



Chancellor's Advisory Council

Meeting Agenda – June 18, 2021, 9:00-10:30 a.m.

Zoom <https://fhda-edu.zoom.us/j/94657492267?pwd=YkJ2b1VQc0o4SURIUDFrdHdjZIRPdz09>

(information to connect by phone below)

AGENDA TOPIC	PURPOSE/DESIRED OUTCOME	DISCUSSION LEADER
1. Welcome and introductions	I – Allow council members and guests to identify each other by name and constituent group represented and/or role at the colleges/district.	Judy Miner
2. Approval of May 7, 2021, meeting summary (<i>attachment 2</i>)	A – Provide accurate record of previous meeting.	Judy Miner
3. Proposed revised administrative procedure (AP) recommended by the Academic and Professional Matters Committee (<i>attachment 3</i>) <ul style="list-style-type: none"> AP 4222 Remedial Coursework (formerly BP 6050 Remedial Limit Waivers) (Revised) (<i>Note: Because the procedure is currently a board policy, the policy will be presented to the governing board for retirement.</i>) 	I – Review of procedure approved by the Academic and Professional Matters Committee and dissemination to constituents.	Isaac Escoto
4. Proposed new administrative procedures (AP) (Third Reading) (<i>attachment 4</i>) <ul style="list-style-type: none"> AP 7330 Communicable Disease – Employees (New) 	D/A – Hear any additional feedback and approve.	Judy Miner, Myisha Washington
5. Proposed new board policy (BP) and administrative procedure (AP) (First Reading) (<i>attachment 5</i>) <ul style="list-style-type: none"> BP 3507 COVID-19 Vaccination Requirement (New) (<i>Note: Initial draft distributed on 6/4/21 via email to Consultation Task Force</i>) AP 3507 COVID-19 Vaccination Requirement (New) (<i>Note: Initial draft distributed on 6/8/21 via email to Consultation Task Force</i>) 	I/D - Hear feedback from constituencies and discuss potential changes to the draft policy and procedure.	Judy Miner
6. Ratification of title change to BP/AP 5035 Withholding Student Diplomas and Registration (<i>approved by CAC as BP/AP 5035 Withholding of Student Records at 5/7 meeting</i>)	D/A – Approve title change recommended by Board President for clarity.	Judy Miner
7. District initiatives update (standing item) <ul style="list-style-type: none"> Affordable Housing Task Force update Initial ideas for considering criteria for student and employee housing eligibility (<i>distributed to CAC members following 5/7 meeting</i>) 	I/D – Broaden awareness regarding districtwide initiatives, provide feedback/advice, and share information with constituencies.	Eric Reed/ Judy Miner
8. Board of Trustees Priorities 2020-21 (standing item)	I/D – Gain understanding of 2020-21 priorities adopted by the Board of Trustees and how the priorities are being implemented at the colleges and Central Services. Provide feedback, and share information with constituencies.	Judy Miner
9. Enrollment management (standing item)	I/D – Gain understanding of enrollment initiatives, provide feedback/advice, and share information with constituencies.	Thuy Nguyen and Lloyd Holmes
10. District Governance Committee/Constituent Group Reports <ul style="list-style-type: none"> District Budget Advisory Committee http://www.fhda.edu/about-us/participatorygovernance/C-budget-advisory-committee.html Human Resources Advisory Committee/District Diversity and Equity Advisory Committee http://hr.fhda.edu/diversity/c-meeting-minutes-and-agendas.html 	I – Broaden awareness. Provide information for council members to disseminate to constituents about work/actions of districtwide governance groups and constituent groups.	All



FOOTHILL-DE ANZA
Community College District

Office of the Chancellor

CHANCELLOR'S ADVISORY COUNCIL

Meeting Summary

May 7, 2021

Present: Anthony Cervantes, Karen Chow, Isaac Escoto, Lloyd Holmes, Tejhasvi Jaikumar, Heidi King, Kathryn Maurer, Kevin Metcalf, Judy Miner, Joe Moreau, Abhiraj Muhar, Thuy Nguyen, Josh Pelletier, Tim Shively, Chris White

Guests: Becky Bartindale, Christina Espinosa-Pieb, Kristy Lisle, Scott Olsen, Michael Pratt, Eric Reed, Priya V., Ria Vidyasagar

1. Welcome and introductions

Judy welcomed council members and guests.

2. Approval of April 23, 2021, meeting

The April 23, 2021, Chancellor's Advisory Council (CAC) meeting summary was approved by consensus.

3. Proposed revised board policy (BP) and administrative procedures (AP) (First Reading)

- AP 4130 District Hiring Procedures – Faculty Hiring Section C only (Revision)

The council reviewed proposed changes to the faculty hiring section of the district hiring administrative procedure. Isaac advised that the academic senates and Faculty Association, District Diversity and Advisory Committee, and Chancellor's Cabinet have all had the opportunity to discuss the changes and pointed out that students are now clearly involved throughout the hiring process. Judy highlighted a new provision requiring that if three or more part-time faculty with reemployment preference are applicants for a full-time position, the hiring committee must interview at least two of the part-time faculty members. She expressed hope that part-time faculty would view the change as recognition that the district values their contributions.

Priya suggested that the procedures incorporate gender neutral language and that the minimum unit requirement for students participating on hiring committees be revised to allow students with disabilities taking fewer than eight units the opportunity to participate. The procedure was referred back to the Academic and Professional Matters Committee for further discussion. Abhi offered to work with Isaac on ensuring student participation in the discussion.

4. **Proposed new and revised board policies and administrative procedures (Second Reading)**

- BP 1100 The Foothill-De Anza Community College District Name (Revision)
- BP 3410 (formerly BP 4105) Nondiscrimination (Revision)
- AP 3410 Nondiscrimination (New)
- BP 5035 Interdistrict Attendance (Retire)
- BP 5035 Withholding of Student Records (New)
- AP 5035 Withholding of Student Records (New)
- BP 7330 (formerly BP 4210) Communicable Disease – Employees (Revision)
- AP 7330 Communicable Disease – Employees (New)
- AP 7336 Certification of Freedom from Tuberculosis (New)

Chris asked whether there had been clarification regarding the list of communicable diseases “unfitting the applicant to instruct or associate with students” referenced in AP 7330 Communicable Disease – Employees. It was noted that the language of the procedure comes directly from Education Code 87408, and tuberculosis is the only disease specifically mentioned in the law. Tim asked that the bargaining units be allowed time to have legal counsel review the proposed procedure.

The council approved the proposed new and revised policies and procedures by consensus with the exception of proposed administrative procedure 7330 Communicable Disease – Employees. The approved policies will be presented to the governing board for first reading at the June 14 meeting, and the approved administrative procedures are effective upon the council’s approval. AP 7330 will be included on the June 18 CAC agenda for further discussion and approval.

5. **Board of Trustees Priorities 2020-21**

Judy reported that the governing board postponed review of the quarterly report to the June 14 meeting.

6. **District initiatives update**

With regard to return-to-campus planning, the council discussed conducting student surveys at each of the colleges followed by a districtwide employee survey. Susan provided an update regarding some of the operational issues being addressed in return to campus planning, including testing of water and ensuring clean bathrooms, signage, and appropriate personal protective equipment are available in the areas where student and employees will physically return. Judy reminded everyone that a districtwide return-to-campus informational session is scheduled on May 26 at 2:00 p.m.

With regard to student and employee housing, Judy provided a list of initial ideas for considering criteria for student and employee housing eligibility for further discussion at the next meeting. She invited Eric Reed to speak about the proposed Affordable Housing Task Force, noting that the work of the group is intended to complement Chancellor’s Advisory Council’s consideration of operational issues related to student and employee housing projects. Eric advised that the proposed task force would include a student, staff, and faculty member from each campus, and ideally the members selected would have a

deep understanding of the needs of the housing insecure. He advised that the task force would explore criteria for what qualifies as appropriate housing and review potential projects for issues such as access to transportation, food, childcare, and healthcare. Kevin asked that a classified employee from Central Services be included in the task force.

7. **Enrollment management**

Discussion postponed to next meeting due to lack of time.

6. **District Governance Committee/Constituent Group Reports**

District Budget Advisory Committee <http://www.fhda.edu/about-us/participatorygovernance/C-budget-advisory-committee.html>

No report provided.

Human Resources Advisory Committee/District Diversity and Equity Advisory Committee <http://hr.fhda.edu/diversity/c-meeting-minutes-and-agendas.html>

No report provided.

Educational Technology Advisory Committee <http://ets.fhda.edu/governance-committees/etac/index.html>

No report provided.

7. **Dates to remember/Other information and updates**

Joe announced that open forums for the finalists for the vice chancellor of Human Resources position will be held on May 11. Judy advised that Jennifer Brooks has been selected as the interim International Student Programs Executive Director.

The meeting adjourned at 10:35 a.m.



FOOTHILL-DE ANZA
Community College District

Book	Administrative Procedures
Section	Chapter 4 - Academic Affairs (including former Article 6 - Instruction and Curriculum)
Title	Remedial Coursework (formerly Remedial Limit Waivers)
Code	AP 4222 (formerly BP 6050)
Status	Up For Revision
Legal	Education Code Section 78213 California Code of Regulations, Title 5, Section 55035 ACCJC Accreditation Standard II.A.4
Adopted	September 21, 1992
Origin	Legally required - CCLC update to to reflect an amendment to Education Code Section 78213 that places certain limits on enrolling students in remedial English or mathematics coursework. Replace outdated language from 1992 with CCLC recommended language. APM approval 6/9/21.
Office	Chancellor's Office
Upload	February 8, 2015

~~It is the policy of Foothill and De Anza Colleges not to grant waivers to the 45 remedial quarter unit limit. This policy is subject to review based on future experience.~~

Per California Code of Regulations, Title 5, Section 55035, "remedial coursework" refers to nondegree-applicable basic skills courses, which will henceforth be referred to as "basic skills coursework" in this document.

A student's need for basic skills coursework shall be determined using appropriate assessment instruments, methods, or procedures.

No student shall receive more than 45 quarter units for remedial coursework. A student who exhausts this unit limitation shall be referred to appropriate adult noncredit education services.

Per California Education Code, Section 78213, no student shall be required to enroll in basic skills English or mathematics coursework that lengthens their time to complete a degree unless placement research that includes consideration of high school grade point average and coursework, shows that those students are highly unlikely to succeed in transfer-level coursework in English and mathematics. A student may be required to enroll in additional concurrent support, including additional language support for English as a Second Language students, during the same semester that they take a transfer-level English or mathematics course, but only if the college determines the support will increase their likelihood of passing the transfer-level English or mathematics course and will not result in disproportionate impact. The college shall minimize the impact on student financial aid and unit requirements for the degree by exploring embedded and low or noncredit support options.

A student who successfully completes basic skills coursework or who demonstrates skill levels which assure success in college-level courses may request reinstatement to proceed with college level coursework.

Students enrolled in one or more courses of English as a Second Language and students identified as having a learning disability are exempt from the limitations of this procedure.

Students who demonstrate significant, measurable progress toward development of skills appropriate to enrollment in college-level courses may be granted a waiver of the limitations of this procedure.

College catalogs shall include a clear statement of the limited applicability of basic skills coursework toward fulfilling degree requirements and any exemptions that may apply to this limitation.

Approved 9/21/92



FOOTHILL-DE ANZA
Community College District

Book	Administrative Procedures
Section	Chapter 7 - Human Resources (including former Article 4 - Personnel)
Title	Communicable Disease - Employees
Code	AP 7330
Status	New
Legal	Education Code Section 87408 Education Code Section 87408.6 Education Code Section 88021
Origin	CCLC template - Legally required

CCLC NOTE: This procedure is **legally required**. Local practice may be inserted, which should address or include the following, which is excerpted from statute:

For successful applicants for academic positions:

- **A medical certificate is required showing that the applicant is free from any communicable disease, including, but not limited to, active tuberculosis, unfitting the applicant to instruct or associate with students.**
- **The medical certificate shall be submitted by a physician as authorized by code.**
- **The medical examination is conducted not more than six months before the submission of the certificate and is at the expense of the applicant.**
- **A contract of employment may be offered to an applicant subject to the submission of the required medical certificate.**
- **The medical certificate becomes a part of the personnel record of the employee and is open to the employee or his/her/their designee.**

CCLC NOTE: It is **optional** for the District to require academic employees to undergo periodic medical examinations to determine if they are free from any communicable disease, including, but not limited to, active tuberculosis, unfitting the applicant to instruct or associate with students. If the district does so, similar statutes apply.

It is **legally advised** that “communicable disease” also includes (but is not limited) to hepatitis.

See BP 7330 Communicable Disease - Employees

See AP 7336 Certification of Freedom from Tuberculosis



**FOOTHILL-DE ANZA
Community College District**

Book	Board Policy
Section	Chapter 3 - General Institution
Title	COVID-19 Vaccination Interim Policy
Code	BP 3507
Status	New
Legal	California Code of Regulations, Title 8, Section 3203 California Constitution, Article IX, Section 14 Education Code, Section 70902 Education Code, Section 76020 Education Code, Section 76403 Education Code, Section 87408 United States Code Title 29 Section 654(a)(1) United States Equal Employment Opportunity Commission guidance California Community Colleges Chancellor's Office 2021-01 Advisory
Origin	Proposed new policy - Draft derived from CSU, UC, and Southwestern Community College District draft policies and the California Community Colleges Chancellor's Office 2021-01 Advisory
Office	Chancellor's Office
Next Review	January 3, 2022

The Foothill-De Anza Community College District (District) is committed to protecting the health and well-being of students, faculty, staff, administrators, and the communities we serve, as well as maintaining higher education access and attainment for our students. As we work toward the safe resumption of increased on-campus learning, working and other activities, we embrace a comprehensive strategy designed to reduce the likelihood of transmission of the COVID-19 virus. This approach contributes to the overarching goal of achieving population-level immunity throughout the Foothill-De Anza Community College District,

In light of the evidence established to date regarding the safety and effectiveness of available COVID-19 vaccines, the District hereby requires that all individuals who access on-site campus/district programs in person or who participate in off-site district/college services in person comply with this policy. Students and employees are required to be fully vaccinated against COVID-19 unless approved as exempt due to verified medical or religious reasons. Those who do not receive a COVID-19 vaccination may be subject to other safety measures. The vaccine requirement is effective on each campus and in Central Services on the later of (1) the first day of the fall 2021 quarter (September 16, 2021, for employees and September 20, 2021, for students); or (2) when a COVID-19 vaccine receives full U.S. Food & Drug Administration (FDA) approval and is readily available.

The chancellor shall establish administrative procedures to implement this policy.

See Administrative Procedure 3507 COVID-19 Vaccination Requirement

See Board Policy 5077 Academic Accommodations for Students with Disabilities

See Administrative Procedure 5077 Academic Accommodations for Students with Disabilities



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Next Review	January 3, 2022

In order to access campus/programs, a student or employee may be asked to provide certification of having received an approved COVID-19 vaccine. Students and employees may claim an exemption to the approved vaccine requirement in accordance with District procedures. Any student or employee who does not provide certification may be denied access to campus/programs. Face coverings are required in all indoor settings except in certain limited circumstances.

In order to access campus/programs, any person, including a visitor, who has not obtained an approved vaccine or claimed an exemption may be subject to other safety measures, as determined by the District.

Contractors shall ensure that their agents and employees undertake appropriate other safety measures. In consideration of the nature of the contractor's services (including proximity to members of the District community), duration, and extent of on-campus presence, the District may also require that a contractor's agents and employees receive an approved vaccine.

The chancellor or the chancellor's designee may, on rare occasions, consider extenuating or individual circumstances. Any such consideration shall be consistent with all applicable District policies including those prohibiting discrimination, harassment, and retaliation based on protected status or activity.

In the event that the directives of federal, state, and local governing public health agency differ, the District will comply with the most stringent or restrictive mandate.

This procedure supplements and does not replace District policies and procedures governing other safety measures.

Definitions

Approved Vaccine: A COVID-19 vaccine that has received full approval from the U.S. Food & Drug Administration (FDA) and is recommended for use by the U.S. Centers for Disease Control and Prevention (CDC). The following COVID-19 vaccines shall also be deemed to be approved vaccines for the purpose of satisfying the vaccination requirement in this policy: (a) a COVID-19 vaccine administered under an FDA Emergency Use Authorization; or (b) a COVID-19 vaccine administered outside of the United States that has been approved by the World Health Organization.

Fully Vaccinated: Two weeks after receiving the second dose in a two-dose series or following a single-dose vaccine.

Campus/Programs: Any campus, property or facility owned or operated by the District in connection with its teaching, public service, or other programs and services. Any in-person program or activity (on- or off-campus) operated or controlled by the District.

Certification: Submission of information establishing that a student or employee has received an approved vaccine or qualifies for an exemption from the vaccine requirement. The colleges and Central Services may collect from every student or employee who seeks access to campus/programs the following, as applicable: (1) declaration of current COVID-19 vaccination status (with an approved vaccine); (2) declaration of medical exemption; or (3) declaration of religious exemption. Each certification shall include an attestation by the student or employee that the information provided is accurate and truthful.

Contractor: A person or entity, including an auxiliary organization, that agrees to conduct work for the District as specified under the terms of a contract or agreement.

Employees: Faculty, staff, volunteers, student workers, and administrators of the Foothill-De Anza Community College District.

Exemptions: A student or employee may be excused from the vaccine requirement in this policy as described below. A person who is granted an exemption may be required to adhere to other safety measures for the health and safety of the campus community.

Medical Exemption: due to a medical (including mental health) condition for which an approved vaccine presents a significant risk of a serious adverse reaction. The District may ask for proof of a medical exemption to be verified by a certified or licensed healthcare professional.

Religious Exemption: due to either (i) a person's sincerely held religious belief, observance, or practice, which includes any traditionally recognized religion, or (ii) beliefs, observances, or practices which an individual sincerely holds and that occupy a place of importance in that individual's life, comparable to that of traditionally recognized religions.

Other Safety Measures: Any action, as determined by the District, other than getting an approved vaccine, that decreases the likelihood of COVID-19 transmission or illness and allows the core mission and activities of the campus to continue. Other safety measures may include asymptomatic (public health surveillance) testing and symptomatic testing; physical/social distancing; avoiding large gatherings; wearing face coverings or personal protective equipment; frequent handwashing and cleaning; practicing respiratory etiquette; improving ventilation of indoor spaces; and staying home and/or quarantining when warranted.

Student: Any admitted or enrolled Foothill-De Anza student participating in any in-person activities.

General Provisions

Confidentiality of Information. This procedure (including in connection with data collection) shall be governed by applicable District policies regarding confidentiality, privacy, and security of health records, as well as state and federal law. Information shall be used only for the specific purpose intended and only be accessible to District personnel who have a business need-to-know.

Accessibility. This procedure shall be governed by applicable District policies regarding accessibility, as well as applicable state and federal law.

Documentation to Support Certification.

Vaccination Status. Any person submitting a declaration of current COVID-19 vaccination status (with an approved vaccine) shall verify that, at the District's request, they will promptly provide proof of vaccination. The District will not request any health or medical information for the purpose of enforcement of this policy other than proof of vaccination.

Medical Exemption. Students and employees may decline vaccination due to medical contraindications or precautions recognized by the U.S. Food & Drug Administration or Centers for Disease Control and Prevention or due to a disability. Any person submitting a declaration of medical exemption shall verify that they will promptly provide documentation from a certified or licensed healthcare professional to support their declaration upon request by the District. A person who is granted medical exemption may be required to adhere to other safety measures.

Religious Exemption. Students, faculty, and staff may decline vaccination based on a sincerely held religious belief, practice, or observance. A person who is granted religious exemption may be required to adhere to other safety measures. Any person submitting a declaration of religious exemption shall verify that they will promptly provide a statement that describes the applicable religious or other comparable belief that is the basis for their exemption upon request by the District. A person who is granted medical exemption may be required to adhere to other safety measures.

Accommodations. The District will provide an individualized interactive process to identify appropriate accommodations for individuals claiming an exemption. Accommodations may involve adjustments to job duties, remote work or learning, isolation of individuals in certain campus locations, limiting of interactions, and other safety measures.

Broad Dissemination of Policy Information. Information about the COVID-19 vaccination requirement shall be widely disseminated through any combination of written information statements, verbal communications, or online or in-person training programs. Such information shall provide appropriate point(s) of contact, including email and telephone numbers.

Access and Availability of Vaccinations and Testing. COVID-19 testing required by the District shall be provided to students and employees at no charge. Information about the availability of approved vaccines and COVID-19 testing, including those offered free-of-charge, shall be widely disseminated through any combination of written information statements, verbal communications, or online or in-person training programs.

All students and employees shall receive information as part of ongoing training and education, concerning:

- a. The potential benefits for COVID-19 vaccination;
- b. The potential health consequences of COVID-19 illness for themselves, family members and other contacts, coworkers, patients, and the community;
- c. Occupational exposure to COVID-19;
- d. The epidemiology and modes of transmission, diagnosis, and non-vaccine infection control strategies in accordance with their level of responsibility in preventing COVID-19 infections.
- e. The safety profile and potential risks of any COVID-19 vaccine; and
- f. Requirements for compliance with the COVID-19 vaccination interim policy.

Superseding Public Health Directives. In the event that a federal, state, or local governing public health agency imposes a requirement that restrictively conflicts with this policy or implementation of this policy, the applicable public health mandate shall govern and be implemented.

Dual Enrollment Students. The District shall coordinate with local K-12 school districts and their respective county offices of education regarding applicability of the provisions of the COVID-19 vaccination interim policy and this administrative procedure.

See Board Policy 3507 COVID-19 Vaccination Interim Policy

See Board Policy 5077 Academic Accommodations for Students with Disabilities

See Administrative Procedure 5077 Academic Accommodations for Students with Disabilities