

Board meeting of July 7, 2014

SOME HEADLINES

Trustees considered or approved:

- A resolution calling for reform of Proposition 13
- A resolution supporting changes in repeatability regulations
- Refunding of Measure E and Measure C bonds
- Reduction of classified and administrative service
- Appointments, retirements, new hires and Professional Growth Awards

Agenda & backup material: <http://www.boarddocs.com/ca/fhda/Board.nsf/Public>
Under the Meetings tab, click on the meeting of July 7, 2014, then click on "View the Agenda" to access supporting documents.

BOARD BUSINESS

Chancellor's evaluation

Board President **Bruce Swenson** said trustees had completed the chancellor's annual evaluation in closed session. He said he couldn't discuss details of a personnel matter but added, "The board unanimously feels we are fortunate to have **Linda Thor** as our chancellor."

CCLC Trustee Board report

Trustee **Laura Casas** reported on the quarterly meeting of the Community College League of California's trustee board. She noted that the League has dropped a controversial plan to merge the trustee and CEO boards. Instead, the two bodies will meet jointly twice a year to further the goals of speaking with a unified voice and reducing workload for League staff. She reported that the Accreditation Commission for Community and Junior Colleges has stayed City College of San Francisco's termination of accreditation as the trustee board had formally recommended in a letter to the commission.

INFORMATION & ACTION ITEMS

Five-year construction plan

The board approved the district's annual five-year plan for state-funded construction projects for submission to the state Chancellor's Office. The plan includes one project proposal: replacing De Anza's Journalism and Language Arts Building, L-4/5. The project is being resubmitted for \$12.8 million in requested state funding in 2017-18. It would involve replacing L4 and L5 with a new two-story building with larger classrooms and labs.

Resolution: Proposition 13 reform

The board discussed a proposed resolution calling for changes in the way commercial property is reassessed in California under the 1978 property tax-limiting measure Proposition 13. The resolution calls for more regular reassessment of commercial property to generate revenue for public education. It was written by Evolve, a San Francisco-based non-profit organization (<http://www.evolve-ca.org>)

Recent De Anza graduates **Saif Jivani** and **Ben Pacho**, joined by students **Cecilia Ng** and student body President **Julia Malakiman**, presented the case for requiring commercial properties to be reassessed more regularly. According to Evolve (http://www.evolve-ca.org/petition_13), commercial property owners paid 40 percent of California's property taxes when Proposition 13 passed in 1978, but that percentage has slipped to 28 percent over time. The shift is due partly to commercial property transactions in which ownership is transferred in ways that avoid triggering property-tax reassessment. This has left the state unable to adequately fund public education and pushed more of the cost onto working families, the students said. Evolve organizer **Courtney McDonald** said that California is the only state that doesn't regularly reassess commercial properties at fair market value.

Trustees questioned whether the Evolve resolution could have unintended consequences such as limiting investment by entrepreneurs who want to base their businesses in California or increasing taxes on commercial property owned by individuals rather than corporations. They questioned whether the Evolve approach would bring additional funding to community colleges and expressed concern that a statewide ballot measure proposing changes to Proposition 13 could hurt chances for renewal of Proposition 30, which provides significant funding for community colleges.

Trustees said they support the idea of reforming commercial property assessment but expressed reservations about parts of Evolve's approach and asked for additional information. President Swenson appointed a subcommittee of Trustees **Joan Barram** and **Laura Casas** to comeback with a revised resolution for the Aug. 4 board meeting.

Resolution: Course repeatability

Seven community members spoke about a proposed board resolution calling on the Board of Governors of the California Community Colleges to adjust new course repeatability regulations that limit how many times students can repeat a course and how many courses they can take within a related group of courses.

The restrictions were enacted during the downturn when reductions in state funding forced community colleges to cut course sections and turn away students at a time of peak enrollment demand. The rules were meant to ensure that there would be enough space for new students seeking basic education, workforce training or transfer preparation.

The repeatability regulations have particularly affected students in the arts and human performance who need to repeat courses to attain proficiency; career-technical students who need to update skills learned in previous courses; and lifelong learners, who have begun to protest the new rules.

Community members **Melody Grandell**, **Peggy Johnston**, **Linda Hamadani**, **Mary Luke**, **Carol Commendatore**, **Brian Macknick** and **Dolores Hacker** all spoke about the restriction's negative effects on lifelong learners. Several said they've supported Foothill-De Anza bond measures in the past with the expectation of continuing access to college

facilities and classes. If the colleges don't have space for the people who paid for the facilities, several said, they won't support the district's revenue measures in the future.

A class-taker at Foothill and De Anza since the 1970s, Grandell asked the board to revise the proposed resolution to reflect the needs of lifelong learners. She said adults who live within the district should be exempted from repeatability restraints. Other speakers noted the advantages to students and faculty of having mixed-age classrooms and the long-term benefits that occur when people continue developing their minds and bodies throughout their lives.

President **Judy Miner** explained the differences among credit, not-for-credit and non-credit classes and how each is funded as well as legal restrictions on establishing and funding non-credit courses in certain fields.

Trustee **Pearl Cheng** proposed adding language to the resolution recognizing the importance of lifelong learning as part of the community college mission and of providing education opportunities for adults in community education classes. The board will vote on the resolution at its Aug. 4 meeting.

Board self-evaluation

Trustees reviewed results of the board's annual self-evaluation. Board members generally said they were meeting the challenges of carrying out the board's mission and philosophy and acting ethically. Among their comments were that the board could improve its effectiveness by developing a better long-range fiscal plan and encouraging common assessments and common course numbering between the colleges. Another comment was that trustees could do more to help the board of the Foothill-De Anza Foundation raise awareness and money.

Bond refunding

The board authorized refinancing of three series of general obligation bonds that were sold to finance the district's Measures E and C bond programs. Vice Chancellor of Business Services **Kevin McElroy** reported that two leading credit-rating agencies have given the district top credit ratings – Aaa from Moody's Investors Service and AA from Standard & Poor's.

John Sheldon, representing underwriter Morgan Stanley Co., reported that based on recent market conditions, debt service for taxpayers could be reduced approximately \$463,000 annually by refinancing \$110 million of the district's \$613.2 million in outstanding general obligation bonds. Cumulative savings through 2036 would be approximately \$10.2 million. This would result in a savings to individual property owners who live in the district of about 41 cents per \$100,000 of assessed value in 2014 dollars, or \$4.10 a year on a home with an assessed value of \$1 million.

Market conditions will determine the timing of the sale, which could take place as early as July 15. **Bill Euphrat**, the district's independent financial advisor, said he had carefully assessed the proposal and thinks the refinancing would serve the interests of the district and taxpayers.

Approved international travel

In keeping with board policy, trustees were informed about the following approved international travel planned over the summer:

- Foothill's **Kathryn Maurer** and **Sam Connell**, anthropology instructors, for a credit

- anthropology program in Ecuador, no General Fund cost to district;
- De Anza's **Carolyn Wilkins-Greene**, dean of the Division of Social Sciences and Humanities, and **LiWei Sun**, early childhood development instructor, for study abroad program and coordination of visiting student intern program with Hung Kuang University, no General Fund cost to district;
- De Anza's **Vu duc Vuong**, sociology instructor, and **James Nguyen**, political science instructor, for 2014 Vietnam Study Abroad Program, no General Fund cost to district;
- De Anza's **Cynthia Kaufman**, director of Institute for Community and Civic Engagement, presenter at Moving Beyond Capitalism Conference in Mexico, with a \$1,000 allocation from conference and travel fund;
- De Anza's **Lee Crowley**, art laboratory technician, to participate in A Sign of Things to Come, an international residency collaboration in France, with a \$1,000 allocation from conference and travel fund;
- De Anza's **Isaiah Nengo**, anthropology instructor, field and museum research in Kenya, funded by a Leakey Foundation research grant;
- Foothill's **Nanette Solvason**, dean of the Biological and Health Sciences Division, and **Phyllis Spragge**, dental hygiene instructor, for participation with students in Dental/Medical Brigades program in Honduras, self-funded, at no General Fund cost to the district.

Independent contractor agreements

The board approved independent contractor agreements for 2014-15 with **Richard Henning** to administer the Celebrity Forum speaker series; **Catherine Ayers** to continue grant-funded project management work strengthening regional cooperation among colleges, industry and other partners on workforce curriculum in energy efficiency; and **Gregory Barattini** for international student recruitment.

New certificates and degrees

Trustees approved new associate in science degrees at Foothill College in air conditioning and refrigeration technology; plumbing technology; and steamfitting and pipefitting technology. They approved certificates of achievement in steamfitting/pipefitting; plumbing; residential plumbing; and refrigeration and air conditioning mechanical service.

Rental fees and policies

Trustees approved revisions to rental fees and policies for Foothill and De Anza for 2014-15.

Board policies

The board approved a new policy, Communications Among Board Members, BP 2720, laying out limits on communication between trustees outside of governing board meetings consistent with provisions of the California open meetings law, the Ralph M. Brown Act.

Trustees approved revisions to the following board policies:

- BP 2725, Board Member Compensation, spelling out the compensation board members receive and under what circumstances (formerly BP 9130),
- BP 5075, Credit Course Drops and Withdrawals, making the policy consistent with college publications and the companion administrative procedure (formerly BP 6126).

Trustees reviewed and discussed the first reading of two new proposed policies and the revision of another:

- BP 2735, Board of Trustees Travel, reflecting trustees' desire for board members who attend conferences or other professional development activities to report on them at

the next regular board meeting (formerly BP 2620).

- BP 2740, Board Education, expressing the board's commitment to ongoing professional development of its members and how that will be achieved.
- BP 2750, Board Member Absence from the State, spelling out under what circumstances governing board members can be absent from the state for more than 60 days under Government Code limitations.

Reduction of classified service

For lack of work or funds, trustees approved elimination of an administrative assistant II position at Foothill and a half-time administrative assistant II position in Central Services, both effective Sept. 15. Affected employees receive 60 days notice of layoff.

Reduction of administrative service

The board approved eliminating the position of dean of kinesiology and athletics at Foothill, effective July 1, because of a reorganization prompted by fiscal challenges. The position is vacant. A new position of athletic director has been created.

District Office Building repairs

Trustees authorized additional spending under Measure E to replace and repair structural framing for the roof of the District Office Building, which turned out to be more damaged than previously thought.

HUMAN RESOURCES & PERSONNEL

Administrator employment & appointments

The board ratified employment of **Charo Albarrán** as human resources director in Central Services and **Patricia James** as executive director of the California Community Colleges Online Education Initiative. They approved the interim assignment of **Victor Tam** as dean of Physical Sciences, Mathematics and Engineering at Foothill. All appointments were effective July 1.

Administrator retirements and resignations

Trustees approved the retirement of **George Beers**, dean of international education at Foothill College, effective Dec. 31 after 33 years, and the resignation for the purpose of retirement of **Mona Voss**, director of environmental health and safety in Central Services, effective Oct. 10 after nine years.

New administrator positions

The board ratified two new administrator positions – division dean of disability support programs and services at De Anza and athletic director at Foothill.

Faculty employment

The board approved employment of the following faculty – at Foothill, **Amanda Pitts** as chemistry instructor in PSME, and at De Anza, **Francesca Caparas** and **Jamie Joseph** in Language Arts, **Milena Grozeva Levy** in Creative Arts, **Ninos Malek** in Social Sciences and **Sohi Somayeh** in PSME, all effective Sept. 18. Trustees approved temporary employment for the 2014-15 academic year for **Jorge Morales** in Counseling at De Anza starting Sept. 18.

Faculty retirements & resignations

The board approved retirement of the following De Anza faculty members – **Alfred Domingues** in Counseling on June 26 after 24 years (under Article 19 of the Faculty Association agreement); **Hazel Joan Frieson** in Disabled Student Programs & Services, effective Aug. 14 after 26 years; and **Anita Whitehill** in Business & Computer Systems on June 27 after 24 years (Article 19).

Classified employment

The board approved or ratified employment for the following individuals – at Foothill, **Melia Arken** as administrative assistant II for the Krause Center for Innovation and **San Lu** as accommodations coordinator in Adaptive Learning; at De Anza, **Nancy Charnoski** as Admissions & Records assistant, **Huy Khac Du** as Adaptive PE class assistant II, **Mark Ferrer** as instructional associate in Disabled Student Programs & Services, and **Teresa Roy** as food services assistant; and in Central Services, **Xiangyi Du** as benefits technician and **Kiel Wheat** as accountant.

New classified positions

Trustees approved two new classified positions – cashiering services supervisor at Foothill and program coordinator I in Academic Services at De Anza.

Classified retirements

Trustees approved retirement of the following classified employees – at Foothill, **Patricia Davoren**, secretary in Student Affairs & Activities, on Aug. 29 after 20.75 years, and **Patricia Wood**, cashiering services coordinator, on July 7 after 15 years; and at De Anza, **Nancy Cole**, executive assistant to the vice president of student services, effective Aug. 29 after 29 years.

Professional Growth Awards

The board ratified Professional Growth Awards for the following individuals – at Foothill, Academic Services Technician **Shawna Aced**; at De Anza, Broadcast Production Coordinator **Tamara Ehle**, College Researcher **Mallory Newell** and Senior Cashier **May Thai**; and in Central Services, Senior Computer Operator **Richard Gaca** in ETS.

REPORTS & HEARINGS OF ITEMS NOT ON THE AGENDA

(Board members by law cannot discuss items that are not placed in advance on the agenda.)

Public comments

Palo Alto resident **Ken Horowitz**, a dental hygiene instructor at Foothill College, spoke about the salaries of faculty members who teach “overload” classes. He said that some earn almost as much in overload pay as they do in base pay. Although teaching more classes than required is permissible under the Faculty Association contract, he said overload classes create a “wealth gap” between faculty and classified employees. Horowitz was alerted to the salary data through a recent news story about the growth of overtime pay in cities and counties during the recession. Although the story did not include Foothill-De Anza, it linked to a Bay Area public employee compensation database maintained by the Bay Area News Group.

Former student **Wendy Springer** spoke about her desire to resolve a dispute stemming from an injury she said another student inflicted on her several years ago. She took issue

with the findings of an independent investigator, saying the investigator spoke with her but not other witnesses.

Staff comments

Karen Smith, a senior library technician, introduced herself as president of the Foothill Classified Senate. She reported on the daunting task of moving the library. She said librarians and classified staff members came in on their own time over the weekend to make sure the move of 70,000 books and seven offices would go smoothly. Because of student need, the library is keeping open the reserve textbook desk. She also reported on developing plans with 22 other community college classified senates for a professional development day.

Presidents' comments

De Anza President **Brian Murphy** and Foothill President **Judy Miner** reported on the colleges' commencement ceremonies.

President Miner said she looks forward to working with **Karen Smith** and **Carolyn Holcroft**, the new Foothill Classified and Academic Senate presidents and her co-chairs on Foothill's Planning & Resources Council (PaRC). She noted that Foothill student **Yessica Torress**, who was an intern at the NASA-Ames Advanced Studies Laboratories last quarter, had accepted a job as a microscopy analyst at Evans Analytical Group. Her brother **Cesar Torress**, a student in Foothill's nanotechnology program, is following in her footsteps as an intern at the Advanced Studies Labs, a partnership between NASA-Ames and UC Santa Cruz to encourage innovative research.

She commented on an article that appeared July 3 in BAM Magazine written by its managing director **Kenny Wardell**. Wardell, a Foothill alumnus, recounts meeting **Carlos Santana** in 1966 in the Foothill women's gym, where the Santana Blues Band was playing one of its first concerts. She said she would love to bring Santana back to visit the campus. (Read the article at <http://www.bammagazine.com/bams-big-santana-news>.)

Vice Chancellor **Dorene Novotny** introduced **Charo Albarrán** as the new human resources director. Albarrán comes to the district from the Solano Community College District where she served as HR manager and interim director after working in human resources at UC Berkeley.

Vice Chancellor **Joe Moreau** introduced **Pat James** as the founding executive director of the Online Education Initiative, which the district is leading. James has worked as an instructor, instructional dean, grant program leader and advocate for online education and is widely recognized as a national leader in online learning. He said he can think of no one more qualified to lead the initiative.

Chancellor's comments

Chancellor **Linda Thor** reported that the Rotary Club of Los Altos recently surprised President **Judy Miner** by presenting her with a Paul Harris Award, the highest honor given to a non-Rotarian, for working with the club to support Foothill's Veteran's Resource Center. She acknowledged Vice Chancellor of Technology **Joe Moreau** for skillfully representing the district and the Online Education Initiative during a panel discussion about online learning in public higher education. The discussion, sponsored by the Public Policy Institute of California, was held in Sacramento and webcast live. (The discussion is archived at <http://www.ppic.org/main/event.asp?i=1518>.)

Trustees' comments

Board President Swenson introduced **Peter Landsberger**, the newest member of the Foothill-De Anza Foundation Board of Directors. A community college graduate, Landsberger worked for Foothill-De Anza as general counsel and vice chancellor before his appointment as president of the College of San Mateo, then vice chancellor and interim chancellor in the Los Angeles Community College District.

Trustee **Joan Barram** commented on attending many year-end celebrations at the colleges and how much she enjoyed hearing from students, faculty and staff. Board President Swenson said the ceremonies were moving for students and their families and gratifying for trustees. Trustee **Betsy Bechtel** noted that the colleges had awarded nearly 3,000 degrees and certificates this year. Trustee Laura Casas called students' accomplishments inspiring and Trustees **Pearl Cheng** offered congratulations to all.

Trustee Bechtel and De Anza Student Trustee **Melissa Epps** commended **Paula Norsell**, assistant to the chancellor, for developing a unified calendar of year-end and other events for use by the board and smoothly implementing BoardDocs Pro, the new system the district is using to manage board meetings and policies.

NEXT MEETING

The next meeting of the Board of Trustees is scheduled for Monday, Aug. 4, 2014, at 6 p.m. in the Toyon Room in the Campus Center at Foothill College. The Toyon Room is the board's new meeting location until further notice.

Agenda: <http://www.boarddocs.com/ca/fhda/Board.nsf/Public>

Agendas generally are posted 72 hours in advance. **Please check the agenda to verify the time and location of the meeting.**

BOARD HIGHLIGHTS

Board Highlights is designed to communicate board meeting news to faculty and staff across the district. These are not the official minutes, which are available after their approval at a subsequent board meeting. Please contact Becky Bartindale at bartindalebecky@fhda.edu or (650) 949-6107 with comments or questions about *Board Highlights*.

Official minutes: <http://www.boarddocs.com/ca/fhda/Board.nsf/Public>

Find approved minutes by date under the "Meetings" tab. Minutes are typically approved at the next board meeting and posted within several days. Draft minutes from a meeting typically can be found on the agenda of the following meeting.