

District Shared Governance Council (DSGC)
November 2, 2009
Minutes

Members Present: Co-Chair Jing Luan, Linda Allen, Connie Beringer, Jenny Castello, Megan Eznekier, Denisse Gonzalez, Cliff Heap, Ray Hernandez, Teeka James, Charles Jones, Virginia Medrano Rosales, Martin Partlan, Rita Sabbadini, Stephanie Samuelson

Members Absent: Co-Chair Patty Dilko, Diana Bennett, Aldo Garcia, Marsha Ramezane, Steffi Santana, Jacqueline Solorzano

Others Present: Kathy Blackwood, Barbara Christensen

The meeting was called to order at 2:23 p.m.

Review and Approval of Minutes

It was moved by Dean Castello and seconded by Ms. Allen to approve the minutes of the meeting of October 5, 2009. The motion carried, with three abstentions and the remainder of those present voting “Aye.”

Discussion of the Order of the Agenda

In order to accommodate the guests, Vice Chancellor Luan requested that “Board Policy 8.70 – Fees & Charges” and “Board Policies” be considered prior to “Strategic Plan Update.” There were no objections.

Public Comments

None

Board Policy 8.70 – Fees & Charges

Chief Financial Officer Kathy Blackwood said the proposed changes to this policy are primarily changes in language to conform to the recommendations of the Community College League of California. Sections 3(c), auditing fees; 3(g), instructional materials fees; and 3(h), physical education facilities, were added; the District has been assessing these fees but they were not specified in the policy. Professor James asked if there could be consequences for charging fees that are not included in the policy. CFO Blackwood said all assessed fees are authorized by law.

Regarding section 9 - “Grades, transcripts, degrees, and/or registration privileges shall be withheld from any student or former student properly charged with owing the District fines, fees, or other charges which remain unpaid” - Dean Castello suggested that the “or” in “and/or” be removed. Dean Castello said it is important that fees be collected. She said that when students are allowed to owe money, they can register for many classes in order to “shop around,” thereby preventing others from getting into the classes. CFO Blackwood said that students can owe money to the District up to a certain limit (currently \$200) and still register for another term. The student body would need to be consulted if a change was going to be considered. Professor James suggested that a more effective way to deal with the issue would be to drop students who don’t show up on the first day of class. Mr. Jones said there could be a problem with this if the reason for the absence is not known. Professor James said she would like to have data on how many students owe money in order to determine to what degree it is a problem.

Ms. Sabbadini said the wording of section 6 regarding nonresident tuition and State mandated fees is not clear. CFO Blackwood said she will change the language to clarify and send it out to the DSGC membership.

CFO Blackwood asked that DSGC members review the proposed revised policy with their constituents and bring comments back to the December meeting.

Board Policies

Ms. Christensen said that all of the proposed policies have come before the DSGC at least once. She said that Chapter 7 policies are referred to the Associated Students because the Board of Trustees relies on student input on policies that affect students. Ms. Gonzalez said that Skyline Associated Students has reviewed the policies; the student representatives from the other Colleges were not present.

Ms. Christensen said that Policy 7.69, Student Conduct, was reviewed by County Counsel again and some items were added and others clarified, as shown on the proposed policy distributed at the meeting.

Ms. Gonzalez said there is confusion about the meaning of “hate violence” in Policy 7.21, Speech: Time, Place and Manner, and Professor Partlan said his constituency also had a problem with this wording. Ms. Christensen said the language is directly from the League recommendation. Ms. Christensen said she received a memo from Diana Bennett asking why the policy speaks only to students. Ms. Christensen said it does speak to others in section 1. Professor James said that AFT believes the policy to be dangerous and that there will be a demand to negotiate.

Ms. Gonzalez asked who would be mandated to provide counseling as called for in Policy 7.22, Student Credit Card Marketing. Ms. Christensen said the policy does not specify who would provide counseling. After a brief discussion, there was consensus that Council members would prefer prohibition of credit card marketing on the campuses. Ms. Christensen will check to see if it is legal to prohibit them and will revise the policy accordingly.

Ms. Gonzalez asked if the sentence, “The District shall maintain an organized program for men and women in intercollegiate athletics” in Policy 7.23, Athletics, means that athletics would be exempt from cuts. Ms. Christensen said it does not and asked if using the word “offer” rather than “maintain” would clarify the meaning. There was unanimous agreement that this change should be made.

Ms. Gonzalez questioned the meaning of a “facsimile” firearm, knife or explosive as stated in section 2(v) of Policy 7.69, Student Conduct. Ms. Christensen said that at the recommendation of County Counsel, she has taken out the word “facsimile” and replaced it with “imitation.” Professor James said there could be potential problems for students carrying army or pocket knives or having a Nerf gun in their car. Ms. Christensen cited the following definition in section 3(e): “Weapon – any object or substance designed or used to inflict a wound or cause injury.” She also mentioned a recent case in which a person with a toy gun was shot by police. Mr. Jones questioned whether the policy would outlaw certain items at Halloween parties. Dean Castello said there was sword play on campus to promote a play but it was publicized beforehand that this would occur; she said it would be the same with Halloween celebrations. Dean Beringer added that common sense would prevail. Ms. Gonzalez said that after the shooting incident at Skyline, this is a hot topic for students who would be very frightened to see a weapon, real or not. Dean Beringer said the policy also provides protection for a person who might otherwise bring a toy gun to campus because it prevents him/her from getting harmed by anyone who thinks the toy is real or who might overreact. Professor James said she would like to see it stated in the policy that it is for students’ own safety that they not bring imitation weapons to campus. Professor Partlan suggested that section 2(v) be broken into two parts, with the second part addressing intent in connection with the imitation firearm, knife or explosive. Ms. Christensen asked the students to take this suggestion back to their constituencies for consideration.

Regarding the proposed Policy 1.00, The San Mateo County Community College District, Professor Partlan asked how the naming of the District would affect clubs and organizations. Ms. Christensen said the wording in section 4 can be changed to say the Board reserves the right to prohibit the use of the name by organizations that are not affiliated with the District and Colleges. Professor Partlan asked about the permissibility of using “SMCCD” such as in email. Ms. Christensen said this is addressed with the phrase “or any abbreviation of them” in section 2 of the proposed policy.

Ms. Christensen said AFT believes that Policy 2.25, Prohibition of Harassment, is negotiable. Professor Partlan asked if there is anything in the proposed policy that is not covered by law and, if it is already in the law, why a policy is necessary. Ms. Christensen said having a policy is a way to organize the information so that District employees know what the laws and policy are. Regarding section 10, which states “The District shall promptly investigate and resolve complaints of harassment. . . .,” the question arose about how complaints will be investigated and to whose satisfaction they will be resolved. Dean Beringer said the process is set by either the District or the Colleges and should not be part of the policy. Ms. Allen, noting that section 10 says people will be protected from retaliation, asked how they will be protected. Dean Beringer said each case is different but all are dealt with. Professor Partlan suggested that “and Colleges” be added to the first sentence in section 10, to read “The District and Colleges shall promptly investigate. . . .” Ms. Christensen will make this change. Dean Castello noted that training on sexual harassment was provided in the past.

Ms. Christensen said AFT also believes that Policy 2.28, Safety: Injury and Illness Prevention Program, is negotiable. Professor James wanted a definition of “menacing” and “intimidating” as used in section 3. Mr. Jones said the statement in section 2 that “The District strictly prohibits the unauthorized possession of firearms and other weapons. . . .” will not prevent people from bringing such items but he will not ask that it be removed. Ms. Christensen said she will make changes so that this policy consistent with Policy 7.69, Student Conduct.

Regarding Policy 2.55, Emergency Response Plan, Professor James said employee training on how to be “disaster service workers” should be provided. Professor Partlan said the classified staff at Cañada College are concerned that the amount of paperwork involved might be excessive. Vice Chancellor Luan said this issue is being worked on. After this discussion, Vice Chancellor Luan called for a poll on approval of this proposed policy. The vote was unanimous at the “a” level (I support the recommendation completely).

Regarding Policy 7.20, Student Equity, Professor James asked what “equity” means in this context (“Each College shall establish a student equity plan that meets the Title 5 standards for such a plan”). Vice Chancellor Luan said this is well defined in Title 5. Vice Chancellor Luan called for a poll on approval of this proposed policy. The vote was unanimous at the “a” level (I support the recommendation completely).

Ms. Christensen said these approved policies will not be taken to the Board of Trustees until some of the others are ready. Professor Partlan thanked Ms. Christensen for her work on all of the policy revisions and additions.

Strategic Plan Update

Vice Chancellor Luan distributed copies of the draft “SMCCCD Strategic Plan Evaluation Sequencing Matrix” and explained that this is the plan evaluation mechanism of the District Strategic Plan. The District Strategic Planning Committee meets monthly and in 2009-10, the members collectively settled on 14 recommendations, identified by the Colleges and the District from among 53 recommendations in the Plan, to be priorities. The matrix lists these recommendations along with Strategic Planning Committee discussions, status, responsibilities, and evaluation method and documentation. Professor Partlan asked that Vice Chancellor Luan explain what “DRC” is and also the names of people referred to only by first name. Vice Chancellor Luan said DRC is the District Research Council. It is currently chaired by Skyline College President Vicki Morrow. Other members are College researchers, ITS personnel, CFO Kathy Blackwood and Vice Chancellor Luan. Vice Chancellor Luan said he will provide a list of members at the next Council meeting. Vice Chancellor Luan said the DSGC has the responsibility to oversee planning issues. Dean Beringer asked if the 14 recommendations on the matrix are listed according to priority. Vice Chancellor Luan said these recommendations are not prioritized; they are meant to be addressed all at once and in no particular order. Vice Chancellor Luan will remove the numbers from the matrix. He will also spell out acronyms and give full names of participants on future versions.

Professor Partlan asked what Council members should do with the information provided. Vice Chancellor Luan said it is for information only. He added that the information can be shared with DSGC members’ constituents but they might want to wait until he provides an updated document.

Closing Remarks

None

Agenda Building

- a. CSM Logo
- b. Policies coming back after review by constituencies
- c. Accreditation update – will be provided when response is received
- d. Budget – no proposals submitted yet

Adjournment

The meeting was adjourned by consensus at 3:55 p.m.