



PERALTA COMMUNITY COLLEGE DISTRICT

REGULAR MEETING OF THE BOARD OF TRUSTEES

Tuesday, May 8, 2012

**Emeryville Senior Center/Veteran's Building
4321 Salem Street
Emeryville, CA 94608**

6:00 p.m. Closed Session

7:00 p.m. Public Session

**THERE WILL BE A RECEPTION AT 5 P.M. PRIOR TO THE MEETING
TO WELCOME EMERYVILLE SCHOOL BOARD MEMBERS,
CITY COUNCIL MEMBERS, AND CITY RESIDENTS.**

This Meeting will not be Televised nor Recorded onto Granicus.

**Meeting agendas, background materials, minutes, and all open session reports
are posted onto Granicus, and the meeting minutes will be timely posted after the
meeting: <http://web.peralta.edu/trustees/meetings-votelog/>**

Listed agenda times are estimates.

PLEASE TURN OFF YOUR CELL PHONES DURING THE MEETING - THANK YOU!

AGENDA

CALL TO ORDER (6:00 p.m.)

CLOSED SESSION (6:01 p.m.)

Topics to be discussed include:

Conference with Labor Negotiator Largent, Peralta Federation of Teachers, Local 39, and SEIU 1021 (Government Code § 54957.6)

Conference with Labor Negotiators (Government Code § 54957.6) Designated District Representatives: Board Officers and Counsel Williams - Unrepresented employees: Chancellor.

Conference with Legal Counsel, Multiple Cases: (Government Code § 54956.9)

- Conference with Legal Counsel (54956.9(a)), Johnson v. PCCD, U.S. District Court, Northern District of CA Case No. C08-4152
- Conference with Legal Counsel (54956.9(a)), Payne v. PCCD, United States District Court, Case No. C08-03133.
- Conference with Legal Counsel (54956.9(a)), Abdur-Rasheed v. PCCD, United States District Court, Case No. CV 11-1744.
- Conference with Legal Counsel (54956.9(a)), Vogt v. PCCD, Alameda County Superior Court, Case No. RG11-573757.
- Conference with Legal Counsel (54956.9(a)), Abboud v. PCCD, Alameda County Superior Court, Case No. RG11-572374.
- Conference with Legal Counsel (54956.9(a)), Block v. PCCD, Alameda County Superior Court, Case No. RG11570116.
- Conference with Legal Counsel (54956.9(a)), In re Municipal Derivatives Antitrust Litigation, U.S. District Court, Southern District of New York, Case No. 1:08-cv-02516-VM-GWG.
- Conference with Legal Counsel (54956.9(a)), PCCD v. KYJ Associates, Alameda County Superior Court, Case No. RC08376707.
- Conference with Legal Counsel (54956.9(a)), Jackson v. PCCD, Alameda County Superior Court, Case No. RG11601534.
- Conference with Legal Counsel (54956.9(a)), Kogo v. PCCD et al., Alameda County Superior Court, Case No. RG12613106.
- Conference with Legal Counsel, Anticipated/Potential Litigation (54956.9(b)-(c)) (11 cases).

Conference with Real Property Negotiator (Government Code § 54956.8):

- Negotiator Ikhara, 2120 University Avenue, Berkeley, California, 94704.
- Negotiator Ikhara, 2025 Center St, Berkeley, California, 94704.
- Negotiator Ikhara, 1950 Addison Street, Berkeley, California, 94704.

Public Employee Appointment – Employment, Performance, Evaluation, Discipline, Dismissal, Release – All Employees (Government Code § 54957).

Public Employment Appointment – [Government Code § 54957(b)(1)]: Public Employee Appointment Title: Chancellor.

OPEN SESSION (7:00 P.M.)

ROLL CALL Trustees González Yuen Pr_ Ab_, Guillén Pr_ Ab_, Handy Pr_ Ab_, Hodge Pr_ Ab_, Riley Pr_ Ab_, Withrow Pr_ Ab_, and Gulassa Pr_ Ab_, Student Trustees Brumfield Pr_ Ab_ and Copenhagen Pr_ Ab_.

REPORT OF ACTION TAKEN IN CLOSED SESSION (7:01 P.M.)

APPROVAL OF THE AGENDA (Please state the Agenda Item Number and Identify the Issue) (7:02 P.M.)

At this time, Board members or the Chancellor may request to modify the agenda. Board members may request that items on the consent calendar be removed to be addressed separately on the Action Calendar. Subsequent to the approval of the consent calendar, the items removed from the consent calendar are discussed and voted on separately. Changes to the agenda are to be approved by a majority of the Board.

APPROVAL OF THE MINUTES (7:03 P.M.)

1. Consider Approval of the Regular Board meeting Minutes of April 24, 2012.
Consider approval of the regular Board meeting minutes of April 24, 2012. The minutes are posted on Granicus.
2. Welcome from Superintendent of Schools, Emery Unified School District
Presenter: Superintendent Debra Lindo, Ed.D. (15 minutes)
The Board will received word of welcome from the Superintendent of Emery Schools.

PUBLIC COMMUNICATION (7:20 P.M.)

At this time, the Board of Trustees will listen to communication from the public on matters that are not on the agenda and are within the Board's jurisdiction. Under provisions of the Brown Act, the Board and District staff are prohibited from discussing or taking action on oral requests that are not part of the agenda, but may respond briefly. A maximum of 15 minutes (3 minutes per individual maximum) will be provided for speakers under this agenda section. A speaker's card must be completed to request to address the Board. Requests to speak which cannot be honored within the time limit will be scheduled for subsequent meetings in the order received. Persons addressing items included on the agenda will be heard at the time the item is considered, and comments on tangential issues not directly related to the item may be ruled out of order. Cards must be received prior to the Board's consideration of the item and are honored in the order the cards are received. A speaker may yield time to another speaker, where both have completed a speaker's card, and the yielder must identify him/herself to the Board. Written statements can be submitted for inclusion into the Board minutes to the Board Clerk, and members of the public are asked to submit any materials to the Board Clerk and shall not approach the dais during meetings. (Please line-up when your name is called.)

REPORTS (7:20 P.M.)

The Board requests that constituent group reports be brief and concise, and that only electronic copies be provided for posting. All open session reports and meeting materials are available for viewing on Granicus.

3. Associated Student Government Reports

Representatives of the Associated Student Governments will be afforded an opportunity to address the Board. (Please provide your Name, College, and Position, and line-up to speak.)

4. Chancellor's Reports

Dr. Wise E. Allen (7:30 P.M.)

Vice Chancellor's Reports

Budget Update	Vice Chancellor Gerhard
Enrollment Update	Vice Chancellor Budd
Easy Pass, Financial Aid/Higher One, Student Health Fees, and Health Services Initiative Update	Vice Chancellor Ng
General Services Update	Vice Chancellor Ikharo

College Reports

Merritt College	Interim President Herring
Laney College	President Webb
College of Alameda	President Jackson
Berkeley City College	President Inclan

BOARD COMMUNICATION (7:35 P.M.)

At this time, the Board of Trustees will report on matters related to attendance at conferences, professional affiliations, and community involvement directly related to their functions as Board members.

5. District Academic Senate Report **Presenter: DAS President Karolyn van Putten**

6. SPECIAL WORKSHOP STUDY SESSION (7:45 P.M.)

The Board will conduct a special workshop study session on the College Student Equity Reports.

The Board requests that only electronic copies be provided.

All open session reports and meeting materials are available for viewing on Granicus.

CONSENT CALENDAR (for time-sensitive items only) (9:00 P.M.)

Any items recommended to be moved to the action calendar may be postponed to the next Regular Board meeting. All matters listed under the Consent Calendar are considered by the Board of Trustees to be routine or sufficiently supported by back-up information as to not require additional discussion. Consent Calendar items will be enacted by one motion. There will be no separate discussion on these items prior to the time the Board votes on them, unless a Board member requests that a specific item be removed from the Consent Calendar for action and a separate vote. Public comment on Consent Calendar items from anyone completing a card will be heard prior to the Board's vote on the Consent Calendar. All Board approved contracts are subject to final negotiation and execution by the Chancellor.

Motion on the Consent Calendar

Public Comments on the Consent Calendar

Vote on the Consent Calendar

BOARD MATTERS

7. Consider Approval of Resolution 11/12-41 to Support a Delay in the Ability to Benefit (ATB) Pell Grant Legislation **Presenter: Trustee Gulassa**

Consider approval of Resolution 11/12-41 to support a delay in the Ability to Benefit (ATB) Pell Grant legislation. The Chancellor recommends approval.

8. Consider Approval of Board Policy 3420 Equal Employment Opportunity (Replaces BP 3.03 and 3.11) **Presenter: Chancellor Allen**

Consider approval of Board Policy 3420 Equal Employment Opportunity (Replaces BP 3.03 and 3.11). The Chancellor recommends approval.

9. Consider Approval of Board Policy 3550 Drug Free Environment and Drug Prevention Program (Replaces BP 2.32 and BP 2.31.1) **Presenter: Chancellor Allen**

Consider approval of Board Policy 3550 Drug Free Environment and Drug Prevention Program (Replaces BP 2.32 and BP 2.31.1). The Chancellor recommends approval.

10. Consider Approval of Board Policy 4040 Library Services (Replaces BP 5.30) **Presenter: Chancellor Allen**

Consider approval of Board Policy 4040 Library Services (Replaces BP 5.30). The Chancellor recommends approval.

11. Consider Approval of Board Policy 6800 Safety (Replaces BP 6.60) **Presenter: Chancellor Allen**

Consider approval of Board Policy 6800 Safety (Replaces BP 6.60). The Chancellor recommends approval.

12. Consider Approval of Board Policy 7700 Whistleblower Protection (new policy)
Presenter: Chancellor Allen

Consider approval of Board Policy 7700 Whistleblower Protection (new policy). The Chancellor recommends approval.

EDUCATIONAL AND STUDENT SERVICES

13. Consider Approval of a Contract with the Alameda County Workforce Investment Board/Oakland Private Industry Council for Laney College **Presenter: Vice Chancellor Budd**

Consider approval of a contract with the Alameda County Workforce Investment Board/Oakland Private Industry Council for Laney College in the amount not to exceed \$125,000 from April 1, 2012 through October 31, 2012 to fund the design and implementation of an interdisciplinary instructional program in Medical Device Manufacturing Technology. **Funding Source: Workforce Investment Act Funds.** All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

14. Consider Approval of a Proposal Application to the Department of Labor Trade Adjustment Act Community College and Career Training (TAACCCT) Grant Program for Laney College **Presenter: Vice Chancellor Budd**

Consider approval of a proposal application to the Department of Labor Trade Adjustment Act Community College and Career Training (TAACCCT) Grant Program for a request of \$2.5 million for Laney College's medical device manufacturing program. **Funding Source: Department of Labor - TAACCCT Grant.** No match is required. Laney first piloted a 5-month version of this program in spring 2011, with funding from the Alameda County Workforce Investment Board. This initial pilot was a success, resulting in 70 percent of the students being placed in living wage jobs in the field. Laney is running a second pilot this spring, to refine the program, and has developed a longer Certificate of Achievement program, which was approved by the college curriculum committee. The grant also requests funding for a designated counselor, a job developer, and a "clean lab" for biomedical manufacturing, to be open for use by this program as well as Laney bio-manufacturing program. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

15. Consider Approval of an MOU and Independent Contractor Agreement with Academy of Truck Driving (ATD) with the College of Alameda **Presenter: Vice Chancellor Budd**

Consider Approval of an MOU and Independent Contractor Agreement with Academy of Truck Driving (ATD) with College of Alameda from February 1, 2012 through June 30, 2012. Authorization is requested not to exceed \$67,800.00. **Funding Source: DOL Grant.** ATD will provide job readiness training, Commercial Driving License Training, job referral and placement for students enrolled in the ATLAS Program. All Board

approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

16. Consider Approval of the Gateway to College MOU with OUSD and Laney College **Presenter: Vice Chancellor Budd**

Consider approval of the Gateway to College Memorandum of Understanding with Oakland Unified School District and Laney College to continue operating the Gateway to College (GTC) program. The Agreement shall remain in effect through June 30, 2013. **Funding Source: Pass-through of State School Funds from OUSD to Peralta.** OUSD, in partnership with Laney College, established GTC as an alternative high school in 2009, which serves students ages 16 to 20 who have dropped out of high school. Through the program, students are given a "second chance" and are concurrently enrolled at Laney College and OUSD, receiving both high school and college credit. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

FINANCIAL SERVICES

17. Consider Ratification of Purchase Order Report **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of purchase order report. This item is for informational purposes only. This report is being presented for review in accordance with Education Code section 81656 which states, "All transactions entered into by the District shall be reviewed by the governing board every 60 days". All Purchase Orders listed have been issued in accordance with the District's policies and procedures by an authorized officer of the District and have been budgeted. The Chancellor recommends *ratification*.

18. Consider Ratification of the AP, Travel, and Consulting Contract Warrant Register **Presenter: Vice Chancellor Gerhard**

Consider *ratification* of the AP, Travel, and Consulting Contract Warrant Register. Recent AP, Travel and Consulting Contract warrant registers are brought to the Board for *ratification* purposes only. The Chancellor recommends *ratification*.

19. Consider Approval of Budget Transfer Report **Presenter: Vice Chancellor Gerhard**

Consider approval of budget transfer report. Budget transfers shall be made in accordance with California Code of Regulations Section 58307. The Chancellor recommends approval.

20. Consider Approval of the California Community Colleges Chancellor's Office Quarterly Financial Status (CCFS-311Q) Report **Presenter: Vice Chancellor Gerhard**

Consider approval of the District’s fiscal year 2011-12 3rd quarter CCFS 311Q report. The CCFS-311Q is the State Chancellor’s Office Quarterly Financial Status Report summarizing and communicating the results of the budgetary decisions and transactions made by the District through the third quarter of fiscal year 2011-12. The Chancellor recommends approval.

HUMAN RESOURCES

21. Consider Approval of Short-Term Assignments - Hiring of Non-Academic Classified Short-Term Employees **Presenter: Vice Chancellor Largent**

Pursuant to California Education Code Section 88003, the below list contains the name, date of hire, assignment end date, position title, and site location of candidates recommended for short-term assignments in non-academic classified positions. Each candidate’s assignment will not exceed the position title into which the candidate is assigned.

Last Name	First Name	Date of Hire	End Date	Position Title	Site
Cancilla-Fox	Suzanne	7/1/12	6/30/13	Web Content Developer	D
Mohamed	Fathia	5/9/12	6/30/12	Clerical Assistant II	L

FACILITIES

22. Consider Approval of the Right of Way Resolution 11/12-40, Which Would Extend the Term of a Right of Way Agreement with the East Bay Regional Park District for a Wood Fence and Access Gate Along the Parking Lot at Merritt College **Presenter: Vice Chancellor Ikharo**

Consider approval of the Right of Way Resolution 11/12-40, which extends for 25 years the terms of the existing Right of Entry Agreement with East Bay Regional Park District for the purpose of construction and installation of a two-rail wood fence, fire access gate, and pedestrian entrance on property owned by the District along Parking Lot E at Merritt College. The resolution requires unanimous Board approval. All Board approved contracts are subject to final negotiation and execution by the Chancellor. The Chancellor recommends approval.

23. Consider Nominees to the Measure A Oversight Committee **Presenter: Vice Chancellor Ikharo**

Consider nominees to the Measure A Oversight Committee. The following Measure A Citizen’s Bond Oversight committee member terms will expire June 30, 2012:

COMMITTEE MEMBERS

Polly Amrein, Senior Citizens’ Organization

Jim Stonehouse, Tax Payers' Organization
Jurena Storm, Student College Group
Bill Patterson, Peralta College Foundation

ALTERNATE

Stephanie Casenza, Peralta College Foundation

The Board is asked to submit nominations for this committee to the Chancellor by the next Board meeting. This is an *informational item only*, and no Board action is required at this time. The item will return to the next Board meeting for action.

ACTION CALENDAR ITEMS (8:45 P.M.)

The Action Calendar lists non-routine items that the Board of Trustees may wish to discuss and/or debate. The list below may be supplemented by items removed from the Consent Calendar. Any items recommended to be moved to the action calendar may be postponed to the next Regular Board meeting.

Motion on each Action Calendar Item

Public Comments on each Action Calendar Item

Vote on each Action Calendar Item

ADJOURNMENT

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 48 hours prior to the meeting to the Board Clerk, Chancellor's Office, 333 East 8th Street, Oakland, CA, (510) 466-7203, repstein@peralta.edu at least 48 hours prior to the meeting.