

Board Committee Meeting Notes

Policy Review Committee

Meeting Date: July 13, 2006

Present: Trustees Gulassa (Chairperson), González Yuen and Withrow, Student Trustees Hurd and James, General Counsel Nguyen, DAS President Bielanski, PFT Representatives Greenside and Weintraub, recording secretary Weyand

The following chart shows action/assignments for staff following review of various policies by the Committee:

<i>Respondent</i>		<i>For Meeting Date</i>
T. Nguyen	<p><b>Action:</b> Upon a motion by Trustee Gulassa, seconded by Trustee Withrow, the committee voted to hear comments from union officials regarding the Union's, Board's and DAS' jurisdiction in bargaining certain issues.</p> <p>DWeintraub and MGreenside stated that in regard to BP 2.23 (as outlined in a letter from PFT's counsel), the District and DAS consulted regarding negotiable items. Additionally, the District's proposed policy concerning administrators retreating to the bargaining unit also violates the PFT contract. The District cannot adopt a policy on wages for individuals who will be in the bargaining unit (managers who retreat to faculty). The District is also prohibited from consulting with DAS over tenure and faculty evaluation procedures. Two areas are exclusively under PFT jurisdiction – the preference hiring pool and administrative retreat rights.</p> <p>TNguyen stated that during the discussions on evaluations, both PFT and DAS were at the table and it was agreed to by PFT that the timeline be slowed down due to the strain on faculty and staff. JBielanski indicated that DAS did not believe they had an agreement with the Chancellor, DAS merely told him about the need for and funding for evaluation facilitators.</p> <p>MGreenside stated that DAS can speak directly with PFT about any issue within the contract and vice versa. <b>ACTION:</b> TNguyen will meet with PFT for a status and update.</p> <p>Regarding BP 2.23 and 2.20, the consultancy role of DAS in faculty evaluations are within the purview of PFT, not the District. Regarding management retreat rights, MGreenside stated that General Counsel and DAS have discussed this matter, and the union has been left out of discussions. Minimum qualifications and equivalency are DAS areas; salary schedule and working conditions related to PFT. TNguyen informed that the existing procedures are in draft form; the salary will be whatever is required by the collective bargaining agreement. In clarification of the law, TNguyen stated that the district is required by Ed Code to give retreat rights, and are given authority to put procedures in place.</p>	2/07 Cmte Mtg
T. Nguyen T. Nguyen	<p><u>Student Trustee Election</u></p> <p>NGonzalez Yuen informed that the Student Trustees and student governments have yet to create a policy that deals with the mid-term appointment of a replacement for a Student Trustee who has resigned.</p> <p>NGonzalez Yuen addressed the matter of whether or not Student Trustees can make and second motions. One third of districts within the State allow such practice. He believes that student voices have not been adequately heard and believes Student Trustees should be allowed to make and second motions.</p> <p><b>ACTION:</b> TNguyen will investigate whether under Robert's Rules non-voting members of a Board are permitted to make/second motions.</p> <p><b>ACTION:</b> TNguyen will meet with Student Trustees and bring draft to next committee meeting.</p>	2/07 Cmte Mtg
	<p><u>Whistleblower Policy</u></p> <p>This item will be reagendized for a later meeting at which Inspector General will be in attendance.</p>	2/07 Cmte Mtg

T.Nguyen	<p><u>Chapter 2 Revisions:</u></p> <p><u>2.05, The District Chancellor/Superintendent:</u> CGulassa suggested that the role of the Chancellor should be emphasized, bringing together the four colleges as a single entity. #15 should read, "Maintains an active program of internal <i>and service area</i> research as it is related to the development of the educational program."</p> <p>#5: NGonzalez Yuen suggested that the end of sentence should read "...coordinating all colleges," (see language from 2.01 below).</p> <p>#30: It was recommended that #30 read: "Sets environmental sustainability goals and <i>benchmarks</i>, ensures awareness of such goals districtwide, <i>and establishes procedures to ensure that they are met.</i>"</p>	
BWithdraw	<p><u>2.01, Basic Concepts:</u> BWithdraw suggests language that addresses the Chancellor being in charge of all four colleges and is in charge of team building among the colleges. ACTION: BWithdraw will draft language to return to next meeting.</p>	2/07 Cmte Mtg
BWithdraw	<p><u>2.10, College Presidents :</u> ACTION: BWithdraw will draft language to echo language in 2.01 above regarding district, not separate colleges. Add #22 that will address similar environmental goals as stated in 2.05, #30. #20: ACTION: Note of "cascading" evaluations.</p>	
JBielanski	<p><u>2.20, Arrangements for Recommending College &amp; District-Wide Policy:</u> Paragraph 5: MGreenside recommended removing this paragraph as the Board should not decide composition of DAS. ACTION: JBielanski will invite General Counsel to DAS Exec. Committee to discuss policies 2.20, 2.23, 2.25.</p>	
	<p><u>2.26 Access to District or Campus Records or Repairs:</u> ACTION: Upon a motion by Trustee Gulassa, seconded by Trustee Withrow, the Committee approved BP 2.26 as presented. This policy will be forwarded to the 2/6/07 Bd meeting for Board consideration.</p>	2/6/07 Bd Mtg
PFT	<p><u>2.45, Crime Awareness &amp; Campus Security:</u> MGreenside stated that safety is a negotiated area. ACTION: The PFT will review this policy and return to the next committee meeting. Trustees requested that the policy include language regarding immediate notification of Trustees for certain crimes, OSHA concerns, drug use on campus, etc. Additionally, bi-annual summary reports should be submitted to the Board.</p>	2/07 Cmte Mtg
TNguyen	<p>ACTION: TNguyen will bring to Board Closed Session the issue of what reports flow to the Board; e.g., public records act requests, subpoenas, investigations, etc.</p>	2/6/07 Closed Session
TNguyen	<p><u>2.32, Preserving Drug Free Environment:</u> ACTION: Upon a motion by Trustee Gonzalez Yuen, seconded by Trustee Withrow, the Committee approved BP 2.32 as presented. This policy will be forwarded to the 2/6/07 Bd meeting for Board consideration.</p>	2/6/07 Bd Mtg
	<p>ACTION: TNguyen will draft a paragraph regarding restorative instead of punitive justice; that it is an academic problem. Include an obligation to place notices throughout campuses to advise penalties of abuse of any drugs.</p>	
TNguyen	<p><u>BP 6.59, Environment Policy/ 2.40 Energy &amp; Resources Conservation and Discussion of Chapter 6</u> will be presented at the next CPAC meeting.</p>	2/20/06 CPAC Mtg
	<p><u>Future Meeting</u></p> <p>The next meeting of the Policy Review Committee will be held : February 22, 2007, 2:00 PM.</p>	