

**LOS ANGELES COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES**

MINUTES – REGULAR MEETING

**Wednesday, March 25, 2015
Public Session 2:45 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 2:57 p.m. with President Scott J. Svonkin presiding.

On roll call the following members were present: Mike Eng, Mona Field, Ernest H. Moreno, Nancy Pearlman, Scott J. Svonkin, and Steve Veres. Student Trustee LaMont G. Jackson was present.

Chancellor Francisco C. Rodriguez was present.

There being no objection, President Svonkin asked Mr. Mike Fong's mother, Mrs. Wanda Fong, to lead the Pledge of Allegiance to the Flag.

Mrs. Fong led the Pledge of Allegiance to the Flag.

OATH OF OFFICE

President Svonkin introduced The Honorable John Chiang, California State Treasurer.

Mr. Chiang administered the Oath of Office to Mr. Mike Fong as Interim Board member.

Interim Trustee Fong expressed his appreciation to Mr. Chiang for administering the Oath of Office. He expressed his appreciation to everyone for their support and indicated that he looks forward to serving on the Board of Trustees. He indicated that his educational background includes having taken classes at East Los Angeles College and Los Angeles City College.

Trustees Eng, Pearlman, Field, Moreno, and Veres and Student Trustee Jackson welcomed Interim Trustee Fong to the Board of Trustees.

President Svonkin announced that he is appointing Interim Trustee Fong as the Chair of the Summer Jobs Ad Hoc Committee. He indicated that the charge of this Committee will be to look at how the LACCD can help students throughout the District to find jobs. The other members will be Trustees Veres and Svonkin.

President Svonkin indicated that Trustee Field, Interim Trustee Fong, and he will work on revisions to Board policies that Chancellor Rodriguez has requested.

President Svonkin formally welcomed Interim Trustee Fong to the Board of Trustees. He indicated that the Board of Trustees election results have been certified and welcomed Trustee-elect Andra Hoffman, who will be sworn in on July 8, 2015.

Interim Trustee Fong introduced his mother, Mrs. Wanda Fong, and his friends who are in attendance.

* * *

There being no objection, President Svonkin took out of order Com. Nos. BT2. and BT3.

REPORTS AND RECOMMENDATIONS FROM THE BOARD

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. BT2. Adopt the Legislative & Public Affairs Committee's Recommendations (March 11, 2015)

Motion by Trustee Eng, seconded by Trustee Field, to adopt Com. No. BT2.

Mr. Patrick McCallum, Legislative Advocate, summarized each of the legislative bills as listed in Com. No. BT2.

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 7 Ayes

Com. No. BT3. Resolution – In Support of College & Career Access Pathways Act – Assembly Bill 288

Motion by Trustee Eng, seconded by Trustee Field, to adopt Com. No. BT3. as follows:

The following resolution is presented by Legislative & Public Affairs Committee members Eng (Chair), Field, and Svonkin:

Resolution calling upon members of the California Senate and California Assembly to approve college & career access pathways (CCAP) which rely on concurrent enrollment partnerships between school districts and community college districts, to improve and expand college opportunities for all students.

WHEREAS, The connection between a college degree and economic stability has been exhaustively documented, making college access and preparation a social and economic justice issue; and

WHEREAS, Across the United States there is a growing emphasis on school and community college collaboration to prepare students to be college and career ready; and

WHEREAS, California should do more to help schools and community colleges improve their college readiness and college enrollment rates; and

- WHEREAS, Concurrent enrollment has become a viable and effective method to prepare any student – even those who may have struggled academically and who may have had no initial interest in pursuing a postsecondary degree or credential – to complete high school and enter college; and
- WHEREAS, Allowing a greater and more diverse segment of high school students to take community college courses could provide benefits to both students and the state, such as, reducing high school dropouts, increasing the number of community college students who transfer and complete a degree, shortening the time to completion of educational goals, and improving the level of preparation of students to successfully complete for-credit, college level courses; and
- WHEREAS, Concurrent enrollment has been known to increase high school graduation rates and improve chances of success in college; and
- WHEREAS, Through concurrent enrollment partnerships, the Los Angeles Community College District could work with local school districts to create clear pathways of aligned, sequenced coursework that would allow students to easily and successfully transition to for-credit, college level coursework leading to an associate degree, transfer to the University of California or the California State University, or a career technical education (CTE) credential or certificate; and
- WHEREAS, Through partnerships with local high school districts, the Los Angeles Community College District could increase the number of students that earn college credits in high schools and increase the number of students moving directly from high school to college; and
- WHEREAS, To facilitate the establishment of concurrent enrollment partnerships, the state should remove fiscal penalties and policy barriers that discourage concurrent enrollment opportunities; and
- WHEREAS, AB 288, the College & Career Access Pathways (CCAP) Act, reduces some of the state’s key barriers around concurrent enrollment and makes it possible to expand college and career pathway opportunities for all students, thereby saving students and the state valuable time, money and scarce educational resources; and
- WHEREAS, 86 percent of the last measured cohort of students entering the Los Angeles Community College District assessed below college-level math or English according to the state’s Student Success Scorecard; and
- WHEREAS, AB 288 seeks to expand access to concurrent enrollment for all students particularly historically underserved students which the Los Angeles Community College District serves a disproportionate number; and

- WHEREAS, AB 288 would increase exposure to college-level classes for traditionally underserved students by addressing transportation and other access barriers in authorizing college-level work be offered on the high school campus; and
- WHEREAS, AB 288 would accelerate college-level learning and decrease remediation needs for high school students by authorizing district to increase the number of units students may enroll in and prohibit assessing fees to high school students in CCAP courses; and
- WHEREAS, AB 288 would increase access to CCAP courses by increasing the priority registration level for CCAP students while maintaining a balance of access to traditional community college students; and
- WHEREAS, AB 288 would increase transparency by requiring CCAP agreements to be adopted at open board meetings where the public can weigh in; now, therefore, be it
- RESOLVED, That the Los Angeles Community College District as co-sponsors of AB 288 calls on California to rethink its policies governing concurrent enrollment and establish a policy framework under which school districts and community college districts could create concurrent enrollment partnerships as a strategy to provide critical support for under-achieving students, those from groups underrepresented in higher education, those who are seeking advanced studies while in high school, and those seeking a career technical education (CTE) credential or certificate; and be it further
- RESOLVED, That the Los Angeles Community College District requests that its neighboring K-12 school district partners pass a resolution supporting AB 288 (Holden) the college & Career Access Pathways Act (Exhibit 1); and be it further
- RESOLVED, That the Los Angeles Community College District requests the members of the California State Senate and the California State Assembly to improve and expand college access for all students and pass AB 288 by Assembly Member Christopher Holden, the College & Career Access Pathways (CCAP) Act.

Mr. McCallum discussed the importance of the passage of AB 288 by the California State Senate and the California State Assembly.

Trustee Eng urged the Board members to vote in support of the resolution.

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 7 Ayes

RECESS

There being no objection, the Board meeting recessed to a reception at 3:32 p.m. to welcome Interim Trustee Mike Fong.

RECONVENE PUBLIC SESSION

The public session reconvened at 3:49 p.m.

The following members were present: Mike Eng, Mona Field, Mike Fong, Ernest H. Moreno, Nancy Pearlman, Scott J. Svonkin, and Steve Veres. Student Trustee LaMont G. Jackson was present.

Chancellor Francisco C. Rodriguez was present.

ANNOUNCEMENTS FROM COLLEGE PRESIDENTS

Ms. Renee D. Martinez, President, Los Angeles City College (LACC), announced that on April 4, 2015 in the Camino Theater, LACC will be holding a special performance celebrating the life of Dr. Martin Luther King, Jr. She indicated that proceeds from this event will go to the LACC Library. She distributed a flyer regarding this event.

Dr. Otto W. K. Lee, President, Los Angeles Harbor College (LAHC), announced that on Tuesday, March 24, 2015, LAHC commenced a two-week-long celebration, which will culminate in the Chancellor's Investiture. He expressed his appreciation to Chancellor Rodriguez and Student Trustee Jackson for attending the "Breakfast with the Chancellor" on March 24, 2015 and thanked Chancellor Rodriguez for the inspirational speech he gave at this event.

Mr. Laurence B. Frank, President, Los Angeles Trade-Technical College (LATTC), announced that on Thursday, March 26, 2015 at 2:00 p.m., LATTC will commence a "road show" in the Bridges to Success Program with a reception welcoming Chancellor Rodriguez to the LATTC community on the occasion of his Investiture. He indicated that this would be followed by the Deans Honors Awards ceremony, at which \$90,000 in scholarships will be awarded to students in honor of LATTC's 90th anniversary. He also announced that on Thursday, April 23, 2015, an exhibit commemorating LATTC's 90th anniversary will be on display in the Atrium of Magnolia Hall.

Dr. Erika A. Endrijonas, President, Los Angeles Valley College (LAVC), reported that on Tuesday, March 24, 2015, LAVC conducted the dedication of the Community Services Center. She further reported that LAVC held a "Cookies and Coffee with the Chancellor" event on Tuesday, March 24, 2015 to celebrate the upcoming Investiture of Chancellor Rodriguez.

Dr. Linda D. Rose, President, Los Angeles Southwest College (LASC), announced that on Thursday, April 2, 2015, LASC will celebrate the grand opening of the School of Career and Technical Education (CTE) and the upgraded Cox Building, which includes the refurbished Little Theater and Library.

REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE

The following individuals reported from the Resource Table:

Ms. Joanne Waddell, President, Los Angeles College Faculty Guild, Local 1521, and Ms. Velma Butler, President, AFT College Staff Guild, Local 1521A.

PUBLIC AGENDA REQUESTS

Oral Presentations

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

President Svonkin noted that seven individuals have signed up to speak regarding the same topic. He entertained a motion to allocate three minutes per speaker.

Motion by Trustee Field, seconded by Trustee Moreno, to allocate three minutes per speaker.

Student Trustee Advisory Vote: No (Jackson)

*APPROVED: 6 Ayes (Eng, Field, Fong, Moreno, Svonkin, Veres)
1 No (Pearlman)*

The following individuals addressed the Board regarding the LACC South Gym Modernization bond project:

Mr. Dan Glickman, Mr. Hayward Nishioka, Ms. Nancy Cairns, Mr. Peter Parasiliti, Mr. David Rico, Ms. Jan McEveety, and Dr. John Freitas.

Dr. Freitas distributed a copy of his remarks.

Scheduled speaker Ms. Gracia Arechiga was not present.

Mr. Steve Schulte addressed the Board regarding the importance of preserving the Pierce Farm Center.

With respect to the remarks by Mr. Schulte regarding the Pierce Farm Center, Chancellor Rodriguez indicated that he would prepare a summary regarding this discussion and provide it to the Board.

Proposed Actions

None.

REPORTS AND RECOMMENDATIONS FROM THE BOARD (continued)

Reports of Standing and Special Committees

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

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

Trustee Pearlman reported on the meeting of the Ad Hoc Committee on Environmental Stewardship. She announced that the Gold Creek Open House will be held on Saturday, April 18, 2015.

President Svonkin indicated that due to illness, he was unable to attend the Los Angeles Area Chamber of Commerce ACCESS Washington, D.C. conference that was held on March 16 to 18, 2015. He requested that Trustee Veres report on this conference.

Trustee Veres reported on the conference with respect to the various meetings and briefings that were held.

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. Resolution – In Support of District Participation with Section 179 D of the Internal Revenue Code as Part of the Energy Policy Act of 2005

Motion by Trustee Veres, seconded by Trustee Moreno, to adopt Com. No. BT1. as follows:

The following resolution is presented by Board Members Svonkin and Veres:

WHEREAS, Congress enacted Section 179 D of the Internal Revenue Code as part of the Energy Policy Act of 2005 which provides a deduction for the costs of installing certain energy efficient building systems in government owned buildings. The deduction currently may be up to \$1.80 per square foot for improving energy efficiency in an existing building or designing energy efficiency into a new building. The types of energy efficient improvements which qualify include the interior lighting systems; the heating, cooling, and ventilation systems; the hot water systems; or the building envelope; and

WHEREAS, Since governmental entities do not pay taxes, they cannot take direct advantage of this deduction. However, Congress wants to provide incentives to governmental entities to invest in energy efficiency in both existing and new buildings. So Congress allows a government building owner to allocate the deductions to one or more designers (for example, architects, engineers, and others). In exchange, governmental entities can receive a benefit in either: (1) reduced design fees; or (2) by receiving money from a designer that receives the deduction; and

WHEREAS, The Board of Trustees of the Los Angeles Community College District (LACCD) supports energy efficiency for the District's existing and new buildings; and

WHEREAS, The Board of Trustees supports Congress's establishment of the Energy Policy Act of 2005 generally and Section 179 D of the Internal Revenue Code specifically and understands that in order to receive the incentives available have professional services provided to the District that include significant experience in: financial, accounting, and professional engineering services; a thorough understanding of the Energy Policy Act of 2005, IRS Regulation 179 D, various IRS Notices, and other attendant regulations and requirements applicable thereto; demonstrated understanding to manage a complicated certification process required to certify eligible square footage for the purpose of calculating the dollar amount of any

available deductions; producing and providing to all applicable governmental agencies all supporting documentation needed to achieve the Certification (of eligibility for the deduction) as required under Section 4 of IRS Notice 2006-52 and/or Section 5 of IRS Notice 2008-14 (or as updated and/or amended); and knowing how to operate and have access to IRS approved software needed to calculate the amount of the deductions. Such software must be in compliance with the most current IRS Notice regarding approved software; and

WHEREAS, Any professional services contract established to assist the District's efforts to receive the incentives available will be structured in such a way as there are no reimbursable expenses, and the District does not pay any money to the professional service provider up front. Rather, the contract will provide that the professional service provider's compensation is limited to a stated percentage of the money recovered and received by the District; now, therefore, be it

RESOLVED, By the Board of Trustees of the Los Angeles Community College District, at a meeting held on March 25, 2015, that the Board adopts a policy that supports the District's participation with Section 179 D of the Internal Revenue Code as part of the Energy Policy Act of 2005.

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED: 7 Ayes

Com. No. BT4. Resolution – Women's History Month

The following revision was noted prior to presentation:

The following resolution is presented by Board Members Svonkin, **and** Pearlman, **and Field**:

WHEREAS, The month of March is National Women's History Month; and

WHEREAS, Women's History Month had its origins as a national celebration in 1981 when Congress passed Public Law 97-28, which authorized the President to proclaim the week beginning March 7, 1982 as "Women's History Week"; and

WHEREAS, In 1987 after being petitioned by the National Women's History Project, Congress passed Public Law 100-9, which designated the month of March 1987 as "Women's History Month"; and

WHEREAS, Since 1995, an annual Presidential proclamation has been issued designating the month of March as "Women's History Month"; and

WHEREAS, Women have made significant contributions in the fields of medicine, science, engineering, education, public policy, and sports toward the development and growth of our great nation; and

WHEREAS, Women comprise a majority of the student population within the Los Angeles Community College District; now, therefore, be it

RESOLVED, That the Los Angeles Community College District hereby reaffirms its commitment to equal opportunity access by supporting and enhancing services, courses, and programs that enable women to attain their educational and career goals; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby joins with the nation in celebrating March as Women's History Month.

Motion by Trustee Pearlman, seconded by Trustee Field, to adopt Com. No. BT4, as revised.

Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED AS REVISED: 7 Ayes

REPORTS FROM THE CHANCELLOR AND COLLEGE PRESIDENTS

Report from the Chancellor Regarding Activities or Pending Issues in the District

Chancellor Rodriguez welcomed Interim Trustee Fong to the Board. He expressed his appreciation to the faculty, staff, and administrators at the colleges for their efforts towards achieving the goal of 4.75 percent growth in student enrollment. He discussed adult education, adult literacy rates, the state budget, the federal initiative regarding America's College Promise Proposal for Tuition-free Community College for Responsible Students, the Affordable Care Act, and year-round PELL. Appreciation was also expressed to the colleges for their leadership efforts to coordinate and execute faculty hires for 2015/16, which may include over 150 full-time, tenure track positions at the nine colleges.

Chancellor Rodriguez indicated that on March 31, 2015, the colleges will be closed in observance of the Cesar Chavez holiday. He stated that the annual Spring Break will take place from April 6 to 10, 2015.

(Trustee Field left at 4:50 p.m.)

CONSENT CALENDAR

Matters Requiring a Majority Vote

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

Com. No. FPD1. Adopt Resolution Authorizing Amendment to the Project Labor Agreement Pertaining to Proposition A/AA and Measure J Bond Funded Projects

President Svonkin noted that Com. No. FPD1. was withdrawn.

Withdrawn.

Com. No. FPD2. Approve Second Addendum to the 2009 Final Supplemental Environmental Impact Report and Approve the Update to the East Los Angeles College Facilities Master Plan 2012-2018

Trustee Eng inquired as to the reason for the reduction in the number of parking spaces from 5,336 under the 1998 Facilities Master Plan to 4,744 in the 2004 updated Facilities Master Plan. He also inquired regarding the increase of the College's service area from 77 square miles to 100 square miles.

Mr. Marvin Martinez, President, East Los Angeles College (ELAC), indicated that he would review this and provide a response to the Board.

Com. No. HRD1. Authorize Compensation Increase for Unrepresented Confidential Employees, Classified Managers and Academic Managers

Com. No. HRD2. Authorize Status Advancement of Contract Faculty Members

The Student Trustee's vote did not apply to HRD1. and HRD2.

*Student Trustee Advisory Vote: Aye (Jackson)
ADOPTED AS AMENDED: 6 Ayes Absent: Trustee Field*

RECOMMENDATIONS FROM THE CHANCELLOR

None.

NOTICE REPORTS AND INFORMATIVES

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

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

Presented by Chancellor Rodriguez.

ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS

None.

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

None.

RECESS TO CLOSED SESSION

There being no objection, the regular meeting 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 Svonkin indicated that the Board meeting would be adjourned in the memory of Mr. John Mockler, a leading education advisor who was a principal author of Proposition 98, who passed away on March 3, 2015.

The regular meeting recessed to Closed Session at 3:32 p.m.

RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES

The regular meeting of the Board of Trustees of the LACCD reconvened at 6:15 p.m. with President Scott J. Svonkin presiding.

The Board members were present with the exception of Trustee Moreno and Student Trustee Jackson.

Chancellor Francisco C. Rodriguez was present.

REPORT OF ACTIONS TAKEN IN CLOSED SESSION – MARCH 25, 2015

President Svonkin indicated that The Ralph M. Brown Act requires that certain matters decided in Closed Session be reported during the public session that follows.

With regard to Acuña v. LACCD, et al., the Board determined to accept a settlement of \$95,000. The settlement agreement is available from the Office of General Counsel. The vote was unanimous.

The Board took no further actions required to be reported.

ADJOURNMENT

There being no objection, the regular meeting was adjourned at 8:15 p.m. in the memory of Mr. John Mockler.

FRANCISCO C. RODRIGUEZ
Chancellor and Secretary of the Board of Trustees

By: Laurie Green
Laurie Green
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Scott J. Svonkin
Scott J. Svonkin
President of the Board

Date May 13, 2015



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 25, 2015

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

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

Employee Unit: Clerical/Technical – Local 1521A
- II. **Public Employee Employment**
(pursuant to Government Code section 54957)
 - A. Position: Vice Chancellor, Educational Programs and Institutional Effectiveness
- III. **Public Employee Evaluation**
(pursuant to Government Code section 54957)
 - A. Position: Chancellor
- IV. **Public Employee Discipline/Dismissal/Release/Charges/Complaints**
(pursuant to Government Code section 54957)
- V. **Conference with Legal Counsel - Existing Litigation**
(pursuant to Government Code section 54956.9(d)(1))
 - A. *Belinda Acuña v. LACCD*
 - B. *Carol Garmyn v. LACCD*

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C. 700 Wilshire Properties v. Roosevelt Lofts, Inc., et al.

D. Delicia Mosley v. LACCD, et al.

E. Rhonda Guess v. LACCD

F. Leo Lynch v. LACCD

G. Gwendolyn Scott v. LACCD

H. Dione Washington and Leige Doffoney v. Lakiesia Price

VI. Conference with Legal Counsel - Potential Litigation
(pursuant to Government Code section 54956.9(d)(2) and (e)(1))

A. Potential litigation – 1 matter