

# Board of Trustees Ventura County Community College District

## MINUTES FOR THE MEETING OF AUGUST 3, 1999

The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, August 3, 1999, 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  
Pete E. Tafoya  
John D. Tallman  
Becky Lawson, Student Trustee

#### **Management Present:**

Philip Westin, Chancellor  
Michael Gregoryk, Deputy Chancellor  
Marion Boenheim, Vice Chancellor, Human Resources  
James Walker, President, Moorpark College  
Steven Arvizu, President, Oxnard College  
Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
Vic Belinski, Associate Vice Chancellor, Information Technology  
Anthony Tricoli, Associate Vice Chancellor, Student Learning  
Susan Johnson, Assistant Vice Chancellor, Business Services and Financial Management  
Harry Culotta, Director, College Budgets, Oxnard College  
Cheryl Shearer, Dean, Economic Development  
Gil Putnam, Director, Facilities Planning and Construction

#### **Faculty/Staff/Student Representatives:**

Charlene Arnold, Moorpark College Academic Senate President  
Carmen Guerrero-Calderón, Oxnard College Academic Senate President  
Octavio Sifuentes, Ventura College Academic Senate President  
Larry Miller, AFT President  
Linda Chapman, CSA  
Candace Peyton, SEIU President  
Karen Gorback, Ventura College  
Janice Daurio, Moorpark College  
Larry Kennedy, Oxnard College

**CALL TO ORDER**

President Jacobs called the meeting to order in the Cowan Conference Center – Ventura Room at 6:00 p.m.

**RECESS TO CLOSED SESSION**

The Board of Trustees recessed to Closed Session at 6:02 p.m. in the Cowan Conference Center – Ojai Room, to address the following items:

**Pending Litigation [Gov't. Code §54956.9(a)]**

- **Hefferman v. VCCCD et al.**
- **Stickley v. VCCCD et al.**
- **Escobar v. VCCCD et al.**
- **Green v. VCCCD**
- **AFT v. VCCCD**
- **VCCCD v. AFT**

**Threatened Litigation [Gov't. Code §54956.9(b)]**

**Public Employee Discipline/Evaluation**

**Employer/Employee Relations**

- **CSA**
- **CMA**

**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 Gonzales led the pledge to the flag.

## CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session report:

- **Hefferman v. VCCCD et al.** In the case of *Hefferman vs. Ventura County Community College District, et. al.*, Ventura County Superior Court Case No. CIV182414, which involved a dispute between the District and former Ventura College Physical Education instructor Glen Hefferman, the Board unanimously voted to approve a settlement. The case, including the District's Cross-Complaint against Mr. Hefferman, has now been dismissed in its entirety.
- **Escobar v. VCCCD et al.** In the case of *Escobar, et al., vs. L & R Precision Contractors, et. al.*, Los Angeles County Superior Court Case No. BC212586, the Board unanimously voted to respond to the lawsuit.
- **AFT v. VCCCD.** In the case of *AFT vs. Ventura County Community College District, et. al.*, Ventura County Superior Court Case No. CIV 19042, the Board unanimously voted to respond to the Petition to Compel Arbitration.

## PUBLIC NOTICE OF CHANGES TO THE AGENDA

**5.1 Academic Actions**

- 5.1.1 Approval of Full-time Academic Personnel – Oxnard College.** This item was revised to include the name of Gary W. Morgan.
- 5.1.2 Approval of Part-time Faculty – Moorpark, Oxnard, and Ventura Colleges.** This item was revised to add additional names to the list of part-time faculty.
- 5.1.6 Approval of Academic Management Appointment – Oxnard College.** This item was revised to include the name of Joan Smith.
- 5.1.7 Approval of Academic Management Appointment – Oxnard College** was pulled from the agenda.
- 5.1.8 Approval of Academic Management Appointment – Ventura College.** This item was revised as follows: (1) to pluralize the word "appointment" in the title of the item; (2) to add the name of Sandra Avalos for the position of Assistant Dean of Off-Campus Programs; and (3) to add the following language: "This item also presents for approval the creation of a new 12-month position of Assistant Dean of Public Safety Education at Ventura College, at the appropriate level and step on the Management Salary Schedule, and authorizes the Chancellor to fill the position."
- 5.1.9 Approval of Academic Management Appointment – Oxnard College.** This item was revised to include the name of Rita Martinez.

*Business Services*

**6.3 Purchase Orders**

**6.3.1 Approval/Ratification of Purchase Order List #1 (FY 1999-2000).** This item was revised to add additional purchase orders to Purchase Order List #1.

**6.7 Contracts**

**6.7.4 Acceptance of Completion for the “B” Building Re-Roof at Ventura College.** This item was pulled from the agenda.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

Charlene Arnold indicated that on page 8 of the minutes her comments should read that she thanked Trustee Jacobs for his response to the letters from the faculty. Ms. Arnold expressed her concerns regarding the reassignments of the Executive Vice Presidents of Student Learning and the Associate Vice Chancellor, Student Learning and asked that the issue regarding reassignment be placed on the next Board agenda.

Janice Daurio and Patti Ross, Moorpark College instructors, expressed their concerns regarding reassignments.

It was moved by Trustee Tallman, seconded, and carried on a unanimous vote, to revise the agenda to hear the Discussion item regarding School Services of California after *Public Comments Regarding Agendized Items*. (Lawson - yes)

DISCUSSION

- **School Services of California - Arnold Bray.** Chancellor Westin introduced Mr. Arnold Bray, School Services of California. Mr. Bray identified the services that he provided the Community Colleges of Ventura County this past year and answered questions from the Board. He gave a brief overview of the 1999-2000 State budget and updated the Board on Assembly Bills and Senate Bills currently in progress.

Trustee Tallman thanked Arnold Bray for his efforts this year, and commented on the fee reduction issue, EOPS, Puente Program, Partnership for Excellence, and the lottery.

Trustee Tafoya asked about bond measures.

Trustee Nagel asked for clarification on the services provided by School Services of California for the Ventura County Community College District.

President Jacobs inquired about Service Learning. The Board requested a periodic update from Arnold Bray, School Services of California.

# Board Actions

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## *Consent Calendar Items*

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

### *Student Services*

- 4.1 **Summer 1999 Candidates for Associate Degree at Moorpark, Oxnard, and Ventura Colleges** were approved.
  
- 4.2 **Summer 1999 Candidates for Certificates of Achievement at Moorpark, Oxnard, and Ventura Colleges** were approved.

### *Human Resources*

- 5.1 **Academic Actions**
  - 5.1.1 **Approval of Full-time Academic Personnel – Oxnard College** was granted to approve the appointment of Gary W. Morgan as Instructor in Fire Technology at Oxnard College, effective August 10, 1999.
  - 5.1.2 **Approval of Part-time Faculty – Moorpark, Oxnard, and Ventura Colleges** was granted to approve the names of part-time faculty at Moorpark, Oxnard, and Ventura Colleges to be hired during the Fall 1999 semester.
  - 5.1.3 **Request for Reduced Contract Assignment – Moorpark College** was approved for a reduced contract assignment for Gillian Dale, a full-time instructor in English at Moorpark College.
  - 5.1.4 **Approval of Full-time Academic Personnel – Moorpark College** was granted to approve the appointment of Nenagh Brown as Instructor in History at Moorpark College, effective August 10, 1999.
  - 5.1.5 **Approval of Full-time Academic Personnel – Moorpark College** was granted to approve the appointment of Sunni Piquet as Instructor in Auto Cad/Drafting at Moorpark College, effective August 10, 1999, subject to obtainment of Master's degree prior to effective date of employment.
  - 5.1.6 **Approval of Academic Management Appointment – Oxnard College** was granted to approve the appointment of Joan Smith as Dean of Institutional Services at Oxnard College, effective August 4, 1999.
  - 5.1.8 **Approval of Academic Management Appointment – Ventura College** was granted to approve the appointment of Sandra Avalos as Assistant Dean of Off-Campus Programs at Ventura College, effective August 4, 1999. This item was revised to pluralize the word "appointment" in the title of the item; and to add the

following language: "This item also presents for approval the creation of a new 12-month position of Assistant Dean of Public Safety Education at Ventura College, at the appropriate level and step on the Management Salary Schedule, and authorizes the Chancellor to fill the position."

- 5.1.9 Approval of Academic Management Appointment – Oxnard College** was granted to approve the appointment of Rita Martinez as Director of Economic Development/Grants and Contracts at Oxnard College, effective August 4, 1999.
- 5.1.10 Approval of Full-Time Temporary Academic Personnel - Oxnard College** was granted to approve the appointment of Daniel Stephen McHargue, a full-time temporary, PACE Facilitator/Instructor at Oxnard College, effective August 10, 1999.

## **5.2 Classified Actions**

- 5.2.2 Approval of Probationary Personnel** was granted.
- 5.2.3 Approval of Probationary to Permanent Personnel** was granted.
- 5.2.4 Promotional Employee** was approved for Dean Adams who was promoted from Instructional Lab Technician II, Information Systems to Computer Specialist at Moorpark College.
- 5.2.5 Resignation** was accepted from Julie Higbee, Clerical Assistant I at Ventura College.
- 5.2.6 Resignations of Probationary Personnel** were accepted.
- 5.2.7 Temporary Change of Assignments** was approved.
- 5.2.8 Termination of Provisional Assignments** was approved.
- 5.2.9 Transfer/Change of Assignment** was approved for Lynette Young from Clerical/Data Technician, Personnel Services, to Math/Sciences Division at Ventura College.
- 5.2.10 Voluntary Demotion in Lieu of Layoff** was granted to Louis Colon from Lead Custodian to Custodian at Moorpark College.
- 5.2.11 Increase of Assignment** was granted to Elizabeth Doyle, Administrative Assistant I at Oxnard College, from 10 months to 12 months.
- 5.2.12 Reinstatement** was granted to Mary Anne McNeil, Accountant at the District Office.

## *Business Services*

### **6.2 Checks**

- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of June 22, 1999 – June 30, 1999** was approved.

### **6.4 Award of Bids**

- 6.4.1 Award of Bid to THI Group, Inc., for the HVAC Replacement in "T" building at Ventura College** was granted to approve a construction contract with THI Group, Inc., the lowest responsible bidder, for the HVAC Replacement in the "T" Building at Ventura College.

**6.7 Contracts**

- 6.7.1 Approval of Change Order #1 for Moorpark College – Replace Chillers and Boiler in Science and Music Buildings** was granted to approve Change Order #1 in the amount of \$1,455.58 for Moorpark College – Replacement of Chillers and Boiler in Science and Music Buildings.
- 6.7.2 Acceptance of Completion for the Math and Science Complex – Secondary Effects (Demolition) at Ventura College** was granted to approve the acceptance of completion for the Math & Science Complex – Secondary Effects (Demolition) at Ventura College.
- 6.7.3 Acceptance of Completion for the Electrical Work for the Job and Career Center at Oxnard College** was granted to approve the acceptance of completion for the Electrical Work for the Job and Career Center at Oxnard College.
- 6.7.5 Acceptance of Completion for the Parking Lot Renovation (“S” Lot) Project at Moorpark College** was granted to approve the acceptance of completion for the Parking Lot Renovation (“S” Lot) Project at Moorpark College.
- 6.7.6 Acceptance of Completion for the Site Work for the Job and Career Center at Oxnard College** was granted to approve the acceptance of completion for the Site Work for the Job and Career Center at Oxnard College.
- 6.7.7 Acceptance of Completion for the Replacement of Boilers and Chiller in the Science and Music Buildings at Moorpark College** was granted to approve the acceptance of completion for the Replacement of Boilers and Chiller in the Science and Music Buildings at Moorpark College.
- 6.7.8 Approval of Contracts and Grants 1999-2000** was granted to accept the contracts and grants for the Fiscal Year 1999/2000.
- 6.7.9 Approval of Contracts and Grants 1998-99** was granted to accept the contracts and grants for fiscal year 1998-99.

*Trustees/Chancellor*

- 7.1 Action to Approve Board of Trustees Absence Due to Illness.** No absences were reported.

*Action Items**Business Services***6.7 Contracts**

- 6.7.10 Approval of Substitution of Subcontractor for the Chemistry Lab Modification Project at Oxnard College** was moved by Trustee Gonzales, seconded by Trustee Tafoya, and carried on a 4-0 vote, with Trustee Nagel abstaining, to approve the substitution of sub-contractor for the Chemistry Lab Modification project at Oxnard College. (Lawson - yes)

*Trustees/Chancellor*

- 7.2 Naming of the Life Science, Math and Computer Studies (LMC) Building at Moorpark College** was moved by Trustee Tallman, seconded by Trustee Nagel, and carried on a unanimous vote, to permit the naming of the new Life Science, Mathematics, and Computer Studies Building as "The Fred Kavli Science Center." (Lawson - yes)

James Walker pointed out that Mr. Kavli donated \$50,000 to the Moorpark College Foundation and that an additional \$150,000 will be given to award scholarships to Science, Mathematics, or Computer Studies students.

*Action on Items Listed on the  
Consent Calendar but Not Yet Approved*

*Approval of Minutes*

- 2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for July 13, 1999** was amended to reflect that there was discussion regarding the role of the Board and administration in personnel-related matters and it was decided to place this issue on the agenda with a motion from Trustee Tallman, seconded by Trustee Gonzales, and carried on a unanimous vote: (Lawson - yes)

Trustee Tallman expressed his concerns about the discussion at the end of Action Item 5.1.1 on page 6 of the minutes. He indicated that the Board agreed that the item regarding reassignments should be placed on the September 14 agenda. Chancellor Westin pointed out that there was discussion regarding this issue and that it was decided to place it on the August agenda. Trustee Tallman asked that that the minutes reflect the agreement.

Trustee Tallman commented on the Board agenda format and asked that the Chancellor provide more descriptive wording in the portion titled, "Action Items Listed on the Consent Calendar but Not Yet Approved."

*Human Resources*

**5.2 Classified Actions**

- 5.2.1 Reestablishment of Position** was moved by Trustee Tallman, seconded by Trustee Tafoya, and carried on a unanimous vote, to reestablish the position of Accountant, Business Services, District Office, effective August 4, 1999. (Lawson - yes)

President Jacobs asked about this item. Chancellor Westin indicated that the position currently held by Ray Di Guilio, who is retiring, will be abolished and that the Accountant, Business Services, position will replace it.



*Business Services*

**6.3 Purchase Orders**

**6.3.1 Approval/Ratification of Purchase Order List #1 (FY 1999-2000)** was moved by Trustee Tallman, seconded by Trustee Gonzales, and carried on a 4-1 vote, with Trustee Tallman voting no, to approve/ratify Purchase Order List No. 1 for July 1, 1999 – July 22, 1999. (Lawson - yes)

Trustee Tallman expressed his concerns about the District Office remodel and asked about the cost of the move of the District Office to Camarillo.

**6.6 Budget Transfers**

**6.6.1 Budget Transfers Monthly Summary 1998-1999** were moved by Trustee Gonzales, seconded by Student Trustee Lawson, and carried on a unanimous vote, to ratify the monthly Budget Transfer summary to the General Fund Unrestricted for June 1999. (Lawson - yes)

*End of Board Actions*

DISCUSSION

- **Planning Process.** Chancellor Westin introduced Burt Peachy and Elton Hall, who updated the Board on the planning process.

At 8:30 p.m., President Jacobs recessed the meeting.

At 8:40 p.m., President Jacobs reconvened the meeting.

Burt Peachy commented on the following strategies.

- Strategic Enrollment Management
- Learner-Centered Curriculum Planning
- Collaboration Between Locations
- County-Wide Focus
- Tracking and Accountability

Elton Hall provide an update on the following activities:

- Futures Forum Learning Teams Formed
- Future-Think Resources Identified
- Futures Forum Website Developed
- Baldrige/Pacesetter Training
- College of the Community – Michael C. Dolence
- Process Facilitator Training

Mr. Peachy commented on the following accomplishments of the Planning Process:

- Futures Forum Learning Workshops
- Sharing of all Workshop Learning
- Sharing of all Individual Research
- Networking Between Locations
- Using Technology for Communication and Learning
- Building Knowledge Expertise on Planning and Future Thinking
- Identifying FastTrack Collaborative Projects

Trustee Tafoya asked that the following items be included in the planning process:

- Develop a process for students to communicate difficulties.
- Develop a process to incorporate flexibility in planning in relation to business, competition, distance learning, changing environment and results based funding.
- Develop a process that includes technology.
- Develop a way to reach the minority community.

The Board thanked Messrs. Peachy and Hall for their reports.

- **Role of the Board and Administration in Personnel-Related Matters.**

Chancellor Westin indicated that at the July 13, 1999, Board meeting, Trustee Tallman and Charlene Arnold requested that an item be placed on the agenda to discuss the role of the Board and the Chancellor in personnel matters. Dr. Westin indicated that he asked the District's General Counsel to research this issue. Jack Lipton pointed out that he had provided a confidential legal opinion to the Board. Dr. Lipton said that in general terms, the legal parameters surrounding this issue are that it is the responsibility of the Board to hire, promote, demote or terminate or change the compensation of any District employee. He said that with respect to assignments, particularly reassignments, this is within the province of the administration.

Student Trustee Lawson indicated that she discussed the reassignments of the Executive Vice Presidents and the Associate Vice Chancellor, Student Learning with numerous individuals on campus and expressed her concerns about the reassignments. Ms. Lawson asked the Board to consider postponing the transfer and to place this item on the September Board meeting agenda.

Trustee Tallman asked about a requirement for an election list. Jack Lipton explained that in the collective bargaining agreement an election list is provided to AFT and that there is no such requirement for management positions. Mr. Tallman asked that the Management Agreement be reviewed to determine if there is a requirement to annually approve an election list of managers. Trustee Tallman expressed his concerns regarding the reassignments and also asked that Student Trustee Lawson's item be placed on the September Board agenda.

Trustee Jacobs expressed his support of the Chancellor and pointed out that the District has one Chief Executive Officer, the Chancellor, whom was hired to employ a management team that operates the District.

Trustee Nagel pointed out that he has a good working knowledge of the issues and that he supports the Chancellor.

## REPORTS

### STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Academic Senate representatives**
  - Octavio Sifuentes thanked Trustee Tallman and Student Trustee Lawson for requesting that the reassignment of the Executive Vice Presidents be placed on the September Board agenda.
  - Carmen Guerrero-Calderón reported that a number of Oxnard College faculty attended the Curriculum Institute. Ms. Calderón pointed out the importance of separating executive decisions made and the process of planning in order to work toward the District's future. She said that although she was disappointed in the transfer going through, she respected Dr. Westin's decision.

### CHANCELLOR'S REPORT

- **Presidents' Reports**
  - James Walker announced that Fred Kavli would be at the dedication of *the Fred Kavli Science Center* on August 13. Dr. Walker reported on the Biotechnology graduating class. He announced that Moorpark College will host a community open house on August 14.
  - Steven Arvizu reported that the Executive Board of the Oxnard College Foundation held their first annual retreat on January 31 at St. John's Seminary College. He indicated that the Oxnard College Dental Hygiene Program scored 54 out of 212 nationwide on the National Board Exam of the American Dental Association. He announced that Oxnard College is offering a series of workshops to help local business. Dr. Arvizu commented on the "Kids and the Internet" booth at the Ventura County Fair sponsored by the Community Colleges of Ventura County, County Superintendent of Schools, and County of Ventura. Dr. Arvizu presented an "Oxnard College – the College with a Heart" pin to Pete Tafoya as ex officio Board member on the Oxnard College Foundation.
  - **College Presentation – Ventura College.** Larry Calderon introduced Karen Gorbach, CALWorks Coordinator, who explained the Program. Dr. Gorbach briefly updated the Board on the status of students, on the new programs designed in response to welfare, and the collaborative efforts with Ventura College and the County of Ventura. Dr. Calderón invited the Board members to visit the Career and Transfer Center.

- **Deputy Chancellor's Report**
  - **Development of the Adoption Budget.** Michael Gregoryk reported on the development of the adoption budget and commented on the growth allocation. Mr. Gregoryk indicated that he would provide the Board a copy of the Budget for review prior to the Board meeting.
  - Mr. Gregoryk acknowledged the teams who have worked on the Banner implementation.
- **Vice Chancellor's Report**
  - Marion Boenheim commented on a recent memorandum sent to all District employees regarding the Human Resources Standards for Customer Service that includes an evaluation process to improve the service Human Resources provides.

#### TRUSTEE ISSUES

- **Governing Board Subcommittee Reports.**
  - Trustee Nagel reported on the July 14 Construction Subcommittee meeting.
- **Other District Issues**
  - Trustee Tafoya indicated that he received calls from students trying to register and were unable to get through. He suggested that additional phone lines might be needed. Mr. Tafoya commented on the Proposition 187 court case and indicated that changes to guidance from the State Chancellor's Office may be coming soon. He announced that he would be attending the ACCT Conference in October.
  - President Jacobs distributed the remarks he made during graduation regarding activities at the colleges during the year.
  - Dr. Jacobs indicated that he had received a request from the Personnel Commission for a joint meeting to discuss goals and objectives. The Board directed the Chancellor to propose a date for a special meeting.
  - Dr. Jacobs asked how effective the District is in notifying individuals who qualify for Financial Aid but do not take advantage of it. Chancellor Westin indicated that he would provide an update within a few months. Trustee Tafoya pointed out that calculations could be done through Banner.

#### PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

- **Student and Staff Issues**
  - Quint Morris expressed his concerns about technology at Oxnard College. Mr. Morris indicated that he has been excited about serving on the Futures Forum.

#### ADJOURNMENT

The meeting was adjourned at 10:35 p.m. by a motion from Trustee Nagel, seconded by Trustee Tafoya, and carried on a unanimous vote. (Lawson - yes)