MIRACOSTA COMMUNITY COLLEGE DISTRICT
ONE BARNARD DRIVE — OCEANSIDE, CA

MINUTES OF REGULAR BOARD MEETING **November 15, 2011**
(Approved December 13, 2011)

I. CALL TO ORDER

The Board of Trustees of the MiraCosta Community College District met in a regular meeting on Tuesday, November 15, 2011, in the Community Room of the Community Learning Center. President Bill Fischer called the meeting to order at 5:04 p.m.

II. FLAG SALUTE / ROLL CALL

Board members present:
David Broad
Gloria Carranza
William Fischer
George McNeil
Ron Ruud
Jeanne Shannon (absent)
Jacqueline Simon
Samantha Garcia, Student Trustee

Francisco C. Rodriguez, Superintendent/President
Jim Austin, Vice President, Business and Administrative Services
Pam Deegan, Vice President, Instructional Services
Dick Robertson, Vice President, Student Services

III. APPROVE MEETING MINUTES

A. Regular Meeting/Retreat of October 15, 2011
B. Special Meeting of October 18, 2011
C. Regular Meeting of October 18, 2011

By motion of Trustee McNeil, seconded by Trustee Carranza, the minutes were approved as amended. The motion carried unanimously. Student advisory vote: aye.

IV. PUBLIC COMMENTS ON ITEMS ON AND NOT ON THE AGENDA

None.

V. CHANGES IN AGENDA ORDER

None.

Board President Bill Fischer congratulated Dr. Rodriguez for receiving the District 6 Pacesetter of the Year Award from the National Council for Marketing and Public Relations. He also congratulated Jim Austin for being the recipient of the 2011 Walter Star Robie Award.

VI. PRESENTATIONS

A. FY2011 Actuarial Study

Vice President Jim Austin introduced Vice President of Epler Company Marilyn Jones, who gave an overview of the district's fourth actuarial study for MiraCosta College, which is required by the Governmental Accounting Standards Board (GASB) every two years.

The board requested a future presentation from administration in order to better understand the ramifications down the road regarding early retirement benefits and a review of the current board policy.

VII. CONSENT ITEMS

A. Approve Academic Personnel Report #5-11/12
B. Approve Classified Personnel Report #5-11/12
C. Ratify Contracts and Approve Purchase Orders – October 1 to October 31, 2011
D. Approve New Spring 2012 Community Services Classes
E. Suspend Level of Contribution Requirement for Health and Welfare Benefits as Set Forth in Board Policy IV.C.1, Health and Welfare Insurance Coverage
F. Fiscal/Budget Ad Hoc Committee Recommendation to Board of Trustees Regarding Early Retirement Provisions in Board Policy

Item C was pulled for discussion.

By motion of Trustee McNeil, seconded by Trustee Carranza, consent items A, B, D, E, and F were approved as presented. The motion carried unanimously. Student advisory vote: aye.

By motion of Trustee McNeil, seconded by Trustee Fischer, consent item VII.C was approved. The motion carried unanimously. Student advisory vote: aye.

VIII. ACTION ITEMS

A. Approve 2011 Comprehensive Master Plan

By motion of Trustee Carranza, seconded by Trustee McNeil, the board approved the 2011 Comprehensive Master Plan. The motion carried unanimously. Student advisory vote: aye.

B. Review Board Policy 2715, Code of Ethics/Standards of Practice, and Sign Board of Trustees 2011/12 Code of Ethics

By motion of Trustee Carranza, seconded by Trustee Simon, the board approved the 2011/12 Code of Ethics for Trustee signature as amended. The motion carried unanimously. Student advisory vote: aye.
The board requested that this item be brought before the board every December.

C. Establish Date and Time of Annual Organizational Meeting

By motion of Trustee Carranza, seconded by Trustee Fischer, the board approved the date and time for the annual organizational meeting as presented. The motion carried unanimously. Student advisory vote: aye.

D. Adopt Resolution No. 1-11/12 – Support of Senate Constitutional Amendment 5

By motion of Trustee Carranza, seconded by Trustee Simon, the board adopted Resolution No. 1-11/12 – Support of Senate Constitutional Amendment 5 as presented. The motion carried unanimously. Student advisory vote: aye.

IX. INFORMATION

A. Summer 2011 Graduates

The list of graduates was presented for information.

B. 2011/12 First Quarterly Fiscal Reports

Dr. Rodriguez noted a one-page fiscal overview of the report was provided by Vice President Jim Austin. Board members asked that an overview section be added to the report that would explain any significant changes.

C. MiraCosta College Foundation and Development Office Gift Acceptance – September 13 to October 31, 2011

Dr. Rodriguez noted this report represents periodic donations received by the foundation.

D. Revisions to Administrative Procedure 7345, Catastrophic Leave

Dr. Rodriguez noted that this policy is being amended to clarify the process for approval of a waiver of the maximum number of personal necessity days that can be utilized by employees in catastrophic situations and to clarify that all leave accruals, including hours banked by faculty members, must be exhausted prior to the employee being eligible to use catastrophic leave benefits. Trustees requested that in the future, the fiscal impact of changes to board policies and administrative procedures be noted on the cover sheet.

VI. COLLEGE-RELATED REPORTS

A. Accreditation Update

Pam Deegan reported that the first draft of the letter to be submitted to the ACCJC was completed this week. It is now being reviewed and commented on by all constituents. All College Day this year will be geared toward accreditation and SLO topics.

B. Trustees Activities

None.

C. Students

Samantha Garcia noted that the ASG will be hosting the Great American Smokeout this week.

D. Classified Employees

Melanie Haynie stated that a written report is included in the agenda, but noted the names of Spotlight Award winners that were left off the written report.

E. Faculty

Louisa Moon noted her written report is included in the agenda. The board asked that faculty make sabbatical-leave-report presentations when time permits.

F. Vice Presidents

1. Instructional Services

Vice President Pam Deegan noted a written report is included in the agenda.

2. Student Services

Vice President Dick Robertson noted a written report is included in the agenda. Trustee Broad noted the increase in Health Services cases since last year.

3. Business and Administrative Services

Vice President Jim Austin noted the department report is included in the agenda.

G. Superintendent/President

Dr. Rodriguez acknowledged the winners of the Spotlight Awards, the good work from the staff in Human Resources during open enrollment, and congratulated Vice President Jim Austin and his staff on obtaining another unqualified audit this year.

VII. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS

None.

VIII. DECLARE NEED FOR CLOSED SESSION PURSUANT TO GOVERNMENT CODE §95957.7

A. Conference with Legal Counsel–Existing Litigation

(Pursuant to Government Code §54956.9, Subdivision (a))
Case: #37-2011-00083862-CU-OE-CTL
Case: #37-2010-00055465-CU-NP-NC

IX. RECONVENE IN OPEN SESSION – REPORT ACTION FROM CLOSED SESSION

A. Conference with Legal Counsel–Existing Litigation

(Pursuant to Government Code §54956.9, Subdivision (a))
Case: #37-2011-00083862-CU-OE-CTL
Case: #37-2010-00055465-CU-NP-NC
Discussion. No action taken.

X. ADJOURNMENT

The meeting adjourned at 8:30 p.m.

MINUTES APPROVAL:

Gloria Carranza
Board President

Francisco C. Rodriguez, Ph.D.
Superintendent/President

Subject:	Attachment:
Approve Academic Personnel Report #6-11/12	None
Category:	Type of Board Consideration:
Consent Items	Information ✔ Consent Action
Recommended:	Approved for Consideration:
Pamela Deegan Vice President, Instruction	Francisco C. Rodriguez, Ph.D. Superintendent/President

STATUS

1. Sally Foster, Dean, San Elijo Campus, position 1015, has given notice of her intent to retire from the district, effective June 30, 2012. She also requests participation in the district's early retirement program for the continuation of her health benefits and receipt of the MediCare supplement reimbursement.

2. In accordance with Board Policy V.B-5 and Administrative Procedure V.B-05, the Academic Senate Council adopted the following resolution to affirm its support of the Equivalency Committee's findings that the individual identified below has provided sufficient evidence of experience and/or education equivalent to the minimum qualifications established by the State Chancellor's Office to teach in the disciplines listed:

   Rizzhel Javier – Art

   Whereas Senate Council is satisfied that the candidate exhibits a unique combination of relevant education and experience, which makes the candidate unusually well qualified to teach in the specific discipline, and

   Whereas Senate Council is satisfied that the qualifications of the candidate are appropriate for the specific proposed assignment, and

   Whereas Senate Council notes that the candidate exhibits a strong background in general education,

   Therefore be it resolved that the Senate Council recommends that the Board of Trustees accept the candidate's qualifications as equivalent to the state minimum qualifications for the specific assignment in question.

3. Employment of the following associate faculty members, payable in accordance with the Collective Bargaining Agreement for Academic Associate Faculty:

Lori Walkington – Sociology
Luis Apolonio Guerrero – Math

RECOMMENDATION

Approve, ratify, and confirm the items included in Academic Personnel Report #6-11/12.

Subject:	Attachment:
Approve Classified Personnel Report #6-11/12	None
Category:	Type of Board Consideration:
Consent Items	Information ✔ Consent Action
Recommended:	Approved for Consideration:
James Austin, Vice President Business and Administrative Services	Francisco C. Rodriguez, Ph.D. Superintendent/president

STATUS

1. Employment of the following regular, classified employees:

   April Hernandez, Instructional Assistant I – Art Department, position 3409, salary range 12, step 1, $1,640.96 per month, 18 hours per week, 10 months per year, effective November 21, 2011.

   Nessa Julian, Student Center Manager/Club and Organization Advocate, position 3122, salary range 26, step 2, $2,592.15 per month, 18 hours per week, 12 months per year, effective January 9, 2012.

2. Temporary change of assignment for Jill Ringer, Instructional Assistant II, position 4066. Jill will serve as the Help Desk Specialist, position 0109, salary range 26, step 2, $5,760.33 per month, full-time, effective October 31, 2011, and will continue until the incumbent employee returns from leave.

3. Catastrophic leave request for Carrie-Lyn Jamieson, Instructional Assistant II – Biological Science Department, in accordance with Board Policy 7345. Carrie-Lyn is requesting leave donations as she will exhaust all of her leave entitlements. She will need approximately 40 hours to remain in full-pay status through December 31, 2011.

4. Request approval of the following temporary assignments for temporary, classified employees, as detailed below:

Employee	Job Title	Dept	Hourly Rate	Start Date	End Date
Kristin Nettle, Roxanne Avant	Campus Aide III	Retention Services	$17 per hour	12/1/2011	6/30/2012
Elaine Pilon	Campus Aide II	Public Information Office	$13 per hour	11/15/2011	7/10/2012
Mariellen High	Campus Aide II	Counseling	$13 per hour	11/16/2011	6/30/2012
Pamela Martinez Aranda	Campus Aide I	International Languages	$9 per hour	10/16/2011	12/16/2011

MIRACOSTA COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. 1-11/12

WHEREAS, Senate Constitutional Amendment 5 (Simitian), which reduces the two-thirds vote requirements on parcel taxes, will be acted on by the California State Legislature; and

WHEREAS, reductions in the state general-fund revenue have led to reduced school funding; and

WHEREAS, state general fund revenue is unstable and erratic, which results in unpredictable funding levels for school districts and county offices of education; and

WHEREAS, parcel tax revenue can provide a stable, predictable source of school revenue; and

WHEREAS, passage of SCA 5 will empower local voters to invest in their schools based on the needs of their communities by requiring a tough, but fair, fifty-five-percent vote to pass local parcel taxes, while protecting taxpayers and homeowners with accountability provisions that will ensure that funds generated from parcel taxes are not wanted or mismanaged; and

WHEREAS, revenue from parcel taxes can be spent according to local priorities and are not subject to state control; and

WHEREAS, the two-thirds vote requirement results in minority rule by requiring two "yes" votes to cancel out one "no" vote; and

WHEREAS, passage of SCA 5 will allow local voters to decide to make investments in their neighborhood schools in addition to state funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the MiraCosta Community College District strongly urges the California State Legislature to support and adopt SCA 5.

Upon motion by **Trustee Carranza**, seconded by **Trustee Simon**, the foregoing resolution was adopted at a regular meeting held on November 15, 2011, by the following vote:

AYES: Broad, Carranza, Fischer, McNeil, Ruud, Simon
NOES:
ABSENT: Shannon
ABSTAIN:

I, Francisco C. Rodriguez, Secretary of the Board of Trustees of the MiraCosta Community College District, certify that the foregoing resolution was regularly introduced, passed, and adopted by the Board of Trustees at its meeting held on November 15, 2011.

Francisco C. Rodriguez, Ph.D., Superintendent/President
Secretary, Board of Trustees
MiraCosta Community College District