



FOOTHILL-DE ANZA
Community College District

BOARD HIGHLIGHTS

Laura Casas Pearl Cheng Peter Landsberger Bruce Swenson Gilbert Wong Courtney Cooper Elias Kamal

Board meeting of Dec. 12, 2016

SOME HEADLINES

Trustees considered or approved:

- New board officers
- Resolutions in support of undocumented students
- New courses and short courses
- Annual financial and performance audits
- New hires, promotions and retirements

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

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BOARD BUSINESS

Trustees swearing in

Chancellor Judy Miner welcomed the board's two newest members, longtime community college administrator **Peter Landsberger** and former Cupertino City Council member and mayor **Gilbert Wong**. Assembly member **Evan Low** administered the ceremonial oath of office to the new trustees and board veteran **Laura Casas**, who voters re-elected to a third term in November. Trustee Casas recognized newly elected Fremont Union High School District board member **Roy Rocklin**, who retired from teaching at Lynbrook High School to serve on the board, and fellow Foothill-De Anza governing board candidate **Patrick Ahrens**, a former De Anza student trustee. She thanked them for attending and said that Ahrens, a legislative aide, ran a thoughtful and honest campaign and predicted his election to the board in the future.

Election of board officers

With unanimous board support, Trustee **Laura Casas** said she proudly and enthusiastically accepted the role of board president. The board selected Trustee **Bruce Swenson** as vice president.

Trustee committee appointments

Board President Casas made the following committee appointments: Trustees **Bruce Swenson** and **Pearl Cheng** to the Audit and Finance Committee, with Swenson serving as chair; Trustees **Peter Landsberger** and **Gilbert Wong** to serve on the Trustee Scholarship

Interview Committee and as liaisons to the Foothill-De Anza Foundation Board of Directors; and Trustee Cheng as the board's voting representative for the 2017 election of the Santa Clara County Committee on School District Organization.

BOARD REPORTS

Audit and Finance

President Casas reported that the board's Audit and Finance Committee had been briefed on the district's audited financial statements at its Dec. 1 meeting and requested that the district review its reserves for pension liabilities. She noted that **Marge Bruno** had termed off the committee and thanked her for her long service.

Community college trustee board

Board President Casas, who serves on the statewide trustee board of the Community College League of California, reported on the group's most recent meeting. She commented on a study showing that the average tenure of a community college chief executive is three years, which she said illustrates the need for the League's Leadership Academy for new CEOs and potential CEOs. She said the CCLC's legislative priorities for the coming year include securing increases in community college operating expenses and protecting categorical funds for student success and equity programs. She said the League's trustee and CEO boards both supported a proclamation affirming student privacy rights and protection of educational opportunity for undocumented students.

INFORMATION & ACTION ITEMS

Resolutions in support of DACA, student privacy

Trustees unanimously approved two resolutions – one calling for the extension of the Deferred Action for Childhood Arrivals (DACA) program and the other affirming the district's commitment to protecting the privacy of student records and non-cooperation with any effort to create a registry of targeted groups. Board President Casas said the resolutions address an important social justice issue. She said she has received numerous emails, not just from undocumented students, but also from immigrant students and U.S. students who are terrified about what may happen.

Noting that protocols protecting the privacy of student records already are in place, De Anza President **Brian Murphy** said the district must "anticipate the unanticipated" and be prepared to move from resolution to action in support of undocumented students and their families. De Anza Student Trustee **Elias Kamal** said students will appreciate the resolutions and called them a good start to continuing supportive action. He noted that the De Anza student group Higher Education for AB 540 Students (HEFAS) had already begun to organize on-campus events in support of undocumented students. Foothill President **Thuy Nguyen** mentioned that in addition to organizing campus activities, the colleges have created web pages with resources for undocumented students. She also agreed there is much more still to do. She said that support for undocumented students was the focus of a recent meeting of community colleges leaders she attended at the Silicon Valley Community Foundation. Foothill Student Trustee **Courtney Cooper** said she is very happy with the resolutions, adding that the district's quick response is comforting.

Chancellor **Judy Miner** said that it's important for the district to say publically what it will and will not do. Trustee **Gilbert Wong** thanked the board and administration for sending a clear message of support for students.

Curriculum changes

The board approved curriculum changes at both colleges, including the addition of new courses in chemistry, English, horticulture, pharmacy technology and sociology at Foothill and new courses in accounting, anthropology, film & TV, intercultural studies, Korean, psychology, sociology and women's studies at De Anza.

More short courses

Trustees approved two dozen fee-based, not-for-credit, short courses offered for personal enrichment evenings and weekends in winter 2017 through De Anza College Community Education. The offerings cover a wide range of topics, from astronomy, music, investing and e-Bay commerce to driver education, fashion design, bocce ball and mindful life planning.

Audit & finance committee members

Trustees approved the appointments of two community representatives on the board's Audit & Finance Committee. Former trustee **Betsy Bechtel** will fill an unexpired term on the advisory group and **Rohini Vankatesh**, who has worked as an auditor associate and holds a degree in corporate financial management, will fill a four-year term.

Annual reports

Vice Chancellor **Kevin McElroy** and **Karen Lauricella**, director of environmental health and safety, responded to questions about the district's annual environmental compliance report. Vice Chancellor McElroy said that as a result of Director Lauricella's diligent work, the district had discovered and disposed of very old chemicals from a Foothill chemistry lab and updated its chemical hygiene plan to make sure timely disposal occurs in the future. He said that updated maps have been added to all fire department lock boxes on the campuses. Trustee **Pearl Cheng** complimented the report.

Vice Chancellor McElroy also reviewed the district's annual risk management report, which documents Foothill-De Anza's long track record of minimal legal claims and stable insurance rates. He noted that the director of risk management has worked closely with Plant Services in training staff members to meet safety requirements. Board President Casas expressed appreciation to **Marsha Kelly**, the risk management director.

Financial and performance audits

Trustees accepted the financial and performance audits performed by the district's external auditing firm Vavrinek, Trine Day & Co. after certified public accountant **Terri Montgomery**, a partner with the firm, briefed the board on the annual audit of all the district's funds, books and accounts for the year ending June 30, 2016.

She said the audit showed that the district's financial statements are accurate and presented fairly and that the firm had given the district clean, unmodified opinions on its overall financial management and management of state funding and federal grants. She said the firm made one finding regarding the management of state funds, but said dollar amount involved was too small to justify a modification to the clean opinion. She said the audit found a handful of courses in which students were counted as attending but weren't signing in and out as required. This situation involved less than one full-time-equivalent student, she said, and the district has taken steps to remedy it.

Trustee **Peter Landsberger** commented that while the clean audit report is positive, the district needs a plan to address key financial issues including large CalSTRS and CalPERS pension liabilities, a structural budget deficit and declines in apportionment revenue resulting from declining enrollment. He asked whether these factors at some point raise an obligation

on the auditor's part to put the board on notice that it is a concern. Ms. Montgomery said that the auditor's job involves a shorter horizon – looking one year out to see if the district can function without an emergency loan.

Speaking to Foothill-De Anza's ongoing financial stability, Vice Chancellor Kevin McElroy said the nation's two top credit rating agencies recently gave the district the highest possible credit rating with full knowledge of its budget situation. He said the district has been diligent about managing budget deficits and recently came through the biggest financial crisis in decades with strong ending balances and reserves.

De Anza President **Brian Murphy** noted that the board has supported the strategy of building up reserves to see the district through periods of decline, an effort strongly backed by the bargaining units. Trustee Landsberger commented that a potential problem with large reserves is that sometimes districts are criticized for not spending the money on students.

Chancellor **Judy Miner** commented that the budget is a tool and that the district is managing its financial resources so that students can access the colleges and get the education they need. She said she wants to make sure the conversation about reserves doesn't take place without appreciating the district's conscious effort to build a financial cushion to preserve essential positions and maintain quality services and programs for students. She said the discussion would continue during districtwide conversations after the board's Feb. 6 study session discussion of the district's response to declining enrollment.

In response to a question from Trustee **Gilbert Wong**, Vice Chancellor McElroy said that although the district doesn't have a specific policy for rotating auditors, the practice has been to rotate about every five years. He said the district has initiated a request for proposals and expects to come back to the board with an auditor recommendation in 2017.

The performance audit by VTD examined Measure C expenditures and whether they align with voter-approved projects proposed in the 2006 bond measure. Ms. Montgomery said the auditors reviewed 41 percent of all expenditures over the year and found that the district spent Measure C funds only for projects approved by the voters. She said the financial audit of Measure C found that the financial statements were accurate and fairly presented.

New salary schedules

Trustees approved changes to the salary schedules for student employee, temporary employee and Association of Classified Employees (ACE) to reflect an increase in California's minimum wage to \$10.50 an hour. Entry-level student employee salaries now range from \$10.50 to \$11.25 an hour and students with technical or specialized skills can earn up to \$16.75 per hour.

Reduction in classified service

The board approved elimination of on a vacant Human Resources specialist position in Central Services because the work is being reorganized and will be performed by a different position.

Appointment of district trustees to VEBA trust board

Trustees appointed five employees to serve as district trustees on the board of the district's Voluntary Employees' Beneficiary Association (VEBA) Trust for Retirees of Foothill-De Anza. As district trustees, employees in the following positions will be responsible for managing the operations and administration of the trust, including overseeing investment and distribution of its assets – Vice Chancellor of Business Services **Kevin McElroy**, Executive Director of Fiscal Services **Raquel Puentes**, Vice Chancellor of Human Resources **Dorene Novotny**, Human

Resources Director **Marietta Harris**, and administrative representative of the Administrative Management Association (AMA) **Pam Grey**.

The VEBA trust was established in 2014 to help eligible post-1997 district retirees offset health care costs when they become eligible for Medicare. To qualify for VEBA trust assistance, employees must have been hired after 1997 and worked for the district at least 15 years in a position that was eligible for district health coverage. The trust is funded by the district and employee contributions.

ACE negotiations reopener

The board held a public hearing on reopening of negotiations for 2016-17 with the Association of Classified Employees (ACE) on articles covering pay and allowances, paid benefits, holidays and vacations, hours and overtime, and worker expenses and materials. No speakers came forward.

HUMAN RESOURCES REPORT

Trustee **Bruce Swenson** asked whether, in the face of declining enrollment, the district has a plan for which positions to fill when there are resignations and retirements. The best way to avoid layoffs in the future, he said, is to get ahead of the curve by not hiring in the first place. "We have to find some way to address the structural (budget) deficit," he said.

Vice Chancellor **Dorene Novotny** said both the campuses and Central Services have detailed processes for reviewing vacancies to address the highest priority needs. She said the majority of jobs being filled are supported by categorical funds, allowing the district to recover somewhat from years of cuts.

Chancellor **Judy Miner** said the district has not developed a plan for reducing positions but is in the process of taking stock of enrollment trends and discussing how to increase revenue and recapture enrollment. Noting that it is easier to engage employees in discussing building rather than dismantling, she said that its people have always been the key to Foothill-De Anza's success and that creating learning communities, mentoring programs and internships rely on having well qualified employees.

The chancellor said the administration will present trustees with plans for how to proceed, including a three-year budget plan, at the board's Feb. 6 study session. De Anza President **Brian Murphy** reiterated that many hires have been made through the statewide SSSP and equity programs, making up for some but not all – of the positions lost during years of budget cuts. "Now we're expected to do better with marginally more," he said.

Rich Hansen, president of the Faculty Association, noted that the number of full-time faculty has dropped from 63 percent to 55 percent at the same time that new programs require more work for full-time faculty. Getting the job done takes a full-time workforce supplemented by part-time, he said.

Administrator appointments

The board ratified the assignment of **Pam Grey** as associate vice president of College Operations at De Anza and the interim assignment of **Bret Watson** as associate vice president of Finance and Administrative Services at Foothill, through June 30, 2017. Trustees approved extending the appointment of **Thomas Shepard** as acting dean of Student Affairs and Activities through June 30, 2017.

Administrator retirements & resignations

The board approved the resignation/retirement effective June 30, 2017, of **Patricia Hyland**, vice president of Student Affairs at Foothill College who is currently serving as director of equity and employee relations in Central Services.

Faculty retirements & resignations

The board approved Article 19 retirements effective June 30, 2017, for the following faculty members – at Foothill, music technology instructor **Paul Davies** after almost 25 years of service and librarian **Kay Jones** after almost 11 years; and at De Anza, photography instructor **Wilfred Castano** after almost 29 years; speech instructor **Elaine Lee** after almost 27 years; and chemistry instructor **Homer Tong** after almost 40 years. Trustees also ratified the retirement of **Deborah Centanni**, director of the Educational Diagnostic Center at De Anza, effective Nov. 30, 2016, after more than nine years.

Classified employment

The board approved or ratified employment for the following classified employees – at Foothill for **Raymond Gerardo** as assessment specialist in Counseling; at De Anza for **Brandon Bailey** as writer/editor/web content developer, **Aaron Baker** as art laboratory technician, **Mojgan Balouch** as academic advisor in Counseling, **Chanel Huynh** as discipline instructional support technician in Learning Resources, **Lilith Krueger-Gilka** as technology training specialist, and **Anna Lisa Rodriguez** as administrative assistant II in Counseling; and in Central Services for **Juan Benavides** as grounds gardener I and **Miguel Delgado Zermeno** as HVAC apprentice II.

Classified promotions

Trustees ratified the promotion of **Jeannette Garcia** to warehouse worker in Central Services and **Nancy Hernandez** to DPSS instructional associate at De Anza.

Professional Growth Awards

The board ratified Professional Growth Awards for the following employees – at De Anza, **David Garrido**, **Lucila Hirata**, **Shuk-Yin Ho**, **Melissa Ingalls**, and **Trung Thai**, and in Central Services for **Kam Chedid**, **Pam Eberhardt**, **Richard Gaca**, **Araceli Kalingara**, and **To Hong Nguyen**.

Classified retirements and resignations

The board ratified the retirements or resignations of the following classified employees – at Foothill, bookstore courseware coordinator **Diane Hawley** after 18 years and at De Anza, DPSS tutorial assistant **Trung Mai** after five years, custodian **Dennis Reed** after 19 years, administrative assistant **Lisa Sanford** after 28 years, and clinic nurse **Sandra Sokabe** after 15 years.

Classified reclassifications

Trustees ratified the reclassifications of **John Bartch** and **Hoang Van** as systems and network programmers II in ETS.

REPORTS & HEARINGS OF ITEMS NOT ON THE AGENDA

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

Staff comments

De Anza Classified Senate President **Karen Hunter** expressed appreciation for all the support received for the holiday book drive for foster youth organized by the Foothill, De Anza and Central Services classified senates.

Presidents' comments

De Anza President **Brian Murphy** reported on attending The Democracy Commitment's fifth anniversary meeting, which was hosted by the New York Times. He noted that the district is a founding member and has been central to advancing the civic education movement in community colleges across the nation.

Foothill President **Thuy Nguyen** congratulated the newly elected trustees and President Murphy for his work on The Democracy Commitment. She said Foothill has held several events in response to issues raised during the presidential campaign, including a panel discussion of immigration law. She said the college would continue to explore other ways to address students' questions and concerns.

Chancellor's comments

Chancellor **Judy Miner** complimented De Anza and the Euphrat Museum programs coordinator **Diana Agabrite** for the outstanding exhibition featuring artwork by faculty and staff from both colleges. She congratulated Foothill President Nguyen on her selection as Northern California chair of the California Community Colleges Asian Pacific Islander American Trustee and Administrators Caucus and being named an inaugural fellow with the Wheelhouse Institute for Leadership. Based in the School of Education at the University of California, Davis, the Wheelhouse program focuses on personal and organizational leadership development for current and aspiring community college chief executives.

Board comments

Foothill College student Trustee **Courtney Cooper** reported on the progress made during the year by the Associated Students of Foothill College and expressed satisfaction that the college's leadership class, taught by **Daphne Small**, is being reinstated.

De Anza student Trustee **Elias Kamal** reported on campus activities for students following the presidential election and efforts to create spaces where students feel safe. He thanked De Anza College Academic Senate President **Myra Cruz**, President **Brian Murphy** and Vice President of Instruction **Christina Espinosa-Pieb** for their support of students, particularly undocumented students. He noted that a joint meeting of the Foothill and De Anza student senates had ended the year on a positive note at a time of national divisiveness.

Trustee **Pearl Cheng** had good wishes for faculty, staff and students as they close out the term and the year. She said she looked forward to working with the new board team in 2017.

Trustee **Gilbert Wong** expressed appreciation to the people who elected him. He thanked the chancellor, presidents and senior staff for the orientation and warm welcome, his family and friends for their support, and Assembly member **Evan Low** for swearing him in.

Board President **Laura Casas** recognized district police Chief **Ron Levine** for his leadership and thanked him for giving her and former Foothill student trustee **Antonia Zavala** an orientation to the police department. She said they enjoyed learning about the department's hybrid motorcycles and drug overdose antidote kits.

NEXT MEETING

The next regularly scheduled meeting of the Board of Trustees is at 6 p.m. Monday, Jan. 9, 2017, in the Toyon Room of the Foothill College Campus Center, the board's regular meeting location until further notice.

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

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

BOARD HIGHLIGHTS

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

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

Find approved minutes by meeting date under the "Meetings" tab. Minutes are typically approved at the next board meeting. For questions about minutes, please contact Paula Norsell, assistant to the chancellor, at (650) 949-6106 or norsellpaula@fhda.edu.