

**RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT**  
**2323 North Broadway, #107**  
**Santa Ana, CA 92706**

**Board of Trustees (Regular meeting)**

**Monday, April 13, 2009**

**MINUTES**

**1.0 PROCEDURAL MATTERS**

1.1 Call to Order

The meeting was called to order at 4:30 p.m. by Dr. David Chapel. Other members present were Mr. Brian Conley, Mr. Paul Garcia, Mr. John Hanna, Mr. Larry Labrado, Mr. Mark McLoughlin, and Ms. Lisa Woolery. Mr. Phillip Yarbrough arrived at the time noted.

Administrators present during the regular meeting were Mr. John Didion, Mr. Peter Hardash, Dr. Eddie Hernandez, Jr., Dr. Erlinda Martinez, and Mr. Juan Vázquez. Ms. Anita Lucarelli was present as record keeper.

1.2 Pledge of Allegiance to the United States Flag

The Pledge of Allegiance was led by Mr. Jose Velasco, Student Treasurer, Santa Ana College.

Mr. Phillip Yarbrough arrived at this time.

1.3 Public Comment

Mr. Dave Hall, President, RSCCD Continuing Education Faculty Association, addressed the board regarding the closing of Marketplace Education Center (MEC).

Mr. Carlos Ayub, pastor of a church that met at Santa Ana College, thanked the board for allowing the church to use its facilities.

1.4 Approval of Minutes – Regular meeting of March 23, 2009

It was moved by Mr. Labrado and seconded by Mr. Yarbrough to approve the minutes of March 23, 2009.

Discussion ensued. A Board Policy Committee meeting date was scheduled for Monday, April 20, 2009, at 4:30 p.m. to review the minutes of that meeting for consistency.

The motion was amended by Mr. Yarbrough, seconded by Mr. Conley, and carried unanimously to postpone action on the minutes of March 23, 2009.

### 1.5 Approval of Consent Calendar

It was moved by Mr. Yarbrough, seconded by Mr. Hanna, and carried unanimously to approve the recommended action on the following items as listed on the Consent Calendar:

#### 4.1 New Speech-Language Pathology Assistant Program Agreement with Tustin Unified School District

The board approved the new Speech-Language Pathology Assistant Program agreement with Tustin Unified School District in Tustin, California.

#### 4.2 New Speech-Language Pathology Assistant Program Agreement with Anaheim Union High School District

The board approved the new Speech-Language Pathology Assistant Program agreement with Anaheim Union High School District in Anaheim, California.

#### 4.3 New Human Development Agreement – Anaheim City School District

The board approved the contract with Anaheim City School District in Anaheim, California.

#### 4.5 Amendment of Pharmacy Technology Agreement – Anaheim Memorial Medical Center, Inc.

The board approved the amendment with Anaheim Memorial Medical Center, Inc. in Anaheim, California.

#### 4.7 Vocational Education Agreement with Hair California Beauty Academy

The board approved the agreement with Hair California Beauty Academy in Orange, California, for the academic and fiscal year 2009-2010.

#### 5.1 Payment of Bills

The board approved the payment of bills as submitted.

## 2.0 INFORMATIONAL ITEMS AND ORAL REPORTS

### 2.1 Report from the Chancellor

Dr. Edward Hernandez, Jr. provided a report to the board.

### 2.2 Report from College Presidents

The following college presidents provided reports to the board:

Dr. Erlinda Martinez, President, Santa Ana College (SAC)

Mr. Juan Vázquez, President, Santiago Canyon College (SCC)

2.3 Report from Student Trustee

Mr. Paul Garcia provided a report to the board.

2.4 Reports from Student Presidents

The following student representatives provided reports to the board on behalf of the Associated Student Government (ASG) organizations:

Ms. Tina Lam, Student President, Santiago Canyon College  
Mr. Jose Velasco, Student Treasurer, Santa Ana College

2.5 Reports from Academic Senate Presidents

The following academic senate presidents provided reports to the board:

Mr. Morrie Barembaum, Academic Senate President, Santiago Canyon College  
Mr. Raymond Hicks, Academic Senate President, Santa Ana College

2.6 Informational Presentation on Accreditation

Dr. Hernandez provided updated information on responses to the accreditation commission's recommendations.

2.7 Informational Presentation on Budget

Dr. Hernandez and Mr. Hardash provided an update on the budget.

2.8 Informational Presentation on Datatel

Ms. Sylvia LeTourneau, Mr. John Thompson, Mr. John Birk, Mr. Robert Manson, and Mr. Sergio Rodriguez provided an update on the Datatel implementation.

Mr. Yarbrough left the meeting at this time.

2.9 Informational Presentation on Facilities

Mr. Hardash, Mr. Daryl Odum, and Mr. Al Chin provided an update on facilities.

Mr. Labrado left the meeting at this time.

## **RECESS TO CLOSED SESSION**

The board convened into closed session at 6:35 p.m. to consider the following items:

1. Public Employment (pursuant to Section 54957[b][1])
  - a. Interim Master Teacher
  - b. Part-time Faculty
  - c. Classified Staff
  - d. Student Workers
  
2. Conference with Labor Negotiator (pursuant to Section 54957.6)  
Agency Negotiator: Mr. John Didion, Executive Vice Chancellor of Human Resources & Educational Services  
Employee Organizations: Faculty Association of Rancho Santiago Community College District  
California School Employees Association, Chapter 579  
Continuing Education Faculty Association  
Child Development Centers Teachers Association
  
3. Public Employee Discipline/Dismissal Release (pursuant to Section 54957[b][1])

## **RECONVENE**

The board reconvened at 6:53 p.m.

### **Closed Session Report**

Mr. Conley reported the board discussed the aforementioned items and voted unanimously to ratify the release of Guadalupe Golden during her probationary period.

### **Public Comment**

There were no public comments.

## **3.0 HUMAN RESOURCES**

### **3.1 Management/Academic Personnel**

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to approve the following action on the management/academic personnel docket:

- Approve Employment Agreement: Assistant Dean, Student Services
- Approve Stipends
- Approve Interim Assignment
- Ratify Acceptance of Resignations/Retirements
- Approve Salary Adjustments
- Approve Part-time Faculty Appointments

### 3.2 Classified Personnel

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to approve the following action on the classified personnel docket:

- Approve Revised Job Description: Financial Aid Analyst
- Approve Longevity Increments
- Approve Out of Class Assignments
- Approve Change in Location
- Approve Change in Position
- Approve Change in Salary Placement
- Approve Return from Leave
- Ratify Acceptance of Resignation/Retirements
- Approve Professional Growth Increment
- Approve Temporary Assignments
- Approve Interns, Models, Instructional Associates/Associate Assistants, Community Services Presenters, Student Assistants

### 3.3 Rancho Santiago Community College District Initial Bargaining Proposal to the Faculty Association of Rancho Santiago Community College District (FARSCCD)

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to receive and file the district's initial bargaining proposal to the Faculty Association of Rancho Santiago Community College District (FARSCCD) and schedule a public hearing for April 27, 2009.

### 3.4 Rancho Santiago Community College District Initial Bargaining Proposal to the California School Employees Association (CSEA), Chapter 579

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to receive and file the district's initial bargaining proposal to the California School Employees Association (CSEA), Chapter 579, and schedule a public hearing for April 27, 2009.

### 3.5 Rancho Santiago Community College District Initial Bargaining Proposal to the Continuing Education Faculty Association (CEFA)

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to receive and file the district's initial bargaining proposal to the Continuing Education Faculty Association (CEFA) and schedule a public hearing for April 27, 2009.

3.6 Rancho Santiago Community College District Initial Bargaining Proposal to the Child Development Centers Teachers Association (CDCTA)

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to receive and file the district's initial bargaining proposal to the Child Development Centers Teachers Association (CDCTA) and schedule a public hearing for April 27, 2009.

3.7 Board Travel/Conferences

It was moved by Mr. Conley, seconded by Mr. Hanna, and carried unanimously to approve the submitted conferences and travel by board members.

**4.0 INSTRUCTION**

Items No. 4.1, 4.2, 4.3, 4.5, and 4.7 were approved as part of Item 1.5: Consent Calendar.

4.4 Contract with Mythics, Inc. for Datatel Report Writing Training

It was moved by Ms. Woolery, seconded by Mr. Hanna, and carried unanimously to approve the contract with Mythics, Inc. in Virginia Beach, Virginia, to perform the Datatel report writing training.

4.6 Amendment of Distance Education Agreement – Joint Powers Agreement, Intelcom Southern California Consortium for Community College Television

It was moved by Mr. Conley, seconded by Mr. McLoughlin, and carried unanimously to approve the contract with Intelcom, the Southern California Consortium for Community College Television in Pasadena, California.

**5.0 BUSINESS OPERATIONS/FISCAL SERVICES**

Item No. 5.1 was approved as part of Item 1.5: Consent Calendar.

5.2 Additional Testing Services for SAC Maintenance & Operations Building and Classroom Building – Twining Laboratories (P.O. 08-P002333)

It was moved by Mr. Hanna and seconded by Ms. Woolery to approve the agreement to increase the compensation to Twining Laboratories as presented. Discussion ensued. The motion carried unanimously.

5.3 Architectural Contract: Miscellaneous SAC Infrastructure Projects

It was moved by Mr. Hanna, seconded by Ms. Woolery, and carried unanimously to approve the request for additional services provided by LPA, Inc. in the amount of \$109,771 as presented.

5.4 Architectural Services Contract: SAC Child Development Center

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve the request for additional services provided by Harley Ellis Devereaux in the amount of \$175,000 as presented.

5.5 Change Order #16 - Bid #1051/SAC Classroom Building

It was moved by Mr. Hanna, seconded by Ms. Woolery, and carried unanimously to approve change order #16, EMAE International, Inc. for Bid #1051, construction of the Classroom and Maintenance & Operations buildings at Santa Ana College as presented.

5.6 Change Order #17 – Bid #1051/SAC Maintenance & Operations Building

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #17, EMAE International, Inc. for Bid #1051, construction of the Classroom and Maintenance & Operations buildings at Santa Ana College as presented.

5.7 Change Order #1 – Bid #1053/SCC Science Building/Bond Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #1, Reed Thomas for Bid #1064, earthwork for Santiago Canyon College Science building as presented.

5.8 Change Order #1 – Bid #1053/SCC Science Building/State Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #1, Reed Thomas for Bid #1064, earthwork for Santiago Canyon College Science building as presented.

5.9 Change Order #1 – Bid #1063/SCC Science Building/Bond Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #1, J.M. Farnan Company, Inc. for Bid #1063 for plumbing services provided in the Santiago Canyon College Science building as presented.

5.10 Change Order #2 – Bid #1063/SCC Science Building/State Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #2, J.M. Farnan Company, Inc. for Bid #1063 for plumbing services provided in the Santiago Canyon College Science building as presented.

5.11 Change Order #1 – Bid #1064/SCC Science Building/Bond Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #1, Baker Electric for Bid #1064 for electrical services provided in the Santiago Canyon College Science building as presented.

5.12 Change Order #1 – Bid #1064/SCC Science Building/State Funded

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve change order #1, Baker Electric for Bid #1064 for electrical services provided in the Santiago Canyon College Science building as presented.

5.13 Construction Management Agreement: SAC Gym Project (Restroom Addition, Gym Floor Replacement)

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve hiring Bernards as the construction management firm for the SAC Gym Project as presented.

5.14 DSA Inspection Services: Santa Ana College Fire Alarm System Replacement

It was moved by Mr. Conley, seconded by Ms. Woolery, and carried unanimously to approve the change order for Johnston Inspections, Inc. to provide DSA-mandated inspection services at Santa Ana College as presented.

5.15 Budget Assumptions

It was moved by Mr. Conley and seconded by Ms. Woolery to approve the Tentative Budget Assumptions for the 2009-2010 fiscal year as presented. Discussion ensued. The motion carried unanimously.

## 6.0 **GENERAL**

### 6.1 New and Revised Board Policies

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve the following board policies:

|   | <u>Action</u> |
|---|---------------|
| • Community Services Activities - BP1350  | Revise        |
| • Conflict of Interest – BP3101   | Revise        |
| • General Personnel Policy Statement – B 4101   | Revise        |
| • Recruitment and Selection of Employees – BP4102   | Revise        |
| • Employee Appointment and Transfer – BP4104  | Eliminate     |
| • Equal Employment Opportunity – BP4104 (NEW)   | New           |
| • Employment Contracts – BP4105   | Eliminate     |
| • Insurance – BP4107  | Eliminate     |
| • Personnel Files – BP4110  | Revise        |
| • One Day Change of Assignment – BP4112   | Eliminate     |
| • Short-Term Excused Absence Without Loss of Pay – BP4113                                   | Eliminate     |
| • Military Leave – BP4115   | Revise        |
| • Employment of Relatives/Nepotism – BP4118   | Revise        |
| • Unlawful Discrimination and Sexual Harassment – BP4119                                    | Revise        |
| • Copyright and Patents – BP4120  | Eliminate     |
| • Acceptance of Outside Obligations – BP4126  | Revise        |
| • Salary Deductions – BP4127  | Revise        |
| • Employee Evaluation – BP4128  | Revise        |
| • Resignation - BP4129  | Revise        |
| • Medical Examinations – BP4130   | Revise        |
| • Diversity and Equal Employment Opportunity – BP4131                                       | Eliminate     |
| • Organizations Right of Access – BP4133  | Revise        |
| • Solicitation of Political Contributions and Political Activities<br>by Employees – BP4135 | Revise        |
| • International Travel – BP4136   | Eliminate     |
| • Whistleblower Protection – BP4140   | Revise        |
| • Faculty Multiple Site Assignment – BP4203   | Eliminate     |
| • Faculty Dismissal and/or Discharge – BP4206   | Revise        |
| • Faculty Retirement (Workload Reduction) – BP4207  | Revise        |
| • Faculty Retirement – BP4208   | Eliminate     |
| • CLASSIFIED PERSONNEL - Definition Classified Service – BP4301                             | Revise        |
| • Classified Salary Payments – BP4302   | Revise        |
| • Classified Retirement System – BP4303   | Eliminate     |
| • Management Medical/Dental Insurance Benefits – BP4402                                     | Revise        |
| • Bereavement Leave Management – BP4404   | Revise        |

| <u>6.1 Approval of New and Revised Board Policies – (cont.)</u>                                  | <u>Action</u> |
|--|---------------|
| • Duties - Management Interns – BP4416   | Eliminate     |
| • Administrative Leave – BP4419  | Revise        |
| • Retirement Administrative – BP4420   | Eliminate     |
| • Salary Payments Administrative – BP4503  | Eliminate     |
| • Educational Management Employee Retroactive Pay<br>Administrative – BP4519                     | Revise        |
| • Administrative Retreat Rights - Administrative – BP4520  | Revise        |
| • Claims and Actions Against The District – BP4602   | Revise        |
| • District Property & Liability Protection – BP4603  | Revise        |
| • Bonding of Personnel – BP4604  | Revise        |
| • Open Enrollment - BP5009   | Revise        |
| • Military Withdrawals - BP5121  | Revise        |
| • Withholding of Student Records - BP5555  | New           |
| • Credit/No Credit Courses - BP6120 (Grading and<br>Academic Record Symbols)                     | Revise        |
| • Credit by Examination - BP6121   | Revise        |
| • Committee Structure - BP9009   | Revise        |
| • Quorum and Voting - BP9016   | Revise        |
| • Meetings - Special - BP9020  | Revise        |
| • Board of Trustees Political Activities and Solicitation<br>of Political Contributions - BP9027 | Revise        |

Discussion ensued.

The motion was amended by Mr. Hanna and seconded by Ms. Woolery to remove the following policies from the aforementioned list for approval:

- |   |        |
|---|--------|
| • Recruitment and Selection of Employees - BP4102 | Revise |
| • Equal Employment Opportunity - BP4104 (NEW)     | New    |
| • Administrative Leave - BP4419                   | Revise |

The motion carried unanimously to approve the aforementioned policies excluding BP4102, BP4014 (NEW), and BP4419.

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve BP4102 - Recruitment and Selection of Employees. Discussion ensued. It was decided that after review by the board attorney, BP4102 will be reviewed by the Board Policy Committee. The motion to approve BP4102 failed unanimously.

6.1 Approval of New and Revised Board Policies – (cont.)

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve BP4104 (NEW) – Equal Employment Opportunity. Discussion ensued. It was decided that after review by the board attorney, BP4104 (NEW) will be reviewed by the Board Policy Committee. The motion to approve BP4104 failed unanimously.

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve BP4119 - Administrative Leave. Discussion ensued. The motion to approve BP4119 carried unanimously.

6.2 BP9022 – Evaluation of the Trustees

This policy was presented for first reading as an informational item. Discussion ensued. Mr. Hanna presented an edited version of BP9022 and a new BP9022.5.

Dr. Chapel declared a brief recess at 7:36 p.m. due to outside noise.

The board reconvened at 7:41p.m.

It was decided that Dr. Hernandez will present the edited BP9022 to the District Accreditation Taskforce assigned to the recommendation on board self-evaluation for review, and the Board Policy Committee will review BP9022.5.

6.3 Disposing of Audio Tape Recordings of Public Meetings after 180 Days

It was moved by Mr. Conley and seconded by Mr. McLoughlin to approve disposing audio tape recordings of public meetings after 180 days. Discussion ensued. The motion failed with the following vote: Aye – Dr. Chapel, Mr. McLoughlin; Nay: Mr. Conley, Mr. Hanna, and Ms. Woolery.

6.4 Board Member Comments

Mr. Hanna and Mr. Conley attended Richard O’Neill’s funeral service today. Both trustees requested the board meeting be adjourned in Mr. O’Neill’s honor.

Mr. Conley reported he plans to attend a State Board of Education meeting in Sacramento on April 15. In addition, he requested information on Middle College High School for an April 15 meeting with State Superintendent Jack O’Connell.

Dr. Chapel made comments regarding an article on perks and privileges for board members.

**7.0 ADJOURNMENT**

Dr. Chapel announced the next regular meeting of the Board of Trustees will be held on Monday, April 27, 2009, at the District Office, 2323 N. Broadway, Santa Ana, California.

There being no further business, Dr. Chapel declared this meeting adjourned at 8:19 p.m. in memory of public servant Richard O'Neill.

Respectfully submitted,

\_\_\_\_\_  
Eddie Hernandez, Jr., Ed.D.  
Chancellor

Approved: \_\_\_\_\_  
Clerk of the Board

Minutes Approved: May 11, 2009