

Board of Trustees Ventura County Community College District

Robert O. Huber
Chair

Stephen P. Blum, Esq.
Vice Chair

Cheryl Heitmann
Trustee

Arturo D. Hernández
Trustee

Larry O. Miller
Trustee

Donna Valle
Student Trustee



James M. Meznick
Chancellor/Secretary to the Board

ORDER OF THE MINUTES FOR THE FOR THE MEETING OF TUESDAY, APRIL 14, 2009

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, April 14, 2009, at the District Administrative Center Multi-Purpose Room, Ventura, California.

ROLL CALL

Board Members Present:

Robert O. Huber, Chair
Stephen P. Blum, Esq., Vice Chair
Cheryl Heitmann, Trustee
Arturo D. Hernández, Trustee
Larry O. Miller, Trustee
Donna Valle, Student Trustee

Management Present:

James Meznick, Chancellor
Robin Calote, President, Ventura College
Richard Durán, President, Oxnard College
Pam Eddinger, President, Moorpark College
Richard Dawe, Vice Chancellor, Planning and Organizational Development
Sue Johnson, Vice Chancellor, Business Services
Patricia Parham, Vice Chancellor, Human Resources
Ramiro Sanchez, Executive Vice President, Student Learning
Brenda Shubert, Executive Vice President, Student Learning
Ray Di Guilio, Vice President
David Keebler, Vice President
John al-Amin, Vice President
Michael Arnoldus, Director
Lori Bennett, Dean
Terry Cobos, Director
Dan Brown, Dean

Eleanor Brown, Dean
Patricia Ewins, Dean
Clare Geisen, Director
Karen Gorback, Assistant Dean
Lucia Haro, Interim Dean
Tim Harrison, Dean
Brian Hu, Director
Carolyn Inouye, Dean
Gwen Lewis-Huddleston, Dean
Victoria Lugo, Dean
Mary Anne McNeil, Director
Darlene Melby, Business Manager
Lisa Miller, Dean
Jerry Mortensen, Assistant Dean
Inajane Nicklas, Dean
David Oliver, Dean
Rick Shaw, College Technical Services
John Sinutko, Director
Julius, Sokenu, Dean
Kathy Scott, Dean
Jay Wysard, Director of Human Resources Operations
Rich DeLaO, Chief

Faculty/Staff/Student Representatives:

P. Scott Corbett, Academic Senate President, Oxnard College
Peter Sezzi, Academic Senate President, Ventura College
Margaret Tennant, Academic Senate President, Moorpark College
Lauren Lewow, Director of External Affairs, ASG, Moorpark College
Nancy Pham, Associated Student Government President, Ventura College
Johnny Vasquez, Associated Student Government President, Oxnard College
Michael Bolton, Heery International
John Wagner, AFT President
Dan Casey, SEIU Chief Steward
Eileen Welser, Executive Assistant to the Chancellor

CALL TO ORDER

Chair Huber called the meeting to order at 5:33 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

Kellen Winslow, Tori Winslow, Bill Winfield, Zachory James, Gregg Norberg, Bobbi Younce, Bern Dean, Chuck Rowland, Richard McCulloch, Bette Ann Rowland, Manuel Vanegas, Ted Cook, Janene Winslow, Steven Clark, Frank Vounce, Dale Lipp, Justin Berenson, Byron Ward, and Bryan White addressed the Board regarding the Closed Session item: PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE {Government Code §54957}.

Greg Winslow addressed the Board regarding his proposed suspension without pay and read a statement regarding the investigation conducted by the District.

Trustee Miller read the following statement prior to Closed Session:

“The Board will be considering in closed session the class action lawsuit brought by the Ventura County Community College Retirees Association against the District. As a District retiree, I understand that I am potentially a member of the plaintiff class in that lawsuit, and that my rights to retirement medical, dental, and vision benefits may be directly affected by any resolution of that lawsuit. Therefore, I will continue to abstain from any participation in this matter.”

RECESS TO CLOSED SESSION

At 6:54 p.m., the meeting was recessed to Closed Session.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

{Government Code § 54956.9(b)} (one case) was pulled from the agenda

PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE *{Government Code §54957}*

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

{Government Code §54956.9(a)}

- Case No. 56-2007-003030058-CU-WM-VTA, Ventura County Community College Retirees Association; Rene G. Rodriguez; Gary Johnson, Robert Long, Robert Lopez; Barbara Hoffman; David Thomas; Vivian Lockard; Eursell Jett; Charlene Blalock-Carlson; Donald Medley; Harry Korn; individually and for and on behalf of a class of persons similarly situated, Petitioners and Plaintiffs, v. Ventura County Community College District; Board of Trustees of Ventura County Community College District; Does 1 through 50, inclusive, Respondents and Defendants.

CONFERENCE WITH LABOR NEGOTIATOR

- AFT Local 1828
- SEIU Local 99

RECONVENE IN OPEN SESSION

Chair Huber called the meeting to order at 8:30 p.m.

CLOSED SESSION REPORT

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

1. In Closed Session it was moved by Trustee Miller, seconded by Vice Chair Blum, and carried on a 4-1 vote, with Vice Chair Blum voting no, that employee #900-01-9553 be immediately suspended with pay, the District initiate dismissal proceedings, and authorized the Board Chair to sign jurisdictional documents on behalf of the Board.

	Yes	No
Chair Huber	X	
Vice Chair Blum		X
Trustee Hernández	X	
Trustee Heitmann	X	
Trustee Miller	X	

2. In Closed Session, it was moved by Trustee Hernández, seconded by Vice Chair Blum, and carried on a 4-0-1 vote, with Trustee Miller abstaining, to approve the settlement agreement in the matter of *Ventura County Community College Retirees Association et al v. Ventura County Community College District et al*. This approval is subject to two conditions. First, because certain attachments to the settlement agreement are in the process of being finalized, the Board has delegated authority to the Board Chair to approve these attachments, to make any other necessary non-substantive changes, and by signing the agreement, to complete the process of Board approval. Second, this settlement agreement, once signed by all the parties, will be subject to judicial approval.

	Yes	No	Abstain
Chair Huber	X		
Vice Chair Blum	X		
Trustee Hernández	X		
Trustee Heitmann	X		
Trustee Miller			X

PLEDGE TO THE FLAG

Dr. Durán led the Pledge to the Flag.

ACKNOWLEDGEMENT OF GUESTS AND SPECIAL RECOGNITIONS

- **Campaign for College Opportunity Presentation of Certificate of Appreciation.**
 - Ventura College Promise Program. Maria Figueroa, Campaign for College Opportunity, addressed the Board regarding the Ventura College Promise. Dr. Robin Calote, President, Ventura College and Diana Dunbar, Ventura College Foundation, distributed information regarding the Ventura College Promise.

- **Board of Trustees Presentation of Certificate of Recognition**

- Ventura College Promise Program. Chair Huber presented a Certificate of Recognition to Dr. Robin Calote, President, Ventura College, and the Ventura College Foundation on the occasion of statewide recognition for its successful *Promise* scholarship program.

Chair Huber welcomed the new Director of Human Resources Operations, Jay Wysard.

PUBLIC COMMENTS

Bob Pugh addressed the Board regarding class cuts. Joaquin Flores, SEIU Local 99, introduced Dan Casey, VCCCD SEIU Steward.

REPORTS

- **Student Representatives**

Nancy Pham, Associated Student Government President, Ventura College, reported on the following activities at Ventura College: Annual Student Awards Exhibition, Fashion Merchandising and Design Show, Earth Day, and the Youth Empowerment Summit. Ms. Pham announced that the Associated Students Ventura College are donating \$5,000 to the Faith George lending library, \$3,000 to the art galleries, and an automatic annual donation to Ventura College Promise Program.

Johnny Garcia Vasquez provided details regarding activities at Oxnard College. Mr. Garcia Vasquez commented on his visit to Assemblyman Pedro Nava's Office for an update on legislation, the IOC social, and testifying in front of Coastal Commission.

Lauren Lewow commented on Moorpark College activities. Ms. Lewow reported on the American Student Association of Community Colleges (ASACC) conference in Washington D.C. and the information packet that was presented to representatives.

Student Trustee Valle reported on the ASACC conference and mentioned that student representatives from Moorpark, Oxnard, and Ventura Colleges attended the conference.

- **Chancellor**

- **Green Initiatives at Moorpark College**

- Dr. Pam Eddinger, President, Moorpark College
 - Vice President Di Guilio explained energy conservation activities and green initiatives at Moorpark College and acknowledged John Sinutko for his efforts on this program. Mr. Di Guilio provided a brief overview of the following items:
 - Water Conservation
 - Green Landscape Practices
 - Recycling Program – Sustainable Practices

- New Construction – Attainable Design Goals
- New Construction – Sustainable Practices
- Existing Buildings – Sustainable Practices
- Sustainable Practices – The Future
- Committed to a Sustainable Future

Trustee Heitmann acknowledged Moorpark College for their green activities.

- **Academic Senates**

- Margaret Tennant, Academic Senate President, Moorpark College, reported on the Forensic Team's state community college championship and the In-Plant Printing and Mailing Association Gold Award for the Moorpark College publications department. Dr. Tennant invited the Board to *Multi Cultural Day* activities on April 15.
- P. Scott Corbett, Academic Senate President, Oxnard College, commented on activities at Oxnard College. Dr. Corbett invited the Board to the Fire Academy graduation on April 18.

- **Trustees**

- **Committees**

- **Rules**

- Vice Chair, Blum reported on the March 12 Rules Committee meeting and indicated the committee recommended approval of BP 2220: Committees of the Board, BP 2410: Board Policy, and BP 2411: Administrative Procedures. Vice Chair Blum pointed out BP 2220: Committees of the Board, Item No. 1 Budget/Audit/Foundation Relations Committee was not discussed in the Rules Committee.

- **Capital Planning and Construction**

- Trustee Hernández reported on the March 24 Capital Construction and Planning Committee and indicated the committee approved the Capital Construction recommendations (C.14 A-I).

- **Reports/Announcements/Correspondence**

Trustee Miller commented on Family Science Night at San Cayetano Elementary School, the Ventura College East Campus Expo, and the release of a cohort of the endangered Palos Verdes blue butterflies from the America's Teaching Zoo into their native habitat in San Pedro.

Trustee Hernández announced he would be on a panel at the International Hispanic Network Conference in Florida. Trustee Hernández reported on his meeting with the Ventura College MEChA students and asked for information regarding student life on campus. There was discussion regarding obtaining input from students regarding their experiences and James Meznek reported the District was currently reviewing components of student life in support

of accreditation and ongoing organizational improvement. Trustee Hernández indicated he would meet with students on the campuses to gather information on student life. Dr. Meznek indicated that other staff methods of obtaining anecdotal information would be appropriate. The Board Chair requested an update on campus student life activities would be placed on the May Board agenda.

Cheryl Heitmann congratulated Dr. Pam Eddinger on receiving the *Business Times Top 50 Women in Business Award*.

Student Trustee Valle expressed her concerns regarding the current associated student election timeline.

Bob Huber commented on the possible donation of land adjacent to Moorpark College donation by Waste Management Inc.

OPEN PUBLIC HEARING

At 9:40 p.m., Chair Huber opened the Public Hearing.

Chair Huber read the following statement:

“Pursuant to Government Code §3547, all initial proposals of exclusive representatives and public school employers shall be presented at a public meeting and become public record. Meeting and negotiating shall not take place until the public has had the opportunity to express itself regarding the proposals. We are now opening the public hearing to allow the public to make any comments it wishes regarding VCCCD’s initial proposal to the AFT or AFT’s initial proposal to the District.”

- **Ventura County Community College District’s (VCCCD) Initial Proposal to Ventura County Federation of College Teachers AFT Local 1828 (AFT)**
 - There were no public comments.
- **Ventura County Federation of College Teachers AFT Local 1828 (AFT) Initial Proposal to Ventura County Community College District (VCCCD)**
 - There were no public comments.

CLOSE PUBLIC HEARING

At 9:41 p.m., Chair Huber closed the Public Hearing.

CONSENT CALENDAR ITEMS

It was moved by Trustee Hernández, seconded by Trustee Heitmann, and carried on a unanimous vote, to approve the Consent Calendar Items. (Valle – yes)

Approval of Minutes

C-1 Meeting Minutes

- A. Action to Approve the Minutes of the Regular Meeting of the Board of Trustees for March 10, 2009. [Page 1] was granted.**

Human Resources

C-2 Employment and Position Control

- A. Approval of Establishment of Positions [Page 14] was granted.**
B. Approval of Reclassifications of Positions and Class Specification [Page 16] was granted.

C-4 Acceptance of the AFT Initial Proposal to the District [Page 22] was approved.

C-5 Adoption of District's Initial Proposal to AFT [Page 24] was approved.

Business Services

C-6 Ratification of Accounts Payable and Payroll for the Period of February 18, 2009 to March 23, 2009 [Page 26] was granted.

C-7 Approval/Ratification of Board Purchase Order Report #11 for FY 2008-09 [Page 27] from February 12, 2009 to March 23, 2009, was granted.

C-8 Acceptance of Gifts [Page 41] was approved.

The following items were donated:

Cash Donation of \$1,000 to be used by the Oxnard College Counseling Department for the Youth Conference, donated by the City of Oxnard.

Cash Donation of \$5,323 to be used by the Ventura College Aquatic Center, Art Galleries, Chemistry Department, Educational Assistant Fund, Faith George Lending Library, Fitness Center, Foreign Language Lab, Men's Tennis, Music Department, Softball Program, Opera & Musical Theater, and Women's Basketball Program. Donated by various businesses and individuals through the Ventura College Foundation.

C-9 Surplus/Disposal of Equipment [Page 42] was approved.

- A. Items less than a \$5,000 value to be disposed per Ed Code 81452.**
- Disposal of computers, printers, electronic keyboards, and an electrical discharge machine that are outdated and too costly to be repaired.

C-10 Award of Bid 341, Ventura College Institute Community Professional Development Building (ICPD) Restroom Renovation [Page 43] to Tomar Construction with the low bid of \$55,433 was approved.

- C-11 Ratification of Monthly Budget Transfer Summary [Page 44]** for the month of February 2009 for the General Fund-Unrestricted and General Fund-Restricted was granted.
- C-12 Approval of Amendment to Existing General Fund Unrestricted-Designated Programs for Fiscal Year 2008-09 [Page 46]** was granted.
- C-13 Approval of Amendments to Contracts and Grants for Fiscal Year 2008-09 [Page 49]** and authorization to amend the General Fund Restricted budgets was granted.

Capital Planning and Facilities

- C-14 Capital Planning and Facilities**
- A. Approval to Issue an Addendum to the Architectural Design Agreement with Ehrlich Architects for Addendum Changes and Construction Administration Services for the Moorpark College EATM Zoo Entry, Project #19116 [Page 52]** was granted in the amount of \$52,090 for additional design cost for the Moorpark College EATM Zoo Entry, project #19116.
 - B. Approval of Reduction in Retention for Barnhart, Inc. for the Oxnard College Student Services Center, Project #29120 [Page 53]** was granted from 10% to 5% of the contract value.
 - C. Approval of Subcontractor Substitution for Plumbing for the Oxnard College Auto Tech Paint Booth, Project #29208 [Page 54]** was granted to substitute IPS Plumbing Corp., for CGM Plumbing, Inc., as the listed plumbing subcontractor.
 - D. Approval of Subcontractor Substitution for Electrical for the Oxnard College Auto Tech Paint Booth, Project #29208 [Page 55]** was granted to substitute California Electric Company for Current Electric as the listed electrical subcontractor.
 - E. Approval of Subcontractor Substitution for Concrete for the Oxnard College Auto Tech Paint Booth, Project #29208 [Page 56]** was granted to substitute DJS Contracting for Edrow Construction as the listed concrete subcontractor.
 - F. Acceptance of Completion of Contract with Staples Construction for the Fire, Sheriff & Police Education and Training Academy Grading and Infrastructure, Project #89106 [Page 57]** was granted.
 - G. Ratification of Proposal to Provide Environmental Testing Services at the Camarillo Site [Page 58]** was granted for URS Corporation to provide environmental survey and testing services at the Camarillo Site in the amount of \$34,776.

- H. Appointment to the Citizens Oversight Committee Member [Page 59]** was approved to appoint Nancy Pham as student representative to the Citizens Oversight Committee for the Measure S Bond Program.
- I. Acceptance of Change Order Summary Report for Capital Projects [Page 60]** was approved.

OPEN THE STUDY SESSION

At 9:45 p.m., Chair Huber opened the Study Session.

- **Distance Education Status Report 2009**
 - Dr. Pam Eddinger, Moorpark College, provided an overview of the Distance Education Status Report. The following items were addressed:
 - National and State Trends
 - VCCCD Distance Education Initiative
 - Definitions of Online Classes
 - Quality Assurance and State Regulations
 - Dr. Richard Durán, Oxnard College, explained the role of Distance Education in Strategic Planning.
 - Dr. Robin Calote and Ramiro Sanchez, Ventura College, provided an overview of Distance Education at Ventura College.

There was discussion regarding the following items for online courses:

- Training faculty
- Districtwide Help Desk
- Tutoring Center
- Support for assistant dean
- Technical staff person available
- Districtwide Technology Committee
- Obtaining feedback
- Obtaining a Degree Online

CLOSE STUDY SESSION

At 10:05 p.m., Chair Huber closed the Study Session.

FIRST READING ITEMS

- **First Reading: Course Approvals: New Courses, Revised Programs, and Degrees at Oxnard and Ventura Colleges [Page 73]** were accepted for Second Reading.

Human Resources

- A-1 Action to Accept the Side Letter of Agreement Between the Ventura County Community College District and the Service Employees International Union, Local 99 regarding the 4/40 Workweek [Page 88]** was moved by Trustee Miller, seconded by Trustee Hernández, and carried on a unanimous vote. (Valle – yes)

Trustees/Chancellor

- A-2 Action to Approve Board Policies**
- **BP 2220: Committees of the Board [Page 90]** was amended to change the Capital Planning and Construction Committee to the Capital Planning and Facilities Committee by a motion from Trustee Miller, seconded by Chair Huber, and carried on a unanimous vote. (Valle – yes) The Trustees approved the following Committees.

Committees of the Board

- 1. Audit/Budget/Foundation Relations Committee.** The Audit/Budget/Foundation Relations Committee is responsible for the oversight of the District-wide budget development process through a review of Board priorities, budget assumptions, allocation model, and the annual budget development calendar.

The Committee recommends to the Board the selection of the District independent auditor, meets periodically with the auditor to ensure appropriate financial controls are in place and the annual financial reports are prepared timely and in accordance with State regulations.

The Committee is also responsible for developing appropriate relations with the three College foundations, reviewing and recommending changes to the master agreements, and recommending policies that assist the foundations in supporting the Colleges. This committee meets on an as-needed basis.

- 2. Capital Planning and Facilities Committee.** The Capital Planning and Facilities Committee examines the relationship of the campus facilities master plans to submitted proposals for the design and construction of buildings or other facilities or improvements, and review the fiduciary viability of any architectural or construction management firms recommended for Board approval. This committee meets on an as needed basis.
- 3. Legislative Program Committee.** The Legislative Program Committee discusses responses to pending local, statewide, and federal legislative issues that may affect the community college district. The committee meets on an as-needed basis.

4. **Policy Committee.** The Policy Committee provides recommendations to the Board regarding policy for the Ventura County Community College District. This committee meets on an as-needed basis.
 5. **Academic Affairs Committee.** The Academic Affairs committee ensures that the colleges follow Board Policy through their established procedures so that: institutional programs are consistent with district and college missions, plans, and strategies; district-wide faculty personnel policies complement instructional priorities; college instructional programs are appropriate for the students and the communities they serve; and instructional programs are assessed for learning effectiveness. This committee meets on an as-needed basis.
- **BP 2410: Board Policy [Page 95]** was moved by Trustee Miller, seconded by Trustee Hernández, and carried on a unanimous vote to approve BP 2410 as follows: (Valle – yes)

BP 2410 Board Policy

Reference: Education Code Section 70902; Accreditation Standard IV.B.1.b & e

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

The policies have been written to be consistent with provisions of law, but do not encompass all laws relating to district activities. All district employees are expected to know of and observe all provisions of law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to, or amended at any regular board meeting by a majority vote. Proposed changes or additions shall be introduced not less than one regular meeting prior to the meeting at which action is recommended. See Administrative Procedure 2410.

- **BP 2411: Administrative Procedures [Page 97]** was moved by Trustee Miller, seconded by Trustee Hernández, and carried on a unanimous vote, to approve BP 2411 as follows: (Valle – yes)

BP 2411 Administrative Procedures

Reference: Education Code Section 70902; Accreditation Standard IV.B.1.b & e

The Board may adopt such policies as are authorized by law or determined by the Board to be necessary for the efficient operation of the District. Board policies are intended to be statements of intent by the Board on a specific issue within its subject matter jurisdiction.

Administrative procedures are to be issued by the Chancellor as statements of method to be used in implementing Board Policy. Such administrative procedures shall be consistent with the intent of Board Policy. Administrative procedures may be revised as deemed necessary by the Chancellor.

The Chancellor shall, annually, provide each member of the Board with copies of new administrative procedures, following review of new procedures by the Board's Policy Committee. The Board reserves the right to direct revisions of the administrative procedures should they, in the Board's judgment, be inconsistent with the Board's own policies. Copies of all policies and administrative procedures shall be readily available to District employees through the Chancellor.

Vice Chair Blum provided an overview of the Rules Committee discussion on the Committees of the Board. There was discussion regarding the process that was used to develop Board Policy and Procedures. Chancellor Meznek provided a history of the Board Policy development and indicated a priority was developed. Dr. Richard Dawe explained the development of policies and procedures. Robin Calote provided and overview of the Athletics' Procedures.

A-4 Action to Vote for up to 7 Nominees in the California Community College Trustees Board of Directors Election – 2009 [Page 100] was moved by Trustee Heitmann, seconded by Trustee Miller as amended, and carried on a unanimous, to cast the following ballot for the 2009 election of the California Community College Trustees Board of Directors. (Valle – yes)

- Cy Gulassa, Peralta
- Nancy C. Chadwick, Palomar
- Christopher Stampolis, West Valley-Mission
- Jeanette Mann, Pasadena Area
- Louise Jaffe, Santa Monica

INFORMATION ITEM [Page 102]

The process for Ventura County Community College District Board Policies and Procedures was reviewed. It was pointed out administrative procedures were developed through the District Council Student Learning, District Council Administrative Services, and District Technical Review Workgroup. The administrative procedures were then sent to the Rules Committee for information to ensure the procedures were consistent with Board Policy.

The following Administrative Procedures were provided to assure the Board the procedures were consistent with the intent of the Board Policy. The Board of Trustees discussed the Procedures briefly with no objections.

- AP 5020: Nonresident Tuition [Page 103]
- AP 5030: Fees [Page 106]
- AP 5035: Withholding of Student Records [Page 112]

- AP 5050: Matriculation [Page 114]
- AP 5052: Open Enrollment [Page 117]
- AP 5055: Enrollment Priorities [Page 119]
- AP 5110: Counseling [Page 122]
- AP 5120: Transfer Center [Page 124]
- AP 5130: Financial Aid [Page 126]
- AP 5140: Disabled Student Programs and Services [Page 128]
- AP7120-A: Recruitment and Hiring: Managers [Page 130]

ADJOURNMENT

At 10:30 p.m., the meeting was adjourned.