

Governing Board Meeting Minutes - Tuesday, May 9, 2017

Members present

Wendy L Ho, Jeffrey B Lease, Craig Mann, Rudy N Nasol, Huong Nguyen, Scott Pham

Meeting called to order at 6:01 PM

A. CALL MEETING TO ORDER

Information: 1. 5:00 p.m. The Meeting will be called to order at the District Board Room, 40 South Market Street, San Jose, CA 95113

The meeting was called to order at 5:00 p.m.

Board Members Present:

Ms. Wendy Ho

Dr. Jeffrey Lease

Mr. Craig Mann

Mr. Rudy Nasol

Ms. Huong Nguyen

Mr. Scott Pham

Board Member Absent: Ms. Mayra Cruz

Information: 2. Information provided on Public Comments and Disability Access

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

B. APPROVAL OF CLOSED SESSION

Action: 1. Adoption of Closed Session Agenda

M/S/C (Nguyen/Pham) to adopt the Closed Session Agenda as submitted.

C. PUBLIC COMMENTS ON CLOSED SESSION AGENDA

Information: 1. Public Comments on the Closed Session Agenda There were no public comments.

D. CLOSED SESSION ITEMS FOR DISCUSSION

Information: 1. The Board will recess to Closed Session at 5:00 p.m. to consider the following items:

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

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

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Government Code Section 54956.8)

Property: 27 acres of surplus land adjoining San Felipe Road and Yerba Buena

District's Negotiator(s): SJECCD Vice Chancellor Doug Smith; Mr. Jim Eller, Eller & Associates

Names of Negotiating Parties: Republic Urban Properties LLC

Under Negotiation: Instructions regarding price and terms of ground lease for surplus land

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: AFT 6157

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

Procedural: 1. 6:00 P.M. Pledge of Allegiance

Student Trustees Bethel Kim and Marcelo Lopez joined the meeting.

Student Trustee Kim led the Board and members of the audience into the Pledge of Allegiance to the Flag.

Action: 2. Adoption of the Agenda

M/S/C (Lease/Ho) to adopt the agenda as amended:

The following Board Policies will be pulled from Consent Agenda Item F11 Board Policies for discussion at a future meeting:

BP 2140 Partial Reimbursement for Candidate Filing Fees

BP 2715 Code of Ethics/Standards of Practice

BP 2720 Communications Among Board Members

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

Presentation: 3. Workforce Institute Annual Presentation

Chancellor Budd reported that since the Workforce Institute Annual Report was removed from the April 25, 2017 meeting agenda due to timing issues, the report will be presented as the first item of this meeting. She introduced Dr. William Watson for him to present on the Workforce Institute.

Dr. Watson, Interim Executive Director of the Workforce Institute, stated that he has been with the Workforce Institute for the past 10 months. He stated that even in the Silicon Valley with phenomenal contributions to the world economy, there is a tale of two cities. We believe the Workforce Institute can be an economic engine for the Silicon Valley. He reported that even though the overall employment rate in the Silicon Valley is 3.6%, there is a 40% increase in the gap between the region's highest and lowest earning racial/ethnic groups since 2016. This share jumps up to 59% for those with Hispanic or Latino householders. The Workforce Institute acts as an economic mobility engine for the Silicon Valley by cultivating the rich diversity of our communities with economic opportunity while supporting the competitive workforce development needs of our regional economy. The Workforce Institute strives to be a cutting edge equity engine transforming Silicon Valley inequality into a national model of economic growth driven by equitable social and economic participation.

Dr. Watson reported on communicating a strategic vision rooted in innovation, integration and value. He discussed the need to develop the organizational capacity for the Workforce Institute by investing in professional development and leading with vision rooted in opportunity, equity and social justice. He reported that Vice President Roland Montemayor and Adela Swinson joined him on a paper regarding collective impact on immigrant equality. Dr. Watson reviewed WI programs, such as the Silicon Valley Career Pathways (Regional STEM pathways), South Bay Consortium for Adult Education, SJECCD Foundation, Corporate/Community Education and Corporate Sales Contract Education. He discussed how the Workforce Institute began to grow in trying to contribute to the district, and the Spanish for Campus Personnel course has been very successful and well received throughout the district. It was a popular idea proposed by Vice Chancellor Garcia and the Vice Presidents of the Student Services Academy. The team did a great deal of work on the curriculum.

One of the messages that has been very clearly communicated is there needs to be less reliance on Fund 10. In 9 months we are making progress. In FY201617, the WI decreased expenses from \$955,000 to \$460,000 a decrease of 52%. The contract revenue was \$930,000, a 72% increase. Dr. Watson stated he discovered that there is a tremendous amount of leadership in adult education. In our area 182,645 did not have a high school diploma, and we were very careful about crunching those numbers. The SBCAE is designed to serve this population. We hired two transition specialists to link students from adult schools to college. Dr. Watson reported that he ensured the SBCAE governance charter added faculty to serve as exofficio members. Trustee Cruz was a founding member of ALLIES (Alliance for Language

Learners' Integration, Education & Success.) Trustee Cruz will be given an award at a ceremony on May 19. He discussed the Silicon Valley Career Pathways grant. He returned from a state conference in San Diego and discovered so much about inheriting this innovation. Metro Ed was awarded a grant. Dean Alex Duran is leading this work. Map your Future is now underway this semester. It is popular and done in a way that is fun. He discussed the impact of StemCore versus the traditional path. The STEM Core network is expanding across the country through a National Science Foundation grant. There is a vision to do the work of the Foundation in a way we have never done before. Mr. Glenn Kaulfhold, Principal of GKollaborative, is working with us to conduct an assessment of existing advancement programs. A critical first step is to increase fundraising and efficiency and help build a culture of philanthropy. There are significant opportunities for future directions. We are looking to expand SparkPoint into the two campuses and not just at the Workforce Institute site. There are collective impact areas all over the Silicon Valley. With the work of Stemcore and on biotechnology initiatives with the Department of Labor, they are in talks with us about when it comes time for us to submit the \$12 million application. The conference will be held here, and our team and faculty will be in a position to showcase that work for community colleges. He thanked the incredible team for doing the hard work of the Workforce Institute.

Trustee Nasol stated appreciation for the cost reduction and the increase in contract revenue. In our budget, the Workforce Institute is supposed to contribute 15% toward the district. Trustee Ho thanked Dr. Watson for the truly inspiring report. It is clear the work in STEM Core is creating opportunity for our students. She was thrilled to hear part of those future directions is to develop Spanish courses. She stated the need to connect with the City, especially this summer during the piloting of the SparkPoint Center. Dr. Watson thanked Trustee Ho for her willingness to support this initiative.

Chancellor Budd thanked Dr. Watson and his team for their great work and added value to the teams.

Information: 4. Announcement of Reportable Action Taken in Closed Session There were no reportable actions.

Information: 5. Public Comments on Matters not on the Agenda

President Mann inquired of the Board if they would be willing to allow all the speakers to speak instead of limiting the time to 30 minutes for each topic.

Ms. Rosemary Popovich, a licensed vocational nurse with San Jose Kaiser, requested the Board discuss and take action to support AB387 which would provide students with pay for their vocational hours. Ms. Popovich spoke regarding her opportunity to serve her community by becoming a vocational nurse. In order to take advantage of the LVN program she had to make really hard choices (i.e. quit full time job, time with family, etc.)

Ms. Rosalie Bernal works at Kaiser Milpitas as a certified medical assistant. To obtain this position she took an unpaid internship position. At the time she was eight months pregnant and newly married and had to move in with her inlaws while she finished her schooling. If she did have a paid internship she could have helped her husband support her family. She is hoping that the Board would support AB387, as housing is so expensive in the Bay Area.

Mr. Doug Jones, who has worked for 25 years in Castro Valley, CA, asked the Board to discuss and support AB 387. It is important to understand that physicians require critical hours that equate to having an unpaid fulltime job for a year. The California College Association has been talking to community colleges to support this bill.

Fabio Gonzalez, Jesus Covarrubias and Eric Narveson yield there time to Phil Crawford. Phil Crawford stated AFT 6157 are being asked to either accept, at the bargaining table, an increase workload for non-credit instructional faculty of 40% (moving from 15 to 25 hours) or take a long overdue step increase to Step 10 of 19. There is a lots of concern. Mr. Crawford suggest that we get a cost analysis of what it costs for a full year to pay for overload. Very few people understand noncredit. We have ordinary noncredit which is funded at \$2K per FTES and enhanced noncredit at \$4800. The state legislator passed a law to give PCP

credit. They very quickly jumped on that bandwagon. We are doing some wonderful things with noncredit. Adjunct faculty do not get paid to develop programs. This is really important. We have more than twice the number nonhigh school graduates, and double the population of WVMCCD as well as double the poverty rate, and 4 or 5 times the illiteracy rate. We have 7 times the population. That's who we serve. These are our most vulnerable students. We have to have our best Ateam out there doing it. It should not be in this district with our reserves a profit center based on our reserves. They have to be part of a pathway and we have to articulate them. Getting these certificate programs and updating the course outlines, we really have to depend on our fulltime faculty. Now that it's equalized funding. The way to move the ceiling up in case we lose basic aid, if we enroll the students into noncredit. There is tremendous potential out there. Why is this being proposed? I don't think the folks from management get it, and I don't think they understand noncredit. CDCP is a small portion of this. To run into next year with 15 load, the costs for the Step 10 is probably in six figures. They believe a class of faculty that will not even be paid what the regular adjuncts are paid, that is what is being proposed and that is what is being resisted. The colleges wanted this because CDCP is expensive, they need to hire and engage fulltime faculty. They also needed the financial incentives. Phil states that our president said yes we will hire fulltime faculty and part of their job description will be to teach noncredit. We don't teach adult education; we have pathway partnerships. We teach collegelevel classes. This is a narrow category but is where we are building our pathways for our most vulnerable students. Executive Director Hanfling requested letter no. 1 be attached to the board meeting minutes as a board meeting public record. Dr. Jessica Breheny, Linda Ferrell, and Sterling Warner presented a letter that was collaborated with, and signed by 40 language art Faculty members in strong opposition of what they felt was a twotiered pay system that would compensate noncredit faculty at a lower rate than credit Faculty. Linda Ferrell stated she believes in our college mission of social justice, equity and student success. She watches how her students learn. She believes it's three tier. Our least experienced teachers would have to teach our most vulnerable students. It is tougher to teach our lower level students. Mr. Randy Pratt stated he has taught Kinesiology since 1988. He has recently been serving on the negotiations team. We are here because we care. We are not here because of the dollar sign. Our medium salary structure places us as lowincome workers. The issue before you with noncredit is not a monetary issue for most of us. If this is a difficult decision for you, if your child was one of the students who didn't graduate high school and if you are put in a class without the best teachers. Students of this district are lucky that our union and senate leadership is taking the time to fight for what is right. Rosemary Batista is now in her third year at SJCC and teaches both credit and noncredit courses. She has been teaching medical assisting for 13years. Students have a goal to finish and noncredit students are confused with what to take. Students have finished college in their home countries but not here. As non-credit instructors these students are more challenging for us as we need to encourage them to go back to school. I am qualified for both and did my best in both. Kathy Jasper adjunct ESL faculty at EVC for 14 years. We had a WI presentation; I've been on the consortium as a committee member working on noncredit education. She talked about issues of trust. We got 127 applicants for the ESL. We had a Spanish language translation program that was canceled at the colleges. The Workforce administration came to our department meetings, division meetings and PDD in an effort to woo us into noncredit. I believed in noncredit. Since the district is getting reimbursed at the same level as credit, we drank the KoolAid. These teacher teaching it this year would be getting 60% less. The consensus by the teachers is to start working on this. We will not be shooting ourselves in the foot tomorrow. We are thinking it is not good to change any of our credit classes for noncredit classes. She also asked for pay equity, a 10step, and asked the Board to please consider that. Ms. Leslie Rice read letter no. 2. Executive Director Hanfling requested letter no. 2 be attached to a board meeting minutes as a public record. Lisa Bell stated she has taught ESL at EVC and has been faculty for 25 years , teaching both credit and noncredit. She teaches both classes the same, as an adjunct she is already making less than fulltime and to have another tier where she would be making less is unjust. We hear a lot of student success and serving

our students and this decision doesn't do that.

Leslie Tekai, 17 years at SJCC. Whether we teach credit or noncredit faculty is held accountable, doing homework and SLOs. If the funding is equal, why isn't the pay for faculty equal? Ms. Tekai further stated that at College of the Canyons the faculty who teach noncredit are being paid the same as those teaching credit.

Dr. Jagrup Kahlan, joined SJCC in spring of 2012 as adjunct and discussed pay equity. I'm an immigrant and knew what it is like to get established. We preach about social justice and equity. We need to follow through and this idea of CDCP pays noncredit is equal to credit, why are we here today.

Sravani Banerife states that both EVC and SJCC Faculty are together on this. She has much more faith in the leadership of the college than the current leadership of our country.

Adrian Crawford Adjunct ESL at SJCC reiterated teachers have something like a Hippocratic oath and we would not want to create a subpar program. What we are doing doesn't have one size fits all, or fit into the same level. None of us went forward trying to create lower standard of classes.

Mr. Henry Gee stated he felt that one of the things about the district is that social justice is strongly emphasized. He feels that with the district is doing a twotiered system when the state is doing an equal system, this does not fall in line with the district's goal of social justice. They have felt that noncredit courses deserve second level pay. This is what will be perceived by the students and community, and this district shouldn't stand for that.

Mr. Paul Fong stated that at the last executive board meeting stood for social justice. Before he left the state legislation in 2014, we talked about it; and he talked about it with the Republicans, who did not need to be persuaded. They approved it with a oneline statement. This would have convinced anyone not to do. He asked the Board to do the right thing and support a nontwotiered system.

Ms. Barbara Hanfling thanked everyone for showing up at the meeting and how it touched her heart for all we do for students. Ms. Hanfling stated that some of the arguments that came across her desk. We must load noncredit/adult ed. at 875. We had this conversation at the bargaining table and STRS. She read a paragraph from CalSTRS, the number of hours for adult education and notes that whether a program is or is not adult education is not the issue. We are maintaining that we do not offer adult education. We ae offering CDCP classes as noncredit. Noncredit faculty are paid at our collective bargaining rate. It's important what other colleges do. For years, noncredit was paid at half the rate of credit. They weren't receiving money from the state to teach noncredit, so they did challenge the 875.

Action, Minutes: 6. April 25, 2017, Governing Board Meeting Minutes
M/S/C (Nasol/Lease) to amend the minutes as follows:

The sentence "A motion was made by Trustee Nasol to approve the item. It was not seconded." was removed from Agenda Item F13 Project and Construction Management Services Gilbane Building Company Independent Contractor agreement.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

F. CONSENT AGENDA

Action (Consent): 1. Adoption of the Consent Agenda

Hearing no requests to pull any items, President Mann stated the Consent Agenda was adopted by general consent.

Action (Consent): 2. Management Personnel Actions

The Board approved the Management Personnel Actions as submitted.

Action (Consent): 3. Faculty Personnel Actions Regular
The Board approved the Faculty Personnel Actions Regular as submitted.

Action (Consent): 4. Classified Personnel Actions
The Board approved the Classified Personnel Actions as submitted.

Action (Consent): 5. Hourly, Student Work & Volunteer Personnel Actions
The Board approved the ShortTerm Hourly, Substitute, Professional Expert & Athletic Support Services, Student Assistant and Volunteer personnel actions as submitted.

Action (Consent): 6. Ratification of Contracts, Purchase Orders and Contract Revisions
The Board ratified the contracts, purchase orders and contract revisions for the period of March 10, 2017 through April 9, 2017 as noted in the attached documents.

Action (Consent): 7. Student Trustee Privileges
The Board approved all privileges extended to Student Trustees outlined in BP 2105, with the exception of the privilege to attend Closed Session meetings.

Action (Consent): 8. Piggyback Konica Minolta Business Solutions USA, Inc.
The Board authorized the District to 'piggyback' on a contract with Konica Minolta Business Solutions USA, Inc.

Action (Consent): 9. Curriculum Recommendations for Evergreen Valley College
The Board approved the curriculum recommendations for new courses and programs submitted by Evergreen Valley College.

Action (Consent): 10. Curriculum Recommendations for San Jose City College
The Board approved the new courses proposed by San Jose City College.

Action (Consent): 11. Board Policies for Approval
The Board approved Board Policies in Chapters 1 and 2, with the exception of BP 2140 Partial Reimbursement for Candidate Filing Fees, BP 2715 Code of Ethics/Standards of Practice and BP 2720 Communications Among Board Members.

Action (Consent): 12. Award for Innovation in Higher Education, Between the California Community College Chancellor's Office and Evergreen Valley College, San Jose City College, and Ellucian: Technology Partner.
The Board approved the Award for Innovation in Higher Education between the California Community College Chancellor's Office and Evergreen Valley College, San Jose City College, and Ellucian: Technology Partner.

Action (Consent): 13. IndustryDriven Regional Collaborative (IDRC) Prime Award, Between ChabotLas Positas Community College and San JoseEvergreen Community College District on behalf of the Chabot College.
The Board approved the IndustryDriven Regional Collaborative (IDRC) Prime Award between ChabotLas Positas Community College and San JoseEvergreen Community College District on behalf of the Chabot College.

Action (Consent): 14. Agreements for Medical Assisting Experience and Use of Clinical Facilities
The Board approved agreements for Medical Assisting Experience and Use of Clinical Facilities.

G. GENERAL OBLIGATION BOND PROGRAMS CONSENT AGENDA

Action (Consent): 1. Adoption of the General Obligation Bond Programs Consent Agenda
Hearing no requests to pull any items, President Mann stated the General Obligation Bond Programs Consent Agenda was adopted by general consent.

Action (Consent): 2. Measure G – 2010 Bond Program: San Jose City College (SJCC) Theater Accessibility & Entrance Improvements (TAEI) Phase 3 Master Plan Project #311303 – Artik, Art & Architecture Project Assignment Amendment (PAA) #SJCC07
The Board approved Project Assignment Amendment (PAA) #SJCC07 in the amount of \$40,000.00 to Artik, Art & Architecture, for the Theater Accessibility & Entrance Improvements (TAEI) Phase 3 Master Plan Project #311303 at (SJCC).

Action (Consent): 3. Measure G 2010 Bond Program: Evergreen Valley College Reprographics Heating, Ventilation and Air Conditioning (HVAC) Upgrade Project #3211002 Environmental Systems, Inc. of Northern California Agreement
The Board approved the award of an Agreement in the amount of \$98,000.00 to Environmental Systems, Inc. of Northern California for the Reprographics Heating, Ventilation and Air Conditioning (HVAC) Upgrade Project #3211002 at the Evergreen Valley College.

Action (Consent): 4. Measure G – 2010 Bond Program: District Wide ADA Transition Plan: Accessibility Survey & Improvements #39313 – Disability Access Consultants Independent Contractor Agreement (ICA)
The Board approved an Independent Contractor Agreement (ICA) in the amount of \$115,700.00 to Disability Access Consultants, for the ADA Transition Plan: Accessibility Survey & Improvements #39313 for the San Jose City College (SJCC), Evergreen Valley College (EVC) and District Office (DO).

Action (Consent): 5. Measure G – 2004 and 2010 Bond Program: San Jose City College (SJCC) – Physical Education (PE) Building Project #122 and #31125 – Alten Construction, Inc. – Change Order (CO) No. 007
The Board approved Change Order No. 007 in the amount of \$65,300.00 to Alten Construction, Inc. for the PE Building Project #122 and #31125 at SJCC.

H. ACTION AGENDA

Action: 1. Resolution Number 0509171 Approving District Budget Transfers and Revisions M/S/C (Lease/Ho) to approve Resolution No. 0509171 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 nonreceipt of program revenues.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

Action: 2. Resolution No. 0509172 in Support of Classified Employee Appreciation Month M/S/C (Pham/Nasol) to approve Resolution No. 0509172 in the support of Classified Employee Appreciation Month.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

Action: 3. Resolution No. 0509173 in support of May 2017 as Asian American and Pacific

Islander Heritage Month

Chancellor Budd reported on the wonderful celebration held at EVC in support of Asian American and Pacific Islander Heritage Month.

M/S/C (Pham/Nguyen) to approve Resolution No. 0509173 in support of May 2017 as Asian American and Pacific Islander Heritage Month.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

Action: 4. Measure G2010 Bond Program: Bond List Revision No. 33

M/S/C (Nguyen/Lease) to approve the revisions to the Measure G 2010 bond list, as presented.

Trustee Nasol inquired where the \$3.5 million came from for Project No. 31129, which originally had a budget of \$5.0 million. Mr. Owen Letcher, Director of Facilities and Bond Programs, answered the \$3.5 million came from reduction of savings from other projects, such as demolition of Jaguar Gym locker rooms, Auxiliary Structures and Site Improvements reduction, project savings from Capital Repairs. Trustee Nasol stated he is glad that this is being done and that we found the money to augment that project. This is probably the last time we can house the M&O building, and they need this facility.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

Action (Consent): 5. College and Career Access Pathways Partnership Agreement (CCAP Agreement) Appendix between San Jose City College and Evergreen Valley College, both a college of the San Jose-Evergreen Community College District, and San Jose Unified School District

Chancellor Budd stated this is an exciting time as we update our CAP agreements with the courses being offered. She congratulated the colleges and presidents for working with faculty and the Academic Senates.

M/S/C (Ho/Nasol) to approve the College and Career Access Pathways Partnership Agreement (CCAP Agreement) Dual Enrollment Partnership Agreement Appendix between San Jose City College and Evergreen Valley College, both a college of the San Jose-Evergreen Community College District, and San Jose Unified School District.

Trustee Ho stated she is glad that we are moving forward with the dual enrollments. Trustee Nasol commented that we should extend these agreements to other school districts, such as Milpitas.

President Breland answered that this is the first of many of these kinds of agreements, and the Milpitas Unified School District will be one of the next agreements coming to the board. District Academic Senate

President Gonzalez stated that this was one of his priorities, but 38 sections of dual enrollment will require thinking into the future. We are talking about 38 sections being funded through the college. Where is the leverage coming from? We need to think about how we are going to fund these liabilities. It is critical that we plan and prepare. Student Trustee Kim stated it's great we have a dual enrollment with a high school, but there aren't any EVC faculty teaching courses. President Yong responded that EVC has not traditionally gone to San Jose Unified School District as the college has served the East Side.

AFT 6157 Executive Director Hanfling stated that no one has talked to the union about this agreement. A high school schedule is much longer than the 16weeks schedule we have. She would like to discuss how the faculty would be paid appropriately.

Action: 6. EEO & Diversity Plan Update and Revised Plan Component 3

Chancellor Budd stated that at the last board meeting, the Board heard a great presentation from Vice Chancellor Garcia. It now comes back to the Board for approval.

M/S/C (Ho/Lease) to approve the EEO & Diversity Plan Update and Revised Plan Component 3.

Trustee Ho stated that during the first reading, Trustee Cruz inquired why a large section 3420 had been struck through where language had been removed. It was the sentiment of the Board to unstrike that section because it speaks to our values as a district.

She amended her motion as long as the language is put back.

Vice Chancellor Garcia stated that one version attached to the agenda was the same as what was submitted at the last meeting, and immediately after that, there is a version that did have the language put back in. This is the version the Board is voting to approve. Trustee Ho rescinded her amended motion.

President Mann inquired about the complaint procedures. Vice Chancellor Garcia stated the board policy outlines the process. He asked about who reports to whom. Vice Chancellor Garcia answered that student to student complaints stay on campus. Anything about employees is routed through HR, and the employee is informed about what their options are. Trustee Mann inquired if anyone should be fearful of filing a legitimate complaint. Vice Chancellor Garcia answered that all employees always feel fearful. It's the nature of those scenarios.

Trustee Nasol stated at the last meeting he suggested the hiring process should include that foreign language is desirable. That maybe we should find some bilingual individuals and make this a requirement. Is there a form in Human Resources? Vice Chancellor Garcia answered that in these reports we don't have to include the hiring forms. She stated she heard the Board's comments at the last meeting, but she would have to route that through the constituency groups. SJCC Academic Senate President Covarrubias stated that if there is a situation of conflict of interest in Number 6 Section B that person should recuse themselves. He did see that language included, and it should be there if we really want to create an environment where people feel the process is fair. We need to include language regarding conflicts of interest.

Vice Chancellor Garcia stated we spent three years rewriting the procedures, and it will go through all groups for revision.

Chancellor Budd stated that the District Council spent a great deal of time this past year on Board Policies and Administrative Procedures. In the coming year we can focus on the conversation about cultural responsiveness.

Mr. Covarrubias stated that the section on Cultural Proficiency needs a lot of work. He volunteered to work on that section.

Vice Chancellor Garcia stated we want to work on cultural responsiveness.

Board vote was as follows:

Trustees Ho, Lease, Mann, Nasol, Nguyen and Pham voted yes.

Advisory vote was as follows:

Student Trustees Kim and Lopez voted yes.

I. INFORMATION AGENDA PRESENTATIONS, DISCUSSION ITEMS AND DOCUMENTS PROVIDED

Information: 1. Retirement Board of Authority Annual Report

Mr. Peter Fitzsimmons, Executive Director of Fiscal Services, reported that the Board receives an annual report regarding the performance of the district's OPEB. He reported that our trust fund had assets of 45,000. 8.9% return on investment. It exceeds our target of 7.8% 7.5 million overfunded. This is something we should all be proud of. We are due for another actuarial study in essence providing update. Longterm blue cross retiree rates will go up 40%. Our ROI for the last five years is 6.57%. It may diminish. The district currently pays 2.5 million we are currently still having savings to the district through this program.

Trustee Nasol added that the Board Audit committee requires this fund be audited every year. We have actually become the envy of other college districts.

Presentation: 2. Measure G2010 Bond Program: Measure G2010 Summary Report for March 31, 2017

Chancellor Budd notes that this report is here for the Board's review purposes only. Vice Chancellor Smith comments that all indicators are good with no areas of concern to report.

Trustee Nasol noted the report lagged a quarter.

Information: 3. FY20162017 Third Quarter Budget Report Ending March 31, 2017

Chancellor Budd requested Vice Chancellor Smith to provide a few highlights.

Vice Chancellor Smith stated this report was vetted by the District Budget Committee. We are fiscally sound. All performance indicators are good. A full presentation of our financial status will be provided by the Board at our June meeting.

J. ORAL COMMUNICATIONS

Report: 1. Constituency Reports

Faustino Villa thanked the Board for the resolution for CSEA, and reported that Dan Hawkins is the elected delegate to go to conferences.

Paul Fong noted Trustee Cruz's perfect and impressive form at the recent AFT 6157 fundraiser called bowling for change. Additionally, May 1st was International Work Day Strike. He thanked the people who helped carry the banner as well as helped him with his Spanish. Additionally, Mr. Fong comments that he has been on a march every week since the new administration took over the White House.

Mr. Eric Narveson reported the last Senate meeting is Tuesday, May 16th and will go into executive session over the summer. Additionally, we now have an AAT in Economics. We had a presidential election of the senate and he won. It was a spirited election where we talked about the issues. We would like to see a Senate presentation on SparkPoint. Hope to get him on our agenda in September. We will be working the on shared governance handbook. Mr. Narveson further reports that come this August, he will begin his 30th year of teaching. EVC's commencement will be held on the 25th with speaker David Hendricks.

Mr. Jesus Covarrubias shares Mr. Narveson's concern about SparkPoint, in terms of shared governance, it is shared? They fall under 10+1 and must come to our senates. At our last senate meeting, we voted unanimously to oppose the proposed language for noncredit. Mr. Covarrubias adds that the Board is invited to LaRaza graduation.

Mr. Cory DeMar had a successful elections, as well as a very well attended Asian American Heritage month event, which went very well.

Mr. Fabio Gonzalez commented that, per the Academic Senate Bylaws, this will be his last Board meeting and he is looking forward to getting back to SJCC. Eric Narveson will be working to find a replacement. Mr. Gonzalez cautions again about dual enrollment. The beauty about being a communityfunded district is that we can write our own destiny. We are having good discussions in RAM now.

Report: 2. Presidents' Reports

President Breland reported there are a lot of celebrations and asked the Board to take note of the flyers that were passed around. He talked about the eBay event and thanked Trustees Mann and Nguyen as well as Vice Chancellor Smith for attending. We are seeing a connection with the tech industry. Tech Ness launched this weekend. We are excited about it and so is MIT. Classified Employee Lunch is Tuesday, May 23. Celebration for Asian American Heritage Month at the Dynasty. The LA Raza Graduation is coming up on Friday the 19th. Friday, May 26 is SJCC's graduation and we are asking people to come at 3:30 at the Santa Clara Convention Center.

President Yong reported that EVC is adding another fulltime instructional position to the 20172018 hiring cycle, which will be a Chemistry Faculty Member. In total, EVC will be hiring a total of (4) Faculty positions including Math (Enlace), Ethnic Studies, Engineering/Robotics, and Chemistry. President Yong further reported that EVC's Employee Recognition event is taking place tomorrow, May 10th at 2:30

p.m. in Gullo II. President Yong announced EVC's receipt of a \$2M Innovation Grant in collaboration with Ellucian, as the corporate partner. The theme is called Innovate Evergreen, and the purpose is to implement a mobile solution that will update faculty hires. Additionally, the employee's recognition event is tomorrow which will recognize longevity of employees. The theme is to innovate. We will include SJCC in the grant.

Report: 3. Chancellor's Report

Chancellor Budd thanked the presidents for their work. She thanked President Breland for the African American event. She thanked President Yong for the \$2 million grant for Innovation grant application. She thanked Dr. Watson for the Workforce Institute and his great presentation. She noted how fortunate we are to have a guided pathways expert come to each campus in the near future in how to better help students through those dual enrollment pathways and ultimately careers. Additionally, there has been a lot of work with the Resource Allocation Model, Dr. Morton has done great work with performance innovation funding. She asked him to visit our district to share some thoughts, while he is in San Francisco for a conference. This presentation is not related to ACCJC, but rather how we can learn more about different opportunities. Our EEOP is not just about cultural diversity but also cultural responsiveness, which will also be a topic during our June 10th Board Retreat. Lastly, our Bay 10 Trustee and CEO dinner is coming up this Thursday, May 11th.

Report: 4. Board of Trustees/Committee Chairs' Reports

Student Trustee Lopez stated the excitement of students about the eBay internships as well as the alternate sources of income for the students. SJCC and WFI held a join job fair today which had a great turnout. The two potential student trustees are great. Additionally, the Robotics club was awarded software valued at \$60k to be used by the students on campus. Student Trustee Bethel Kim elections are done and we'll know who the student trustee is soon. She is looking forward to commencement, and will be receiving an AAT in psychology. Trustee Kim closes by noting there are still many clubs just now starting as different ways for students to get involved.

Trustee Mann thanked the student trustees for being very thoughtful and clear minded.

Trustee Pham reported he attended the audit committee meeting.

Trustee Nasol stated the next meeting of the Audit committee in November to see the results of the audit. He thanked the two student trustees for their representation on the Board.

Trustee Ho attended the 7th annual SJCC Communications Studies event, and noted it was a terrific showcase. Trustee Ho further noted that she and Trustee Lease, and Trustee Cruz attended the CCLC meeting where ideas were exchanged about serving our homeless students. Trustee Ho provided a legislative report noting that there were 17 bills removed from our list because their language is no longer relevant to our priorities. Ho noted that AB 387 related to opportunities for Allied Health Students is not included in this list, and we might discuss this at the June 27 meeting legislative committee meeting.

Rosalie Ledesma notes that we have brought the list down from 49 to 32 bills. All of the bills made it through the policy committee, and those that have any fiscal implications are now in appropriations. An update on two bills include: 1) The Hill bill 769 the bill that would expand the number of baccalaureate programs offered, where the language has been amended to 25, and 2) AB 19 which waives enrollment fee for first time students. We are currently working with the community college coalition to be held harmless.

Trustee Nguyen thanked SJCC for a great event on Friday. It was great to see the accomplishments of our underserved students. Those students need our support the most.

Trustee Lease stated he attended the CCLC conference where he learned a great deal on streamlining curriculum at the state level and guided pathway.

Board President Mann stated it is Déjà vu all over again. He appreciates the fact that AFT 6157 brought the matter with great dignity and respect. Dr. Breland excellent program; when we share our experiences seeing that if they can do it, I can do it too.

Board President Mann read the following quote:

"We cannot understand the moral Universe. The arc is a long one, and our eyes reach but a little way; we cannot calculate the curve and complete the figure by the experience of sight; but we can divine it by conscience, and we surely know that it bends toward justice. Justice will no fail, though wickedness appears strong, and has on its side the armies and thrones of power, the riches and the glory of the world, and though poor men crouch down in despair. Justice will not fail and perish out from the world of men, nor will what is really wrong and contrary to God's real law of justice continually endure." -Author unknown.

K. BOARD MEETING EVALUATION

Discussion: 1. Board of Trustees to Discuss Board Meeting Performance

Trustee Ho expresses appreciation for Dr. Watson's report about how we are adding value back to the colleges, and comments in regards to the Retirement Board, this shows how we are maximizing our resources, and lastly we were respectful and lived up to our civility statement.

L. CONTINUATION OF CLOSED SESSION (If needed) M. RECONVENE TO OPEN SESSION

Information: 1. Announcement of Action Taken in Closed Session

N. ADJOURNMENT

Information: 1. The meeting will be adjourned.

The meeting adjourned at 9:55 p.m. M/S/C (Lease) to adjourn.

Dr. Deborah Budd, Board Secretary