

MEETING OF THE BOARD OF TRUSTEES

TUESDAY, JANUARY 21, 2003

ROOM 105, LIBRARY BUILDING, SADDLEBACK COLLEGE
28000 MARGUERITE PARKWAY, MISSION VIEJO, CALIFORNIA 92692

CALL TO ORDER (FOLLOWED BY PUBLIC COMMENTS/CLOSED SESSION): 5:00 P.M.
RECONVENE OPEN SESSION: 6:30 P.M.

AGENDA

CALL TO ORDER: 5:00 P.M.

PUBLIC COMMENTS

Members of the public may address the board on items listed below to be discussed in closed session and the following resolutions. **Speakers are limited to two minutes each.**

RECESS TO CLOSED SESSION FOR DISCUSSION OF THE FOLLOWING:

- A. Public Employee Appointment, Employment, Evaluation of Performance, Discipline, Dismissal, Release (GC 54957):
 - 1. Public Employee Appointment
 - a. Interim Dean, Health Sciences, Phys. Ed., and Athletics, IVC
 - b. Kate Clark, Instructor, IVC
 - 2. Public Employee Evaluation
 - a. Instructor, IVC
 - 3. Public Employee Discipline/Dismissal/Release (5)
- B. Conference with Labor Negotiators (GC 54957.6):
 - 1. Negotiators - Dr. Raghu Mathur; California School Employees Association (CSEA), Chapter 586
 - 2. Negotiators - Dr. Raghu Mathur; SOCCCD Faculty Association
- C. Conference with Real Property Negotiators (GC 54956.8):
 - 1. Portion of Tustin MCAS -
Negotiators - Dr. Raghu Mathur; City of Tustin
Under Negotiation - Price and Payment Terms

D. Conference with Legal Counsel (GC 54956.9)

1. Pending Litigation (GC 54956.9[a]) -

- a. Santa Ana USD, etc., et al., v. City of Tustin, etc., et. al.
South Orange County CCD, Intervenor – various cases –
USDC CV 01-3426, OCSC 01CC 02595, OCSC 02001953
- b. Pourya Khademi, et al. v. SOCCCD
- c. CSEA, et al., v. SOCCCD Board of Trustees
- d. Mora v. Mathur
- e. Wilson v. SOCCCD
- f. Sandstedt v. SOCCCD
- g. Kathryn Milostan-Egus, etc., et al., v. SOCCCD
- h. Poindexter v. SOCCCD

2. Initiation of Litigation (GC 54956.9[c]) – One New Case

3. Significant Exposure to Litigation (GC 54956.9[b][1] and [3][A]) – Three Potential Cases

4. Significant Exposure to Litigation (GC 54956.9[b][1] and [3][B] and [C])
Mark Westberg v. SOCCCD, DFEH Case E-200203-K-0250-00pe

RECONVENE OPEN SESSION: 6:30 P.M.

ACTIONS TAKEN IN CLOSED SESSION

INVOCATION

Led by Trustee Milchiker

PLEDGE OF ALLEGIANCE

Led by Trustee Lang

RESOLUTIONS/PRESENTATIONS/INTRODUCTIONS

PUBLIC COMMENTS

Members of the public may address the board on any item on the agenda at this time or during consideration of the item. Items not on the agenda that are within the subject matter jurisdiction of the board may also be addressed at this time. **Speakers are limited to two minutes each.**

BOARD REPORTS/BOARD REQUESTS FOR REPORTS

Section 54954.2(a) of the Ralph M. Brown Act states that "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities.

Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda."

Speakers are limited to two minutes each.

1. BOARD REPORTS/REQUESTS FOR REPORTS

a. BOARD REPORTS

b. BOARD REQUESTS FOR STAFF REPORTS

APPROVAL OF CONSENT CALENDAR ITEMS (Items 2 through 33)

All matters on the consent calendar are to be approved in one motion unless a board member requests separate action on a specific item.

2. MINUTES

Minutes of the Regular Meeting of May 28, 2002, and Special Meeting of June 14, 2002.

3. SC/IVC: CONTRACT WITH CREDENTIALS, INC.

Three year service agreement to provide a convenient on-line service for ordering transcript and verifications at no cost to Saddleback College or Irvine Valley College.

4. SADDLEBACK COLLEGE: JACC JOURNALISM CONFERENCE ATTENDANCE

Request for up to 16 students, one staff member, and one advisor to attend the April 2-6, 2003, conference in Sacramento at a cost not to exceed \$6,500.

5. SADDLEBACK COLLEGE: GUEST SPEAKER

Payment of honorarium in the amount of \$500 to Dr. Robert Morsberger to speak at the Humanities Hour on February 11, 2003.

6. SADDLEBACK COLLEGE: NEW VENDOR FOR STUDY ABROAD PROGRAM IN PARIS

Change of vendor and approval to execute new contract for the French Language Studies during Summer 2003.

7. SADDLEBACK COLLEGE: SCLO 2003 PRODUCTION EXPENDITURES
Expenditures for the 2003 summer season Saddleback Civic Light Opera program.
8. SADDLEBACK COLLEGE: RHORC CREATIVE TEACHING STRATEGIES WORKSHOP
Regional Health Occupations Resource Center workshop for instructors from various hospitals and colleges March 23-28, 2003, in Palm Springs.
9. DISTRICT PLAN FOR COOPERATIVE WORK EXPERIENCE EDUCATION FOR SADDLEBACK COLLEGE
Update of the District Plan and approval of changes as required by Title V.
10. SADDLEBACK COLLEGE: NATIONAL ORGANIZATION FOR WOMEN CLUB CHARITY OUTREACH
Performances of the *Vagina Monologues* by student members of the Saddleback Chapter of NOW to raise money for Human Options.
11. SADDLEBACK COLLEGE: ACCEPT COMPLETION/ AUTHORIZE FILING NOTICE
Accept the Reroofing of Science/Math/Engineering building as complete and authorize filing the Notice of Completion.
12. SOCCCD: 2003-04 HAZARDOUS SUBSTANCE REMOVAL PROGRAM
Submission to the state for payment of one project, hazardous material damaged flooring and cabinet/lab workstation replacement project at IVC, in the amount of \$91,270.
13. SOCCCD: ACADEMIC YEAR 2003-04 NONRESIDENT TUITION FEES
Adoption of proposed fee of \$148 per semester unit, capital outlay fee at \$13 per semester year, and application fee of \$45.

14. SOCCCD: SERVICE AGREEMENT FOR AUTOMATED TELLER MACHINE
Service agreement with Orange County Teachers Federal Credit Union for OCTFCU to pay the district a monthly fee of half of all income received from foreign surcharge withdrawal fees on each ATM.
15. SOCCCD: AUCTION 48, SURPLUS PROPERTY
Authorization to dispose of surplus property and for the Director of Purchasing to hire a private auction firm to dispose of all items not sold at the auction.
16. DISTRICT AND COLLEGE TTIP GRANT: CERTIFICATION OF EXPENDITURES
Acceptance of certification of fund allocation expenditures in accordance with program guidelines
17. SOCCCD: EXTENSION OF CONTRACT OF INDEPENDENT AUDITING SERVICES
Extension of contract with Macias, Gini, & Co. to perform district audit services for two years ending 6/30/04.
18. SOCCCD: REVISION TO RETAINER AGREEMENT
Increase in hourly rate for paralegal services provided by Liebert Cassidy Whitmore from \$90 to \$95 per hour effective January 1, 2003.
19. SOCCCD: CONSULTANT AGREEMENT FOR REDEVELOPMENT CONSULTING SERVICES
Agreement with Public Economics to provide services at a cost not to exceed \$32,500.
20. SADDLEBACK COLLEGE: REJECTION OF BID FOR REMODEL OF CHILD DEVELOPMENT CENTER PLAYGROUND
Rejection of bid in connection with Bid 1019 because it substantially exceeded the project budget.
21. IRVINE VALLEY COLLEGE: ADOPTION OF NEGATIVE DECLARATION
Adoption of Resolution 03-02 declaring construction of the Business and Technology Innovation Center project to have no significant effect upon the environment.

22. SADDLEBACK COLLEGE: ADOPTION OF NEGATIVE DECLARATION
Adoption of Resolution 03-03 declaring construction of the Health Science/District Offices and Greenhouse/Parking Lot 14 projects to have no significant effect upon the environment.
23. IRVINE VALLEY COLLEGE: CHANGE ORDER FOR CONSTRUCTION OF BASEBALL DUGOUTS
Change Order 1 increasing the contract by \$3,000 with no change to completion time.
24. IRVINE VALLEY COLLEGE: PURCHASE OF RELOCATABLE MODULAR CLASSROOMS/ RESTROOMS
Purchase of 48' x 60' classroom building and 12' x 40' restroom building from Mobile Modular Management Corporation for \$221,862.27.
25. CLAIM AGAINST THE DISTRICT
Rejection of the claim by Constance DiFiore dated 12/18/02 and referral to the district's insurance administrator for processing.
26. CLAIM AGAINST THE DISTRICT
Rejection of the claim by Pengxiang Zhu dated 12/12/02 and referral to the district's insurance administrator for processing.
27. CLAIM AGAINST THE DISTRICT
Rejection of the claim by Homa Dideban dated 12/9/02 and referral to the district's insurance administrator for processing.
28. TRANSFER OF BUDGET APPROPRIATIONS
Budget transfers as delineated in the exhibit.
29. SOCCCD: BUDGET AMENDMENT - RESTRICTED GENERAL FUND AND CAPITAL OUTLAY FUND
Adoption of Resolution 03-04 to amend the 2002-03 Adopted Budget.

30. PURCHASE ORDERS/CONFIRMING REQUISITIONS
Purchase orders 01873 through 02172 totaling \$9,605,179.44, and confirming requisitions dated 11/19/02 through 1/6/03 totaling \$143,579.19.
31. PAYMENT OF BILLS
Checks 015884 through 016859 totaling \$4,598,278.60; Saddleback College Community Education checks 6041 through 6095 totaling \$334,736.54; and Irvine Valley College Community Education checks 6400 through 6402 totaling \$2,962.79.
32. GIFTS TO THE DISTRICT AND FOUNDATIONS
Acceptance of various donated items.
33. TRUSTEE TRAVEL/MILEAGE REIMBURSEMENT
Approval/ratification of requests for travel, and/or mileage reimbursement.

INFORMATION ITEMS

ITEMS FOR INFORMATION ONLY

34. MONTHLY FINANCIAL STATUS REPORT
Adopted budget, revised budget, and transactions through the end of the prior month.
35. QUARTERLY FINANCIAL STATUS REPORT
California Community Colleges quarterly Financial Status Report as of December 31, 2002, for the 2002-03 fiscal year.
36. CONTRACTS UNDER \$5,000
Summary of contracts December 2002 and January 2003.
37. SOCCCD: COST OF REPAIR FOR VARIOUS BUILDINGS
Summary of history of problems, geotechnical findings, and recommendations, as well as estimated cost of repairs.
38. SADDLEBACK COLLEGE: RELEASE TIME/STIPENDS
Unrestricted budget for object account categories 1100, 1200, and 1300, and expenditure for release time/stipends.

39. IRVINE VALLEY COLLEGE: RELEASE TIME/STIPENDS
Unrestricted budget for object account categories 1100,
1200, and 1300, and expenditure for release time/stipends.

CHANCELLOR'S ITEMS (Items 40 through 42)

ITEMS RECOMMENDED FOR APPROVAL

40. CCCT BOARD OF DIRECTORS NOMINATION - 2003
Determination of whether the board wishes to make a
nomination and approval of nominee, if applicable.
41. RECOMMENDATION 34.1, CALIFORNIA MASTER
PLAN FOR EDUCATION
Provide direction and authorization to the Chancellor for
responding to CCLC's request for comments.
42. EQUITY AND DIVERSITY TASK FORCE REPORT
Provide direction and authorization to the Chancellor for
responding to the State Chancellor's Office for comments.

DEPUTY CHANCELLOR'S ITEMS (Items 43 through 46)

ITEMS RECOMMENDED FOR APPROVAL

43. ACADEMIC PERSONNEL ACTIONS
Administrative Employment; Additional Compensation;
Academic Temporary Part-Time/Substitute Staff; OSH
Banking Leave Provision; Reduced Contract;
Resignation/Retirement/End of Assignment
44. CLASSIFIED PERSONNEL ACTIONS
New Personnel Appointments; Volunteers; Change of
Status; Authorization to Establish and Announce Classified
Position; Authorization to Abolish Classified Positions;
Resignation/Retirement/Conclusion of Employment.
45. REVISED AUTHORIZATION FOR DISTRICT
INSTITUTIONAL MEMBERSHIPS 2002-03
Revisions to memberships and estimated dues for
organizations.

46. RESOLUTION FOR PETITION FOR BOUNDARY CHANGE
Adoption of Resolution 03-01, Petition for a Boundary Change between the Rancho Santiago CCD and South Orange County CCD.

VICE CHANCELLORS' ITEMS (Items 47 through 50)

EDUCATIONAL SERVICES

ITEMS RECOMMENDED FOR REVIEW AND STUDY

47. BOARD POLICIES 4309 THROUGH 4309.4, DUTIES AND RESPONSIBILITIES OF THE FACULTY
Acceptance of proposed amendments to BP 4309, Duties and Responsibilities of the Instructional Faculty; BP 4309.1, Duties and Responsibilities of the Counselor; BP 4309.2, Duties and Responsibilities of the Librarian; BP 4309.3, Duties and Responsibilities of a Coach; and BP 4309.4, Duties and Responsibilities of the Department Chairperson.
48. REVISION TO BOARD POLICY 4000.2, DIGITAL INFORMATION NETWORK, ACCEPTABLE USE POLICY
Acceptance of proposed amendments to BP 4000.2.
49. REVISION TO BOARD POLICY 8000, SPEECH AND ADVOCACY
Acceptance of proposed amendments to BP 8000.

ITEMS RECOMMENDED FOR APPROVAL

50. BOARD POLICIES 4011, 4011.1, AND 4011.2, DISTRICT HIRING POLICIES
Proposed amendments to BP 4011, Hiring Policy for Academic Administrators, Classified Managers, and Classified Staff; BP 4011.1, Full-Time Faculty Hiring Policy; and BP 4011.2, Human Resources Ethics Policy, Confidentiality and Conflict of Interest Statements.

REPORTS

Per unanimous board approval, the reports by the following individuals should be written and submitted to the board prior to board meetings. The

reports may be given verbally, however, if enough time remains prior to the board approved meeting adjournment time of 10:00 p.m.

Speakers are limited to two minutes each.

**51. CHANCELLOR/PRESIDENTS'/GOVERNANCE
GROUPS' REPORTS**

- a. Chancellor
- b. Presidents
- c. Student Government Reports
 - Associated Student Government of
Saddleback College
 - Associated Students of Irvine Valley College
- d. Academic Senates' Reports
 - Saddleback College Academic Senate
 - Irvine Valley College Academic Senate
- e. Faculty Association Report
- f. California School Employees Association Report
- g. Classified Senates' Reports
 - Saddleback College Classified Senate
 - Irvine Valley College Classified Senate
 - District Classified Senate
- h. Police Officers' Association Report

CORRESPONDENCE

52. CORRESPONDENCE

Items of correspondence submitted by the district and colleges for the board's information.

**ADJOURNMENT (OR RECESS TO CONTINUE CLOSED SESSION IF
REQUIRED): 10:00 P.M.**

dm

**ADDITIONAL ITEM FOR THE 1/21/03 REGULAR BOARD
MEETING AGENDA**

ITEM RECOMMENDED FOR APPROVAL

53. CONTRACT FOR LEGISLATIVE ADVOCACY
Approval of contract with School Services of California for
the period 2/1/03 to 1/31/04 at \$2,000 per months plus
expenses.