

**Minutes of the Regular Meeting of the Board of Trustees  
San Mateo County Community College District  
March 21, 2013, San Mateo, CA**

**The Closed Session meeting was called to order at 5:35 p.m.**

**Board Members Present:** President Helen Hausman, Vice President Karen Schwarz, Trustees Richard Holober, Dave Mandelkern and Patricia Miljanich

**Others Present:** Chancellor Ron Galatolo, Vice Chancellor Harry Joel, Student and Student Representative

Student Discipline Matter – 1 Case

The Closed Session meeting was adjourned at 6:10 p.m.

**Convene to Open Session**

**The meeting was called to order at 6:15 p.m.**

**Board Members Present:** President Helen Hausman, Vice President Karen Schwarz, Trustees Richard Holober, Dave Mandelkern and Patricia Miljanich, Student Trustee Bailey Girard

**Others Present:** Chancellor Ron Galatolo, Executive Vice Chancellor Kathy Blackwood, Skyline College Vice President of Student Services Joi Blake, College of San Mateo President Michael Claire, Cañada College President Larry Buckley, District Academic Senate President Diana Bennett

Vice President Schwarz, chairing the meeting in place of President Hausman, announced that no action was taken at the closed session just concluded.

President Hausman announced that she has decided to retire from the Board of Trustees within the next month or so and will announce the exact date by the next Board meeting. She said she will follow the legally required process for resignations. President Hausman said this is a very difficult decision but, because of problems with her eyes, she believes she has no choice but to retire at this time.

**DISCUSSION OF THE ORDER OF THE AGENDA**

None

**MINUTES**

It was moved by Trustee Holober and seconded by President Hausman to approve the minutes of the Study Session of March 13, 2013. The motion carried, all members voting “Aye.”

**STATEMENTS FROM EXECUTIVES AND STUDENT REPRESENTATIVES**

Skyline College Vice President Blake said President Stanback Stroud is attending the Sustainable San Mateo County Awards, at which Skyline College Instructor Bruce Greenstein is receiving an award. Vice President Blake said the sixth annual “Rock the School Bells” was a successful event. The *Skyline View* student newspaper won two awards at the Associated Collegiate Press National College Journalism Convention. Next Thursday, Skyline College will host the César E. Chávez Commemorative Luncheon in an effort to increase enrollment and address the needs of the Latino community. Today, the College hosted the Gateway to College program, with more than 200 court-ordered youth in attendance.

College of San Mateo President Claire said the College hosted approximately 650 Pacific Islander youth at the Mana Conference last Saturday. The emphasis of the conference is on students completing their high school education and attending college. President Claire extended special thanks to Fi Tovo in Admissions and Records who helped make the event a success. President Claire said the new schedule of classes is now available. The College is continuing to use the successful newspaper format and is using the schedule to inform the community about the College. The fall semester schedule will be expanded to include a section on community connections. The “Jazz on the Hill” event, scheduled for June 1, is advertised on the back of the schedule. The Auxiliary Services Department is underwriting a portion of this

event and President Claire thanked Vice Chancellor Tom Bauer for doing so. Also on June 1, the College will hold an Open House in honor of its 50 years “on the hill.”

Cañada College President Buckley said Preview Day took place at the College this morning and attracted more than 300 students from area high schools, as well as GED students. The attendees received orientation to Cañada College’s services and programs. President Buckley attended the Skyline College President’s Breakfast this morning. He offered congratulations to President Stanback Stroud and the entire campus for their model of community engagement. Last week, President Buckley spoke at the Redwood City Chamber of Commerce Breakfast and said the attendees were particularly interested in hearing about student successes. Cañada College student Mayra Rios will travel to Brown University this summer for a paid internship to work on fetal cell research. Two Cañada College students were named to the All-California Academic Team. President Buckley attended a performance of the Theatre Department’s production of *Almost an Evening* and said it is a very entertaining production. There will be additional performances on Saturday night and Sunday afternoon.

Paige Kupperberg, President of the Associated Students of College of San Mateo (ASCSM), said there is student representation on each participatory governance committee on campus and at the District level. Ms. Kupperberg said ASCSM went through a constitutional change last semester and there are now two boards – the Programming Board and the Advocacy Board. There are 26 active clubs, many of which are common interest clubs connected to majors. Since Ms. Kupperberg’s last report to the Board, activities have included an Advocacy Town Hall with Congresswoman Jackie Speier; Stress Relief Week; Holiday Angels; Reboot Week; Valentine’s Day and the Club Fair. During the past two weeks, ASCSM sent students to Sacramento and Washington, D.C. to advocate on behalf of the students of College of San Mateo. Planned future events include Spring Fling, Earth Day, Film Festival, and Women in Leadership Town Hall. Voting for the College’s nomination for Student Trustee will take place on March 26 and 27 and the nominee results will be posted on March 28. The District Student Council will make the selection of the Student Trustee on April 13. Candidates for ASCSM offices will begin campaigning on April 22. Polls will be open from April 30 through May 2 and results will be posted on May 3. Ms. Kupperberg will not be running for office because she will be transferring after the current semester. Vice President Schwarz asked Ms. Kupperberg which college she will be attending. Ms. Kupperberg she has been accepted to Humboldt State University and Sacramento State University. She is waiting to hear from the University of California, Davis.

#### **STATEMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

None

#### **NEW BUSINESS**

##### **APPROVAL OF PERSONNEL ACTIONS: CHANGES IN ASSIGNMENT, COMPENSATION, PLACEMENT, LEAVES, STAFF ALLOCATIONS AND CLASSIFICATION OF ACADEMIC AND CLASSIFIED PERSONNEL (13-3-1A)**

Vice President Schwarz said there is a request to remove the staff assistant position at Skyline College from the “Reassignment” section of the report. It was moved by Trustee Miljanich and seconded by Student Trustee Girard to approve the actions in the amended board report. The motion carried, all members voting “Aye.”

##### **RE-EMPLOYMENT OF CONTRACT AND REGULAR FACULTY FOR THE 2013-14 ACADEMIC YEAR (13-3-2A)**

It was moved by Student Trustee Girard and seconded by Trustee Miljanich to approve the actions in the board report. The motion carried, all members voting “Aye.”

#### **Other Recommendations**

##### **VOTE TO ELECT MEMBERS OF THE CALIFORNIA COMMUNITY COLLEGE TRUSTEES (CCCT) BOARD (13-3-1B)**

Vice President Schwarz said there are seven openings on the CCCT Board. She asked for Board member input on the 15 candidates. During discussion, Board members recommended the following candidates: Howard Rudd, Sierra Joint CCD; Adrienne Grey, West Valley-Mission CCD; Cy Gulassa, Peralta CCD; Isabel Barreras, State Center CCD; Greg Bonaccorsi, Ohlone CCD; Garrett Yee, Ohlone CCD; and Jeffrey Lease, San Jose-Evergreen CCD.

It was moved by Trustee Mandelkern and seconded by Trustee Miljanich to approve the slate of candidates listed above. The motion carried, all members voting “Aye.” Staff will return the official ballot to the CCCT Elections Committee prior to the submission deadline.

**APPROVAL OF CURRICULAR ADDITIONS – CAÑADA COLLEGE (13-3-2B)**

It was moved by Trustee Miljanich and seconded by Student Trustee Girard to approve the additions as detailed in the report. The motion carried, all members voting “Aye.”

**APPROVAL OF SAN MATEO COUNTY COMMUNITY COLLEGE DISTRICT PROPOSED GOALS FOR 2013-14 (13-3-100B)**

It was moved by President Hausman and seconded by Trustee Miljanich to approve the goals as presented in the report. The motion carried, all members voting “Aye.”

**ACCEPTANCE OF EXTERNAL FUNDS FROM THE STATE OF CALIFORNIA DEPARTMENT OF REHABILITATION AND ADOPTION OF RESOLUTION NO. 13-3 AUTHORIZING EXECUTION OF AGREEMENT (13-3-101B)**

It was moved by Trustee Holober and seconded by Trustee Miljanich to approve the acceptance of funds as detailed in the report. The motion carried, all members voting “Aye.”

**AUTHORIZATION FOR EXECUTIVE VICE CHANCELLOR TO EXECUTE OR RENEW CONTRACT WITH AN ENERGY SERVICE PROVIDER FOR PURCHASE OF ELECTRICITY (13-3-102B)**

It was moved by Trustee Miljanich and seconded by Trustee Holober to approve the authorization as detailed in the report. The motion carried, all members voting “Aye.”

**APPROVAL OF CONTRACTS FOR DISTRICTWIDE ATHLETIC FIELD REPLACEMENT (13-3-103B)**

It was moved by Student Trustee Girard and seconded by Trustee Miljanich to approve the contracts as detailed in the report. Trustee Mandelkern asked how redevelopment funds will be utilized given the demise of Redevelopment Agencies. Barbara Christensen, Director of Community/Government Relations, said the District will continue to receive redevelopment funds into the future and some Redevelopment Agency agreements require that funds be spent to benefit the community, which the athletic fields will do. Trustee Mandelkern asked if the synthetic fields have lived up to expectations. José Nuñez, Vice Chancellor of Facilities Planning, Maintenance and Operations, said the fields have lived up to expectations in terms of performance, energy savings and safety for athletes. Noting that the vendors agreed to hold their pricing through the completion of the first phase of the project, Vice President Schwarz asked if new offers will be requested for the second phase. Vice Chancellor Nuñez said they will, most likely at this time next year. Student Trustee Girard asked about the timeline for the project. Vice Chancellor Nuñez said the work will probably be done in June/July of this year. After this discussion, the motion carried, all members voting “Aye.”

**ADOPTION OF RESOLUTION NO. 13-4 AUTHORIZING ISSUANCE OF TAX AND REVENUE ANTICIPATION NOTES (13-3-104B)**

It was moved by Trustee Miljanich and seconded by Trustee Mandelkern to approve adoption of the resolution as detailed in the report. The motion carried, all members voting “Aye.”

**RATIFICATION OF CONTRACT FOR EMERGENCY REPAIR OF GAS LINES AT COLLEGE OF SAN MATEO UNDER PUBLIC CONTRACT CODE SECTION 20113 (13-3-105B)**

Vice President Schwarz said a detailed board report was prepared after cost estimates were determined, which was subsequent to publication of the board packet. A copy of the report was distributed to Board members at the meeting. It was moved by Trustee Holober and seconded by Trustee Miljanich to approve ratification of the contract as detailed in the report. Vice Chancellor Nuñez said staff presented a synopsis of the situation at the March 13 study session. He introduced Karen Powell, Facilities Operations Manager, who will provide an updated report. Ms. Powell showed slides of the gas lines and the affected area. She said there were complaints about the smell of gas but there was difficulty diagnosing the problem and locating the leak. As a result, PG&E brought a sophisticated instrument, found trace elements of gas on the pool deck, and said the gas supply to that line should be turned off. Ms. Powell said that during CIP2, 80% of the gas lines were replaced and this leak occurred in a legacy line. Western Allied Mechanical, a firm that is prequalified by the District and whose work is well known, was brought in to assist in locating and repairing the damaged line. Staff determined that the most expedient solution was to install a new gas line along the Perimeter Road. The work progressed quickly and service has been restored. Ms. Powell acknowledged Facilities

Department staff who worked tirelessly to restore service as quickly as possible. She said the cost for completion of the work was \$185,000 rather than \$225,000 as was estimated in the board report. Trustee Mandelkern asked about the composition of the new line. Ms. Powell said it is PVC, which is durable and reliable. President Claire thanked the Board for granting emergency authorization. He said communication between the College and the Facilities staff was excellent. After this discussion, the motion carried, all members voting “Aye.”

**APPROVAL OF ADDITIONS AND REVISIONS TO BOARD POLICIES: 2.08, DISTRICT PARTICIPATORY GOVERNANCE; 2.19, NONDISCRIMINATION; 2.60, RESIGNATIONS; 6.01, PHILOSOPHY AND PURPOSE; 6.33, USE OF COPYRIGHTED MATERIALS; 6.35, ACADEMIC FREEDOM; 8.14, BOND OVERSIGHT COMMITTEE AND ACCOUNTABILITY MEASURES; 8.55, CONFERENCE ATTENDANCE AND TRAVEL (13-3-106B)**

It was moved by Trustee Miljanich and seconded by Student Trustee Girard to approve the additions and revisions as detailed in the report. Vice President Schwarz asked why the term “participatory governance” is replacing “shared governance” in Policy 2.08. President Claire said “participatory governance” is recommended by the Community College League of California and the State Academic Senate because it is more descriptive of the governance structure at community colleges.

Ms. Christensen said AFT had requested to negotiate Policy 6.35. However, because this policy is needed to meet accreditation requirements, AFT and District staff agreed to adopt this statement as the policy. The statement was adopted by faculty and approved by the Board in the early 1990s. Ms. Christensen said AFT and the Academic Senate may bring a different statement forward in the future. Trustee Mandelkern said the statement refers to the right of faculty to express opinions but does not address the right of other staff or students to do so; he asked if the rights of these groups are addressed in other policies. Ms. Christensen said items (1) and (2) in the policy describe academic freedom in general terms. She said they also will be addressed in the policies on Time, Place and Manner and Use of Communications Systems, both of which will be reviewed by the District Participatory Governance Council and come to the Board in the near future.

Trustee Mandelkern said Policy 8.14 states that a committee member who misses three consecutive meetings without an acceptable excuse will be automatically dropped. He said that, with the recommended change to semiannual meetings, a member could miss meetings for more than a year without being removed. Ms. Christensen said there have been no problems with attendance and committee members are polled in advance in order to find dates that accommodate all members.

After this discussion, the motion to approve the additions and revisions carried, all members voting “Aye.”

**ADOPTION OF RESOLUTION NO. 13-5 ESTABLISHING TRUSTEE AREAS FROM WHICH DISTRICT GOVERNING BOARD MEMBERS WILL BE ELECTED AND APPROVING THE ELECTION OF SUCH BOARD MEMBERS IN A BY-TRUSTEE AREA ELECTION PROCESS (13-3-107B)**

Vice President Schwarz said changes were made to the resolution subsequent to publication of the board packet and additional maps were added to Exhibit A; Board members are provided copies of the revised resolution and the additional maps. It was moved by Trustee Miljanich and seconded by Trustee Mandelkern to approve the adoption of the revised resolution and the election of Board members as detailed in the resolution.

Michael Wagaman, a demographer retained by the Board as a consultant, exhibited the map labeled “Scenario 4A”. Vice President Schwarz said that, since the resolution refers to the map and there have been changes to the map, clarification is needed. Mr. Wagaman said the numbering of the districts has changed, but the boundaries remain the same. Vice President Schwarz asked why the changes were made. Mr. Wagaman said it was suggested by the subcommittee that the even numbered districts be grouped together in the north because they would have elections in 2013. The odd numbered districts would have elections in 2015.

Mr. Wagaman exhibited two maps showing Scenario 4A with city boundaries and with school district boundaries. He said the proposed map is a combination of the two. He said there are three lines which do not follow either city or school district boundaries and he exhibited maps of these three areas:

1. South San Francisco split (Districts 2/4)
2. San Mateo-Foster City Elementary School District split (Districts 1/3)
3. Emerald Lake Split (Districts 3/5)

Mr. Wagaman said one of the challenges was to look at a host of criteria and the goals the Board wants to achieve. He said a key piece of redistricting laws is the Federal Voting Rights Act. Based on the provisions of that Act and on preference, the Board expressed a desire to put together a district that had a 50% Asian citizen voting age population. This is shown as District 2. It consists of the Jefferson Elementary School District, the Bayshore Elementary School District, the Brisbane Elementary School District, and a portion of South San Francisco centered along the freeway.

Mr. Wagaman said the Board also expressed a desire to try to maintain a Coastal Community of Interest (COI), which is included in District 3. This resulted in a slightly higher deviation, but it is within acceptable parameters based on past legal cases and advice of counsel. The district also includes a group of cities identified as being ideally kept together because of common socio-economic interests, including Woodside, Portola Valley and Atherton; most of the City of Menlo Park; the unincorporated Emerald Lake area. It extends through Belmont, into Redwood Shores and includes the City of Foster City.

District 1 consists of most of the population of the San Mateo-Foster City Elementary School District, excluding Foster City; the Burlingame Elementary School District and the Hillsborough City Elementary School District.

District 4 consists of the San Bruno Park Elementary School District, the Laguna Salada Union Elementary School District and the remainder of South San Francisco.

Trustee Holober asked for more information about the Emerald Lake area which he said seems to have streets that are not connected. Mr. Wagaman said the roads and the census geography of this area are odd and he drew the boundaries with the intent of avoiding additional fragmentation of the City of Redwood City.

Trustee Miljanich asked in which of the proposed districts Board members currently reside. Mr. Wagaman said District 2 has no Board member in residence. Trustee Holober resides in District 4; Trustee Mandelkern resides in District 1; Trustee Hausman resides in District 3; and Trustee Schwarz resides in District 5. Mr. Wagaman said he worked under the assumption that Trustee Miljanich resided in District 3 but has been informed that she moved since the last election and currently resides in the proposed District 5. Trustee Miljanich noted that, in light of President Hausman's announcement of her intended resignation, there would be two districts (Districts 2 and 3) in which no current Board members will reside.

Trustee Schwarz asked if it would be feasible to include Trustee Holober's residence in District 2. Mr. Wagaman said there is a large population between Trustee Holober's residence and Daly City, and the only way to place his residence in District 2 would be to draw a "finger" to encompass his home.

Trustee Holober said there are two new factors that have come to light: new information on Trustee Miljanich's address and the announcement of President Hausman's resignation. He noted that Vice President Schwarz's residence is close to the border of District 3 and asked if an adjustment of the boundaries could be made to include her residence in District 3. In that case, given President Hausman's announcement, there would be only one incumbent per district. Mr. Wagaman said this would involve trading population between Districts 3 and 5. The "inelegant" way to do so would be to draw a "finger" from the edge of one district to move one of the two members' houses across the line. The other way would be to move the City of San Carlos from District 5 to District 3, along with other changes between the two districts. Mr. Wagaman said he would draw maps demonstrating these changes while the meeting is in progress.

Trustee Miljanich said she is concerned about how geographically large District 3 is, given that a trustee must travel to each area within a district to effectively represent the district.

Vice President Schwarz said she is bothered by the idea of linking President Hausman's announcement of her retirement to the redistricting issue. She said she personally would like to have the retirement stand alone and not worry about how it will affect district elections. President Hausman said her retirement will present a major change in the Board. She said there are many questions and she does not see the urgency of establishing district boundaries and voting on them at the meeting tonight.

Trustee Mandelkern said there is urgency in terms of the process for the upcoming election cycle. If action is not taken, the Board will miss the opportunity for any changes to take place for the 2013 election cycle. William Tunick, the attorney hired by the Board to advise them on this matter, described the timeline for the process of changing the

election method. He said the Board of Governors must approve the change and the only remaining meeting at which they could do so is May 5-6. The Board of Governors requires that a resolution proposing the change be submitted 30 days in advance of their meeting so that they have time to start the process of review. Therefore, the resolution would have to be submitted by early April in order to make the change effective for the 2013 election cycle.

Trustee Mandelkern said he believes there would be some degree of risk and exposure to legal action against the District if by-district elections are not adopted in the next two years. He asked Mr. Tunick if this is a correct assessment. Mr. Tunick said the Board could wait past the 2013 election but this would result in more time during which the District could be at risk. Trustee Miljanich said all Board members are concerned with legal matters; however, the Board is already genuinely engaged in the process and is not necessarily saying it will wait until just before the 2015 election to make a decision. Mr. Tunick said the fact that the Board has been considering this option puts it in a strong position to say the District is looking into making this serious and important change and wants to take the time to do it right.

Trustee Holober said he would like the Board to consider the new drawings which will break up the districts differently in the southern part of the county. He said part of the Board's thinking is to establish a majority/minority district and this is possible only in the northern area of the county. He said an opportunity would exist for the majority/minority district in November and he believes this is an opportunity that the Board may want to seize.

President Hausman said the Board still must decide how to fill the vacancy that will be caused by her resignation. She said there are many questions about the elections issue and she would object to being coerced into taking immediate action. Trustee Mandelkern said he does not believe there is coercion by anyone. He said he agrees that President Hausman's resignation is separate from the elections issue and should remain separate.

Vice President Schwarz said her impression from previous discussions has been that as long as the Board is working on the issue of redistricting in good faith, it likely would have a strong legal case. She said that during all of the previous discussions, the Board did not know that President Hausman would face circumstances that would cause her to resign. Vice President Schwarz said she would prefer to deal with the resignation first and then come back to the elections issue, although this could mean any change would not be effective for the 2013 election cycle. She said her preference would have been to have a current Board member's residence be included in District 2. Mr. Wagaman said the district could be drawn to include a board member's residence but it would mean splitting several cities and several school districts; he said the Board would have to decide whether to accept that tradeoff. Mr. Wagaman said that if the Board decides to wait to make changes until after the 2013 election, there will be at least one new Board member and possibly two new members. He said it is not known where the residences will be and, if the Board wants to consider incumbency as a factor, it might change the drawings of maps.

Trustee Holober said it appears there are three potential timelines: (1) act now; (2) act after the 2013 elections; and (3) act between now and November 2013; this would at least partially eliminate the issue of redrawing districts with consideration of new incumbents' residences because whoever decides to run in 2015 or later would already know where the boundaries are.

Mr. Wagaman displayed his drawing of the revised map, which he will call Scenario 4B. It makes changes to Districts 3 and 5, resulting in straighter boundary lines. The new District 5 includes Foster City and Redwood Shores. San Carlos is moved into District 3 along with two Redwood City neighborhoods. Vice President Schwarz's residence is now in District 3. Upland Road is the new boundary; Vice President Schwarz's neighbors across the street are not in her district but those below her are. The new scenario drops the deviation by approximately one-half point. The largest deviation is in District 5 and the smallest is in District 1. The total deviation is approximately 9%. Mr. Tunick said this puts the District in a good position because any deviation under 10% is difficult to challenge.

Mr. Wagaman explained that if the Board adopts a by-large election method and district boundaries are set, Board members who have been elected in an at-large election would continue to serve the duration of their terms regardless of where they reside. After their terms expire, and when a district election comes up, all candidates would have to run within a district.

Student Trustee Girard said students are interested in this issue and have expressed the belief that by-district elections are a better way to represent the community.

Trustee Holober asked that Mr. Wagaman make sure he has the correct home addresses of Board members. He said that the Board has been addressing the issue of redistricting for more than a year at several public meetings and has looked at maps many times. He said that, with the new information presented tonight, the Board could enable a majority/minority district to be created and filled while at the same time accommodate districts in which no incumbent Board members would have to run against each other. Trustee Holober said he believes this would be a good solution and he would be ready to move ahead.

Trustee Mandelkern said the Board has had lengthy discussions about whether to change the method of elections. He said the Board has discussed maps, posted a map for public comment, and held public hearings. He said he was open-minded when starting the discussions and feels that compelling arguments have been made by members of the public. The public also voted strongly in favor of by-district elections for County Supervisors. Trustee Mandelkern said the Board has served the District well for many years, but it has not been diverse. Therefore, he has come to the conclusion that changing to by-district elections is the right thing to do. He said it is regrettable that President Hausman will be retiring but that decision should not impact the issue of redistricting. Trustee Mandelkern said he believes the time to move forward is now so that the change can be effective for the 2013 election cycle. He said that before a vote, he would like to propose an amendment to the motion to reflect the newly proposed map labeled Scenario 4B.

Trustee Miljanich said she does not in any way disagree with much that has been said. She believes there is consensus among the Board to move to by-district elections and she supports this move. However, she said that when maps are changed at meetings, it is difficult to understand the changes without being given time to absorb the information. She said she is interested in enhancing communities of interest and diversity, but is concerned about the large geographic area encompassed in District 3. Trustee Miljanich said that she supports by-district elections but needs time to study the new scenario presented tonight before deciding whether she favors that scenario.

President Hausman raised the question of whether trustees who are elected by district would pay attention to the colleges that are not in their area. She also said that some Board members seem unsure of the latest drawing of boundaries and should be given time to study the map further.

Vice President Schwarz said she personally is not in favor of by-district elections but, given the support of the public and most of her colleagues on the Board, she would not vote against a change to by-district elections. However, she said she would be very uncomfortable moving forward at this time because doing so would be a disservice to President Hausman who has served on this Board for 24 years. Vice President Schwarz said she wants to devote time and effort to whatever the Board can do to help President Hausman with her retirement and to the time-consuming process of filling the vacancy. She thanked Mr. Wagaman for the many maps he configured but said she does not see the importance of moving immediately. She said she would vote in favor of by-district elections but not at this time.

Trustee Mandelkern said he would like to offer two amendments to the resolution:

1. Change "Plan 4A" to "Plan 4B" in the three places it is mentioned, and
2. After "the trustee areas from which Board members will be elected in November 2013 and November 2017" add "and every four years thereafter." Likewise, after "the trustee areas from which Board members will be elected in November 2015" add "and every four years thereafter." Mr. Tunick said this change is acceptable.

Trustee Miljanich accepted the amendments to her motion.

Trustee Holober said he would like to consider another change to the resolution. He said his reading is that the motivational base is the Voting Rights Act and, while that is a factor, he would prefer a resolution that speaks to the Board's desire to enhance opportunities for the public to participate in college district elections. He asked Mr. Tunick if it would be possible to strike the following language and replace it with a statement about the Board's desire to reduce barriers for participation or enhance opportunities for participation:

**"WHEREAS**, At-large election processes such as the District's are subject to challenge under California Voting Rights Act of 2001, codified at sections 14025-14032 of the California Elections Code ("CVRA"); and

**"WHEREAS**, A by-trustee area election process is not vulnerable to a challenge under the CVRA. . ."

Mr. Tunick said this language has been seen by the Board of Governors 15 to 20 times and they might expect to see it. However, he said that whether the language is struck or not, adding another section about the Board's motivation would

be acceptable. Trustee Holober proposed amending the resolution to add, directly preceding the quoted paragraphs above, the following statement:

“**WHEREAS**, the San Mateo County Community College District Board of Trustees desires to enhance opportunities for members of the public to participate in college district elections; and”

Trustee Miljanich accepted the amendment to her motion.

The results of a roll call vote to approve the adoption of the amended Resolution 13-5 were as follows:

President Hausman – No  
 Vice President Schwarz – No  
 Trustee Holober – Yes  
 Trustee Mandelkern – Yes  
 Trustee Miljanich – No  
 Student Trustee Girard cast an advisory Yes vote.

Vice President Schwarz said the issue will be revisited at another time. Trustee Miljanich said she would appreciate receiving a high-resolution map in the packet prior to the next discussion. Vice President Schwarz said the Board would appreciate receiving the latest map that was produced in as high resolution as possible.

In response to a question from Vice President Schwarz regarding another public comment period, Mr. Tunick said there is no legal requirement for this.

## **INFORMATION REPORTS**

### **UPDATE ON 2013 ACCREDITATION (13-3-2C)**

Susan Estes, Vice President, Instruction at College of San Mateo, said the Accreditation Liaison Officers have been working closely together to make sure there is a coordinated timeline to finish the College self evaluations. The Accreditation Liaison Officers also have worked to coordinate content that refers to all three Colleges, although each self evaluation will reflect the individual nature of the College.

Reports on the progress, review process and timetables of each the Colleges’ self evaluation reports were presented by Vice President Estes; Vice President Blake; and Robin Richards, Vice President, Student Services at Cañada College.

Vice President Estes said the Board will receive drafts of the self evaluation reports in mid-May and will have until the June 12 study session to review the reports. The Colleges will then incorporate the Board’s input and present the final documents to the Board for action in July. The accreditation site visits are scheduled for October 21 through October 24, 2013.

### **DISCUSSION OF BOARD OF TRUSTEES SELF EVALUATION, 2013 (13-3-3C)**

The Board discussed the results of their self evaluation. Comments included:

#### **Section A: Institutional Mission and Educational Policy**

- Trustee Miljanich said she believes the Board is supported by the District in this area.

#### **Section B: Institutional Planning**

- Trustee Mandelkern said he is surprised by the number of “No Opinion” responses in this and other areas and said it could be a concern if a Board member is not able to assess the Board’s performance.
- Trustee Miljanich said she believes this is an area of strength.
- Vice President Schwarz said she believes the Board invites and respects Districtwide information and research.

#### **Section C: Instructional/Student Services Programs**

- Trustee Holober said he would like to see the Board devote more time to discussing the needs, goals and objectives of the instructional and student services programs.
- Trustees Miljanich, Mandelkern and Schwarz said discussions at study sessions and the “Board Series Presentations-Innovations in Teaching, Learning and Support Services” at regular meetings are informative.

Section D: Facilities

- Board members believe they are well informed in this area.

Section E: Financial Resources

- Trustee Miljanich noted the consistently high marks in this area and said the District is fortunate to have experts in the financial arena, both on the Board and administration, who help maximize resources and take leadership positions at the state level.

Section F: Board Operations

- Trustee Holoher said he would like to have as few as possible Board meeting agenda items with “no written report” but said that overall the information is well-prepared and presented.
- Trustee Miljanich said she would like to receive copies of the “Board Series Presentations” either before or after the presentations so that the Board can review them at a later time if they wish.
- Vice President Schwarz said she believes the Board does a good job of conducting its meetings in an orderly manner and allowing for sufficient public comment and in treating one another with respect and tolerance. She said she believes staff has gotten better at providing meeting materials to the Board in a timely manner.
- Trustee Miljanich said she believes the Board must be careful to focus on policy and offer suggestions rather than direction on operational issues.

Section G: Board-Chancellor Relations

- President Hausman said she believes the relationship between the Board and the Chancellor is excellent.
- Trustee Miljanich said she believes the Board should avail themselves of the opportunity to receive information and opinions from the Chancellor and, on occasion, the Chancellor has not been provided the opportunity for such input at Board meetings.

Section H: Faculty/Student/Classified Relationships

- Trustee Miljanich said she believes it is important to continue to evaluate and review programs. She added that the Board must always remain student-centered.
- Trustee Mandelkern said he is surprised at a Board member’s lower ranking regarding seeking advice and recommendations from students, as he believes the Board welcomes student input. Student Trustee Girard speculated that the harsh words during the dispute over the gardens at College of San Mateo could be a factor.
- Trustee Mandelkern said it is important to recognize that seeking advice and recommendations does not mean that the Board will always follow the advice and recommendations.
- Trustee Miljanich said the Board is aware that the District is committed to the participatory governance process and that there is a continuous effort to involve all constituencies.
- Trustee Mandelkern said that during the previous student trustee’s term, the Board reviewed the role of students in the participatory governance process. He said the Board is conscious of and sensitive to student involvement in the process.
- Trustee Holoher said there have been problems in the past with a lack of engagement and participation by students; he noted that the responsibility lies on both sides.

Section I: Community Relations

- Trustee Mandelkern said he believes Board members represent the Board in a wide range of activities in the community.
- Vice President Schwarz said her priority has been to attend events at the Colleges.
- President Hausman said Board members have different orientations and interests, as well as differing amounts of available time, which will be reflected in the activities in which they participate.

Section J: Community Relationships

- Trustee Mandelkern said Board members have recently not been very active with state and national organizations and might consider re-engaging.
- Trustee Holoher said he believes the Community College League of California (CCLC) does important work and Board members might want to make an effort to attend more of the CCLC conferences.
- Trustee Miljanich agreed that the CCLC does important work but said there have been vast differences of opinion on some key issues important to the Board.

- Vice President Schwarz said Board members have not attended as many conferences recently because of budget constraints.

### **SPRING 2013 CENSUS REPORT (13-3-4C)**

The Board accepted the report.

### **COMMUNICATIONS**

Vice President Schwarz said that since the last meeting, the Board received two emails from candidates seeking endorsement for the CCCT Board; one email from a member of the public regarding KCSM-TV; and one email from the public regarding a parking citation dispute and other issues.

### **STATEMENTS FROM BOARD MEMBERS**

Trustee Miljanich said it is a sad evening as she contemplates the fact that that President Hausman soon will not be at the meetings with the rest of the Board. She said Board members disagree at times, but they share a good feeling of camaraderie and are all focused on students and student success.

Student Trustee Girard said there will be an open house with legislators next Thursday. He said there will be a decision on the election of the student trustee for the June 1, 2013 through May 31, 2014 term by the next regular Board meeting.

Trustee Holoher said he respects President Hausman's decision. He said it has been, and will continue to be until her resignation is final, a delight to serve with her. He said President Hausman has been an excellent ambassador, with intense support for the District and a willingness to take that message wherever she goes. Trustee Holoher said it will be difficult to find a replacement for President Hausman.

Trustee Mandelkern he feels sorry that President Hausman has to come to the decision to retire. He said that, combining her service to the District and her service on the Sequoia Union High School District Board, he believes she is the longest-serving Board member in San Mateo County. Trustee Mandelkern said President Hausman has done an exemplary job.

Trustee Mandelkern said he was in Sacramento and visited with Senator Jerry Hill and Assemblyman Rich Gordon, both of whom keep open doors and care about the District. Trustee Mandelkern said the Skyline College President's Breakfast was an exceptional event with a very large turnout. He said a record amount of money was raised and he acknowledged Vice Chancellor Tom Bauer for the \$25,000 donation from the Auxiliary Services Department. Trustee Mandelkern said he will be out of town on a speaking engagement on the date of the next study session, April 10.

Vice President Schwarz said the Kent Awards will take place on May 20; one of the nominees is the Math Jam program at Cañada College. Vice President Schwarz attended the Foundation meeting and showed a copy of the Foundation Newsletter which all Board members will receive. She was also provided a copy of the Foundation Executive Director's Report; Chancellor Galatolo said staff will send a copy of the report to all Board members. Vice President Schwarz said she was pleased to accept the invitation to serve on the Veterans Community Advisory Board at Cañada College. She said she ran into Cañada College student Faith Elizabeth Schug who is running for a statewide Phi Theta Kappa position. Vice President Schwarz thanked the subcommittee on the redistricting issue for their time and work.

Vice President Schwarz said President Hausman has been a wonderful friend and trustee who will be missed. She said she would like to agendize the appointment/election process for a future meeting and possibly get examples from other districts that have had vacancies. Trustees Holoher agreed with getting examples from other districts and also suggested that outside legal counsel be retained to do research and provide advice on the law and timeline for dealing with board vacancies. President Hausman said Barbara Christensen is very knowledgeable on this subject and could be of assistance. Trustee Mandelkern said he agreed with retaining outside legal counsel. Chancellor Galatolo suggested that since Trustee Mandelkern will not be present at the April 10 study session, this item be placed on the agenda for the regular Board meeting on April 24. Trustee Mandelkern asked that the Board be provided materials on the timeline and other advice by legal counsel in advance of the meeting. Chancellor Galatolo said he would work with staff to gather that information for the Board. President Hausman said she will determine the date of her retirement and announce it by the time of the April study session. She thanked Board members for their comments. She said this was a very difficult decision but one that she felt had to be made.

**RECESS TO CLOSED SESSION**

Vice President Schwarz announced that during Closed Session, the Board will consider the personnel items listed as 1A and 1B on the printed agenda and (2) conduct a conference with District Labor Negotiator Harry Joel; the employee organizations are AFSCME, AFT and CSEA.

The Board recessed to Closed Session at 9:20 p.m. and reconvened to Open Session at 10:00 p.m.

Vice President Schwarz announced that at the Closed Session just concluded, the Board voted 5-0 to approve the personnel items listed as 1A and 1B on the printed agenda.

**ADJOURNMENT**

It was moved by President Hausman and seconded by Trustee Holober to adjourn the meeting. The motion carried, all members voting "Aye." The meeting was adjourned at 10:05 p.m.

Submitted by

Ron Galatolo  
Secretary

Approved and entered into the proceedings of the April 10, 2013 meeting.

Karen Schwarz  
Vice President-Clerk