ACCJC will review the Team’s findings at their January meeting. The Holocaust Exhibit has started in the EVC library and will continue until mid-January. As we educate a new generation for the future, EVC is mindful of catastrophes in human history, and we do not forget humanity’s darkest hour. Everyone is invited to view this work of remembrance. A Ground Breaking ceremony is planned for the Photo Voltaic Array on Thursday, December 15. The event is expected to be attended by dignitaries, faculty, staff, students and the community, and is tentatively scheduled to begin at 10 a.m. Black Nurses’ Association is a national organization representing nurses of color, and the local chapter has been instrumental in supporting our nursing students with scholarships over the years. The Black Nurses Association held its annual fund-raising Gala recently, and President Yong was invited to address the members and guests. Last week, EVC was honored by the visit of a Fulbright Scholar, Dr. Prathana Langkarpint, to the EVC School of Nursing. Dr. Langkarpint is currently a visiting scholar at Valparaiso University in Indiana. She was able to address our nursing faculty, staff and students. In addition, Dean DeWolfe arranged from Dr. Langkarpint to visit the clinical sites at local hospitals where our nursing students are doing their clinicals. Author’s Series is scheduled tomorrow at the EVC Theatre at 12:30 p.m., featuring Tobey
Kaplan. She is a poet, originally from NY, but has been residing in the Bay Area for the past 20 years. She is an adjunct faculty in several local community college districts, and has taught at Diablo Valley College, Laney College, and Chabot College. Everyone is invited to Ms. Kaplan’s presentation. EVC students presented 3 dance items at the CCLC Conference at the San Jose Fairmont. The first event was an Indian Cultural Dance, Bollywood Style. To close the conference on Saturday, our students presented the Polynesian Warrior Dance, and Tahitian Friendship Dance. We received many compliments from other college presidents and trustees.

SJCC President Kavalier reported that SJCC hosted our high school principals’ breakfast. We had more than 30 counselors and principals in attendance to discuss strategies for strengthening our partnership with K-12. On November 17-19, the SJCC Dance Program held its fall performance, “Movements from the Heart.” SJCC had a very successful site visit by a team of three evaluators on Nov. 8/9. Overall, the team noticed a dramatic and significant difference in the college. They recognized that in all areas, we are on the right track, and were impressed by how much progress has been made in a very short period of time. The Chair indicated that our Follow-Up Report was one of the most well-written and organized reports had had seen. Many comments were made about the positive climate at both the college and the district and things were noticeably different as compared to their previous visit. On November 11, SJCC partnered with Microsoft to host a concert featuring the Black Keys. The event was held in our football stadium and was used as a venue for announcing the new Microsoft store at Valley Fair Mall. SJCC received a check for $25,000 for hosting the event.

d. Constituency Group Representatives

EVC Academic Senate President Narveson reported on the accreditation team site visit. He participated in four separate interviews to answer questions, most of which focused on the status of SLOs. The college has created an SLO subcommittee, which is part of the Curriculum Committee. An Institutional Effectiveness Committee has also been created, and the Accreditation Steering Committee is moving toward becoming a permanent committee on the campus. There is much work being done at the college to meet the concerns raised by the Accrediting Commission and to also improve the college’s processes.

SJCC Academic Senate President reported on the review of board policies that were highlighted in the Accrediting Commission. The Senate is currently reviewing the ethics policy. The college is learning to institutionalize the accreditation process. SJCC is currently working heavily on the SLOs. The goal is to have 100% assessment compliance by December 22. The AS has also turned in some hiring recommendations to the President’s Office.

FA President Yancey reported on the roll out of the faculty mentorship program. This program is starting to see some results. Mr. Yancey congratulated Mr. Mike Casas on his election at SJCC Student Trustee. Mr. Cases is developing a statewide reputation through his meetings with
legislators on AB515. He is very articulate and involved in activities of concern to students.

I. 1. **EVERGREEN VALLEY COLLEGE PRESENTATION**

President Yong thanked the Board and members of the public and campus community for attending the board meeting on his campus. He stated the presentations by the college community members would highlight many of the valuable programs and services the college provides to students. The program began with a Polynesian dance performed by the Pacific Islander Club Dancers, Apple Nelson, Damayanty Vasquez, Dominique Vasquez, Gretchen Justo and Sarath Chhat. Other programs presented and the speakers included:

1. College Connection Academy (Dr. John Porter, Superintendent, Franklin McKinley Middle School District and Dan Mosier, Superintendent, Eastside Union High School District)
2. Early Alert/Tutoring (Tammeil Gilkerson, Dean, Counseling & Matriculation and Emily Banh, ESL Instructor)
3. FasTrack (Savander Parker, Director, Student Support Services)
4. Financial Aid (Octavio Cruz, Dean, Enrollment Services and Alma Tanon, Financial Aid)
5. Language Arts Center (Sravani Banerjee, English Instructor, Richard Longacre, ESL Instructor and Sterling Warner, English Instructor)
6. Surveying and Geomatics (Carina Anttila-Suarez, Dean, Math, Science and Engineering and Abdie Tabrizi, Engineering Faculty)
7. Library (Shelley Blackman, Librarian and Debbie Chan, Library Technician)

Trustee Dhillon expressed appreciation for all the good work being done by the college. He recommended putting more information on the website so the community can be more informed about all the programs and services available at EVC. Trustee Cruz thanked the staff for their informative presentation. She expressed the importance of having a show and tell session so the Board can be informed about the work the college is doing, especially in regards to meeting the needs of low-income and students with disabilities. Trustee Lease stated the importance of forming a working cohort to bring about a successful strategy, and the college seems to be moving in that direction. Trustee Fuentes thanked EVC staff for their obvious dedication and responsiveness to students. It’s obvious the college is doing great work in helping students succeed.

I. 4. **EVERGREEN VALLEY COLLEGE SEISMIC INFORMATION**

Mr. Mark Miller, Gilbane Project Director for EVC, notified the Board of an active fault line impacting the Roble and Acacia buildings. He provided information on the geologic investigation, the district responsibilities to respond to the hazard and the work currently being done to address the problem. Estimates have been completed for Roble replacement, Acacia replacement, relocation of the EVC main data facility (which is located in Roble) and the demolition of Roble and Acacia. Future activities include obtaining engineering opinions of risk to the Roble and Acacia buildings,
address issues of interim occupancy and apply for state funding to assist with the costs associated with moving the buildings.

Trustee Tanaka inquired if there was any indication when the Roble and Acacia buildings were built that an earthquake fault line was underneath them. Mr. Miller answered that, no, the fault line was not discovered until 1982. The conclusions of the 1994 Woodward-Clyde Evaluation indicated that the Evergreen fault was not considered to be an active fault and would not pose a potential surface rupture hazard to the college. However, URS (successor firm to Woodward-Clyde) reviewed current data related to the Evergreen fault line and concluded that the faults are active and may be capable of generating damaging earthquakes. Notifications and a report was sent to the State Chancellor’s Office, which included information that identifies the fault as active, analysis of costs, schedule to address the issue, and potential funding options from the state. Trustee Fuentes requested the Board receive a copy of the full report that was submitted to the State Chancellor’s Office. She stated the need to be extra careful to ensure we are going as far as we can go in the actions we need to take. She asked when the next report would be ready for the Board to receive. Mr. Miller answered that the engineering report should be ready in March.

H. ACTION AGENDA

1. 2025 FACILITIES MASTER PLANS

EVC Vice President Henry Gee provided an overview of the changes made to the 2025 facilities master plan. A study of the power plant indicated the cost to build a new one was $15 million versus $7.6 million to renovate. Saving $7 million would give the college more flexibility so the decision was made to keep it in its present location. The second change was to move the fitness center to a better location where it would be more accessible to parking and the general community. The solar array panels and police departments would also be moved. This would give the campus a very different footprint from what it had before. This new plan was reviewed by the Academic Senate, the campus safety committee, and members of the community were invited to look at the solar panels. The plan also includes tearing down the Roble and Acacia buildings; and, hopefully, EVC would receive state funds to cover that cost. Trustee Cruz asked if the facilities master plan gets approved tonight and the engineering report is received in the Spring, how would that impact the master plan? Mr. Miller answered that the state requires a report when a fault is discovered, and once they receive the report, the determination would be made as to what the state will provide in terms of funding the relocation of the buildings.

SJCC Vice President Gregg Nelson discussed the review process of the SJCC facilities master plan with the Sherman Oaks Neighborhood Association and other neighbors as well as the campus community. Throughout the process the goal was to include the shared governance in the decisions that were being made. Fifty percent of the space at SJCC is allocated to PE programs. The college is working to rent space for the baseball program instead of building a baseball field in the center
of the campus. However, the new facilities master plan addresses the needs of athletics programs and ensures compliance with Title IX. This last factor is most important given the fact that SJCC’s student population is 60% female. As of now, the facilities are not equal. The revised plan is to build a new theatre in the center of the campus instead of the baseball field. Trustee Cruz expressed concern that the plan did not include a Child Development Center. She asked for a specific answer as to whether or not the future master plan would include a CDC. Chancellor Cepeda answered that there was not adequate time to ascertain the need for the CDC. It may be that the answer to the question is no. The Early Childhood Education programs continue, and the educational component has not been hindered. The only change is that the CDC is no longer on the campus. Trustee Fuentes stated she also could not support a master plan that did not include a Child Development Center.

The Board heard public comments from Michael LaRocca and Randi Kinman from the Sherman Oaks Neighborhood Association. They thanked Mr. Nelson for meeting with them and including them in the review process and stated their support for the SJCC facilities master plan. They also stated that President Kavalier has asked for their trust, and she’s beginning to earn that trust.

M/S/C (Lease/Tanaka) to approve the updated Facilities Master Plans for San Jose City College and Evergreen Valley College. Trustee Fuentes voted no.

2. **MEASURE G-2010 BOND LIST REVISION #1**

   Chancellor Cepeda stated that approval of the Measure G-2010 bond list is necessary for the district to begin selling bonds.

   M/S/C (Dhillon/Lease) to approve Measure G-2010 Bond List Revision #1 as detailed in the attached document.

3. **BOARD OF TRUSTEES RESOLUTION IN RESPONSE TO THE CALIFORNIA COMMUNITY COLLEGES TASK FORCE ON STUDENT SUCCESS RECOMMENDATIONS**

   Chancellor Cepeda stated that although the district understands the need for continuous improvement in support of student success in community colleges, the Faculty Association and Academic Senates have expressed concern about some of the recommendations proposed by the California Community Colleges task force on student success. Some of the recommendations, such as locking first year students into a major and creating a larger bureaucracy at the state level, would hinder colleges from serving the needs of different student populations. Resolution 112911-3 reflects the district’s concerns with the task force recommendations, and it is recommended the Board support the resolution.

   M/S/C (Tanaka/Dhillon) to approve Resolution No. 112911-3 expressing concern and in response to the California Community Colleges Task Force on Student Success Report.
4. **ADOPTION OF RESOLUTION NO. 112911-2 ELIMINATE POSITIONS AND LAYOFF CLASSIFIED EMPLOYEES**

Chancellor Cepeda reported the proposed layoff of two positions was the result of reduction in funds for the @One Program.

M/S/C (Tanaka/Cruz) to adopt Resolution No. 112911-2 – Reduction of Classified Services – Eliminate Positions and Layoff Classified Employees. Trustee Fuentes voted no.

I. **INFORMATION AGENDA**

1. **EVERGREEN VALLEY COLLEGE PRESENTATION**

   This item was moved to follow Item G: Oral Communications.

2. **BUDGET UPDATE**

   Chancellor Cepeda stated that at the November 8 meeting, the Board received a report about Tier 2 level budget cuts. On December 15, the Department of Finance will release a report, which will indicate if the district will be facing those cuts. We are well positioned to face these cuts for this year, but we’ll be dealing with the impact in the FY2012-13 budget.

3. **LEGISLATIVE UPDATE**

   Chancellor Cepeda did not provide a report due to the late time of the meeting.

4. **EVERGREEN VALLEY COLLEGE SEISMIC INFORMATION**

   This item was moved to follow Item I-1 after Item G: Oral Communications.

5. **G-2010-0003 LAND DEVELOPMENT & PROPOSED DISTRICT OFFICE AND WORKFORCE INSTITUTE RELOCATION – FIRST READING**

   Chancellor Cepeda provided a brief overview of the options reflected in the first reading and stated this item would be brought to the Board for approval at the December 13 board meeting.
Minutes of November 29, 2011 Governing Board Meeting

J. CONTINUATION OF CLOSED SESSION
   No

K. RECONVENE OPEN SESSION

   ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION
   None.

L. ADJOURNMENT

   The meeting adjourned at 11:03 p.m.

Rita M. Cepeda, Secretary
Board of Trustees
A. CALL MEETING TO ORDER

President Lind called the Regular Meeting of the Governing Board of the San José/Evergreen Community College District to order on Tuesday, December 13, 2011, at 6:08 p.m., in the District Board Room at 4750 San Felipe Road, San Jose, CA 95135.

Board Members Present:
Ms. Mayra Cruz
Mr. Balbir Dhillon
Ms. Maria Fuentes
Dr. Jeffrey Lease
Mr. Ron Lind
Mr. Randy Okamura
Mr. Richard Tanaka
Ms. Linda Lam
Mr. Mike Casas

Board Members Excused:
None

B. APPROVAL OF CLOSED SESSION AGENDA

There was no Closed Session Meeting.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

There were no public comments.

D. RECESS TO CLOSED SESSION TO CONSIDER AND/OR TAKE ACTION UPON ANY OF THE FOLLOWING ITEMS

None

E. RECONVENE INTO OPEN SESSION

1. PLEDGE OF ALLEGIANCE

President Lind led the Board and members of the audience in the Pledge of
Allegiance to the Flag.

2. **ADOPTION OF AGENDA**

M/S/C (Tanaka/Dhillon) to approve the agenda as amended: Item I-3 was moved to follow the approval of the Consent Agenda.

3. **GOVERNING BOARD ORGANIZATION**

M/S/C (Okamura/Tanaka) to elect Trustee Maria Fuentes as President.  
M/S/C (Lind/Fuentes) to elect Trustee Richard Tanaka as Vice President.  
M/S/C (Dhillon/Tanaka) to appoint Chancellor Rita Cepeda as Secretary.  
M/S/C (Okamura/Cruz) to appoint Trustee Jeffrey Lease as Board representative to vote in election for members of the County Committee on School District Organization.

Incoming Board President Fuentes thanked Trustee Lind for the strong leadership and clear thinking he provided during a very difficult fiscal period for the district. She presented him with a gavel plaque as a token of gratitude from the Board.

4. **6:15 p.m. – NOTICE OF PUBLIC HEARING FOR TRUSTEE AREA REDISTRICTING**

M/S/C (Okamura/Tanaka) to open public hearing.

President Fuentes stated this was an opportunity for members of the public to address the Board regarding the redistricting of trustee areas. She added that since this item was also on the Action agenda, members of the public would be invited to speak after the administration gave its presentation to the Board.

The Board heard a public comment from Bill Hughes, a member of the Berryessa Citizens Advisory Council, who expressed concern that in the recommended redistricting plan the Berryessa’s school district is split among three Trustees. He asked the Board to consider a plan that would allow Berryessa to have one represented Trustee—two at the most.

M/S/C (Cruz/Lease) to close the public hearing.

5. **PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

There were no public comments.

6. **APPROVAL OF THE NOVEMBER 29 2011, GOVERNING BOARD MEETING MINUTES**

M/S/C (Dhillon/Lease) to approve the above listed meeting minutes as submitted.
F. CONSENT AGENDA

1. ADOPTION OF THE CONSENT AGENDA

M/S/C (Lease/Okamura) to approve the Consent Agenda as amended: Item F-3, No. 2, was moved to the Action Agenda for separate discussion and vote.

2. MANAGEMENT PERSONNEL ACTIONS

The Board approved the Management Personnel Actions as submitted.

3. CLASSIFIED PERSONNEL ACTIONS

The Board approved the Classified Personnel Actions as amended.

4. HOURLY, STUDENT WORK AND VOLUNTEER PERSONNEL ACTIONS

The Board approved the Hourly, Student Work and Volunteer Personnel Actions as submitted.

5. DISTRICT BUDGET TRANSFERS AND REVISIONS

The Board approved the resolution authorizing the budget transfers and revisions of funds within expenditure accounts.

6. RATIFICATION OF CONTRACTS AND PURCHASE ORDERS

The Board ratified the contracts and purchase orders for the period of October 10, 2011, through November 9, 2011, as noted in the attached documents.

7. CURRICULUM RECOMMENDATIONS FOR SAN JOSE CITY COLLEGE

The Board approved the new courses proposed by San Jose City College.

8. AWARD OF CONTRACT FOR BID PROPOSAL #1018-11 – THIRD PARTY ADMINISTRATOR FOR 403(b)

The Board awarded the contract for Bid Proposal #1018-11 – Third Party Administrator for 403(b) to Tax Deferred Solutions (TDS.)

9. ACCEPTANCE OF $4,995 GRANT FROM CALIFORNIA FAMILY HEALTH COUNCIL FOR SJCC STUDENT HEALTH SERVICES

The Board accepted $4,995 from the California Family Health Council for the Expanded Clinic Access Program (ECAP) awareness campaign, outreach and educational materials.
10. **G2010.0003 LAND DEVELOPMENT & PROPOSED DISTRICT OFFICE & WORKFORCE INSTITUTE RELOCATION**

The Board approved the selection of consultants to provide the services for Scope A and Scope B.

I. 4. **CAMPUSWORKS INFORMATION SJECCD INFORMATION TECHNOLOGY ASSESSMENT**

Liz Murphy, Chief Executive Officer and Carol Thomas, General Manager and Chief Information Officer of CampusWorks, Inc. provided an assessment report of the district’s Information Technology based on the site visit they conducted on October 3-7, 2011. Ms. Carol Thomas and other CampusWorks staff met with over 150 district personnel at the district office and both campuses. Some of the findings include: absence of senior leadership at the executive level, lack of technology governance framework, insufficient technology plans at the district and college levels, including data security plan, stabilization of staffing and schedule for continual training.

Trustee Okamura stated that because he works for a technology company and is aware of the issues, he gets the sense the district is behind where it should be. We need to determine the cost of getting our district to the latest/greatest technology and what steps we would need to take to ensure security and ID management.

Mr. Jesse Thompson, Executive Vice President and Chief Financial Officer, of Bunker Hill Community College joined the meeting via Skype and shared his college’s experience with CampusWorks.

Trustee Lease reported he had attended both campus forums and received the assessment. He understood that part of this work would inform the development of a technology plan as an important deliverable to be put in place before considering any bond measure expenditures for the development of a technology infrastructure. It’s our job as a campus family to determine where we want to go and what resources we will use to get there. We may need a little guidance because, in the past, the district has lacked the plan and process for how to get where it wants to go. Trustee Okamura stated he’s all set—let’s get going. The Board will need to make some budget decisions and has under-invested in IT in the past, not just in hardware and software, but in processes. There will be some hard choices regarding training dollars, putting a leadership team in place across the institution and determining what the colleges share in common and how to address what’s different. Trustee Dhillon expressed the importance of keeping up with technology and the need the district has to ensure it is not left behind.

G. **ORAL COMMUNICATIONS**

a. **Board of Trustees**

EVC Student Trustee Lam reported on the free breakfast provided to students and the books and supplies that were also provided to students in need.
Trustee Lease thanked the Board and members of the district for the support they have given him during his first year on the Board. The ARCC report, Board 360 evaluation, and the Accreditation site visits were just some of the important events that took place during his Board tenure. It was an amazing year.

Trustee Lind stated how grateful he was for the opportunity of being the Board president this year, and he looks forward to a successful 2012.

b. **Chancellor**

Chancellor Cepeda thanked outgoing Board President Lind for his support and strong leadership during the past year. She also reported on her activities as a member of the Executive Board of HACU. On December 2, Chancellor Cepeda was invited to the White House for a community leadership briefing and also attended the holiday celebration hosted by President and Mrs. Obama. As a result of our district’s participation in the White House initiative, we have been asked to host a White House summit on January 21, 2011. Chief Assistant to the Chancellor Rosalie Ledesma is working with a representative from the White House to arrange the summit. The Board of Trustees will be asked to host the event and to invite other community leaders and internal constituents to participate in the event.

c. **Presidents**

EVC President Yong reported on the 10-foot Christmas tree in the Welcome Center at the entrance to Counseling. The tree is beautifully decorated by the Associated Student Government. The ASG also purchased the ornaments to hang on the tree. The Tree at Christmas means different things to different people. For EVC, an institution where students and employees come from diverse corners of the earth, and from diverse cultural origins and with diverse religious beliefs, the Tree is non-religious. However, it certainly unites us at year’s end, and gives us an opportunity to reflect, and rejoice in our blessings. He thanked the students for their contribution to this beautiful tree of unity and hope! EVC received the draft report of the findings from the Site Team Follow-Up visit. Upon review, the college took the opportunity to request corrections in a number of areas of the report. After correction, we feel the report is accurate, objective, fair and complete. On Wednesday, December 7th, EVC held its annual High School Partners Conference. Counselors and Career Techs from Eastside Union High School District, San Jose and Milpitas Unified School District were in attendance. The Program included Academic program and Student services updates, as well as a national & state legislative update presented by Chancellor Cepeda. Dr. Vincent Matthews, Superintendent of San Jose Unified School District was the featured speaker. He presented a profile of student performance and addressed concerns over the increasing achievement gap for Latino and African American students. The present cohort of nurses who will be completing their studies will receive their nursing pins on December 22 at 11:00 a.m. The graduation and pinning ceremony will be held at the EVC Theater. The PIC had their Luau in this past Friday night. The fundraiser was well attended, and featured Polynesian dances and BBQ, prepared the island
way, which called for thorough marinating prior to roasting over fire. A Ground-Breaking ceremony is planned for the Photo Voltaic Array on Thursday, December 15. The event is expected to be attended by dignitaries, faculty, staff, students and the community, and is scheduled to begin at 10:30 a.m. The President's Reception follows immediately in the Welcome Center. The forecast is for rain, so we will have canopies for the guests.

SJCC President Kavalier reported that the annual holiday reception at SJCC will be held on December 15 from 12:30—2:00 p.m. She invited the Board to attend as special guests of the faculty and students. She also introduced the new Academic Senate President, Charles Heimler, who teaches in the English department.

d. Constituency Group Representatives

MSC President Lauren McKee thanked Vice Chancellor Garcia for resuming monthly meetings with the group. She also thanked the Board for recognizing the importance of MSCC along with the other constituency groups.

EVC Academic Senate Narveson stated the last meeting of the Senate was held and the group won’t meet again until February. He is learning much about the shared governance process.

SJCC Academic Senate President Charles Heimler the senate has been working on program review and SLO’s and learning how to use performance indicators to make decisions.

FA President David Yancey welcomed Charles Heimler as the senate president. He also thanked Board President Lind for his balanced and strong leadership over the past year. He reported that Barbara Hanfling was in Portland making a presentation on collective bargaining for student success.

H. ACTION AGENDA

1. APPROVAL OF REVISED TRUSTEE REDISTRICTING BOUNDARIES

Chancellor Cepeda thanked Dr. Tom Griffin and Mr. Sam Ho for their hard work on the redistricting process. She presented a chronology of the redistricting process from September 27, 2011, through March 13, 2012. She reviewed the six guiding principles the Board had determined that was used in the redistricting process. She also provided an overview of the four plans that were considered, and recommended the Board choose either of the those plans: Plan 1 (which maximizes majority minority areas and will yield at least two Hispanic and two Asian majority areas, and Plan 4 – Nakamura Plan (which maximizes cohesiveness of school district boundaries and yields trustee area map boundaries more aligned to current map.) Chancellor Cepeda reviewed the maps of the current district boundaries, Plan 1 and Plan 4. She also reviewed the strengths and weaknesses of Plan 1 and Plan 4.
The Board heard public comments from Brian Do, Bill Hughes from the Berryessa Citizens Advisory Council, J. Nakamura (originator of Plan 4), Jacquelyn Maruhashi (staff attorney from the Asian Law Alliance), Diego Barragan (representative from Councilmember Xavier Campos’s office), and Andres Quintero, (a representative from Supervisor George Shirakawa’s office.)

Mr. Do expressed concern, based on the newspapers listed in the agenda item, that the Asian media may not have been adequately informed of the redistricting process. Chancellor Cepeda answered that Mr. Sam Ho made special efforts to reach out to the Asian community. Mr. Hughes discussed the impact of the proposed changes on the Berryessa school district and stated that Berryessa is better aligned with Milpitas. Mr. Barragan expressed concerns on behalf of Councilmember Campos that the new boundaries proposed would divide the socioeconomic conditions of residents and their urban character compared to the surrounding suburbs. The constituents of East San José, who currently have a unified voice, should not be impacted as a result of the new proposed boundaries. Mr. Andres Quintero, on behalf of Supervisor Shirakawa, expressed concern that the cohesiveness of the East San Jose Trustee Area 2 would be compromised by the proposed redistricting recommendation and would negatively dilute the community’s political voice. Other concerns addressed included having a more detailed map of each plan that included the names of roads and school districts in each trustee area.

The Board discussed the various plans and the public comments they received. Student Trustees Lam and Casas recommended postponing Board action until the next meeting so that the public concerns could be addressed. Trustee Lease stated he was ready to vote on a plan but was willing to wait if that was the desire of other Board members. Trustee Cruz stated she wanted to wait until the January 10 meeting to approve a plan. Trustee Lind stated he would be ready to approve Plan 1, which addresses the majority of the Board goals. He also stated that it makes sense for Councilmembers to be concerned about school districts because of resource allocation, but Trustees don’t have those issues. Trustee Okamura stated he agreed with Trustee Lind and felt it was more important to be concerned with feeder high school districts. Trustee Tanaka commented that a lot of information was received at this meeting that the Board hasn’t seen before, and it would be a good idea to wait until next month to make a final decision. Trustee Dhillon stated he leaned toward approving Plan 4. President Fuentes asked for a motion to move the approval of this item to the next meeting.

M/S/C (Lind/Okamura) to move Item H-1 to the January 10, 2012, board meeting.

2. BOARD STUDENT SUCCESS POLICY DEVELOPMENT PROCESS

Chancellor Cepeda discussed the Board’s review of the ACCT draft policy on student success and recommended the formation of a Board subcommittee that would work with staff to analyze, compare and contrast the proposed policy in conjunction with the Board’s own workplan and priorities.

President Fuentes asked that members of the Board who are interested in being appointed to the subcommittee inform Chancellor Cepeda so that the Board can appoint the members at a later meeting.
3. **APPROVAL OF RESOLUTION #121311-3 AUTHORIZING NEGOTIATION, APPOINTMENT OF CONSULTANTS, AND EXECUTION OF CONTRACTS FOR THE 2009 TAXABLE OPEB BONDS CONVERSION**

Mr. David Casnocha, bond counsel, reviewed the financing history related to the OPEB. Since 2009 the bond has exceeded expectations and provided over $8 million in relief of the general fund. At the time the bonds were issued, U.S. Bank purchased the bonds at a rate of 4.62% and would hold the bonds for three years until May 14, 2012. The district needs to sell those bonds to someone else. Resolution No. 121211-3 authorizes the Chancellor and Vice Chancellor of Administrative Services to negotiate and enter into contracts with consultants for the provision of services in connection with the tender and remarketing of the Bonds. The consultants included in the resolution are the same ones currently working on the bonds. They would be paid from the proceeds of the remarketing of the bonds, and no general funds are expected to be required. The Board will receive options for sale of the bonds in February, and there may be options that include contributions from the general fund.

Trustee Okamura thanked everyone involved in the process that made this a great success for the district.

M/S/C (Lind/Okamura) to approve Resolution #121311-3 to provide authorization to negotiate contracts, appoint consultants, and execute consulting contracts in connection with a conversion of SJECCD’s outstanding 2009 Taxable OPEB (Other Post-Employment Benefit) Bonds.

### F. 3. **CLASSIFIED PERSONNEL ACTIONS**

The Board discussed F-3, Section 2 Employment, which had been removed from the Consent Agenda. Trustee Lease expressed concerns about the hiring of two staff accountants in the Fiscal Services area. He inquired if this hiring was in line with the Fiscal Services reorganization the Board approved on February 23, 2010. The reorganization the Board approved was based on having one centralized location to handle the financial efficiencies of both campuses. However, the accreditation team review indicated the need for the VPA’s to be reinstituted at the campuses. Trustee Lease questioned if the district received any cost savings from the reorganization that had already been implemented and how the district would save money by having a fifth staff accountant.

Vice Chancellor Garcia answered that the reorganization plan showed four staff accountants reporting to the Controller. However, there was a fifth accountant that would be dedicated to the categorical programs. The district has a great need for oversight of the bond expenditures, which have to be monitored separately.

Chancellor Cepeda stated that she understood the concern Trustee Lease had with supporting an action that varies from the plan the Board approved. Her next action will be to provide an update to the Board on the status of the first Fiscal Services Reorganization Plan. She did express concern, however, about making sure that hiring of the fifth accountant be reconsidered after she provides the status update to the Board since this position will be primarily dedicated to the monitoring of Measure G 2010 Bond funds. In addition, Chancellor Cepeda noted that a comprehensive
District Restructuring and Reorganization Plan will be presented to the Board in late February or early March after completion of the internal review process. However, she expressed concern about the expenditures related to Measure G-2010 and recommended the Board approve the hiring of the fifth accountant.

Trustee Okamura stated that ordinarily he would suggest the Board allow the Chancellor to manage the hiring of staff. He stated concern, however, about the transparency and trust within the campus community. When plans are changed, how are they communicated across the district and colleges? Trustee Lind expressed appreciation for Trustee Lease’s diligence in his review of the restructuring of Fiscal Services. He asked what negative impact the district would have if they waited until January to hire the additional accountant. Delaying approval of this position would give additional time for the administration to address the concerns raised by Trustee Lease and for the Chancellor to provide additional information on the district's reorganization plan. He recommended approving the accountant whose start date was January 3 and waiting to approve the other accountant whose start date was January 10.

M/S/C (Lind/Lease) to approve F-3, 2b and move F-3, 2a to the January 10 board meeting.

I. INFORMATION AGENDA

1. BUDGET UPDATE

Interim Vice Chancellor Smith provided a report of the district's current budget status and the impact of the mid-year cuts related to the December 15 triggers. In response to the uncertain state budget picture, the district needs a responsive 2012-13 budget plan to maintain a 7% reserve. On January 10 we will receive the Governor’s proposal. In January-April the district will analyze and develop recommendations to have an adopted budget for the Board to approve in June.

2. LEGISLATIVE UPDATE

No report was provided.

3. CAMPUSWORKS INFORMATION SJECCD INFORMATION TECHNOLOGY ASSESSMENT

This item was moved to follow the Consent Agenda.

4. MINORITY-OWNED AND WOMEN-OWNED BUSINESS REPORT

An analysis was provided comparing two years of information, FY2009-2010 to FY 2010-2011, on the diversity of the district’s vendors who chose to self identify on the Business Enterprise Certification form. No presentation was given at the meeting.
5. **FIRST READING OF BP 2715 BOARD CODE OF ETHICS**

Chancellor Cepeda stated this policy was being submitted as a first reading for the Board to approve or recommend changes. This policy is critical as it was identified as a priority of the accreditation review team. Trustee Cruz requested that a student success component be added to the policy similar to the language used by the ACCT. The language should address that students are our primary concern and quality of education is a priority. Trustee Okamura inquired if the policy should address what actions would be taken if the Board has a rogue member.

Chancellor Cepeda recommended that student success language be added to the draft policy and that the Board approve it at the January 10 board meeting, with the understanding that this policy is a work in progress and would have other revisions once it goes through the constituency review process.

6. **STUDENT RECEIVABLES**

Fiscal Services Director Peter Fitzsimmons provided information on student receivables from FY2000 through November 29, 2011. Total student receivable as of November 29, 2011, is $4.3 million. With the allowance for bad debt of $2.3 million, our current net receivable is $1.98 million. Mr. Fitzsimmons reviewed the process used to collect the outstanding balances from students, including sending up to four separate notices. He also reviewed the Chancellor’s Office Tax Offset Program (COTOP) which allows the district to intercept a student’s state income tax refund or lottery winnings.

Trustee Okamura inquired about how much time and effort the district wants to spend trying to ensure it collects on bad debt and how much support it would require from IT. Trustee Lind commented about the cost to send over 16,000 collection letters to students. He asked if students were required to pay their fees at the time of registration. Octavio Cruz, EVC Dean, Enrollment Services, answered that if students are under the $1K marker, they would be allowed to enroll without paying their fees at that time; and if students withdraw before census they are not held liable. We developed a payment plan in our Datatel system. Obviously, we weren’t setting up a payment plan for $23. But our current students have the option of a payment plan. Trustee Tanaka asked if the colleges had the ability to withhold transcripts of the students who have not paid. Dean Cruz answered that, yes, the colleges are now withholding transcripts and also not allowing students to enroll in other courses if they have not paid their fees. Trustee Okamura stated that once the district has a robust Foundation, it would be in a better position to provide financial assistance to needy students.

7. **LATINA LEADERSHIP NETWORK SCHOLARSHIP INFORMATION**

This presentation was not given and will be moved to another board meeting.

8. **OVERVIEW OF MEASURE G-2010 GENERAL OBLIGATION BOND PROGRAM FINANCING**

The district’s bond underwriting consultant, Piper Jaffray, presented information on
the Measure G-2010 general obligation bond program. The Board had approved the bond project list and the facilities master plans for San José City College and Evergreen Valley College at the November 29, 2011, board meeting. The first issue of bonds sales from the $268 million bond program will include a Series A (approximately $70 million for facilities and equipment/technology projects for the first five years) and Series B (approximately $20 million for a technology/deferred maintenance endowment.) On January 5, 2012, presentations will be made to bond credit rating agencies. At the January 10, 2012, Board Meeting, the Board will approve Series A & B bond financing.

J. CONTINUATION OF CLOSED SESSION

No

K. RECONVENE OPEN SESSION

ANNOUNCEMENT OF REPORTABLE ACTION TAKEN IN CLOSED SESSION

None.

L. ADJOURNMENT

The meeting adjourned at 10:31 p.m.

Rita M. Cepeda, Secretary
Board of Trustees