MINUTES

REGULAR MEETING, GOVERNING BOARD
SOUTHWESTERN COMMUNITY COLLEGE DISTRICT
ROOM 214
SOUTHWESTERN COLLEGE

JEAN ROESCH, ED.D., GOVERNING BOARD VICE PRESIDENT
NICK AGUILAR, GOVERNING BOARD MEMBER
JORGE DOMINGUEZ, PH.D., GOVERNING BOARD MEMBER
YOLANDA SALCIDO, GOVERNING BOARD MEMBER
TERRI VALLADOLID, GOVERNING BOARD MEMBER
LETICIA DIAZ, STUDENT GOVERNING BOARD MEMBER
RAJ K. CHOPRA, PH.D., SECRETARY TO GOVERNING BOARD AND SUPERINTENDENT/PRESIDENT

6:00 p.m. Call to Order / Announcement of Closed Session Agenda
7:00 p.m. Reconvene in Open Session

Wednesday, December 10, 2008

COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

Southwestern Community College District, in compliance with the American Disabilities Act (ADA), requests individuals who may need special accommodation to access, attend, and/or participate in Board meetings to contact Mary Ganio at 619.482.6301 at least forty-eight hours in advance of the meeting for information on such accommodation.

In compliance with Government Code section 54957.5, non-exempt writing that are distributed to a majority or all of the board in advance of a meeting, may be viewed at Southwestern College, Office of the Superintendent/President, 900 Otay Lakes Road, Chula Vista, CA 91910; at our website at www.swccd.edu; or at the scheduled meeting In addition, if you would like a copy of any record related to an item on the agenda, please contact Mary Ganio, Executive Assistant to the Superintendent/President, at 619.482.6301 or email at mganio@swccd.edu.

Persons wishing to address the Governing Board under Oral Communication should complete a yellow request card (available at the reception table) and indicate on the card if they wish to speak under Oral Communication, or when a specific agenda item is considered. Cards should be submitted to the Board secretary prior to the start of the meeting.

	ITEM
Call to Order	**1. CALL TO ORDER** (Roesch) *Vice President Roesch called the meeting to order at 6:04 p.m., Room 214* Present: *Roesch, Salcido, Aguilar, Dominguez, Valladolid* Board members arriving after meeting commences will be noted as "present" at point in this suggested order of business at which they arrive.
Oath of Office	**2. SWEAR IN BOARD MEMBERS AGUILAR AND ROESCH** (Chopra) *Superintendent/President Dr. Raj K. Chopra administered the oath of office for re-elected Board Member Jean Roesch and newly elected Board Member Nick Aguilar.*
Announcement Closed Session Agenda	**3. ANNOUNCEMENT OF CLOSED SESSION AGENDA** – *6:09 p.m.* (Roesch) Members of the public may be present to hear the closed session announcements and will be given an opportunity to speak on any closed session items at this time. Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table). 3A. CONFERENCE WITH LABOR NEGOTIATOR Negotiator: Michael Kerns

ITEM

Employee Organizations: CSEA , SCEA , SCCDAA, Confidentials
Government Code Section 54957.6

3B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code Section 54957

Closed Session

4. ADJOURN TO CLOSED SESSION – *6:10 p.m.*
(Roesch)
Building 100, Conference Room A

Reconvene in Open Session

5. RECONVENE IN OPEN SESSION
(Roesch)
7:07 p.m., Room 214

Present: *Roesch, Salcido, Aguilar, Dominguez, Valladolid, Diaz (Student Trustee)*

Pledge of Allegiance

6. PLEDGE OF ALLEGIANCE
(Roesch)

Closed Session Announcement

7. ANNOUNCEMENT OF CLOSED SESSION ACTION(S) (If applicable)
(Roesch)
General Counsel Jonathan Pearl announced the Board took action under Item #3B and reported that there was an academic administrator who received a 10-day suspension. He reported that matter has been resolved pursuant to an agreement. He also reported that the Board took action and authorized staff to enter into a contract with a hearing officer to preside over a respective matter.

President Roesch made a correction to Item #34 and noted that the correct address for the next meeting at the Higher Education Center at Otay Mesa is 8100 Gigantic Street. She also changed the order of the agenda as follows: Item #9, followed by Items #11, #16, and #10, and then resumed the agenda with Item #12.

Oath of Office

8. SWEAR IN BOARD MEMBERS AGUILAR AND ROESCH
(Chopra)
County Supervisor Greg Cox administered the oath of office for Board Member Jean Roesch, Ed.D. and presented her with a certificate of election. Retired faculty member Peter Watry administered the oath of office for Board Member Nick Aguilar and presented him with a certificate of election. Board Members Roesch and Aguilar gave brief remarks of appreciation. Board Member Aguilar requested that his fellow Board Members require, if legally possible, or give preference to bids that provide jobs to local workers and local suppliers to stimulate the economy in the South Bay.

Recess

9. RECESS FOR RECEPTION FOR BOARD MEMBERS AGUILAR AND ROESCH
(Roesch)
The Board recessed at 7:29 p.m. and invited the public for a brief reception in honor of Board Members Roesch and Aguilar. Vice President Roesch reconvened the meeting at 7:38 p.m.

Action

11. ELECT OFFICERS FOR THE PERIOD DECEMBER 2008 – NOVEMBER 2009
(Roesch)

(Carried)

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

11A. President – Jean Roesch, Ed.D.
Motion by Aguilar, seconded by Valladolid. Vote was unanimous.

	ITEM													
(Carried)	*S*	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*M*	*Valladolid*		*Diaz-Student Advisory Vote*
		Aye		*No*		*Aye*		*Aye*		*Aye*		*Aye*

11B. Vice President – Yolanda Salcido
Motion by Valladolid, seconded by Aguilar. Dominguez voted no.

11C. Secretary (Superintendent/President) – Raj K. Chopra, Ph.D.
President Roesch noted that the Superintendent/President would serve as Secretary.

Presentation(s)

16. PRESENTATION(S)

EMPLOYEE OF THE QUARTER JANUARY-MARCH 2009
Carol Niekrasz, Administrative Secretary I, School of Health, Exercise Science & Athletics

Presenters: Jackie Osborne, Director of Human Resources; Terry Davis, Dean, School of Health, Exercise Science & Athletics; Wanda Maxwell, Classified Senate President; Michael Selby, CSEA President

Oral Communication

10. ORAL COMMUNICATION
(Roesch)
Persons wishing to address the Governing Board under this item should fill out a yellow request card (available at the reception table) and indicate on the card if they wish to be called under Oral Communication, or when a specific agenda item is considered.

An oral presentation to the Board does *not* constitute an open discussion on the presentation topic, unless that topic is on the posted agenda. Pursuant to the Brown Act (Government Code Section 54954.2(a)): "No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may *briefly* respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3."
Terry Davis, President of the Southwestern College Administrators Association, invited the Board to attend the Martin Luther King, Jr. Scholarship Breakfast on January 13, 2009.

Academic Senate members Angelina Stuart, Andrew MacNeil, and Veronica Burton addressed the Board and read a Senate resolution regarding Recent Board Action in Times of Budget Crisis.

Robert De La Cruz, student, recognized faculty members Alejandro Orozco, Rebeca Wolniewicz, and Bonnie Wyllie.

Patricia Flores-Charter, faculty member, addressed the Board regarding the budget and local decision making as related to AB 1725 and the College Leadership Council.

Chris De Bauche, ASO, addressed the Board regarding the Superintendent's raise and stated that no one questions that Dr. Chopra has done a good job, but noted it was not the right time. He asked that the Board rethink the raise. He referenced a $5,000 cut to the Academic Success Center budget.

Barbara Speidel-Haughey, faculty member since 1972, gave a historical perspective and the need to put students first.

Deana Alonso, faculty member, spoke regarding what makes a good leader and spoke directly to new Board Member Nick Aguilar to lead the institution and not fall into the same pattern. Board Member Aguilar provided his contact email picknickaguilar@cox.net.

Joe Chavez, ABLE Club President, addressed the Board regarding a New Freedom Grant awarded to the College in the amount of $40,000 for a wheelchair accessible van for students and fundraisers to raise matching funds required by the grant.

ITEM

Board President Roesch thanked the speakers for taking the time to speak to the Board and made the following statement:

A thorough evaluation of the Superintendent/President's performance was conducted and completed by the Board. In relation to results of that performance evaluation, his contract was extended and his salary increased. The Board is impressed with the leadership and stability provided by the Superintendent/President during his 16 months at the District. As a Board, we are very well aware of the current financial situation that is facing the District and the State of California. Dr. Chopra's expertise and experience in fiscal management is one of his greatest assets and strengths. To date, he has saved the District millions without layoffs to contract employees. It also must be recognized that all District employees, including faculty, staff, and administration received an approximate 11% pay raise in December of 2007, and that those that were eligible received a step column increase of approximately 4% in the summer of 2008. For some, this means a pay increase of 15% in approximately one year's time, which does not include stipends, out-of-class pay, release time, and additional forms of compensation. The Board was thoughtful in its action. It was the fair and right thing to do. Dr. Chopra's compensation is now comparable to community college CEOs in the region.

Board Vice President Salcido stated that she has been fiscally conservative for years and noted for perspective that employees have continued to receive salary increases and provided examples of salary increases. She noted that the President's priority has been employees, and he has held additional jobs, in addition to his duties, without compensation. She asked VP Kerns if employees had refused any stipends or salary increases; VP Kerns indicated none had. Salcido concluded by reading part of a letter from the Chancellor addressed to the Board and former Board President Agosto, in which she recognized the District for the Hewlett Award. The Chancellor also congratulated the Board for hiring an outstanding CEO, Dr. Chopra, and acknowledged his experience and efforts to move the college forward in a positive direction in the short time he has been with the College. The Chancellor further encouraged the Board to support Dr. Chopra to continue to improve the college.

Board Member Valladolid thanked the speakers and expressed her understanding of their concerns. She reiterated Dr. Roesch's comments that they did take into consideration the economical situation, but noted that the Superintendent/President had not received a raise and took on additional duties, provided leadership on campus and also in the community which has been impressed by his positive attitude and the challenges he has faced.

Board Member Aguilar expressed appreciation for the comments and indicated that his goal is to take into consideration and understanding the context of situations. He further indicated that he has tried not to second guess decisions he did not participate in and respects decisions the previous Board made. He agreed that Dr. Chopra brings a lot to the table and is doing the best he can to promote the best interests of the college. He stated that he wanted to move forward, start with a new page and promote a sense of reasonableness and respect, particularly in light of difficult negotiations. He expressed he had a responsibility to look at things evenly and make decisions based on actual information and take into account the well being of students and employees. He spoke to his experience working in higher education and indicated that he looks forward to receiving academic input and would be open to union representatives and will provide information unions can rely on so management and labor can have the same information and a common base of knowledge to arrive at a mutually agreeable conclusion to negotiations.

ITEM

Action
(Carried)

12. STATEMENTS OF FACTS IN COMPLIANCE WITH GOVERNMENT CODE SECTION 53051
(Roesch)

	Aguilar		Dominguez		Roesch	S	Salcido	M	Valladolid		Diaz-Student Advisory Vote
	Aye		Aye		Aye		Aye		Aye		Aye

Recommend the Secretary of the Board be authorized to file a statement of the following facts, in compliance with the above-mentioned government code section, with the Secretary of State and the San Diego County Clerk.

The full, legal name of the District
Official mailing address of the public agency
Name and address of each member of the Governing Board and Secretary of the public agency

Action
(Carried)

13. APPROVE THE FOLLOWING 2009 GOVERNING BOARD MEETING SCHEDULE
(Roesch)

Motion to Amend

M	Aguilar	S	Dominguez		Roesch		Salcido		Valladolid		Diaz-Student Advisory Vote
	Aye		Aye		Aye		No		No		Aye

Approved as Amended

Board Member Valladolid motioned to approve the proposed scheduled, seconded by Salcido. Board Member Aguilar requested to change the proposed meeting date of January 21 to January 28 so that he may attend the Presidential Inauguration and motioned to amend the original motion, seconded by Dominguez.

January ~~21~~ 28, 2009	~~Third~~ Fourth Wednesday
February 11, 2009	Second Wednesday
March 11, 2009	Second Wednesday
April 15, 2009	Third Wednesday
May 13, 2009	Second Wednesday
June 10, 2009	Second Wednesday
July 8, 2009	Second Wednesday
August 12, 2009	Second Wednesday
September 9, 2009	Second Wednesday
October 14, 2009	Second Wednesday
November 18, 2009	Third Wednesday

Action
(Carried)

14. APPOINT GOVERNING BOARD REPRESENTATIVES TO SUBCOMMITTEES
(Roesch)

	Aguilar		Dominguez		Roesch	S	Salcido	M	Valladolid		Diaz-Student Advisory Vote
	Aye		Aye		Aye		Aye		Aye		Aye

Subcommittee	Current Board Representatives	Board Representatives
1. Budget	1. Salcido	Salcido
2. Foundation	2. Roesch	Roesch
3. Policy Review	3. Roesch/Salcido	Salcido/Aguilar
4. Proposition AA Advisory Committee	4. Dominguez/Diaz	Dominguez/Diaz

Board Member Aguilar inquired about Board representation on the Prop R oversight committee to be established. The Superintendent indicated that the law outlines membership for Prop R which does not include a board member. Counsel will provide information on required memberships for Prop AA and Prop R.

	ITEM
Action *(Carried)*	**15. APPROVAL OF MINUTES (ENCLOSURE)** (Chopra)

	Aguilar		Dominguez		Roesch	M	Salcido	S	Valladolid		Diaz-Student Advisory Vote
	Abstain		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Regular Meeting, November 12, 2008
Special Meeting, November 19, 2008

Public Hearing

17. SOUTHWESTERN COMMUNITY COLLEGE DISTRICT'S REQUEST TO NEGOTIATE RE-OPENERS
(Kerns)
Public Hearing was held at 8:40 p.m. No persons appeared.

17A. Public Hearing on the District's initial proposal for negotiation of re-openers to the collective bargaining agreement.
[Government Code Section 3547(a)].

The District wishes to "sunshine" its proposal to negotiate re-openers in order to commence negotiations with the Southwestern College Education Association (S.C.E.A.).

The District has an interest to present the following contract Articles/Sections for negotiations:

IV: **Workload**
4.2 Weekly Hours of Service
4.4 Office Hours

V: **Leaves**
5.17.9 District Requirements

IX: **Class Size**
9.3 Class Maximums

XV: **Part-Time Faculty**
15.2 Part-Time Service

17B. Public Hearing on the District's initial proposal for negotiation of re-openers to the collective bargaining agreement.
[Government Code Section 3547(a)].

The District wishes to "sunshine" its proposal to negotiate re-openers in order to commence negotiations with the California School Employees' Association (C.S.E.A.).

The District has an interest to present the following contract Articles/Sections for negotiations:

VI: **Hours of Employment**
6.8 Shift Differential - Compensation
6.10 Overtime – Distribution
6.12 Right of Refusal
6.12 Overtime Right Refusal
6.15 Inconsistent Duties

VII: **Pay and Allowances**
7.3 Payroll Adjustment
7.11 Substitute and Short-Term Employees

VIII: **Employee Expenses and Materials**

ITEM

8.3 Property Damage

X: **Holidays**
10.1 Scheduled Holidays

XII: **Leaves**
12.10.1 Personal Leave

XIV: **Classification, Reclassification and Abolition of Positions**
14.3 Classification and Reclassification Requirement
14.6 Classification/Salary Study

XVII: **Educational Incentive Program**
All sections of article

XIX: **Technology**
19.2 Telecommuting Program

	ITEM
Action	**18. APPROVE CONSENT CALENDAR (ITEMS A THROUGH L)**

(Roesch)

Adoption of the Consent Calendar will be made by one motion and second of the Board and by a unanimous vote.

The following items were pulled as listed below:

Item #18C pulled by Valladolid; Item #18J pulled by Diaz; Items #18 A, B, D, G, H, I, K were pulled by Aguilar.

On motion by Valladolid, and seconded by Aguilar, the Board voted unanimously to approve Items 18E, F & L.

18A. RATIFY/APPROVE FACILITY USE REQUEST(S)

(Beasley/Wilson)

Recommend ratification/approval of facility use requests listed below:

Items 18A & B (Carried)

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Aguilar suggested a policy on facility use so the President can approve routine facilities requests administratively so requests would not be required to be listed on the Board agenda.

Organization	Facility Requested	Purpose	Date	Total Charge
Sweetwater Union School District	Tennis Courts 2-9	Tennis Practice/Matches	10/1/08 - 10/17/08	N/C
San Diego County Probation Department	Room 4312 & Combative Room (OM)	Juvenile Institutions CORE Academy Training	11/3/08 -11/7/08	$405.
Otay Mesa Chamber of Commerce	Room 4500 (OM)	Chamber Meeting	11/4/08	N/C
San Diego Youth Football and Cheer Association	DeVore Stadium	Football Championship Games	11/22/08	$3,235.
Sweetwater Union High School District – Visual & Performing Arts Department	DeVore Stadium	Band Pageant	11/25/08	$1,070.
St. Augustine High School	DeVore Stadium	Quarter Finals Football Game	11/28/08	$1,890.

18B. RATIFY/APPROVE TRAVEL ADVANCE REQUESTS

(Beasley)

Recommend ratification/approval of travel advance requests listed below:

Employee	Purpose	Date	Cost
Diaz, Leticia	CCLC Annual Convention, Anaheim, CA	11/20-11/21/08	$172.27

ITEM

18C. ADOPT COMMENDATION RESOLUTIONS (ENCLOSURE)
(Kerns)

Item #18C (Carried)

S	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	M	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Recommend adoption of commendation resolutions for individuals listed below:

Valladolid thanked the faculty listed below for their service to the college.

Alicia Flores, Instructional Assistant I-Evening, School of Language & Literature, completing 20 years of service

Robin Franck, Professor of Psychology, School of Social Sciences & Humanities, completing 37.5 years of service

Enedina Frias, Lead Food Service Worker-Evening, Food Services, completing 16 years of service

18D. RATIFY/APPROVE EMPLOYMENT OF CONSULTANT(S)

Items #18D & G (Carried)

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	S	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Recommend ratification/approval of employment of consultants listed below:

Aguilar suggested a policy be established so the President, with established criteria, can approve routine administrative items such as 18D which would expedite the process.

Department (Meadows)	Consultant	Purpose	Date	Fee
Language & Literature	Ann Johns, Ph.D.	English-as-a-Second-Language Workshop	12/6/08	Not to exceed $1,000
Language & Literature	Donna Brinton	English-as-a-Second-Language Workshop	1/17/09	Not to exceed $1,151
Arts & Communication	Dornob	Performance	11/12/08; 12/12/08	Not to exceed $500

18E. RATIFY/APPROVE FILING OF APPLICATION(S) TO MEET DEADLINE(S)
(Meadows)

Items 18E, F, L (Carried)

S	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	M	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Ratification/approval of filing of application to meet deadlines as listed below:

San Diego Unified Port District, "Procurement Technical Assistance Center Services," in the amount of $21,600, July 1, 2009 through June 30, 2010.

ITEM

18F. (Meadows) RATIFY/APPROVE ACCEPTANCE OF FUNDS

Ratification/approval of acceptance of funds as listed below:

Chancellor's Office, California Community Colleges, Career Technical Education, VTEA IC Funds, in the amount of $765,450, July 1, 2008 through June 30, 3009 and 5-year plan, July 1, 2008 through June 30, 2013. The application and 5-year plan were approved by the Governing Board on June 11, 2008.

Chancellor's Office, California Community Colleges, Tech Prep Perkins Funding, in the amount of $81,405, July 1, 2008 through June 30, 2009 and 5-year plan, July 1, 2008 through June 30, 2013. The application and 5-year plan were approved by the Governing Board on June 11, 2008.

SANDAG/Caltrans, "New Freedom (NF) Grant," in the amount of $40,000, December 1, 2008 through July 1, 2010. The application was approved by the Governing Board on May 14, 2008.

18G. (Beasley) RATIFY VOLUNTEER SERVICES (ENCLOSURE)

Recommend ratification of volunteer services effective October 15, 2008 through October 14, 2009.

18H. (Meadows) ADOPT ACADEMIC CALENDAR FOR YEAR 2010-2011 (ENCLOSURE)

Item #18H (Carried)

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Recommend adoption of proposed academic calendar for year 2010–2011.

18I. (Meadows) FACULTY EMERITI

Item #18I (Carried)

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Recommend the following staff be granted emeritus status under District Policy No. 5313, as recommended by the Academic Senate.

Aguilar suggested a policy to delegate approval to the President. Roesch stated that she liked to see the faculty emeriti item on the Board agenda. Aguilar suggested it could be brought forward as an information item.

Faculty Member	School	Discipline	Hire Date	Retirement Date
Paul Daniels	Health, Exercise Science & Athletics	Exercise Science	9/08/70	5/30/08
Martha Dillon	Mathematics, Science & Engineering	Mathematics	9/10/69	5/24/08
William Foley	Mathematics, Science & Engineering	Mathematics	8/15/77	6/30/07
Richard Linder	Mathematics, Science & Engineering	Mathematics	8/17/83	5/23/08
Robin McCubbin	Language & Literature	English	8/30/90	12/31/07
Joan Stroh	Business & Information Systems	Computer Information Systems	7/11/77	6/01/08

ITEM

Item #18J (Carried)

18J. (Meadows) APPROVE DECEMBER CURRICULUM SUMMARY REPORT (ENCLOSURE)

M	Aguilar		Dominguez		Roesch		Salcido	S	Valladolid		Diaz-Student Advisory Vote
	Aye		Aye		Aye		Aye		Aye		Aye

Recommend approval of December Curriculum Summary Report.

The December 2008 Curriculum Summary Report is a compilation of the new and revised curriculum proposed by faculty and submitted to the Curriculum Committee October 9 through November 6, 2008. Faculty submit proposals for new and/or revised curriculum to the Curriculum Committee. The Curriculum Committee reviews and scrutinizes curriculum for academic rigor, transferability and/or occupational competencies, student benefit, and institutional fit, as stated in Title 5 and the State Chancellor's Curriculum Handbook. Once these and other considerations are met, the Curriculum Summary Report is forwarded to the Superintendent/President and Governing Board for review and approval before being sent to the State Chancellor's Office.

The Southwestern College Curriculum Committee reviewed and approved 24 new courses, 59 course modifications, 4 course reactivations, 13 course inactivations, 10 new programs, and 19 program modifications.

Student Board Member Diaz asked about the criteria for courses reviewed and/or selected. VP Meadows asked Angie Stuart, co-chair of the Curriculum Committee, to address the Board. Stewart gave an overview of the curriculum evaluation process for new, modified and inactivated courses and asked Veronica Burton to also address the Board. It was reported that after six consecutive semesters of a course not offered, courses were evaluated for inactivation. Board Member Aguilar noted that the students should give input on courses that are eliminated. Salcido addressed a situation in which a student wanted to repeat a class. Aguilar will further discuss with VP Meadows.

Items # 18 K-L (Carried)

18K. (Beasley) CONFIRMATION OF PURCHASE ORDERS (ENCLOSURE)

M	Aguilar		Dominguez		Roesch	S	Salcido		Valladolid		Diaz-Student Advisory Vote
	Aye		Aye		Aye		Aye		Aye		Aye

General Fund Nos. 91291 - 91676
Blanket Fund Nos. B1443 - B1445

Aguilar reiterated that the agenda should be streamlined in regards to Items K-L.

18L. (Beasley) PAYMENT OF BILLS – OCTOBER 1-31, 2008 (ENCLOSURE)

	ITEM
Action	**19. HUMAN RESOURCES – ACADEMIC (ITEMS A THROUGH G)** (Kerns)
Items #19A-B (Carried)	

M	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

19A. EXTENSION OF TEMPORARY APPOINTMENT

Recommend approval to extend the following temporary appointment, effective as indicated. Temporary appointment shall continue based upon business necessity and is subject to amendments and termination at the discretion of the Governing Board.

Aguilar noted the disparity in salaries listed in 19A& B, specifically noting the lower salary of the VP as compared to the Dean and Director's salary listed. Chopra stated that he planned to address the issue of vice presidents' salaries.

Employee	Position/ Range/Step Monthly Salary	Temporary Assignment/ Range/Step Monthly Salary	Effective Date
Thomas Beasley	Director of Payroll and Risk Management Range 31/Step 9 $9,416/month Classified Administrator	Acting Vice President for Business and Financial Affairs Range A/Step 1 $10,170/month Academic Administrator	1/1/09 - 3/31/09

Note: On 11/12/08, the Governing Board approved the employment of Gholam Javaheripour for the position of Vice President for Business & Financial Affairs, effective 1/5/09. On 11/22/08, Mr. Javaheripour notified the District of his decision to decline employment with the District.

19B. TEMPORARY ASSIGNMENTS

Recommend approval of following temporary appointments, effective as indicated. Temporary assignment shall continue based upon business necessity and is subject to amendments and termination at the discretion of the Governing Board.

Employee	Position Range/Step Monthly Salary	Temporary Assignment Range/Step Monthly Salary	Effective Date
Silvia Cornejo-Darcy	Director of Center Operations Higher Education Center at Otay Mesa Range F/Step 7 $10,085/monthly Academic Administrator	Dean, Higher Education Centers, at Otay Mesa and San Ysidro Range C/Step 7 $11,310/monthly Academic Administrator	1/5/09 – 3/31/09
T.J. Tate	Counselor, School of Counseling & Personal Development Class IV/Step A $9,215.45/monthly 11-Month Academic Contract	Director of Center Operations, Higher Education Center at San Ysidro Range F/Step 8 $10,389/monthly Academic Administrator	1/5/09 – 3/31/09

	ITEM											
Items #19C-G (Carried)	*M*	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*
		Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Aguilar noted that all items except #19E should be dealt with administratively.

19C. ORDER OF EMPLOYMENT (ENCLOSURE)

Request approval of the Academic Order of Employment List, pursuant to Education Code Section 87413.

19D. HUMAN RESOURCES ACADEMIC TRANSACTIONS (ENCLOSURE)

Request approval of academic transactions. Transactions include adjustments of initial placement, reclassification, adjunct hires, minimum qualifications equivalency, stipends and reassigned time.

19E. RESIGNATIONS/RETIREMENTS

The following staff member has retired effective as indicated and her resignation has been accepted by the Superintendent/President under delegation of powers:

Employee	Position/School	Effective Date
Robin Franck	Professor of Psychology/ School of Social Sciences & Humanities	12/20/08

19F. REDUCED FACULTY SERVICE

Pursuant to Article VII, Section 7.8 of the 2007-09 S.C.E.A. Contract, the following academic employee is eligible for and requests to continue participation in the Reduced Faculty Service Program, for the Spring 2009 semester:

Steve Kowit, Professor of English, School of Language & Literature

19G. VOLUNTARY EARLY RETIREMENT CONTINUATION OF SERVICE

Pursuant to Article VII, Section 7.9 of the 2007-09 S.C.E.A. Contract, the following academic employee is eligible for and requests participation in the Continuation of Service Program, for the Spring 2009 semester.

Robin Franck, Professor of Psychology, School of Social Sciences & Humanities

	ITEM
Action *(Carried)*	**20. HUMAN RESOURCES – CLASSIFIED (ITEMS A THROUGH F)** (Kerns)

	Aguilar		Dominguez		Roesch	S	Salcido	M	Valladolid		Diaz-Student Advisory Vote
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Aguilar suggested that Item #20 should be under consent unless legally required otherwise.

20A. EMPLOYMENT - CLASSIFIED ADMINISTRATOR (ENCLOSURE)

Request approval of employment effective as indicated:

Employee	Position	Department	Months of Service	Range/ Step	Monthly Salary	Effective Date
Roberto Sanchez (new)	Campus Police Sergeant II	Campus Police	12	Range 20 Step 9	$7,178	12/11/08

20B. EMPLOYMENT - CLASSIFIED BARGAINING UNIT

Employee	Position	Department	Months of Service	Range/ Step	Monthly Salary	Effective Date
Morgan Roth (replacement)	Instructional Lab Technician-Science (Biology)	School of Mathematics, Science & Engineering	12	Range 24 Step 1	$3,983	12/11/08
Eduardo Munguia (replacement)	Instructional Lab Technician-Horticulture	School of Applied Technology & Learning Assistance	12	Range 24 Step 1	$3,983	12/11/08

20C. PERSONNEL CHANGE IN CONTRACT SERVICE

Request approval of listed changes in contract service effective as indicated:

Employee	Position Months of Service Range/Step Monthly Salary	To	Position Months of Service Range/Step Monthly Salary	Effective Date
Virginia Castillo (new)	Clerical Assistant III Higher Education Center, National City 12 months *Range 14/Step 6 $3,785/month		Education Center Technician, Higher Education Center, Otay Mesa 12 months *Range 24/Step 1 $3,983/month	1/5/09

*Includes 1 range for Educational Incentive

Nancy Reyes (new)	Clerical Assistant II Higher Education Center, Otay Mesa 12 months Range 10/Step 2 $2,931/month		Education Center Technician, Higher Education Center, San Ysidro 12 months *Range 24/Step 1 $3,983/month	1/5/09

*Includes 1 evening increment range

ITEM

20D. CHANGE IN CONTRACT SERVICE OF CLASSIFIED POSITION

Request approval of listed change in contract service effective as indicated:

Position	Months of Service Range/Step Monthly Salary Annual Salary	To	Months of Service Range/Step Monthly Salary Annual Salary	Effective Date
Tool Room Attendant-Evening (replacement)	9 Months/.475 FTE *Range 17 Step 1 $1,591.25/month $14,321.25/annual		12 Months/.44 FTE *Range 17 Step 1 $1,474/month $17,688/annual	12/21/08

*Includes 1 evening increment range

20E. CLASSIFIED TRANSACTIONS (ENCLOSURE)

Approval of classified transactions including educational incentive salary placement pursuant to District Policy No. 5233 and for employment of short-term, non-academic hourly employees pursuant to Education Code Section 88003.

20F. RESIGNATIONS/RETIREMENTS

The following staff members have retired effective as indicated and their resignations have been accepted by the Superintendent/President under delegation of powers:

Employee	Position/Department	Effective Date
Enedina Frias	Lead Food Service Worker-Evening/Food Services	12/30/08
Alicia Flores	Instructional Assistant I-Evening School of Language & Literature	12/30/08

	ITEM
Action *(Carried)*	**21. FACILITIES**

	Aguilar		*Dominguez*		*Roesch*		*Salcido*	*M*	*Valladolid*	*S*	*Diaz-Student Advisory Vote*
	Aye		*Aye*		*Aye*		*Aye*		*Aye*		*Aye*

Aguilar suggested that unless legally prohibited, the Board should delegate to the President to approve items with a limited dollar amount.

21A. CHANGE ORDERS

Change Order for the Higher Education Center at San Ysidro

Recommend approval of Change Order No. one (1) for the Southwestern College Higher Education Center at San Ysidro to Nielsen Corporation, resulting in an increase of $ 27,569 and a new contract amount of $197,530.

1. Add construction management to the installation of all underground utilities at the center, previously not included in the contract. (b) — $27,569.

Unforeseen Conditions
a. District Requested Change
b. The Division of State Architect (DSA) Modifications
c. Design Omission
< > Indicates Credit Amount

Total cost of change orders for this project is $27,569.

All of the above changes are within the 7% contingency budget allocated for this project and are funded through Proposition AA Funds.

21B. APPROVE DISTRICT PURCHASE AGREEMENT(S) (ENCLOSURE)
(Beasley/Wilson)
Recommend approval of District Purchase Agreement(s) as listed below:

Recommend approval to purchase from Siemens Enterprise Communication the telephone system for the Higher Education Center at San Ysidro, for the period December 11, 2008 to January 31, 2009, inclusive, in an amount not to exceed $99,776.86 excluding tax. Funded through Proposition AA.

Aguilar inquired about documentation for the cost savings. John Wilson, Senior Director of Business, Facilities and Operations, spoke to two areas of cost savings. Aguilar expressed concerns that there was a sole source procurement and noted that another source could have given a better system for less money. Wilson indicated that a system different from the existing system on other campuses would have caused inefficiencies and recommended one system be used for the entire college. Aguilar suggested looking at the marketplace for a compatible system.

21C. ADOPT RESOLUTION AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT, SOFTWARE, PERIPHERALS AND RELATED SERVICES (ENCLOSURE)
(Beasley/VanVoorhis)
Recommend adoption of resolution authorizing the purchase of computer equipment, software, peripherals and related services utilizing the Western States Contracting Alliance (WSCA) State of Minnesota Master Price Bid Agreement Numbers A63307 and A63309. This is for the District Technology Upgrade Project.

Aguilar indicated that if the bid was established a year or more ago, it may not reflect the current marketplace and the best price. He inquired whether there is an expectation or requirement for staff to do a market comparison.

ITEM

21D. AWARD OF BID(S)/RFP/BID AGREEMENTS
(Beasley/VanVoorhis)

Aguilar addressed the currency of bids.

21D1. Award of Bid No. P13-03/04

Recommend award of Bid No. P13-03/04 through the Glendale Unified School District, California Piggy Back bid for the purchase of Apple computer products, peripherals, and related services for the Southwestern Community College District in the amount of $136,471.84 to Apple Computer Corporation. This is for the District Technology Upgrade Project.

Note: Resolution No. 1567 approved by the Board on March 12, 2008, authorizes the use of this bid.

21D2. Award of RFP (ENCLOSURE)

Recommend award of RFP No. 97 for an Annual Financial Audit/Report for the Southwestern Community College District to Caporicci & Larson, CPA's in the amount of $123,000 from December 11, 2008 to December 31, 2011.

Aguilar suggested that the bid be given to not only the lowest bid, but to responsible bidders.

21D3. Award of Bid Agreement to Dell Marketing, L.P.

Recommend award of Bid Agreement No. A63307 through Western States Contracting Alliance (WSCA) State of Minnesota, Piggy Back bid for the purchase of computer equipment, software, peripherals, and related services for the Southwestern Community College District in the amount of $69,803 to Dell Marketing, L.P. This is for the District Technology Upgrade Project.

Note: Item #21C above, the resolution utilizing the Western States Contracting Alliance of the State of Minnesota, Bid Agreement No. A63307 authorizes the use of this bid.

Aguilar questioned the currency of the bids for Items #21D3 and 21D4.

21D4. Award of Bid Agreement to Hewlett-Packard Company

Recommend award of Bid Agreement No. A63307 through Western States Contracting Alliance (WSCA) State of Minnesota, Piggy Back bid for the purchase of computer equipment, software, peripherals, and related services for the Southwestern Community College District in the amount of $583,931.73 to Hewlett-Packard Company. This is for the District Technology Upgrade Project.

Note: Item #21C above, the resolution utilizing the Western States Contracting Alliance of the State of Minnesota, Bid Agreement No. A63307 authorizes the use of this bid.

Board President Roesch stated that she had confidence in staff who are competent in their jobs. Board Member Dominguez left the meeting at 9:50 p.m.

ITEM

Action *(Carried)*

22. APPROVAL OF AGREEMENTS – COST TO DISTRICT (ITEMS A THROUGH B)

M	Aguilar		Dominguez		Roesch		Salcido	S	Valladolid		Diaz-Student Advisory Vote
	Aye		*Absent*		*Aye*		*Aye*		*Aye*		*Aye*

22A. BUSINESS AND FINANCIAL AFFAIRS
(Beasley)

22A1. AGREEMENT FOR ANNUAL FINANCIAL AUDIT/REPORT (ENCLOSURE)

Recommend approval of Agreement No. A2566.08 with Caporicci & Larson, CPA, to provide a District audit, for the period December 11, 2008 through December 31, 2011, in an amount not to exceed $123,000.

Aguilar questioned how 22A1 differed from Item 21D2. Chopra indicated that Item #21D2 was approval of the award of bid and #22A1 was approval of contract. Aguilar suggested consolidating for efficiency.

22A2. AMENDMENT TO AGREEMENT WITH AFFILIATED COMPUTER SERVICES, INC. dba ACS EDUCATION SERVICES, INC. (ENCLOSURE)

Recommend approval of Amendment No. 1 to Agreement No. A2288.07 with Affiliated Computer Services, Inc., dba ACS Education Services, Inc., to prepare 1098-T's for students to meet its tax credit obligation reporting requirements under 6050s of the Taxpayer Relief Act of 1997, for the period December 11, 2008 to June 30, 2009, in an amount not to exceed $21,801.

Aguilar inquired about additional services and indicated that they were not listed in the agreement. Trustee Valladolid noted that it was in the agreement but not in the exact language. Wilson indicated that the master agreement would have likely included the additional services.

22B. HUMAN RESOURCES
(Kerns)

22B1. AGREEMENT WITH JUDY LEMM CONSULTING SERVICES (ENCLOSURE)

Approve Agreement No. A2564.08, with Judy Lemm Consulting Services, for consulting services to conduct reasonable accommodation evaluation and interactive process, for the period January 1 to December 31, 2009, inclusive, for the amount of $175 per hour, plus expenses, not to exceed $7,000 annually.

Aguilar commented that agreements could be dealt with administratively and suggested a Board policy to delegate to administration.

22B2. AGREEMENT WITH NATIONAL CONFLICT RESOLUTION CENTER (ENCLOSURE)

Approve Agreement No. A2565.08 with National Conflict Resolution Center, for consultation services to conduct mediation of employee conflict, for the period January 1 to December 31, 2009, inclusive, in an amount not to exceed $5,000 annually.

	ITEM												
Action	**23.**	**APPROVAL OF AGREEMENTS – INCOME / NO COST TO DISTRICT (ITEMS A THROUGH B)**											
(Carried)	*M*	*Aguilar*		*Dominguez*		*Roesch*		*Salcido*	*S*	*Valladolid*		*Diaz-Student Advisory Vote*	
		Aye		*Absent*		*Aye*		*Aye*		*Aye*		*Aye*	

23A. ACADEMIC AFFAIRS
(Meadows)

23A1. AGREEMENT WITH YMCA OF SAN DIEGO COUNTY (ENCLOSURE)

Ratify Memorandum of Agreement No. M4038.08 with YMCA of San Diego County, to provide childcare resource services, for the period July 1, 2008 to June 30, 2009, inclusive, in the amount of $3,000 income to the District.

Aguilar reiterated his comments regarding streamlining the agenda.

23A2. AGREEMENT WITH SAN DIEGO UNIFIED PORT DISTRICT (ENCLOSURE)

Ratify Agreement No. AR2574.08 with San Diego Unified Port District, for San Diego Contracting Opportunities Center—Procurement Technical Assistance Center services, for the period July 1, 2008 to June 20, 2009, inclusive, in the amount of $5,000 income to the District.

23A3. AGREEMENT WITH SANTEE COMMUNITY DEVELOPMENT CENTER (ENCLOSURE)

Ratify Agreement No. AR2575.08 with the Santee Community Development Center, to provide a Santee satellite office for the San Diego Contracting Opportunities Center, for the period July 1, 2008 to June 30, 2009, inclusive, in the amount of $20,000 income to the District.

23A4. AGREEMENT WITH SOUTHWESTERN COLLEGE CHILD DEVELOPMENT CENTER AND CALWORKS STUDENTS (ENCLOSURE)

Approve Agreement No. A2571.08 with the Southwestern College Child Development Center (CDC), to administer and manage subsidized childcare for Southwestern College students who are California Work Opportunities and Responsibility to Kids (CalWORKs) participants, for the period January 1 to June 30, 2009, inclusive, at no cost to the District.

23A5. AGREEMENT WITH CITY OF EL CAJON FIRE DEPARTMENT (ENCLOSURE)

Approve Agreement No. A2572.08 with City of El Cajon Fire Department, to provide opportunities for Emergency Medical Technology and Paramedic Training program students to obtain field training, for the period January 1 to December 31, 2009, inclusive, at no cost to the District.

23A6. AGREEMENT WITH KAISER FOUNDATION HOSPITALS AND SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP (ENCLOSURE)

Approve Amendment to Agreement No. A2317.08 with Kaiser Foundation Hospitals and Southern California Permanente Medical Group, for providing clinical training experiences, for the period January 1, 2009 to January 15, 2010, inclusive, at no cost to the District.

ITEM

23B. STUDENT AFFAIRS

23B1. AGREEMENT WITH AMERICAN INSTITUTE FOR FOREIGN STUDY (ENCLOSURE)

(Chopra/McClellan)

Approve Agreement No. A2567.08 with American Institute for Foreign Study (AIFS), as a service provider for the San Diego and Imperial Counties Community Colleges Association (SDICCCA), Florence, Italy, semester abroad program, for the period December 11, 2008 to May 30, 2010, inclusive, at no cost to the District.

Action
(Carried)

24. ADOPT RESOLUTION(S)

S	Aguilar		Dominguez		Roesch		Salcido	M	Valladolid		Diaz-Student Advisory Vote
	Aye		Absent		Aye		Aye		Aye		Aye

ADOPT RESOLUTION AUTHORIZING WITHDRAWAL FROM SCHOOLS EXCESS LIABILITY FUND JOINT POWERS AUTHORITY (ENCLOSURE)

(Beasley)

Recommend the adoption of a resolution authorizing withdrawal of Southwestern Community College District from the Schools Excess Liability Fund (SELF) Joint Powers Authority (JPA) effective July 1, 2009.

Action
(Carried)

25. ADOPT DISTRICT POLICIES – SECOND READING (ENCLOSURE)

(Kerns)

S	Aguilar		Dominguez		Roesch		Salcido	M	Valladolid		Diaz-Student Advisory Vote
	Aye		Absent		Aye		Aye		Aye		Aye

As part of the ongoing review and revision of the Southwestern Community College District Policy and Procedures Manual, the following policy appears before the Governing Board for adoption. Recommend adoption of the District policy listed below:

ADOPT POLICY NO. 7510 – DOMESTIC PARTNER (ENCLOSURE)

This policy was presented for First Reading on November 12, 2008. (This is a new policy)

Information

26. NON-ACTION ITEMS

26A. INFORMATION ITEMS

(Beasley)

26A1. General Fund Financial Report for Period Ending October 31, 2008 (ENCLOSURE)

(Beasley)

26A2. General Fund Cash Analysis for Period Ending October 31, 2008 (ENCLOSURE)

(Chopra/McClellan)

26A3. Financial Aid Governing Board Report 2007-2008 (ENCLOSURE)

	ITEM
Administrative Reports	**27. ADMINISTRATIVE REPORTS** (Roesch) 27A. MARK MEADOWS, Ph.D., VICE PRESIDENT FOR ACADEMIC AFFAIRS 27B. THOMAS BEASLEY, ACTING VICE PRESIDENT FOR BUSINESS AND FINANCIAL AFFAIRS 27C. MICHAEL KERNS, VICE PRESIDENT FOR HUMAN RESOURCES 27D. RAJ K. CHOPRA, Ph.D., ACTING VICE PRESIDENT FOR STUDENT AFFAIRS
Senate/Union/ Association Reports	**28. SENATE/UNION/ASSOCIATION REPORTS** (Roesch) 28A. PROFESSOR VALERIE GOODWIN-COLBERT, PRESIDENT, ACADEMIC SENATE 28B. WANDA MAXWELL, PRESIDENT, CLASSIFIED SENATE 28C. PHILIP LOPEZ, PRESIDENT, SOUTHWESTERN COLLEGE EDUCATION ASSOCIATION (SCEA) *At 10:09 p.m., Board President Roesch reminded the Board of its policy regarding meetings ending at 10 p.m. On motion by Aguilar, seconded by Salcido, pursuant to Board policy, the Board voted to extend the meeting until 10:30 p.m.* 28D. MICHAEL SELBY, PRESIDENT, CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION (CSEA) 28E. TERRY DAVIS, PRESIDENT, SOUTHWESTERN COMMUNITY COLLEGE DISTRICT ADMINISTRATORS ASSOCIATION (SCCDAA)
Superintendent/ President's Report	**29. SUPERINTENDENT/PRESIDENT'S REPORT** (Chopra) RAJ K. CHOPRA, Ph.D., SUPERINTENDENT/PRESIDENT
Board Requests for Information	**30. GOVERNING BOARD REQUESTS FOR INFORMATION** (Roesch) <u>Information Requested</u> — <u>Board Member</u> Information on Full-Time Obligation (FTO) — Aguilar Status of Leniency of Chancellor's Office Re FTO — Salcido
Governing Board Reports	**31. GOVERNING BOARD REPORTS** (Roesch) 31A. STUDENT BOARD MEMBER LETICIA DIAZ 31B. BOARD MEMBER NICK AGUILAR 31C. BOARD MEMBER TERRI VALLADOLID 31D. BOARD MEMBER YOLANDA SALCIDO 31E. BOARD MEMBER JORGE DOMINGUEZ, Ph.D. (*Absent*) 31F. BOARD MEMBER JEAN ROESCH, ED.D.
Closed Session	**32. CLOSED SESSION / REPORT OF ACTION(S) (If Applicable)** (Roesch)

	ITEM
Adjournment	**33. ADJOURNMENT** *10:16 p.m.* (Roesch)
Information	**34. NEXT REGULAR MEETING** Wednesday, January 21, 2009 Southwestern College Higher Education Center at Otay Mesa 8100 Gigantic Street, Room 4500 San Diego, CA 92154

Raj K. Chopra

Raj K. Chopra, Ph.D.
Governing Board Secretary

Jean Roesch

Jean Roesch, Ed.D.
Governing Board President