

# Board of Trustees

## Ventura County Community College District

<p><b>MINUTES FOR THE MEETING OF AUGUST 7, 2001</b></p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, August 7, 2001, in the Cowan Conference Center, Ventura Room, Camarillo, California.

### **Roll Call**

#### **Board Members Present:**

Robert S. Gonzales, President  
Norman J. Nagel, Vice-President  
Arturo D. Hernández  
Allan W. Jacobs  
John D. Tallman  
Becky Lawson, Student Trustee

#### **Management Present:**

Philip Westin, Chancellor  
Michael Gregoryk, Deputy Chancellor and Interim President, Oxnard College  
Marion Boenheim, Vice Chancellor, Human Resources  
Gene Farrell, Acting Vice-Chancellor, Administrative Services  
James Walker, President, Moorpark College  
Tom Kimberling, Vice President College Services, for Larry Calderón, President, Ventura College  
Dennis Cabral, Associate Vice Chancellor, Student Learning  
Jack Lipton, General Counsel  
Eva Conrad, Executive Vice President, Student Learning, Moorpark College  
Vic Belinski, Associate Vice Chancellor, Information Technology  
Susan Johnson, Assistant Vice Chancellor, Business Services and Financial Management  
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President  
Harry Culotta, Director, College Budgets, Oxnard College  
Gil Putnam, Director, Facilities Planning and Construction  
Cheryl Shearer, Dean, Economic Development

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

Charlene Arnold, Moorpark College Academic Senate President  
Mary Jones, Oxnard College Academic Senate President  
Richard Goff, Ventura College Academic Senate President  
Albert Mendez, President, Oxnard College Associated Student Government  
Larry Miller, AFT  
Susan Bricker, CSA

## CALL TO ORDER

President Gonzales called the meeting to order in the Cowan Conference Center, Ventura Room, at 5:05 p.m. He indicated that he would be leaving during Closed Session and that Vice-President Nagel would Chair the meeting.

## 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 5:08 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**

- **CMA**
- **CSA**
- **Confidential**
- **SEIU**

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

- ***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 (PERB Unfair Practice Charge)***
- ***AFT, Muñoz, Carrasco, and Suel vs. VCCCD (PERB Unfair Practice Charge)***
- ***Muñoz vs. VCCCD (DFEH)***
- ***Muñoz vs. VCCCD (EEOC)***
- ***Muñoz vs. VCCCD (tort claim)***
- ***AFT vs. VCCCD (work experience)***
- ***AFT vs. VCCCD (Ventura County Sheriff Academy)***
- ***AFT vs. VCCCD (del Aguila)***
- ***Kraige vs. VCCCD***
- ***Castillo vs. VCCCD***
- ***Donaldson vs. VCCCD***
- ***Matsui vs. VCCCD***
- ***Mendez vs. VCCCD***

#### **Threatened Litigation [Gov't Code §54956(b)]**

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

RECONVENE IN OPEN SESSION

Vice-President Nagel reconvened the meeting in Open Session at 7:00 p.m. in the Cowan Conference Center, Ventura Room, with President Gonzales absent. Dr. Nagel indicated that President Gonzales left the meeting at 6:15 p.m. for business reasons. Trustee Hernández had to leave Closed Session several times for a short duration.

PLEDGE TO THE FLAG

Mary Jones led the pledge to the flag.

CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session Reports:

**In the case of *Ventura County Federation of College Teachers, AFT Local 1828 vs. Ventura County Community College District, Public Employment Relations Board Case No. LA-CE-4082-E, involving the Sheriff Academy at Ventura College, on July 30, 2001, the Administrative Law Judge issued his Decision which was to dismiss the AFT's Complaint and Unfair Practice Charge. Copies of the Judge's 17-page Decision are available through the Chancellor's Office.***

**Regarding the case of *Ventura County Federation of College Teachers, AFT Local 1828, Paula Muñoz, Tim Suel, and Marian Carrasco vs. Ventura County Community College District, PERB Case No. LA-CE-4282, the Public Employment Relations Board dismissed the Unfair Practice Charge against the District on July 2, 2001.***

**Regarding the tort claim filed on June 22, 2001 by Paula Muñoz, the Board unanimously voted to deny the claim.**

**In the case of *Armando Castillo vs. Ventura County Community College District, Ventura County Superior Court Case No. CIV203621, the Board unanimously voted to defend the District in the litigation.***

**Regarding the appeal filed by *Armando Castillo, the Board unanimously voted to defend the District before the Personnel Commission.***

**In the case of *William Donaldson vs. Ventura County Community College District, Department of Fair Employment and Housing Case #E200001-L-0702-00-pe, the Board voted 4-0, with President Gonzales absent, to respond to the Complaint of Discrimination.***

**Regarding the Tort Claim filed against the District by Julie Mendez on July 12, 2001, the Board voted 3-0, with President Gonzales and Trustee Hernández absent, to accept the Claim.**

**In the case of Pauletta Matsui vs. Ventura County Community College District, the United States District Court Case No. CV-01-05812, the Board voted 3-0, with President Gonzales and Trustee Hernández absent, to defend the District in the litigation.**

PUBLIC NOTICE OF CHANGES TO THE AGENDA

Chancellor Westin read the following changes to the agenda:

***Human Resources***

**5.1 Establishment of Position**

**5.1.9 Research Analyst - District Service Center** was pulled from the agenda.

***Business Services***

**6.3 Purchase Orders**

**6.3.2 Approval/Ratification of Board Purchase Order Report #3 (FY 2001 - 2002)** was revised to include additional purchase orders.

PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no requests to speak.

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***Consent Calendar Items***

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

***Approval of Minutes***

**2.1 Action to Approve Minutes of the Regular Meeting of the Board of Trustees for June 26, 2001** was granted.

***Student Learning***

**3.1 Study Abroad Program, Moorpark College, London, Spring 2002** was approved.

- 4.1 **Summer 2001 Candidates for Associate Degree at Moorpark, Oxnard, and Ventura Colleges** were accepted.
- 4.2 **Summer 2001 Candidates for Certificates of Achievement at Moorpark, Oxnard, and Ventura Colleges** were accepted.

### *Human Resources*

#### 5.2 **Academic Actions**

- 5.2.1 **Request for a leave of absence without pay, full-time academic personnel - Moorpark College** was granted to approve the request for a leave of absence without pay from Daniel Berney, a full-time instructor at Moorpark College, for the 2001-2002 academic year.
- 5.2.2 **Acceptance of resignation of full-time academic personnel – Oxnard College** was granted to approve the resignation of Dr. Lourdes Silva, a full-time academic Instructor in Business at Oxnard College, effective June 30, 2001.

### *Business Services*

#### 6.2 **Checks**

- 6.2.1 **Ratification of Accounts Payable and Payroll for the Period of June 7, 2001 - July 18, 2001** was approved.

#### 6.3 **Purchase Orders**

- 6.3.1 **Approval/Ratification of Board Purchase Order Report #13 (FY 00/01)** was granted for the period of June 8, 2001 - July 19, 2001.
- 6.3.2 **Approval/Ratification of Board Purchase Order Report #3 (FY 01/02)** was granted for the period of June 8, 2001 - July 19, 2001.

#### 6.5 **Budget Amendments**

- 6.5.1 **Approval of 2000-2001 Contract/Grant and Categorical Amendments - General Fund Restricted** was granted to accept amendments to existing contracts, grants and categorical programs for FY 2000-2001.
- 6.5.2 **Budget Amendment General Fund - Unrestricted** was approved to amend the General Fund Unrestricted and revenue and expenditure accounts.
- 6.5.3 **Award of Request for Proposal #192, Ventura College Vend Copy System** was approved.

#### 6.7 **Contracts**

- 6.7.1 **Approval of Change Order #1 for Project #29026: Community/Student Services Center at Oxnard College** was granted in the amount of \$80,881, for Project #29026: Community/Student Services Center at Oxnard College.

- 6.7.2 Approval of Service Contract with Fugro West Incorporated for Soils Inspection Services for Project #29026: Community/Student Services Center at Oxnard College** was granted to authorize management to negotiate and execute the service contract with Fugro West Incorporated for soils inspection services for Project #29026: Community/Student Services Center at Oxnard College.
- 6.7.3 Acceptance of Completion for Project #18502: Paving of 'M & O' Parking Lot at Moorpark College** was approved to accept the completion of Project #18502: Paving of 'M & O' Parking Lot at Moorpark College.
- 6.7.4 Acceptance of Completion for Project #18506: Paving of 'E' Parking Lot at Moorpark College** was approved to accept the completion of Project #18506: Paving of 'E' Parking Lot at Moorpark College.
- 6.7.5 Acceptance of Completion for Project #28514: Paving of Technology Parking Lot at Oxnard College** was approved to accept the completion of Project #28514: Paving of Technology Parking Lot at Oxnard College.
- 6.7.6 Acceptance of Completion for Project #28519: Paving of the Basketball Court Parking Lot at Oxnard College** was approved to accept the completion of Project #28519: Paving of the Basketball Court Parking Lot at Oxnard College.
- 6.7.7 Acceptance of Completion for Project #28522: Paving of Campus Roadways at Oxnard College** was approved to accept the completion of Project #28522: Paving of Campus Roadways at Oxnard College.
- 6.8 Other**
- 6.8.1 Quarterly Report of Investments for Ventura County Community College District** was accepted.

## Action Items

### *Business Services*

- 1. Acceptance of Gifts (6.1)** was moved by Trustee Tallman, seconded by Student Trustee Lawson, and carried on a unanimous vote, with President Gonzales absent, to accept from Imran Salim the J30 RS/6000 Server donated to Oxnard College. (Lawson - yes)

Vice-President Nagel acknowledged the gift from Imran Salim.

### *Trustees/Chancellor*

- 2. Revision to the Board of Trustees 2001 Schedule of Meetings (7.2)** was amended as follows with a motion from Trustee Tallman, seconded by Student Trustee Lawson, and carried on a unanimous vote, with President Gonzales absent: (Lawson - yes)
  - o To change the September Board meeting date to September 4, 12 or 13 depending upon

Board members' availability.

- To change to October Board meeting to October 9, depending upon President Gonzales' availability.

It was decided that Chancellor Westin would coordinate these changes.

It was moved by Trustee Tallman, seconded by Trustee Jacobs, and carried on a unanimous vote, with President Gonzales absent, to revise the 2001 Schedule of Meetings for the Board of Trustees as amended and to add a special meeting on August 8, 2001. (Lawson - yes)

3. **Proposed Revision to Board Policy Manual Section D.11 - Budget (7.3)** was moved by Trustee Tallman, seconded by Trustee Hernández, and carried on a unanimous vote, with President Gonzales absent. (Lawson - yes)

Chancellor Westin gave a brief overview of this item. He explained that the change from five percent to four percent would be for a one-year trial period. Dr. Westin pointed out that when the Governor signed the budget, he vetoed two ongoing line items — instructional equipment and library materials and scheduled maintenance. Chancellor Westin pointed out that a letter was sent from the Ventura County Community College District, Santa Barbara City College, Allan Hancock College and Cuesta College to Senator Jack O'Connell and Assemblywoman Hannah-Beth Jackson to ask them to educate the Governor on the devastating effects of his veto to the community colleges.

There was a lengthy discussion regarding this item. The Board asked staff to provide the following additional information:

- An enrollment report in October
- Detailed budget report in December
- Meeting of the Legislative Subcommittee

*Action on Items Listed on the  
Consent Calendar but Pulled to be Considered Individually  
End of Board Actions*

*Human Resources*

- 5.1 **Abolishment/Establishment/Increase/Decrease of Positions/Addition of Bilingual Pay Differential** were moved by Trustee Jacobs, seconded by Trustee Tallman, and carried on a unanimous vote, with President Gonzales absent. (Lawson - yes)

**5.1.1 Abolishment of Position – Oxnard College and Establishment of Position – District Service Center** was approved to abolish the classified position of Human Resources Assistant, 40%, PCN #XCU197, Oxnard College, effective September 6, 2001, and to establish the classified position of Human Resources Assistant, 40%, PCN #DCU111, District Service Center, Human Resources, effective August 8, 2001.

- 5.1.2 Increase of Position – Moorpark College** was approved to increase the classified position of Student Services Assistant II, PCN #MCU314, Moorpark College Transfer Center, from 10 months to 12 months, effective August 8, 2001.
- 5.1.3 Establishment of Position – Oxnard College** was approved to establish the classified position of Administrative Assistant I, PCN #XCU296, Oxnard College Economic Development, effective August 8, 2001.
- 5.1.4 Increase of Position – Oxnard College** was approved to increase the classified position of Food Services Assistant I, PCN #XCU055, Oxnard College, from 10 months, 40%, to 11 months, 45%, effective August 8, 2001.
- 5.1.5 Addition of Bilingual Pay Differential – Oxnard College** was approved to add bilingual pay differential to the classified position of Financial Aid Specialist, PCN #XCU053, Oxnard College, effective August 8, 2001.
- 5.1.6 Decrease of Position – Ventura College** was approved to decrease the vacant classified position of Learning Disabilities Technician, PCN #VCU348, Ventura College Educational Assistance Center, from 12 months to 11 months, effective August 8, 2001.
- 5.1.7 Increase of Position – Ventura College** was approved to increase the classified position of Food Services Assistant I, PCN #VCU077, Ventura College, from 10 months, 45%, to 11 months, 100%, effective August 14, 2001.
- 5.1.8 Abolishment of Position – Ventura College** was approved to abolish the classified position Instr. Lab Technician I/Information Systems – 10% position, PCN #VCU090, Ventura College, Math/Science Division, effective August 20, 2001.
- 5.1.9 Establishment of Position – District Service Center** was pulled from the agenda.
- 5.1.10 Establishment of Position – Moorpark College** was approved to establish the classified position of Graphic Communication Technician, 12 mo., 100%, PCN #MCU403 at Moorpark College in the Publications Department, effective August 8, 2001.
- 5.1.11 Abolishment of Position – Moorpark College and Establishment of Position – Moorpark College** was approved to abolish the classified position of Public Relations & Marketing Specialist, 12 mo., 100% PCN #MCU113, effective October 30, 2001, and to establish the classified position of Institutional Advancement Officer, 12 mo., 100%, PCN #MCU408 at Moorpark College in the President's Office, effective August 8, 2001.
- 5.1.12 Establishment of Position – Moorpark College** was approved to establish the classified position of Accounting Technician III, 12 mo., 100%, PCN #MCU409 at Moorpark College, Division F, effective August 8, 2001.
- 5.1.13 Establishment of Position – Moorpark College** was approved to establish the classified position of Administrative Assistant II, 12 mo., 100%, PCN #MCU410 at Moorpark College, Division F, effective August 8, 2001.
- 5.1.14 Establishment of Position – Moorpark College** was approved to establish a full-time temporary non-tenure track categorically funded academic position of Project Director, 10 mos., PCN #MFT381, Moorpark College, effective August 8, 2001.

Trustee Jacobs expressed his concerns about this item and suggested that the three colleges review any new positions carefully. There was discussion regarding the format of the agenda



item and it was suggested that the actual net cost and total net difference should be reflected in a summarized form.

### *Business Services*

#### 6.8 Contracts

**6.7.8 Approval of 2001-2002 Contracts/Grants - General Fund Restricted** was moved by Trustee Tallman, seconded by Student Trustee Lawson, and carried on a unanimous vote, with President Gonzales absent, to accept new contracts and grants for FY 2001-2002 and their inclusion in the Adoption Budget in the amounts indicated. (Lawson - yes)

Trustee Tallman acknowledged the efforts of those who obtained the grants.

### *Trustees/Chancellor*

**7.1 Action to Approve Governing Board Member Absence** was moved by Trustee Jacobs, seconded by Trustee Hernández, and carried on a unanimous vote, with President Gonzales absent, to excuse Student Trustee Lawson from the August 8 Special Board meeting. (Lawson - abstain)

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## Reports

#### STUDENT AND STAFF ORGANIZATIONS REPORTS

- **Student Government representatives**

- Albert Mendez reported on the Student Leadership Conference he attended in San Diego. He commented on the following events:
  - ❖ Student Services Day
  - ❖ Mexican Independence Day Celebration
  - ❖ Oxnard College Health Day

Student Trustee Lawson welcomed Mr. Mendez as the new President of the Associated Student Government at Oxnard College and also welcomed Richard Goff as the new Academic Senate President at Ventura College. Ms. Lawson indicated that she is working on common course numbering at the state level.

- **Academic Senate representatives**

- Richard Goff reported that Becky Hull, Dianne Armstrong, and Joyce Evans were elected as the new Academic Senate Team at Ventura College and invited the Board to the Ventura College Academic Senate meetings.
- Mary Jones welcomed Mr. Goff as the new Academic Senate President at Ventura College.

She commented on a TAG Agreement with UCSB. She reported on the accreditation process and flex week. Ms. Jones invited the Board to the Open Forum on August 16<sup>th</sup> to interview the candidates for the Oxnard College presidency.

## CHANCELLOR'S REPORT

Chancellor Westin welcomed Mr. Goff. He announced that the Public Forum to interview the potential candidates for the Oxnard College President, would be held on August 16<sup>th</sup> at 6 p.m.

- **Election Regarding Appointment of Personnel Commissioners**

Chancellor Westin indicated that a meeting would be held to design an election for all classified employees regarding the method of selecting Personnel Commissioners. He pointed out that a Board member must be present while the votes are being counted. It was decided that Trustee Hernández would be present and if he were not available at that time, Trustee Tallman would attend.

- **Presidents' Reports**

- ❖ **Moorpark College**

- ❖ Charlene Arnold, Eva Conrad, and James Walker gave an overview of the Moorpark College planning process. There was a brief discussion regarding parking at Moorpark College.
- ❖ Tom Kimberling thanked the Board for approving the budget Board Policy Manual revision. He introduced Alisa Moore, the new Public Information Office at Ventura College. Dr. Kimberling commented on the *Stand Down 2001* and the *Annual July 4 Spectacular*.
- ❖ Michael Gregoryk acknowledged the transfer agreement with UCSB. He pointed out that Oxnard College held a reception to welcome Dr. Richard Rush, the new President of the California State University, Channel Islands. Mr. Gregoryk welcomed Albert Mendez, the new ASG President and acknowledged Susan Brent, Registrar, for her efforts in making Oxnard College Admissions and Records a friendlier place for students.

- **Deputy Chancellor's Report**

- ❖ **Update on Parking**

- ❖ In response to concerns expressed by the Board regarding parking fees, Michael Gregoryk pointed out that parking fees are spent using state guidelines.

- ❖ **International Student Program**

- ❖ Dennis Cabral distributed and reviewed the *International Student Program Report Fall 2001 Enrollment and Services*. The Board asked for the following additional information regarding the International Student Program:
  - Balance Sheet
  - How the colleges spend the money
  - What student services are provided
  - Where the tuition surcharge is spent

- ❖ **Report on Enrollment Management**

- ❖ Dennis Cabral distributed and reviewed the *Institutional Effectiveness Report - Spring 2001* and the *Enrollment Summary Report*. Trustee Tallman expressed his concerns regarding the name - Institutional Effectiveness Report and asked that a better name be used. He suggested that the District concentrate on FTES and asked for data regarding FTEF.

- **Governmental and Public Affairs Report**

- Vic Belinski indicated that Patricia Kistler, Director of Governmental and Public Affairs, was on vacation and reported on the extensive television and print campaign. He commented on web registration and the online application process. Mr. Belinski invited the Board to the Ventura County Fair to visit the Cooperative Effort booth in the Commercial Building.

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## Trustee Issues

- **Governing Board Subcommittee Reports**

- Vice President Nagel commented on the July 17 Board Construction Subcommittee meeting.
- Trustees Tallman and Hernández reported on the Redistricting Task Force meetings. Trustee Tallman indicated that a Public Hearing would be held in September. He acknowledged Vic Belinski, Dennis Cabral, and Gilbert Putnam for their efforts in this process. There was a brief discussion regarding the proposed *Option 1*. Trustee Hernández suggested that a larger map be sent to the Board.

- **Trustee Issues**

- Trustee Hernández commented on the Ventura County Fair Collaborative Effort and indicated that his son registered on line at the Fair. He acknowledged *Proyecto Access* at Oxnard College.
- Trustee Jacobs indicated that he was looking forward to working with the District's Legislative Committee. He mentioned that he met Assemblyman Keith Richmond.

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## ADJOURNMENT

At 9:37 p.m., it was moved by Trustee Tallman, seconded by Student Trustee Lawson, and carried on a unanimous vote, with President Gonzales absent, to adjourn the meeting. (Lawson - yes)