



District Participatory Governance Council
Meeting Agenda
October 1, 2018 | 2:15 p.m.
District Office – Board Room

- 1. Call to Order/Establish Quorum**
- 2. Statements from the Public on Non-Agenda Items**
- 3. Action Items**
 - A. Approval of Minutes from September 17, 2018 Meeting (*Attachment #01*)
 - B. Board Policies for Final Review
 1. 2.36 – Use of Student Email Addresses (*Attachment #02*)
 2. 2.52 – Local Law Enforcement (*Attachment #03*)
- 4. Informational Items**
 - A. Board Policies for First Review
 1. 3.00 – Applicability of Chapter III Policies (*Attachment #04*)
 2. 3.15 – Employee Requirements (*Attachment #05*)
 3. 3.30 – Pay Period for Faculty (*Attachment #06*)
 4. 3.35 – Payroll Deductions (*Attachment #07*)
 - B. Update on District Strategic Plan
- 5. Closing Remarks/Agenda Building**
- 6. Adjournment**



**District Participatory Governance Council Minutes
Monday, September 17, 2018
SMCCCD Board Room**

Members Present: Mitch Bailey (Co-chair), Leigh Anne Shaw (Co-chair), Mondana Bathai, Grace Beltran, Kathryn Browne, Juanita Celaya, John Cuevas, Chris Gibson, Hyla Lacefield, Karen Pinkham, Megan Rodriguez Antone, Rich Rojo, Paul Rueckhaus, Mary Vogt, Jeramy Wallace, and Johnny Yang.

Members Absent: Jeri Eznekier and Mariegail Mijares

Others Present: Harry Joel, Aaron McVean, Karrie Mitchell, and Bernata Slater

1. Call to Order (Quorum)

The meeting was called to order at 2:17 p.m.

2. Statements from the Public on Non-Agenda Items

No statements made on non-agenda items.

3. Introduction of Members

Introductions by the Council were made among the Council Members.

4. Welcoming Remarks from Chancellor Galatolo

Mr. Bailey said that due to a conflict in scheduling, this agenda item would be moved to a future Council meeting.

5. Action Items

A. Review and Recommend Edits (if needed) to DPGC Policy

(Reference handout BP 2.08 – District Participatory Governance Process)

As Co-Chairs of the DPGC, Mr. Bailey and Ms. Shaw's role is to make sure the Council members have an equal voice and work in a collegial and consultative manner. Mr. Bailey said the role of the DPGC is to advise the Board of Trustees, via the Chancellor, on policy and other governance issues that affect our District. The work that the DPGC does helps all of our students. The information discussed at DPGC meetings should be shared with all constituents.

Ms. Shaw reviewed the key elements of the BP 2.08 District Participatory Governance Process.

The DPGC makes decisions by consensus by polling appointed members to determine if general agreement has been reached based upon the following levels of responses:

- a. I support the recommendation completely.
- b. I support the recommendation with reservations.
- c. I cannot support the recommendation.

The DPGC is a Brown Act Council, voting cannot be done by proxy; your constituency must designate a specific person to vote during the DPGC meetings.

A recommendation will be forwarded to the Chancellor when 60% of members are present are at any one level.

In an effort to meet quorum for voting purposes, Committee member attendance is important at DPGC meetings. If members are unable to attend a meeting, please contact Roxanne Brewer ASAP.

A question was brought forth to the Council regarding representation of the Classified Senates by CSEA. Ms. Celaya's understanding is that unless the Board of Trustees recognizes the Classified Senates as an official body, then CSEA has been designated to represent classified. Mr. Joel said that it is part of the language in Ed Code 70901.2. The Council Co-Chairs will research this matter and will report back to the Council.

B. Review and approval of Minutes from March 5, 2018

The Council approved the minutes from the March 5, 2018 Council Meeting.

6. Informational Items

A. District Budget Update

(Reference: 2018/2019 Final Budget PowerPoint Presentation)

Mr. Bailey introduced Bernata Slater, Chief Financial Officer, who presented a PowerPoint presentation on the 2018/2019 Final Budget that was adopted by the Board of Trustees during their September 12, 2018 meeting.

B. Board Policies for Additional Review

During the October 1, 2018 Council meeting, Mr. Bailey will bring a full roster showing all of the District's policies; all policies have a 6-year review cycle.

Due to a lack of quorum during the April and May 2018 Council meetings, the following policies (listed under B), were not approved and will be brought back to the October 1, 2018 Council meeting.

Policies where changes are recommended, members will see a redline copy of the suggested changes. If there are no suggested changes, members will see a clean copy.

1. 2.36 – Use of Student E-Mail Addresses

Mr. Bailey said that the use of student e-mail addresses is 'a' tool rather than 'the' tool for communication to students.

Other changes were changes reflected in clarification in language.

A question was brought forth regarding item #6, *At the end of each mass e-mail sent, the student will be given the option to 'Unsubscribe' from the mass e-mail list*, this language has been redlined to ensure that students receive critical college announcements. The District does not want students to unsubscribe from District e-mail messages going to District-issued email accounts.

Ms. Rodriguez said that currently students can unsubscribe by disconnecting their my.smccd e-mail to their personal e-mail address. Mr. Rojo said that #3 lists mass e-mails topics that are

typically communicated to students. The Marketing Departments assist in facilitating and organizing messaging to students.

Ms. Mitchell said that within the Telephone Consumer Protection Act there is language around do not call lists, what we can say to students, etc.

2. **2.52 – Local Law Enforcement**
Changes reflected clarification in language.

C. Board Policies for First Review

Mr. Bailey said that no changes were recommended on the following policies. These policies (listed under C.), will be brought back to the Council during the November 5, 2018 Council meeting.

1. **2.03 – College Presidents**
2. **2.09 – Categories of Employment**
3. **2.10 – Selection Procedures**
4. **2.12 – Employee Rights and Protection, Domestic Partner Rights, and Whistleblower Protection**
5. **2.13 – Dissemination of Employee Information**
6. **2.15 – Collective Bargaining**

D. Notes from April 16, 2018 Meeting

E. Notes from May 7, 2018

7. Closing Remarks

No closing remarks.

Agenda Building

Public Safety – Invite Mr. Woods, Director of Public Safety.

Districtwide Strategic Plan – Invite Mr. McVean, Vice Chancellor of Educational Services and Planning, and Ms. Mitchell, Vice President, Planning/Research/Institutional Effectiveness.

8. Adjournment – 3:30 p.m.

**CHAPTER 2: Administration and General Institution
BOARD POLICY NO. 2.36**

**BOARD POLICY
San Mateo County Community College District**

Subject: BP 2.36 Policy on Use of Student Email Addresses
Revision Date: 1/11; ~~xx/xx~~

Email is not appropriate for transmitting sensitive or confidential student information.

Confidentiality regarding student records is protected under the Family Educational Rights and Privacy Act of 1974 (FERPA). All use of email, including use for sensitive or confidential information, will be consistent with FERPA.

Email shall not be the sole method for notification of any legal action or disciplinary action. In order to control the use of mass emails to students, the following recommendations and guidelines are proposed:

1. "Mass email" is defined as a non-personalized email that is sent to more than 100 student email addresses at one time. Emails sent by faculty members to students enrolled in their classes are not considered to be "mass email" even if the number of emails sent at one time exceeds 100.
2. The ~~Vice President of Student Services~~ Public Information Officer at each College or designee shall approve the content and timing of delivery of any mass email, ~~including mass email proposed by Auxiliary Services,~~ to all current or prospective students. When determining whether a mass email should be sent, the ~~Vice President~~ Public Information Officer shall consider the following:
 - a. the number of mass emails that have been sent to students in the most recent four-week period of time;
 - b. whether prospective email messages from several departments can be combined into one email in order to reduce the total number of email messages sent to students; and
 - c. the appropriateness of the message; and,
 - d. ~~whether the student has indicated that the College cannot release the student's "directory information" without the student's consent. In this case, the College does not have permission to use a student's email address.~~
3. Mass emails shall typically be used to communicate with students regarding the following:
 - a. registration dates and opening of the school semester
 - b. financial aid and scholarship information (not including any personally identifying information)
 - c. special events on campus
 - d. resources on campus which enhance student success
 - e. ~~schedule of final examinations~~
 - f. billing and payment information
 - g. new program information
4. In general, mass emails to students shall not be used to communicate with students for private commercial purposes (e.g., special deals for college students offered by local vendors, etc.); however, mass emails to students may be used to provide information regarding commercial purposes that align with or support College programs and services (e.g. discounted bus passes, etc.)

BP 2.36 Policy on Use of Student Email Addresses (continued)

Mass email may be used for District-sponsored commercial activities (e.g., sales at College bookstores; sales of college athletic or special event tickets) with the permission of the College ~~Vice President of Student Services~~Public Information Officer.

5. In order to prevent students from seeing other students' email addresses, mass email messages sent to students should be sent by using distribution groups or the "blind carbon copy" options.

~~6. At the end of each mass email sent, the student will be given the option to "Unsubscribe" from the mass email list.~~

~~6.7. Mass emails sent for the purpose of notification of emergency situations are not governed by this policy.~~

**CHAPTER 2: Administration and General Institution
BOARD POLICY NO. 2.52 (BP 3520)**

**BOARD POLICY
San Mateo County Community College District**

Subject: BP 2.52 Local Law Enforcement
Revision Date: 12/11; ~~xx/xx~~
Policy References: Education Code Section 67381; 34 Code of Federal Regulations Section 668.46(b)(4)

1. ~~Each College in the~~ The District shall enter into a written agreement with local law enforcement agencies. The agreement shall clarify operational responsibilities for investigations of Part I violent crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault, occurring at each location.
2. The written agreement shall designate which law enforcement agency shall have operational responsibility for violent crimes and delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary.
3. The written agreements required by this policy shall be public records and shall be made available for inspection by members of the public upon request.
4. The District encourages accurate and prompt reporting of all crimes to campus public safety officers and the appropriate police agencies.
5. Professional mental health and religious counselors are exempt from reporting obligations. However, counselors are encouraged, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Attachment #04

**CHAPTER 3: Certificated Personnel
BOARD POLICY NO. 3.00 (BP 7340)**

**BOARD POLICY
San Mateo County Community College District**

Subject: 3.00 Applicability of Chapter III Policies
Revision Date: 11/10

The policies in this Chapter are applicable to all faculty except when noted in the policy. In addition, faculty who are members of the faculty bargaining unit are covered by the provisions of the current collective bargaining agreement between the District and the American Federation of Teachers, Local 1493, as approved by the Board of Trustees.

CHAPTER 3: Certificated Personnel
BOARD POLICY NO. 3.15 (BP 7330)

BOARD POLICY
San Mateo County Community College District

Subject: 3.15 Employment Requirements)
Revision Date: 11/10)
Policy References: Education Code Sections 87400, 87408, 87408.6

Prior to assuming their duties and as a condition of employment, all faculty members must:

1. Meet the minimum qualifications or equivalencies for community college teaching as adopted by the State Board of Governors and the District Board of Trustees.
2. File a Loyalty Oath.
3. Be fingerprinted.
4. Submit evidence of freedom from active tuberculosis by means of a tuberculin skin test or chest x-ray that has been performed within 60 days prior to employment. All continuing members of the faculty shall submit evidence of freedom from active tuberculosis by means of a tuberculin skin test or chest x-ray. A report of a negative tuberculin skin test reaction is valid for a period of four years from the date of examination. A negative chest x-ray is valid for two years.
5. The provisions of the above paragraph do not apply to any employee who files an affidavit stating that he/she adheres to the faith or teaching of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion and that to the best of his/her knowledge and belief he/she is free from active tuberculosis. If at any time there should be probable cause to believe that such affiant is afflicted with active tuberculosis, he/she may be excluded from service until the Board is satisfied that he/she is not so afflicted.
6. Furnish proof of authorization to work in the United States, pursuant to the Immigration Reform and Control Act of 1986 (IRCA).
7. Complete other paperwork required by the District or by the Federal, State or any other regulatory agency.

**CHAPTER 3: Certificated Personnel
BOARD POLICY NO. 3.30**

**BOARD POLICY
San Mateo County Community College District**

Subject: 3.30 Pay Period for Faculty
Revision Date: 12/10

1. Each employee will receive one monthly payroll warrant covering all payments due in the time period, distributed and payable on the last working day of the month. A pay period shall be the calendar month for regular faculty. All temporary faculty work will cover one month, but the pay period may vary based upon the classification of the work performed.
2. Depending upon the faculty member's first date of employment, the pay year for faculty is August 1 to May 31 or September 1 to June 30.
3. Payments are made in ten (10) annual payments.

**CHAPTER 3: Certificated Personnel
BOARD POLICY NO. 3.35 (BP 7385)**

**BOARD POLICY
San Mateo County Community College District**

Subject: 3.35 Payroll Deductions
Revision Date: 12/10
Policy References: Education Code Sections 87040, 87833, 87834, 88167

1. Income Tax

Federal and State income taxes shall be withheld on the basis of information furnished by the employee on Forms W-4 (Federal) and DE-4 (State).

2. Retirement Fund

- a. All members of the faculty, unless excluded from membership under provisions of the Education Code, shall be required to participate in the California State Teachers' Retirement System (STRS).
- b. Deductions shall be made at rates determined by the Retirement System and for the actual months of active employment.

3. Medicare

All members of the faculty hired after April 1, 1986 shall be required to contribute to Medicare at the current rate established by Federal law.

4. Other

- a. When requested by the employee in a revocable written authorization, payroll deductions shall be made for:
 - 1) Participation in a deferred compensation program offered by companies which are approved by the District.
 - 2) Premiums on a certificate of group life insurance, group disability insurance, or professional liability insurance when the master contract is held by the District or an employee organization.
 - 3) Dues, fees, or periodic charges in any hospital service contract, medical and hospital contract.
 - 4) Purchase of shares in any regularly chartered credit union.
 - 5) Contributions to Board-approved charitable, fund-raising organizations.
- b. Dues or agency fees required by the collective bargaining unit represented by the American Federation of Teachers (AFT), Local 1493 and dues in any local or Statewide professional organization shall be deducted from the employee's paycheck.
- c. Based upon documents from the IRS, the State Franchise Tax Board, court orders and other legal action, the District is also required to make deductions from employee wages.