



# President's Report to the Board of Trustees



January 31, 2017

Following is a compendium of email reports to the Board for the months of December and January.

1. Several Board members have asked for a summary of the dual enrollment options and process steps for implementation. The [attached](#) Dual Enrollment Matrix provides that information. 1/30/17

2. There has been some talk about Trump going after sanctuary colleges and universities. You may have seen the Tribune article on this (attached below). According to the article, going after schools and colleges would be unlikely and probably illegal, that is, successfully challenged in court. We do not get much direct federal income as shown in the table. However, financial aid through Pell Grants to our students is over \$50 million per year and federal grants totaled \$2.2 million last year ([see attached](#)). 1/30/17

2015-16 Revenue		
Federal Revenue	\$169,513	0.1%
State Revenue	\$140,412,151	70.7%
Local Revenue	\$56,259,618	28.3%
Other Sources*	\$1,641,456	0.8%
Total	\$198,482,738	

\*Sales of equipment, Cell tower fees, etc.

3. The [attached](#) letter of transmittal was sent to the city of Walnut on Monday, along with plans and the supporting soils report. Walnut does not have a grading permit application, and our attorney, Sean Absher, advised against using either the development application or the building permit application available on the city web site. We have a receipt that indicates that the documents submitted electronically were received on Monday. Hard copies were also sent by FedEx. 1/25/17

4. Our Phi Theta Kappa students, at my request, have done a survey ([attached](#)) of Mt. SAC students on their parking behaviors and needs for a parking garage. Happy reading--it is great stuff! 1/13/17

5. We will be submitting our grading plans on the solar site for approval by the City of Walnut next Tuesday. We do not yet have the published ruling by the judge. However, we know from the transcript that this is Mt. SAC's required action. 1/13/17

6. As requested, below is a list of all the B.A. /B.S. programs we now have and the names of the partner schools. 1/13/17

- Bachelor of Science in Aviation Management through Southern Illinois University Carbondale
- Bachelor of Science in Fire Service Management through Southern Illinois University Carbondale
- Bachelor of Science in Nursing through Mount Saint Mary's University
- Bachelor of Arts Degree in Business through University of La Verne

7. Following is an update on the Paramedic Program. The program requires a Program Director and a Clinical Coordinator to maintain accreditation by the Committee on Accreditation of EMS Programs. These are voluntary positions that are part of the load for faculty in the Paramedic Program which has two full time faculty. These load assignments are voluntary, that is, they carry reassigned time but our

faculty contract does not provide for management assignment of these duties. Tina Ziokowski has stepped down as Program Director and Kelly Sherwood has stepped down as Clinical Coordinator. The college has had continuing faculty issues in this department for several years. Without a Director and Coordinator, the program cannot continue. We will be able to finish the current group of students this spring, but the future is uncertain. Discussions are continuing on finding ways to resolve the situation. 1/13/17

8. Yes, something like the [UC Berkeley Diversity Dashboard](#) would be great to have. We should be able to do that readily. We have something similar in the [Fast Facts](#) and while we have not updated this report in quite a while, we are working on an expanded version. Let me see what we can put together. This is a Research Office project rather than HR. 1/31/17
9. Our consultants for the development of the Educational and Facilities Master Plan have proposed Community Open House Information Meetings as part of the process of gathering input for the plan. [Attached](#) is a proposal for seven such meetings at specified venues. There are two formats for you to consider. The first would be for each trustee to host a meeting just for their area. The second would be for teams of two trustees to host meetings together to include entire city populations as invitees for those cities and communities that overlap trustee areas. I would be interested in your feedback on this proposal and these options. We would have teams working on the presentations to include myself, Jill Dolan, Don Sachs, and representatives of Instruction, Student Services, and Admin. We are working on developing the presentation material and agenda design. 1/11/17
10. [Attached](#) is a tentative agenda for the Board Study Session on Saturday, January 21st, 8:30 am, at University of Laverne. This will be a topic of discussion at tonight's Board meeting under the President's Report. Please come prepared with comments and changes. Thanks.
11. Here is a feel-good story to end your day on a high note—passed along by Dawn Waters, Director of our Registered Veterinary Technician Program. 1/10/17  
As I was reading the Memorandum of Understanding that you sent to me, I thought it might be a good time to express Fast Friends gratitude for the help this program has been to us. Every year, we rescue approximately 135 greyhounds from Caliente Greyhound Park in Tijuana, Mexico. Our average cost for spays/neuters, teeth cleanings and Rabies Vaccinations is over \$350 per dog. Every year, your program provides these services for 40+ greyhounds at no cost to us at all.  
Over the many years, that this program has been in place, my direct contact has been Darlene Vale. She dedicates her life to her students and that shows in the way they enjoy the RVT Program. We email each other frequently with updates on the dogs and I especially appreciate her taking the time to do that. The level of care for the greyhounds is amazing. Since the greyhounds come in without any medical history, Dr. Uyeno has been faced with a few life threatening situations in surgery. Even with these challenges, he has never lost one of our dogs.  
The students just love these greyhounds. I have visited the dogs unannounced many times and every time, the kennels have been clean, there has been fresh water and the dogs are clean and happy. There is a real family feeling that can't be missed in this partnership and communication is the key.  
Again, thanks to you and everyone at Mt. SAC who takes care of our greyhounds.  
Joyce McRorie,  
President, Fast Friends Greyhound Adoption, CA, Inc.
12. The Governor's proposed budget for 2017-18 was released today. A summary is [attached](#). 1/10/17

13. Gary Nellesen has addressed the question of where we stand on getting water for the construction of the solar project. 1/10/17

The project design includes two reclaimed water connections for irrigation, one on each side of Grand Ave. We will also need a large diameter construction water supply (2" to 3") to start the project. Typically construction water is provided through a temporary meter attached to an existing hydrant. Walnut Valley Water District will not provide the designed reclaimed connection nor will they provide access to their domestic supply on the west side of Grand for construction water until issues are resolved with the city. We do have creative options that will require additional cost should the project start without support from Walnut Valley Water.

I have met with the Walnut Valley District Director. He is understanding of our issues but has clear direction from his board.

14. Jill reports on this month's meeting of the City of Walnut Task Force on Mt. SAC. 1/5/17

The meeting was mild and sparsely attended.

City planners spoke to the December court action and said they are containing to monitor the site for any activity (even, apparently over Christmas).

A resident asked about the city buying the West Parcel. Tom Weiner said he called Mt. SAC and it was evident we weren't interested in selling. This same resident suggested that sale of the parcel should equate to the cost of building canopy-style solar panels.

Residents were seeking an update on the Athletics project. Tom said he would email Gary.

In other discussion, a resident inquired as to the landscaping project on the corner of Grand and Temple and also expressed his concern about the (poor) state of our landscaping on the perimeter.

I indicated I would seek out that information and get back to him as soon as possible.

In attendance, as a bit of serendipity, was the district representative for Sen. Josh Newman. We have exchanged information and I expressed our interest in having both she and the senator visit campus for a tour and meet and greet.

15. The City of Walnut has issued a press release ([attached](#)) entitled, "Court Upholds City of Walnut Order To Halt Solar Project." 1/3/17

16. Regarding today's discussion on undocumented students, I have provided answers and responses to the extent of my knowledge. Many of these issues I discussed with our attorney, Pilar Marin. I have also [attached](#) the Tribune article on the subject. 12/20/16

- 1) Were you one of the 500 college presidents that signed the Dec 6 statement in support of DACA students? **No. I preferred to make my own statement.**
- 2) The memo says on page 4 (& page 5) "the district can decline ... unless it has **student's consent**, . . . subpoena, court order, other statute . . ." Student consent gives us the authority to release their private information but if the info is private do we still have the right to withhold it even if the student consents to the release? (Let the student provide the info themselves). **We still have the right to withhold the information even if the student is on record as giving us permission.**
- 3) Page 5 recommends we contact legal counsel if we receive a request from fed immigration authority. I think the board would like to also know before we respond and give input on a response. Can we talk about this in closed session? **No, this is not a subject that can be discussed in closed session. Pilar discussed several issues related to such a request. We can talk.**
- 4) So the rule is we can decline to produce student info unless (**Wrong word, you should say "even if."**) there is "consent, subpoena, warrant, or court order" (page 5). But **please note** on page 4 it states "A request by ICE for student records information (without a subpoena) does not appear to fit within an exception to FERPA or Education Code protection on student records." Page 5 goes on "Even if the exception to FERPA or the Education Code did apply to a request from ICE . . . **The district has discretion to consider whether it will comply**". Also it says another option is to "**move to quash a subpoena or otherwise assert objections to bar disclosure**". I'm really hoping for the best but worst case scenario buying time might be very valuable.
- 5) The federal law explained on page 6, 8 USC 1373, sounds outrageous to me! If we cannot prevent employees from divulging and maintaining student's immigrant status to ICE, how are we going to keep the information

away from them? **(We share student information internally much too freely. We will make changes to our practices.)**

- 6) Do we have a policy that our police will not use its resources for immigration enforcement? Are we going to audit our police policies and MOUs with other police agencies to determine what info is collected and shared, as recommended on page 7? **(Yes, we are looking at our police policies and our MOUs with other law enforcement agencies.)**
- 7) Is there a typo on page 7? Shouldn't it say " . . . college sworn police departments are **[not]** charged with enforcing federal immigration laws." (Page 3 says "Under the Constitution, state and local governments can refuse to use their resources to enforce federal law.") **They MUST but only if they receive a court order or subpoena or have an MOU with other agencies.**
- 8) I'm glad we don't have a reporting requirement and are only obligated to keep our records (I-9 forms) up to date and available for inspection. (I'll tell you more when I see you.)
- 9) Although the attorney says we cannot continue to employ someone after their DACA work permit expires, if their employment wouldn't otherwise terminate it would be nice if we could look at options for keeping them on, as an independent contractor, or through an agency or something. **(Students do not meet the requirements to be an independent contractor. Other agencies that hire students would still have to report SSNs so not a solution. The only way would be scholarships.)** I do not support outsourcing but, as the Congress resolution says, we support the **genuine right to work** to make a living and support your family. Can we talk about this in closed session? **Not permissible under the Brown Act.** Can you give us more info about the handful of employees that are in this situation? Like would they otherwise continue as employees if it wasn't dependent on DACA? **When their DACA work permits expire, we must let them go. No choice.**

17. Jill reports that the LA County Supervisors approved our election date change as part of the consent calendar today. 12/20/16

18. The Foothill-DeAnza CCD Board of Trustees recently adopted the [attached](#) resolution regarding undocumented students. 12/19/17

19. Jill will be following the progress of our change in election dates at tomorrow's Los Angeles County Board of Supervisor's meeting. Our agenda item is [attached](#). 12/19/16

20. To clarify, there is no UWT injunction in place because two conditions must be met for UWT's injunction: the Stop All Work Order is lifted and the bond is posted. Neither has happened. The transcript of the hearing with highlights is [attached](#). 12/19/16

21. Our district's request to change Trustee election term dates is scheduled to be heard at next week's Board of Supervisor's meeting on Tuesday, December 20, and the LA County Registrar-Recorder Office has recommended that the Board of Supervisors approve our request. 12/15/16

22. As I am sure you are aware, college students throughout the nation—including Mt. SAC—are concerned about loss of their rights resulting from the transition of U.S. Presidents. One of the major concerns is the future of students who are undocumented residents of the U.S. Today's discussion, from 6:00 to 6:30, will be about this issue and will provide the Board with the opportunity to hear from Mt. SAC undocumented students. The discussion format will enable the Board to follow up with questions or comments. Working with Cabinet, I have issued a statement ([attached](#)) on Mt. SAC's position on protecting the rights of our undocumented students. I also will share with you a legal opinion from Pilar Marin of LCW. It is our intention to combine this work with the input from the Board of Trustees today and bring you a proposed resolution to review at the January 11th Board meeting and release thereafter. Just FYI, major demonstrations are planned nationwide—and at Mt. SAC—on inauguration day, January 20th. 12/14/16

23. Psomas, our civil engineering firm, has reviewed city and county grading ordinance requirements and will proceed with seven adjustments to our existing grading plan. This work will be completed by January 6th and at that time we will proceed with the permitting process with the City of Walnut. 12/13/16
24. As I mentioned in my initial communication last week, the judge required Mt. SAC to obtain a grading permit for the solar site. I have [attached](#) the judge's ruling and will provide you with Sean Absher's analysis. As this is the only requirement, and we already have a grading plan, we have asked Psomas to do a final analysis. Then we will request the permit from the City of Walnut. Mike talked to Rob Wishner last week to touch bases and be on the same page. Rob's response was disturbing (see his email [attached](#)) in asserting that the grading permit requires compliance with zoning—clearly in violation of the judge's ruling. (See [attached](#) Walnut permit code 18-72.) I have alerted Sean to this communication from the city and obtained his response. I have also talked to him extensively on the phone, and the approach we are taking is well conceived and will be well executed. Also [attached](#) is the Tribune story from Saturday—which appeared on the Page 6. As the path forward is clear, and potential next steps depend on the actions of the City of Walnut, I have not asked for a closed session item for this Wednesday. We will keep you informed and seek your guidance before proceeding on any necessary reaction to potential bad faith behavior by the City. 12/12/16
25. See the attached article, “PCC Board Considering Self-Censorship.” If nothing else, the first two paragraphs of this story should get you to read the whole article: 12/7/16
- Pasadena City College's Board of Trustees postponed a decision Wednesday evening to implement a bylaw that could have a strong impact on public discourse at the school.
  - The bylaw would ban all board members except for the board president from speaking to the media about “controversial” issues. If the board president isn't available, the board vice president would be the “sole spokesperson.”
26. Please congratulate our state champion Men's Soccer Team ([article attached](#)). They will be recognized during our Board meeting next week. 12/7/16
27. Just sharing one of the reactions from yesterday's forum ([attached](#)). Natalie is an EOPS/CARE counselor. 12/7/16
28. Based on a conversation with Gary Nellesen who was at the hearing yesterday on the City of Walnut's request for an injunction on the solar project, I can give you a preliminary report on the outcomes. (Sean Absher will have a report in a day or two.) The judge found no merit in the issues raised about zoning, environmental compliance, or truck hauling--no injunction. The judge did direct the college to obtain a grading permit from the City of Walnut stating that the Stop Work Order would remain in place until that permit is obtained. According to Gary, the judge did indicate that the City should understand that the project will be taking place. However, it is likely that the City will continue to pursue any avenue that will delay or stop the project. I have given direction to Gary to proceed with the request for the grading permit. This will involve working directly with City staff.
- In a conversation that Mike had with Rob Wishner this morning, it was Mike's impression that resistance to the project remains high. Walnut City codes do describe the permitting process ([Code 18-72 attached](#)). This remains the last hurdle to overcome to begin the project. The venue now moves to Mt. SAC working directly with the City of Walnut for this grading permit. However, the court

remains the arbiter of good faith on the part of both the city and the college in this permitting process. 12/7/16

29. The Post-Election Dreamer Forum yesterday went well—about 100 students, faculty, staff, and managers. It should be a lively discussion at next week's Board meeting. I should have our legal advice soon. 12/7/16
30. If you happen to be free this afternoon, this Post-Election Dreamer Forum ([flyer attached](#)) should be an inspiring and informational gathering. 12/6/17