

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, February 26, 2014 • 2:30 p.m.
Educational Services Center • Board Room
770 Wilshire Boulevard • Los Angeles, California 90017

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 2:39 p.m. with Vice President Scott J. Svonkin presiding.

The following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Scott J. Svonkin, and Steve Veres. Absent: Miguel Santiago (arrived at 3:35 p.m.). Student Trustee Michael J. Griggs was present.

Interim Chancellor Adriana D. Barrera was present.

Vice President Svonkin called upon former Sheriff Leroy D. "Lee" Baca to lead the Pledge of Allegiance to the Flag.

* * *

There being no objection, Vice President Svonkin took out of order Com. No. BT2. Resolution – Honoring Sheriff Leroy D. "Lee" Baca.

Com. No. BT2. Resolution – Honoring Sheriff Leroy D. "Lee" Baca

Motion by Trustee Field, seconded by Trustee Veres, to adopt Com. No. BT2. as follows:

The following resolution is presented by Trustees Santiago, Svonkin and Veres:

WHEREAS, Los Angeles County Sheriff Leroy D. "Lee" Baca has spent nearly 49 years in public service as a member of the Sheriff's Department, beginning as a Deputy Sheriff trainee in August of 1965; and

WHEREAS, Sheriff Baca moved up through the ranks over the next three decades, going from being a patrolman on the streets of East Los Angeles to serving as a captain, commander, and chief; and

WHEREAS, As Chief of the Court Services Division, Sheriff Baca was the central figure in the merger of the Sheriff's Department with the Marshall's Department, saving taxpayers \$14 million annually and earning Sheriff Baca the department's Distinguished Service Award; and

WHEREAS, Sheriff Baca took office as Sheriff on December 7, 1998 and has served ever since, running the largest sheriff's department in the world with 13,000 sworn and civilian personnel; and

WHEREAS, Throughout his tenure on the force, Sheriff Baca has maintained strong ties to education; in 1993, he earned a Doctorate in Public Administration from USC; he is a life member of the Honor Society of Phi Kappa Phi – USC Chapter; and

WHEREAS, On January 21, 2001, Sheriff Baca formed a partnership with the Los Angeles Community College District, making his department the protective security force for the District and its nine campuses; and

- WHEREAS, For the past 13 years, the Sheriff's Department has been a visible and valuable presence at District headquarters and the nine colleges, responding to emergencies and taking part in drills ranging from earthquake preparedness to crisis management; and
- WHEREAS, Sheriff Baca continues his involvement in education, serving as an adjunct professor of public administration at the University of La Verne and as a member of the Board of Governors of the USC Alumni Association; and
- WHEREAS, The Los Angeles Community College District benefits tremendously from the services of the Sheriff's Department on a daily basis; now, therefore, be it
- RESOLVED, That the Board of Trustees and the entire Los Angeles Community College District hereby express their gratitude to Sheriff Baca for providing a safe environment in which students can pursue their educational goals; and be it further
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby salutes Sheriff Baca for his role in reducing crime and providing peace and security to all the residents of Los Angeles County.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Santiago

Trustee Veres read the resolution into the record.

The Board members and Interim Chancellor Barrera expressed their appreciation to Mr. Baca for his many years of public service and leadership.

The Board of Trustees acknowledged Mr. Baca's wife, Mrs. Carol Baca.

Mr. Baca expressed his appreciation to the Board of Trustees and the College Presidents for their excellent leadership.

Vice President Svonkin presented a certificate to Mr. Baca.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Mr. Donald Gauthier, President, District, Academic Senate; Ms. Velma Butler, President, AFT College Staff Guild, Local 1521A; and Mr. LaMont Jackson, ASO President, Los Angeles Southwest College (LASC) and Student Representative at the Resource Table.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), announced that LACC received a \$270,000 donation for its Dental Technology Program. She indicated that LACC will be receiving free scanners for the Dental Technology students. She further announced that the LACC Journalism Department received first-place recognition for the magazine with the photo of Esther Williams on the cover. She indicated that on March 6, 2014, LACC would be receiving an American Advertising Award for the same magazine cover. She reported that a panel regarding the State of Latinos in Higher Education sponsored by the Executive Latino Leadership Association will be held on Thursday, March 6, 2014 from 6:00 to 8:00 p.m. at LACC.

Dr. Yasmin Delahoussaye, Interim President, LASC, announced that LASC will be hosting the "Breakfast with the President" on May 3, 2014 at the Town & Gown at USC. The theme of the breakfast will be "Invest to Impact." She distributed a flyer regarding this event.

Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC), reported that Mr. Leonard Glover, a full-time faculty member, Department Chair, and AFT Chapter Chair at LAHC, passed away last week. He requested that the Board meeting be adjourned in his memory.

Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTC), announced that LATTC is the fiscal agent for a Proposition 39 energy efficiency training grant in the amount of \$4.1 million. He announced that at the recent Skills USA Regional Competition, LATTC won 37 medals.

Mr. Nabil Abu-Ghazaleh, President, West Los Angeles College (WLAC), announced that on Tuesday, March 4, 2014, WLAC will host a private conversation between CEOs from community colleges in Southern California and the Accrediting Commission for Community and Junior Colleges (ACCJC).

PUBLIC AGENDA REQUESTS

Oral Presentations

Vice President Svonkin read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

Vice President Svonkin indicated that there are 10 speakers on the same topic. He entertained a motion to allocate two minutes per speaker.

Motion by Trustee Field, seconded by Student Trustee Griggs, to allocate two minutes per speaker.

Student Trustee Advisory Vote: Aye (Griggs)

*APPROVED: 5 Ayes (Eng, Field, Moreno, Svonkin, Veres) Absent: Trustee Santiago
1 No (Pearlman)*

The following individuals addressed the Board regarding various issues with respect to Los Angeles Mission College (LAMC):

Mr. Gene Hernandez, Mr. Antonio Sanchez, Mr. Patrick McGarry, Miss Stephanie Arellano, Ms. Alyssa Brown, Ms. Lisette Asturias, Mr. Jason Ackerman, Miss Samantha Jo Jaffray, and Mrs. Norma Ramirez.

(Trustee Santiago arrived at 3:35 p.m.)

Miss Ann Marie Cataño addressed the Board regarding having to remove her daughter from the LAMC Child Development Center due to her being suspended.

Motion by Student Trustee Griggs to extend Miss Catano's time by two minutes.

Due to the lack of a second, the motion died.

Vice President Svonkin relinquished the gavel to President Santiago.

President Santiago read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

Mr. John Hsiao addressed the Board regarding Com. No. HRD1. Employment Actions Regarding Academic Employees Roman Numeral I. March 15 Notice Regarding Non-renewal of Contract as it relates to the recommendation for non-renewal of his contract at LAHC.

Mr. Stanley Shapiro addressed the Board regarding public integrity and protection of taxpayer funds entrusted to the Board. He distributed a copy of his remarks.

Proposed Actions

None.

(Trustee Pearlman left at 4:01 p.m.)

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

Trustee Veres reported on the Institutional Effectiveness & Student Success Committee meeting.

Trustee Veres reported on the Facilities Master Planning & Oversight Committee meeting.

Student Trustee Griggs reported on the Student Affairs Committee meeting of February 21, 2014.

Proposed Actions

The following action items, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, were presented by the Board of Trustees and action taken as indicated.

Com. No. BT1. Conference Attendance Ratification

Trustee Veres requested that Com. No. BT1. be amended to include his attendance at the ACCESS Washington DC Conference to be held on March 10-12, 2014 in Washington, DC. He indicated that his expenses would be reimbursed from his travel allocation.

Ms. Camille Goulet, General Counsel, recommended that President Santiago entertain a motion that this calls for immediate action because it is going to occur before the next Board meeting and that the need for this action came to the attention of the agency after the posting of the agenda. She indicated that if the Board adopts that finding by a two-thirds vote, then the Board could add it to BT1.

President Santiago entertained a motion that the Board finds an urgent need for Trustee Steve Veres to travel to Washington, DC, and that the need for this action came to the attention of the agency after the posting of the agenda, which would require a two-thirds vote.

Trustee Field requested that an approximate dollar amount be included.

Motion by Trustee Field, seconded by Trustee Moreno, that the Board finds an urgent need for Trustee Steve Veres to travel to Washington, DC, and that the need for this action came to the attention of the agency after the posting of the agenda.

Student Trustee Advisory Vote: Aye (Griggs)
APPROVED: 6 Ayes Absent: Trustee Pearlman

Motion by Trustee Field, seconded by Student Trustee Griggs, to adopt Com. No. BT1. as amended as follows:

- A.** Ratify payment of necessary expenses for Mike Eng, member of this Board of Trustees, to attend the *Construction Management Association of America (CMAA) Southern California Chapter Breakfast of Champions* to be held February 19, 2014 in Los Angeles, California.

Background: Trustee Eng's expenses will be reimbursed from his travel allocation and will not exceed \$200.

B. Authorize payment of necessary expenses for Steve Veres, member of this Board of Trustees, to attend ACCESS Washington, D.C. to be held March 10-12, 2014 in Washington, D.C.

Background: Trustee Veres's expenses will be reimbursed from his travel allocation of \$2,500.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED AS AMENDED: 6 Ayes Absent: Trustee Pearlman

Com. No. BT3. Approve Support for AB 1271 (Bonta and Jones-Sawyer)

Motion by Trustee Eng, seconded by Student Trustee Griggs, to adopt Com. No. BT3.

Mr. Patrick McCallum, Legislative Advocate, indicated that AB 1271 would allow community college districts to offer credit and non-credit courses, career development, and college preparatory courses in correctional institutions.

Trustee Eng indicated that the Legislative & Public Affairs Committee is recommending support of AB 1271.

For the record, Trustee Veres requested assurance that it would be economically feasible for the community colleges to offer these courses in correctional institutions.

Student Trustee Advisory Vote: Aye (Griggs)
ADOPTED: 6 Ayes Absent: Trustee Pearlman

ADDENDUM – Reports from the Chancellor

Interim Chancellor Barrera reported that a Covered LACCD kickoff event was held at Los Angeles Southwest College (LASC) on Tuesday, February 25, 2014. She deferred to Trustee Eng.

Trustee Eng expressed his appreciation to all of the College Presidents for their support of Covered LACCD. He indicated that the LACCD had a goal of signing up the largest number of students from the neediest communities in California.

(Trustee Pearlman returned at 4:23 p.m.)

Dr. Delahoussaye, President, LASC, reported that Mr. Michael Cooper, former NBA player with the Los Angeles Lakers, made an appearance during the kickoff event at LASC and encouraged the students to value their health and use the Affordable Healthcare Act to improve their lives. She announced that Mr. Cooper has donated an autographed basketball and jersey for the LASC President's Breakfast.

Trustee Eng expressed his appreciation to Student Trustee Griggs and the ASO/ASU/ASG Presidents for their efforts in getting the word out to all of the students regarding Covered LACCD Week.

Interim Chancellor Barrera noted that there is a Notice Item on the agenda on which the Board would be taking action at the next regularly scheduled Board meeting. She indicated that this is a health-related item. She indicated that approximately two years ago, Trustee Svonkin previously presented a resolution in which it was requested that the smoking areas be designated at the colleges. She reported that the Notice Report would amend Board Rule 2419 – Smoking/Nonsmoking Policy to include electronic cigarettes in the list of prohibited substances.

Interim Chancellor Barrera emphasized the importance of Covered LACCD Week to help ensure that the Affordable Healthcare Act becomes a success. She expressed her appreciation the members of the Resource Table for their efforts to ensure that employees at the colleges are aware of Covered LACCD Week. She specifically expressed her appreciation to Ms. Bobbi Kimble, Interim Vice Chancellor, Educational Programs and Institutional Effectiveness, for her efforts.

- **Update on LACCD Advocacy Activities at the State Level**

Interim Chancellor Barrera introduced Mr. McCallum.

Mr. McCallum discussed the efforts being made to increase opportunities for students to get an education in the Los Angeles area, to focus on student success, and to create a more articulated relationship with high school students.

CONSENT CALENDAR

Matters Requiring a Majority Vote

Motion by Trustee Moreno, seconded by Trustee Field, to adopt the Consent Calendar on Matters Requiring a Majority Vote.

Com. No. HRD1. Employment Actions Regarding Academic Employees

With respect to Roman Numeral I. March 15 Notice Regarding Non-renewal of Contract, Dr. Albert J. Román, Vice Chancellor, Human Resources, discussed the grievance process. He encouraged the Board to take the action that is being recommended.

There was discussion regarding the arbitration process with respect to this employee.

ADOPTED: 7 Ayes

RECOMMENDATIONS FROM THE CHANCELLOR

Com. No. CH1. Approve Los Angeles Pierce College Strategic Master Plan, 2014-2017

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. CH1.

Student Trustee Advisory Vote: Aye (Griggs)

ADOPTED: 7 Ayes

RECESS TO COMMITTEE OF THE WHOLE

There being no objection, the regular meeting recessed to the Committee of the Whole at 4:48 p.m.

President Santiago relinquished the gavel to Vice President Svonkin to chair the Committee of the Whole.

The following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Student Trustee Michael J. Griggs was present.

Public Speakers

None.

Presentations/Initiative Reviews

- Presentation on Financial Marketplace Obligations

Ms. Goulet introduced Mr. Arto C. Becker, Partner, Hawkins Delafield & Wood LLP. She indicated that approximately one and one-half years ago, the District selected a new Bond Counsel and, in addition, the District added to the finance team the Disclosure Counsel. She indicated that one of the emerging requirements or expectations is that a presentation be provided to people at the management level and to the governing board regarding the District's obligations as participants in the marketplace with its bond.

A document entitled "Board Members' Responsibilities under the Federal Securities Laws."

Mr. Becker gave a PowerPoint presentation and discussed the document with respect to antifraud rules under the Securities Law and Directors' responsibilities.

A question and answer session was conducted regarding this presentation.

Trustee Svonkin requested that Interim Chancellor Barrera work with Ms. Goulet to review all of the District's policies and procedures that deal with issuing the bonds to make sure that everything being done is reflected in those policies.

- Presentation of the 2013 Student Success Scorecard

Interim Chancellor Barrera introduced Ms. Bobbi Kimble, Interim Vice Chancellor, Educational Services and Institutional Effectiveness, and Mr. Maury Pearl, Associate Vice Chancellor, Educational Services and Institutional Effectiveness.

Ms. Kimble indicated that a brief presentation would be given today and that a more detailed presentation could be scheduled for a future Board meeting.

Documents entitled "Executive Summary: 2013 Student Success Scorecard" and "Student Success Scorecard Results for the Los Angeles Community Colleges" were distributed.

Mr. Pearl gave a PowerPoint presentation and discussed the "Student Success Scorecard" document with respect to scorecard measures; comparison groups; completion rates for prepared and unprepared students; remedial progress rate in English, Math, and ESL (English as a Second Language); Career Technical Education (CTE) completion rate; data for the individual LACCD colleges; summary progress measures; and college rank by measure.

A question and answer session was conducted regarding the presentation.

Trustee Moreno requested that hard data be provided in order to determine whether there is any impact on the institutions that have decided to implement "Achieving the Dream."

Mr. Pearl indicated that he would provide this data.

Other Business

None.

Adjournment

There being no objection, Vice President Svonkin adjourned the Committee of the Whole at 5:45 p.m.

Vice President Svonkin relinquished the gavel to President Santiago.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 5:45 p.m. with President Miguel Santiago presiding.

For the record, President Santiago noted that all of the Board members were present.

Interim Chancellor Adriana D. Barrera was present.

NOTICE REPORTS AND INFORMATIVES

ADDENDUM – BT/A. [Notice] Amend Board Rule 2419 – Smoking/Nonsmoking Policy

Noticed by Interim Chancellor Barrera.

Com. No. HRD/A. [Informative] Third Year Probationary Contract Faculty Automatic Status Advancement

Presented by Interim Chancellor Barrera.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

Ms. Velma Butler expressed her appreciation to the following individuals for participating in the Wellness Coalition Heart Healthy event that took place earlier on this day:

Trustee Svonkin, Interim Chancellor Barrera, Dr. Román, and Ms. Katreli Walker of Human Resources.

REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – CLOSED SESSION AGENDA MATTERS

None.

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Trustee Field requested that the Board meeting be adjourned in the memory of Mr. Leonard Glover and Ms. Laurie Landau Lorden, the daughter of Dr. Elliot Axelband, Member, District Citizens' Oversight Committee (DCOC). She indicated that Dr. Axelband and his wife wanted it known that their daughter was 50 years old, was the mother of twin five-year-old daughters, and that she died from the flu—making her one of the 234 people who died from the flu in California during the current flu season. She indicated that Dr. Axelband and his wife would like to remind everyone of the importance of getting a flu shot.

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RECESS TO CLOSED SESSION

There being no objection, the Board recessed to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A).

President Santiago stated that in accordance with Government Code section 54956.9(d)(2), the Board announces that it will also discuss anticipated litigation in Closed Session regarding recent campus disruptions at Los Angeles Mission College.

Without objection, so ordered.

The regular meeting recessed to Closed Session at 5:48 p.m.

(Student Trustee Griggs left at 5:49 p.m.)

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:23 p.m. with President Miguel Santiago presiding.

President Santiago noted that the Board members were present with the exception of Trustees Eng and Field and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – FEBRUARY 26, 2014

President Santiago indicated that certain matters decided in Closed Session be reported during the public session that follows.

With regard to Aaron Chan v. LACCD, the Board voted to accept a settlement of \$42,621 in reimbursement from the Owner Controlled Insurance Program for the building program for a District employee's industrial injury. More information can be obtained from the General Counsel. The vote was unanimous.

With regard to Arch Insurance v. LACCD, the Board voted to accept two tolling agreements. A copy of the agreement may be obtained from the General Counsel. The vote was unanimous.

There were no further actions taken that are required to be reported.

ADJOURNMENT

There being no objection, the regular meeting was adjourned in the memory of Mr. Leonard Glover and Ms. Laurie Landau Lorden at 8:25 p.m.

ADRIANA D. BARRERA
Interim Chancellor and Secretary of the Board of Trustees

By: Laurie Green
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Miguel Santiago
Miguel Santiago
President of the Board

Date March 12, 2014



Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

AGENDA

ATTACHMENT A

CLOSED SESSION

Wednesday, February 26, 2014

**Educational Services Center
Hearing Room – First Floor
770 Wilshire Boulevard
Los Angeles, CA 90017**

- I. **Public Employee Employment**
(pursuant to Government Code section 54957)
 - A. Position: President, Los Angeles Valley College
 - B. Position: President, Los Angeles Harbor College
 - C. Position: President, Los Angeles Southwest College
 - D. Position: Chief Business Officer
 - E. Position: Chancellor

- II. **Conference with Labor Negotiator**
(pursuant to Government Code section 54957.6)
 - A. District Negotiators: Adriana D. Barrera
Albert Román

Employee Units: All Units

All Unrepresented Employees

B. District Negotiators: Adriana D. Barrera
Kathleen F. Burke
Marvin Martinez
Albert Román

Employee Unit: Faculty

III. Public Employee Discipline/Dismissal/Release/Charges/Complaints
(pursuant to Government Code section 54957)

IV. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9(a))

A. *Carlos Perez v. LACCD*

B. *AFT College Staff Guild v. LACCD, et al.*

C. *Delicia Mosely v. LACCD, et al.*

D. *City of Huntington Park, et al. v. County of Los Angeles, et al.*

E. *T&M Manufacturing, Inc. v. Safeco Insurance Company of America, LACCD, et al.*

F. *Aaron Chan v. LACCD, et al (two cases)*

G. *Arch Insurance Company v. LACCD*

V. Conference with Legal Counsel - Anticipated Litigation
(pursuant to Government Code section 54956.9)

A. Potential litigation pursuant to Government Code section 54956.9(d)(2)