ORDER OF BUSINESS - REGULAR MEETING

Wednesday, May 28, 2014

First Public Session 3:30 p.m.
Closed Session 3:30 p.m.
Second Public Session 4:00 p.m.
Second Closed Session
(Immediately Following Second Public Session)

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

I. Roll Call (3:30 p.m. – Hearing Room)

II. Recess to Closed Session in accordance with Government Code Section 54957
   A. Public Employee Evaluation
      Position: Interim Chancellor

III. Reconvene Regular Meeting of the Board of Trustees (4:00 p.m. – Board Room)

IV. Roll Call

V. Flag Salute

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

VII. Announcements from College Presidents

VIII. Public Agenda Requests
   A. Oral Presentations
   B. Proposed Actions
      PA1. Petition for Hearing

IX. Reports and Recommendations from the Board
   • Reports of Standing and Special Committees
      BT1. Resolution – In Appreciation of Student Trustee Michael J. Griggs
      BT2. Resolution – Water Use and Conservation
      BT3. Resolution – In Appreciation of Interim Chancellor Dr. Adriana D. Barrera
      BT4. Authorize A Corrective Action for Executive Payment

X. Consent Calendar
   Matters Requiring a Majority Vote
      BSD1. Business Services Routine Report
      ISD1. Adopt Revisions to Board Rules Chapter VII Article VI – Student Matriculation
XI. Recommendations from the Chancellor – None

XII. Reports from the Chancellor
    - Recognition of Participants of the Los Angeles Community College District Inaugural Class of Essentials of Supervision

XIII. Recess to Committee of the Whole
A. Roll Call
B. Public Speakers
C. Presentations/Initiative Reviews
   - Bridging the Higher Education Divide: Strengthening Community Colleges and Restoring the American Dream
D. Other Business
E. Adjournment of the Committee of the Whole

XIV. Reconvene Regular Meeting of the Board of Trustees

XV. Roll Call

XVI. Notice Reports and Informatives
    HRD/B. [Collective Bargaining Notice] Adopt the District’s Initial Proposal to the Exclusive Representatives of the Service Employees International Union, Local 721
    HRD/C. [Collective Bargaining Notice] District’s Initial Proposal to the Exclusive Representatives of the District’s Employees Regarding Negotiation of the Master Benefits Agreement
    HRD/D. [Collective Bargaining Informative] Initial Proposal of the Joint Labor/Management Benefits Committee to the Los Angeles Community College District Regarding Negotiations of the Master Benefits Agreement
    ISD/A. [Notice] Adopt Revisions to Board Rules Chapter VIII Article II – Academic Probation and Disqualification

XVII. Announcements and Indications of Future Proposed Actions

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

XIX. 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

XX. Reconvene Regular Meeting (Immediately Following Closed Session)
     Location: Hearing Room

XXI. Roll Call

XXII. Report of Actions Taken in Closed Session – May 28, 2014

XXIII. Adjournment
Next Regularly Scheduled Board Meeting
Wednesday, June 11, 2014
(Public Session Scheduled for 3:30 p.m.)
Educational Services Center
Board Room – First Floor
770 Wilshire Blvd.
Los Angeles, CA 90017

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, May 28, 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. Public Employee Evaluation
(pursuant to Government Code section 54957)
A. Position: Interim Chancellor

III. 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: Ken Takeda
   Lawrence Frank
   Albert Román

   Employee Unit: Building and Construction Trades Council

C. District Negotiators: Albert Román
   Renee Martinez
   Farley Herzek

   Employee Unit: Academic Administrators, Teamsters Local 911

D. District Negotiators: Albert Román
   Monte Perez

   Employee Unit: SEIU Local 99

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. Peopleworks v. URS Corporation and LACCD

   B. Edrik Stamps v. Dr. Adriana Barrera

   C. Taisei Construction Corporation v. LACCD

VI. Conference with Legal Counsel - Potential Litigation

   A. Claim regarding construction at Van de Kamp Innovation Center (pursuant to
      Government Code 54956.9(d)(2))

   B. Claim regarding construction at Pierce College (pursuant to Government Code 54956.9(d)(2))
Subject: **PETITION FOR HEARING**

Pursuant to the Brown Act and Board Rule 2407.12, the attached agenda item is placed before the Board of Trustees for consideration.

**Background:** The Brown Act provides for any member of the public to place an agenda item before the Board of Trustees. This item was submitted pursuant to that right. The sponsor should be allowed to speak to the item. The Board of Trustees is not required to act upon the item.
To Whom It May Concern:

Please read the attached petition and supporting documents. This petition and these supporting documents are the last effort of the ASO of LATTC to remedy their grievances internally.

Please send all questions and comments to the consultant that we have retained. Hermetas can be reached at LATTC@hermetas.com or (760) 563-2699.

Thank you,

Rosemary Sterling, President LATTC ASO
BEFORE THE

BOARD OF TRUSTEES

FOR THE LOS ANGELES COMMUNITY COLLEGE DISTRICT

ASSOCIATED STUDENT ORGANIZATION OF LOS ANGELES TRADE-TECHNICAL COLLEGE

Petitioners

v.

LOS ANGELES TRADE-TECHNICAL COLLEGE, Does 1 through 10

Respondents

GENERAL ALLEGATIONS

It is generally alleged that Los Angeles Trade-Technical College, its administrators and staff, have violated and continue to violate several provisions of the California Education Code, Trust Law, the Labor Code, as well as US and State civil protections, and caused an undue burden, a loss of reputation, and actual monetary damages to the petitioner.
JURISDICTION
The Board of Trustees for the Los Angeles Community College District is the policy-forming body of the District, deriving power from, and subject to, the U.S. Constitution, statutes of the State of California, and directives from the Board of Governors of the California Community Colleges. The Board of Trustees for the Los Angeles Community College District therefore has jurisdiction over this matter.

The Board of Trustees for the Los Angeles Community College District has jurisdiction under Edwards v. South Carolina - 372 U.S. 229 (1963) where it was held by the Supreme Court of the United States that the "rights of free speech, free assembly and freedom to petition for a redress of grievances -- rights guaranteed by the First Amendment and protected by the Fourteenth Amendment from invasion by the States," were applicable to the States and their entities. (Pp. 229-23).

PARTIES
Petitioner Associated Student Organization of Los Angeles Trade-Technical College is a student body association as defined by Education Code §76060 et seq and represents its 18,000 to 22,000 student members.

Respondent Los Angeles Trade-Technical College is a community college in the Los Angeles Community College District.

Respondents Does 1 through 10 are directly and/or personally responsible for the actions that lead to the events herein described. Their names are unknown or who actually is responsible is unknown and as such they are named in this petition under such fictitious names.

FIRST CAUSE OF ACTION
Multiple students have not been paid for time worked and are not paid in a timely manner. Actual figures are not possible as the business office has not provided the necessary reports and students are making new claims as they discover how to address them.

The actions of the respondents clearly violate California Labor Code §204 et seq, §207, §208, and makes them subject to penalties according to §210.
SECOND CAUSE OF ACTION

The “order of the governing body of the student body association” is wholly ignored or unduly delayed. Ed. Code §76063 states that “[t]he funds shall be expended subject to procedures that may be established by the student body organization...” and that “the money shall be disbursed... upon the order of the governing body of the student body association.” (Ed Code §76060.5). All moneys of the petitioner are “held in trust by the district for [the petitioner]” (Complete Budget and Accounting Manual (2012 Edition)). Therefore all moneys expended must be by order of the petitioner and is subject to the policies and procedures of the petitioner. As all of these moneys are held in trust and as such fiduciary laws regarding trusts apply and an undue delay should not occur. The petitioner questioned the respondents and were told that anything beyond five business days was an undue delay and that most items should be completed on the same business day that they are received by the respondents.

It often takes weeks or months for the respondents to fulfill the order of the petitioner, some items still remain unfulfilled. The result is that the petitioner is required to pay late fees and bank fees and individuals composing or acting on the petitioner’s behalf must front money from their own personal funds. Many events have been completely canceled due to the timeliness of the respondents.

The actions of the respondents have lead the general public and, more importantly, the petitioners constituency to lack faith in their elected representatives (the petitioner) and to cause them to believe the petitioner and the individuals composing or acting on the petitioner’s behalf incapable of fulfilling their duties. The petitioner and the individuals composing or acting on the petitioner’s behalf have been accused of outright fraud and negligence because of the respondents actions.

THIRD CAUSE OF ACTION

The petitioners have repeated information given to them by respondents. The respondents failed to comply with any reasonable standard when giving this information to the petitioners. As such the petitioners are blamed for these grossly negligent statements. This has caused the reputation and
character of the petitioner and the individuals composing or acting on behalf of the petitioner to be
damaged and actual harm is thereby caused by the respondents to the petitioner.
The petitioner has maintained a civil standard and repeatedly attempted to resolve these matters.
The respondents have given the petitioner many deadlines and promises but have failed to fulfill
them, thus furthering the damage initially caused and nullifying any mitigation that may have
occurred by the aforesaid deadlines and promises.

FOURTH CAUSE OF ACTION
The petitioner was promised a new office around January of 2014. Petitioner moved into
Mariposa Hall and then were forced to move back to petitioner’s original location. Petitioner
acquired plans for remodeling, but the petitioner was not allowed to remodel either location for
reasons not entirely known to the petitioner. Petitioner were told by respondents that there was
$800,000 in reserves for remodeling purposes.

FIFTH CAUSE OF ACTION
The petitioner has been under the false assumption (given to them by the respondents) that they
must wait for a budget from the respondents before expending funds. Petitioner was told that the
petitioner was required to sign a ‘budget’ around August 2013. Petitioner was then given two
budgets that were incompatible. In February petitioner was given outdated ‘tentative budgets’ and
their accuracy was unknown due to mislabeling. Correct budgets were requested several times as
the petitioner was told that the petitioner had no money left in several accounts and that the
petitioner would not be able to attend the General Assembly of the Student Senate for California
Community Colleges (the most important meeting students attend biennially). After communications
with the business office came to near hopelessness Dr Mary Gallagher intervened and $10,000
dollars was discovered leading the petitioner to wonder what other funds might be missing from the
proper accounts.
Due to the extremely suspicious nature of the reports received by the respondent the petitioner
requested a cash basis report of all accounts held in trust by the respondents for the
petitioner. Reports were promised to be delivered to the petitioner no later than April 1st. Petitioner only received a paragraph explaining that they would be able to attend the General Assembly. This does not resolve petitioners unanswered financial questions.

SIXTH CAUSE OF ACTION

The respondents have hired 'student workers' using the funds of the petitioner without the petitioners knowledge or order. The petitioner has requested numerous documents regarding this matter and has not yet received them, so, yet again, it is difficult to be precise. However, it appears, that federal, district, and the petitioners funds have been commingled to hire a person with unknown duties and no record of when this person was working for which fund.

PRAYER FOR RELIEF

WHEREFORE, petitioner requests judgment against appropriate respondents as follows:

For general damages according to proof;
For special damages according to proof;
For exemplary and/or punitive damages where necessary or beneficial;
For petitioners costs in pursuing this matter and repairing its image;
For a response to petitioners unanswered financial questions;
For the disbursement of funds to remodel the main office of the petitioner;
For a prepaid credit/debit card to allow the petitioner to act quickly without expending the personal funds of its members and/or others;
For declaratory relief that character of the petitioner and the individuals composing or acting on behalf of the petitioner was wrongly impinged;

With the authority afforded to the petitioner by California Probate Code §16060 as the beneficiary, the petitioner formally requests account statements for both fund 71, 72 and 73 (the Associated Students Trust Fund, the Student Representation Fee Trust Fund and 73 Student Body Center Fee Trust Fund), which should include, at minimum, all expenditures, revenues, other actions related to the transfer of funds, specific quantities, and the signed
paperwork ordering the disbursement of these funds pursuant to the Budget and Accounting
Manual's stipulations for disbursement and California Education Code §76063 and §76064
going back at least five years,"; and
For such other relief as the board may deem just and proper.

DATED: May 6th 2014
With the authority granted by the Executive Board and the ad hoc committee the above is
RESPECTFULLY SUBMITTED,

By: Rosemary Sterling
President of Associated Student Organization of Los Angeles Trade-Technical College.
RESOLUTION – IN APPRECIATION OF STUDENT TRUSTEE MICHAEL J. GRIGGS

The following resolution is presented by Trustees Eng, Field, Svonkin:

WHEREAS, Michael J. Griggs has been an active member of the Board of Trustees of the Los Angeles Community College District during his tenure as its student representative; and

WHEREAS, Student Trustee Griggs has been an effective student leader, as demonstrated by his efforts to fully represent the needs of his constituency—the students; and

WHEREAS, Student Trustee Griggs, during his tenure on the Board, moved affirmatively to increase and strengthen the role of students in all areas of governance and to support and advocate for the rights of students; and

WHEREAS, Student Trustee Griggs ensured meaningful student participation in policy discussions by working tirelessly to ensure that there was a quorum of ASO Presidents at all meetings of the Student Affairs Committee; and

WHEREAS Student Trustee Griggs held both himself and the Student Affairs Committee to the highest standards of professional behavior at all times; and

WHEREAS, Student Trustee Griggs worked diligently to ensure a fair and impartial student voice in the development and consultation of District policy; and

WHEREAS, Student Trustee Griggs exemplified the quality of students served by the Los Angeles Community College District; and

WHEREAS, During his tenure on the Board, Student Trustee Michael J. Griggs has made a significant and lasting impression upon the District; now, therefore, be it

RESOLVED, That the Board of Trustees of the Los Angeles Community College District does hereby commend Michael J. Griggs for his exemplary service to the Board, the students, and the Los Angeles Community College District.
RESOLUTION – WATER USE AND CONSERVATION

The following resolution is presented by Trustees Svonkin and Veres:

WHEREAS, California is facing severe water shortfalls in one of the driest years in state history; and

WHEREAS, A statewide water conservation campaign has been established to make all Californians aware of the drought and encourage reduced water usage; and

WHEREAS, The LACCD has taken a leadership role in water conservation since its first bond, Proposition A, passed in 2001; and

WHEREAS, The LACCD has conducted a water reuse feasibility study; and

WHEREAS, The LACCD’s conservation actions embrace sustainable standards and guidelines for construction and renovation projects that include permeable surfaces around all structures, installation and use of waterless urinals, design and construction of swales in new or renovated parking lots, permeable concrete in walkways and driveways; and

WHEREAS, The District has incorporated sustainable landscape guidelines that include the replacement of grass with field turf on the majority of college athletic fields, the use of drought-resistant plants, the installation of smart irrigation, and the installation of purple pipe for irrigation where purple pipe supply is available; and

WHEREAS, The bond program includes $25 million for storm water projects to meet state and federal storm water regulations; now, therefore, be it

RESOLVED, That the District identify and accelerate the implementation of water use and water conservation projects such as project-specific recycled water implementation, connection to Los Angeles Department of Water and Power (LADWP) or other municipal recycled water lines, if available, and re-use of water collected for storm water management; and be it further

RESOLVED, That the District work closely with other water agencies within its jurisdiction such as the LADWP, the Metropolitan Water District, and the city of Monterey Park to share ideas, to collaborate on common water conservation approaches, and to jointly educate students and staff; and be it further

RESOLVED, That a water usage baseline be established to help identify key strategies for further water efficiency opportunities and to track progress.

Chancellor and
Secretary of the Board of Trustees

By __________________________ Date __________

Eng. ____________ Santiago ____________
Field ____________ Svonkin ____________
Moreno ____________ Veres ____________
Pearlman ____________ Griggs ____________
Student Trustee Advisory Vote

Com. No. BT2 Div. Board of Trustees Date 5/28/14
Subject: RESOLUTION – IN APPRECIATION OF INTERIM CHANCELLOR DR. ADRIANA D. BARRERA

The following resolution is presented by President Santiago:

WHEREAS, Dr. Adriana D. Barrera has served as Interim Chancellor of the Los Angeles Community College District for the past year; and,

WHEREAS, Dr. Barrera has played a crucial and invaluable role in keeping LACCD on a steady course through a 11-month transition, including significant changes in the operation of the Board of Trustees; and,

WHEREAS, Dr. Barrera continued to carry the duties and responsibilities of Deputy Chancellor while serving as Interim Chancellor; and,

WHEREAS, Dr. Barrera maintained oversight of the business operations of procurement, contracting, health and safety, Worker's Compensation, employee benefits, budget development and management, and information technology; and,

WHEREAS, Dr. Barrera ensured the quality of services even while facing severe staffing shortages; and,

WHEREAS, Dr. Barrera worked with smart, critical thinking and for long hours to ensure that the many committee meetings and other demands of the District were met; and,

WHEREAS, The District benefited from her years of experience in higher education, as well as her endless capacity for facing new challenges that arose on many fronts; and,

WHEREAS, Interim Chancellor Barrera has demonstrated a calm, task-oriented, patient and steady demeanor in handling the challenges before her this year, including the simultaneous searches for multiple executives, and innumerable other critical tasks;

NOW, THEREFORE, BE IT RESOLVED,

That all involved in the Los Angeles Community College District and its nine colleges will be forever grateful for her role in providing strong leadership and maintaining an unwavering focus on student success during this critical period.
Subject: AUTHORIZE A CORRECTIVE ACTION FOR EXECUTIVE PAYMENT

The following motion is presented by President Santiago:

Authorize a corrective action for payment to the Interim Chancellor for the period from July 1, 2013 through the completion of that assignment effective May 31, 2014, for a total amount of $6,442.37.

Background: In November 2013, the Board of Trustees took an action authorizing a three percent (3%) salary increase for all unrepresented employees effective July 1, 2013, including the Deputy Chancellor, with the expectation that she would be returning to that position imminently. However, the hiring process was repeatedly extended and there was no backfill for the Deputy Chancellor position, leaving a single executive to cover both roles, but without the commensurate pay increase. The corrective action was requested timely but has only now been forwarded for formal action.
Subject: BUSINESS SERVICES ROUTINE REPORT

I. AUTHORIZE LEGAL SERVICE PROVIDER CONTRACTS – CLASS 2 MATTERS (BOND PROGRAM)

Authorize agreements with the following law firms to provide legal services for the Bond Program for Class 2 matters from April 1, 2014 to March 31, 2017, inclusive, with two one-year renewal options at the discretion of the District.

Maximum Hourly Rate

- Dannis, Wovler, & Kelley: $300
- Law Office of Sima Salek: $300
- Law Office of Stephen J. Densmore: $325
- Best, Best, & Krieger: $325
- Orbach, Huff, & Suarez, LLP: $375
- Atkinson, Andelson, Loya, Ruud, & Romo: $270/$325
- Wood, Smith, Henning, & Berman, LLP: $275
- Hunt, Orman, Palffry, Nieves, Darling & Mah, Inc.: $400
- Wasserman & Wasserman, LLP: $300
- Musick, Peeler, & Garrett, LLP: $425
- Liebert, Cassiday, Whitemore, LLP: $285
- Fagen, Friedman, Fulflrost, LLP: $205/$225
- Dongell, Lawrence, Finney, LLP: $360
- Lee Train Liang & Wang, LLP: $350
- Gonzalez, Sagio, Harlan, LLP: $380
- Parker & Covert, LLP: $225
- Gresham Savage Nolan & Tilden: $350

Background: In as much as many of the outside counsel panel law firms under current contract with the District pertaining to the Bond Program will be expiring and/or did expire on March 31, 2014. As such, the District needed to engage law firms to provide legal services for the Bond Program (Class 2 Matters). Class 2 Matter services include: Redevelopment; Real property; CEQA; Construction management; Construction contracts; Public bidding;

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

Chancellor and Secretary of the Board of Trustees

By: __________________________ Date __________________________

Eng. __________________________ Santiago __________________________
Field __________________________ Svonkin __________________________
Moreno __________________________ Veres __________________________
Pearlman __________________________ Griggs __________________________

Student Trustee Advisory Vote
Project labor agreements; Litigation related to construction; construction management and program management; Professional standards for project managers; Service agreements with project managers; Environmental law; OSHA and other safety regulations and matters; Construction related insurance; Information technology; Professional services contracts related to construction; Procurement; and other matters relating to the Bond Program.

A competitive Request for Proposals ("RFP") process was conducted with the RFP being released on September 23, 2013; advertising in the Daily Journal on September 27, October 4 and 11, 2013. A potential contractor's conference was held on or about October 22, 2013. Proposals were received on October 31, 2013. The written proposals were scored per the RFP requirements by the Scoring Panel. The Scoring Panel was comprised of John P. Dacey, Esq., Lead Construction Counsel/Chairman, and the following Panel Members: Thomas Hall, Director Facilities Operation and Maintenance; Daniel Villanueva, Vice President Fiscal and Administrative Services Mission College; Terri Mestas, Director, Program Management Office; and Kelly Cauvel, Dispute and Risk Manager, Program Management Office. Of the 25 firms that proposed for Class 2 matters, one firm’s proposal was found to be “non-responsive” and not evaluated further per the RFP requirements. Of the remaining 24 firms, the scoring for 8 of the 24 firms did not warrant an interview. The remaining 16 firms were invited to make a presentation and interview with the Scoring Panel on December 5, 6 and 9, 2013. One of the 16 firms withdrew from the RFP interview and presentation process. The Scoring Panel met with and scored the remaining 15 firms.

Applying the scoring criteria and formulas set forth in the RFP, the remaining 15 firms final weighted scores (Proposal and Fees) were weighted at 60% per the RFP and the Performance Assessment (Presentation and Interview) was weighted at 40% per the RFP were ranked from the highest to lowest scorers. The Scoring Panel then passed its recommendation on to the Chief Facilities Executive, James D. O'Reilly to award contracts to the 15 firms, as well as to 2 firms using the “continuity” provision in the RFP for a firm with an existing legal matter(s) and a determination that it would be in the District’s best interests for continuity purposes to retain such firm(s). Mr. O'Reilly accepted the Scoring Panel’s recommendation without exception. Following Mr. O'Reilly's approval, Notices of Intent to Award (subject to Board approval) were sent to the selected firms on January 3, 2014. Thank you and declination Letters were sent to the non-selected firms on January 30, 2014. On or about May 8, 2014 the Contracts section sent out notices to all proposers that the award of contracts for the Selected Firms were going to the Board on May 28, 2014. No protests were received. Thereafter a State Bar records check was conducted of all potential attorneys identified by the Selected Firms who were proposed to work on Bond Program matters, no negative results were found. While all Selected Firms proposed varying hourly rates, all were within the range identified within the RFP. The top hourly rate for each firm is set forth above. As a result of the RFP, it is recommended that the law firms identified herein above be awarded legal service provider contracts.
II. RATIFICATIONS FOR BUSINESS SERVICES

In accordance with the California Education Code and Los Angeles Community College District Board Rules, the following routine transactions are reported for ratifications:

A. SERVICE AGREEMENT

4500199493 Educational Services Center. Agreement with Directory Solutions Group to provide UnitySync software licenses and support that will enable LACCD to synchronize user network identity and password data across all colleges to enable optimized secure access to the new PeopleSoft Student Information System (SIS) and related modules under the auspices of the Office of Information Technology SIS project, for the period June 1, 2014 to May 31, 2015, inclusive. Total cost: $14,982.

45000198497 Educational Services Center. Amendment No. 1 to agreement with Thomas Brown and Associates, LLC to provide additional services to support the LACCD's Board of Trustees with professional development services to implement a Board Self-Assessment process as set forth by the Association of California Community and Junior Colleges (ACCJC) and Board policy which can be used by the Board to plan and implement future actions to increase the total contract amount from $10,000 to $18,200 from February 26, 2014 to June 30, 2014, inclusive. Total additional cost not to exceed: $8,200.

Total Cost of Section A: $23,182
Subject: ADOPT REVISIONS TO BOARD RULES CHAPTER VIII ARTICLE VI – STUDENT MATRICULATION

Adopt revisions to Article VI of the Board Rules as shown below.

ARTICLE VI

STUDENT MATRICULATION

ARTICLE VI

STUDENT MATRICULATION SUCCESS AND SUPPORT

8600.

STATEMENT OF PHILOSOPHY. The Los Angeles Community College District is committed to serving individuals of all ages who can profit from instruction, and to providing open access to educational programs. In implementing matriculation, the District reaffirms the nondiscrimination policy of Board Rule 1202.

Matriculation is a process that brings college and a student who enrolls for credit into an agreement for the purpose of realizing the student's educational goal through the college's established programs, policies, and requirements. This agreement is to be implemented by means of the student educational plan.

increasing student access and success through the provision of matriculation services, with the goal of providing students with the support necessary to assist them in achieving their educational goals.

Recommended by: 
Bobbi Kimble, Interim Vice Chancellor

Recommended and Approved by: Adriana D. Barrera, Interim Chancellor
8601. STUDENT RESPONSIBILITIES. The student is required under this agreement with the college to: Students are encouraged to establish a "home college" for purposes of receiving matriculation services. Matriculation services provided at one college shall be honored at other colleges within the LACCD. All students shall be required to:

A. Identify an education and career goal; Express at least a broad educational intent upon admission;

B. Diligently engage in course activities and complete assigned coursework; and Declare a specific goal no later than the term after which student completes 15 semester units of degree-applicable credit coursework;

C. Diligently attend class and complete assigned coursework;

C.D. Complete courses and maintain progress toward an educational goal and completing a course of study; and

E. Cooperate in the development of a student educational plan with the assistance of counseling services within 90 days after declaring his/her specific educational goal.

If a student fails to fulfill the responsibilities listed in this section, the college may suspend or terminate matriculation services; provided, however, that the college will not terminate any services to which a student is otherwise entitled.

Effective Fall 2014, first time non-exempt students seeking priority registration shall be required to:

a. Identify a course of study,
b. Participate in the assessment placement process,
c. Complete an orientation activity provided by the college, and
d. Participate in counseling, advising, or another education planning service to develop, at a minimum, an abbreviated student education plan.

Effective Fall 2015 all new non-exempt students shall complete a-d, above.

Effective Fall 2015, all non-exempt students shall develop a comprehensive education plan after completing 15 units of degree applicable course work, or prior to the third semester of enrollment, whichever comes first. Failure to comply with the requirements, above, may result in a hold on the student's registration and/or loss of registration priority until the services are completed.
REGISTRATION PRIORITY

Students may register for no more than 19 units per semester (primary terms of Fall and Spring), and no more than 9 units during the Winter and Summer sessions. Students in good academic standing shall be granted registration priority on the basis of cumulative units completed within the LACCD in the order listed below, from highest to lowest:

1. New and fully matriculated students as follows:
   - Members of the armed forces or veterans pursuant to Education Code 66025.8.
   - CalWORKs recipients in good standing with fewer than 100 degree-applicable units.
   - Disabled Student Programs and Services (DSPS) students in good standing with fewer than 100 degree-applicable units.
   - Extended Opportunity Programs and Services (EOPS) students in good standing with fewer than 100 degree-applicable units, and
   - Foster youth or former foster youth, pursuant to Education Code section 66025.9 regardless of academic standing and units taken.

2. Continuing students in good standing with fewer than 100 degree-applicable units, middle college students in good standing with fewer than 100 degree-applicable units, new, fully matriculated students, returning exempt students and new students who are exempt from matriculation.

3. Students who have lost their enrollment priority, as set forth below.

4. Special K-12 admits pursuant to Education Code section 76001.

To be eligible for registration priority as listed above, students must have completed orientation, assessment, and developed student education plans.

LOSS OF REGISTRATION PRIORITY

Students, with the exception of foster youth or former foster youth, will lose registration priority at the first available registration after:

a. They are placed on academic or progress probation, or any combination thereof, for two consecutive terms.

b. Have earned one hundred (100) or more degree-applicable units in the District; however, non-degree applicable basic skills units do not count towards the 100 units.
Appealing Loss of Registration Priority

Each college shall establish a Registration Priority Appeals Committee to review requests from students appealing the loss of enrollment priority. Colleges shall inform students of the appeals process and the time period by which appeals must be submitted. A student may appeal on one or more of the following grounds:

a. The student has extenuating circumstances. Extenuating circumstances are verified cases of accidents, illnesses or other circumstances beyond the student's control.

b. The student applied for reasonable accommodation for a disability, but did not receive it in a timely manner.

c. The student has demonstrated significant academic improvement. Significant academic improvement is defined as achieving no less than a 2.0 grade point average in the prior term.

The College's Registration Priority Appeals Committee shall notify the student within ten (10) business days of its decision. The decision of the college Registration Priority Appeals Committee shall be final.

8602.

EXEMPTIONS. Colleges shall may exempt any student from participation in orientation, assessment, counseling or advisement who has completed an associate degree or higher.

A. Has completed an associate degree or higher, or

B. Has enrolled at the college solely to take a course that is legally mandated for employment or necessary in response to a significant change in industry or licensure standards, or

C. Has enrolled at the college as a Special Admit student.

Any student exempted in accordance with this section shall be notified that he or she is exempted from participating in all or part of the matriculation process, and shall be given an opportunity to choose whether or not to participate.

Colleges shall consider each of the following criteria in evaluating whether a student shall be exempted from participating in any part of the matriculation process, but may only exempt the student if two or more criteria are applicable:

| A. | The student has enrolled only in evening classes; |
| B. | The student has enrolled in fewer than 6 units of coursework; |
| C. | The student is undecided about his or her educational goals; or |
| D. | The student does not intend to earn a degree or certificate. |
Any student exempted in accordance with this section shall be notified that he or she is exempted from participating in all or part of the matriculation process under the applicable exemption and shall be given an opportunity to choose whether or not to participate.

8603.

LIMITATIONS ON ENROLLMENT. All courses shall be open to enrollment in accordance with a priority system established by the Chancellor and consistent with Title 5, Sections 58106 and 58108, however, enrollment in specific courses or programs may be limited as follows:

(a) Enrollment may be limited to Students meeting prerequisites and corequisites established pursuant to Title 5, sections 55200-55202 and Board Rule 86005.

(b) Enrollment may be limited due to Health and safety considerations, facility limitations, faculty workload, the availability of qualified instructors, funding limitations, the constraints of regional planning or legal requirements imposed by statutes, regulations, or contracts. Fair and equitable procedures will be used for determining who may enroll in affected courses or programs. Such procedures shall be consistent with one or more of the following approaches:

1) Limiting enrollment to a "first-come, first-served" basis, or using the following nonevaluative selection techniques: Students shall be separated into three priority groups—DSPS and EOP&S students (highest priority), regular students (medium priority) and special K-12 admits (lowest priority). Within each group, students will be assigned registration priority based on the current semester's unit enrollment at the college and the cumulative units completed at the college.

2) Limiting enrollment using a registration procedure authorized by Title 5, section 58108, or

3) In the case of intercollegiate competition, honors courses, or public performance courses, allocating available seats to those students judged most qualified, or

4) Limiting enrollment in one or more sections of course to a cohort of students enrolled in one or more other courses, provided however, that a reasonable percentage of all sections of the course do not have such restrictions, or

5) with respect to Students on probation or subject to dismissal, consistent with the provisions of Title 5, sections 55754-55755 and
Board of Trustees
Los Angeles Community College District

Com. No. ISD1 Division: EDUCATIONAL SUPPORT SERVICES Date: May 28, 2014

Board Rule 8200 et seq., students may be limited to enrollment in a total number of units or to selected courses, or required to follow a prescribed educational plan.

8604. CHALLENGES TO LIMITATIONS ON ENROLLMENT

e) A student may challenge an enrollment limitation on any of the following grounds:

1) The enrollment limitation is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

2) The District is not following its policy on enrollment limitations, or

3) The basis upon which the District has established an enrollment limitation does not in fact exist.

d) The student shall bear the burden of showing that grounds exist for the challenge. Challenges shall be handled in a timely manner, addressed within 5 working days and, if the challenge is upheld, the enrollment limitation shall be waived with respect to that particular student.

e) In the case of a challenge under Subsection c of this Board Rule, the college where the challenge is initiated shall, upon completion of the challenge, advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to Title 5, California Code of Regulations, section 59300 et seq. Completion of this challenge procedure shall be deemed to satisfy the requirement of Title 5, California Code of Regulations, section 59328(b) that the District and the student attempted to informally resolve the complaint.

8604. VALIDATING PREREQUISITES. Colleges shall ensure that course prerequisites are properly validated pursuant to Title 5, Section 55201 and Board Rule 8605.

Title 5, CAC, Section 55201 and Board Rule 8605

8605. PREREQUISITES, COREQUISITES AND ADVISORIES

The District Policy on Prerequisites, Corequisites and Advisories provides for the establishment, review and challenge of prerequisites, corequisites and advisories on recommended preparation for enrollment pursuant to Sections 66700 and 70901 of the Education Code and Sections 55200-55202 of Title 5. The policies rules and regulations have been outlined in a comprehensive document entitled "Los Angeles Community College District Policy on Prerequisites, Corequisites and Advisories" based on the
Model Policy document provided by the Board of Governors of the California Community Colleges.

A prerequisite is a condition of enrollment that a student is required to meet in order to demonstrate readiness for enrolling a course or educational program. Corequisites are courses that a student is required to take simultaneously in order to enroll in another course. An advisory is a course that a student is advised, but not required, to take in conjunction with, or prior to, a course or program. Colleges shall ensure that course pre- and corequisites are properly validated pursuant to Title 5, Section 552001, and Board Rule 8600 et seq.

8605.10

College Policies and Procedures

Provision of Information

a. The Colleges shall provide information in the Catalogue, and Schedule of Classes and website on the definitions of prerequisites, corequisites and advisories as well as any other limitations on enrollment pursuant to Board Rule 8600, Section 55200(a-f) of Title 5.

Information shall also be provided on the procedures for challenging the prerequisites or corequisites, and the right of students to choose a course without meeting the advisory.

Challenge Process

b. The Colleges shall establish procedures by which any student who does not meet a prerequisite or corequisite, or who is not permitted to enroll, but who provides satisfactory evidence, may seek entry into the class according to an established challenge process per Section 55201(f) of Title 5 and Section I.B.1-3 of the District Policy.

In the case of a challenge because the student believes that the prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner, the college shall promptly advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to subchapter 5 (commencing with section 53900) of chapter 10 of Title 5, CCR. If the student elects to proceed with the challenge, completion of the challenge procedure shall be deemed to constitute an informal complaint pursuant to Title 5, section 59327.

Colleges shall enforce all conditions a student must meet to be enrolled through the registration process, so that a student shall not be permitted to enroll unless he or she has met all required conditions except those for which he or she has a pending challenge, or for which further information is needed before a final determination is possible.
Role of the Curriculum Committee

c. The District and Colleges Curriculum Committees, established pursuant to Section 55002(a)(1) of Title 5, shall:

1) Establish prerequisites, corequisites and advisories on recommended preparation and limitations on enrollment pursuant to Sections 55002, 55201, and 58106 of Title 5 and Section I.C.3 (1-4) and I.D of the District Policy.

2) Verify and provide documentation that prerequisites or corequisites meet the scrutiny specified in one of the measures of readiness outlined in Section 55201(b)(1) of Title 5, and Sections II.A.1(a-g) of the District Policy.

3) Provide for a review of each prerequisite, corequisite, or advisory at least every six (6) years pursuant to Section 55201(b)(3) of Title 5, and Section I.D. of the District Policy. Any prerequisite or corequisite that is successfully challenged under subsections (1), (2) or (3) of Section 55201(f) of Title 5 shall be reviewed promptly thereafter to assure that it is in compliance with all other provisions of the law.

4) Provide for a review of each limitation on enrollment at least every six years pursuant to Section II.C of the District Policy.

d. The Colleges shall establish procedures wherein every attempt shall be made to enforce all conditions a student must meet to be enrolled through the registration process so that a student is not permitted to enroll unless he or she has met all the conditions except those for which he or she has a pending challenge or for which further information is needed before final determination is possible or whether the student has met the condition pursuant to Section 55202(g) of Title 5 and Section I.E. of the District Policy.

e. The Colleges shall establish a procedure whereby courses for which prerequisites, corequisites, or advisories on recommended preparation are established will be taught in accordance with the course outline pursuant to Section 55201(b)(2) of Title 5.

Prerequisite Defined: Prerequisite means a condition of enrollment that a student is required to meet in order to demonstrate current readiness for enrollment in a course or educational program.

Corequisite Defined: Corequisite means a condition of enrollment consisting of what course a student is required to simultaneously take in order to enroll in another course.
Advisory Defined: Advisory means a condition of enrollment that a student is advised (but not required) to meet before, or in conjunction with, enrollment in a course or educational program.

Pursuant to Government Code Section 3547 and the District's public notice procedure, the Service Employees International Union, Local 721 presents its initial proposal as follows:

- Agreement
- Hours and Overtime
- Leaves and Absences
- Transfer, Reassignment and Shift Change
- Safety, Open
- Performance Evaluation Procedure
- Vacation
- Holidays
- Uniforms and Tools
- Professional Growth
- Special Pay Practices
- Wages and Salaries
- Personnel File
- Layoff and Furlough
- Work Environment
- Committees and Shared Governance

Background: Government Code Section 3547 and the Board Rule 101400 require the District to inform the public of the issues to be negotiated with an employee organization by presenting initial proposals that related to matters within the scope of representation under the Educational Employment Relations Act at a public meeting of the Board. For that reason, this item is being presented as an informative so that the public can review it and be prepared to comment on it at the Board's next scheduled meeting.
SUBJECT: ADOPT THE DISTRICT'S INITIAL PROPOSAL TO THE EXCLUSIVE REPRESENTATIVES OF THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 721

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 Service Employees International Union, Local 721 commence negotiations on the 2014-2017 collective bargaining agreement, with a particular focus on the following items:

- Agreement
- Hours and Overtime
- Leaves and Absences
- Transfer, Reassignment and Shift Change
- Safety, Open
- Performance Evaluation Procedure
- Vacation
- Holidays
- Uniforms and Tools
- Professional Growth
- Special Pay Practices
- Wages and Salaries
- Personnel File
- Layoff and Furlough
- Work Environment
- Committees and Shared Governance

Recommended by:

[Signature]
Albert C. Roman
Vice Chancellor, Human Resources

Recommended and Approved by:

[Signature]
Adriana D. Barrera, Interim Chancellor
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 all initial proposals that relate to matters within the scope of representation under the Educational Employment Relations Act at a public meeting of the Board. For that reason, the Board of Trustees is presenting its initial proposal to the above named union to open negotiations on the issues listed above. The matter is on the Board's agenda today so that the public may comment on the proposal before the Board considers its adoption.

The Board reserves the right to modify or change any or all of its proposals as part of the bargaining process, and also as financial resources and constraints are announced, implemented or adopted by any applicable legislative body or other process.
SUBJECT: INITIAL PROPOSAL OF THE JOINT LABOR/MANAGEMENT BENEFITS COMMITTEE TO THE LOS ANGELES COMMUNITY COLLEGE DISTRICT REGARDING NEGOTIATIONS OF THE MASTER BENEFITS AGREEMENT

Pursuant to Government Code Section 3547 and Board Rule 101400, the Joint Labor/Management Benefits Committee proposes that representatives of the District and agents of the AFT College Faculty Guild, Local 1521; the AFT College Staff Guild, Local 1521A; the Los Angeles/Orange Counties Building and Construction Trades Council; the Los Angeles Community College District Administrators' Unit represented by California Teamsters Public, Professional & Medical Employees Union, Local 911; the Los Angeles City & County School Employees Union, Local 99; and the Supervisory Employees' Union, SEIU Local 721 commence negotiations on the Master Benefits Agreement with particular focus on the District's Health Benefits Program.

Background: Government Code Section 3547 and the Board Rule 101400 require the District to inform the public of the issues to be negotiated with an employee organization by presenting initial proposals that related to matters within the scope of representation under the Educational Employment Relations Act at a public meeting of the Board. For that reason, this item is being presented as an informative so that the public can review it and be prepared to comment on it at the Board's next scheduled meeting.
SUBJECT: DISTRICT'S INITIAL PROPOSAL TO THE EXCLUSIVE REPRESENTATIVES OF THE DISTRICT'S EMPLOYEES REGARDING NEGOTIATION OF THE MASTER BENEFITS AGREEMENT

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 AFT College Faculty Guild, Local 1521; the AFT College Staff Guild, Local 1521A; the Los Angeles/Orange Counties Building and Construction Trades Council; the Los Angeles Community College District Administrators' Unit represented by California Teamsters Public, Professional & Medical Employees Union, Local 911; the Los Angeles City & County School Employees Union, Local 99; and the Supervisory Employees’ Union, SEIU Local 721 commence negotiations on the Master Benefits Agreement with particular focus on the District's Health Benefits Program.

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 all initial proposals that relate to matters within the scope of representation under the Educational Employment Relations Act at a public meeting of the Board. For that reason, the Board of Trustees is presenting it initial proposal to the above named unions to reopen negotiations on the issues of health benefits and compensation. The matter is on the Board’s agenda today so that the public may comment on the proposal before the Board considers its adoption.

The Board reserves the right to modify or change any or all of its proposals as part of the bargaining process, and also as financial resources and constraints are announced, implemented or adopted by any applicable legislative body or other process.

Recommended by:
Albert O. Roman
Vice Chancellor, Human Resources

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

Chancellor and Secretary of the Board of Trustees

By ___________________________ Date ___________________________
ADOPT REVISIONS TO BOARD RULES CHAPTER VIII ARTICLE II – ACADEMIC PROBATION AND DISQUALIFICATION

Adopt revisions to Article II of the Board Rules as shown below.

ARTICLE II

ACADEMIC PROBATION AND DISQUALIFICATION

8200. STANDARDS FOR PROBATION. The following standards for academic and progress probation shall be applied as required by regulations adopted by the Board of Governors of the California Community Colleges.

8200.10 Probation. A student enrolled in the LACCD shall be placed on academic or progress probation under any one of the following conditions:

a. Academic Probation. The student has attempted at least minimum of 12 semester units of work and has a grade point average of less than a "C" (2.0).

Recommended by: Bobbi Kimble, Interim Vice Chancellor

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

Chancellor and Secretary of the Board of Trustees

By ___________________________ Date __________
b. **Progress Probation.** The student has enrolled in the Los Angeles Community College District in a total of at least 12 semester units, and the percentage of all units in which a student has enrolled with recorded entries of "W" (Withdrawal), "I" (Incomplete), and "NC" (No Credit) or "NP" (No Pass) reaches or exceeds fifty percent (50%).

c. **Transfer Student.** The student has met the conditions of Section a. or Section b. at another college within the Los Angeles Community College District.

d. **Provisional Students.** The student is admitted as a provisional student with probationary status pursuant to Board Rule 8100.

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8200.11 **Appeal of Probation.** A student who is placed on probation may submit a written appeal in compliance with college procedures.

8200.12 **Units Attempted.** "Units Attempted", for probation and dismissal purposes only, means all units of credit in the LACCD community college of attendance of which the student is enrolled.

8200.13 **Units Enrolled.** "Units Enrolled", means all units of credit for which the student is enrolled after census, the first four weeks or 30% of the time the class is scheduled to meet, whichever is less, in the current community college of attendance.

8201. **REMOVAL FROM PROBATION.** A student shall be removed from academic or progress probation upon meeting the following criteria; specified in this section:

8201.10 **Academic Probation.** A student on academic probation for a grade point deficiency shall be removed from academic probation when the student's accumulated his/her cumulative grade point average is 2.0 or higher.

8201.11 **Progress Probation.** A student shall be removed from progress probation when because the percentage of excess units for which
entries of "W" (Withdrawal), "I" (Incomplete), and "NC" (No Credit) or "NP" (No Pass) are recorded shall be removed from probation when the percentage of units in this category drops below fifty percent (50%).

8201.12 Notification. Each college shall make reasonable efforts to promptly notify students that they have become subject to academic probation and/or dismissal. In no case shall the notification be made later than the start of the Fall semester.

Each college shall make reasonable efforts to provide counseling and other support services to help students on probation overcome academic difficulties.

Each college shall make reasonable efforts to notify a student of removal from probation or reinstatement after dismissal within timelines established by the District. Probation and dismissal policies and procedures shall be published in the college catalog.

8202. STANDARDS FOR DISMISSAL: DISMISSAL OF STUDENTS ON PROBATION.

Students A student shall be on academic or progress probation are subject to dismissal and subsequently dismissed under the conditions set forth within this section, as follows:

8202.10 Academic Probation - Dismissal - Academic Probation. A student who is on academic probation shall be subject to dismissal if the student has earned a cumulative grade point average of less than 2.0 in all units attempted in each of three (3) consecutive semesters.

A student who is on academic probation and earns a semester grade point average of 2.0 or better shall not be dismissed as long as this minimum semester grade point average is maintained.

As used in this Rule, "consecutive semesters" are those where a break in the student's enrollment does not exceed one full primary term.

8202.11 Progress Probation - Dismissal - Progress Probation. A student who is on progress probation shall be subject to dismissal if the cumulative percentage of units for which the student received has been enrolled for which entries of "W", "I", and "NC" and "NP" are recorded in at least three (3) consecutive semesters reaches
or exceeds fifty percent (50%) over a period of three (3) consecutive semesters.

A student who is on progress probation shall not be dismissed after a semester in which the percentage of units in which the student has been enrolled for which entries of "W", "I", and "NC" are recorded is less than fifty percent (50%).

As used in this Rule, "consecutive semesters" are those where a break in the student's enrollment does not exceed one full primary term.

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8202.12 Consecutive Semesters. Semesters shall be considered "consecutive" based on the student's enrollment, so long as the break in the student's enrollment does not exceed one full primary term.

8202.132 Notification of Dismissal.

Dismissal. A student who is subject to dismissal shall be notified by the College President, or his/her designee, of the dismissal which will become effective the semester following notification.

Dismissal from any one college in the District shall disqualify a student from admission to any other District college.

8202.143 Exceptions to Dismissal. A student who is subject to dismissal may be continued on probation under the following conditions:—Appeal of Dismissal

a. The dismissal determination is based on the academic record for one semester in which the record does not reflect the student's usual level of performance due to accident, illness, or other circumstances beyond the control of the student.

b. The student selects to enroll in a prescribed corrective program designed to assist him/her in improving academic skills.

Students who are subject to dismissal and wish to remain on probation must file a petition/appeal with the college that notified the student that they are subject to dismissal.
8202.15  Appeal of Dismissal. A student who is subject to dismissal may submit a written appeal only to the college sending the dismissal notification in compliance with college procedures. Dismissal may be postponed and the student continued on probation if the student presents evidence of extenuating circumstances or shows significant improvement in academic achievement but has not been able to achieve to a level that would meet the requirements for removal from probation.

8202.164  Re-admission after Dismissal. RE-ADMISSION AFTER DISMISSAL. A student who has been dismissed must wait may request reinstatement after two semesters before requesting readmission have elapsed. The student shall submit a written petition requesting re-admission to any his/her home college in compliance with that college's procedures. Re-admission may be granted, denied, or postponed subject to fulfillment of conditions prescribed by the colleges. Readmitted students are returned to probationary status and will be subject to dismissal in accordance with 8202.10 and 8202.44.