



BOARD HIGHLIGHTS

Board of Trustees

Betsy Bechtel • Pearl Cheng • Laura Casas Frier • Joan Barram • Bruce Swenson • Etienne Bowie • Thomasina Russaw

Board meeting of Dec. 6, 2010

REPORT FROM CLOSED SESSION

Outgoing President **Bruce Swenson** announced that the board had agreed with a recommendation from Chancellor **Linda Thor** to move positions in Escrow 1 and Deferment 2 into the 2010-11 adopted budget, so they are no longer scheduled for elimination. The audience met the news with loud applause.

He also read a statement saying the board had affirmed and ratified an employee's suspension. Additionally, after considering two potential litigation items related to construction of the Lower Campus Complex at Foothill College, he said trustees had approved a change order that includes a \$162,500 payment to S.J. Amoroso Construction and a settlement agreement, reached during mediation, that includes \$185,000 payable to S.J. Amoroso for additional costs incurred by Critchfield Mechanical (and payable to Critchfield Mechanical) for plumbing work on the project.

ANNUAL ORGANIZATIONAL MEETING

Trustee Swenson spoke of his pleasure in having served as the board's president, and called for the election of new officers. Trustees unanimously elected **Pearl Cheng** as president and **Joan Barram** as vice president. Foothill-De Anza is "a wonderful institution," President Cheng said upon taking office, with "outstanding students, faculty and staff." She said she hopes to "continue working as a team to keep us all moving forward."

Chancellor Thor thanked Trustee Swenson for his service during a particularly challenging year, and presented him with a certificate of appreciation for leading the board "with great dedication and professionalism." She also thanked him for being a mentor to her.

President Cheng made the following appointments: Trustees **Betsy Bechtel** and Barram to the Audit & Finance Committee, with Bechtel as chair; Trustees **Laura Casas Frier** and Swenson as the board's liaisons to the Foothill-De Anza Foundation; and Trustees Swenson and Barram to the Trustee Scholarship Committee.

Trustee Swenson noted that Trustee Casas Frier had recently been appointed to California Community College Trustees board that is convened by the **Community College League of California**, a statewide recognition of her work as a community college advocate.

ACTION AND INFORMATION ITEMS

Authorization to offer employment: Trustees approved changes to Board Policy 4125 giving the chancellor authority to approve hiring decisions and other employment actions when necessary to avoid delays. Such decisions would come to the board at a

later date for ratification. Some appointments would still require prior board approval: chancellor, interim and acting chancellor, president, vice chancellor and executive director of facilities, operations and construction.

Instant answers at Foothill: The board approved a contract for using “instant answer” software by IntelliResponse at Foothill College. The **Ask Foothill** program will provide automated information for students, parents, counselors and community members – 24 hours a day, seven days a week – from the college’s home page, Facebook and smart phone applications. Before the service begins this spring, the campus will spend several months developing responses for question-and-answer templates that are the basis for the web self-service technology. IntelliResponse reports that the program is used at more than 200 colleges and universities including Harvard, Penn State, Rio Salado, University of Miami, University of Wisconsin-Green Bay, Ohio State and Cayahoga Community College.

Plagiarism service for De Anza: Trustees approved a three-year licensing agreement with iParadigms for a service that allows De Anza College to check student work to detect and prevent plagiarism. The campus has used the service since 2005.

Change in timing of trustee elections: Trustees discussed the pros and cons of moving trustee elections from odd- to even-numbered years in response to the city of Palo Alto’s decision to move its city council elections to even-numbered years.

Because participating jurisdictions share in the county’s costs of putting on an election, Palo Alto’s move to even-numbered years could increase election costs to the district by about \$50,000, resulting in anticipated election expenses of up to \$739,000 for Foothill-De Anza in November 2011. What is still unknown, Trustee Bechtel noted, is how much the district could save by moving its elections to even-numbered years.

There are other considerations in addition to election costs, some trustees noted. President Cheng suggested that being part of a smaller election in odd-numbered years may give voters a chance to become better informed about candidates, while Trustee Bechtel noted that voter participation tends to be lower in smaller elections. Trustee Barram urged further exploration of how moving to even-numbered years would affect costs for local school districts that choose to keep their elections in odd-numbered years.

The board agreed to revisit the question in January after more information is gathered about cost savings and what other local jurisdictions are likely to do.

Property acquisition and development consultant: Trustees authorized the staff to negotiate a contract with PPV Inc., Public Private Ventures, for assistance with planning, property acquisition and development related to the Foothill College education center, commonly known as **Middlefield Campus**. Charles Allen, executive director of facilities, operations and construction management, said the negotiation would address the scope of work and costs, and that he plans to bring a proposed contract to the board for action in January.

The consultant’s work is expected to include such things as examining enrollment projections and facility needs, helping spread the word that the district is looking to acquire and develop an educational center, and identifying options for acquiring property.

Mediated Learning Center: Trustees accepted the guaranteed maximum price of \$34,982,355 from **Sundt Construction Inc.** for construction of the Mediated Learning Center at De Anza. Construction can begin once site and facility leases are signed with Sundt.

Securing a guaranteed maximum price is a milestone for the district in using the lease-leaseback delivery method for major construction projects. This approach is designed to allow public agencies to obtain the highest quality construction at the lowest cost by avoiding expensive post-construction lawsuits.

Executive Director Allen said the guaranteed maximum price is within the project budget and below the architect's estimate of \$37.6 million. He thanked all who participated in the successful effort.

District audits: A representative of independent auditor Perry-Smith reported on results of a Measure C performance audit and an audit of all district funds, books and accounts for the year ending June 30, 2010.

In regard to Measure C, the auditor found that Foothill-De Anza spent bond funds in accordance with applicable law. Relative to the financial statements and state and federal awards, the auditor found no material weaknesses or deficiencies, and no noncompliance material to the financial statements. The auditor's opinions are unqualified, with no findings.

Vice Chancellor **Kevin McElroy** attributed these outstanding results to excellent staff work at the district and the campuses.

Risk management and environmental compliance: Risk Management Director **Marsha Kelley** reported that insurance costs have continued to decline while coverage has remained stable. **Mona Voss**, district director of environmental health and safety, reported on enforcement and compliance activities in disposing of hazardous, universal and medical waste. Trustee Bechtel said that complying with environmental regulations at the campuses and Central Services is of utmost importance, and she urged all members of the campus community to follow proper environmental practices.

HUMAN RESOURCES AND PERSONNEL

New hires and promotions: Trustees ratified the hiring of **Linda Yepiz** as computer lab instructor coordinator in the Biological Health & Environmental Sciences Division at De Anza, and the promotion of **Inna Wiktop** to financial aid outreach coordinator at Foothill.

Professional Growth Awards: The board approved Professional Growth Awards for the following employees: at Foothill, **Pamela Brewer** and **Phoung Tran**; at De Anza, **Mary Campbell**, **Bradley Creamer**, **David Garrido**, **Shuk-Yin Ho** and **José Marti**; and in Central Services, **Pam Eberhardt**, **Araceli Kiangara**, **Lourdes Del Rio Parent** and **Annette Perez**.

Request to rescind retirement – Longtime Foothill history instructor **Bob Pierce** received a standing ovation following tributes from President Miner, Trustee Swenson, faculty colleague **Dolores Davison** and Faculty Association President **Rich Hansen** for his more than four decades of teaching excellence and service to Foothill College and

the district. Professor Pierce informed the board that after much deliberation, he was withdrawing his request to rescind his retirement.

HEARINGS OF ITEMS NOT ON THE AGENDA

Student comments: Several students from a De Anza political science class addressed the board. Baseball player **Matthew O'Brien** inquired whether bond funding would be available to improve campus athletic fields, as has been the case at Foothill. Student **Steve Eliopoulos** suggested that if the district pursues another parcel tax, it should consider a lower amount. He noted that voters in the San Mateo County Community College District had approved a \$34 levy in June. Student **Joann Pham** spoke about her perceptions of the benefits of the cooperative education program and suggested areas in which she thinks the Academic Skills Center could be improved.

President Cheng noted that under the state's open meeting law, trustees are prohibited from engaging in discussion of items not on the agenda. She suggested that staff members would respond later to requests for information.

Staff comments: Faculty members from both campuses urged the board to consider contributing financially to some type of post-retirement health-care benefits program for those hired after 1997 when the district ended lifetime paid health benefits for new employees for fiscal reasons. Several speakers said it is unfair to have what they called a two-tier benefits system, and said it created divisions among the faculty. Each speaker expressed their commitment to their work and serving students, and remarked on having a generally positive experience with Foothill-De Anza. However, they also expressed concern about the whether they could meet their health-care needs after retirement under the current system. Speakers included faculty members **Lisa Markus, Jordana Finnegan, Anne Argyriou, Alex Giardino** and **Karen Chow**.

De Anza Academic Senate President **Gregory Anderson** paid tribute to retiring Student Success Center supervisor **Mary Browning**, her work at the center and her deep caring for displaced employees, including her efforts to help them find new employment.

Foothill Academic Senate President **Dolores Davison** commended two colleagues whose good work has been recently recognized: mathematics instructor **Marc Knobel**, awarded an excellence-in-teaching award from the Council of Mathematics of California Community Colleges (CMC3), and physics instructor **Andrew Fraknoi**, named a "Hubble Top Star" by NASA for astronomy lab activities he created that tell the history of stars through observations of the Hubble Space Telescope.

President **Judy Miner** reported that Foothill women's soccer, water polo and volleyball teams have all won conference championship titles and that the college's football team won the 2010 Silicon Valley Bowl. She said that 19 of Foothill's scholar-athletes have been offered scholarships to four-year colleges.

President Miner congratulated **Denise Swett**, associate vice president of Middlefield campus and community programs, on her upcoming recognition by the board of the Mountain View-Los Altos Union High School for developing outstanding collaborative partnerships.

De Anza President **Brian Murphy** noted that his campus' football team had won the conference championship and played in the division bowl game.

Chancellor Thor announced that President Miner is going to the White House in January to take part in an invitation-only planning meeting for a study to be undertaken by the **President's Council of Advisers on Science and Technology**. The study will make recommendations to President Obama on how to enhance science, technology, engineering and mathematics education from high school through college to create a STEM-capable workforce.

She reported on her participation in several recent events – a panel discussion about community college parcel taxes at the **Community College League of California's** annual conference; a presentation to the **Cupertino City Council** on the **North Valley (NOVA) Workforce Investment Board** and its partnerships with Foothill-De Anza; and the annual **Los Altos-Los Altos Hills Joint Community Volunteer Services Awards** luncheon.

On a personal note, the chancellor concluded by saying that it was at a meeting one year ago that the board had announced her appointment as chancellor. "The months have flown by," she said, "as I have been totally engaged in learning about and serving this great district."

Trustee comments: Foothill Student Trustee **Etienne Bowie** reported on recent opportunities to meet other student trustees at conferences. "I am amazed at how far ahead our schools are and how well we are treated as (student) trustees," he said. Despite the disappointing loss of the parcel tax election, Bowie said he would continue standing up with college and district leaders "for what we believe in" and fighting for students' access to higher education.

Trustee Casas Frier said she, too, would continue as a voice for students and community colleges at the state level.

Trustee Betchtel expressed disappointment that the district's proposed parcel tax fell short of the two-thirds needed to pass and thanked all who helped the campaign.

NEXT MEETING

The next regular meeting of the Board of Trustees is scheduled for Monday, Jan. 10 at 6 p.m. in the District Board Room. Please check the agenda to verify time and location of the meeting. Agendas are posted 72 hours in advance at: http://www.fhda.edu/about_us/board/agenda/.

Board Highlights is designed to communicate board meeting news to faculty and staff across the district. This publication is not the official minutes. For more comprehensive information, you may consult the official minutes, which generally are available at http://www.fhda.edu/about_us/board/minutes after their approval at the subsequent board meeting. Please contact Becky Bartindale at bartindalebecky@fhda.edu or extension 6107, with comments or questions about *Board Highlights*.