ORDER OF BUSINESS - REGULAR MEETING

Wednesday, June 26, 2013
First Public Session 11:30 a.m.
Second Public Session 1:00 p.m.
3rd Public Session (Immediately following second Closed Session)

Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017

First Closed Session (Immediately following First Public Session)
Second Closed Session (Immediately following Second Public Session)

I. Roll Call (11:30 a.m.)

II. Requests to Address the Board of Trustees – Closed Session Agenda Matters
Location: Board Room

III. 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.
Location: 9th Floor Conference Room

IV. Reconvene Regular Meeting (1:00 p.m.) Location: Board Room

V. Roll Call

VI. Flag Salute

VII. Report of Actions Taken in Closed Session – June 26, 2013

VIII. Reports from Representatives of Employee Organizations at the Resource Table

IX. Announcements from College Presidents

X. Public Agenda Requests
   A. Oral Presentations
   B. Proposed Actions

XI. Reports and Recommendations from the Board
   • Reports of Standing and Special Committees
     BT1. Resolution – Korean War Armistice
     BT2. Resolution – Trustee Tina Park
     BT3. Resolution – Trustee Kelly Candaele
     BT4. Resolution – Chancellor Daniel J. LaVista
     BT5. Adopt Board Rule 2308.10 – Monument Policy
     BT6. Amend Board Rule 10308 – Selection of College President
XII. Reports from the Chancellor
   - Reports from the Chancellor regarding District activities or pending issues

XIII. Consent Calendar
Matters Requiring a Majority Vote
   BF1. 2013-2014 Tentative Budget Adoption
   BF2. Authorization to Make Appropriation Transfers
   BSD1. Business Services Routine Report
   HRD1. Authorize Employment Actions for College Presidents and Executives

Matters Requiring a Super Majority Vote – None

XIV. Recommendations from the Chancellor – None

XV. Recess to Capital Construction Committee
   A. Roll Call
   B. Public Speakers
   C. Presentation/Initiative Reviews
      1. Update on Proposed Amendments to the 2010 Los Angeles Harbor College Facilities Master Plan
      2. Update on the Bond Program Management
   D. New Business
   E. Adjourn Capital Construction Committee

XVI. Reconvene Regular Meeting of the Board of Trustees

XVII. Roll Call

XVIII. Notice Reports and Informatives – None

XIX. Announcements and Indications of Future Proposed Actions

XX. Requests to Address the Board of Trustees – Closed Session Agenda Matters
   Location: Board Room

XXI. 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.
   Location: 2nd Floor Conference Room

XXII. Reconvene Regular Meeting of the Board of Trustees Location: Board Room


XXIV. Consent Calendar
   Matters Requiring a Majority Vote
      HRD3. Disciplinary Action Regarding Classified Employees

XXV. Adjournment
Next Regularly Scheduled Board Meeting
Wednesday, July 10, 2013
(Public Session scheduled for 2:00 p.m.)
East Los Angeles College
1301 Avenida Cesar Chavez
Monterey Park, CA 91754-6099

In compliance with Government Code section 54957.5(b), documents made available to the Board after the posting of the agenda that relate to an upcoming public session item will be made available by posting on the District's official bulletin board located in the lobby of the Educational Services Center located at 770 Wilshire Boulevard, Los Angeles, California 90017. Members of the public wishing to view the material will need to make their own parking arrangements at another location.

If requested, the agenda shall be made available in appropriate alternate formats to persons with a disability, as required by Section 202 of the American with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, for whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

To make such a request, please contact the Executive Secretary to the Board of Trustees at (213) 891-2044 no later than 12 p.m. (noon) on the Tuesday prior to the Board meeting.
CLOSED SESSION
Wednesday, June 26, 2013

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

I. Public Employee Employment
(pursuant to Government Code section 54957)
A. Position: Chancellor

II. Public Employee Evaluation
(pursuant to Government Code section 54957)
A. Position: College Presidents
B. Position: Vice Chancellors
C. Position: General Counsel
D. Position: Deputy Chancellor
E. Position: CFO/Treasurer

III. Conference with Labor Negotiator
(pursuant to Government Code section 54957.6)
A. District Negotiators: Adriana D. Barrera
   Employee Units: All Units
   All Unrepresented Employees
B. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Building and Construction Trades

C. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Academic Administrators

D. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Clerical/Technical

E. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Supervisory

F. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Local 99

G. District Negotiators: Adriana D. Barrera
   Michael Shanahan
   Employee Unit: Faculty

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

V. Consideration of Student Discipline
   (pursuant to Government Code section 54962 and Education Code section 72122)
VI. Conference with Legal Counsel - Existing Litigation
(pursuant to Government Code section 54956.9(a)

A. LACCD v. Teresa Grenot
B. Susan Veksler v. LACCD
C. Edrik Stamps v. Dr. Daniel J. LaVista
D. Calvin Louissint v. LACCD
E. Jonathon Stevens vs. FEI
F. Nancy Storti v. LACCD, J.D. Diffenbaugh, Inc.
G. Construction Laborers Trust Funds vs. Summit Builders, LACCD, et al.
H. Taisei Construction Corporation vs. LACCD
I. Chapman Coast Roof Co., Inc. vs. Taisei, LACCD, et al.

VII. Conference with Legal Counsel – Anticipated Litigation
(pursuant to Government Code section 54956.9(b)

A. Settlement of District OCIP Claim for Water Damage at West Los Angeles College
Subject: RESOLUTION – KOREAN WAR ARMISTICE

The following resolution is presented by Trustees Park and Veres:

WHEREAS, On June 25, 1950, the conflict now known as the Korean War began with the invasion of South Korea; and

WHEREAS, On July 27, 1953, the Korean War ended upon the signing of an armistice; and

WHEREAS, Approximately 1.8 million American military personnel served in that conflict; and

WHEREAS, The American alliance with South Korea continues today, with approximately 37,000 troops presently deployed there; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes the veterans of the Korean War in honor of the sixtieth anniversary of the armistice; and be it further

RESOLVED, That the Los Angeles Community College District has served thousands of veterans before and since by providing educational services and support for veterans returning from conflict; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby affirms its commitment to providing academic and student support services to all veterans.
Subject: RESOLUTION – TRUSTEE TINA PARK

The following resolution is presented by Trustee Veres:

WHEREAS, Tina Park was elected to the Board of Trustees of the Los Angeles Community College District in June 2009; and

WHEREAS, Trustee Park was the first individual of Korean heritage to be elected to the Board of Trustees; and

WHEREAS, Trustee Park was elected by her peers to serve as the Board’s First Vice President for two consecutive terms; and

WHEREAS, In this capacity, Trustee Park served as Chair of the Committee of the Whole and initiated a guest speakers’ series bringing top educational leaders to address the Board of Trustees; and

WHEREAS, In recognition of her leadership, the Community College League of California appointed Trustee Park to serve on the Commission on the Future and the Advisory Committee on Legislation; and

WHEREAS, Trustee Park facilitated the recruitment and enrollment of international students, particularly those from Southeast Asia and Korea; and

WHEREAS, Trustee Park emphasized the need of the District’s college foundations to develop fundraising strategies that will enhance their endowments; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Trustee Tina Park for her initiative, drive, and commitment on behalf of the District’s students and wishes her well in her future endeavors.
RESOLUTION – TRUSTEE KELLY CANDAELE

The following resolution is sponsored by Trustee Field:

WHEREAS, Kelly Candaele was first elected to the Board of Trustees of the Los Angeles Community College District (LACCD) in June 1997 and was re-elected to the Board of Trustees for three additional terms; and

WHEREAS, During his tenure, Trustee Candaele was elected by the members of the Board of Trustees to serve three terms as Board President; and

WHEREAS, Over the years, Trustee Candaele served the Board of Trustees in a leadership capacity, chairing such Board committees as Budget and Finance, Finance and Audit, Legislative Affairs, and Legislative; and

WHEREAS, Trustee Candaele led efforts at the state level to secure and ensure equitable funding for the District; and

WHEREAS, Trustee Candaele worked steadfastly in support of the Propositions A and AA and Measure J bonds to modernize aging buildings and to build new educational facilities at the District’s nine colleges; and

WHEREAS, Trustee Candaele has been an effective speaker in support of student success, challenging faculty and staff to improve instructional programs and student support services; and

WHEREAS, Trustee Candaele has been an active supporter of employee rights on matters of discipline, wages, and working conditions; and

WHEREAS, Trustee Candaele has been an exemplary leader, an eloquent voice, and a principled individual whose four consecutive terms as an elected member of the LACCD Board of Trustees have been marked with lively debate and discourse; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District hereby recognizes Trustee Kelly Candaele for his dedicated service and his assiduous support of the District’s students and employees.
RESOLUTION – CHANCELLOR DANIEL J. LAVISTA

Subject: RESOLUTION – CHANCELLOR DANIEL J. LAVISTA

The following resolution is presented by Trustees Veres and Park:

WHEREAS, Daniel J. LaVista, Ph.D., has been the Chancellor of the Los Angeles Community College District, the largest in the nation, from August 2010 through June 2013; and

WHEREAS, Chancellor LaVista has done a masterful job of overseeing the District, its nine colleges, and the $6 billion bond program; and

WHEREAS, Chancellor LaVista has guided the District through years of uncertainty caused by the state’s devastating financial crisis, working with the Chief Financial Officer to preserve faculty and staff jobs, maintain financial viability, and build a budget reserve as a hedge against future fiscal peril; and

WHEREAS, Chancellor LaVista has instituted reforms to the District’s Building Program that have allowed the construction of energy efficient, award-winning structures to move forward, fulfilling the will of the voters; and

WHEREAS, Chancellor LaVista has maintained his focus on student success, persistently working for greater course availability and higher completion rates; and

WHEREAS, Chancellor LaVista has been a strong voice in the community, working with the Board of Trustees and leaders across the state to promote the District and stress the vital role community colleges can play in achieving economic growth; and

WHEREAS, Chancellor LaVista has been an influential figure in Sacramento, advocating for a place at the table for community colleges in California’s scheme for public higher education; and

WHEREAS, The Los Angeles Community College District (LACCD) under Chancellor LaVista’s leadership has emerged from one of its most challenging periods with the tools and resolve to better serve its students; now, therefore, be it

RESOLVED, That the faculty, staff, and student body of a district that stretches across 40 Southern California cities will be forever grateful that Chancellor LaVista was here, the right man for a difficult time; and be it further

RESOLVED, That the Board of Trustees, the District and the greater Los Angeles community recognize the impact that he has made on the LACCD’s nine colleges, with his influence extending well beyond his tenure.

Chancellor and Secretary of the Board of Trustees

By ___________________________ Date ___________________________
A. Monument, defined. As used in this Board Rule, a "monument" is a statue, sculpture, or other installation intended to honor an individual, group, or event that the District installs in response to an offer by an outside party, on District-owned property.

B. Proposed Donations from Outside Parties. Parties seeking to donate a monument for installation at a campus must submit a written request to the respective College President. The request shall include the following:

1. The name of the individual, group, or event the proposed monument is meant to honor;

2. A description of the significant impact and/or meritorious contribution the individual, group, or event has made to the college or District;

3. A visual depiction or model of the proposed monument;

4. A description of the proposed placement site, the monument's anticipated size dimensions, composition materials, and the processes for its construction, installation, and maintenance; and

5. An explanation of the funding mechanism for construction, installation, and maintenance of the proposed monument, if accepted by the District.

C. Consideration of Proposed Donations. The College President shall forward requests to a campus-based College Monument Committee ("CMC"). The College President shall determine the composition of the CMC and designate appointees to the CMC or designate an existing campus committee to serve as the CMC. The CMC will consider the request with the following criteria:

1. The appropriateness and suitability of the proposed monument with the campus and its academic programs, as defined by the CMC.
2. The compatibility of the proposed monument with the facilities master plan and anticipated future uses of the site;

3. Public safety;

4. The sufficiency of funding for construction, installation, and maintenance;

5. Whether the proposed monument would impermissibly promote a particular religion in violation of the Establishment Clause of the First Amendment of the United States Constitution;

6. Whether the proposed monument would impermissibly urge the support or defeat of any ballot measure or candidate in violation of Education Code section 7054; and

7. Monuments honoring a specific living person are not allowed.

After consideration of the request, the CMC will forward its written recommendation to the College President. The College President may recommend acceptance of the proposed monument to the Board. Additional conditions for the donor and/or the proposed monument may be imposed before a recommendation is forwarded to the Board.

D. Action by Board. The Board is under no obligation to accept any proposed monument.

1. If accepted by the Board, the donated monument becomes the property of the District.

2. The District will, as a condition of acceptance of the monument, require a waiver of rights under the Visual Arts Rights Act (17 U.S.C. § 106A) and/or Civil Code section 987.

3. The District reserves the right to remove any donated monument, should the monument create a public safety issue, and/or funding for the maintenance or repair of the monument becomes unavailable.

Background: This policy will facilitate appropriate review and consideration of proposed donations of monuments or memorials. Decisions by the United States Supreme Court in recent years allow for a public agency to place monuments based on the agency’s determination of suitability. This draft policy has been consulted with the Academic Senate as well as appropriate management councils.
Subject: AMEND BOARD RULE 10308 – SELECTION OF COLLEGE PRESIDENT

Amend Board Rule 10308 as follows:

10308. SELECTION OF COLLEGE PRESIDENT. Each College President shall be selected by evaluation procedures as indicated in this Rule. The Board of Trustees may modify these procedures for a particular presidential selection by Action of the Board.

A. Initiating Action

1. In order to initiate a presidential selection, the Board of Trustees shall pass an Action directing the Chancellor to begin the selection process pursuant to this Rule and pursuant to any modifications as approved by the Board, and indicating when the committee shall be formed and when the process is expected to be completed.

4.2. When so directed by Board Action, the Chancellor will promptly initiate, and supervise through its conclusion, a nationwide search for a President.

3. If an Interim President was appointed, the person who served as the Interim President shall be eligible to apply for the regular appointment unless there was an announcement or other written means of notifying applicants for an interim opening that the interim appointee would be ineligible to apply for the regular position.

B. Recruitment

2.1. In consultation with the Board, and after having sought input from the faculty and staff Presidential Search Committee of the applicable college (“the College”), community representatives, and other parties he/she deems appropriate, the Chancellor will develop an announcement that, at a minimum, describes the position and the criteria to be used in selecting a successful candidate (including minimum qualifications as well as desirable skills, attributes and other personal and professional characteristics).
With the goal of creating a strong and diverse pool of candidates, the Chancellor will develop a recruitment and advertising plan, which may include the retention of a search consultant to assist with recruitment efforts and other appropriate aspects of the selection process. If the Chancellor proposes to retain a search consultant, he/she will recommend a two- or three-potential consultants to the Board for its final selection approval by the Board.

C. Committee

1. No later than the deadline indicated in the Board Action, the Chancellor will convene a Presidential Search Committee composed of the following voting members:

a. A college president recommended by the Chancellor and selected by the Board;

b. Four faculty members from the applicable college College, two of whom are selected by the College Academic Senate and two of whom are selected by the AFT College Guild;

c. Two classified employees from the college College, one of whom is selected by the AFT College Staff Guild and one of whom is selected by an election process by the non-AFT classified employees at the college College;

d. One student from the college College selected by the Associated Student Body Organization President;

e. Other representative(s) as may be required by collective bargaining agreement(s);

f. One academic administrator from the college College selected by the exclusive representative of the Academic Administrators' Unit, and one unrepresented administrator selected by the Chancellor; and

g. Two community representatives recommended by the Chancellor and selected by the Board.

2. Unless the Board specifies otherwise, the college president College President appointed to the committee shall serve as its chairperson.

3. The Chancellor will provide appropriate staffing for the process, which shall include but not be limited to an affirmative action representative as a non-voting member of the committee.
4. It is an essential responsibility of every member of the Presidential Search Committee to maintain strict confidentiality throughout the presidential selection process.

5. **Configuration of the Presidential Search Committee may be reexamined in the event changes occur pursuant to subsection C(1)(e), above.**

D. **Committee Process**

5. 1. At the first meeting of the Presidential Search Committee (or as soon thereafter as feasible) the Board President and the Chancellor, or their designees, will meet with the Committee to give the Committee its charge and review their expectations about the search process and its goals.

6. 2. The Presidential Search Committee will, as requested by the Chancellor, assist in efforts to recruit a strong and diverse pool of candidates, and will review the application materials of all eligible candidates who apply or are nominated for the position. The Chancellor may recommend the **expansion of the pool extension of the search process** to the Board. From the candidate pool, the Committee will interview not less than six candidates who most closely meet the qualifications, desirable skills, attributes and other personal and professional characteristics described in the position announcement.

7. **Following the interviews it conducts, the Presidential Search Committee will consider information from background and reference checks, and shall invite three to five candidates to open meetings on campus to introduce those candidates to college employees and members of the community.**

8. 3. At the conclusion of all interviews, **background and reference checking, and campus meetings with candidates, if any,** the Presidential Search Committee will recommend at least three unranked candidates as semifinalists to the Chancellor.

E. **Semifinal Process**

1. **The Chancellor shall review the applications of the semifinalists to determine which semifinalists to interview.**

2. **The Chancellor may consider additional information from background and reference checks.**

3. **After conducting interviews and other reviews as the Chancellor deems necessary, the Chancellor shall forward the name(s) of a finalist or finalists to the Board of Trustees for consideration.**
F. Final Process

1. The Chancellor shall provide information from background and reference checks to the Board of Trustees.

2. If it is feasible, and if he/she determines that it would be worthwhile, the Chancellor may designate a small group composed of persons he/she deems to be appropriate, to visit the institutions at which the finalists currently work for the purpose of inquiring further into their background and experience.

3. The Chancellor will forward shall advise the Board of the names of the candidates recommended by the Presidential Search Committee as semifinalists to the Board, along with his recommendation, if any, as well as the semifinalists interviewed by the Chancellor, and shall make his or her recommendation of regarding which candidate is best suited for the position.

4. In conjunction with the Chancellor, the Board will interview the finalist(s) forwarded by the Chancellor.

5. The Board may conduct further background checks or interviews as it deems appropriate. The Board may terminate the process at anytime. The Board may elect not to hire any candidate.

Background: Review of the stated process for selection of college presidents resulted in a determination that there was a need for clarifications and changes. The eligibility for an interim appointee for a regular appointment has changed back and forth in recent years, and this change articulates that the presumptive rule is that the interim appointees are eligible unless notified in advance. In addition, these changes clarify the steps by the committee, the Chancellor and the Board. These changes were consulted with senior academic managers and the Academic Senate.
Subject: 2013-2014 TENTATIVE BUDGET ADOPTION

Adopt the 2013-2014 Tentative Budget and authorize staff to file the same with the California Community College Chancellor's Office.

Background: The Governing Board of the Los Angeles Community College District must adopt the 2013-2014 Tentative Budget no later than July 1, 2013, for the year ending June 30, 2014, as required under Section 58305(a) of Title 5, California Code of Regulations. Adoption of the Tentative Budget will allow the District to begin its operations for the 2013-2014 fiscal year.
Subject:  **AUTHORIZATION TO MAKE APPROPRIATION TRANSFERS**

The Governing Board of the Los Angeles Community College District, hereby authorizes the County Superintendent of Schools and the Chancellor of the Los Angeles Community College District, or his designee, to make appropriate transfers necessary at the close of the school year, 2012-2013, to permit payment of obligations of the District incurred during such school year. In addition, the Governing Board authorizes the Chancellor, or his designee, to ensure the elimination of all negative account balances.

Background: The Board of Trustees duly authorizes the County Superintendent of Schools to move funds between accounts of expenditure to cover negative account balances and to ensure prompt payment of invoices at year-end. The Board is requested to authorize the Chancellor to ensure the necessary transfer of appropriations between accounts of expenditure at year-end so that locations may cover expenditures prior to the close of the District’s fiscal records.
Subject: BUSINESS SERVICES ROUTINE REPORT

I. AUTHORIZE PLACEMENT OF INSURANCE

Authorize placement of the insurance policies specified in the table (Attachment 1), for the policy period of July 1, 2013 to June 30, 2014, through USI Insurance Services, the District’s broker of record.

Background: In preparation for the District’s insurance renewal on July 1, 2013, the District’s broker, USI Insurance Services, obtained competitive quotes. Per USI corporate standards, the broker can only obtain quotes from A-VII A.M. Best Company rated carriers and above to ensure financial stability and solvency is maintained. The insurers listed above offered the best combination of cost and coverage to the District. Overall, the premiums decreased $1,580. The coverage is being placed pursuant to Board Rule 7300. Funding is through Districtwide accounts.

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees

By: ___________________________ Date ___________________________
**BSD1 Attachment 1**

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<th>Limits</th>
<th>Deduct/SIR</th>
<th>Insurer</th>
<th>Premium Fiscal Year 2012-2013</th>
<th>Premium Fiscal Year 2013-2014</th>
<th>% Variance</th>
<th>A.M. Best Rating</th>
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<td>5% of TIV of $26,381,250</td>
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<td>AXIII</td>
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SUBJECT: AUTHORIZE EMPLOYMENT ACTIONS FOR COLLEGE PRESIDENTS AND EXECUTIVES

I. AUTHORIZE EXTENSION OF CONTRACT AND STEP INCREASES FOR COLLEGE PRESIDENTS

Authorize extension of employment contract for Nabil Abu-Ghazaleh, Kathleen Burke-Kelly, Susan Carleo, Jack Daniels, Renee Martinez and Monte Perez to expire on June 30, 2016.

Also, authorize a one-step increase for College Presidents Abu-Ghazaleh and Martinez; and a two-step increase for College President Burke-Kelly effective July 1, 2013.

Background: The Chancellor recommends that the Board extend the contracts and increase the salary placements for the College Presidents as listed above.

II. AUTHORIZE EXTENSION OF CONTRACT AND STEP INCREASES FOR DISTRICT OFFICE EXECUTIVES

Authorize extension of employment contract for Adriana D. Barrera, Deputy Chancellor; Camille Goulet, General Counsel; Felicito Cajyon, Vice Chancellor, Economic & Workforce Development; and Yasmin Delahoussaye, Vice Chancellor, Educational Programs & Institutional Effectiveness to expire on June 30, 2016.

Also, authorize a two-step increase for Vice Chancellor Yasmin Delahoussaye effective July 1, 2013.

Background: The Chancellor recommends that the Board extend the contracts and increase the salary and/or step placements as listed above.

Recommended by: Michael Shanahan
Sr. Associate Vice Chancellor
Human Resources

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. LaVista, Chancellor

Chancellor and Secretary of the Board of Trustees

By ____________________________ Date ____________________________

Pursuant to Government Code Section 3547 and Board Rule 101400, the Los Angeles Community College District proposes that representatives of the District and agents of the Supervisory Employees’ Union, S.E.I.U. Local 721, re-open the Agreement between the Los Angeles Community College District and the Supervisory Employees’ Union, S.E.I.U. Local 721 dated July 1, 2011 through June 30, 2014 for the purpose of discussing compensation issues for 2013-2014.

Background: Government Code Section 3547 and Board Rule 101400 require the District to inform the public of the issues to be negotiated with an employee organization by presenting any proposed reopening at a public meeting of the Board. The matter was noticed on June 12, 2013, with an expected adoption date of June 26, 2013. The public will have an opportunity to comment on the proposal before the Board considers its adoption.

Recommended by: Michael Shanahan, Sr. Associate Vice Chancellor
Human Resources

Recommended by: Adriana D. Barrera, Deputy Chancellor

Approved by: Daniel J. Latista, Chancellor

Chancellor and Secretary of the Board of Trustees

By __________________________ Date ________________
SUBJECT: DISCIPLINARY ACTION REGARDING CLASSIFIED EMPLOYEES

I. SUSPENSION OF CLASSIFIED PERMANENT EMPLOYEES

A. The fifteen (15) days suspension of employee (EN793491) assigned to Pierce College as a permanent Bookstore Buyer is based on the following causes:

- Inefficiency
- Incompetency
- Inattention To Or Dereliction Of Duty
- Willful Misconduct Or Any Other Willful Failure Of Good Conduct Tending to Injure the Public Service
- Willful and Persistent Violation of the Provisions of the Education Code, Public Policy, or of Policies, Rules, Regulations, or Procedures Adopted by the Board of Trustees or the Personnel Commission

Background: The above recommendation is in accordance with procedures listed in Education Code Section 88123 and Personnel Commission Rule 735. Evidence is on file in the Employer-Employee Relations Unit of the Human Resources Division to support the above recommendation.

Due process rights guaranteed by Skelly v. State Personnel Board, 15 Cal. 3d 194 (1975) have been afforded the above listed permanent employee.

Recommended by:

Michael Shanahan
Sr. Associate Vice Chancellor
Human Resources

Adriana D. Barrera, Deputy Chancellor

Daniel J. LaVista, Chancellor

Student Trustee Advisory Vote
B. The thirty (30) days suspension of employee (EN715345) assigned to Pierce College as a permanent Associate VP, Administrative Services is based on the following causes:

- Inefficiency
- Incompetency
- Insubordination
- Inattention To Or Dereliction Of Duty
- Willful Misconduct Or Any Other Willful Failure Of Good Conduct Tending to Injure the Public Service
- Willful and Persistent Violation of the Provisions of the Education Code, Public Policy, or of Policies, Rules, Regulations, or Procedures Adopted by the Board of Trustees or the Personnel Commission

Background: The above recommendation is in accordance with procedures listed in Education Code Section 88123 and Personnel Commission Rule 735. Evidence is on file in the Employer-Employee Relations Unit of the Human Resources Division to support the above recommendation.

Due process rights guaranteed by Skelly v. State Personnel Board, 15 Cal. 3d 194 (1975) have been afforded the above listed permanent employee.