MINUTES

I. CALL TO ORDER 6:00 p.m.
The meeting was called to order by Laura Perry at 6:03 p.m.

1. Roll Call
   Trustees: Laura Perry, Tony Ruiz, Mark Dover, Kent Child, Tom Breen, Mike Davenport, Walt Glines

2. Recess to closed session
   The Board recessed to closed session at 6:04 p.m.

II. OPEN SESSION 7:00 p.m.
1. Call to Order
   The meeting was called to order by Laura Perry at 7:00 p.m.

2. Roll Call
   Trustees: Laura Perry, Tony Ruiz, Mark Dover, Kent Child, Tom Breen, Mike Davenport, Walt Glines, Aaron Keller
   
   Dr. Steven M. Kinsella, Superintendent/President
   Dr. Kathleen Rose, Executive Vice President, Instructional Services
   Joe Keeler, Vice President, Administrative Services
   John Pruitt, Vice President, Student Services
   Dr. Debbie Klein, Academic Senate
   Diane Seelie, Professional Support Staff
   Angie Oropeza, Recording Secretary

   Others in attendance: Susan E. Alonzo, Jeanne Gobalet, Ron Hannon, Sherrean Carr, Anne Ratto, Fran Lozano, Terry Newman, Rachel I. Perez, Alice Dufresne Reyes, Nancy Bailey, Rick Santos, Jeff Gopp

3. Pledge of Allegiance
   Mark Dover led the pledge of allegiance.

4. Report of Any Action Taken in Closed Session
   No action was taken in closed session.

5. Consent Agenda
   (a) Regular Board Meeting 4/12/11, Board Facilities Development and Utilization Committee 4/19/11
   (b) Personnel Actions
   (c) Warrants and Electronic Transfers Drawn on District Funds
   (d) Ratification of Agreements
   MSC (T.Breen/M.Dover) 7 ayes, 0 nays, student trustee – aye, to approve.
6. Approval of Agenda
MSC (M.Davenport/M.Dover) 7 ayes, 0 nays, student trustee – aye, to approve.

7. Comments from the Public - This is a time for the public to address the Board.
Leah Halper distributed and reviewed a list of GCFA activities. A scholarship has been established in Don Santana’s name, a party to honor six retiring faculty has been scheduled on May 17, 3:30-5:30 in the library gallery, the GCFA scholarship is being reconfigured to give three awards to include a student who has overcome significant obstacles to succeed in at least 40 units, CTA has declared a state of emergency for California education; faculty are exploring ways to be heard by the state senate and assembly representatives regarding funding education. Alice Dufresne Reyes reported that Jerry Denny, President of the Board of Directors for Breathe California, asked her to convey his thanks to the Board for the collaboration with Gavilan College. Breathe California funded a grant to train Gavilan students to provide cessation counseling and free nicotine replacement therapy to students and staff.

8. Officers' Reports
(a) Vice Presidents
John Pruitt reported that last Wednesday the leadership class hosted a “Student Voices Picnic” on campus as a result of a conversation in the Learning Council regarding how to collect information on what students need from the college. Three students from the leadership class, Darren Ferguson, Alllie Castillo, and Rick Becker, with instructor Johanna Stewart, took this on as a class project. The students conducted a survey, made a poster wall, and made a video to share what they need as students. The Learning Council will review the data to develop better support for students. Graduation is May 27, 6:30 p.m., the keynote speaker is San Benito County Sheriff Darren Thompson.
Dr. Kathleen Rose reported that the Learning Council had a retreat last Friday. They have been in existence for one year. This year has been the theoretical, gathering of data year and next year will be the strategies year. An accreditation kick-off has been scheduled on May 24, 2-4 p.m., in the Mayock House to talk about where we have come from in terms of accreditation, our planning for the future, and to gear up for the writing in the fall. Additional information will be presented as it develops.

(b) College President
Dr. Steven Kinsella reported that we are watching state funding closely. State revenue has exceeded the initial revenue projections. We will watch what happens with the Governor's May revise. We increased our schedule for the fall and because of the reductions at other colleges we may have the opportunity to generate additional revenue. It also allows our students to complete their programs and move on. We are working on re-establishing Gavilan classes at the Hollister high school. We’ve met with the interim RDA director in Hollister. There doesn’t seem to be much activity now because of the uncertainty with the state, but we were looking to see if there was any additional space or available property. We are still actively looking for 25,000 square feet for an educational center. Rotary is interested in establishing a Rotaract Club at Gavilan. It would be another program available to students. We'll take a look to see if it is a good fit for us.

(c) Academic Senate
Dr. Debbie Klein reported that the Senate had their annual retreat on Friday. Jane Patton, President of the State Senate attended. Among the topics discussed were improving communication with subcommittees, standing reports, and those running grants. Five senators are interested in attending leadership training in the summer at the state Senate level. She attended the SB 1143 Task Force Student Success and the Futures Committee. One of the things they discussed is the pay for performance direction our
funding structure is heading in. The Scroggins proposal is the one that is being considered most seriously. She will be meeting with Steve Kinsella for additional information regarding the proposal. The faculty on the SB 1143 Committee are working to make sure the basic skills focus is taken seriously and gets funded. She will report on the issue as information becomes available.

(d) Professional Support Staff
Diane Seelie reported that this year CSEA will be giving four scholarships, she and Gloria Mancera will be delegates to the CSEA conference in July, May 15-21 is CSEA Week and several activities are planned.

(e) Student Representative
Aaron Keller reported that ASB elections were held and Joey Hayes was elected president. ASB is pleased that both the health fee and the smoking policy are on the agenda. The second club day was a big success. Staff appreciation is this Friday. A graduation reception has been scheduled.

(f) Board Member Comments
Mike Davenport reported that he attended the California Community College Trustees Conference. He stated that it is apparent that Gavilan is in a much better position compared to our peers across the state. All of us associated with Gavilan College can be proud knowing that we are working hard for the success of students. We are head and shoulders the leaders in the community college system. He received information on dealing with the media, seeing what other colleges are doing regarding student success, and he attended the CLASS panel presentation Steve Kinsella participated in. Tony Ruiz reported that he also attended the Trustee Conference. He received information on colleges doing a lot more with what we have and disassociating ourselves from the idea that time is equivalent to learning. The presenter also talked about accelerated learning, boot camps, and more collaboration between the community colleges and high schools. He also received information about AB 5157 which encourages community colleges to offer more extension courses. He reported that he read an interesting article on bicycling. He suggested more extension courses could be offered here and students could save money by bicycling instead of driving to the main campus. He recently attended a meeting where a community improvement program was discussed that involved the possibility of buying a large piece of land to locate the library, YMCA, health clinic, child care center, high school, and perhaps there might be enough land for Gavilan. He reiterates Mike Davenport’s comments about the position Gavilan is in compared to other colleges. The college has used some prudent strategies and saved when it was needed. We are in a position to do a lot of things at this time and be ahead of the game. He suggested that we schedule a Brown Act workshop.
Walt Glines congratulated Joey Hayes. He suggested that we investigate putting electric car charging stations at the main and satellite campuses. He also suggested that the Policy Subcommittee review changing Board Policy to have the minutes reflect how trustees voted by name on various issues.
Tom Breen reported that he attended the MACE dinner on Saturday that benefits education, he also attended the Arts Council dinner the week before.
Mark Dover congratulated Joey Hayes. He thanked the Gavilan family for their work on Gayle Glines’ celebration of life. Many comments were made about the great staff and what a welcoming place it was. It couldn’t have been done any better.
Kent Child attended Gayle Glines’ celebration of life. He has never seen such a community-based outpouring of affection and respect. We are blessed to have a community that can celebrate and for Gavilan to be the hub of that celebration brings home
the word community in Gavilan Community College. He also attended the celebration of life for Don Santana, and there again, the college brought together former students, faculty, staff, family, as well as current employees. He is saddened and happy to see staff retiring. ShukChun Au-Yeung has been the core of the library for 22 years. Mary McKenna is leaving after 29 years. She started as an adjunct and is one of the best hires we’ve ever made. Kent stated that Sheriff Darren Thompson, our graduation speaker, was in the last class he taught for Gavilan in the Briggs Building. He was articulate, gifted, humorous, and he looks forward to his speech.

(g) Board President
Laura Perry read a statement from Walt Glines thanking everyone at Gavilan for making the student union available for Gayle’s celebration of life. There were people from the bay area and other states and many commented on the beautiful setting. Gavilan College, along with the City of Gilroy and others, collaborated to make it a dignified event. Laura Perry stated that it made her proud to be sitting there; the grounds were beautiful and clean. She has never seen it look so good in her years of experience as a student and as a Board member. She also thanked Admissions and Records for the smooth online registration process.

9. Board Committee Reports
Mike Davenport reported that the Board Budget Subcommittee met today; the minutes will be available at the next Board meeting.
Tom Breen reported that the Board Facilities Subcommittee met today, dealing with the relocation of GECA.

10. Information/Staff Reports
(a) Recognition of the Employee of the Month
Jeff Gopp thanked the Board for their remarks. He presented Duane Stewart as April employee of the month. Duane has been at Gavilan for over 20 years and has done excellent work. He is a great organizer and self starter. During the modernization of the security building, he organized the grounds tools and equipment on his own initiative and finds projects to do during rainy seasons. Duane thanked everyone for the recognition.

(b) Associated Student Body (ASB) Health Fee Resolution
John Pruitt reported that ASB was asked to consider an increase in the Student Health Fee to the state limit. ASB reviewed the health center services and how funding is distributed. The result is the resolution in the Board packet. Aaron Keller stated that ASB is asking that Gavilan College follow Title 5 regulations for health care needs and that they use general funds to pay for the premiums of the athletic student accident insurance. John Pruitt stated that what is reflected here is the students’ opinion that the college find a different vehicle to pay for certain aspects of what we do to support students’ accident insurance. John Pruitt stated that the amount of the increase is $2 and is addressed on a separate agenda item this evening.

(c) Junior Rams Club Essay Contest
Judy Rodriguez reported that Bucky is here with the Junior Rams Club which includes Gavilan employees. The club is a product of the Leadership Institute. The purpose is to plant the seed of college in 6th, 7th, and 8th graders. In April, the club hosted an essay writing contest. The topic was: "What I Want to be When I Grow up and Why". The winner is 8th grade Gabilan Hills student, Maria Espinosa, who read her essay.
(d) Child Development Center Self Review
Kathleen Rose reported that this is the annual report that is developed through the Child Development Center of our state-wide programs. Laura Perry reported that she and Steve Kinsella met with Susan Alonzo before the Board meeting to review the report.

(e) Tobacco and Smoke-Free Environment and Cessation/Prevention
Jan Chargin reported that a task force was formed to work on developing the Tobacco and Smoke-Free Environment and Cessation/Prevention Policy and Administrative Procedure. They reviewed what is being done at other colleges and in the community, surveyed students and staff, and talked to outside experts. It has been presented and reviewed by various groups on campus. Based on best practices at other colleges, the recommendation is to have designated smoking areas within the parking lots and prohibit smoking elsewhere. There will be appropriate signage. It is presented for information today and will be brought back in June for approval. If the policy is approved, there will be a soft start July 1 so we can begin with a campaign of public education and begin enforcement the following year.

(f) Amendments to Administrative Policy 5055, Standards of Conduct
John Pruitt reported that this procedure addresses the standards of student conduct that includes information about the ramifications of plagiarism and brings us in line with legal advice from the State Chancellor’s Office.

(g) Community Education Summer 2011 Classes
Steve Kinsella presented the Community Education Summer 2011 schedule.

(h) Measure E Board Quarterly Preliminary Financial Status Report at March 31, 2011
Joe Keeler reported that this is the activity that took place January through March.

(i) Retiree Health Benefits Trust Investment Portfolio Status at March 31, 2011
Joe Keeler reported that this is the financial status for January through March.

(j) Monthly Financial Report
Joe Keeler reported that this is the position of the district for all funds as of April 15, 2011. It is running as it should.

(k) Board Intent to Award Salary Increases – All Employee Groups
Steve Kinsella reported that the college has reached a point that we are financially stable. We have been increasing our ending fund balance, the retiree health benefit fund is fully funded, and we have a balanced budget. As we go forward it is very little or low risk to entertain salary increases for employees. The college has managed to maneuver its way through the past few years and actually improved our position due to everyone’s work. As a result, he has made a recommendation to the Board that it is appropriate to consider a salary increase. Laura Perry thanked everyone for helping to get us to the position we were before we had to constrict everything we were doing. The Board has had great guidance and trust from the administration and each other, and tremendous help from everyone on campus. Mark Dover thanked everyone. Staff saved funds when needed and did it without cutting any programs. We saved all staff and got through this difficult time. Other districts are furloughing and it is nice to see such a stable district and a staff that works together so well. Tony Ruiz stated that a salary increase in any given year is not an isolated incident. Dr. Kinsella and the Board have planned well. A salary increase is a strategy that gets you to a position of strength and leverage. Tom Breen stated that it is an honor and pleasure to work with the people he has come to know at Gavilan. The
staff and faculty are pleasant people to be around and he likes to be associated with them even when not doing business. During the years he has appreciated them telling him what they think. Our people are important to us and an award of some increase is the right thing to do. Kent Child stated that the increase is in recognition of the fact that there is one thing we absolutely cannot function without and that is staff. Staff has had to work harder with less these past years and with a great deal of uncertainty but have pulled together and kept the college moving forward when we have seen so many other colleges moving in the opposite direction. Any dollars we can invest is going into our infinitely most valuable resource, and that is the staff. He recognizes and appreciates the work everyone does in the classrooms. Joe Keeler thanked the Board and stated that one of the reasons we are in the unique position we are in is due to Steve Kinsella’s and the Board’s leadership.

III. ACTION ITEM
1. Old Business
(a) Agreement for Redistricting Analysis
   Steve Kinsella introduced Jean Gobalet from the firm of Lapkoff & Gobalet Demographic Research who will provide information regarding the question of whether to change the method of election from the current “at large” to “single-trustee” district. Jan Chargin reported that the Board Facilities Subcommittee reviewed the proposals that came in as a result of the RFP and is recommending to the full Board that staff be directed to enter into an agreement with Lapkoff & Gobalet based on their experience and the strength of the proposal. Jean Gobalet stated that the California (CA) Education Code specifies various ways trustees may be elected. After Census 2000 the CA Voting Rights Act was passed and has begun to change everything. The current method used is “at-large” although you live in and are elected at large by all the voters in the district to represent a particular trustee area. The other common method is to elect by district. Each candidate needs to live in their district and is elected only by the voters in that trustee area. This is the “single-trustee” district system. Under this system you would have seven trustee areas and is the system the CA Voting Rights Act mandates for any district with a significant number of people who are protected by the Federal Voting Rights Act. What the CA Voting Rights Act says is that if you elect “at-large” you are not doing what this law requires if you have a significant number of people in protected groups, which you do. Gavilan has an option of staying the way it is but there is a significant risk of being sued. The CA Voting Rights Act says that if you have significant numbers of protected groups and if voting patterns are racially aligned and if voters in protected groups don’t have a good chance of electing candidates of their choice because of the “at-large” system and candidates who are preferred by members of protected groups sometimes lose, then you have to make the change prescribed in the CA Voting Rights Act. Assessing how vulnerable a jurisdiction is to being sued is a complicated process. In her professional opinion, the district is vulnerable. She recommends skipping the CA Voting Rights Act Assessment and proceeding directly to the process of transitioning to “by-district” elections. She reviewed the Redistricting Process Flow Chart including steps, timeline, and costs.

   Jean Gobalet gave the following additional information in response to various questions:
   • The district can proceed directly to the task force without the assessment. Trustees can appoint one or two people to task force, ask for volunteers, or take applications. The task force should be diverse.
   • If the Board does not like the plan the task force develops, they can ask that they go back to the drawing board or ask them to develop more than one scenario for consideration. The Board will make the final choice.
   • The urgency for change is that litigation is a possibility. Many other districts have made the change or are starting the redistricting process.
• Once a plan is drawn up it is visited after every census. Some of the down sides of “by-district” elections may be difficulty finding candidates; nevertheless the trend of the law is to require it. Lines cannot be redrawn due to no candidate participation, that would be considered retrogressive. Once you go to “by-district” elections you cannot go back. There are problems associated with “by-district” elections but it is a legal reality that it is something you need to do regardless of problems that you anticipate.
• Jean Gobalet will revise her data to include the Aromas School District.
• It is not an option to have “at-large” voting in a single trustee area. It has to be seven jurisdictions if you have seven trustees under the CA Voting Rights Act.
• County lines may be crossed and some people in Northern San Benito County may identify more with Gilroy, but presumably the task force will understand where people start feeling that way and provide local expertise.
• All trustees serve out their terms. If you don’t each live in one of the new trustee areas then whoever’s term runs out first is out of a seat at the end of the term and the district that does not have a trustee living in it has to wait until someone goes off the Board to elect a trustee. You never have more than seven on your board.
• The timeline you have to keep in mind is the filing deadline for the next election when you want it to be applicable, and back off from that in order to decide when you need to have an election or a waiver of election from the State Board of Elections.
• Only one task force is needed as the new set of boundaries apply to everybody. County boundaries aren’t going to be relevant any more.

MSC (T.Breen/M.Dover) 7 ayes, 0 nays, student trustee – aye, to approve the contract without the assessment.

2. New Business
(a) Increase in Student Health Fee
John Pruitt asked that the Board consider an increase of $2 during long semesters and an increase of $9 in summer session to help support student health services. Steve Kinsella stated that it is not a mandatory fee. Health services are optional, but if the district wants it, the students have to pay for it. It is not something that is intended to come out of the college’s general fund. We have the health services and this is the way we pay for it.
MSC (M.Dover/A.Keller) 7 ayes, 0 nays, student trustee – aye, to approve.

(b) Public Employee Appointment – Superintendent/President Employment Agreement
MSC (K.Child/M.Davenport) 7 ayes, 0 nays, student trustee – aye, to approve.

(c) Curriculum
MSC (K.Child/M.Dover) 7 ayes, 0 nays, student trustee – aye, to approve.

(d) Ratify Honorary Degree
(K.Child/T.Breen) 7 ayes, 0 nays, student trustee – aye, to approve.

(e) Student Trustee Rights and Privileges
MSC (K.Child/M.Dover) 7 ayes, 0 nays, student trustee – aye, to approve.

(f) Quarterly Financial Status Report CCFS 311 Q at March 31, 2011
Joe Keeler reported that this is required by Chancellor’s Office.
MSC (T.Breen/M.Davenport) 7 ayes, 0 nays, student trustee – aye, to approve.
(g) Budget Adjustments
Joe Keeler reported that these are normal budget adjustments required to keep the books in balance.
MSC (T.Ruiz/M.Davenport) 7 ayes, 0 nays, student trustee – aye, to approve.

IV. CLOSING ITEMS
1. The next regularly scheduled Board meeting is June 14, 2011, Gavilan College, Student Center, North/South Lounges.

2. Adjournment
The meeting was adjourned at 9:04 p.m.

*Roll Call Vote