

LOS ANGELES COMMUNITY COLLEGE DISTRICT

BOARD OF TRUSTEES

MINUTES – REGULAR MEETING

Wednesday, March 26, 2014 • 3:30 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 3:45 p.m. with President Miguel Santiago presiding.

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.

Interim Chancellor Adriana D. Barrera was present.

Trustee Veres led the Pledge of Allegiance to the Flag.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

None.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), announced that LACC and Los Angeles Mission College (LAMC) have received Community College Pathway to Law School Initiative grants. She announced that students from the LACC Theatre Academy would be traveling to Washington, DC in April 2014 to perform in a production of Autoplay.

Mr. Farley Herzek, Interim President, Los Angeles Harbor College (LAHC), announced that LAHC has moved forward with the "Harbor Advantage," a program that guarantees a full schedule of classes to new incoming students and continuing students signed up for a small number of units.

Dr. Monte E. Perez, President, LAMC, announced that LAMC will be awarded a grant from the Ford Foundation to pilot an incarceration college credit program for inmates.

Dr. Yasmin Delahoussaye, Interim President, Los Angeles Southwest College (LASC), announced that the deadline to RSVP for the President's Breakfast is April 15, 2014. She indicated that LASC will be celebrating the 100th anniversary of the National Association for the Advancement of Colored People (NAACP). She reported that LASC will be presenting its very first Social Impact Award to Southern California Edison in appreciation of a \$150,000 grant that was presented to LASC for student tutoring.

Ms. Martinez introduced Mr. John al-Amin, the new Vice President of Administration at LACC.

Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTTC), announced that, like LAMC, LATTTC will be awarded a grant from the Ford Foundation to pilot an incarceration college credit program for inmates. He reported that on Friday, March 21, 2014, LATTTC had a last-minute visit from Mr. Anthony Foxx, United States Secretary of Transportation. He indicated that during this visit, a request was made to establish a transportation workforce institute at LATTTC and stated that the local Congressional representative would be following up on this request.

Mr. Nabil Abu-Ghazaleh, President, West Los Angeles College (WLAC), announced that the American Council on Education has selected WLAC as one of 10 two-year and four-year institutions to participate in the Change and Innovation Lab. He indicated that the purpose of the Lab is to work on transformational change in leadership practices, faculty engagement, and smart use of data.

Mr. LaMont Jackson, ASO President, LASC, announced that during Women's History Month in March, the ASO hosted an honorary ceremony on March 19, 2014. He indicated that the honorees included Dr. Sandra Cox, Member, LASC Foundation Board; The Honorable Maxine Waters, Member of Congress; and Dr. Earnestine Thomas-Robertson, Former Dean, Academic Affairs (retired), LASC.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

Ms. Leila Menzies addressed the Board regarding the recruitment process for the Chief Business Officer position. She recommended that the Board of Trustees immediately stop this recruitment process and expressed her concern that the Personnel Commission had an incorrect closing date in the advertisement for this position in The Chronicle of Higher Education. She also requested that the process not be restarted until an efficient organizational chart is prepared for this position and a further review of the salary and job title is performed. She distributed a copy of her remarks.

Interim Chancellor Barrera indicated that she would be meeting with Ms. Karen Martin, Director, Personnel Commission, for the purpose of providing responses to the questions asked by Ms. Menzies in the copy of her document.

Former Student Trustee Elizabeth Saldivar spoke in support of Com. No. BT2. Resolution – Legacy of Cesar Chavez.

President Santiago indicated that five individuals have signed up to address the Board regarding WLAC. He entertained a motion to allocate four minutes per speaker.

Motion by Trustee Svonkin, seconded by Trustee Field, to allocate four minutes per speaker.

Student Trustee Advisory Vote: Aye (Griggs)

APPROVED: 6 Ayes (Eng, Field, Moreno, Santiago, Svonkin, Veres)

1 No (Pearlman)

Ms. Camille Goulet, General Counsel, inquired if the topic to be addressed by the speakers is related to Com. No. ISD1. Student Discipline – Expulsion.

Interim Chancellor Barrera responded in the affirmative.

Ms. Goulet inquired if it is the intent of the Board to listen to the speakers at this time and take action on Com. No. ISD1. later in the meeting.

President Santiago responded that the Board would listen to the speakers at this time and would deliberate regarding Com. No. ISD1. when it comes up for action later in the meeting.

Mrs. Carmen Dones addressed the Board regarding the WLAC Dental Hygiene Program and the situation regarding the patient chart that was missing from a dental clinic that is affiliated with WLAC. She distributed a copy of her remarks.

Mrs. Natalie Ferrigno addressed the Board regarding the missing patient chart incident. She distributed a copy of her remarks.

Dr. Carlos Sermeno addressed the Board regarding claims of alleged discrimination against him by Ms. Elizabeth Oved.

Ms. Aracely Aguiar addressed the Board regarding the history of the Dental Program as it relates to the protocol for students who become pregnant or experienced serious health issues during their time in the program. She indicated that students who become pregnant or ill are provided the opportunity to return to the program. She indicated that there is a risk of exposure to nitrous oxide for students in the Dental Program. She stated that Ms. Oved, who was pregnant, was told about the risks associated with exposure to nitrous oxide in order for her to make an informed decision. She stated that even if Ms. Oved had remained in the class, she would not have finished because she would not be able to perform the anesthesia procedure.

Ms. Elizabeth Oved addressed the Board in defense of the circumstances surrounding her pending expulsion.

Ms. Wanda Solomon addressed the Board regarding the issue of an alleged administrative error with respect to her LACCD transcripts. She distributed a copy of her remarks.

Proposed Actions

None.

RECESS TO COMMITTEE OF THE WHOLE

Motion by Trustee Svonkin, seconded by Trustee Field, to recess to the Committee of the Whole.

Student Trustee Advisory Vote: Aye (Griggs)
APPROVED: 7 Ayes

The regular meeting recessed to the Committee of the Whole at 4:36 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 "GO East LA: A Pathway to College and Career Success"

Interim Chancellor Barrera introduced Mr. Marvin Martinez, President, ELAC.

Mr. Martinez introduced Dr. William A. Covino, President, California State University, Los Angeles (CSULA); Mr. Jose Huerta, Principal, Garfield High School; and Ms. Blanca Gomez, Assistant to Ms. Monica Garcia, Member, Board of Education, Los Angeles Unified School District (LAUSD).

Mr. Martinez indicated that ELAC is working closely with its colleagues in the K-12 system to create opportunities for K-12 students to enroll in college courses.

Dr. Covino discussed the importance of preparing students for college at an early age.

Mr. Huerta indicated that the partnership among Garfield High School, CSULA, and ELAC will provide students with experience in college-level courses and the support they need to be successful at the next level.

Mr. Martinez introduced Mr. Ryan Cornner, Dean of Research, ELAC.

The following individuals introduced themselves:

Dr. Cheryl Ney, Associate Provost, CSULA; Ms. Julie Benavides, Director, Offsite Education and Outreach, ELAC; Mr. Juan Carlo Marquez, Assistant Principal, Garfield High School; and Mr. Marc Bommarito, K-12 Counseling Coordinator, LAUSD.

A PowerPoint presentation was conducted entitled "GO East LA: A Pathway to College and Career Success."

A question and answer session was conducted regarding the presentation.

- Presentation on Professional Services/Bench Re-Procurement

Mr. James D. O'Reilly, Chief Facilities Executive, distributed a document entitled "Professional Services/Bench Re-procurement." He and Ms. Terri Mestas, Director, LACCD Bond Program Management, discussed the document with respect to the current bench model, re-procurement timing and benefits, the future bench model, the small business requirement, prime and subconsultant qualifications, the savings scenario, and the transition to the future bench model.

A question and answer session was conducted regarding the presentation.

(Student Trustee Griggs left at 5:45 p.m.)

Other Business

None.

(Trustee Santiago left at 6:31 p.m.)

Adjournment

There being no objection, Vice President Svonkin adjourned the Committee of the Whole at 6:32 p.m.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

Motion by Trustee Field, seconded by Trustee Veres, to reconvene the regular meeting of the Board of Trustees.

(Trustee Santiago returned at 6:33 p.m.)

APPROVED: 7 Ayes

The regular meeting of the Board of Trustees of the LACCD reconvened at 6:33 p.m. with Vice President Scott J. Svonkin presiding.

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 not present.

Interim Chancellor Adriana D. Barrera was present.

REPORT FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Update on Dolores Huerta Labor Institute

Interim Chancellor Barrera introduced Mr. John McDowell, Director, Labor Center, LATTC.

A document entitled "Dolores Huerta Labor Institute (DHLI)" was distributed.

Dr. Shigueru Tsuha, Executive Director, DHLI, discussed the document with respect to the mission to promote labor education and the summary of DHLI achievements since fall 2011.

Vice President Svonkin relinquished the gavel to President Santiago.

A question and answer session was conducted regarding the presentation.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

Reports of Standing and Special Committees

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

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

Trustee Svonkin reported on the Budget & Finance Committee meeting of March 24, 2014.

Trustee Svonkin reported on the Ad Hoc Committee on Personnel Commission meeting of March 24, 2014.

Interim Chancellor Barrera reported on the meeting of February 26, 2014 during which the Board of Trustees conducted its annual self-assessment and discussed its goals. She indicated that the facilitators of this meeting would be conducting individual interviews with each Board member and will compile a report regarding the Board's view of itself. She indicated that this report would be finalized in April and presented in May 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. 2014 Election for California Community College Trustees Board of Directors

Motion by Trustee Field, seconded by Trustee Svonkin, that the following individual(s) be elected to the CCCT Board of Directors for 2014:

1. Jeffrey Lease, San Jose-Evergreen CCD
2. *Jim Moreno, Coast CCD
3. *Laura Casas, Foothill-DeAnza CCD

*Incumbent

Student Trustee Advisory Vote: Absent (Griggs)

ADOPTED: 7 Ayes

President Santiago entertained a motion to adopt Com. Nos. BT2., BT3., BT4., and BT5.

Motion by Trustee Svonkin, seconded by Trustee Field, to adopt Com. Nos. BT2., BT3., BT4., and BT5.

Com. No. BT2. Resolution – Legacy of Cesar Chavez

The following resolution is presented by Trustee Pearlman:

WHEREAS, Cesar Chavez was a passionate advocate for social justice and civil rights, especially for the poor and disenfranchised; and

WHEREAS, The anniversary of his birth on March 31, 2014 provides a fitting opportunity to remember and honor his many contributions; and

- WHEREAS, In 1962, Cesar Chavez cofounded the United Farm Workers Union to contest the poor treatment of the workers in the fields and sought to empower those workers by organizing the first union to acquire labor contracts for farm workers in the grape fields; and
- WHEREAS, Cesar Chavez empowered all to fight for civil rights and to strive for justice for all, especially minorities; and
- WHEREAS, For more than three decades, Cesar Chavez led this groundbreaking organization by effecting social change through peaceful tactics such as fasts, boycotts, strikes, and pilgrimages; and
- WHEREAS, His union's efforts influenced and inspired millions of Americans forging a diverse national coalition of students, middle-class consumers, religious groups, and minorities in a hard-won struggle to achieve fair wages, medical coverage, pension benefits, and humane living conditions, and perhaps most important the dignity and respect for the hundreds of thousands of farm workers across the country; and
- WHEREAS, In 2000, the California State Senate established March 31st as Cesar Chavez statewide holiday in recognition of the life of this outstanding Mexican-American labor leader and the contributions he has made to the State of California; now, therefore, be it
- RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby celebrates March 31st as Cesar Chavez Day to honor his legacy.

Com. No. BT3. Trustee Absence Ratifications

Com. No. BT4. Approval of Mileage Reimbursement

Com. No. BT5. Appoint Community Members to Presidential Search Committee

Student Trustee Advisory Vote: Absent (Griggs)

COM. NOS. BT2., BT3., BT4., AND BT5. ADOPTED: 7 Ayes

CONSENT CALENDAR

Matters Requiring a Majority Vote

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

Com. No. BSD1. Business Services Routine Report

Com. No. HRD1. Authorization of Employment Contract

ADOPTED: 7 Ayes

With respect to Com. No. HRD1., Trustee Field noted that the Board has approved the employment contract for Dr. Francisco Rodriguez as the new Chancellor of the LACCD.

* * *

Interim Chancellor Barrera requested that Ms. Elizabeth Oved confirm whether she would like the Board's deliberation to take place in the public session or in Closed Session. She indicated that if it is done in Closed Session, the Board would recess to Closed Session and deliberate before taking action. She indicated that if the deliberation is conducted during the public session, this would be the time for it to take place.

Ms. Oved requested that the deliberation be conducted during the public session.

Ms. Goulet recommended that the Board take out of order Com. No. ISD1. Student Discipline – Expulsion rather than having Ms. Oved wait until the Board reconvenes the public session.

There being no objection, President Santiago took Com. No. ISD1. out of order.

Com. No. ISD1. Student Discipline – Expulsion

Interim Chancellor Barrera indicated that the student discipline matter was presented for the first time at the Board meeting of March 12, 2014. She indicated that the College President of WLAC recommended expulsion of Ms. Oved from all Allied Health Programs in the LACCD without reconsideration. She reported regarding the review that was conducted with respect to the student discipline matter. She explained the various levels of discipline that can be taken.

Motion by Trustee Field, seconded by Trustee Svonkin, to adopt Com. No. ISD1.

Trustee Pearlman inquired if there could be expulsion with reconsideration.

Interim Chancellor Barrera responded in the affirmative. She indicated that the basis for the expulsion was that the patient's chart was missing for one week and that the chart was returned without notice to faculty.

Trustee Pearlman inquired if a time limit could be placed on an expulsion with reconsideration.

Interim Chancellor Barrera responded in the affirmative.

Trustee Field indicated that the statements made by the faculty members at the March 12, 2014 Board meeting affirmed the recommendation of the College President as it is now presented. She indicated that the Board has held a position that when a decision is made by a student—whether intentional or not—that results in a “life or death” situation, the disciplinary action should result in the student not continuing in the career path that involves “life or death” decisions.

Trustee Svonkin expressed his concern that the patient's privacy was violated as a result of the missing chart. He indicated that there needs to be a higher standard of ethics for individuals in the health care field and recommended that Ms. Oved pursue a field of study other than health care. He requested that the recommendation for expulsion without reconsideration be upheld.

Trustee Eng expressed his concern that some of the evidence that was attested to by the discipline committee was not submitted to the Board for its consideration. He indicated that the action by the student was negligent but not intentional. He also expressed his concern regarding the lack of remorse expressed by Ms. Oved. He spoke in opposition to the motion and recommended that it be changed to a two-year expulsion.

*ADOPTED: 6 Ayes (Field, Moreno, Pearlman, Santiago, Svonkin, Veres)
1 No (Eng)*

* * *

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

Com. No. BT/A. [Informative] Board Meeting Calendar – Change of Meeting Location

Presented by Interim Chancellor Barrera.

Interim Chancellor Barrera indicated that the Campus Center at LAMC is being renovated. Therefore, the location of the regularly scheduled Board meeting of April 23, 2014 is being changed to the Educational Services Center. She indicated that Dr. Perez would still be presenting welcoming remarks and making a presentation.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

None.

RECESS TO CLOSED SESSION

Motion by Trustee Field, seconded by Trustee Svonkin, to recess 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).

Without objection, so ordered.

The regular meeting recessed to Closed Session at 7:19 p.m.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 8:43 p.m. with President Miguel Santiago presiding.

The Board members were present with the exception of Trustees Svonkin and Veres and Student Trustee Griggs.

Interim Chancellor Adriana D. Barrera was present.

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

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

With regard to a claim at Los Angeles Valley College, the Board accepted a settlement agreement with McMurray Stern for the firm to fully replace bookshelves. Trustees Field, Moreno, Santiago, and Veres voted in favor, and the other Trustees were absent. A copy of the agreement may be obtained from the General Counsel.

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

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 8:44 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 April 23, 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, March 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

- 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
Jeanette L. Gordon

Employee Unit: Faculty

C. District Negotiators: Adriana D. Barrera
Marvin Martinez
Albert Román

Employee Unit: Teamsters Local 911 (Supervisory/Academic)

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. *LACCD v. Constantino Gabrie*

B. *City of Monterey Park, et al. v. County of Los Angeles, et al.*

C. *Dorothy Woodson v. LACCD*

D. *Julian Camacho Unfair Labor Practice Charge*

E. *EPS Corporate Holdings, Inc. v. USS Cal Builders, Inc., LACCD, et al.*

F. *Hickman Mechanical, Inc. v. FTR, LACCD, et al.*

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

A. Claim against materials supplier for Los Angeles Valley College

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