



BOARD OF TRUSTEES
OF THE
PERALTA COMMUNITY COLLEGE DISTRICT

Minutes of the Special Workshop Meeting of December 7, 2004, 5:08 PM, District Administrative Center, 333 E. 8th Street, Oakland, California

Present: Trustees Clifton, Duncan, Riley, President Baranco

Trustee Emeritus Stone

Newly-Elected Trustees González Yuen, Gulassa, Hodge, Withrow

Absent: Trustees Handy and Moore

President Baranco introduced Community College League of California Executive Director, Dr. David Viar.

Dr. Viar opened the meeting giving background of his work with Trustees and Boards throughout California as well as a history of the national and California community colleges, the mission of California's community colleges and the Board of Governors, services for students, governance and funding. Dr. Viar informed that California community colleges offer classes to its students seven days a week, 300 days per year; 43% of students seek vocational and job training, 31% are transfer students and 25% seek personal and professional growth. Peralta is very typical of most California community colleges and serves a diverse range of students.

Dr. Viar next addressed Trustees with regard to the roles and responsibilities of local governing Boards, beginning with statutory authority according to Education Code 70902. There was discussion relative to the need of community colleges statewide and their faculty, administrators and staff joining together to lobby the Legislature for adequate funding.

Discussion continued about the statutory functions that include: academic and facilities planning and programs; growth and development of colleges, comprehensive plans, educational programs (courses of instruction, educational program and the academic calendar), academic standards/students, employees, fiscal, decision-making and delegation. The Board's mission, including boardmanship, is as a lay board that works as a unit—not as individuals. Board authority is established when the Board comes together as a unit. The Board governs the college/district on behalf of its community, is a voice of the public and wisely defines visionary expectations. Board roles include: employs the CEO (Chancellor), acts as a bridge and buffer, establishes a climate of learning, defines operational parameters, assures fiscal health and stability, establishes standards for employer-employee relations, policy makers, assures performance and leads as an educated team.

In answer to an inquiry, Dr. Viar stated that good strategic planning must take place with the Board engaging in work with the faculty, staff, College Presidents and Chancellor to define what it is that the Peralta community needs from the district and its colleges and where it sees the district within the next five years, including vision, parameters and outcomes.

The meeting was recessed for a short break at 6:26 PM; reconvened at 6:46 PM.

Dr. Viar next addressed the Board with regard to its relationship with the Chancellor. The Board must work with the Chancellor to establish and live by clear policies, establish and uphold clear expectations for the Chancellor, contribute to the Board/Chancellor partnership, honor the position of the Chancellor as its only employee, support the Chancellor's job, monitor Board behavior and offer no surprises to the Chancellor.

Regarding the Chancellor to Board relationship, Dr. Viar stated that the Chancellor should contribute to and live by the policies, contribute to and live by the Board's expectations for its CEO, contribute to the Board/Chancellor partnership, honor the position of the Board as its only employee, support the Board's

role and offer no surprises to the Board.

The Brown Act: Dr. Viar began his explanation of the Brown Act by stating that it covers all meetings of a majority of the Board, as an elected body, including Board committees. One exception would be a meeting of a majority of the Board that does not lead to collective deliberation. All members of the public must be permitted to attend Board meetings in an open and accessible facility, allowing the public to speak before or during deliberations, as clearly defined in a published agenda. Closed Session actions must be reported to the public. Dr. Viar admonished Board members of the strict confidential nature of closed session subjects and materials. It is illegal to disclose communications made in closed session.

Discussion ensued with regard to shared governance or "effective participation" in college governance (Ed Code 70901 and 70902). Faculty, staff and students have a right to participate effectively in district and college governance, the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards. The Board will adopt policies for appropriate delegation of authority and responsibility to its academic senate providing the Board or its designee: consult collegially with the academic senate, adopt policies and procedures on academic and professional matters. In the Peralta district, "consult collegially" is defined to "rely primarily" on the advice and judgment of the academic senate. Relying primarily was defined to mean that the recommendations of the senate will normally be accepted; only in exceptional circumstances and for compelling reasons, will recommendations not be accepted, and if not accepted, the reasons will be communicated in writing, if requested. Dr. Viar next reviewed the regulations for academic senates and the definition of academic and professional matters.

Faculty, staff and students have the right to participate effectively. If the Board's policy or procedures could have a significant effect on faculty, staff or students, the Board will not take action on these matters until the recommendations and opinions of staff and students are given every reasonable consideration.

Presentations by District Administrative Staff: Vice Chancellor Largent addressed Trustees regarding the functional areas of Human Resources that include: employment services, classification and compensation, employee and labor relations, employee records management and information and benefits administration. Vice Chancellor Largent spoke briefly about the other areas under her responsibility - risk management and police services.

Alluding to areas previously touched upon by Dr. Viar, Ms. Largent stated that the four critical areas in which Trustees should not engage include: Board members acting badly (conflicts with the Chancellor and other Board members); acting as a "sounding board" for individual employees or employee groups; "carrying the ball" for others with hidden or not so hidden agendas, and micromanaging.

General Counsel Nguyen spoke about her role in serving as the Board's legal counsel: advising the Board on the legal floor, adviser for policy, serving on the Board's Policy Review Committee and in helping the district set its procedures based on Board policy.

Counsel Nguyen addressed Trustees at length with regard to violations of the Brown Act, especially in the area of collective deliberations. Ms. Nguyen next spoke about the recently-passed Prop. 59, Public Records Act.

Vice Chancellor Perdue addressed Trustees with regard to enrollment management beginning with the research-driven development and presentation of educational products such as class schedules and catalogs that maximizes the accessibility of the community to the district for the lowest possible cost. The district's strategic objective is to move the district from 17,000 to 20,000 FTES in a period of three to five years.

Executive Director of Marketing and Communications Heyman spoke to the Board regarding the Spring 2005 marketing campaign to accomplish the strategic objective outlined in Mr. Perdue's presentation. In

Spring 2005, the district will produce radio spots on five different stations, use cable television on 10 networks, use direct mailing postcards to 95,000 residents with incomes less than \$75,000 and use of an updated district web page.

With regard to Trustee/media relations, Mr. Heyman urged that the Board have a unified message speaking to the news with one voice; Mr. Heyman should act as the spokesperson for the district.

Chief Financial Officer Smith next addressed the Board with regard to the budget development calendar, awaiting the Governor's revised budget in January 2005. Mr. Smith stated that the budget is built throughout the months working with the academic senate and other committees that include all constituency groups.

Mr. Smith stated that his office is struggling with the allocation of funding among the colleges and formatting of a readable quarterly financial statement. The 2003/04 external audit will come to the Board for its review in January 2005. Mr. Smith offered to meet with any Board members to speak about the budget book as well as expenditure control, explanation of program-based funding, etc.

Special Asst. to the Chancellor Jelks addressed Trustees with regard to the strategic planning overview. The first district/administrative tasks are to do an assessment of the environment and community, begin comprehensive strategic planning, determine planning factors and outcome factors and timelines.

Dr. Viar opened discussion with regard to the above presentations. In answer to inquiries, Dr. Viar stated that CCLC does not provide services for strategic planning but does for policies and procedures. Trustee Clifton stressed the importance of Trustees speaking with one voice regarding media questions; checking with the Chancellor and Mr. Heyman.

DISCUSSION AND POSSIBLE ACTION

1. Consider Minutes – November 9, 2004 and November 23, 2004

ACTION: Upon a motion by Trustee Riley, seconded by Trustee Duncan, the Board voted to approve the minutes of the Board of Trustees meetings of November 9, 2004 and November 23, 2004. Trustees Handy and Moore were absent.

ADJOURNMENT: Time: 8:54 P.M.

Elihu M. Harris, Chancellor
Secretary to the Board of Trustees
Peralta Community College District