

**BOARD OF TRUSTEES
LONG BEACH COMMUNITY COLLEGE DISTRICT**

**Minutes of Meeting of
May 25, 2004**

The meeting of the Board of Trustees of the Long Beach Community College District, County of Los Angeles, California, was held in Building FF, Dyer Assembly Hall, Pacific Coast Campus, 1305 East Pacific Coast Highway, Long Beach, California, on May 25, 2004.

CALL TO ORDER

The meeting was called to order at 4:00 p.m., the items to be discussed in closed session were announced and the meeting was adjourned to closed session.

The meeting was reconvened in open session at 5:00 p.m., in Building FF, Dyer Assembly Hall, Pacific Coast Campus. President Kellogg reported that, in closed session, no action was taken.

PLEDGE OF ALLEGIANCE

Trustee Clark led the Pledge of Allegiance.

ROLL CALL

Present: President Kellogg, Vice President Clark, Member McNinch, Member Otto, Member Uranga, Student Trustee Dominguez

WELCOME AND INTRODUCTIONS

President Kellogg welcomed everyone to the meeting.

APPROVAL OF MINUTES

President Kellogg: Is there a motion for approval of the minutes of May 11, 2004?

It was moved by Member McNinch, seconded by Member Clark, that the minutes of the meeting of May 11, 2004, be approved as distributed. The motion carried, all voting aye.

ORDERING OF THE AGENDA

Item 10.2, Sabbatical Reports, were reordered after the Consent Agenda.

REPORT OF BOARD OF TRUSTEES

Resolution, Student Trustee – 2003-2004

It was moved by Member Clark, seconded by Member Uranga, that the Board approve Resolution No. 052504 for Natalie Dominguez, for her service as the student member of the Board of Trustees, Long Beach Community College District, during the 2003-2004 academic year.

Committee Reports

There were no Committee Reports.

STUDENT TRUSTEE

Natalie Dominguez: Good evening members of the Board of Trustees, Superintendent-President Kehoe, College administrators, and members of the audience.

The spring 2004 semester has come to an end. Students have completed their courses and although many are getting ready to enjoy their summer, others are preparing themselves for summer school. I would like to wish everyone a safe and enjoyable summer.

The final events for the semester will take place tomorrow. The Long Beach City College Scholarship Office will be hosting its scholarship awards ceremony tomorrow morning at the LAC auditorium. The event will begin at 10 a.m. The commencement ceremony will take place tomorrow afternoon at the Liberal Arts Campus. The ceremony will be held at the Veterans Stadium and will begin at 6 p.m. Congratulations to the award recipients and the class of 2004 graduates.

Before I introduce my special guest for this evening, I would like to speak a little bit about her. Gina Bollinger has been an active student here at Long Beach City College. She has served on the PCC Council as the Rep. of PCC and most recently has served on the ASB Cabinet as Secretary. She has been a member of the ASBE and the ASB Finance Committee. Gina is a business major and plans to transfer to UC Berkeley. Aside from her busy schedule at school, she is the mother of a beautiful four-year-old girl, Caprice. At this time I would like to present to the Board the Student Trustee for the 2004-2005 school year, Ms. Gina Bollinger. (applause)

As I conclude with my last report, I would like to sincerely thank the student body for allowing me to serve as their student representative. It has been an honor. I would like to extend my appreciation to the Board for making this year as the Student Trustee a wonderful experience. I would like to thank Dr. Kehoe for making me feel welcomed and for always having an open door policy for me. This year would not have been as stress free if it were not for the unconditional assistance I received from Ms. Joan Bradshaw. From the very beginning she made everything so easy and was always willing to provide me with anything I needed. Thanks to Mr. Damon Bell for always telling me how it is and for helping to keep my feet on the ground. Dr. John Fylpaa has been a life saver. He always took the time to listen to my concerns and to help prepare me for every board meeting. Most importantly I would like to thank my family and friends for their

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continuous support. I once heard Dr. Kehoe say that every accomplishment becomes a feather on your cap and I am proud to say that this accomplishment is to date the tallest and brightest feather on my cap. Thank you! (applause)

President Kellogg: It is my pleasure as President of the Board of Trustees, the resolution we passed and the reason we're going to take a moment is because we want to present this resolution to Natalie Dominguez as the Student Trustee honoring your year of serving here on the Board and also to wish you the very best at the University of California, Santa Barbara, where you will be going next year. So, Natalie, thank you very much for your hard work, your involvement here and your contributions. On behalf of my fellow trustees, it is my honor to present you with this resolution. (applause)

Member Uranga: Natalie, I just want to say that you've been an exemplary trustee. You've continued the tradition of having strong student trustees, strong leadership, and you have always been out there with the students and you've been one of the most active, if not the most active student trustee in student government here at Long Beach City College and that's certainly an accomplishment in and of itself in that you are now graduating and moving on to UC Santa Barbara; plus the fact that you have beauty and brains certainly made it a very, very nice experience working with you. I congratulate you and I wish you a lot of luck in your future endeavors and, hopefully, you'll accomplish your goals.

Member Clark: I certainly want to wish you well. I think you'll do very well. You are very articulate, you're bright, you obviously got into one of the UC campuses; so that indicates that you're going to be successful. It's been a real pleasure working with you. You've done a great job representing the students, and I'm sure you're going to have a very successful future. Thank you.

Member McNinch: Natalie, I have truly enjoyed your company. You represented the college so well, and the fact that you are the first in your family to attend college and you're going to Santa Barbara, I would like to ask for an invitation to your graduation from Santa Barbara. Will you promise me that?

Ms. Dominguez: Yes, I promise.

Member McNinch: Thank you.

Trustee Otto: Obviously we haven't worked together for very long, but I want to thank you for help at the banquets we went to. It was great to have you guide me around and introduce me to people. That was a good start, so good luck in the future.

President Kellogg: Again, on behalf of all the trustees, thank you very much for your contributions the past year. We enjoyed having you here. We're not this nice to student trustees normally, so don't think this always happens. Good luck to you.

Ms. Dominguez: Thank you.

PUBLIC COMMENTS ON AGENDA ITEMS

At their request, members of the public may address the Board of Trustees on any item prior to or during the Board's consideration of that item. A five (5) minute time limit will be allotted to each speaker, with a maximum of twenty minutes for each subject, unless extended by the Board President. (There were no comments.)

The following items were part of the Consent Agenda

HUMAN RESOURCES (Academic)

It was recommended by the Executive Vice President, Human Resources, and the Superintendent that the Board of Trustees approve the following actions:

Appointments

In-Service Changes

Department Head Election 3

HUMAN RESOURCES (Classified)

It was recommended by the Executive Vice President, Human Resources, and the Superintendent that the Board of Trustees approve the following actions:

APPOINTMENTS

Probationary 2
Working Out of Class 1
Temporary 7
Exempt From the Merit System 6

PERSONNEL COMMISSION ACTIONS

Management Team 5
Bargaining Unit 1

ACADEMIC AFFAIRS, STUDENT SUPPORT AND ADMINISTRATIVE SERVICES

It was recommended by the Vice President, Academic Affairs; the Vice President, Administrative Services; the Vice President, Student Support, Planning and Research; and the Superintendent, that the Board of Trustees approve the following actions:

ACADEMIC AFFAIRS

Materials Fees

That the Board of Trustees approve materials fees for the specific courses offered in the following department to cover the cost of materials. The fees will be paid at the time of registration.

BUSINESS & SOCIAL SCIENCES, SCHOOL OF

CBIS 225, Microsoft Windows Client OS (2.5) \$3.00
CBIS 226, Microsoft Windows Server OS (2.5) \$3.00
CBIS 227, Microsoft Windows Networking (2.5) \$3.00
CBIS 228, Microsoft Windows Directory Services (2.5) \$3.00

STUDENT SUPPORT

Student Health Fee Increase

That the Board approve the Student Health Fee increase from \$12.00 to \$13.00 per semester, and from \$9.00 to \$10.00 for summer school as submitted. Effective date for the increase in fee will be fall semester 2004.

ADMINISTRATIVE SERVICES

Agreements

Authorize the Vice President, Administrative Services, to enter into and execute the following agreements:

CN 93007.9 – Ratify – Amend – With Dispute Resolution Services, to provide mediation for parking citation disputes, to extend the termination date from March 31, 2004, to June 30, 2004, at no additional cost to the District.

CN 93026.4 – Amend – With the Department of Mental Health, Metropolitan State Hospital, to provide a clinical practice site for School of Health and Science students, to extend the termination date from August 31, 2004, to August 31, 2006.

CN 93103.6B – Amend – With United of Omaha Life Insurance Company (United), to create a non-participating installment premium group annuity contract effective July 1, 2003 for the district's Supplemental Employee Retirement Plan, to increase the premium amount by \$4,133.20, for a total premium amount of \$153,596.20. Due to an adjustment made for an academic salary. This is the second installment. The next three installments will include this additional amount for a total of \$153,596.20 per installment.

CN 93111.4 – Ratify – Amend – With the National Conference for Community & Justice, to provide additional facilitating services between the District and the Academic Senate, to increase the contract amount by \$6,000, for a total contract amount of \$12,400.

CN 93112.5 – Ratify – Amend – With the Chancellor's Office, California Community Colleges, to provide funding for instructional improvement entitled, "From Margin to Mainstream: African American Innovation and Invention," to revise the dates of funding from March 1, 2004, through June 30, 2005, to May 1, 2004, through July 31, 2005. Amount of funding remains \$22,650.

CN 93114.3 – Ratify – With the Community College Foundation, to provide funding for the Kinship Education Preparation Support (KEPS) Program, effective January 20, 2004, through December 31, 2004. Amount of funding is \$16,100.

Use of Facilities

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Ratify request to use District facilities for activity and on date as shown.

Organization	Campus	Event	Facilities	Date
Hungry Man Inc.	LAC	Film Shoot	Stadium	4/28-30/04
Mizuno Club	LAC	Picnic	Golf Mall	5/1/04
Minister Sandy Armstrong	PCC	Ministry Services	Dyer Hall	5/2/04

User to be charged fees in accordance with Board-approved fee schedule.

Ratify requests to use District facilities for activities and on dates as shown.

Organization	Campus	Event	Facilities	Date
Upward Bound	PCC	Interviews	BB130	4/24/04
City of Long Beach	LAC	Parking	Stadium Lot	4/28-12/31/04
LBCC Associated Men's Students	PCC	Banquet Auditions	Student Center	4/30/04
Cultural Affairs Comm.	PCC	Forum	Dyer Hall	5/4, 5/04
Economical Literacy Program	LAC	Middle School Introduction	Auditorium	5/7/04
PCC Vocational Associates	PCC	Awards Presentation	Horticulture Gardens	5/7/04
LBCC Men's Basketball	LAC	Workouts	Large Gym	Sat. & Sun. 5/8-6/27/04
LBCC Assoc. Women Students	LAC	Awards Banquet	Nordic Lounge	5/8/04

Facility use rental waived. Equipment/staffing will be charged if necessary.

Grant requests to use District facilities for activities and on dates as shown.

Organization	Campus	Event	Facilities	Date
Calif. Trucking Association	LAC	Truck Road-eo	Stadium Lot	6/4, 5/04
Snap Doctor	LAC	Football Snapping Clinic	Stadium	6/5, 6/04
City of Long Beach	LAC	Band Rehearsals	G126	Tues. 7/6-8/10/04

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Destination Science LAC Science Camp Golf Mall 7/12-30/04

Users to be charged fees in accordance with Board-approved fee schedule.

Grant requests to use District facilities for activities and on dates as shown.

Organization	Campus	Event	Facilities	Date
LBCC Basketball	LAC	Tournament	Large Gym	5/29, 30/04

Facility use rental waived. Equipment/staffing will be charged if necessary.

It was moved by Member Otto, seconded by Member Clark, that the items on the Consent Agenda be approved and authorized.

The motion carried, all voting aye.

Sabbatical Reports

April Mansfield-Juarez reported that during her sabbatical leave she completed her dissertation, earning a Ph.D. in Education with a specialization in “online curriculum design.” She noted that her report would be the results of the research she completed.

She outlined the problem:

- Online instruction is growing at a phenomenal rate.
- Unfortunately, student drop out rates in online courses remain high.
- In a time of shrinking budgets and limited funding, understanding the causes of high attrition rates in online instruction is vitally important.

Her study investigated the possible factors that may affect student success or failure in online community college classes. The four areas she examined included: institutional commitment, instructional environments, instructor commitment and student commitment.

She used two separate online surveys to compare student perception of their fall 2002 online course experience at Long Beach City College.

Students who completed their online course were provided with a link to one survey, while students who dropped their online course were given a link to another.

Her report concluded with the results of the surveys and recommendations.

Frank Iazzetta: The purpose of my sabbatical leave was to develop a financial accounting online course and teach the course in Fall 2003 or Spring 2004.

This included getting approval from the curriculum committee, and preparing the instructional materials.

2. Details of the proposal.

- A. I took the equivalent course at Mt. San Antonio College (BUSA 7) and received a grade of “A”. This gave me first-hand experience with this online course from the perspective of the student. This was extremely useful as I was able to avoid some of the problems encountered in that class.
- B. I visited the instructor at Mt. San Antonio on several occasions and discussed the good and bad points of her class and came up with several beneficial changes both for her and me, I had discussions both email and in person and at conferences with other instructors and got their input before developing the course and course material.
- C. I evaluated the top accounting texts and ancillary materials and determined that the book we were currently using offered the best software, instructional videos and tools for this online course.
- D. I got course approval from the curriculum committee for both financial as well as the managerial accounting courses.
- E. I took the online instructor course and several workshops here at the college. I learned to use both pagemill and dreamweaver to create web pages.
- F. I developed online chapter quizzes that gave immediate feedback, and explained why each answer was correct or wrong.
- G. In order to use the best features of each I created two websites, one at the college and one using WebCT hosted by the publisher.
- H. I taught the class in fall 2003 and spring 2004. It was very successful and we are offering two sections in fall 2004.
- I. I am in the process of completely revising the course and will use only the publishers website and include links to the other web site features I found effective.

The Board thanked them for their reports.

HUMAN RESOURCES

Annual Report of the Personnel Commission – 2003-2004

Members of the Personnel Commission presented an annual report for 2002-2003 to the Board of Trustees.

Tonight's Topics

Introduction of personnel commissioners

- Merit system principles
- This year's activities
- 2004-2005 budget / objectives

John Tortarolo: President Kellogg, Vice President Clark, members of the Board, Superintendent-President Dr. Kehoe, and honored guests. I'm John Tortarolo, Director of Human Resources and Executive Secretary to the Personnel Commission. Tonight, the Personnel Commission is presenting its annual report and 2004-2005 budget to the Board of Trustees.

The Personnel Commission by law has the responsibility to classify all employees and positions within Classified Service and ensure the efficiency of the service and the selection and retention of employees on the basis of merit and fitness.

The Personnel Commission is an appointed body which serves 3 year terms. One Commissioner is appointed by the Board of Trustees, one commissioner is appointed by the Representative Union, and the third commissioner is appointed by both the Board of Trustees and the Representative Union appointees.

Mr. Bruce McManus, our current Chairperson, is the Representative Union's appointee to the Commission, and has served on the Personnel Commission since 1998. Mr. McManus is an attorney who practices primarily in the area of business defense litigation, and has served as a past president of the California School Employees' Association at Compton Community College.

Mr. Richard Gaylord, our current Vice Chairperson, is the Board's appointee, and has served on the Personnel Commission since 1996. Mr. Gaylord is a licensed real estate broker who has been active in both professional organizations and in community service. In addition to his current service, Mr. Gaylord has served as the Chair of the Long Beach Civil Service Commission, and as the Chairman of the State's Board of Behavioral Science Examiners.

Ms. Nancy Carlin, our third member, is the Commission's joint appointee, and has served on the Personnel Commission since 2000. She is an attorney who has practiced employment law for over 20 years in both the public and private sectors. Ms. Carlin currently practices in Signal Hill.

Tonight, Ms. Carlin will address the Board regarding merit system principles, Mr. Gaylord will speak regarding recruiting activities, and Mr. McManus will discuss the Commissions budget and 2004-05 objectives. I would now like to introduce Ms. Nancy Carlin.

The Merit System

- A system of rules and procedures, similar to civil service, which governs classified school personnel
- Ensures that employees are selected, promoted and retained on basis of merit and fitness
- Administered by the Personnel Commission, an independent 3-person appointed body

Mr. McManus: I would like to thank the Board for the opportunity to address you tonight, and present our Annual Report.

Our report covers the hiring during fiscal year 2002-2003, and activities since we last reported to the Board in May 2003. We enjoy taking this opportunity to update you on what has happened since we last met, in the Commission's administration of the merit system for classified employees.

As a refresher to all of us, the Merit system is intended to provide the District with a fair process to select the most qualified candidates for each of our classified positions. Long Beach Community College District has been a merit system district since 1936, by virtue of being part of the Long Beach Unified School District. The merit system was retained when the college separated from Long Beach Unified.

- Establishes published rules and regulations governing employment practices
- Provide open competition to initial appointment
- Bases staffing selection solely upon applicant qualifications
- Ensure like-pay for like-work
- Provides fair and impartial treatment in all aspects of personnel administration

The Personnel Commission administers the merit system through the Rules and Regulations of the Classified Service, a system of almost 600 individual regulations covering all aspects of classified employment practices.

The rules are derived from the Education Code and the California Government Code, and are regularly updated reflect current law and policy.

The classified employees served by the merit system include:

- Bargaining unit employees represented by AFT
- Confidential employees
- Managers and supervisors
- Administrators

In all, approximately 200 separate classifications and over 450 employees are part of the classified service.

And now, I'd like to introduce Mr. Dick Gaylord, who will update you on the 2002-2003 fiscal year hiring activities.

Recruiting-2 Year Comparison

Hiring Demographics

Budget & the Education Code

Education Code 88073 establishes

- The Commission's independent budget authority, and linkage to the District budget
- The time line for budget preparation and approval
- The public hearing and collaborative process with the Board of Trustees regarding the budget

Mr. Gaylord: Our decrease in positions recruited during fiscal year 2002-2003 follows the economic and budgetary downturn that has so significantly affected the State.

While overall recruited positions have declined, the number of applicants we are handling to fill positions have doubled from 1,305 total applicants in 2001-02 to 2,847 in 2002-03. Our staff is working with many more applicants for each recruitment-up from 30 applicants per recruitment last year, to over 90 per position this year. Our staff has risen to the occasion, continuing to provide high quality customer service to the District despite the increased workload.

This increase in the number of applicants is affected by two factors. Hard economic times always generate a bumper crop of highly qualified, motivated candidates. This year again, many of our applicants for classified positions held masters degrees! The second factor is our electronic recruiting, which continues to bring the college more applicants, and an increasingly rich, diverse pool of applicants. Web-based employment application is increasingly important as younger, more technology-savvy applicants seek a career with the college.

And, through the cooperative efforts of the District under Dr. Kehoe's leadership and the Personnel Commission staff in Human Resources, the college has continued to emphasize the hiring of permanent staff for permanent positions to the extent possible, and minimized the use of temporary employees. This benefits the college in the long term, as the qualifications and experience gained would otherwise leave us as temporary assignments ended.

Budget Timeline

Proposed Budget

Budget Performance Analysis

2004-2005 Objectives

- Preparation for cyclical classification/compensation study
- Selecting consultant using competitive purchasing process
- Conducting study for approximately 1/3 of the classified service

Continuing Coordination with District Budgeting Constraints

- Delay study contract award until District budget approved
- Look at options – study fewer classes each year, lengthen total study time
- Postpone if State budget situation worsens

Thank you.

Personnel Commission Annual Budget – 2004-2005

The 2004-2005 Personnel Commission Annual Budget was presented to the Board for concurrence.

President Kellogg: Thank you very much for your presentation and thank you to the members of the Personnel Commission for all your hard work. We appreciate it, you do a tremendous amount of work and it makes our job much easier and we appreciate the time and effort that you do.

Member Clark: When you look at budgets, and, again, I want to thank you for the work that the Commission does, but looking at the budget, there was one item there that was up 89% and everything else was pretty much across the Board. I'm sure there's a good answer to that, but whenever you see marked differences in budgets, there's always a little bit of interest.

Mr. Tortarolo: If I may, that is the one-third of the cost of the Classification Study, with the exception of that one item, that item would be flat at this time; so we're looking at \$40,000 to spend on initiating the Classification Study for next year.

Member Clark: Now that's one-third of the cost. That's going to be pro-rated over a three-year period?

Mr. Tortarolo: That cost will be expended in this year and a similar cost in each of the following two years.

Member Clark: So that item will be the same amount for the next three years. O.K. Thank you.

Member Uranga: I want to also echo the kudos that my fellow trustees have mentioned and I also want to compliment the Commission for their commitment to diversity. I heard it very loud and clear that we have a ways to go and I'm very pleased that you have that in mind and

that you are keeping an eye on that. I am certainly very appreciative of that. It's an area that we need to certainly address, not only yesterday, but tomorrow, and I hope that that continues as well.

I'm anticipating that later this year we will be getting a Diversity Report. Is that correct? That would be the total district as a whole, including faculty and classified.

Superintendent-President Kehoe: Yes.

Member Uranga: I see no problems and recommend that we concur with the budget.

All members of the Board were in concurrence.

ACADEMIC SENATE (Title 5, Section 53203)

New Course Recommendations

It was moved by Member McNinch, seconded by Member Uranga, that the Board approve the two new courses for Fall 2005 and the eight new selected topics (ST) courses for Fall 2004.

CREATIVE ARTS & APPLIED SCIENCES, SCHOOL OF

R-TV 216AC, Non-Linear Video and Film Editing (2.0)

FD 298, ST Computer Patternmaking (1.0)

The motion carried, all voting aye.

SUPERINTENDENT-PRESIDENT

Superintendent-President Kehoe: I'll make it rather short. It's all about tomorrow and I want the Board to be aware of several events taking place.

Natalie did mention the 10 a.m. Scholarship ceremony in the LAC auditorium.

Then from 12-4 p.m. is the International Student reception in the O Building.

At 12:30 is the Science and Math Scholarship program in the D Building.

1:30 is the longevity pin awards for employees, and that's in the Foundation Building.

6:00 o'clock, of course, is Commencement, and the trustees should be in S112 by 5:15.

We're going to take roll of the trustees at 5:15.

That's my report.

ADMINISTRATIVE SERVICES

No Report

PACIFIC COAST CAMPUS

Dr. Pauline Merry: I'm hoping that you receive, read and enjoy "The Jewel" that comes out every week and it describes a lot of the programs that we have going on and the activities that go on on the campus. I'm only going to highlight one event that is past and that was the 5th Annual College Caminata. We have, each year, 500 school children from the local elementary schools within walking distance and that would include Mary

Butler, Whittier, El Dorado and Signal Hill. We get money to support that program from a School-to-Career grant with Long Beach Unified, so it's an example of our collaboration with our local school district. I'm just going to briefly pass down some pictures so you can look at them for the remainder of the meeting and I'll collect them at the end of the meeting. That concludes our report.

President Kellogg: Thank you very much and thank you for hosting our meeting tonight.

ECONOMIC AND RESOURCE DEVELOPMENT

No Report.

ACADEMIC SENATE

Janice Tomson: Natalie, on behalf of the faculty, I would like to congratulate you on your transfer and thank you for serving as the student trustee. I've always found your reports concise, accurate and interesting and I've also admired your ability and courage to articulate student concerns and issues as a Board of Trustees member. Congratulations.

TRUSTEES COMMUNICATIONS

Member McNinch: I've been asked why did I bring a paint can to this meeting. Yes, why did I. Because our Fashion Design Department has an end-of-the-year activity where the students showcase their work and they put on a fabulous fashion show and it's not just a fashion show, it's a production. I have been elevated from mere attendee to a judge. The theme was "Scraptag," and what that means is sort of a street theme, so they gave us all little paint buckets as our goodie bag and I want to present to Natalie my t-shirt from that so she can take that to Santa Barbara. I do want to say that there was a competition where thousands of fashion students were involved up and down the state; 16 awards were to be garnered and our students took four of them. So, kudos to that department and the great work that they do – and that's why I have the paint can.

Member Otto: I would just say that as a testimony to how good that fashion show was, I was there and I thought, "O.K., I'm going to this fashion show and I'm going to watch this fashion show, but about 15 minutes into it I'm going to go out to my car and find out how the Lakers are doing." I never went to my car. It was incredible. It was just incredible. It went on for more than two hours without a break until they broke so they could do the judging. Everybody is to be complimented on the quality, the breadth of what when on and it was a very memorable experience, as said my wife. I think this will cost me money. So, thank you very much.

NEW BUSINESS

Member Uranga: Just a question. I didn't see it here, for the next couple of months anyway, in terms of future reports, we are looking at our goals and objectives soon?

Superintendent-President Kehoe: That will be at our workshop in July.

Member Uranga: But it's not on this sheet here, so we might want to add that.

Asst. Secretary Bradshaw: Sorry, I will put it on the next agenda.

FUTURE REPORTS

- June 29, 2004 - Budget Workshop
- July 13, 2004 - Study Session:
 - Board Self-Evaluation
 - Institutional Effectiveness
 - Facilities Construction Presentation
 - Los Coyotes Diagonal Plan
- August 24, 2004 - Budget Workshop and Public Hearing

President Kellogg: I appreciate your making that comment because in the minutes from our previous meeting we talked about doing just that, setting goals and objectives and it was not on here and I want it to be very clear that's what we really need to do and it will be part of that July 13, 2004, Study Session. So, thank you for bringing that up.

PUBLIC COMMENTS (NON-AGENDA ITEMS)

At their request, members of the public will be given the opportunity to address the Board of Trustees on matters of general District business. This is the time for members of the public to speak and be heard and share their comments with the Board and for the Board to listen. Therefore, the public should not expect the Board to comment or respond to public comments. A particular position should not be inferred if there are no Board member comments during this time.

A total of five (5) minutes will be allotted to each subject, unless extended by the Board President. After receiving testimony, the Board may recommend placing such item or item(s) on the agenda of a future meeting or referring the item(s) to staff for a report.

President Kellogg: At this time, I have two individuals. The first individual, Rod Wickers, if you would please come to the podium. The second speaker is Robert Castellanos.

Rod Wickers: Thank you, Mr. President. Spencer, just to calm your nerves, everything that I gave them in that package you have already seen, probably a few times and I just wanted to give the Board some documents that will help us kind of walk through this. I'm sure you're familiar with the issue, but as I go through this, I think it would be helpful for my discussion if you can also look at some documents, because it will confirm some of what I'm trying to explain here.

As you know, I am the attorney representing the union representing your classified employees here at the district and we entered into some negotiations with your representatives and we made a proposal to settle the dispute that exists between the union and the college district and I am here this evening to give you some information to help you understand it and get some depth about those circumstances. The facts themselves are essentially undisputed.

If you will please look at briefly the letter under Exhibit 2, you will see that in April of 2001, Mr. Vic Collins implemented a summer work schedule that changed the classified employees work schedule for the summer and it is notable, not only by what it does,

which is change every classified employee's work schedule, but by what it does not say in the course of doing that. You will notice in the letter that nowhere does it mention the trustees and nowhere does it mention the union. Also, of considerable significance, which I will address in a little bit, it does not mention any compelling business necessity. However, needless to say, that implemented a change in work schedules for everyone of the classified employees for on what has been characterized as a 4/10 work schedule, meaning they work four days a week, ten hours a day, as opposed to the agreed-upon schedule which is five days a week, eight hours a day. As a result, employees were required to either take vacation or work those extra two hours without overtime pay.

As a result of that, the union tried to work something out with the district, tried to resolve this and eventually filed a grievance and as a result of that grievance, it eventually went to appeal at the Public Employee Relations Board and, without boring you with all the details, after some procedural issues, the Public Employee Relations Board ruled that the college district is legally stopped or prevented from claiming that the grievance is late under its rules and then issued charges under the Public Employee Relations Board rules and stated for the purposes of the complaint that the conduct described in this complaint whereon they changed the policy – wherein the school district changed the policy implementing the 4/10 work schedule and did not afford the union the opportunity to negotiate either the change in policy, its implementation or its effects, violated Government Code Section 3540.3.5c, and now I'm looking under tab Exhibit 1, page 2, it also, in its complaint, said that the conduct interfered with the rights of the bargaining union employees, your classified employees, to be represented by the union, the charging party in this case, and that also violated Government Code Section 3540.3.5a and then it further said that the conduct also denied the union its right to represent the bargaining unit employees, also in violation of Government Code Section 3540.3.5.b.

President Kellogg: Mr. Wickers, I should have mentioned in my Public Comments that there is a time limit. I know that the Board is aware that you are going to have a conversation with our negotiator tomorrow regarding this specific item. The Trustees have discussed this item and we are aware of the issues that are involved, so if you would like to make a statement of what you would like to see done, but we are aware that you are going to be having a conversation tomorrow on this specific thing, and we hope that it will be resolved to everyone's satisfaction tomorrow or in the near future. So, if you have any comments in conclusion what you would like to make a statement to the Board, that would be appreciated.

Mr. Wickers: I apologize if I'm exceeding my time limits. We are urging the Board, obviously, to approve our proposed settlement which is that each classified employee receive, rather than receiving overtime pay for the time that they worked overtime or other compensation which would be returning their vacation hours that they had to use when they did not necessarily choose to, we are asking that the Board approve a settlement that allows each classified employee 40 hours, or five days of vacation. We would like to recommend to the Board that they also consider implementing a 4/10 work schedule this year, in accordance with the past procedures.

I would like point out just a couple of other quick things. In the package that I provide to you, under Tab 3, I have provided to you a couple of the previous years'

implementations. You will notice in the first one, there is a letter from Mr. John Madden on May 5, 1997, the first letter under Tab 3, in which he says that the Board of Trustees approved the fifth summer recommendation that they convert to the four-day work schedule. The important point there is two things, one, that it was the fifth summer that they had done so, but, secondly, that the Board of Trustees was approving it, something that I noted did not exist in Mr. Collins' letter in April, 2001.

Tab 4, that I've included here, is probably not something that you need to study long as you probably all have long since committed these minutes to memory, as these are minutes of the Board of Trustees in March and April of 2001. But, I included them because I wanted to be able to state to you that at no time did the Board of Trustees, at least in open session, consider this implementation of a 4/10 work schedule during that time period when Mr. Collins did implement.

And under Tab 6, I have included the details that we have put together as to the impact, in our estimates anyway, of the overtime pay that we had estimated for the classified employees, based on what we understood to be the records of the college of the employees who actually worked in the period they worked. At the end of that is an estimate of the total potential financial impact of \$556,753.67. We urge the settlement because we know and recognize that budgets are very tight and with this proposal it will not have that kind of impact on your budget and we hope that it will provide you with an area where you can see a reasonable solution for both parties. We think it is a reasonable one and we think it will, in fact, resolve this.

As far as we understand, there is no dispute as to these facts. The only issue that we anticipate trying to address with the Public Employee Relations Board is whether or not under the terms of the agreement, there was a compelling business necessity to implement this 4/10 work schedule in the manner that it was implemented. You will note, again, if you don't mind, under Tab 3, the letters implementing it in prior years occurred in May; the letter from Mr. Collins occurred in April. It seemed to me that he had plenty of time to implement it under normal procedures at that time and given that there was no Board of Trustees' determination, I don't think Mr. Collins is empowered to determine compelling business necessity.

This is my final comment, if you don't mind. This kind of a decision saying that this issue, this matter of changing the schedule to a 4/10 schedule, essentially set aside the entire provisions regarding pay for the classified employees and made them all on a different schedule. It's a very significant decision from the perspective of your classified staff and we urge that we get this thing resolved and not have to continue fighting it with the Public Employee Relations Board. Thank you very much.

President Kellogg: Thank you. This has been going on since 2001, and as I stated, I hope that your conversation tomorrow and that this issue will be resolved and thank you for your material, as well.

Robert Castellanos: Good evening President Kellogg and Trustees and Dr. Kehoe. I'm here today to speak about several things about the entire year as I am most likely leaving this college this year, so you won't see me anymore. Smile.

One of the things is the Student Trustee the past year has seemed to have forgotten to bring up several issues that have been brought up at the ASB Board. One is by a student here who is a disabled student by the name of Yanet Gonzalez. She has a letter that she has written that she'd like me to read:

"I'm Yanet Gonzalez, and I have been a student here at Long Beach City College for the past three years. I am here today representing disabled students throughout this institution, who do not have the capacity to do so for themselves. I am here to express some issues that have not been addressed for the past two years, and need your assistance to help remedy these problems. Unfortunately this is my second time attending an Associated Student Body cabinet meeting, to speak on behalf of the inequality that occurs among many disabled students on this campus on a continuous basis.

"I am not here today to intimidate or chastise the student body, but solely on the mission to educate everyone on the laws concerning the Americans with Disabilities Act, and to make certain that this campus abides by these laws. The Americans with Disabilities Act was enacted into our United States Constitution on July 26, 1990. 'This act protects millions of Americans with disabling conditions from discriminatory practices in public accommodations (including colleges and universities).' I want to alleviate any form of discrimination a disabled student may feel when this college is not in compliance with such laws. It saddens me to see that faculty members and advisors are not educating the student body in regards to ADA-mandated laws to make certain that persons with disabilities on this campus are made to feel valid and know that they play an important role to contributing to this institution's success. As you will agree with me, this campus values one of its many successes in making certain that no one student feel excluded from any campus events. Now it is time for this campus to take action in making sure that these values are being met by all students.

"One way in which we can implement this action is to begin by addressing the issues of who is responsible for making school events accessible and accommodating to all disabled students. According to the ADA law and I quote, 'all college recognized activities' need to 'be fully accessible to qualified individuals with disabilities. It is the responsibility of the sponsoring organization to provide reasonable accommodations. The college shall deny or withdraw recognition of or assistance to any extracurricular activity and/or campus organization that discriminates against individuals based on their disability.' Currently the name on the account is 'dsp&s.' The problem is that there is some major confusion that dsp&s is responsible for accommodating students outside the classroom setting. In reality it is the event coordinator that is responsible."

Last year I walked and graduated for my AA and Ms. McNinch is the person who handed me my certificate; but before I walked there was another student there by the name of Wendy who wanted to walk, but she couldn't take her chair up and forward because the event had no ramps at the graduation. Dr. Fylpaa said those ramps will be there

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tomorrow. If they are not, I bring it to you to halt the graduation to be in compliance with the ADA. Thank you.

ADJOURNMENT

Member McNinch: I would like to suggest that we adjourn the meeting in memory of Helen Costello Kellogg.

President Kellogg: Thank you.

President Kellogg adjourned the meeting at 6:20 p.m., in memory of Helen Costello Kellogg. The next regular meeting of the Board of Trustees will be held on June 29, 2004. The first order of business will be adjournment to a closed session, as needed. The Board will reconvene in open session at 5:00 p.m. in Building I, Liberal Arts Campus.

Assistant Secretary