

APPROVED
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF TRUSTEES OF THE
NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

February 23, 2016

The Board of Trustees of the North Orange County Community College District met for its Regular Meeting on Tuesday, February 23, 2016, at 5:30 p.m. in the Anaheim Campus Board Room.

Board President Barbara Dunsheath called the meeting to order at 5:30 p.m. and asked Dr. Cheryl Marshall to lead the Pledge of Allegiance to the Flag.

TRUSTEE ROLL CALL: Present: Jeffrey P. Brown, Barbara Dunsheath, Leonard Lahtinen, Molly McClanahan, M. Tony Ontiveros, Jacqueline Rodarte, and Student Trustees Francisco Aviles Pino and Tanya Washington. Absent: None

RESOURCE PERSONNEL PRESENT: Fred Williams, Interim Chancellor; Brian Fahnestock, Interim Vice Chancellor, Finance & Facilities; Cherry Li-Bugg, Vice Chancellor, Educational Services & Technology; Irma Ramos, Vice Chancellor, Human Resources; Greg Schulz, Interim President, Fullerton College; Bob Simpson, President, Cypress College; Martha Gutierrez, Anaheim Campus Dean, School of Continuing Education; Kai Stearns Moore, District Director, Public & Governmental Affairs; Richard Fee, representing the District Management Association; Adam Gottdank, representing the School of Continuing Education Academic Senate; Jolena Grande, representing Cypress College Academic Senate; Pete Snyder, representing Fullerton College Faculty Senate; Tina Johannsen, representing United Faculty; Rod Lusch, representing CSEA; Kent Stevenson, representing ADFAC; and Alba Recinos, Recording Secretary.

OTHER ADMINISTRATORS AND EMPLOYEES PRESENT: Carlos Ayon, Lisa Campbell, Dale Craig, Savannah Jones, Jose Ramon Nuñez, Richard Storti and Chrystal Van Beynen from Fullerton College; Santanu Bandyopadhyay, Christine Diep, Philip Dykstra, Joel Gober, Patty Kishel, Renay Laguana, Alex Mintzer, Katy Realista, Dee Sato, Rick Van Beynen, Jane Walker, and Dave Wassenaar from Cypress College; Emma Diaz, Lorenze Legaspi, Jennifer Perez, and Julie Shields from the School of Continuing Education; and Joyce Carrigan, Rodrigo Garcia, Julie Kossick, Tami Oh, and Rick Williams from the District Office.

VISITORS: Chuck Allen, Charlene Egizi, Gregory Kishel, and Cheryl Marshall.

COMMENTS: MEMBERS OF THE AUDEIENCE:

- A. **Dale Craig** addressed the Board to notify them of his intention to file a grievance related to unpaid faculty assignments associated with the Cypress College Biology department.
- B. **Dee Sato**, Cypress College Biology Instructor, stated that she has always taught BIO 210 C as two single sections, but as of spring 2016 has been required to

change to a double lecture section. As a result of the change, she is only paid for a single lecture section which amounts to a 50% pay cut.

(See Supplemental Minutes #1165 for a copy of the full statement.)

- C. **Alex Minzter**, Cypress College Biology Instructor, spoke in support of his colleagues and noted concern that the issue could affect the District's competitiveness in the faculty hiring process.
- D. **Joel Gober**, Cypress College Biology Instructor, read a statement on behalf of his colleague **Jose Antonio Sanchez-Duran**, regarding Biology faculty being unfairly paid for single versus multiple lecture sections. Dr. Gober implored the Board to offer guidance to administration to help them not make unilateral decisions on class size and seat count.

(See Supplemental Minutes #1165 for a copy of the full statement.)

- E. **Jane Walker**, Cypress College Nursing Instructor, addressed the Board regarding the District's dismal health and welfare benefits, and urged negotiating teams to make benefit contributions a priority in the negotiation process.

(See Supplemental Minutes #1165 for a copy of the full statement.)

BLOCK VOTE APPROVAL OF NON-PERSONNEL ITEMS: It was moved by Trustee Jeffrey P. Brown and seconded by Trustee Jacqueline Rodarte that the following non-personnel items be approved by block vote:

Instructional Resources 4.a, 4.b

Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes, including Student Trustees Aviles Pino and Washington's advisory votes.

BLOCK VOTE APPROVAL OF PERSONNEL ITEMS: It was moved by Trustee Molly McClanahan and seconded by Trustee M. Tony Ontiveros that the following personnel items be approved by block vote:

Human Resources: 5.a, 5.b, 5.c, 5.d, 5.e

Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes.

REPORTS

- A. **Interim Chancellor Fred Williams** began his report by welcoming Dr. Cheryl Marshall whose appointment as Chancellor appeared on the meeting agenda, and also stated that the Orange County Registrar of Voters has certified the special election results which state that Steve Blount has been elected as the District's Board member for Trustee Area 3. Mr. Blount will officially be seated at the March 8, 2016 Board of Trustees meeting. Mr. Williams concluded his report by noting that the initial discussions on a potential bus pass program will take

place next week between the Orange County Transportation Authority (OCTA) and Associated Students at Cypress College and Fullerton College.

- B. As part of the Chancellor's Report the following individuals were honored upon their retirement from the District:

Beverly Dymond, SCE Admissions & Records Specialist

Patricia Kishel, Cypress College Marketing Instructor

Chrystal Van Beynen, Fullerton College Career Center Coordinator

(See Supplemental Minutes #1165 for a copy of the Chancellor's full report.)

- C. **Martha Gutierrez**, Dean at the School of Continuing Education, reported on the first graduate from the SCE El Camino High School Diploma Program Lab, a new "Transitioning to Fullerton College" course to be offered as part of the High School Diploma Program curriculum at the Wilshire Center, and English as a Second Language (ESL) Program Director Jorge Gamboa's involvement with the Irvine Valley College ESL department to assist in the development of a noncredit ESL program.

(See Supplemental Minutes #1165 for a copy of the Dean's full report.)

- D. **Bob Simpson**, Cypress College President, introduced Dr. Katy Realista as the new Interim Dean of Fine Arts at Cypress College, and reported that the College's dental program was notified of their full accreditation – with no recommendations – and thanked staff for their efforts. Dr. Simpson also encouraged attendance at the Black History Month prominent speaker series, the Faces of Cypress College exhibit on permanent display on the second floor of the Student Center, and the men's and women's basketball State playoff games.

(See Supplemental Minutes #1165 for a copy of the President's full report.)

- E. **Greg Schulz**, Fullerton College Interim President, welcomed Dr. Cheryl Marshall, and introduced Charlene Egizi whose idea sparked Fullerton College night at the April 9, 2016 Angels baseball game. Dr. Schulz also congratulated Fullerton College Vice President Richard Storti on his recent doctorate dissertation defense, and invited everyone to attend the men's basketball playoff game on Friday night at the Hornets Nest.

(See Supplemental Minutes #1165 for a copy of the President's full report.)

COMMENTS

- A. **Richard Fee** thanked Interim Chancellor Williams for agreeing to provide copies of *Redesigning America's Community Colleges* to all managers interested in participating in the DMA book club activity.
- B. **Adam Gottdank** reported on the upcoming Common Assessment Initiative training, SCE accreditation focus groups, and his attendance at the Cypress College and Fullerton College Academic Senate meetings.

- C. **Jolena Grande** distributed copies of the latest edition of the *Senate Rostrum* and read an excerpt from a formal resolution passed by the Cypress College Academic Senate outlining their grave concerns related to salary and benefits.
- D. **Pete Snyder** reported that the Fullerton College Faculty Senate had voted to posthumously award an honorary degree to Peter Gonzales, a student who passed away in fall 2015.
- E. **Tina Johannsen** reported on attendance at the Community College Association Convention, and stated her support for the Cypress College Biology department faculty members' comments.
- F. **Rod Lusch** shared that his appointment to the CSEA Community College Committee had been confirmed, and that CSEA President Michael Bilbrey had resigned his post due to personal reasons.
- G. **Kent Stevenson** welcomed Dr. Cheryl Marshall, and congratulated her on her selection as Chancellor.
- H. **Student Trustee Tanya Washington** congratulated the Fullerton College and Cypress College basketball teams on their recent victories, welcomed Dr. Cheryl Marshall, and reported on her attendance at various campus events.
- I. **Student Trustee Francisco Aviles Pino** also welcomed Dr. Marshall and implored the District to initiate discussion related to faculty's stated issues regarding lab unit compensation.
- J. **Trustee Molly McClanahan** referenced a recent article featuring the Fullerton Museum's "Plastics Unwrapped" exhibit, and also reported on her participation on a Girl Scouts sponsored panel discussion.
- K. **Trustee Leonard Lahtinen** reported on his participation on a Metropolitan Water District tour, and the upcoming Fullerton College Foundation Annual Retiree Luncheon and District Summer 4/10 schedule. He also expressed his gratitude to Deborah Ludford for facilitating the compilation of online feedback for the Chancellor Candidate forums.
- L. **Trustee Jeffrey P. Brown** reminded everyone that the Americana Awards are on Saturday, February 27, 2016 at the Disneyland Hotel.
- M. **Trustee Barbara Dunsheath** echoed Trustee Brown's comments, and reported on her attendance at the Habits of Mind presentation hosted by the California Community Colleges' Success Network. She also shared that the League of Women Voters of North Orange County will host two higher education study workshops on March 12, 2016 and March 19, 2016 at the Placentia Library.

MIINUTES: It was moved by Trustee Molly McClanahan and seconded by Trustee M. Tony Ontiveros to approve the Minutes of the Regular Meeting of February 9, 2016; the Special Meeting of February 11, 2016, and the Special Closed Session Meeting of February 12, 2016. **Motion carried with Trustees Brown, Dunsheath, Lahtinen,**

McClanahan, Ontiveros, and Rodarte voting yes, including Student Trustees Aviles Pino and Washington's advisory votes.

FINANCE & FACILITIES

Item 3.a: After reiterating appreciation for the agreement to set-up the irrevocable trust to address the unfunded liability, it was moved by Trustee M. Tony Ontiveros and seconded by Trustee Jacqueline Rodarte that the Board authorize approval of a transfer in the amount of up to \$10,301,003 to the District's irrevocable trust, administered by Keenan & Associates and the FUTURIS Public Entity Investment Trust Program. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes, including Student Trustees Aviles Pino and Washington's advisory votes.**

Item 3.b: Subsequent to Interim Chancellor Williams emphasizing that the proposed transfer would be returned to the General Fund after the first bond issuance, it was moved by Trustee Molly McClanahan and seconded by Trustee Jacqueline Rodarte that the Board authorize a transfer to the Bond Fund in the amount of \$2,904,196 for bond projects and program management expenses and that a resolution be adopted to adjust budgets and authorize expenditures within the Bond Fund, pursuant to the California Code of Regulations Title 5, §58308. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes, including Student Trustees Aviles Pino and Washington's advisory votes.**

Further authorization was granted for the Vice Chancellor, Finance and Facilities, or the District Director, Fiscal Affairs, to execute any agreements and related documents on behalf of the District.

INSTRUCTIONAL RESOURCES

Item 4.a: By block vote, retroactive authorization was granted to to accept new revenue for the Cypress College Career Technical Education Teacher Preparation Pipeline Grant in the amount of \$240,000 for use beginning January 4, 2016 through December 31, 2017 and that a resolution be adopted to accept new revenue and authorize expenditures within the General Fund, pursuant to the California Code of Regulations Title 5, §58308.

Further authorization was granted for the Vice Chancellor, Finance and Facilities, or the District Director, Fiscal Affairs, to execute any agreements and related documents and any amendments to modify the agreements on behalf of the District.

Item 4.b: By block vote, authorization was granted for the Fullerton College Extended Opportunity Programs and Services (EOPS) Department to expend \$5,000 from EOPS State budget allocation, as in previous years, as well as \$5,000 in College EOPS Student Equity Funds for its 2016 recognition ceremony, with total expenditures not to exceed \$10,000. Further authorization was granted for the funding of necessary related costs to include, but not limited to, supplies, venue, promotional activities, contracted services, event materials, recognition awards, activities, and speakers.

HUMAN RESOURCES

From: 6.67%
 To: 10.00%
 Eff. 2016 Spring Semester

Mottershead, Allen	CC	Engineering/Electrical Instructor Family Medical Leave (FMLA/CFRA) (100%) Paid Leave using Regular and Supplemental Sick Leave Until Exhausted; Unpaid Thereafter Eff. 02/01/2016-05/31/2016
Stokes, Jerry	FC	Administration of Justice Instructor Family Medical Leave (FMLA/CFRA) (100%) Paid Leave using Regular and Supplemental Sick Leave Until Exhausted; Unpaid Thereafter Eff. 02/01/2016-02/25/2016
Young, Renee	FC	Fashion Instructor Load Banking Leave With Pay From: 35.00% To: 15.00% Eff. 2016 Spring Semester

TEMPORARY ACADEMIC HOURLY-INSTRUCTIONAL-2016 SPRING SEMESTER, TRIMESTER

English, Eissa	FC	Column 1, Step 1
Fitch, Wanelle	CC	Column 1, Step 1
Harris, Jonathan C.	CC	Column 1, Step 1
LaLanne, Harris	CC	Column 1, Step 1
Morgan, Paul J.	FC	Column 1, Step 1
Neitzke, Nicole S.	CC	Column 1, Step 1
Nguyen, Kim Trang H.	CC	Column 1, Step 1
Peluso, Stephen R.	FC	Column 1, Step 1
Pestolesi, Kari	FC	Column 2, Step 1
Rodriguez, Eric M.	CC	Column 1, Step 1
Tucker, Alba M.	FC	Column 2, Step 1
Urban, John G.	CC	Column 1, Step 1
Vidal, Jared	FC	Column 1, Step 1
Weitzel, John L.	CC	Column 2, Step 1
Zurko, Erik	CC	Column 1, Step 2

Item 5.b: By the block vote, authorization was granted for the following classified personnel matters, which are within budget:

RESIGNATION

Murillo, Raquel	SCE	Instructional Aide/High School Lab 11-month position (50%) Eff. 02/18/2016 PN SCC980
-----------------	-----	---

03/15/2016 – 03/16/2016

Item 5.c: By the block vote, authorization was granted for the assignment of professional expert personnel per the professional expert listing.

(See Supplemental Minutes #1165 for a copy of the professional expert personnel listing.)

Item 5.d: By the block vote, authorization was granted for the hourly personnel per the hourly personnel listing.

(See Supplemental Minutes #1165 for a copy of the hourly personnel listing.)

Item 5.e: By the block vote, authorization was granted for the assignment of volunteers per the volunteer listing.

(See Supplemental Minutes #1165 for a copy of the volunteer listing.)

Item 5.f: After Board President Dunsheath noted the Board of Trustees delight with Dr. Marshall's selection, it was moved by Trustee Leonard Lahtinen and seconded by Trustee Molly McClanahan that the Board appoint Dr. Cheryl Marshall as Chancellor of the North Orange County Community College District, effective July 1, 2016, in accordance with the terms and conditions of the employment contract hereby approved. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes.**

Item 6.a: It was moved by Trustee Leonard Lahtinen and seconded by Trustee Jacqueline Rodarte that the Board adopt resolutions No. 15/16-09, No. 15/16-10, No. 15/16-11, and No. 15/16-12, verifying that Trustees M. Tony Ontiveros and Molly McClanahan, and Student Trustees Francisco Aviles Pino and Tanya Washington, respectively, were absent from the Special Board Meeting of February 11, 2016, due to hardship. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes, including Student Trustees Aviles Pino and Washington's advisory votes.**

CLOSED SESSION: At 6:50 p.m., Board President Barbara Dunsheath adjourned the open session meeting in memory of Dr. Juan Francisco Lara in recognition of his tireless advocacy and service to students seeking higher education. Closed session was held per the following sections of the Government Code:

Per Section 54957.6: CONFERENCE WITH LABOR NEGOTIATOR IRMA RAMOS, VICE CHANCELLOR, HUMAN RESOURCES; - Employee Organizations: United Faculty/CCA/CTA/NEA, Adjunct Faculty United Local 6106, CSEA Chapter #167, and Unrepresented Employees.

Per Section 54957: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Per Section 54957: PUBLIC EMPLOYEE APPOINTMENTS: Chancellor and Fullerton College President

Per Section 54956.9(d)(2): SIGNIFICANT EXPOSURE TO LITIGATION:

Claimant: Whitehead Construction, Inc.
Agency Claimed Against: NOCCCD

RECONVENE MEETING: At 9:46 p.m., Board President Barbara Dunsheath reconvened the meeting in open session and reported the following action taken in closed session:

It was moved by Trustee Molly McClanahan and seconded by Trustee Jacqueline Rodarte to approve the claim settlement, as recommended, with Whitehead Construction, Inc. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes.**

It was moved by Trustee Jeffrey P. Brown and seconded by Trustee M. Tony Ontiveros to notify a probationary faculty member (@01614564) of nonrenewal of contract, effective for the 2016/2017 academic year. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes.**

ADJOURNMENT: At 9:50 p.m., it was moved by Trustee Molly McClanahan and seconded by Trustee Jacqueline Rodarte to adjourn the meeting. **Motion carried with Trustees Brown, Dunsheath, Lahtinen, McClanahan, Ontiveros, and Rodarte voting yes.**

Prepared By Recording Secretary for
Jacqueline Rodarte, Secretary, Board of Trustees