

Board of Trustees

Ventura County Community College District

<p>MINUTES FOR THE MEETING OF OCTOBER 10, 2000</p>

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, October 10, 2000, in the Cowan Conference Center – Ventura Room, Camarillo, California.

Roll Call

Board Members Present:

Allan W. Jacobs, President
Robert S. Gonzales, Vice-President
Norman J. Nagel
John D. Tallman

Absent:

Becky Lawson, Student Trustee

Management Present:

Philip Westin, Chancellor
Michael Gregoryk, Deputy Chancellor
Marion Boehm, Vice Chancellor, Human Resources
Steven Arvizu, President, Oxnard College
James Walker, President, Moorpark College
Larry Calderón, President, Ventura College
Jack Lipton, General Counsel
Dennis Cabral, Associate Vice Chancellor, Student Learning
Vic Belinski, Associate Vice Chancellor, Information Technology
Sue Johnson, Assistant Vice Chancellor, Business Services
Harry Culotta, Director, College Budgets, Oxnard College
Patricia Kistler, Director of Governmental and Public Affairs
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President
Gil Putnam, Director, Facilities Planning and Construction
Cheryl Shearer, Dean, Economic Development

Faculty/Staff/Student Representatives:

Charlene Arnold, Moorpark College Academic Senate President
Carmen Guerrero-Calderón, Oxnard College Academic Senate President
Lydia Cosentino, Ventura College Academic Senate President
Jack Miller, AFT President
Susan Brent, CSA Representative
Chris Valenzano, Moorpark College Student Director of External Affairs and Governmental Relations

CALL TO ORDER

President Jacobs called the meeting to order in the Cowan Conference Center – Ventura Room at 5:03 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no requests to speak.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:04 p.m. in the Cowan Conference Center – Ojai Room, to address the following items.

Chancellor's Report on Public Employee Performance Discipline/Evaluation**Employer/Employee Relations**

- **Conference with Chief Negotiator**
 - **AFT**

Pending Litigation [Gov't Code §54956(a)]

- *AFT vs. VCCCD (facilitator grievance)*
- *AFT vs. VCCCD (work experience grievance)*
- *AFT vs. VCCCD ("previous assigned load" grievance)*
- *AFT vs. VCCCD (Paula Muñoz reassignment)*
- *AFT vs. VCCCD (Paula Muñoz union discrimination)*
- *AFT vs. VCCCD (Paula Muñoz evaluation)*
- *AFT vs. VCCCD (Paula Muñoz summer assignment)*
- *AFT vs. VCCCD (Muñoz/Carrasco/Suel tenure review participation)*
- *AFT vs. VCCCD (Philip Anderson)*
- *AFT vs. VCCCD (Korn/Doyle/Frick grievances)*
- *AFT vs. VCCCD (Alexandra Zuromski grievance)*
- *AFT vs. VCCCD (PERB Case No. LA-CE4082) (Ventura College Sheriff Academy)*
- *AFT and Paula Muñoz vs. VCCCD (PERB Case No. LA-CE4206)*
- *AFT vs. VCCCD (Beatriz Herrera)*
- *Herrera vs. VCCCD*
- *Talili vs. VCCCD*
- *LaMonte vs. VCCCD*
- *Cruz vs. VCCCD*
- *Beard vs. VCCCD*
- *Cantu vs. VCCCD*
- *Reilly vs. VCCCD*

Threatened Litigation [Gov't Code §54956(b)]**Possible Initiation of Litigation [Gov't Code §54956.9(c)]**

RECONVENE IN OPEN SESSION

President Jacobs reconvened the meeting in Open Session at 7:10 p.m. in the Cowan Conference Center, Ventura Room.

PLEDGE TO THE FLAG

Trustee Jacobs led the pledge to the flag.

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session Report:

The Board of Trustees agreed with the overall tone and concepts presented in the Chancellor's letter addressed to all district faculty dated October 2, 2000, including all four of the Chancellor's recommendations: salary, benefits, and the immediate formation of two small work groups.

The Board took three actions for immediate implementation.

The Board voted unanimously to authorize the Chancellor to propose to the Ventura County Federation of College Teachers, AFT 1828, the immediate formation of a small work group dealing with part-time faculty issues, with members appointed by the Federation and members appointed by the Chancellor. The purpose of this work group will be to meet and problem solve regarding a wide range of issues affecting our part-time faculty, such as assignment, evaluation, office hours, etc. The goal of this work group would be to reach consensus by December 1, 2000--well in time for both the Federation's and District's Initial Proposals--which would result in significant improvements for part-time faculty.

The Board also voted unanimously to authorize the Chancellor to propose to the Federation the immediate formation of a small work group dealing with other faculty issues, with members appointed by the Federation and members appointed by the Chancellor. The purpose of this work group will be to meet and problem solve regarding any additional issues affecting the parties, such as academic calendar, deadlines, virtual learning, etc. Again, the goal of this work group would be to reach consensus by December 1, 2000, well in time for both the Federation's and District's Initial Proposals.

Finally, the Board voted unanimously to appoint Dr. James Walker as its Chief Negotiator effective immediately. The Board indicated, that, although it continues to have complete confidence in General Counsel Dr. Jack Lipton, the time has come to call upon a district leader--rather than an attorney--to be its Chief Negotiator with the faculty collective

bargaining organization. Dr. Walker was a natural choice because of his experience and knowledge at both college and district levels gained during his tenure in the District.

ACKNOWLEDGEMENT OF GUESTS & SPECIAL RECOGNITIONS

Floyd Martin introduced Patricia Parham as the new College Management Association President.

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Human Resources

- 5.2 **Approval of VCCCD-AFT Side Letter Agreement.** This item was pulled from the agenda.

Business Services

6.3 **Purchase Orders**

- 6.3.1 **Approval/Ratification of Board Purchase Order Report #3 (FY2000-2001)** was revised to correct the Background, Analysis and Fiscal Impact. This item was also revised to include additional purchase orders.

Trustees/Chancellor

- 7.1 **Action to Approve Governing Board Member Absence** was revised to indicate that Student Trustee Lawson was absent due to illness.

First Reading Items

- **Proposed Addition to Board Policy Manual Section J: District Wellness Policy: Subsection J.12 Policy on Bloodborne Pathogen Exposure Control.** This item was revised to change the reference from Subsection J.12 to Subsection J.13 and to include the policy that was inadvertently omitted.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

Octavio Sifuentes addressed the Board in support of Agenda Item 4.1 – *Approval of Membership in the Gold Coast Library Network, Library of California Region VII.*

Consent Calendar Items

It was moved by Trustee Nagel, seconded by Trustee Tallman, and carried on a unanimous vote, to approve the following Consent Calendar Items: (Lawson - absent)

Approval of Minutes

- 2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for September 12, 2000** was approved.

Student Learning

- 4.1 Approval of Membership in the Gold Coast Library Network, Library of California Region VII, for the Libraries at Moorpark, Oxnard, and Ventura Colleges** was granted.

Human Resources

- 5.1 Establishment/Elimination of Positions**
- 5.1.1 Establishment of Position – District Service Center** was approved to establish a classified position of Application Support Programmer, PCN #DCU100, District Service Center Information Technology, effective October 11, 2000.
 - 5.1.2 Establishment of Position – Moorpark College** was approved to establish a full-time tenure track academic position of Instructor in Mathematics, PCN #MFT364, Moorpark College, effective October 11, 2000.
 - 5.1.3 Establishment of Position – Moorpark College** was approved to establish a full-time tenure track academic position of Instructor in Physical Education/Football Coach, PCN #MFT362, Moorpark College, effective October 11, 2000.
 - 5.1.4 Establishment of Position – Moorpark College** was approved to establish a classified position of Instructional Lab Technician II/Chemistry, PCN #MCU384, Moorpark College, Chemistry/Earth Science Department, effective October 11, 2000.
 - 5.1.5 Establishment of Position – Oxnard College** was approved to establish a full-time, tenure-track academic position of Child Development Instructor, Bilingual, PCN #XFT234, Oxnard College, effective October 11, 2000.
 - 5.1.6 Establishment of Position – Oxnard College** was approved to establish a full-time tenure track academic position of Institutional Researcher/Learning Outcomes Assessment, PCN #XFN211, Oxnard College, effective October 11, 2000.
 - 5.1.7 Establishment of Position – Oxnard College** was approved to establish a classified position of Grant Writer/Developer, PCN #XCU272, Oxnard College, Economic Development, effective October 11, 2000.

- 5.1.8 Establishment of Position – Oxnard College** was approved to establish a classified position of Clerical Assistant I, 50%, PCN #XCU271, Oxnard College Economic Development, effective October 11, 2000.
- 5.1.9 Establishment of Position – Oxnard College** was approved to establish a classified position of Placement Project Specialist, PCN #XCU268, Oxnard College, Economic Development/Welfare to Work, effective October 11, 2000.
- 5.1.10 Establishment of Position – Ventura College** was approved to establish a classified position of Administrative Assistant II, 10 mos., PCN #VCU413, Ventura College Sciences Department, effective October 11, 2000.
- 5.1.11 Establishment of Position – Ventura College** was approved to establish a classified position of Kiln Operator, 11 months, 47.5%, PCN #VCU412, Ventura College Art Department, Ventura College, effective October 11, 2000.
- 5.1.12 Establishment of Position – Ventura College** was approved to establish a classified position of Instructional Lab Technician II, Information Systems, 50%, PCN #VCU414, Ventura College, Community & Resource Development, effective October 11, 2000.
- 5.1.13 Increase of Classified Position - Ventura College** was approved to increase from 50% to 80%, an Accounting Technician II position, PCN #VCU349, Ventura College Community and Resource Development, effective October 11, 2000.
- 5.1.14 Increase of Classified Position - Oxnard College** was approved to increase from 50% to 62.5%, a Community Development & Institutional Advancement Specialist position, PCN #XCU240 Oxnard College, effective September 1, 2000, to December 31, 2000.

Business Services

6.2 Checks

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of August 24, 2000 – September 20, 2000** was approved to ratify Accounts Payable and Payroll for the period of August 24, 2000 - September 20, 2000.

6.3 Purchase Orders

- 6.3.1 Approval/Ratification of Board Purchase Order Report #3 (FY2000-2001)** was granted to approve/ratify Board Purchase Order Report #3, August 26, 2000 – September 20, 2000.

6.4 Award of Bids

- 6.4.1 Rejection of Bid #185, Fire Alarm System Upgrade for Ventura College** was approved to reject Bid #185, Fire Alarm System Upgrade for Ventura College.
- 6.4.2 Fire Alarm System Upgrade for Ventura College** was granted to approve Bid #187, Fire Alarm System Upgrade for Ventura College, which is a rebid of, rejected Bid No. 185.

6.7 Contracts

6.7.1 Approval of Contracts/Grants was granted to accept contracts/grants for the FY 2000/2001.

6.7.2 Approval of Agreements with the Ventura County Superintendent of Schools was granted to approve agreements with the Ventura County Superintendent of Schools for the Film and Videocassette Services, SPARKS Personnel System, Equipment and Data Communications Services.

Trustees/Chancellor

7.2 Action to Approve Governing Board Member Absence was granted to Student Trustee Lawson who was absent due to illness.

Action Items

Student Learning

3.1 Accreditation Reports – Moorpark and Oxnard Colleges was moved by President Jacobs, seconded by Trustee Gonzales, and carried on a unanimous vote, to approve the Draft Mid-Term Accreditation Report submitted by Moorpark College and the Draft Interim Accreditation Report submitted by Oxnard College to the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges, and to approve the shifting of the three colleges to simultaneous site visits in Fall 2004, thereby placing the District's future accreditation reviews on a consolidated schedule. (Lawson - absent)

Chancellor Westin announced that the Accrediting Commission for Community and Junior College, Western Association of Schools and Colleges accepted the proposal of the Ventura County Community College District to shift its three colleges to simultaneous site visits in Fall 2004.

Reports

STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Academic Senate representatives**
 - Charlene Arnold reported that Student Trustee Lawson attended the Moorpark College Academic Senate meeting to discuss common course numbering. She gave a brief update on her research regarding this issue. Ms. Arnold announced that Elton Hall was appointed to the State Chancellor's Committee on Special Projects.
 - Carmen Guerrero-Calderón announced that James Merrill was appointed to the Ocean View Elementary School District Board of Trustees and that Linda Rubenstein was appointed to the Chancellor's Occupational Education Committee by the Academic Senate for California Community Colleges.
 - Lydia Cosentino expressed her concerns about the budget and the number of full-time tenured faculty at Ventura College.

- **Personnel Commission representative**
 - Patricia Parham updated the Board on the Office of the Personnel Commission.

- **College Management Association representative**
 - Patricia Parham introduced members of the CMA's Executive Committee and reported on the goals of CMA.

CHANCELLOR'S REPORT

- **Presidents' Reports**
 - James Walker commented on the October 10, 2000, article in *The Star* regarding the High School at Moorpark College. He reported on the Fourth Annual Moorpark College Foundation Community Ball at the Reagan Library and indicated that four inductees to the Moorpark College Athletic Hall of Fame would be recognized.

 - Larry Calderón read a report prepared by Jose de Leon, President, Associated Student Government regarding student activities at Ventura College.

Dr. Calderón announced that Ron Dyste, Executive Vice President of Student Learning, will be awarded "Administrator of the Year" by the California Association on Postsecondary Education and Disability. He said that Tom Kimberling, Vice President of College Services received the *Starfish Award* for his efforts in making a positive difference at Ventura College. Dr. Calderón noted that Dr. Kohn, 1998's Nobel Laureate in Chemistry, would be making a presentation at Ventura College on October 17.

- **College Presentation – Oxnard College**
 - Steven Arvizu introduced Betsy Matsuno-Lindbergh, DDS, Department Head of the Dental Hygiene Program. Dr. Matsuno-Lindbergh introduced Richard Enriquez, DDS and gave a brief overview on the success of the program. Trustee Nagel acknowledged Dr. Lindbergh and her staff for their efforts in developing this program. He suggested that the program should be publicized within the dental community in order to increase funding. Trustee Tallman asked about the applicant pool and the waiting list. Dr. Matsuno-Lindbergh explained the process.
- **Deputy Chancellor's Report**
 - Michael Gregoryk announced that at the next DCAS meeting, the budget allocation model review process would begin to determine whether adjustments should be made to the model.
- **Governmental and Public Affairs Report**
 - Pat Kistler reported that she was selected to serve on the Advisory Committee on Education Services which assists the Community College League of California with the challenges of developing a solid educational program for new Community College CEOs and Trustees.

First Reading Items

- **Proposed Revision to Board Policy Manual Appendix E.X: Conflict of Interest Code, Exhibit A.1, for new or revised job titles was accepted for Second Reading.**
 - **Proposed Addition to Board Policy Manual Section J: District Wellness Policy: Subsection J.13 Policy on Bloodborne Pathogen Exposure Control was accepted for Second Reading.**
 - **Course Approvals: New, Revised and Deleted Courses - Moorpark College** were accepted for Second Reading.
 - **Student Government representatives**
 - **Student Report**
 - Chris Valenzano addressed the Board regarding current legislation, common course numbering, and student permits. He announced that on November 1, he would be resigning as Student Activities Director of External Affairs and Governmental Relations. President Jacobs thanked Mr. Valenzano for his service on the board and wished him good luck.
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Trustee Issues

- **Governing Board Subcommittee Reports**
 - Trustee Nagel reported on the October 9 Subcommittee on Personnel Commission. He indicated that 23 applications were reviewed and the public was given an opportunity to speak. Dr. Nagel announced that 13 applicants would be invited to the next Personnel Commission Subcommittee meeting on November 13 to participate in the interview process and that 3-5 people would be recommended for interview by the Board at the November 14 Board meeting. He said that the Board's final recommendation would then be forwarded to the State Chancellor's Office.

 - **Trustee Issues**
 - Trustee Nagel expressed his concerns about a Ventura County Community College District employee running for the Board of Trustees.
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PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

- **Student and Staff Issues**
 - Gregory Cross, Senior Field Representative, SEIU, distributed and read a letter dated October 10, 2000, expressing his concerns regarding the Personnel Commissioner Selection Process.

Trustee Tallman expressed his concerns about Mr. Cross' letter and asked the Chancellor to ensure that the procedures for the Personnel Commissioner Selection process are being followed.

 - Carmen Guerrero-Calderón expressed her concerns about Dr. Nagel's statement.

RECESS TO CLOSED SESSION

At 8:30 p.m. the Board recessed to Closed Session.

RECONVENE IN OPEN SESSION

At 9:16 p.m. the Board reconvened into Open Session.

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session Report:

In the case of *AFT vs. VCCCD* involving Philip Anderson, the Board unanimously voted to defend the District at arbitration.

In the case of *AFT vs. VCCCD* involving a grievance of alleged union discrimination against Paula Muñoz, the Board unanimously voted to defend the District at arbitration.

In the case of *AFT vs. VCCCD* involving grievances of Paula Muñoz, Tim Suel, and Marian Carrasco as members of a tenure review committee, the Board unanimously voted to defend the District at arbitration.

In the case of *AFT vs. VCCCD* involving Paula Muñoz, PERB Case No. LA-CE4206, the AFT dismissed the case against the District.

In the case of *Beatriz Herrera vs. VCCCD*, Equal Opportunity Case No. 340A01391, the Board unanimously ratified a Settlement Agreement under which the District reinstated sick leave to the Charging Party. The Charging Party also withdrew her pending AFT grievance and agreed that the District did not engage in any unlawful discrimination.

In the case of *Deborah Talili vs. Oxnard College et. al.*, Workers' Compensation Appeals Board Case No. VEN0113794, the Board unanimously voted to respond to the Petition.

In the case of *Michelle LaMonte vs. VCCCD*, California Unemployment Insurance Appeals Board Case No. 289144, the Board unanimously voted to ratify the District filing an appeal. The Unemployment Insurance Appeals Board subsequently issued a ruling in favor of the District on the grounds that the student employee was not entitled to unemployment insurance benefits.

In the case of *Janeen Beard vs. VCCCD*, EEOC Case No. 340A02360, the Board unanimously voted to respond to the Charge of Discrimination.

In the case of *Gerri Cantu vs. VCCCD*, EEOC Case No. 340A02359, the Board unanimously voted to respond to the Charge of Discrimination.

Regarding the Verified Claim of *Quinn Reilly*, the Board unanimously voted to deny the Claim.

ADJOURNMENT

At 9:22 p.m., it was moved by Trustee Tallman, seconded by Trustee Nagel, and carried on a unanimous vote, to adjourn the meeting. (Lawson – absent)