



BOARD OF TRUSTEES  
OF THE  
PERALTA COMMUNITY COLLEGE DISTRICT  
MINUTES  
MAY 8, 2012

**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.

**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 Ikharo, 2120 University Avenue, Berkeley, California, 94704. \* Negotiator Ikharo, 2025 Center St, Berkeley, California, 94704. \* Negotiator Ikharo, 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.)**

At tonight's closed session, the Board unanimously voted to approve the appointment of the following public employee contract, which is subject to contractual agreement by the Chancellor. 1. Chancellor, Peralta Community College District, Dr. José M. Ortiz, July 1, 2012 through June 30, 2015, pending final salary negotiation.

**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.

### [Agenda 5-8-12](#)

Item 21 – There is one added short-term hourly employee of Phasasha Pharr, from May 9 – June 30, 2012, as a Staff Assistant/Student services, District Offices.

## **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.

### [Minutes 4-24-12](#)

2. Welcome from Superintendent of Schools, Emery Unified School District Presenter: Superintendent Debra Lindo, Ed.D. (15 minutes) The Board will receive word of welcome from the Superintendent of Emery Schools. :

### [Proclamation](#)

### [Letter from Dr. Lindo](#)

## **PUBLIC COMMUNICATIONS**

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** 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

[Financial Aid Data](#)

[Budget update](#)

**Merritt College Interim President Herring**

[Merritt College President Report](#)

**Laney College President Webb**

**College of Alameda President Jackson**

**Berkeley City College President Inclan**

[BCC President Report](#)

**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.

[BCC Equity Report](#)

[COA Equity Report](#)

[Laney Equity Report](#)

[Merritt Equity Report](#)

[Report Summary](#)

[Course success rates](#)

Trustee Gonzalez Yuen suggested uniformity in sharing and comparing data across the colleges in the future so that they are better organized. He's excited to see technology aspects occurring at COA that can help our students to get an AA and transfer sooner. Counselors sometimes provide inconsistent information and require further training. A funded pilot project is needed for community college district's to have online access to better work with students articulation officers and counselors. The transfer rate decline should be a priority via our BI tool and with researcher data. We are also now serving less students, which could account for some of the decrease. It would be helpful to know why our traditional students are being bumped from our classes. If parcel tax passes, then we can set aside some funds to fund experimental programs. Trustee Guillen was happy to hear about the mandatory orientations. He also suggested a set coursework schedule for at least the first year, and clearly communicating what classes will lead to a degree. There will also be online orientations for students.

Trustee Guillen suggested that we offer a day during a high school session that coincides with our spring enrollment period to help develop a cohort model to increase success rates. This idea is being implemented next year. Student Trustee Brumfield suggested that orientation common questions be place online in a tutorial, and that common acronomyns used to acquire a degree be included. Orientation includes assessment and counseling.

Trustee Gulassa shared that student success and equity are a great concern for the Board. The student ambassador team work has been extremely valuable in this process.

**CONSENT CALENDAR (for time-sensitive items only)**

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: Motion by Trustee Guillen, second by Trustee Withrow to approve the Consent Calendar, including agenda Items 7-23.

AYES: Trustee Gonzalez Yuen, Trustee Guillen, Trustee Gulassa, Trustee Handy, Trustee Hodge, Trustee Riley, and Trustee Withrow.

NOES: None

ABSTAIN: None

ABSENT: None

The motion passed.

**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.

[Background Material](#)

[Executed resolution](#)

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.

[Background Material](#)

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.

[Background Material](#)

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.

[Background Material](#)

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.

[Background Material](#)

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.

[Background Material](#)

#### **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.

#### [Background Material](#)

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.

#### [Background Material](#)

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.

#### [Background Material](#)

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.

#### [Background Material](#)

#### [Contract](#)

### **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.

[Background Material](#)

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.

[Background Material](#)

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.

[Background Material](#)

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.

[Background Material](#)

[Report](#)

**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

(There is one added short-term hourly employee of Phasasha Pharr, from May 9 – June 30, 2012, as a Staff Assistant/Student services, District Offices, read-out during approval of the agenda.)

**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.

[Resolution](#)

[Contract](#)

[Executed resolution](#)

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 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.

[Application](#)

[By-laws](#)

[Contact information](#)

[Membership information](#)

**Motion on each Action Calendar Item**

**Public Comments on each Action Calendar Item**

**Vote on each Action Calendar Item**

**Announcements**

1. The regular Board meeting for May 22nd has been cancelled due to College Graduations.
2. The next regular Board meeting will be held on June 12th at 7 p.m. at the District offices.
3. We want to thank the City of Emeryville, and the Emeryville Senior Center/Veteran's Building for hosting us at tonight's meeting. Thank you to the members of the City Council, School Board, and community who came out tonight to attend our meeting.
4. The Board offers congratulations to:
  - a. Ms. Doris Hankins, Merritt College, VPI Staff Assistant, for being named a Classified Employee of the Year award recipient with the California Community Colleges' Chancellor's Office.
  - b. Happy Mother's Day on Sunday, May 13th! Thanks Mom!
  - c. The District and College offices will be closed on Fridays and Saturdays over the summer from June 8th to August 13th to save energy. We will also be closed on Friday, May 18th in observance of Malcolm X's birthday, and May 28th for Memorial Day.
  - d. All of our

graduates! Graduations dates and locations are posted on the Peralta website calendar. Monday, May 21st BCC 7 p.m. Zellerbach; Thursday, May 24th Merritt College there at 2 p.m.; Thursday, May 24th Laney College there at the Eagle Stadium 6 p.m.; Friday, May 25th COA there at 3 p.m.

### **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.**

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Wise E. Allen, Chancellor  
Secretary to the Board of Trustees  
PERALTA COMMUNITY COLLEGE DISTRICT