ORDER OF BUSINESS - REGULAR MEETING

Wednesday, August 21, 2013
Public Session 3:30 p.m.
Closed Session
(Immediately Following Public Session)

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

I. Roll Call (3:30 p.m.)

II. Flag Salute

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

IV. Announcements from College Presidents

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

VI. Reports and Recommendations from the Board
   - Reports of Standing and Special Committees
     BT1. Amend Board Rule 2408 – Order of Business
     BT2. Amend Board Rule Chapter II Article VI – Committees of the Board of Trustees
     BT3. Trustee Authorizations

VII. Consent Calendar
     Matters Requiring a Majority Vote
     HRD1. Agreement Between the Los Angeles Community College District and the American Federation of Teachers College Faculty Guild, Local 1521

VIII. Recess to Committee of the Whole
    A. Roll Call
    B. Public Speakers
    C. Presentations/Initiative Reviews
       - Update on College and District Safety
    D. Other Business
    E. Adjournment of the Committee of the Whole

IX. Reconvene Regular Meeting of the Board of Trustees

X. Roll Call
XI. Notice Reports and Informatives
   BT/A. [Notice] Amend Board Rules Chapter XVII – Board Rules 17002 and 17004
   BF/A. [Notice] Adoption of the 2013-2014 Final Budget

XII. Announcements and Indications of Future Proposed Actions

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

XIV. 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: Hearing Room

XV. Reconvene Regular Meeting Location: Board Room

XVI. Report of Actions Taken in Closed Session – August 21, 2013

XVII. Adjournment

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Next Regularly Scheduled Board Meeting
Wednesday, September 11, 2013
(Public Session scheduled for 3:30 p.m.)
Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017
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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, August 21, 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

B. Position: Vice Chancellor, Human Resources

II. 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

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. *Kari Thumlert v. LACCD*

   B. *Som Chounlamountry v. Paul McKenna*

   C. *LACCD v. Constantino Gabrie*


   E. *A2Z Plumbing Services, Inc. v. J.D. Diffenbaugh, Inc., LACCD, et al.*

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

   A. Allegation of unlawful discrimination by a faculty member at East Los Angeles
      College.

   B. Claim regarding project at Los Angeles Mission College.

   C. Claim regarding project at West Los Angeles College.

   D. Claim regarding Van de Kamp project.

VI. Discussion with Real Property Negotiator as may be announced prior to the
     closed session (pursuant to Government Code section 54956.8)

   A. Property: Property jointly owned by Sylmar Independent
      Baseball League and the Los Angeles Community
      College District, near Los Angeles Mission College
   Negotiating party: County of Los Angeles and Sylmar Independent
      Baseball League
   District negotiators: James O'Reilly, Tom Hall, Monte Perez and Kevin
      Randolph
   Under negotiation: Price & terms of payment
AMEND BOARD RULE 2408 – ORDER OF BUSINESS

Amend Board Rule 2408 as follows:

2408. ORDER OF BUSINESS.

A. During the first Board of Trustees meeting, the Order of Business shall be as follows:

- Call to Order
- Roll Call
- Flag Salute
- Minutes
- Reports from Representatives of Employee Organizations at the Resource Table
- Announcements from the College Presidents
- Public Agenda Requests (Category A)
  - A. Oral Presentations
  - B. Proposed Actions
- Requests to Address the Board of Trustees – Multiple Agenda Matters
- Reports and Recommendations from the Board
  - Reports of Standing and Special Committees
  - Proposed Actions
- Reports from the Chancellor and College Presidents
- Consent Calendar
  - Majority Vote
  - Super Majority Vote
- Recommendations from the Chancellor
- Notice Reports and Informatives
- Announcements and Indications of Future Proposed Actions by Members of the Board of Trustees
- Requests to Address the Board of Trustees regarding Closed Session Matters
- Recess to Closed Session
- Reconvene in Public Session
- Report of Actions Taken in Closed Session
- Adjournment
B. During the second Board of Trustees meeting each month, generally held on the fourth Wednesday of the month, the Order of Business shall be as follows:

- Call to Order
- Roll Call
- Flag Salute
- Reports from Representatives of Employee Organizations at the Resource Table
- Announcements from the College Presidents
- Public Agenda Requests
  - A. Oral Presentations
  - B. Proposed Actions
- Recess to Capital Construction Committee Committee of the Whole
- Reports Regarding the Capital Construction Program
- Reconvene Regular Meeting
- Notice Reports and Informatives
- Announcements and Indications of Future Proposed Actions
- Requests to Address the Board of Trustees - Closed Session Agenda Matters
- Recess to Closed Session
- Reconvene in Public Session
- Report of Actions Taken in Closed Session
- Adjournment

C. Adjustments to Order of Business. The Chancellor, in consultation with the President of the Board of Trustees, shall have discretion to adjust the Order of Business as may be appropriate.

D. Study Sessions

1. The Chancellor, in consultation with the President of the Board of Trustees, shall have discretion to schedule a Study Session on a date prior to the Board Meeting in order to allow Board members to ask questions of staff and obtain further information from staff regarding the posted agenda items for the regular Board meeting.

2. The Study Session shall be posted as an open meeting that members of the public shall be allowed to attend in accordance with the Brown Act.

3. The Study Session shall not be considered a regular Board meeting and attendance shall be optional for purposes of compensation.

4. Members of the public may address the Study Session regarding matters on the agenda.
AMEND BOARD RULE CHAPTER II ARTICLE VI – COMMITTEES OF THE BOARD OF TRUSTEES

Amend Board Rule Chapter II Article VI as follows:

2604. COMMITTEE OF THE WHOLE. The Committee of the Whole shall consist of all members of the Board of Trustees.

2604.10 Chair of the Committee of the Whole. The Vice President of the Board shall be the chairperson of the Committee of the Whole.

2604.11 Meetings. The Committee of the Whole shall meet at such times as called by the President of the Board or as determined by the Board of Trustees.

2604.12 Charge. The charge for the Committee of the Whole shall be to review Districtwide standards and performance for efficiency and quality.

2605. COMMITTEES OF THE BOARD

A. Membership of Committees. The President of the Board may appoint Board Members to designated standing committees, and to ad hoc committees as may be necessary, as determined by him or her and appoint a chairperson and two committee members to each committee. The President of the Board may also appoint an alternate member to each standing and ad hoc committee who shall only exercise the rights and privileges of the regular member in the absence of a regular member.

B. Expanded Ad Hoc Committees. The formation of an ad hoc committee that will include members who are not Board Members requires a majority vote of the Board of Trustees.

2605.10 General Rules for Committees. The primary function of each standing committee is articulated in Board Rule 2605.11.

Matters may be referred and taken up in committees by assignment from the President of the Board or in accordance with Robert's Rules of Order.

a. No meeting of a standing committee may occur if an agenda is not posted 72 hours in advance of the committee's meeting date, in accordance with Government Code Section 54954.2.

b. Each chairperson of a standing committee is responsible for preparing and forwarding to the Chancellor's Office an agenda for any meeting of a standing committee. The agendas shall be presented to the Chancellor's Office seven calendar days before the scheduled committee meeting in order to allow for printing, posting and distribution of the agenda.
Board of Trustees
Los Angeles Community College District

Com. No. BT2 Division Board of Trustees Date: August 21, 2013

c. Standing committees may recess or adjourn to closed session in accordance with law and these Board Rules.

d. Members of the public may address matters on the agenda of any meeting of a standing committee for a maximum of five minutes prior to or during the committee’s consideration of the item.

e. The Board’s rules contained in Chapter II, Articles IV and V shall apply to meetings of standing committees.

2605.11 Standing Committees.

a. In addition to the Committee of the Whole, the four standing committees made up solely of Trustees of the Board shall be Institutional Effectiveness and Student Success, Finance and Audit Budget and Finance Legislative and Public Affairs, and Capital Construction Facilities Master Planning and Oversight.

b. The Institutional Effectiveness and Student Success Committee fulfills an advisory, monitoring and coordinating role regarding accreditation, planning, student success and curriculum matters. The committee’s responsibilities include the coordination of accreditation activities, oversight of District-wide planning processes and all issues affecting student success, academic policies and programmatic changes. Its specific charge is to:

i. Review and approve a coordinated timeline for institutional effectiveness and accreditation planning processes throughout the District;

ii. Review and provide feedback on indicators of institutional effectiveness so that common elements, themes, and terms can be identified, reviewed and agreed upon;

iii. Monitor college compliance with the Standards of Accreditation of the Association of Community Colleges and Junior Colleges;

iv. Monitor existing planning and evaluation practices relative to student completion initiatives;

v. Facilitate the review, update and revision of the long-range strategic plan and goals every five years;

vi. Discuss potential new or revised curricular programs and services within the District, and encourage the development of new programs and services as may be appropriate; and

vii. Consider and discuss other related matters as may be deemed appropriate by the Committee Chair in consultation with the Chancellor and President of the Board.
c. The Finance and Audit Budget and Finance Committee will review and make timely recommendations to the Board prior to the Board’s adoption of budget and financial reports as required by law, review general financial considerations and potential consequences to the District, and review the work of the Internal Audit Unit. Its specific charge is to:

i. Review and recommend adoption of the Tentative Budget to the full Board by July 1st of each year.

ii. Review and recommend adoption of the Final Budget to the full Board by September 15th of each year.

iii. Review and recommend the acceptance of the annual financial audits for both the general financial operation of the District and the bond program’s financial audit to the full Board;

iv. Review Quarterly Financial Reports;

v. Review Internal Audit Reports semi-annual and/or quarterly;

vi. Receive Information on bond financing issues;

vii. Review revenue-generating plans and/or the development of public/private partnerships; and

viii. Consider and discuss other related matters as may be deemed appropriate by the Committee Chair in consultation with the Chancellor and President of the Board.

d. The Legislative and Public Affairs Committee will consider potential legislative initiatives and monitor potential and pending legislation that may affect the District’s interests. Its specific charge is to:

i. Make recommendations and consider proposals regarding legislative initiatives for the benefit of the District;

ii. Make recommendations and review proposed state and federal statutory and regulatory legislation;

iii. Review the effectiveness of authorized lobbying efforts on behalf of the District; and

iv. Review and make recommendations regarding public relations efforts for the District; and

iv. v. Consider and discuss other related matters as may be deemed appropriate by the Chair in consultation with the Chancellor and President of the Board.
e. The Capital Construction Facilities Master Planning and Oversight Committee will provide policy guidance and program oversight for the maintenance and review of physical infrastructure tied to educational master plans, as well as the LACCD Sustainable Building Program including, but not limited to, review and approval of college master plans, District energy and sustainability goals, bond program management including compliance with Proposition 39 the California Constitution and District cost principles, and project design concepts. The Capital Construction Committee will be a Committee of the Whole of the Board of Trustees to allow all trustees to be informed directly about bond program issues, and the committee chair will be designated by the President of the Board. The committee’s specific charge is to:

i. Act as the public forum for presentations on the college master plans and environmental impact reports in preparation for formal approval of master plans, certification of environmental impact reports, and related, necessary actions;

ii. Facilitate discussion on compliance with Board-established sustainability and energy goals to further advance sustainability and energy goals for the infrastructure and curriculum as new concepts and technologies are brought forward;

iii. Receive reports on accomplishments and general policy compliance, hear policy issues, receive briefings on technical bonds matters such as insurance, labor compliance, Proposition 39 tax law and project list compliance and any other matter related to the District’s sustainable building program;

iv. Receive formal conceptual design presentations on each new building and remodeling project with budgets in excess of $5 million prior to approval of the design concept; and

v. Consider and discuss other related matters as may be deemed appropriate by the Chair in consultation with the Chancellor and President of the Board.

2605.20 Ad hoc committees may serve for only such specific purposes as they are convened by the President of the Board of Trustees. Ad hoc committees shall meet during the period of time designated by the President of the Board of Trustees for the accomplishment of a specific task, after which they will be dissolved. Ad hoc committees of the Board of Trustees, which are less than a quorum and composed solely of Board members, may be closed to the public.

2606. CITIZENS ADVISORY COMMITTEES. The Board of Trustees may establish citizen advisory committees as they determine necessary to assist in Board-related matters.
2607. STUDENT AFFAIRS COMMITTEE

2607.10 Composition of Committee and Voting Rights

1. The Student Affairs Committee shall consist of:

   a. The Student Board Member of the Board of Trustees.

   b. A regular Board Member appointed by the President of the Board, who shall serve as a non-voting member of the Student Affairs Committee.

   c. A second regular Board Member assigned as an alternate, in case the other regular Board member is unable to attend a meeting of the Student Affairs Committee.

   The regular Board Members, and the alternate, shall not have voting rights on the Committee.

   d. The Presidents of the Associated Student Organizations.

      1) One designee shall be appointed by the ASO President to serve on this committee in the absence of the President during his/her term of office.

      2) Each ASO President or their designee shall have voting rights.

   e) The Associate Vice Chancellor of Instructional and Student Support Services, a Vice President of Student Services, and an ASO Advisor. These individuals shall serve as advisors and shall not have voting rights on the committee.

2. The Student Board Member of the Board of Trustees shall be the committee chairperson. The chairperson shall vote only to break ties. During the absences of the Student Board Member, a chairperson shall be selected from among the Associated Student Organization Presidents or their student designees on an ad hoc basis.

2607.11 Meetings. The Student Affairs Committee shall meet at least once each calendar month at a time, date, and place decided upon by committee. Meetings may be held at the administrative offices or one of the colleges.

2607.12 Agenda. The chairperson shall notify committee members of the meeting time, date and place at least one week in advance. A tentative agenda and other communications, recommendations, and reports may be included.

2607.13 Reports. The committee chairperson shall prepare a monthly written report to be distributed to ASO officers, all college newspapers, the Chancellor, Board of Trustees, and other interested individuals.

2607.14 Functions. This committee shall have the right to consider all matters which impact upon student life. These may include but will not be limited to areas such as the teaching and learning environment, cocurricular and extracurricular activities, student services, etc.
Ad Hoc Committees

a. Appointment

1) Ad Hoc Committees can be appointed by the Student Board Member each year, subject to the approval by majority vote of the Student Affairs Committee.

2) The Student Board Member shall charge the ad hoc committee with a specific task to be accomplished and shall establish a time line for completion of said task.

b. Eligibility

Any student in good standing in the Associated Student Organization can be approved as a member to an ad hoc committee. However, only members of the Executive Board of the Associated Student Organization can chair an ad hoc committee.

c. Nominations

1) Any Associated Student Organization member in good standing may submit nominations for membership in any ad hoc committee to the Student Board Member.

2) The Student Board Member, after considering all the nominations, shall appoint the chairperson and the members of each ad hoc committee subject to the approval by majority vote of the Student Affairs Committee.

3) In the event that a student appointment is not approved by majority vote by the Student Affairs Committee, nominations shall be reopened.

4) The Student Board Member shall make the final determination as the total number of members in each ad hoc committee.
Subject: TRUSTEE AUTHORIZATIONS

I. Authorization to Travel

Authorize payment of necessary expenses for Steve Veres, member of this Board of Trustees, to attend the Association of Community College Trustees 44th Annual Leadership Congress '13 to be held in Seattle, Washington October 2-5, 2013.

Background: Trustee Veres will be participating in an ACCT Presentation October 3, 2013.

II. Authorization

Authorize payment of necessary expenses for Mike Eng, member of this Board of Trustees, to join the LA Area Chamber and attend its annual ACCESS LA City Hall 2013 to be held in Los Angeles, California October 2, 2013.
SUBJECT: AGREEMENT BETWEEN THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND THE AMERICAN FEDERATION OF TEACHERS COLLEGE FACULTY GUILD, LOCAL 1521

The Board of Trustees hereby approves the following modifications for the Faculty Guild, a true and signed copy of which is on file in the Office of Human Resources.

The Los Angeles Community College District (the “District”) and the American Federation of Teachers College Faculty Guild Local 1521 (the “AFT”) agree to the following:

ARTICLE 29, SALARY

Effective July 1, 2013, all salary schedules, increments, stipends and differentials shall be increased by 3.00%.

This agreement satisfies the commitments in Article 29.D. of the 2011-2014 Agreement which states that, “The District and the AFT shall reopen negotiations on salary for 2013-2014.”

DATE: August 12, 2013

FOR THE DISTRICT: 
FOR THE AFT FACULTY GUILD:

Official signature on file  
Official signature on file

ADRIANA D. BARRERA, CHANCELLOR  
JOANNE WADDELL, PRESIDENT

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

Recommended and Approved by:  
Adriana D. Barrera, Interim Chancellor

Chancellor and 
Secretary of the Board of Trustees

By __________________________ Date ____________
Subject: **AMEND BOARD RULES CHAPTER XVII – BOARD RULES 17002 AND 17004**

I. Amend Board Rule 17002 as follows, effective January 1, 2014:

1. **COMPOSITION OF THE DISTRICT CITIZENS’ OVERSIGHT COMMITTEE.**

   A. The District Citizens’ Oversight Committee will consist of *seventeen ten* regular members, none of whom are employees of the District, appointed as follows:

      1. **One member from each of the nine College Citizens’ Committees, selected by the respective College President**; **Three regional members selected from the College Citizens’ Committees and recommended by the Chancellor; and**

      2. **Eight Seven** appointees of the Board of Trustees –

      one of whom is active in a business organization representing the business community in Los Angeles;

      one of whom is active in an organization representing the labor community in Los Angeles;

      one of whom is active in a senior citizens’ organization;

      one of whom is active in a bona fide taxpayers’ organization;

      one of whom is a student who is enrolled in one of the District’s colleges and active in a college group, such as the college associated students’ organization;

      one of whom is an active member of a college advisory committee or foundation; and,

      **two one** members at large.

   B. **In order to maximize the effectiveness of the oversight, members with a background in construction-related industries are preferred.**

   For each regular member listed in Section A.2, the Board may appoint an alternate member who shall only exercise the rights and privileges of the regular member during the regular member’s absence. To be eligible to serve as an alternate member, an individual must meet the eligibility criteria applicable to the regular member’s position on the committee.

   By __________________________ Date ____________

   Chancellor and Secretary of the Board of Trustees

   Eng __________________________ Santiago _______________
   Field __________________________ Svonkin _______________
   Moreno _________________________ Veres _______________
   Pearlman _______________________ Griggs _______________

   Student Trustee Advisory Vote

   Date 9/11/13

   Notice: 8/21/13
C. Each College Citizens' Committee will consist of at least seven but no more than fifteen members who are from constituent organization(s), and appointed by the College President. Each president will determine the appropriate make-up of his or her College Citizens' Committee, but it is recommended that the composition of the committee include the categories of membership required for the District Citizens' Oversight Committee.

C. Any member who fails to attend three meetings in succession, or who fails to attend four meetings within a calendar year, will be deemed to have abandoned the position.

II. Amend Board Rule 17004 as follows:

17004. COLLEGE CITIZENS' COMMITTEE.

A. There will be a College Citizens' Committee at each college. The role of the College Citizens' Committee is to advise the District Citizens' Oversight Committee regarding the District’s expenditure of bond revenues on the specific projects listed in the bond proposition that are planned for the college at which the committee is organized.

B. The College President may appoint non-voting employee representatives to the College Citizens' Committee. Any employee representative to the committee may participate in the committee's deliberations but may not cast a vote as a committee member or otherwise participate in any similar form of formal decision-making.

C. When there is a winding down of bond-funded activity, the College President may recommend that the applicable College Citizens' Committee be merged into the District Citizens' Oversight Committee. In that event, the members of that College Citizens' Committee shall be deemed advisory, non-voting members of the District Citizens' Oversight Committee until the exhaustion of bond funds related to the applicable college.

Background: The District Citizens' Oversight Committee and College Citizens' Committee have undertaken a significant and vital role in the District's bond-funded projects. In the 12 years since they were first formed, there have been significant challenges with convening regular quorums of the eighty or more volunteers required by the original plan. The proposed changes reduce the size of the District committee and establish minimum attendance requirements while continuing to provide for college-level oversight.
Subject: ADOPTION OF 2013-2014 FINAL BUDGET

Adopt the 2013-2014 Final Budget and authorize staff to file same with the California Community College Chancellor's Office and the County Office of Education no later than September 30, 2013.

Background: The governing board of the Los Angeles Community College District must adopt the budget no later than September 15, 2013 as required by Section 58305(c) of Title 5, California Code of Regulations. On September 11, 2013 a public hearing will be conducted at the Board of Trustees' meeting prior to the adoption of the 2013-2014 Final Budget.